

Votes

New South Wales.

No. 1.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 10 SEPTEMBER, 1878.

1. **OPENING OF THE SESSION:**—The House met at Twelve o'clock at noon, pursuant to a Proclamation of His Excellency the Governor, bearing date the first day of August, 1878.

Mr. Speaker took the Chair.

The Clerk, by direction of Mr. Speaker, read a copy of the said Proclamation, as follows:—

"NEW SOUTH WALES, } Proclamation by His Excellency SIR HERCULES GEORGE ROBERT ROBINSON,
"to wit. } Knight Grand Cross of the Most Distinguished Order of Saint Michael
"(L.S.) } and Saint George, Governor and Commander-in-Chief of the Colony
"HERCULES ROBINSON, } of New South Wales and its Dependencies, and Vice-Admiral of the
"Governor. } same.

"WHEREAS the Parliament of New South Wales now stands prorogued to Tuesday, the thirteenth instant: Now I, SIR HERCULES GEORGE ROBERT ROBINSON, in pursuance of the power and authority in me vested as Governor of the said Colony, do hereby further prorogue the said Parliament to Tuesday, the tenth day of September now next ensuing: And I do hereby further announce and proclaim that the said Parliament shall assemble for the despatch of business on the aforesaid tenth day of September next, at twelve o'clock at noon, in the buildings known as the Council Chambers, situate in Macquarie-street, in the City of Sydney: And the Members of the Legislative Council and Legislative Assembly, respectively, are hereby required to give their attendance at the said time and place accordingly.

"Given under my Hand and Seal, at Government House, Sydney, this first day of August, in the year of our Lord one thousand eight hundred and seventy-eight, and in the forty-second year of Her Majesty's Reign.

"By Command,
"JAMES S. FARNELL.

"GOD SAVE THE QUEEN!"

2. **ELECTORATE OF EAST MAITLAND:**—Mr. Speaker informed the House, that upon the passing of a Resolution during the late Session declaring the seat of Stephen Scholey, Esquire (deceased), vacant, he had issued a Writ for the election of a Member to serve in the room of Mr. Scholey; and that such Writ had been duly returned, with a certificate endorsed thereon by the Returning Officer of the election of Henry Septimus Badgery, Esquire, to serve as Member for the Electoral District of East Maitland.
3. **MEMBER SWORN:**—Henry Septimus Badgery, Esquire, having taken and subscribed the Oath, and signed the Roll, took his Seat as Member for the Electoral District of East Maitland.
4. **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR:**—The Usher of the Black Rod being admitted, delivered the following Message:—

"MR. SPEAKER,

"It is the pleasure of the Governor that this Honorable House do attend His Excellency immediately in the Legislative Council Chamber."

The House went, and being returned, adjourned, on motion of Mr. Farnell, at twenty-five minutes after Twelve o'clock, until Four o'clock This Day.

The House resumed, pursuant to adjournment.

5. PAPERS :—

Mr. Burns laid upon the Table,—

- (1.) Twenty-third Annual Report of the Postmaster General on the Departments under his Ministerial control, being that for the year 1877.
 - (2.) Report of the Proceedings of the Conference respecting the duplication of the Telegraph Lines between Australasia and Europe, held in Melbourne in May, 1878.
 - (3.) Electric Telegraphs.—Correspondence concerning the transaction of Telegraphic Business on the Java Lines.
- Ordered to be printed.

Mr. Farnell laid upon the Table,—

- (1.) Return to an Order made on 26th June, 1877,—“ Roads through Croobyar Estate, Ulladulla.”
 - (2.) Return to an Order made on 19th March, 1878,—“ Water Reserve at Lindsay's Point, New England.”
 - (3.) Further Return (*in part*) to an Order made on 22nd February, 1876,—“ Alienated Crown Lands, Port Jackson.”
 - (4.) Return (*in part*) to an Order made on 1st May, 1877,—“ Reclamation of Land, Port Jackson.”
- Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—

- (1.) Amended Regulation under Volunteer Force Regulation Act of 1867.
 - (2.) Regulations under Volunteer Force Regulation Act of 1867.
 - (3.) By-law under Public Vehicles Regulation Act of 1873. Dated 10th July, 1878.
 - (4.) Ditto Ditto Dated 5th August, 1878.
 - (5.) By-law of the Borough of the Glebe. Dated 25th July, 1878.
 - (6.) Ditto Ditto, under the Nuisances Prevention Act.
 - (7.) By-laws of the Borough of Grafton, ditto.
 - (8.) By-laws of the Borough of Central Illawarra.
 - (9.) Further Return to an Address adopted on 6th July, 1877,—“ Immigration.”
 - (10.) Report from the Agent for Immigration for 1877.
 - (11.) By-laws of the Municipal District of Hamilton.
 - (12.) Returns under Real Property Act for 1877.
 - (13.) Report from the Manager of Government Asylums for the Infirm and Destitute relative to expenditure for 1877.
- Ordered to be printed.

Mr. Sutherland laid upon the Table,—

- (1.) Return to an Order made on 8th May, 1878.—“ Railway Employés.”
 - (2.) Report by the Commissioner for Railways on the Railways of New South Wales, being for the year 1877.
- Ordered to be printed.

Mr. Cohen laid upon the Table,—

- (1.) Despatch respecting Commercial Treaty between Great Britain and the Sandwich Islands.
 - (2.) General Abstract of Bank Liabilities and Assets for the Quarter ended 30th June, 1878.
- Ordered to be printed.

Mr. W. H. Suttor laid upon the Table,—Regulations relating to the Vote in aid of Prospecting for Gold.

Ordered to be printed.

6. THE GLEBE BOROUGH BILL:—Mr. Stephen Brown presented a Petition from the Mayor and Aldermen of the Borough of the Glebe, praying for leave to bring in a Bill to enable the Borough of the Glebe to sell and dispose of two portions of land situate in the county of Cumberland, parish of Petersham, at Grose Farm, on the Old Parramatta Road, granted to the Municipal Council of the Glebe as sites for Council Chambers and a School of Arts respectively, and to provide for the appropriation of the proceeds thereof.

And Mr. Brown having produced the *Government Gazette* and the *Sydney Morning Herald*, newspaper, containing the notices required by the 59th Standing Order,—
Petition received.

7. ORDINANCE LANDS TRANSFER BILL:—Mr. Farnell presented a Bill intituled “ *A Bill for confirming the Transfer to the Secretary of War in England from the Principal Officers of Ordnance thereof certain Lands in New South Wales and for amending the Ordnance Land Act of Council 1840,*”—which was read a first time *pro formâ*.

8. THE GOVERNOR'S OPENING SPEECH:—Mr. Speaker reported that the House had this day attended the Governor in the Legislative Council Chamber, when His Excellency was pleased to deliver an Opening Speech to both Houses of Parliament, of which, for greater accuracy, he had obtained a copy,—which he read to the House, as follows :—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,
AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

1. I have called you together at a period somewhat earlier than has been the practice during the last three or four years, in the hope that you will be enabled to make provision for the Public Service, and at the same time deal with some of the important questions awaiting legislation, before the close of the present year.

2. When last I addressed you the peace of Europe was imperiled, and it was thought desirable that the Torpedo Works designed for the protection of Port Jackson should be carried to completion. This has now been done, and although all immediate cause of apprehension is removed, the remaining Works of Defence deemed necessary for Port Jackson and Newcastle are being proceeded with; and measures have also been taken with a view to the remodelling of our Volunteer Military Force, which it is to be hoped will have the effect of placing it in a state of efficiency.

3. Although a long protracted drought, now I trust at an end, has necessarily involved material loss to all our great producing interests, I am happy to be able to congratulate you on the continued prosperity of the Colony, as indicated by the Revenue Returns, which are of a satisfactory character.

4. Acting on the advice of my Ministers, I have judged it expedient to renew for another year the existing Treaty with the Colony of South Australia, whereby New South Wales receives the fixed contribution of thirty-five thousand pounds per annum in lieu of the duties leviable on goods crossing our Border.

5. A correspondence has been initiated with neighbouring Colonies with the view of bringing about a general Customs Union, which, among other advantages, will obviate the necessity for the collection in any case of duties on merchandise passing from one Colony to the other.

6. In view of the large reproductive works about to be undertaken, which will involve a considerable outlay in Great Britain, my Government, in June last, resolved to avail themselves of the then unusually favourable state of the money market in London, to raise a Loan in pursuance of powers derived from several unused Loan Acts. It was determined that the proposed Loan should eventually be a little under £3,000,000, but that only £1,500,000 should be raised in the first instance. It appears, however, that within the last few days there has occurred some disturbance in the money market, which has temporarily affected Australian securities, caused apparently by the expressed intention of some of the neighbouring Colonies to borrow very largely in London. Under these circumstances, my Government have postponed their operations, awaiting the recovery of the money market, which the latest advices lead them to anticipate at an early date.

7. During the Recess a sustained effort has been made to prepare the preliminary specifications necessary for commencing the great sanitary works, viz., the proper Sewerage of the City of Sydney and some of its immediate Suburbs, and the securing of an adequate supply of pure Water, not only to the City and Suburbs, but to other parts of the Colony. Provision will be made on the Estimates for the commencement of these important works, and the necessary Bill introduced, to which I desire to invite your earnest attention.

8. Bills will also be laid before you at an early date to amend the Electoral Law—to consolidate the Laws relating to the City of Sydney, and to enlarge the endowment of the City—to amend the Law relating to Municipalities generally—to amend the Law relating to the Insane—to consolidate and amend the Land Laws—and, connected therewith, a Bill to amend the Law relating to Dividing Fences.

9. Besides these measures, which are considered of primary importance, Bills will be submitted to you as the state of the public business will permit—to consolidate the Criminal Law—to amend the Law relating to the Licensing of Public-houses—to consolidate the Customs Law—to consolidate the Public Debt—and to further endow the University of Sydney.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

10. The Estimates of Expenditure will be submitted to you at an early date.

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,
AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

11. Proposals will be submitted to you for a very large extension of our Railway system. There are at the present time 650 miles of Railway in operation. During the Recess two sections of the Southern line were opened for traffic,—from Bethungra to Junee, 18 miles, and from Junee to North Wagga Wagga, also 18 miles. These extensions complete two of the three divisions of the Great Southern Railway, terminating at Goulburn, Wagga Wagga, and Albury, respectively. The third division, from Wagga Wagga to Albury, 82 miles, will be completed by the 30th December, 1880.

In the North, the extension from Quirindi to Tamworth, 38 miles, will be opened for traffic before the termination of the present month, and the progress made with the North-western Railway from Weriss Creek to Gunnedah, 45 miles, and the extension westerly from Orange to Wellington and Dubbo, 85 miles, justifies the expectation that they will be completed within the contract time, which expires, for the former on the 30th June next, and for the latter on the 31st July, 1880.

It is gratifying to find that, besides the benefits which the Railways confer in affording the means of developing the resources and enhancing the prosperity of the Country, they yield a direct per-centage return on the capital expended in their construction in excess of the rate of interest at which public Loans can be negotiated; and when in addition to this it is remembered that the Public Debt of New South Wales is in proportion to population the smallest of the Australian group, no difficulty should be experienced in obtaining the funds required for carrying the Railways further into the interior, to open up resources which for want of these means of cheap and speedy transit remain undeveloped. The Railway proposals which the Government will submit to the consideration of Parliament will embrace the construction of about 1,000 miles of line, and will include the extension of the Railway from Redfern to the Circular Quay and to some of the more important Suburbs of Sydney.

12. I now remit these important matters to your consideration, in the confident expectation that your deliberations will, under Divine Providence, tend to the social as well as the material advancement of the Colony.

Mr. Badgery then moved, and Mr. T. R. Smith seconded the motion,—

(1.) That a Select Committee be appointed to prepare an Address in reply to the Speech delivered by His Excellency the Governor on opening this Session of the Parliament of New South Wales.

(2.) That such Committee consist of Mr. Farnell, Mr. Shepherd, Mr. Day, Mr. W. Davies, Mr. Greville, Mr. Johnston, Mr. O'Connor, and the Mover.

Question put and passed.

And the Committee retired to prepare the Address.

And

And Mr. Badgery having brought up the Address prepared by the Committee, the same was read by the Clerk, by direction of Mr. Speaker, as follows:—

To His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our loyalty and unfeigned attachment to Her Most Gracious Majesty's Person and Government, and offer our respectful thanks for your Excellency's speech.

2. It is gratifying to us—the representatives of the people of this Colony—to know that there is no immediate cause for apprehending any disturbance of the peace of Europe, which we hope may be long maintained.

3. The various measures enumerated in your Excellency's speech shall receive our careful and anxious consideration.

4. It is a source of great gratification to us that the serious drought which had threatened the great interests of the Colony has apparently terminated.

5. We join with your Excellency in your congratulations upon the continued prosperity of the Colony, and fervently hope that our counsels, under Divine guidance, may be conducive to the best interests of the Country, and the welfare and happiness of its people.

Mr. Badgery then moved, and Mr. T. R. Smith seconded the motion, That the Address in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House.

Debate ensued.

Question put and passed.

Mr. Farnell informed the House that he had ascertained it to be the pleasure of the Governor to receive their Address in reply to His Excellency's Opening Speech at half-past Four o'clock to-morrow,—

And moved, That this House do now adjourn until to-morrow at Four o'clock.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned, at twenty minutes after Nine o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 2.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 11 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

ADDRESS IN REPLY TO GOVERNOR'S OPENING SPEECH:—On motion of Mr. Farnell, the Assembly proceeded to Government House, there to present to the Governor their Address in Reply to the Speech His Excellency had been pleased to make to both Houses of Parliament on opening the Session,—

And being returned,—

Mr. Speaker reported that the Assembly had presented to the Governor their Address in reply to His Excellency's Opening Speech, and that His Excellency had been pleased to give them thereto the following answer:—

MR. SPEAKER AND GENTLEMEN
OF THE LEGISLATIVE ASSEMBLY,—

I thank you in the name of the Queen for the expressions of loyalty and attachment to Her Majesty's Person and Government contained in the Address which you have just presented to me.

I am glad to have your assurance that the various measures about to be submitted to you will receive your careful and anxious consideration.

*Government House,
Sydney, 11th September, 1878.*

2. PAPER:—Mr. Speaker laid upon the Table,—Abstracts of the Public Accounts of the Colony for the year 1877, together with the Auditor General's Report thereon,—transmitted to the Legislative Assembly in accordance with the provisions of the 38th section of the Audit Act, 33 Vic. No. 18. Ordered to be printed.

3. QUESTIONS:—

- (1.) Railway from Junee to Narrandera:—Mr. J. Davies asked the Secretary for Public Works,—
(1.) What is the cause of the delay in calling for tenders for the construction of the Railway from Junee to Narrandera?
(2.) When will tenders be called for the construction of this Railway, affirmed by Parliament?

Mr. Sutherland answered,—

(1.) The 9th section of the Railway Act provides that before any Railway can be lawfully proceeded with, the plans, sections, and books of reference must be approved by a Resolution of Parliament. As the plans, &c., of the Railway from Junee to Narrandera have not been so approved, tenders for its construction could not, of course, be invited.

(2.) Until the plans, &c., are approved the line cannot be said to have been affirmed by Parliament.

- (2.) Building on proposed Street opposite Post Office:—Mr. J. Davies asked the Secretary for Public Works,—

(1.) By what authority is the wood, iron, and brick building being erected on the proposed new street opposite the Post Office?

(2.) What is the cost of erection, and were tenders called for the work?

Mr. Sutherland answered,—

(1.) By the authority of the Government.

(2.) The cost of erection is £975. A tender was obtained from Hudson Brothers by the Colonial Architect, who reported that the price was reasonable.

- (3.) Medical Officer, Darlinghurst Gaol:—Mr. J. Davies asked the Colonial Secretary,—

(1.) What are the names of the various medical men who applied for the position of Gaol Surgeon at Darlinghurst?

(2.) By whom was Dr. O'Connor recommended, and how long has he been in practice?

Mr.

Mr. Fitzpatrick answered,—

(1.) Drs. Bedford, Belgrave, Carroll, Dansey, Day, Eichler, Gilhooley, Grant, Halket, Houison, Macnish, Morgan, M'Donough, M'Kellar, Mackay, M'Laurin (afterwards withdrawn), O'Connor, Spark, Spink, Tarrant, West, Tibbitts, and Tassall.

(2.) Mr. Neill (Manager of City Bank), Mr. John McElhone, M.P., Mr. Hourigan, junr., Mr. R. B. Smith, M.P., Dr. Evans, Danl. O'Connor, M.P., and Dr. Beg. His practice in this Colony appears to have been since August, 1877.

(4.) Road from Parramatta Road to Redmyre Station :—Mr. Driver asked the Secretary for Lands,—

(1.) Has any application been made to open a road or approach to the Redmyre Station from the Parramatta Road ?

(2.) Is it a fact that the want of such a road is the cause of great inconvenience to the residents in the locality ?

(3.) Will such application be granted ; and if so, when will the road be opened ?

Mr. Farnell answered,—

(1.) Yes.

(2.) The road is believed to be of some importance.

(3.) The road was preliminarily notified, and objections to it having been raised by the owners of the land through which it was taken, it was decided not to confirm it. The objections having been arranged, the road will be confirmed upon the payment into the Treasury of the sum of £75 by applicants as compensation for the withdrawal of one of the objections.

(5.) Post and Telegraph Office, Rylstone :—Mr. Hurley (*Hartley*) asked the Secretary for Public Works,—

(1.) When was the money voted by Parliament for the erection of a Post and Telegraph Office at Rylstone first available ?

(2.) What is the cause of delay in tenders not having been invited ?

(3.) When is it probable that the erection will be proceeded with ?

Mr. Burns answered,—

(1.) On the passing of the Appropriation Act, on 11th October, 1877.

(2.) The delay has been caused by the difficulty of obtaining a site.

(3.) Plans have been prepared, and tenders will be invited as soon as a site is available.

4. PARRAMATTA TOWN HALL BILL :—Mr. Taylor presented a Petition from the Mayor and Aldermen of the Borough of Parramatta, praying for leave to bring in a Bill to authorize the erection of a Town Hall and other buildings on land granted as a site for a Market in the town of Parramatta, and for other purposes therein mentioned.

And Mr. Taylor having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Cumberland Mercury*, newspapers, containing the notices required by the 59th Standing Order,—Petition received.

5. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Mr. Speaker, pursuant to the requirement of the Electoral Act of 1858, 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 1858, I do hereby appoint

“ Richard Ryther Steer Bowker, Esquire, M.D.,
“ George Day, Esquire,
“ John Lackey, Esquire,
“ Henry Moses, Esquire,

“ Charles Edward Pilcher, Esquire,
“ Robert Burdett Smith, Esquire,
“ James Watson, 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 eleventh day of September, in the year of our Lord one
“ thousand eight hundred and seventy-eight.

“ G. WIGRAM ALLEN,

“ Speaker.”

6. METROPOLITAN CATTLE SALE-YARDS BILL :—Mr. Lackey moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to establish Metropolitan Cattle “Sale-yards” ; and to consider an Address to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

Debate ensued.

Mr. Jacob moved, That the Question be amended, by the omission of all the words after the word “Sale-yards.”

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

Debate continued.

Proposed amendment, by leave, withdrawn.

Original Question put and passed.

7. DUTY ON GOLD ABOLITION BILL :—Mr. Baker moved, pursuant to Notice, That leave be given to bring in a Bill to abolish the Duty on Gold.

Debate ensued.

Question put and passed.

8. PUBLIC VEHICLES REGULATION ACT REPEAL BILL :—Mr. J. Davies moved, pursuant to Notice, That leave be given to bring in a Bill to repeal the Public Vehicles Regulation Act of 1873.

Question put and passed.

9. PAPERS :—

Mr. Fitzpatrick laid upon the Table,—

- (1.) Twenty-second Annual Report from the Registrar-General on Vital Statistics.
- (2.) Despatch disallowing the Matrimonial Causes Act Amendment Act.

Ordered to be printed.

Mr. Farnell laid upon the Table,—

- (1.) Regulations under Diseases in Sheep Acts Amendment Act of 1878.
- (2.) Regulations under Imported Stock Act of 1871.
- (3.) Abstract of Crown Lands reserved from sale until surveyed for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Vic. No. 1.

Ordered to be printed.

10. BUSINESS DAYS (*Sessional Order*):—Mr. Farnell moved, pursuant to Notice, That, unless otherwise ordered, this House shall meet for despatch of business at Four o'clock p.m. on Tuesday, Wednesday, Thursday, and Friday, in each week.
Question put and passed.
11. PRECEDENCE OF GOVERNMENT BUSINESS (*Sessional Order*):—Mr. Farnell moved, pursuant to Notice, That on Wednesday and Thursday in each week, unless otherwise ordered, Government Business shall take precedence of General Business.
Question put and passed.
12. PRECEDENCE OF GENERAL BUSINESS (*Sessional Order*):—Mr. Farnell moved, pursuant to Notice, That on Tuesday and Friday in each week, unless otherwise ordered, General Business shall take precedence of Government Business; and that on Fridays, General Orders of the Day shall take precedence of Motions.
Question put and passed.
13. FORMAL BUSINESS (*Sessional Order*):—Mr. Farnell moved, pursuant to Notice, That it shall be a Sessional Order of this House for the present Session,—
 - (1.) That every Motion or Order of the Day for the third reading of a Bill to which, on the Question being put from the Chair, "Whether there is any objection to its being a 'Formal Motion' or Order of the Day," no objection shall be taken shall be deemed to be a "Formal" Motion or Order of the Day.
 - (2.) That before the Ordinary Business of each day shall be entered upon, Mr. Speaker shall call over the various Notices of Motions and Orders of the Day for third reading of Bills; and on any such Motion or Order being called, it shall be competent for the Member otherwise entitled to move it to have the above question put with reference thereto, and such "Formal" Motions or Orders of the Day shall be disposed of in the relative order in which they stand on the Business Paper, taking precedence of all the other Motions and Orders of the Day.
 - (3.) That no Debate shall be allowed upon any such "Formal Motions or Orders of the Day," or upon the further proceedings consequent on the reading of such Orders; but the House may proceed to division thereupon, without amendment or debate, as in the case of the motion for the first reading of a Bill.
 - (4.) That, in consequence of any such "Formal" Orders of the Day having been disposed of as aforesaid, it shall not be held that the House has proceeded to the Orders of the Day upon the Business Paper so as to exclude thereafter the presentation of Petitions or the reception of Notices of Motions.

Mr. Jacob moved, That the Question be amended by the addition of the following paragraph; to stand paragraph (5):—
"That no motion for the appointment of a Select Committee, excepting upon a private Bill, shall be held to be a 'Formal' Motion."
Question proposed, That the words proposed to be added be so added.
Debate ensued.
Question,—That the words proposed to be added be so added,—put and passed.
Original Question, as amended, put and passed.
14. COMMITTEE OF SUPPLY (*Sessional Order*):—Mr. Farnell moved, pursuant to Notice, That, unless otherwise ordered, the resumption of the Committee of Supply shall stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
Question put and passed.
15. COMMITTEE OF WAYS AND MEANS (*Sessional Order*):—Mr. Farnell moved, pursuant to Notice, That, unless otherwise ordered, the resumption of the Committee of Ways and Means shall stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
Question put and passed.
16. TRANSMISSION OF MESSAGES BETWEEN THE TWO HOUSES (*Sessional Order*):—Mr. Farnell moved, pursuant to Notice, That the Order respecting the transmission of Messages agreed to by the two Houses during the Session of 1856-7 shall stand as a Sessional Order of this House for the present Session.
Question put and passed.
17. BALLOTING FOR SELECT COMMITTEES (*Sessional Order*):—Mr. Farnell moved, pursuant to Notice, That the following Rules shall be observed as a Sessional Order of this House for the present Session :—
 - (1.) Members balloting for a Select Committee shall place the Balloting Papers, after completion, in the hands of the Clerk of the House (or in his absence the officer acting in his stead), giving time for him to note one paper (as hereinafter mentioned) before another is presented.
 - (2.) The Clerk shall have before him a complete printed list of the Members of the House, and on the presentation of any Balloting Paper shall place his initials against the entry in such list of the name of the Member presenting such Balloting Paper, and the Clerk shall place such list so initialled on record with the other proceedings of the Ballot.

Question put and passed.

18. **QUESTIONS AND ANSWERS (*Sessional Order*)**:—Mr. Farnell moved, pursuant to Notice, That the Clerk of the House shall enter upon the Minutes of the Votes and Proceedings the Questions, of which formal notice shall have been given, put to the Members representing the Government in this House, and the Answers returned to the same.
Question put and passed.
19. **VOTE OF CHAIRMAN OF SELECT COMMITTEE ON PRIVATE BILLS (*Sessional Order*)**:—Mr. Farnell moved, pursuant to Notice, That the Chairman of a Select Committee on a Private Bill shall be entitled to vote on all questions in the same way as other Members of such Committee, and in case of an equality of votes exercise a second or casting vote.
Question put and passed.
20. **LIBRARY COMMITTEE (*Sessional Order*)**:—Mr. Farnell moved, pursuant to Notice, That the Library Committee for the present Session shall consist of Mr. Speaker, Sir John Robertson, Mr. Windeyer, Mr. Burns, Captain Onslow, Sir Henry Parkes, Mr. Wisdom, Dr. Bowker, Mr. Greenwood, and the Mover, with leave to sit during any adjournment, and power to act jointly with the Library Committee of the Legislative Council, in accordance with the Assembly's Resolution of the 6th August, 1862.
Question put and passed.
21. **STANDING ORDERS COMMITTEE (*Sessional Order*)**:—Mr. Farnell moved, pursuant to Notice, That the Standing Orders Committee for the present Session shall consist of Mr. Speaker, Mr. Pilcher, Mr. Stephen Brown, Captain Onslow, Mr. Gray, Mr. Wisdom, Mr. Fitzpatrick, Sir John Robertson, Mr. Hoskins, and the Mover, with leave to sit during any adjournment, and authority and power to send for persons, papers, and records, and to examine witnesses, and to report in any matter or thing referred to or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
Question put and passed.
22. **REFRESHMENT COMMITTEE (*Sessional Order*)**:—Mr. Farnell moved, pursuant to Notice, That a Refreshment Committee be appointed for the present Session, to consist of Mr. Speaker, Mr. Stephen Brown, Mr. Long, Sir John Robertson, Mr. Driver, Mr. Hungerford, Mr. Roseby, Mr. Cameron, Mr. Wisdom, and the Mover, with leave to sit during any adjournment, and authority to act in matters of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
Debate ensued.
Question put and passed.
23. **MEETING OF THE HOUSE (*Sessional Order*)**:—Mr. Farnell moved, pursuant to Notice, That it be a Sessional Order of this House for the present Session that the Bell be rung two minutes prior to Mr. Speaker taking the Chair.
Question put and passed.
24. **GRAPE-VINES AND GRAPES IMPORTATION PROHIBITION BILL**:—Mr. Farnell moved, pursuant to Notice, That leave be given to bring in a Bill to prohibit the Importation of Grape-vines, Grape-vine Cuttings, and Grapes.
Question put and passed.
25. **LUNACY BILL**:—Mr. Fitzpatrick moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider of the expediency of bringing in a Bill to consolidate and amend the Law relating to the Insane.
Question put and passed.
26. **ELECTORAL BILL**:—Mr. Fitzpatrick moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider of the expediency of bringing in a Bill to consolidate and amend the Law relating to the election of Members to serve in the Legislative Assembly.
Question put and passed.
27. **SYDNEY CORPORATION BILL**:—Mr. Fitzpatrick moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider of the expediency of bringing in a Bill to consolidate and amend the Laws relating to the Corporation of the City of Sydney.
Question put and passed.
28. **METROPOLITAN WATER SUPPLY AND SEWERAGE BILL**:—Mr. Fitzpatrick moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider of the expediency of bringing in a Bill to make better provision for the supply of Water to the City of Sydney and other parts of the Colony, and for the Sewerage of the City and Suburbs thereof.
Question put and passed.
29. **THE GLEBE BOROUGH BILL**:—*Mr. Driver*, for Mr. Stephen Brown, moved, pursuant to Notice, That leave be given to bring in a Bill to enable the Borough of the Glebe to sell and dispose of two portions of land situate in the County of Cumberland, Parish of Petersham, at Grose Farm, on the Old Parramatta Road, granted to the Municipal Council of the Glebe as sites for Council Chambers and a School of Arts respectively, and to provide for the appropriation of the proceeds thereof.
Question put and passed.
30. **PATENT BILL**:—*Mr. Roseby*, for Mr. Macintosh, moved, pursuant to Notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Law in reference to Patents of Inventions; and to consider an Address to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.
Question put and passed.

31. CITY OF SYDNEY IMPROVEMENT BILL:—Mr. Driver moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for the construction of Buildings and for the safety and health of the inhabitants within the City of Sydney.
Question put and passed.
32. GRAPE-VINES AND GRAPES IMPORTATION PROHIBITION BILL:—Mr. Farnell presented a Bill, intituled "*A Bill to prohibit the Importation of Grape-vines Grape-vine Cuttings and Grapes,*"—which was read a first time.
Ordered to be printed, and read a second time on Wednesday next.

The House adjourned at ten minutes before Seven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN.
Speaker.

New South Wales.

No. 3.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 12 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Impounding Bill:—Mr. Jacob asked the Secretary for Lands,—Does the Government intend to bring in early this Session a Bill relative to Impounding; and if so, will it be simply to amend the existing Impounding Act, or is it to be a consolidating measure?

Mr. Farnell answered,—The period at which the Impounding Bill will be brought in will depend upon the progress made with public business.

(2.) Site for a Church at Larras Lake:—Mr. Shepherd asked the Secretary for Lands,—Will the Government cause a reply to be given to his application of the 28th January, 1878, in regard to the reservation of a piece of land at Larras Lake whereon to erect a Church?

Mr. Farnell answered,—I find that the plan and report were received on the 30th July last. A reply will be sent as soon as the papers have been forwarded on from the Survey Department.

(3.) Buildings at Railway Station, Wellington:—Mr. Shepherd asked the Secretary for Public Works,—Is it the intention of the Government to immediately call for tenders for the erection of the necessary buildings at the proposed Railway Station at Wellington, so that provision may be made for the public by the time that the line is opened?

Mr. Sutherland answered,—Tenders have already been invited for the erection of these buildings. The advertisement has appeared in the *Gazette*, the daily papers of Sydney, and in the Orange and Wellington papers. The tenders are to be opened on Tuesday next.

(4.) Gaol, Wellington:—Mr. Shepherd asked the Colonial Secretary,—Is it the intention of the Government to make provision on the Estimates for a sum of money for the erection of a Gaol at Wellington in lieu of the present building?

Mr. Fitzpatrick answered,—Plans have been prepared for two additional cells, bath-room, store, and other improvements at Wellington Gaol, and tenders are about being called for. These additions and improvements are considered sufficient for the present, instead of an entirely new building.

(5.) Lands Office,—Alleged False Declarations:—Captain Onslow asked the Secretary for Lands,—

(1.) Is the statement in the *Sydney Morning Herald* of August 27th, 1878, that "there are papers in this (Lands) Office which show, as clearly as papers can show, that at least one Member of Parliament has been guilty of making false declarations, and in that way attempting to obtain possession of land fraudulently," correct?

(2.) If the statement is true, is the Member alluded to a Member of the Legislative Council?

(3.) If the statement is incorrect, will the Government take some steps to punish the author of a statement so seriously affecting the honor of the Parliament of New South Wales?

Mr. Farnell answered,—I am unable to say. There are cases in the Lands Office in which the evidence is very contradictory; but whether in any given case a false declaration has been made is a matter of opinion.

(6.) Land Bill:—Mr. W. Davies asked the Secretary for Lands,—Is the amended Land Bill to be introduced by the Government during this Session of Parliament the Bill which was introduced by them in the last Session?

Mr. Farnell answered,—The Bill to be submitted this Session is substantially the same as the draft Bill laid upon the Table last Session, but the Government has taken advantage of the recess to carefully revise the draft.

2. **THE GLEBE BOROUGH BILL**:—Mr. Stephen Brown having *presented* this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to enable the Borough of the Glebe to sell and dispose of two portions of Land situate in the county of Cumberland parish of Petersham at Grose Farm on the Old Parramatta Road granted to the Municipal Council of the Glebe as sites for Council Chambers and a School of Arts respectively and to provide for the appropriation of the proceeds thereof*,"—read a first time.
3. **PAPERS**:—
Mr. Farnell laid upon the Table,—
(1.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Vic. No. 1.
(2.) Abstract of all Sites for Cities, Towns, and Villages declared under the 4th section of the same Act.
(3.) Abstract of Crown Lands authorized to be dedicated for the use and general purposes of Pastoral and Agricultural Associations, in accordance with the 32nd section of the Act 39 Vic. No 13.
Ordered to be printed.
Mr. Burns laid upon the Table,—Correspondence respecting Duplication of the Telegraph Cable between Australasia and Europe.
Ordered to be printed.
Mr. Fitzpatrick laid upon the Table,—
(1.) By-laws of the Borough of Wagga Wagga.
(2.) Regulations under Volunteer Force Regulation Act of 1867. (*To be substituted for the Regulations laid upon the Table and ordered to be printed on the 10th instant.*)
Ordered to be printed.
4. **DEPUTY CHAIRMAN OF COMMITTEES**:—Mr. Fitzpatrick (*by consent*) moved, without Notice, That Richard Driver, Esquire, do take the Chair in Committee of the Whole House for this day only.
Question put and passed.
5. **SUNDAY TRAFFIC IN INTOXICATING LIQUORS**:—Mr. Shepherd presented a Petition from Inhabitants of Hill End and Tambaroora, deprecating Sunday Traffic in Intoxicating Drinks, and praying that an Act may be passed to amend the existing Licensed Publicans Act.
Petition received.
6. **PARRAMATTA TOWN HALL BILL (Formal Motion)**:—Mr. Taylor moved, pursuant to Notice, That leave be given to bring in a Bill to authorize the erection of a Town Hall and other buildings on land granted as a site for a Market in the Town of Parramatta, and for other purposes therein mentioned.
Question put and passed.
7. **MARRIED WOMEN'S RELIEF BILL (Formal Motion)**:—Mr. Windeyer moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Law relating to the rights and liabilities of Married Women.
Question put and passed.
8. **COSTS IN MATRIMONIAL CAUSES BILL (Formal Motion)**:—Mr. Windeyer moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Law as to costs in Matrimonial Causes.
Question put and passed.
9. **COPYRIGHT (Formal Motion)**:—Mr. Windeyer moved, pursuant to Notice, That leave be given to bring in a Bill to secure to Proprietors of Designs for Articles and Works of Manufacture and Art, and to Proprietors of Works of Literature and Fine Art, the copyright of such Designs and Works for a limited period.
Question put and passed.
10. **PARRAMATTA TOWN HALL BILL**:—Mr. Taylor having *presented* this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to authorize the erection of a Town Hall and other buildings on land granted as a site for a Market in the Town of Parramatta and for other purposes therein mentioned*,"—read a first time.
11. **MARRIED WOMEN'S RELIEF BILL**:—Mr. Windeyer *presented* a Bill, intituled "*A Bill to amend the Law relating to the Rights and Liabilities of Married Women*"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 1st November.
12. **COSTS IN MATRIMONIAL CAUSES BILL**:—Mr. Windeyer *presented* a Bill, intituled "*A Bill to amend the Law as to Costs in Matrimonial Causes*,"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 20th September.
13. **POWERS AND PRIVILEGES OF PARLIAMENT**:—Mr. Farnell moved, pursuant to Notice, That it be referred to the Standing Orders Committee, "(with an instruction to confer with the Standing Orders Committee of the Legislative Council, or any other Committee appointed for the like purpose)," to inquire into and report upon the Powers and Privileges of Parliament, and also what further Powers and Privileges, if any, should be conferred upon either House.
Debate ensued.
Mr. Wisdom moved, That the Question be amended by the omission of all the words within parentheses.
Question proposed, That the words proposed to be omitted stand part of the Question.
Debate continued.
Proposed amendment, by leave, withdrawn.
Original Question, by leave, withdrawn.

14. LUNACY BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to consolidate and amend the Law relating to the Insane.

Mr. Speaker resumed the Chair; and *Mr. Driver* reported that the Committee had come to a Resolution.

Ordered, on motion of *Mr. Driver* (*with the concurrence of the House*), that the report be *now* received.

Mr. Driver then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to consolidate and amend the Law relating to the Insane.

On motion of Mr. Fitzpatrick, the Resolution was read a second time, and agreed to.

(2.) The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by the Speaker:—

HERCULES ROBINSON,
Governor.

Message, No 1.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to consolidate and amend the Law relating to the Insane.

Government House.

Sydney, 12th September, 1878.

(3.) Mr. Fitzpatrick presented a Bill, intituled "*A Bill to consolidate and amend the Law relating to the Insane*,"—which was read a first time.

Ordered to be printed, and read a second time on Thursday next.

15. ELECTORAL BILL:—The Order of the Day having been read,—on motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to consolidate and amend the Law relating to the election of Members to serve in the Legislative Assembly.

Mr. Speaker resumed the Chair; and *Mr. Driver* reported that the Committee had come to a Resolution.

Ordered, on motion of *Mr. Driver* (*with the concurrence of the House*), that the report be *now* received.

Mr. Driver then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to consolidate and amend the Law relating to the election of Members to serve in the Legislative Assembly.

On motion of Mr. Fitzpatrick, the Resolution was read a second time, and agreed to.

16. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—on motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to consolidate and amend the Laws relating to the Corporation of the City of Sydney.

Mr. Speaker resumed the Chair; and *Mr. Driver* reported that the Committee had come to a Resolution.

Ordered, on motion of *Mr. Driver* (*with the concurrence of the House*), that the report be *now* received.

Mr. Driver then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to consolidate and amend the Laws relating to the Corporation of the City of Sydney.

On motion of Mr. Fitzpatrick, the Resolution was read a second time, and agreed to.

17. WATER SUPPLY AND SEWERAGE BILL:—The Order of the Day having been read,—Mr. Fitzpatrick moved, That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for the supply of Water to the City of Sydney and other parts of the Colony, and for the Sewerage of the City and Suburbs thereof.

Mr. Hurley (*Hartley*) moved, That the Question be amended by the addition, at the end thereof, of the words "and to provide and arrange for the employment of prisoners in the construction of portions of the City Sewer."

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

Debate ensued.

Proposed amendment, by leave, withdrawn.

Original Question put and passed

Whereupon Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

Mr. Speaker resumed the Chair; and *Mr. Driver* reported that the Committee had come to a Resolution.

Ordered, on motion of *Mr. Driver* (*with the concurrence of the House*), that the report be *now* received.

Mr. Driver then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to make better provision for the Supply of Water to the City of Sydney and other parts of the Colony, and for the Sewerage of the City and Suburbs thereof.

On motion of Mr. Fitzpatrick, the Resolution was read a second time, and agreed to.

18. CHAIRMAN OF COMMITTEES:—Mr. Driver moved, pursuant to Notice, That “Angus Cameron,” Esquire, be Chairman of Committees of the Whole House during the present Session. Mr. Hoskins moved, That the Question be amended by the omission of the words “Angus Cameron,” with a view to the insertion in their place of the words “Archibald Hamilton Jacob.” Question proposed, That the words proposed to be omitted stand part of the Question. Debate ensued. Question put, That the words proposed to be omitted stand part of the Question. The House divided.

Ayes, 24.

Mr. J. Davies,	Mr. Charles,
Mr. Farnell,	Mr. H. H. Brown,
Sir John Robertson,	Mr. Wisdom,
Mr. Lackey,	Mr. Tece,
Mr. Long,	Mr. Driver,
Mr. Roseby,	Mr. Lynch,
Mr. Macintosh,	Mr. Eckford,
Mr. Taylor,	Mr. Thompson,
Mr. Harris,	Mr. Watson,
Mr. Dangar,	<i>Tellers.</i>
Mr. Greenwood,	Mr. O'Connor,
Mr. Clarke,	Mr. Dillon.
Mr. Lucas,	

Noes, 22.

Mr. Fitzpatrick,	Mr. Hoskins,
Mr. Burns,	Mr. Beyers,
Mr. W. H. Suttor,	Mr. Hurley (<i>Hartley</i>),
Mr. Cohen,	Mr. W. Davies,
Mr. Leary,	Mr. McCulloch,
Dr. Bowker,	Mr. Barbour,
Mr. T. R. Smith,	Mr. Copland,
Sir Henry Parkes,	<i>Tellers.</i>
Mr. Terry,	Mr. Greville,
Mr. Day,	Mr. Johnston.
Mr. Shephard,	
Mr. F. B. Suttor,	
Mr. Badgery,	

And so it was resolved in the affirmative.

Original Question,—That Angus Cameron, Esquire, be Chairman of Committees of the Whole House during the present Session,—put and passed.

Whereupon Mr. Cameron and Mr. Jacob respectively made their acknowledgments to the House.

The House adjourned at ten minutes before Nine o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 4.

VOTES AND PROCEEDINGS,

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 13 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Mr. Greaves, District Surveyor:—*Mr. Driver*, for Mr. McElhone, asked the Secretary for Lands,—

- (1.) Does Mr. Greaves, District Surveyor, receive any sum of money as rent for an office?
- (2.) If so, is he aware that Mr. Greaves keeps his office at his private residence, which is fully one mile from the Land Office, and causes selectors who want information great loss of time?
- (3.) Will he at once take steps to have an office for the District Surveyor rented at or near the Land Office, and have said office removed from Mr. Greaves's private residence?

Mr. Farnell answered,—

- (1.) The District Survey Office is attached to Mr. Greaves's residence, which is not a mile from the Land Office.
 - (2.) It is proposed to erect a new building for Lands and District Survey Office, and until this is carried out it is undesirable that any change be made.
- (2.) Stockton and Raymond Terrace Road to Saltash:—*Mr. Jacob* asked the Secretary for Lands,—Regarding his answer on 3rd April last, in the previous Session, that Mr. Licensed Surveyor Stuart was, on 7th March of this year, instructed to report with as little delay as possible upon an application of Mr. Jacob, made so long ago as in December, 1873, for the extension of the road from the Stockton and Raymond Terrace Road to Saltash,—What has been the result of the instruction to the surveyor; will further correspondence, interviews, &c., be necessary before the much desired extension is effected?

Mr. Farnell answered,—The surveyor who was in charge of this district in March has been removed in consequence of neglect of duty. Another has been appointed, and his attention will be called to the case.

- (3.) Site for Public School, Parish of Wilmot:—*Mr. Jacob* asked the Secretary for Lands,—Has the surveyor who he (the Minister) stated on 3rd April last had been on that day requested to expedite his report on the application of the Council of Education, made in October of 1876, for a site for a Public School in the parish of Wilmot, in the county of Gloucester, yet conformed to the request; and if so, to what extent?

Mr. Farnell answered,—The amended survey has been received, and a recommendation made that when the Treasury reports payment of £10 and £1 deed fee by Council of Education a deed will issue.

- (4.) Road from Seaham to Clarence Town:—*Mr. Jacob* asked the Secretary for Lands,—With reference to his answer given last Session, on 3rd April of this year, to the effect that an urgent reminder had that day been forwarded to the District Surveyor regarding the extension of the road from Seaham to Clarence Town,—Has the Surveyor paid any attention to the reminder; and if so, what has been done?

Mr. Farnell answered,—A plan of the survey of the road has been received, and is now under examination in the Surveyor General's Department.

- (5.) Lands Office.—Alleged False Declarations:—*Mr. J. Davies*, for Captain Onslow, asked the Secretary for Lands,—

- (1.) Does the statement made by a writer in the *Sydney Morning Herald* of August 27, that a Member of Parliament has been guilty of making a false declaration, and in that way attempting to obtain possession of land fraudulently, refer to any Member of the Legislative Assembly?
- (2.) Is it true, as stated by the same writer, that the "remonstrances" of this person, and others who have made similar false declarations, received the same attention as legitimate applications?
- (3.) Do the Government intend to take any steps to vindicate the honor of Parliament so seriously impugned?

Mr.

Mr. Farnell answered,—

(1.) I believe it does refer to a Member of the Assembly.

(2.) All representations and "remonstrances" receive attention alike, without respect of persons.

- (6.) Conditional Purchases of Layfield, Gray, and others.—Mr. Barbour asked the Secretary for Lands,—When will the report of Messrs. Fitzgerald and Moriarty, on Conditional Purchases of Messrs. Layfield, Gray, and others, moved for on the 16th April last, be laid upon the Table?

Mr. Farnell answered,—I hope to be able to lay it upon the Table next week.

- (7.) Land Bill:—Mr. Barbour asked the Secretary for Lands,—When he intends to proceed with the Land Bill?

Mr. Farnell answered,—It is my intention to ask leave to introduce the Bill next week.

- (8.) Conditional Purchases of Layfield, Gray, and others:—Mr. Barbour asked the Secretary for Lands,—

(1.) Is it true that the surveys ordered to be made of the land selected by Layfield, Nolan, and others, selectors on the Moira Run, in accordance with a recommendation of Messrs. Fitzgerald and Moriarty, have been stopped?

(2.) If so, will he order that they be proceeded with?

Mr. Farnell answered,—The survey of the lands to which the holder of the Moira Run may prove to be entitled are being carried out. Survey of the conditional purchases cannot be made till the improvement purchases are determined.

- (9.) Oyster Culture Bill:—Mr. Johnston asked the Secretary for Lands,—Is it the intention of the Government to introduce the Oyster Culture Bill this Session?

Mr. Farnell answered,—It is the intention.

- (10.) Medical Officer, Darlinghurst Gaol:—Mr. J. Davies asked the Colonial Secretary,—How many Members of Parliament and other gentlemen recommended Dr. Day's application for the appointment of Gaol Surgeon at Darlinghurst?

Mr. Fitzpatrick answered,—Dr. Day was recommended by the following Members of Parliament, viz.:—Messrs. Moses, Day, Bowman, Terry, Harris, Macintosh, T. R. Smith, Taylor, Cameron, Teece, Johnston, Roseby, and H. H. Brown.

- (11.) Police Magistrate, Waratah:—Mr. J. Davies asked the Colonial Secretary,—

(1.) What is the cause of the resignation of the Police Magistrate of Waratah?

(2.) Has the Government any objection to lay the whole of the correspondence upon the Table of this House between Mr. Tighe and the Government?

Mr. Leary answered,—

(1.) I am not aware of the cause.

(2.) There is only the letter of the Police Magistrate.

- (12.) Gold-mining Lease, Ironbarks:—Mr. Cameron, for Mr. O'Connor, asked the Secretary for Mines,—Will he lay upon the Table of the House all unprinted correspondence between Peter Grimley and the Mines Department relative to a gold-mining lease, 1826, Poor Man's Reef, Ironbarks?

Mr. W. H. Suttor answered,—I have no objection to lay it upon the Table, if the House orders it by motion.

- (13.) Mineral Selection at Milburn Creek:—Mr. W. Davies asked the Secretary for Lands,—Will the amount for compensation to the Milburn Creek Company be placed on the Estimates for 1879?

Mr. Farnell answered,—The matter is under consideration, and if possible provision will be made on the Estimates.

- (14.) The Financial Statement:—Mr. Driver, for Sir Henry Parkes, asked the Colonial Treasurer,—Whether he can inform the House, in view of the announcement made to Parliament by His Excellency the Governor, that it is hoped that provision will be made for the Public Service before the end of the present year, when the annual statement of the financial affairs of the Colony will be made to this House?

Mr. Cohen answered,—I cannot now fix a date, but it will be made without any unnecessary delay.

2. DIVORCE BILL (*Formal Motion*):—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That leave be given to bring in a Bill relating to Divorce.
Question put and passed.
3. BEER'S DISABILITIES BILL (*Formal Motion*):—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That leave be given to bring in a Bill to relieve Frederick Beer, M.D., from certain disabilities.
Question put and passed.
4. THE GLEBE BOROUGH BILL (*Formal Motion*):—Mr. Stephen Brown moved, pursuant to Notice,—
(1.) That the Glebe Borough Bill be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of Mr. Moses, Mr. W. Davies, Mr. Lynch, Mr. Day, Mr. Roseby, Mr. Terry, and the Mover.
Question put and passed.
5. IMPOUNDING ACT AMENDMENT BILL (*Formal Motion*):—Mr. Jacob moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Impounding Act of 1865.
Question put and passed.
6. SUNDAY TRAFFIC IN INTOXICATING LIQUORS (*Formal Motion*):—Mr. Stephen Brown, for Mr. Shepherd, moved, pursuant to Notice, That the Petition presented by him on 12th September from Inhabitants of Hill End and Tambaroora, relative to Sunday Sale of Intoxicating Liquors, be printed.
Question put and passed.

7. **IMPOUNDING ACT AMENDMENT BILL**:—Mr. Jacob presented a Bill, intituled "*A Bill to amend the Impounding Act of 1865*,"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 27th September.
8. **BEER'S DISABILITIES BILL**:—Mr. Hurley (*Hartley*) presented a Bill, intituled "*A Bill to relieve Frederick Beer M.D. from certain disabilities*,"—which was read a first time.
Ordered to be printed, and read a second time on Tuesday, 24th September.
9. **PUBLIC VEHICLES REGULATION ACT REPEAL BILL**:—Mr. J. Davies presented a Bill, intituled "*A Bill to repeal an Act intituled 'An Act to regulate Vehicles in the City and Suburbs of the Police District of Sydney'*,"—which was read a first time.
Ordered to be printed, and read a second time on Tuesday, 24th September.
10. **SYDNEY TRAMWAY AND OMNIBUS COMPANY (LIMITED) BILL**:—Mr. Driver presented a Petition from the Chairman and Directors of the Sydney Tramway and Omnibus Company (Limited), representing that the proceedings in respect to this Bill were interrupted by the closing of the last Session of Parliament; and praying that leave may be given (*under Standing Order 64 b*) to proceed with the Bill during the present Session of Parliament.
Petition received.
11. **STOCK SALE-YARDS BILL**:—The Order of the Day having been read,—on motion of Mr. Lackey Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to establish Metropolitan Cattle Sale-yards; and to consider an Address to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
Resolved,—That it is expedient to bring in a Bill to establish Metropolitan Cattle Sale-yards; and that an Address be presented to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.
On motion of Mr. Lackey, the Resolution was read a second time, and agreed to.
12. **CITY OF SYDNEY IMPROVEMENT BILL**:—The Order of the Day having been read,—on motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for the construction of Buildings, and for the safety and health of the inhabitants within the City of Sydney.
Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read, as follows:—
Resolved,—That it is expedient to bring in a Bill to make better provision for the construction of Buildings, and for the safety and health of the inhabitants within the City of Sydney.
On motion of Mr. Driver, the Resolution was read a second time, and agreed to.
13. **STOCK SALE-YARDS BILL**:—Mr. Lackey presented a Bill, intituled "*A Bill to establish Metropolitan Sale-yards for the Sale of Live Stock*,"—which was read a first time.
Ordered to be printed, and read a second time on Friday next.
14. **LECTURES IN DARLINGHURST GAOL**:—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That, in the opinion of this House, the Government should issue instructions to the Comptroller-General of "Prisons" to open the Rotunda in Darlinghurst Gaol on Saturdays for the use of Lecturers on Temperance.
Debate ensued.
Mr. Greenwood moved, That the Question be amended, by the omission of all the words after the word "Prisons," with a view to the insertion in their place of the words "to permit Lectures to be given to prisoners at such times, by such persons, and on such subjects as he may approve; and that he be instructed to allow the Rotunda in Darlinghurst Gaol to be used for such Lectures, under the supervision of the prison authorities."
Question proposed, That the words proposed to be omitted stand part of the Question.
Debate continued.
Question put, That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 20.

Mr. Farnell,	Mr. Badgery,
Mr. Burns,	Mr. W. Davies,
Mr. Cohen,	Mr. Jacob,
Mr. Leary,	Mr. Thompson,
Mr. Sutherland,	Mr. Copeland,
Mr. W. H. Suttor,	Mr. Wisdom,
Mr. Fitzpatrick,	Mr. Harris,
Mr. Greville,	<i>Tellers.</i>
Mr. Day,	
Mr. O'Connor,	Mr. Macintosh,
Mr. Cameron,	Mr. McCulloch.

Noes, 7.

Mr. Dangar,
Mr. J. Davies,
Mr. Roseby,
Mr. Greenwood,
Mr. Baker,
<i>Tellers.</i>
Mr. Hurley (<i>Hartley</i>),
Mr. Shepherd.

And so it was resolved in the affirmative.
Original Question then put, and negatived.

15. LAND AT CORNER OF PITT AND BRIDGE STREETS:—Mr. Hurley (*Hartley*) moved, pursuant to Notice,—

(1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon certain land at the corner of Pitt and Bridge Streets, upon which the Commercial Chambers are built.

(2.) That such Committee consist of Mr. Farnell, Mr. McElhone, Mr. Barbour, Mr. Coonan, Mr. Murphy, and the Mover.

(3.) That the Progress Report brought up last Session on the same subject be referred to such Committee.

Question put and passed.

The House adjourned at twenty-five minutes after Nine o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 5.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 17 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

DEPUTY SPEAKER'S COMMISSION TO ADMINISTER THE OATH:—Mr. Speaker reported that he had received a Commission, under the Seal of the Colony, dated 13th September, 1878, and signed by His Excellency the Governor, empowering Angus Cameron, Esquire, Chairman of Committees of the Legislative Assembly, in the absence of the Speaker, to administer to Members the Oath or Affirmation of Allegiance required by law, which Commission was read by the Clerk, as follows:—

“By His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, *Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.*

“To all to whom these presents shall come,

“Greeting:

“In pursuance of the authority in me vested in that behalf, I, SIR HERCULES GEORGE ROBERT ROBINSON, as Governor of the Colony of New South Wales, do hereby authorize Angus Cameron, Esquire, Chairman of Committees of the Legislative Assembly of the said Colony, in the absence of the Honorable the Speaker of the said Assembly, to administer, from time to time, as occasion may require, to any Member of the said Assembly to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, required by law to be taken or made and subscribed by every such Member before he shall be permitted to sit or vote in the said Legislative Assembly.

“Given under my Hand and the Seal of the Colony, at Government House, Sydney, in New South Wales aforesaid, this thirteenth day of September, in the year of our Lord one thousand eight hundred and seventy-eight, and in the forty-second year of the reign of Her Majesty Queen Victoria.

“HERCULES ROBINSON.

“By His Excellency's Command,

“MICHAEL FITZPATRICK.”

2. INVERELL FREE CHURCH OF EASTERN AUSTRALIA LAND SALE BILL (*Passed last Session*):—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 2.

A Bill, intituled “*An Act to enable Angus Fletcher William Wilberforce Fraser Charles Campbell Colin Ross Peter M'Gregor and William Campbell to sell suburban allotment six of section one in the Town of Inverell in the Colony of New South Wales held by them as Trustees of the Free Church of Eastern Australia and to provide for the appropriation of the proceeds thereof,*”—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 7th June, 1878.

3. QUESTIONS :—

- (1.) Mr. P. Brougham, Police Magistrate, Bingera :—Mr. McElhone asked the Minister of Justice and Public Instruction,—When will the Papers, moved for by him on 1st May, in reference to Mr. P. Brougham, be laid upon the Table of this House and printed?

Mr. Leary answered,—The Papers are now being arranged, and will be laid upon the Table in the course of a few days.

- (2.) New Court-house, Walgett :—Mr. Dangar asked the Secretary for Public Works,—
 (1.) Date of acceptance of tender for new Walgett Court-house, &c., date of signing the bond, and name of contractor, and date contract time expires?
 (2.) Is the contractor the same person who failed to complete his contract for the bridge over the Barwin River at Walgett?
 (3.) What progress has been made in the erection of these buildings; did Inspector Roberts lately visit Walgett and inspect such; and if so, the nature of his report?
 (4.) Is it a fact the contractor has never visited the place, has no one there to represent him, no men employed, nothing done to the work for months, no bricks made, and practically to all appearance the work abandoned, and although the contract has been taken over two years, nothing has been done beyond the foundation; that shingles split for the building have been sold to private individuals; and that first-class bricks are being made in Walgett for private residences?
 (5.) Will immediate steps be taken to cancel this contract and call for fresh tenders for the work, so that it may be proceeded with without further delay?

Mr. Cohen answered,—

- (1.) Date of acceptance of tender, 28th September, 1876. No bond has been signed. Name of contractor, W. S. Dowell. No contract time specified.
 (2.) I am not aware whether this contractor previously failed to complete a Government contract.
 (3.) The foundations have been laid. An officer of the Colonial Architect's Department visited the building 1st July last. He reported that the contractor had met with much difficulty in regard to making bricks, but that good bricks were at that time being made by private parties.
 (4.) The contractor has, I believe, visited the place, and has also had some one there to represent him. No men have, I believe, been employed on the work, nor any bricks made, for months. The Police Magistrate stated that the work had the appearance of being abandoned; nothing has been done beyond the foundations. I am not aware that shingles split for the building have been sold to private individuals. Good bricks, I am informed, are now being made at Walgett.
 (5.) On the recommendation of the Colonial Architect, the contract has been cancelled, and I have approved of fresh tenders being invited for the completion of the work.
- (3.) Police Magistrate and Coroner for Molong :—Mr. Lynch, for Mr. Shepherd, asked the Colonial Secretary,—Is it the intention of the Government to appoint a Police Magistrate and Coroner for the District of Molong?

Mr. Fitzpatrick answered,—From the information to hand, the appointment of a Police Magistrate at Molong would not appear to be necessary; but further inquiry is now being made upon the subject, which shall receive the fullest consideration. So far as I can at present see, there will be no objection to the appointment of a Coroner for Molong, provided a suitable gentleman can be had to perform the duties of the office upon the usual conditions.

- (4.) Land District of Cowra :—Mr. Lynch asked the Secretary for Lands,—Has he taken any action about two petitions presented by Messrs. Coonan and Lynch from residents of Canowindra, praying that the boundaries of the Land District of Cowra may accord with those of the Police District; if so, what has been the result?

Mr. Farnell answered,—The papers are at present under reference to Mr. Oliver, Inspector of Land Offices, who is absent on duty from Sydney. I hope to be able to inform the Honorable Member in the course of a few days of the decision arrived at.

- (5.) Wharfage Accommodation, Circular Quay :—Mr. Watson asked the Secretary for Public Works,—Is it the intention of the Government to take any, and if so what steps, and when, with a view to improve the Wharfage Accommodation at the Circular Quay?

Mr. Cohen answered,—The Government intend to lay the plans for the proposed Wharfage improvements upon the Table of the House immediately after those for the extension of the railway to the Harbour have been finally determined on, as the details of the improvements to the Quay will be necessarily governed to some extent by the proposed railway extension to that part of the city.

- (6.) Wharfage Rates :—Mr. Watson asked the Colonial Treasurer,—Is it the intention of the Government to take any steps with a view to a revision and more equitable distribution of the Wharfage Rates payable at the port of Sydney; and if so, when?

Mr. Cohen answered,—This matter has been under consideration, and I will endeavour to deal with it this Session if possible.

- (7.) Rent for Circular Quay :—Mr. Watson asked the Colonial Treasurer,—

(1.) What was the amount of Rent or Wharfage received or derived from the Circular Quay for the years ending the 31st December, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, and the half-year ending the 30th June, 1878?

(2.) What was the cost of collecting same during the respective periods named?

Mr. Cohen answered,—I will during the week lay a Return upon the Table of the House containing the information asked for.

- (8.) Water Supply, Young and Grenfell :—Mr. Watson asked the Secretary for Mines,—Has the Government taken any, and if so what action, with a view to the expenditure of the sum of £1,500 voted last Session for the supply of water to the towns of Young and Grenfell?

Mr. W. H. Suttor answered,—An officer will proceed on Thursday next to make arrangements for the necessary surveys.

- (9.) Customs Union :—Sir Henry Parkes asked the Colonial Secretary,—Whether the Government is prepared to lay upon the Table of this House copies of any Minutes, Telegrams, or other Documents which may have passed between this and other Governments, with the view to the bringing about a Customs Union ?

Mr. Fitzpatrick answered,—The correspondence is as yet incomplete, and could not with propriety be published in its present state.

- (10.) Proposed Loan :—Sir Henry Parkes asked the Colonial Treasurer,—Whether there is any objection to laying upon the Table of this House copies of all Minutes, Telegrams, and other Correspondence relating to the placing of a Loan on the London money market in June last, or at any subsequent period, or to the withdrawal of any such Loan ?

Mr. Cohen answered,—As the Loan has not been withdrawn, it would be inexpedient to lay these Papers upon the Table of the House at present.

- (11.) Public Buildings, Goulburn :—Mr. Cameron, for Mr. Tecce, asked the Secretary for Public Works,—Are plans and specifications completed for the Public Buildings at Goulburn ; and if so, when will tenders be called for their erection ?

Mr. Cohen answered,—A sketch design of the buildings referred to was approved on the 21st ultimo, when a working plan was immediately put in hand for the watch-house, which, according to arrangements decided on, must be built first ; this plan is now completed, and tenders for the watch-house may be invited this week. With regard to the other buildings forming part of the general plan it is impossible to name any day when tenders may be called, as the Post and Telegraph Office is to be built on the site of the present watch-house, which cannot be removed until the new watch-house is erected. Working plans and specifications for the Post and Telegraph Office will be ready in about a month.

- (12.) The late Richard Elly, Railway Guard :—Mr. Taylor asked the Secretary for Public Works,—Is it the intention of the Government to place a sum of money upon the Estimates for 1879 to relieve the widow and children of the late Richard Elly, who was employed in the Railway Department for upwards of fifteen years, and who was Guard of the train at the late accident, Emu Plains, and received injury which is believed caused his death ?

Mr. Cohen answered,—From inquiries that have been made it does not appear that the death of Guard Elly was in any way contributed to by the accident at Emu Plains ; he escaped from that accident wholly uninjured. Guard Elly, however, was a very old servant in the Railway Department, and in consideration of this fact, and other representations made by the Member for the District in which he resided, I have decided to provide his widow with a situation as a railway gatekeeper on the first opportunity.

- (13.) Land Sale, Deniliquin :—Mr. Barbour asked the Secretary for Lands,—

(1.) Is he aware that the land gazetted for auction sale at Deniliquin on 25th September instant, described as T to AA, parish of Warrawool, is excellent agricultural land, and within an easy distance of a market ?

(2.) Will he withdraw these eight portions from auction sale, and leave them open for agricultural settlement ?

Mr. Farnell answered,—

(1.) I am not aware. There is nothing to that effect in the report of the surveyor when forwarding his plan of the lands to be put up to auction.

(2.) I will endeavour to obtain a report in the matter before the day of sale, with the view of enabling me to decide whether the portions should be withdrawn from sale.

- (14.) Conditional Purchase, Parish of Banangalite :—Mr. Barbour asked the Secretary for Lands,—Is it a fact that the portion of land mentioned at page 2874 of the *Gazette* of date 23 July, 1878, as surveyed portion 6, parish of Banangalite, is a forfeited conditional purchase, improved while it was a conditional purchase, and not while under lease ; if so, will he withdraw it from improvement purchase and sell it by auction as a forfeited conditional purchase, adding to the upset price the value of the improvements ?

Mr. Farnell answered,—The report of the surveyor is to the effect that the improvements were the property of the lessee. The land has been duly appraised, and the applicant called upon to pay the appraised value. I hardly see, therefore, how it can now be withdrawn from improvement purchase ; but the matter will be inquired into before the final completion of the purchase.

- (15.) Reclamation of Land, Darling Harbour :—Mr. Cameron asked the Secretary for Public Works,—Have the Australian Steam Navigation Company reclaimed any portion of the Harbour at Pymont adjoining their works without permission from the Department ; if so, what area has been so reclaimed ?

Mr. Cohen answered,—Yes, but the area has not yet been ascertained. The matter, however, has been, and is still under consideration.

4. SUBURBAN RAILWAYS :—The following Petitions, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways, were presented by the Members named :—

(1.) By Mr. Macintosh. From the Mayor and Aldermen of the Borough Council of Paddington.

(2.) By Sir Henry Parkes. From Inhabitants of the Borough of Woollahra.

(3.) By Sir Henry Parkes. From Inhabitants of the Borough of Waverley.

Petitions received.

5. WILLIAM STAFFORD :—Mr. Macintosh presented a Petition from William Stafford, in reference to his dismissal from the Police Force ; and praying for an investigation into the matter.

Petition received.

6. **JURY LISTS** :—Mr. Barbour presented a Petition from Inhabitants of the Towns and District of the Murray, complaining of the present mode of compiling the Jury Lists ; and praying that the Law now in force for the revision of Jury Lists may be amended.
Petition received.
7. **PAPER** :—Mr. Fitzpatrick laid upon the Table,—Statistical Register for 1877 (Parts 1 to 5.)
Ordered to be printed.
8. **MARSUPIALS** :—Mr. Dillon presented a Petition from Residents of the New England District, representing that large tracts of country are rendered valueless by reason of the ravages of Marsupials ; and praying that steps may be taken for the destruction of these animals.
Petition received.
9. **THE CASE OF SAMUEL JEFFS (Formal Motion)** :—Mr. Driver moved, pursuant to Notice, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Petitions, Letters, or Documents praying for the release of Samuel Jeffs, a prisoner confined in Berrima Gaol, with all Minutes, Reports, and Papers relating thereto.
Question put and passed.
10. **JUSTICES APPEAL BILL (Formal Motion)** :—Mr. Terry moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Law relating to Summary Proceedings before Justices.
Question put and passed.
11. **LANDS OFFICE,—ALLEGED FALSE DECLARATIONS (Formal Motion)** :—Captain Onslow moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers relating to any disputed declarations made in reference to Conditional Purchases by Members of the Legislative Council and Assembly.
Question put and passed.
12. **BANKERS BOOKS EVIDENCE BILL (Formal Motion)** :—Mr. Watson moved, pursuant to Notice, for leave to bring in a Bill to amend the Law with reference to Bankers Books Evidence.
Question put and passed.
13. **PARRAMATTA TOWN HALL BILL (Formal Motion)** :—Mr. Taylor moved, pursuant to Notice,—
(1.) That the Parramatta Town Hall Bill be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of Mr. Driver, Mr. Hurley (*Hartley*), Mr. Cameron, Mr. Day, Mr. Teece, Mr. O'Connor, Mr. T. R. Smith, Mr. Terry, and the Mover.
Question put and passed.
14. **JUSTICES APPEAL BILL** :—Mr. Terry presented a Bill, intituled “*A Bill to amend the Law relating to Summary Proceedings before Justices,*”—which was read a first time.
Ordered to be printed, and read a second time on Friday, 27th September.
15. **BANKERS BOOKS EVIDENCE BILL** :—Mr. Watson presented a Bill, intituled “*A Bill to amend the Law with reference to Bankers Books Evidence,*”—which was read a first time.
Ordered to be printed, and read a second time on Friday, 27th September.
16. **ADJOURNMENT** :—Mr. McElhone moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
17. **WORKING OF THE REAL PROPERTY ACTS** :—Mr. Windeyer moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole for the consideration of the following Resolutions,—
(1.) That, in the opinion of this House, it is expedient that a Commission should be appointed by the Government to inquire into and report upon the working of the Real Property Acts.
(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
Debate ensued.
Question put and passed.
18. **ADMINISTRATION OF THE LAND LAWS** :—Mr. Baker moved, pursuant to Notice,—
(1.) That, in the opinion of this House, the delay in the inauguration of reforms in the administration of the Land Laws is productive of great loss and inconvenience to the public.
(2.) That the Government should without further loss of time make such changes in the mode of administering the Land Laws as will tend to bring about greater expedition in the transaction of business in connection therewith, and will enable the Lands Department to carry out effectively the great work now cast upon it.
Debate ensued.
Question put and negatived.
19. **HOLDEN'S CONDITIONAL PURCHASES, PATERSON DISTRICT** :—Mr. Greville, for Mr. H. H. Brown, moved, pursuant to Notice, That there be laid upon the Table of this House, copies of Declarations, Minutes, and Evidence, taken before Commissioner Bolding, and other documents, having reference to the forfeiture of A. O., H. H., and J. Holden's conditional purchases in the Paterson District.
Question put and passed.
20. **MATRIMONIAL CAUSES ACT AMENDMENT BILL** :—
(1.) Mr. J. Davies, for Mr. Hurley (*Hartley*), moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Law relating to Divorce and Matrimonial Causes.
Question put and passed.
(2.) Mr. J. Davies presented a Bill, intituled “*A Bill to amend the Law relating to Divorce and Matrimonial Causes,*”—which was read a first time.
Ordered to be printed, and read a second time on Friday, 27th September.

21. PATENT BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Macintosh, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Law in reference to Patents of Inventions; and to consider an Address to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to amend the Law in reference to Patents of Inventions; and that an Address be presented to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

On motion of Mr. Macintosh, the Resolution was read a second time, and agreed to.

(2.) Mr. Macintosh presented a Bill, intituled "*A Bill to amend the Law in reference to Patents of Inventions*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday, 27th September.

The House adjourned at twenty-five minutes before Eleven o'clock, until to-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 6.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 18 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

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 Wednesday, 11th September, 1878, 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 70th section of the Electoral Act of 1858.

2. QUESTIONS:—

(1.) Public Park, Waterloo:—Mr. McElhone asked the Secretary for Lands,—When will he give instructions to depute a surveyor to choose the best site for a Public Park at Waterloo, and resume for that purpose the 10 acres specially reserved in the deed of grant of 1,400 acres of the Waterloo Mills, made 27th May, 1823?

Mr. Farnell answered,—The question as to the legality of taking 10 acres under the conditions of the grant as a site for a Public Park has been remitted for the opinion of the Attorney General.

(2.) Reserve for Public Recreation, Paddington:—*Mr. J. Davies*, for Mr. Macintosh, asked the Secretary for Lands,—

(1.) Is he aware that Sir Daniel Cooper, or any other person, is encroaching upon the reserve for public recreation at Paddington, dedicated 8th December, 1870?

(2.) Will he give instructions to have this reserve accurately defined and marked upon the ground, so that the encroachment may be resisted?

Mr. Farnell answered,—

(1.) It appears from a communication received from the Council Clerk, Paddington, that the reserve is being encroached upon by Sir Daniel Cooper.

(2.) The Minister has authorized the re-marking of the reserve.

(3.) Reserve at Willoughby Falls:—*Mr. J. Davies*, for Mr. Macintosh, asked the Secretary for Lands,—

(1.) Is he aware that the best portion of the 53 acres at Willoughby Falls, North Shore, dedicated 12 March, 1869, for public recreation and access to water, has been let by Sir Daniel Cooper, or any other person, to Chinamen, for a market garden?

(2.) Will he give instructions to have this reserve accurately defined and marked on the ground, so that these trespassers may be dealt with?

Mr. Farnell answered,—

(1.) I am not aware.

(2.) Instructions will be issued without delay.

(4.) Post and Telegraph Offices, Warialda and Moree:—Mr. Dangar asked the Postmaster General,—

(1.) Have the sites been now definitely fixed for the Post and Telegraph Offices at Warialda and Moree; and if so, the positions?

(2.) When will tenders be called for the erection of these buildings, the money for which was voted by Parliament last Session?

Mr. Burns answered,—

(1.) Sites have been fixed for the Post and Telegraph Offices at Warialda and Moree—the former being allotment 7 of section 52, facing Hope-street; and for the latter, adjoining the Court-house, in Frome-street.

(2.) Plans and specifications are nearly completed, and tenders will probably be invited about the end of the present month.

(5.)

(5.) The late Robert Hancock :—Mr. McElhone asked the Minister of Justice and Public Instruction,—

(1.) Does he intend to cause Mr. Chapman to refund the commission which he received out of the so-called estate of the late R. Hancock to the parties legally entitled to it?

(2.) Will he cause a refund to be made of the sum received by the Government out of the above estate to the persons legally entitled to it; if not, what is intended to be done in the matter?

Mr. Leary answered,—

(1.) On the 2nd of April last I stated, in reply to questions put by the Honorable Member in reference to this matter, as follows :—“ It is the special duty of a Judge of the Supreme Court, before whom the question must come in due course, to determine upon the facts submitted to him whether the percentage claimed by the agent of the Curator is rightly and justly payable or not. The Attorney General informs me that it would be improper for him to attempt to prejudge the matter, or otherwise interfere with the question to be decided by the Judge.”

(2.) It has not been decided that any party or parties other than Mr. Chapman are legally entitled to the commission in question; and until there be such a decision, I have no power or intention of acting in the manner suggested.

(6.) Mr. Morris Asher :—Captain Onslow asked the Secretary for Lands,—

(1.) Is, or was, Mr. Morris Asher in the service of the Government as an Appraiser or Valuator?

(2.) If no longer in the Government Service, will the Secretary for Lands state the reason of his removal?

Mr. Farnell answered,—

(1.) Mr. Asher was in the employment of the Government as an Appraiser, but is no longer so employed.

(2.) In reply to this question, I would state that the appointment of Appraiser rests, under the law, with the Minister for Lands alone, and that I did not desire to retain Mr. Asher's services in that capacity. Moreover, it was in accordance with a decision arrived at in Committee of Supply that his services were dispensed with.

(7.) Post and Telegraph Office, Penrith :—Mr. T. R. Smith asked the Secretary for Public Works,—
When will tenders be called for the erection of the Post and Telegraph Office at Penrith?

Mr. Sutherland answered,—Tenders will be invited forthwith.

(8.) Freight on Railway Goods due by Members of Parliament :—Mr. T. R. Smith asked the Secretary for Public Works,—

(1.) Is it true, as stated by a writer in the *Echo* of September 11th, that “ three Members of Parliament are at present largely indebted to the Commissioner for Railways for freight of goods, and that these accounts have in one or more instances been allowed to accumulate in spite of repeated applications for payment ”?

(2.) If this statement is true, what are the names of the Members alluded to?

Mr. Sutherland answered,—There is no Member of Parliament indebted at the present time to the Railway Department for freight of goods under the circumstances stated.

(9.) Mr. Crook :—Mr. McElhone asked the Minister of Justice and Public Instruction,—

(1.) Has the Mr. Crook who was lately appointed a clerk in his office passed the Civil Service Examination?

(2.) If he has not passed the Civil Service Examination, is it not against the custom of the different Departments to appoint any one to a permanent office if he has not passed the necessary examination?

(3.) If he has not passed it, will he cause him to do so, or dismiss him if he fails to pass it?

Mr. Leary answered,—

(1.) No; I find that Mr. Crook was appointed in October, 1875, by the Governor and Executive Council, on the recommendation of the Honorable Mr. Docker, the then Minister of Justice.

(2.) It is contrary to a Resolution of the Assembly, and also against the practice of the present Government, to appoint any one to a permanent office if he has not passed the necessary examination.

(3.) I do not consider it my duty to question appointments made by the Governor and Executive Council on the recommendation of a previous Minister.

3. RAILWAY FROM JUNEE TO NARRANDERA :—Mr. Leary presented a Petition from Residents of the Narrandera District, praying the House to take steps for the immediate construction of the direct line of Railway from Junee to Narrandera.
Petition received.

4. SUBURBAN RAILWAYS (*Formal Motions*) :—

(1.) Mr. J. Davies, for Mr. Macintosh, moved, pursuant to Notice, That the Petition presented by him on 17th September from the Municipal Council of Paddington, in favour of Suburban Railways, be printed.

Question put and passed.

(2.) Sir Henry Parkes moved, pursuant to Notice, That the two Petitions presented by him on 17th September from Inhabitants of Waverley and Inhabitants of Woollahra, in favour of a system of Suburban Railways, be printed.

Question put and passed.

5. WILLIAM STAFFORD (*Formal Motion*) :—Mr. J. Davies, for Mr. Macintosh, moved, pursuant to Notice, That the Petition presented by him on 17th September from William Stafford be printed.

Question put and passed.

6. JURY LISTS (*Formal Motion*) :—Mr. Barbour moved, pursuant to Notice, That the Petition presented by him on 17th September from Inhabitants of Towns in the Murray District, relative to the revision of Jury Lists, be printed.

Question put and passed.

7. **MARSUPIALS (*Formal Motion*)** :—Mr. Dillon moved, pursuant to Notice, That the Petition presented by him on 17th September from Residents of New England District, relative to the increase of Marsupials in the Colony, be printed.
Question put and passed.
8. **MINISTERIAL STATEMENT** :—Mr. Farnell said that it was not the intention of the Government to proceed with any business until the motion of censure placed upon the Business Paper for Tuesday next, by the Honorable Member for East Sydney, Mr. Davies, had been disposed of.
9. **GRAPE VINES AND GRAPES IMPORTATION PROHIBITION BILL** :—The Order of the Day for the second reading of this Bill having been read,—Mr. Farnell moved, That this Order of the Day be postponed until to-morrow.
Debate ensued.
Question put and passed.
10. **COMMITTEE OF ELECTIONS AND QUALIFICATIONS** :—Richard Ryther Steer Bowker, Esquire, M.D., and George Day, Esquire, came to the Table and were sworn by the Clerk as Members of the Committee of Elections and Qualifications.
11. **ADJOURNMENT** :—Mr. Farnell moved, That this House do now adjourn.
Debate ensued.
Mr. Fitzpatrick (*by consent*) moved, That the Question be amended by the addition of the words "until Tuesday next."
Question proposed, That the words proposed to be added be there added.
Debate continued.
Question,—That the words proposed to be added be there added,—put and passed.
Question then,—That this House do now adjourn until Tuesday next,—put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned, at five minutes after Eight o'clock, until *Tuesday next*, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 7.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 24 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Public Tanks:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Lands,—Is it the intention of the Government to place sums of money on the Estimates for 1879, as promised last Session, for the erection of Public Tanks for the preservation of water at the following places:—Baradine; Bulgan; between Moree and Narrabri; on the Narren road from Barwin to Narren Rivers, *via* Grawin and Cumborah Springs; between Humambah, on the Barwin River, and the Narren; between Collarembi, on the Barwin, and the Narren Rivers; between Werrabilla, on the Barwin River, and the Narren River; and on the track known as Bagot's Road (See reply to Question No. 6, Votes and Proceedings, Legislative Assembly, No. 39, 12 March, 1878)?

Mr. Farnell answered,—I believe that it is the intention of my colleague, the Minister for Works, to submit a sum of money for the purpose on the Estimates of his Department.

(2.) Bridge over the Big River, at Bingera:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Public Works,—Is it the intention of the Government to place a sum of money on 1879 Estimates for the erection of a Bridge over the Big River, at Bingera?

Mr. Farnell answered,—This matter has only recently been brought under the attention of the Government, and inquiries are now being made as to the necessities of the case.

(3.) Publicans Licenses:—*Mr. Driver* asked the Colonial Secretary,—

(1.) Have the Sub-Inspectors of Police stationed in Sydney received orders or directions from the Inspector General of Police to oppose all applications that may be made for Publicans Licenses for new houses in Sydney?

(2.) If so, was such order given with the consent of the Government?

(3.) Have any directions upon the subject of applications for Publicans Licenses been issued to the Sub-Inspectors; and if so, what is the nature of such directions?

Mr. Fitzpatrick answered,—

(1.) Instructions were given to the Officers of Police to oppose all applications for new licenses, except for houses built expressly for hotels and having superior accommodation. This action was taken with the Inspector General's approval, in consequence of the large number of new licenses granted for houses which he considered were not required for the public accommodation.

(2.) No.

(3.) Yes. Copy of instructions. "Superintendent's Office, Sydney, 27th August, 1878. It having recently been satisfactorily shown that Magistrates have discretionary power under the Sale of Liquors Licensing Act to refuse any application for a Publican's License, it is considered advisable, in view of the strenuous efforts now being made to increase the number of licensed houses, without any regard to public requirements, most of such houses possessing very inferior accommodation, that all applications for license for houses which have not been previously licensed should be opposed on the ground that they are not required in the neighbourhood, with any other ground of objection that may exist. An exception may be made in the case of houses built expressly for hotels, containing superior accommodation, but in all such cases a special report must be furnished.—*GEO. READ*, Superintendent."

(4.)

(4.) Conduct of Masters of certain Steam-vessels:—Mr. Driver asked the Colonial Treasurer,—
 (1.) Is it the intention of the Marine Board to prosecute the masters of any of the steam-boats plying for hire at the race on Saturday the 14th instant on the Parramatta River ?

(2.) Is it the intention of the Government to introduce during the present Session of Parliament any measure empowering the Marine Board to deal effectually with masters of steam-vessels, and prevent a repetition of the scene that took place on the Parramatta River on the above date ?

Mr. Cohen answered,—

(1.) The Marine Board have taken proceedings against the captains of two of the steamers referred to, and have suspended their certificates for three months.

(2.) It is believed that this action of the Marine Board will tend to check the evil referred to.

(5.) Reclamation of Land, Darling Harbour:—Mr. Cameron asked the Secretary for Public Works,—Referring to his Question of the 17th instant, as to alleged encroachments on the Harbour alignment by the Australian Steam Navigation Company at Pyrmont,—Will he, while the case is under consideration, give orders that no further reclamation should take place pending his decision, so as to preserve the property adjoining the encroachment alluded to from further damage ?

Mr. Farnell answered,—It is the intention of the Government to give orders that no further reclamation shall take place pending decision in this matter.

(6.) Joseph Wright's Conditional Purchase, Moor Creek:—Mr. Bennett asked the Secretary for Lands,—

(1.) Did Joseph Wright take up 40 acres under the 13th clause of the Crown Lands Alienation Act of 1861 at Tamworth on the 23rd of March, 1876, situated on Moor Creek, County Inglis ?

(2.) Was the said land measured previous to or after the purchase was made ?

(3.) Was the said land surveyed twice; if so, what are the names of the surveyors; date when each survey was made; and why was the said land measured a second time, and by whose instructions ?

(4.) Were the boundary lines of the first survey altered by the second; if so, for what purpose, and on whose authority ?

Mr. Farnell answered,—

(1.) Yes.

(2.) After.

(3.) The land was measured twice by Mr. Licensed Surveyor McKenzie. First survey, 28th May, 1877; second survey, 8th May, 1878. The re-survey was made on account of excessive frontage, on instructions from the Secretary for Lands.

(4.) Yes; to carry out the law, and by the direction of the Secretary for Lands.

(7.) Boggabill Run:—Mr. Bennett asked the Secretary for Lands,—

(1.) The name of the lessee of Boggabill Run, District of Forbes ?

(2.) When was any rent paid for same, and by whom ?

(3.) Did a person named Morris apply for any land in virtue of improvements; if so, what quantity, and when; and what was the value placed on the improvements, and by whom ?

(4.) Under whose advice has the Minister for Lands cancelled Mr. Hugh Williams's 150 acres ?

Mr. Farnell answered,—

(1.) John Thomas, John Lowden Whitmill, and Thomas Lachlan Morris are the names of the lessees.

(2.) Last rent paid was on 29th December, 1877, for the rent for 1878, and in the name of the Commercial Bank.

(3.) Yes; 640 acres, on the 7th November, 1877; £1,000, by the applicant.

(4.) The selection was cancelled in the usual course, under a report from the surveyor.

(8.) Tamworth Common:—Mr. Bennett asked the Secretary for Lands,—On whose application, and to whom was such application made, and under which clause of the Commons Regulation Act of 1873, did the Minister for Lands authorize the withdrawal of the Temporary Commonage land to the Town of Tamworth from the legally elected and appointed body of Trustees, and place the same under the control of the Tamworth Municipal Council ?

Mr. Farnell answered,—The Common was vested in the Borough Council, on the recommendation of the Surveyor General. It is the practice of the Department, and in accordance with the spirit of the Municipalities Act, to vest Town Commons in the Borough Council when such towns become incorporated.

(9.) Mrs. Baron:—Mr. Cameron, for Mr. Baker, asked the Secretary for Public Works,—Is it the intention of the Government to place a sum of money on the Estimates for 1879 as compensation to Mrs. Baron for losses sustained by her late husband in the Public Service, in accordance with the Report of the Select Committee last Session, which Report was adopted by the House on the 5th February, 1878 ?

Mr. Farnell answered,—It is the intention of the Government to put a sum on the Estimates, in accordance with the recommendation of the Select Committee.

(10.) Road from Narrabri to Walgett:—Mr. Dangar asked the Secretary for Lands,—

(1.) Have the plans, &c., of the newly surveyed road from Narrabri to Walgett (south side of Namoi River), marked by order of the Government by Mr. Surveyor McMaster, been examined and completed by the Survey Department (See answer to Question 1, Votes and Proceedings, Legislative Assembly, No. 45, 21 March, 1878) ?

(2.) When will this road be proclaimed and opened up to the public use ?

Mr. Farnell answered,—

(1.) Plans are under examination.

(2.) Road will be ready for proclamation in a fortnight.

(11.) Conditional Purchases on Gold Fields:—Mr. Copeland asked the Secretary for Lands,—When will the Returns ordered on the 5th February last relating to the alienation of land on Gold Fields be laid upon the Table ?

Mr. Farnell answered,—Returns are now being prepared, and will be laid upon the Table as early as possible.

2. SYDNEY TRAMWAY AND OMNIBUS COMPANY (LIMITED) BILL (*See entry 10 in Votes and Proceedings No. 4*):—Mr. Driver presented this Bill, and moved that it be now read a first time.
Question put and passed.
Bill, intituled "*A Bill to empower the Sydney Tramway and Omnibus Company (Limited) to construct and maintain Tramways in and along certain Streets and Thoroughfares in the City and Suburbs of Sydney and for other purposes,*"—read a first time.
Ordered to be printed, and read a second time on Friday, 4th October.
3. CITY OF SYDNEY IMPROVEMENT BILL:—Mr. Driver presented a Bill, intituled "*A Bill to make better provision for the construction of Buildings and for the safety and health of the Inhabitants within the City of Sydney,*"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 11th October.
4. STOCK SALE-YARDS BILL:—Mr. Macintosh presented a Petition from the Mayor, Aldermen, and Citizens of the City of Sydney, praying that certain amendments may be made in this Bill.
Petition received.
5. SUBURBAN RAILWAYS:—Mr. Greenwood presented a Petition from Inhabitants of the Borough of Redfern, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways.
Petition received.
6. DRUNKARDS PUNISHMENT ACT AMENDMENT BILL (*Formal Motion*):—Mr. Jacob moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Drunkards Punishment Act of 1866.
Question put and passed.
7. RAILWAY FROM JUNEE TO NARRANDERA (*Formal Motion*):—Mr. Leary moved, pursuant to Notice, That the Petition presented by him on 18th September from Residents of Narrandera, relative to the immediate formation of the Junee and Narrandera Railway, be printed.
Question put and passed.
8. RAILWAY REFRESHMENT ROOMS (*Formal Motion*):—Mr. Copeland moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for licensing Railway Refreshment Rooms.
Question put and passed.
9. LAWS RELATING TO THE PRESS (*Formal Motion*):—Mr. W. Davies moved, pursuant to Notice, That leave be given to bring in a Bill to consolidate and amend the Laws relating to the Press.
Question put and passed.
10. DRUNKARDS PUNISHMENT ACT AMENDMENT BILL:—Mr. Jacob presented a Bill, intituled "*A Bill to amend the Drunkards Punishment Act of 1866,*"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 4th October.
11. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Charles Edward Pilcher, Esquire, and James Watson, Esquire, came to the Table, and were sworn by the Clerk as Members of the Committee of Elections and Qualifications.
12. INTERNATIONAL EXHIBITION IN SYDNEY:—Mr. Copeland moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence between the Agricultural Society and the Governments of Sir Henry Parkes, Sir John Robertson, and the present Government in reference to an International Exhibition.
Debate ensued.
Question put and passed.
13. THE CIVIL SERVICE:—Captain Onslow moved, pursuant to Notice, That there be laid upon the Table of this House,—
(1.) A Return showing the number of Officers in the Civil Service who are incapacitated from performing their duty by reason of age, sickness, or any other cause, specifying the Department, the age of such persons respectively, number of years they have been in the Service, and length of time during the last two years they have been absent from their duty.
(2.) That the compiler of the Blue Book be instructed in all future publications to publish the age of all persons who are in receipt of any Government salary.]
Debate ensued.
Question put and passed.

The House adjourned at ten minutes before Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 8.

VOTES AND PROCEEDINGS.

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 25 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Junction of Railways with Victoria and Queensland :—Mr. Greenwood asked the Secretary for Public Works,—

(1.) Has any agreement been come to with the Victorian Government relative to a Railway Bridge over the Murray, at Albury, and as to the point of junction of the Railways of the two Colonies?

(2.) Has it been determined at what point the Great Northern Line shall join the Queensland Railway from Brisbane?

(3.) Has he any objection to lay upon the Table of this House any correspondence on these matters with the Governments of Victoria and Queensland since he took office on the 18th of last December?

Mr. Burns answered,—

(1.) No.

(2.) A point of junction has been determined, in conjunction with the Queensland Railway Department, at the intersection of the Ballandean Road with the New South Wales and Queensland boundaries.

(3.) I have no objection to lay upon the Table copies of any correspondence that may have taken place on these subjects.

- (2.) Blackwood v. Dobbin :—Captain Onslow asked the Secretary for Lands,—

(1.) Will he lay upon the Table of the House the decision of the Supreme Court in the case of Blackwood versus Dobbin, tried on the 17th of June last?

(2.) Has, or will, the Secretary for Lands instruct the officers of the Lands Department to give effect to the law as laid down in the decision in question?

Mr. Farnell answered,—

(1.) The case referred to having been one between parties, the Government have no official knowledge of the decision, except as reported in the newspapers; but there will be no objection to a copy being obtained and laid upon the Table should the Honorable Member desire it.

(2.) The practice of the Department has been in accordance with the law as laid down in the decision in question.

- (3.) Railway Tickets :—Captain Onslow asked the Secretary for Public Works,—The number of single tickets issued during the months of July and August last,—

(1.) To and from all stations (not suburban) between—(a) Sydney and Picton; (b) Sydney and Penrith?

(2.) The number of single tickets to and from all stations beyond—(c) Picton; (d) Penrith?

(3.) The number of return tickets (excluding Saturday excursion tickets) to and from all stations, not suburban, between—(e) Sydney and Picton; (f) Sydney and Penrith?

(4.) The number of return tickets to and from all stations beyond—(g) Picton; (h) Penrith?

(5.) The number of Saturday excursion tickets to and from all stations beyond the suburban ones?

Mr. Burns answered,—

	1st class.	2nd class.	Total.
(1.) (a) Sydney and Picton	1,258	4,033	5,291
(b) Sydney and Penrith	919	3,211	4,130
(2.) (c) Beyond Picton	1,110	3,745	4,855
(d) Beyond Penrith	1,884	5,769	7,653
(3.) (e) Sydney and Picton	913	2,335	3,248
(f) Sydney and Penrith	549	1,347	1,896
(4.) (g) Beyond Picton	555	1,459	2,014
(h) Beyond Penrith	805	2,354	3,159
(5.) Excursion tickets, Saturday	600	3,905	4,505

(4.)

- (4.) Post and Telegraph Offices, Narrabri:—Mr. Dangar asked the Postmaster General,—
- (1.) Was the sum of £540 voted by Parliament last Session for additions to Narrabri new Post and Telegraph Offices?
 - (2.) If so, were any instructions issued to the Colonial Architect to proceed with these additions; and if so, the date of such?
 - (3.) When will tenders be invited for these additions, and the work be proceeded with?
 - (4.) Is the Government aware that without such the accommodation afforded is totally inadequate to the requirements of the town?

Mr. Burns answered,—

- (1.) The sum of £540 was voted by Parliament last Session for additions to Narrabri Post and Telegraph Office.
 - (2 and 3.) Tenders will be invited for the additions in about a week, the plan of which was approved by me on the 7th March last.
 - (4.) The Honorable Member, Mr. Dangar, has represented that the accommodation would be inadequate without the additions.
- (5.) International Exhibition in Sydney:—Captain Onslow asked the Colonial Secretary,—Will the Government (as stated by His Excellency the Governor at a meeting of the Agricultural Society, held on 17th September) place a sum of money on the Estimates equivalent to that raised by private subscription for the purpose of assisting the Agricultural Society to hold an International Exhibition in Sydney next year?

Mr. Fitzpatrick answered,—Yes, if that be the desire of the Society; but the Society has not yet definitely made known to the Government its wishes in this respect.

- (6.) Border Duties:—Mr. Greenwood asked the Colonial Treasurer,—
- (1.) What is the estimated value of all Imports overland from Victoria, South Australia, and Queensland respectively, in 1877?
 - (2.) What is the amount of Customs Revenue received or due on account of such Imports from each Colony?
 - (3.) What is the estimated value of the Imports overland from each Colony during the same year that were bonded in this Colony?

Mr. Cohen answered,—

- (1.) The estimated value of Imports overland in 1877 is—from Victoria, £1,360,171; South Australia, £253,838; Queensland, £11,623.
- (2.) The amount of Customs Revenue received or due on account of such Imports is, on goods from,—

	Collected in 1877.	Duty represented by such Imports in Bond on 31 Dec., 1877.	Total.
Victoria	£98,972 5 0	£5,268 4 6	£104,240 9 6
South Australia	12,391 2 9	919 6 10	13,310 9 7
Queensland	1,500 9 7	Nil.	1,500 9 7

- (3.) The estimated value of Imports overland from each Colony during the same year that were bonded in this Colony is—from Victoria, £91,391; South Australia, £14,599; Queensland, nil.
- NOTE.—Under the Border Duties Convention, the Government of South Australia undertook to pay £35,000 in lieu of Customs duties for the year ending December 15, 1877; and, by agreement, all duties collected by this on importations from that Colony during such year were regarded as payments on account of the £35,000, the whole of which has been paid.
- (7.) Post and Telegraph Offices, and Court-house and Gaol, Tenterfield:—Mr. Dillon asked the Secretary for Public Works,—When will the building of the new Post and Telegraph Offices and of the Court-house and Gaol at Tenterfield commence?

Mr. Burns answered,—Instructions respecting the foundations were, on the 22nd ultimo, forwarded to the contractors. An officer of the Department cannot at present be spared to be sent to this locality; but it has been ascertained from the Police Magistrate that the works have not yet been commenced. The contractor has been called upon to explain the cause of the delay, and to state when the work will be commenced.

- (8.) Post Office Premises, Glen Innes:—Mr. Dillon asked the Secretary for Public Works,—When will the conveyance of the old Post Office premises at Glen Innes to the Municipal Council of that town be completed?

Mr. Burns answered,—The application of the Municipal Council of Glen Innes for the transfer of these premises is under the consideration of the Government. A decision on the matter has been delayed through some of the papers having been mislaid.

- (9.) Quarter Sessions, Inverell:—Mr. Dillon asked the Minister of Justice and Public Instruction,—Is it the intention of the Government to make arrangements at once for the holding of a Court of Quarter Sessions at Inverell during the next Circuit?

Mr. Leary answered,—No. Two District Courts have been held at Inverell this year, in accordance with the intervals fixed by the Governor and Executive Council, and a Court of Quarter Sessions will be held in the early part of the ensuing year at Inverell.

- (10.) Government Advertisements in Newspapers:—Mr. Dillon asked the Colonial Secretary,—

- (1.) Is it a fact that country newspapers receive for insertion comparatively few of the Government advertisements affecting their districts, and that these advertisements are mainly sent to Sydney newspapers, which are rarely seen by the great majority of the people of the outlying districts?
- (2.) If so, are the Government aware that owing to this fact large numbers of people often remain ignorant of the holding of important land sales, and of other proceedings directly affecting their interests?

(3.) Will the Government cause some inquiry to be made, and if inconvenience is found to exist in consequence of the present system of Government advertising, will some steps be taken to afford a remedy?

Mr. Fitzpatrick answered,—

- (1.) I believe it is not a fact.
- (2.) See answer 1.
- (3.) Inquiry will be made.

(11.) Deepening Parramatta River:—Mr. Taylor asked the Secretary for Public Works,—Is it the intention of the Government to place a sum of money on the Estimates for 1879 for deepening the Parramatta River from the mouth of the sewer built by the Government to drain the Government establishments of their nuisances?

Mr. Burns answered,—It is the intention of the Government to place a sum of money on the Estimates for additional dredging machines, to accomplish this and other urgent work.

(12.) Floods in the Hunter River:—Mr. Jacob asked the Colonial Secretary,—Have the preliminary surveys between Raymond Terrace and Tilligherry Creek, recommended by Mr. Clark, the Hydraulic Engineer, in connection with the question of floods in the Hunter River, yet been made or entered upon, in fulfilment of the instructions which he (the Colonial Secretary) stated on 10th April last had been given?

Mr. Fitzpatrick answered,—I have ascertained from the Secretary for Public Works that instructions have been given to the Assistant Engineer at Newcastle to carry out these surveys.

(13.) Lake Macquarie:—Mr. Hungerford asked the Secretary for Public Works,—Will he have any objection to lay upon the Table of this House a statement giving the quantities of each item on the schedule on which it is intended to compute the cost of the proposed works at the entrance of Lake Macquarie?

Mr. Burns answered,—I shall have no objection to lay upon the Table a statement showing the approximate quantities of each item on the schedule of the proposed works at the entrance to Lake Macquarie when a tender has been accepted for the work.

(14.) Werris Creek Railway Station:—Mr. Dangar asked the Secretary for Public Works,—

- (1.) Is it intended when the railway is opened to Tamworth to have a Passenger and Goods Station at Werris Creek for the benefit of the North-western people?
- (2.) Is it further intended that the Namoi and other mails shall be dispatched from and received at Werris Creek Railway Station when the line is so opened, in place of Quirindi, as now done?
- (3.) Is it a fact that no right of road exists from Breeza to the Werris Creek Railway Station; and if so, will one be at once opened and proclaimed to the public use, so that the mail-coaches, teams, and public may travel it; and will a sum of money be devoted to make the road passable until line of railway is finished to Breeza or Gunnedah?

Mr. Burns answered,—

- (1.) A station is now being constructed at Werris Creek Junction for the accommodation of the traffic of the Gunnedah extension.
- (2 and 3.) A road appears to exist on the county plan. It is not yet determined whether the mails and passengers are to go to Werris Creek, as the line to Gunnedah will soon be opened; and the saving of time and distance between the route *via* Werris Creek and that *via* Quirindi for the short interval before its opening will not justify any considerable outlay. Inquiries, however, are being made, and the course most advantageous to the public will be adopted.

(15.) Mineral Leases held by Messrs. Garrett and Greville in the District of Newcastle:—Mr. McElhone asked the Secretary for Mines,—

- (1.) What area of land do Messrs. Garrett and Greville hold under mineral lease out of the Trialba Coal Reserve, in the District of Newcastle or East Maitland?
- (2.) On what date and year was the land leased to them?
- (3.) What is the annual rental of said mineral leases?
- (4.) On what date is the rent due; and what amount of rent (if any) is due to date?
- (5.) If it is not paid at once, will he cause it to be cancelled for non-payment of rent?

Mr. W. H. Suttor answered,—

- (1.) 2,031 acres.
- (2.) Date of leases, 1st December, 1876.
- (3.) 5s. per acre per annum.
- (4.) Rents are payable on or before the 30th November in each year; £550 8s. 2d. up to the 31st December next.
- (5.) The leases have been cancelled for non-payment of rent, and cancellation will be notified forthwith.

(16.) International Exhibition in Sydney:—Mr. Greenwood asked the Colonial Secretary,—When will the Government submit to this House their proposal in regard to assistance from public funds towards holding an International Exhibition in Sydney in 1879?

Mr. Fitzpatrick answered,—When the Estimates are submitted.

2. SUBURBAN RAILWAYS:—The following Petitions, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways, were presented by the Members named:—

- (1.) By Mr. Cameron. From Inhabitants of the Borough of Victoria.
- (2.) By Mr. Clarke. From Inhabitants of the Borough of Randwick.
- (3.) By Mr. J. Davies. From Inhabitants of the Borough of Leichhardt.
- (4.) By Mr. Harris. From Inhabitants of the Borough of Marrickville.

Petitions received.

3. PAPERS:—

Mr. Fitzpatrick laid upon the Table,—

(1.) By-laws of the Borough of Newcastle—under the Newcastle Paving and Public Vehicles Regulation Act.

(2.) Correspondence respecting proposed establishment of "Hansard," or Official Report of the Proceedings and Debates of Parliament.

Ordered to be printed.

Mr. Cohen laid upon the Table,—A Return of Rent or Wharfage received or derived from the Circular Quay for the years 1870 to 1877 inclusive; and for the half-year ended 30 June, 1878,—and cost of collecting same.

Ordered to be printed.

4. SIDNEY CORPORATION BILL:—

(1.) Mr. Fitzpatrick presented a Bill, intituled "*A Bill to consolidate and amend the Laws relating to the Corporation of the City of Sydney*,"—which was read a first time.

Ordered to be printed, and read a second time on Thursday, 3rd October.

(2.) The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker:—

HERCULES ROBINSON,

Governor.

Message No. 3.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to consolidate and amend the laws relating to the Corporation of the City of Sydney.

Government House,

Sydney, 25th September, 1878.

Ordered to be printed, and referred to the Committee of the Whole on the Bill.

5. UNDERWOOD'S ESTATE DISTRIBUTION BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having appointed a Select Committee on the "Underwood's Estate Distribution Bill," and that Committee being desirous to examine Andrew Hardie McCulloch, Esq., a Member of the Legislative Assembly, in reference thereto, requests that the Legislative Assembly will give leave to its said Member to attend and be examined by the said Committee, on such day and days as shall be arranged between him and the said Committee.

Legislative Council Chamber,

Sydney, 25th September, 1878.

JOHN HAY,

President.

6. CROWN LANDS BILL (*Formal Motion*):—Mr. Farnell moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend and consolidate the Laws relating to Crown Lands.
Question put and passed.

7. STOCK SALE-YARDS BILL (*Formal Motion*):—*Mr. Cameron*, for *Mr. Macintosh*, moved, pursuant to Notice, That the Petition presented by him on 24th September from the Municipal Council of Sydney, relative to the Stock Sale-yards Bill, be printed.
Question put and passed.

8. SUBURBAN RAILWAYS (*Formal Motion*):—*Mr. Greenwood* moved, pursuant to Notice, That the Petition presented by him on 24th September from Inhabitants of the Borough of Redfern, relative to Suburban Railways, be printed.
Question put and passed.

9. LAND TAKEN FOR RAILWAY PURPOSES (*Formal Motion*):—*Captain Onslow* moved, pursuant to Notice, That there be laid upon the Table of this House, a Return showing the extent of land taken for Railway purposes since the last Return, ordered in October, 1870, together with the names and amounts demanded by claimants, the sums paid to them, the costs in cases when legal proceedings have been resorted to, and the costs in cases settled by arbitration, the names of the arbitrators appointed by Government, and the sums paid for such services.
Question put and passed.

10. LUNACY BILL:—The Order of the Day having been read,—*Mr. Fitzpatrick* moved, That this Bill be now read a second time.

Mr. Stephen Brown moved, That this Debate be now adjourned.

• Debate ensued.

Question,—That this Debate be now adjourned,—put and negatived.

Original Question,—That this Bill be now read a second time,—put and passed.

Bill read a second time.

Mr. Fitzpatrick then moved, That *Mr. Speaker* do now leave the Chair, and the House resolve itself into a Committee of the Whole for the consideration of the Bill; and that the Message of His Excellency the Governor in reference thereto be referred to the Committee.

Question put and passed.

Whereupon *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

Mr. Speaker resumed the Chair, and the Chairman reported progress, and obtained leave to sit again to-morrow.

11. BIRDS AND ANIMALS PROTECTION BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to secure the protection of certain Birds and Animals*,"—presents the same to the Legislative Assembly for its concurrence.

*Legislative Council Chamber,
Sydney, 25th September, 1878.*

JOHN HAY,
President.

Bill, on motion of Mr. Day, read a first time.

Ordered to be printed, and read a second time on Friday, 4th October.

12. GRAPE-VINES AND GRAPES IMPORTATION PROHIBITION BILL:—The Order of the Day having been read,—Mr. Farnell moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Farnell, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

On motion of Mr. Farnell (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time to-morrow.

13. POSTPONEMENTS:—The following Orders of the Day postponed:—

(1.) Beer's Disabilities Bill; second reading;—*until Friday, 4th October.*

(2.) Public Vehicles Regulation Act Repeal Bill; second reading;—*until Friday next.*

(3.) Costs in Matrimonial Causes Bill; second reading;—*until Friday, 8th November.*

(4.) Stock Sale-yards Bill; second reading;—*until Friday, 4th October.*

(5.) Working of the Real Property Acts; consideration in Committee of the Whole of certain Resolutions;—*until Friday, 8th November.*

14. UNDERWOOD'S ESTATE DISTRIBUTION BILL:—

(1.) Mr. Farnell moved, That Andrew Hardie McCulloch, junr., Esquire, have leave to attend and give evidence before the Select Committee of the Legislative Council on "Underwood's Estate Distribution Bill," if he think fit.

Question put and passed.

Ordered, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

In answer to the Message from the Legislative Council, dated this day, requesting leave for Andrew Hardie McCulloch, junior, Esquire, a Member of the Legislative Assembly, to attend and be examined before a Select Committee of the Legislative Council on the "Underwood's Estate Distribution Bill,"—the Assembly acquaints the Council that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

*Legislative Assembly Chamber,
Sydney, 25th September, 1878.*

G. WIGRAM ALLEN,
Speaker.

The House adjourned at twenty-two minutes before Eight o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 9.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 26 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Police Magistrate for Parramatta, Liverpool, and Ryde:—*Mr. Driver*, for Mr. Taylor, asked the Colonial Secretary,—

(1.) Have the Government considered the necessity that exists from the large population and amount of business transacted at Parramatta, Liverpool, and Ryde Police Courts, to appoint a Police Magistrate for these districts?

(2.) If so, is it their intention to make the above appointment subject to the approval of Parliament?

Mr. Fitzpatrick answered,—After such inquiry as I have been able to make upon the subject in question, I find that no difficulty has been experienced in securing the attendance of Honorary Magistrates to form Benches at Parramatta, Liverpool, and Ryde; and I am not aware of any such considerable increase of business at those Courts to justify the appointment of a Police Magistrate. There are resident Clerks of Petty Sessions at Parramatta and Ryde, and at Liverpool there is an Acting Clerk of Petty Sessions. I will, however, cause further inquiry to be made upon the above subject, which shall receive the earliest consideration.(2.) Reserve Pamphlets:—*Mr. Dangar* asked the Secretary for Lands,—

(1.) Are the revised pamphlets of Monaro, Albert, Darling, and Gwydir Districts yet ready for sale to the public (See reply to question No. 19, 22 February, 1878, Votes and Proceedings Legislative Assembly)?

(2.) Is it intended to revise up to present date, or have they been so revised, the Reserve Pamphlets of the different districts, say,—Albert and Bligh, from 31 July, 1875; Clarence, from 29 February, 1876; Darling and Gwydir, from 31 October, 1875; Lachlan, from 29 February, 1876; Liverpool Plains, from 31 March, 1876; Macleay, from 31 December, 1877; Murrumbidgee, from 30 September, 1876; New England, Wellington, and Warrego, from 31 December, 1876?

Mr. Farnell answered,—

(1.) The pamphlets referred to are not ready yet—a question having been raised by the Government Printer as to the heavy expense the work is entailing. Instructions will, however, be now given for printing all those which he has in hand.

(2.) They have not been revised at present. For the reason stated in my reply to the previous question, the matter will require to be considered.

(3.) Extra Works on Railways:—*Mr. Driver*, for Mr. McElhone, asked the Secretary for Public Works,—

(1.) What sum of money has been paid to Mr. Wakeford for extra work on the railway contract from Murrurundi to Tamworth?

(2.) What is the amount of Mr. Wakeford's claims for extra work on above contract to end of August?

(3.) What was the amount of his tender accepted for line from Murrurundi to Tamworth?

(4.) What amount has been paid to the contractors for railway from Yass to Wagga for extra work up to end of August, and the names of persons to whom such amounts were paid?

(5.) What is the amount claimed for extras by contractors for line from Yass to Wagga to end of August?

Mr. Burns answered,—

(1.) Mr. Wakeford has been paid for the work executed on the Tamworth extension at the rates stated in his schedule of prices; but the exact amount for extra and additional works cannot be given until the final measurements have been made.

(2.) Mr. Wakeford has not made any special claim for extra works.

(3.)

(3.) Mr. Wakeford's tender was accepted on a schedule of prices, the estimated amount of work to be done under the contract being £216,444 19s. 6d.

(4.) The amount of extra and additional works cannot be given until the final adjustment of the accounts.

(5.) Messrs. Amos & Co. have made a claim for extra and additional works on the length from Yass to Cootamundra, but as many of these claims are not admitted by the Department, it would only be misleading were the specific amounts to be given. No special claim has yet been made by them for extra and additional works from Cootamundra to Wagga Wagga.

(4.) Court-house, Bombala:—Mr. Murphy asked the Secretary for Public Works,—When tenders will be invited for the erection of the Court-house, Bombala?

Mr. Burns answered,—The preparation of plans for this building is delayed for want of particulars respecting site and accommodation required. As soon as this information is furnished, plans will be prepared, and tenders can then be invited.

(5.) Mr. Matthews, late Chief Officer of "City of Newcastle":—Mr. Greenwood asked the Colonial Treasurer,—

(1.) Is it true that Mr. Matthews, holding a master's certificate of competency from the Marine Board of New South Wales, stated before the Local Marine Board at Newcastle, on Tuesday, the 17th of September, that "he could not point out on the chart the course of the 'City of Newcastle' previous to the wreck of that vessel, as he had no knowledge of navigation; that he knew nothing about the deviation of the compass, nor how it is affected by the iron in the ship; that he knew the steamer's compass was sluggish in its movements at times, and he had occasion to kick or shake the compass to cause it to move more lively; that he had never seen a deviation card, and did not know what it was"?

(2.) If true, will he cause inquiry to be made of the Marine Board as to the grounds on which they could grant a certificate of competency to an officer so grossly ignorant of his profession?

Mr. Cohen answered,—

(1.) It is true.

(2.) The certificate of competency granted to Mr. Matthews is only a coast trade one, entitling him to serve in a coaster within the jurisdiction. The Marine Board issue five grades of masters certificates of competency, viz.:—Extra Foreign Master, Foreign Master, Coast Trade beyond the Jurisdiction, Coast Trade within the Jurisdiction, and Harbour and River Steamers. The first three grades necessitate high qualifications in navigation, &c., but with the two latter such qualifications are not demanded. These candidates are passed in seamanship and practical knowledge of the coast by the Examiner to the Board before the certificate is given.

(6.) Emily Connell Laycock's Conditional Purchase at Grafton:—Mr. Greenwood asked the Secretary for Lands,—

(1.) Has the conditional purchase taken up by Emily Connell Laycock on the 6th of September, 1877, at the Land Office, Grafton, yet been surveyed?

(2.) If not, will he state the cause of the delay?

Mr. Farnell answered,—

(1.) Not yet.

(2.) The application having been found to include, in part, land already alienated, an order for the refund of the deposit on this portion was sent on the 11th July last to the applicant, who was offered the option of retaining the remaining area, or of obtaining a refund of the whole deposit. No reply has been received to this inquiry.

(7.) Mineral Leases held by Mr. Garrett in Newcastle District:—*Mr. Driver*, for Mr. McElhone, asked the Secretary for Mines,—

(1.) Has Mr. Garrett got any land leased to him under mineral lease in the Newcastle or East Maitland District?

(2.) If so, what is the area of the land under mineral lease to Mr. Garrett; the date and year on which it was leased to him?

(3.) What is the annual rent of it; when was it due; and what amount of rent is now due?

(4.) If the rent is not paid at once, will he immediately cause the lease to be cancelled for non-payment of rent?

Mr. W. H. Suttor answered,—

(1.) Yes.

(2.) 817 acres. Date of leases, 1st December, 1876.

(3.) 5s. per acre per annum. Rents are payable on or before the 30th November in each year. £221 12s. is due to the 31st December next.

(4.) The leases have been cancelled for non-payment of rent, and cancellation will be notified forthwith.

2. GRAPE-VINES AND GRAPES IMPORTATION PROHIBITION BILL (*Formal Order of the Day*),—on motion of Mr. Farnell, read a third time, and *passed*.

Mr. Farnell then moved, That the Title of this Bill be "*An Act to prohibit the Importation of Grape-vines Grape-vine cuttings and Grapes.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to prohibit the Importation of Grape-vines Grape-vine cuttings and Grapes,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 26th September, 1878.*

3. SUBURBAN RAILWAYS (*Formal Motions*):—

- (1.) Mr. Cameron moved, pursuant to Notice, That the Petition presented by him on 25th September from the Mayor, Aldermen, and Residents of the Borough of Victoria, relative to Suburban Railways, be printed.
Question put and passed.
- (2.) Mr. Cameron, for Mr. Clark, moved, pursuant to Notice, That the Petition presented by him on 25th September from Inhabitants of Randwick, with reference to Suburban Railways, be printed.
Question put and passed.
- (3.) Mr. Baker, for Mr. J. Davies, moved, pursuant to Notice, That the Petition presented by him on 25th September from the Mayor, Aldermen, and Inhabitants of the Borough of Leichhardt, in favour of Suburban Railways, be printed.
Question put and passed.
- (4.) Mr. Dillon, for Mr. Harris, moved, pursuant to Notice, That the Petition presented by him on 25th September from the Inhabitants of the Borough of Marrickville, in favour of Circular Suburban Railways, be printed.
Question put and passed.
4. GEORGE ALFRED TUCKER:—Mr. Stephen Brown presented a Petition from George Alfred Tucker, of Bay-view House, Cook's River, Superintendent and Proprietor of the Cook's River Lunatic Asylum, respecting a contract entered into by him with the Government for the treatment of lunatic patients, praying that he may be allowed to fulfil the remainder of his contract under the now existing law, notwithstanding clauses 24 and 35 of the Lunacy Bill now before Parliament.
Petition received.
5. PAPER:—Mr. Farnell laid upon the Table,—Return (*in part*) to an Order made on 5th February, 1878,—“Crown Lands under Pastoral Lease and Conditional Purchase.”
Ordered to be printed.
6. CROWN LANDS BILL:—The Order of the Day having been read,—on motion of Mr. Farnell, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend and consolidate the Laws relating to Crown Lands. Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be *now* received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
Resolved,—That it is expedient to bring in a Bill to amend and consolidate the Laws relating to Crown Lands.
On motion of Mr. Farnell, the Resolution was read a second time, and agreed to.
7. LUNACY BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.

The House adjourned at twenty-five minutes after Ten o'clock until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 10.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 27 SEPTEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

(1.) Reserve at Double Bay :—Mr. Macintosh asked the Secretary for Lands,—

(1.) When the township of Double Bay was laid out by Government, was there a street named "The Marine Parade" reserved for the use of the public, fronting the bay?

(2.) Have owners of private property abutting on the said street encroached thereon; if so, will the Government cause the said street to be opened to the public as originally laid out?

Mr. Farnell answered,—

(1.) Yes.

(2.) It is believed that encroachments exist, but it is the province of the Municipal Council of Woollahra to take the necessary initiative action towards abatement of the evil.

(2.) Court-house, Murrumburrah :—Mr. Watson asked the Secretary for Public Works,—

(1.) Has the Government decided on a site for the erection of the Court-house at Murrumburrah; and if so, what site has been chosen; if not, what is the cause of the delay?

(2.) When will tenders be invited for the erection of said Court-house, for which funds were voted last Session of Parliament?

Mr. Burns answered,—

(1.) A site offered by Mr. Dillon, with 66 feet frontage to Albury-street and 165 feet frontage to Vernon-street, being allotment 1 of section 22, has been recommended to the Government.

(2.) If the site recommended is approved, plans will be prepared at once, and tenders invited for the erection of the building.

(3.) Court-house, Binalong :—Mr. Watson asked the Secretary for Public Works,—Has the Government received any letters from the Bench of Magistrates at, or residents of Binalong, complaining of the dilapidated state of the Court-house there; and if so, has any, and what action been taken thereon?

Mr. Burns answered,—Communications have been received respecting the state of the Court-house at Binalong. Tenders will be invited for the necessary repairs in a few days.

(4.) Bridge over the Gwydir River, at Bundarra :—Mr. Terry asked the Secretary for Public Works,—When will tenders be invited for the construction of the Bridge over the Gwydir River, at Bundarra?

Mr. Burns answered,—Tenders for the erection of the Bridge over the Gwydir River, at Bundarra, have already been invited, and will be opened on the 5th November next.

(5.) Road from Tamworth to Moor Creek :—Mr. Bennett asked the Secretary for Public Works,—Is it the intention of the Chief Engineer for Roads to metal or gravel the whole width of the roadway, and widen the culverts, from the intersection of Burke-street with Peel-street to Johnson's slaughter-yards, Main Northern Road, from Tamworth to Moor Creek, &c., &c.?

Mr. Burns answered,—The ordinary Road Vote would not cover the expense of this work, which is within municipal limits. In anticipation of the opening of the railway, a coat of metal is now being put on the centre of road. It has been reported by a local officer that the widening of culvert would be ineffective, as the fall is so slight.

(6.) Bridges over Bomera Creek and Manilla River :—Mr. Bennett asked the Secretary for Public Works,—

(1.) Is it the intention of the Government, in accordance with an application from Mr. Bennett, to make provision on the Estimates for 1879 for the erection of a Bridge over Bomera Creek present crossing-place, near John C. Smith's conditional purchase, County Pottinger?

(2.) As also similar provision for the erection of a Bridge over the Manilla River, at the North Crossing, Town of Barraba, County Darling?

Mr.

Mr. Burns answered,—

(1.) Bomera Creek does not appear to be a place of much importance as a traffic route. The Railway extensions are so altering the lines of traffic in this vicinity that it is difficult to determine their relative importance. The Bridge will be constructed from the Road Vote for such route as may afford the easiest access to the nearest Railway Station.

(2.) It has not yet been determined whether it is desirable to construct an expensive Bridge at Barraba. There is some probability of the traffic being diverted from the road north of that place towards the nearest Railway Station, somewhere in the vicinity of Uralla. A report will, however, be obtained as to the necessity for a Bridge.

(7.) District Courts at Coonabarabran, Coonamble, &c. :—*Mr. J. Davies*, for Mr. Dangar, asked the Minister of Justice and Public Instruction,—

(1.) Is it intended to provide the necessary accommodation and additions required for holding District Courts at the following places, lately gazetted for holding such Courts :—Coonabarabran, Coonamble, Walgett, Bingera, and Warialda?

(2.) Will Quarter Sessions be established at these places; and will steps be taken to render additions to the present lock-ups so that they may be converted into gaols to meet the necessary purpose?

Mr. Leary answered,—

(1.) Yes.

(2.) Yes, Quarter Sessions have recently been proclaimed to be held during the current year at some of these places, namely, at Coonabarabran, Coonamble, and Walgett; and such Courts will shortly be appointed to be holden for the ensuing year at Bingera and Warialda.

(8.) Post and Telegraph Office, Walgett :—*Mr. J. Davies*, for Mr. Dangar, asked the Postmaster General,—

(1.) When will tenders be invited for the new brick Post and Telegraph Office at Walgett, the money for which has been voted by Parliament?

(2.) Will such be erected on Court-house reserve, on the site facing present Telegraph Office, which is considered suitable and eligible?

Mr. Burns answered,—

(1.) The plans have been approved, and tenders will be invited with the least possible delay.

(2.) It is intended to erect the building on the reserve for public buildings at the corner of Fox and Wee Waa Streets.

(9.) Railway Carriage occupied by Mr. Finlay :—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) Was the first-class carriage occupied by Mr. Finlay from Sydney to Wagga Wagga, on Thursday, the 12th September, paid for?

(2.) If so, what amount was paid for it, and when was it paid?

Mr. Burns answered,—

(1.) At the request of His Excellency the Governor, the railway carriage appropriated to his use when travelling by rail was attached to the train on the 12th instant for the accommodation of his daughter and Mr. Finlay.

(2.) The charge for the carriage is debited to His Excellency. The account will be rendered in the usual way at the end of the month, the amount being £26 14s.

(10.) Railway Compartment occupied by two persons only :—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) Is he aware that on Thursday, the 12th September, the second end compartment of a first-class carriage was occupied by two persons only?

(2.) Is it a fact that Mr. Evans allowed these two persons to occupy this compartment by having only two tickets instead of six?

(3.) If so, will he cause him to pay for the extra tickets in this case, as was done in the case of the two bookmakers who were allowed to occupy the other end compartment with two tickets instead of six on the same date?

Mr. Burns answered,—

(1.) The compartment referred to was, I am informed, occupied by two or three passengers, but was available for the general public.

(2.) It is not the case.

(11.) Railway Rates from Wagga Wagga to Sydney :—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) On what ground did he fix the rate of carriage on cattle per rail from Wagga to Sydney at £8 4s. 2d. per truck, and only £4 16s. per truck on sheep?

(2.) Is it his intention to equalise the rates on cattle and sheep from Wagga to Sydney, or to increase the rate on sheep if it is too low?

(3.) Or will he fix a through rate per mile per truck on cattle and sheep from Wagga, as is done in the case of certain classes of goods from Sydney to Wagga?

Mr. Burns answered,—

(1.) The rate for sheep from Wagga Wagga to Sydney is £5 6s. per truck, not £4 16s. The rate for cattle, previous to the 13th instant, was £10 2s. 8d. This I considered too high, and reduced it to £8 4s. 2d. per truck. I did not disturb the rate for the carriage of sheep.

(2 and 3.) The rates for the conveyance of live stock will be revised on an early date, at which time the question of establishing fixed rates from certain stations, or a general mileage rate, will be considered.

(12.) Volunteer Force Regulations :—*Mr. J. Davies* asked the Colonial Secretary,—

(1.) Is it the intention of the Government to compensate the non-commissioned officers of the Volunteer Force for past services rendered since the date they received their Land Orders; if so, in what manner, and when?

(2.)

(2.) Will the Government explain clause 105 of the new Regulations:—(a) If a man does his continuous training and musketry, omitting the fourteen drills, what will he be paid? (b) If a man does his continuous training and the fourteen drills, omitting musketry, what will he be paid? (c) If a man does his fourteen drills and musketry, omitting the continuous training, what will he be paid?

(3.) (a) Is it the intention of the Government to pay quarterly, or only at the end of the year? (b) How can clauses 126 and 131 be reconciled, especially when compared with paragraphs A, B, and C in clause 105?

(4.) What proportion of pay is to be given to those Volunteers who were efficient in January, 1878, and are transferred to the new Force on 1st November, 1878, and become efficient in January, 1879; and what becomes of the non-efficient on the former date who may transfer in like manner?

(5.) Will the Government explain for what reason there is such a difference between the Old Staff, without pay, for the two regiments (fifteen companies of Volunteer Infantry, 1,500 men), and the Staff for the new corps (two regiments, reduced to less than 700 men, eight companies), to be paid, viz.:—*Old Staff*.—Two lieut.-colonels, four majors, two adjutants, two quartermasters, two regimental sergeant-majors, and two regimental quartermaster-sergeants (two permanent staff sergeants for clerical work—paid men). *New Staff*.—Two lieut.-colonels, two majors, two adjutants, pay and quartermasters, two regimental sergeant-majors, and two regimental quartermaster-sergeants, all to be paid?

(6.) Will the Government explain how they intend to “recognise the past services of the officers and men of the Volunteer Force” who may not succeed in receiving “priority of appointment” in the new Force, in consequence of the offers being in excess of the numbers required?

(7.) Will the Government consent to reduce the period for continuous training from eight days to four, which, by omitting “night attacks and flying columns,” would secure a better attendance of officers and men, without prejudice to the course of continuous training in barracks or in camp?

Mr. Fitzpatrick answered,—

(1.) No.

(2.) (a) A private would be paid £4, being at the rate of 10s. per diem. (b) £7 10s., being at the rate of 10s. per diem for continuous training and 5s. for each drill. (c) £3 10s., or 5s. for each drill.

(3.) (a) Quarterly (*vide* paragraph 131 Regulations). (b) Clause 126 is merely intended to indicate the proportion of pay to be applied to the two descriptions of training, viz., continuous and on detached days, with a bonus of a third on condition of a man qualifying as an efficient. Payments on account of the first two will be made at the end of each quarter, and of the last at the end of the last quarter of the year.

(4.) The efficient will receive pay at the rate of 10s. a day for continuous training and 5s. a day for drills on detached days, and if entitled to be deemed efficient on 1st January, 1879, will receive, if a private, additional £4. Volunteers returned as non-efficient on 1st January last will be treated as recruits.

(5.) Under the old system one lieutenant-colonel received partial payment in money (the other having made over his pay in favour of a fully paid adjutant). One adjutant received partial, and the other full pay, in money, the other members of the Regimental Staff being partially paid by land orders. Under the new the lieutenant-colonels and majors will be partially paid in money; the adjutants, sergeant-majors, and quartermaster-sergeants will be fully paid, following Imperial precedent, in view of the creation of a real regimental system, they being intended to be persons with regimental experience in the Imperial Army, as also to devote their whole time to their duties, comprising the care of arms and other stores, preparation of returns, correspondence, payment, &c., &c., instruction in drill and interior economy, and otherwise assist their regimental commanding officers, and also aid in the training of recruits.

(6.) The Government is not in a position to give information on this point until the time for officers to return their names for service has expired.

(7.) Four days would be of little service, unless they were clear working days, irrespective of Good Friday and Sunday, and days of going to and returning from camp; but in any case such a period is too short.

(13.) Geological Surveyor:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Mines,—

(1.) Is it intended to make the appointment of an additional Geological Surveyor?

(2.) When is it intended to obtain a report upon the Bingera Gold Field Reserve?

(3.) Does the Geological Surveyor devote his time exclusively to the collection of specimens for foreign exhibition?

(4.) Is the Government aware that unless this Bingera Gold Field is cancelled that the district and town will suffer materially?

Mr. W. H. Suttor answered,—

(1.) No; but two additional Geological Surveyors have been recently appointed.

(2.) As soon as the Geological Surveyor can proceed to that locality—probably within one month.

(3.) No.

(4.) The Government is not so aware, but it is anxious that so much of the gold field as is not required for mining purposes should be cancelled.

(14.) Post and Telegraph Office, Bingera:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Postmaster General,—

(1.) Was a communication addressed in July last to the Colonial Architect, from *Mr. Staff Surveyor McMaster*, of Bingera (on behalf of the residents of that town), about the site of the new Post and Telegraph Office at Bingera, a tender for the erection of which has been accepted, accompanied by plan and section proving that the proposed site was under flood mark?

(2.) What is intended to be done in the matter; and is the Government aware that if these buildings are erected where intended to be they will spoil the appearance of the town, besides being liable to be flooded?

(3.) What site has been definitely fixed upon for the erection of these buildings?

Mr.

Mr. Burns answered,—

(1.) A communication of the kind mentioned, dated 31st July, was received by the Colonial Architect on the 6th August. The plan was altered to show the building in the position indicated by Mr. Surveyor McMaster, and a tracing of the same forwarded to the contractor on the 12th instant for his guidance.

(2 and 3.) It is intended to erect the building in the position proposed by Mr. McMaster, that gentleman having stated in his letter that the site originally proposed was low-lying and partially submerged during high floods.

(15.) Grafton and Glen Innes Telegraph Contract:—Mr. Dillon asked the Postmaster General,—

(1.) When will copies of the correspondence relating to the Grafton and Glen Innes Telegraph Contract, known as Murray and Devlin's, be laid upon the Table, as ordered by this House on the 29th of January last?

(2.) When laid upon the Table, will the Government order the correspondence to be printed?

Mr. Burns answered,—

(1.) The papers will be laid upon the Table on Tuesday or Wednesday next.

(2.) I cannot at present say whether the papers are of sufficient public interest to justify their being printed at the public expense.

(16.) Parliamentary Privileges:—Mr. Dillon asked the Secretary for Lands,—When do the Government intend to introduce a Bill to deal with the question of Parliamentary Privilege, as ordered by a Resolution of this House?

Mr. Farnell answered,—I cannot definitely fix the date, but a Bill will be introduced as early as possible.

(17.) Lake Macquarie:—Mr. Bennett asked the Secretary for Public Works,—The quantity of tons (to be given separately) of material proposed to be used in the first, second, third, and fourth items of the schedule for the proposed works at the entrance of Lake Macquarie?

Mr. Burns answered,—I shall have no objection to give the information asked for by the Honorable Member as soon as a tender is accepted for the work.

(18.) Floods in the Hunter River:—Mr. Jacob asked the Colonial Secretary,—As he stated on 29th January last that "instructions had been given on 23rd idem to carry out the recommendation of Mr. Clark, Hydraulic Engineer, for preliminary surveys between Raymond Terrace and Tilligherry Creek"; and again said, on 10th April last past, that "instructions have been given to put them in hand"; and then stated, on 25th instant, that "instructions have been given to the Assistant Engineer at Newcastle to carry out these surveys,"—Do these several statements refer to the instructions given at three different periods; and if so, what has been the cause of delay in those of 23rd January and 10th April not having been carried out?

Mr. Fitzpatrick answered,—The instructions given by me at three different periods refer to the same matter. The cause of delay was a conflict of opinion between the Departments of the Harbours and Rivers and the Surveyor General, and the work has been finally undertaken by the former Department.

2. THE GLEBE BOROUGH BILL:—Mr. Stephen Brown, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 13th September, 1878.

Ordered to be printed.

Mr. Brown then moved, That the Bill (*as amended and agreed to in Select Committee*) be read a second time on Friday, 18th October.

Question put and passed.

3. SUBURBAN RAILWAYS:—The following Petitions, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways, were presented by the Members named:—

(1.) By Mr. Stephen Brown. From Inhabitants of the Borough of Macdonald Town.

(2.) By Sir Henry Parkes. From Inhabitants of the Borough of Waterloo.

Petitions received.

4. PUBLIC VEHICLES REGULATION ACT REPEAL BILL:—The following Petitions against the passing of this Bill were presented by the Members named:—

(1.) By Mr. Coonan. From Waggonette Owners of the City and Police District of Sydney.

(2.) By Sir Henry Parkes. From Omnibus Owners of the City and Police District of Sydney.

Petitions received.

5. MEDICAL PRACTITIONERS (*Formal Motion*):—Mr. Badgery, for Dr. Bowker, moved, pursuant to Notice, That leave be given to bring in a Bill to amend the law respecting the qualifications of Medical Practitioners.

Question put and passed.

6. RENT IN ARREAR ON MINERAL LEASES (*Formal Motion*):—Mr. Dillon moved, pursuant to Notice, That there be laid upon the Table of this House, a Return of rent in arrear:—

(1.) On all mineral lands forfeited during the last four years.

(2.) On lands now held by mineral lessees and not forfeited.

Question put and passed.

7. GEORGE ALFRED TUCKER (*Formal Motion*):—Mr. Driver, for Mr. Stephen Brown, moved, pursuant to Notice, That the Petition presented by him on 26th September instant from Mr. G. A. Tucker, relative to the Lunacy Bill, be printed.

Question put and passed.

8. CUSTOMS BILL (*Formal Motion*):—Mr. Cohen moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend and consolidate the Laws for the Regulation of the Customs.
Question put and passed.
9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—John Lackey, Esquire, and Henry Moses, Esquire, came to the Table, and were sworn by the Clerk as Members of the Committee of Elections and Qualifications.
10. IMPOUNDING ACT AMENDMENT BILL:—The Order of the Day having been read,—Mr. Jacob moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Jacob, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
On motion of Mr. Jacob, the report was adopted.
Ordered, that the Bill be read a third time on Tuesday next.
11. POSTPONEMENT:—The Order of the Day for the second reading of the Justices Appeal Bill postponed until Friday, 25th October.
12. BANKERS BOOKS EVIDENCE BILL:—The Order of the Day having been read,—Mr. Watson moved That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
On motion of Mr. Watson (*with the concurrence of the House*), the report was adopted.
Ordered, that the Bill be read a third time on Tuesday next.
13. MATRIMONIAL CAUSES ACT AMENDMENT BILL:—The Order of the Day having been read,—Mr. Hurley (*Hartley*) moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Hurley, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
On motion of Mr. Hurley, the report was adopted.
Ordered, that the Bill be read a third time on Tuesday next.
14. POSTPONEMENT:—The Order of the Day for the second reading of the Patent Bill postponed until Friday, 11th October.
15. RAILWAY REFRESHMENT ROOMS BILL:—The Order of the Day having been read,—Mr. Copeland moved, That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for licensing Railway Refreshment Rooms.
Question put and passed.
Whereupon Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.
Mr. Speaker resumed the Chair, and the Chairman reported from the Committee a Resolution, which was read, as follows:—
Resolved,—That it is expedient to bring in a Bill to provide for licensing Railway Refreshment Rooms.
On motion of Mr. Copeland, the Resolution was read a second time, and agreed to.
16. PUBLIC VEHICLES REGULATION ACT REPEAL BILL:—The Order of the Day for the second reading of this Bill read,—and, on motion of Mr. J. Davies, discharged.
Ordered, that the Bill be withdrawn.
17. RAILWAY REFRESHMENT ROOMS BILL:—Mr. Copeland *presented* a Bill, intituled "*A Bill to provide for Licensing Railway Refreshment Rooms*,"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 11th October.
18. INTERNATIONAL EXHIBITION IN SYDNEY:—Mr. Copeland moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause the necessary steps to be taken for giving effect to the following Resolutions,—
(1.) That the Government should as soon as possible bring in a Bill with the object of giving effect to the Despatches sent to the Home Government announcing the intention of this Government to hold an International Exhibition at Sydney in August, 1879.
(2.) That the said Bill should make provision for a joint Commission to carry out the objects of the Exhibition; and that such Commission should consist of twenty gentlemen nominated by the Government and twenty gentlemen nominated by the Agricultural Society of New South Wales.
(3.) That such Bill should make provision for an expenditure of £20,000 from the Consolidated Revenue, in addition to such sums as are raised by private subscriptions.
Debate ensued.
Question put.

The House divided.

Ayes, 5.

Sir John Robertson,
Mr. Greenwood,
Mr. J. Davies,

Tellers.

Mr. McCulloch,
Mr. Copeland.

Noes, 25.

Mr. Farnell,
Mr. Burns,
Mr. Fitzpatrick,
Mr. Leary,
Mr. Macintosh,
Mr. W. H. Suttor,
Mr. McElhone,
Mr. Wisdom,
Mr. Cameron,
Mr. Driver,
Mr. T. R. Smith,
Mr. Hoskins,
Mr. Terry,
Mr. Coonan,

Mr. Jacob,
Mr. W. Davies,
Mr. Badgery,
Mr. Murphy,
Mr. Bonnett,
Mr. Day,
Mr. Barbour,
Mr. Lynch,
Mr. Beyers,

Tellers.

Mr. Dillon,
Mr. Greville.

And so it passed in the negative.

The House adjourned at twenty-five minutes before Ten o'clock, until Tuesday next at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 11.

VOTES AND PROCEEDINGS,
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 1 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) *Railway Extension, Gunnedah to Narrabri*:—Mr. Dangar asked the Secretary for Public Works,—

(1.) Have trial surveys been ordered, and are they being proceeded with, for the extension of the North-western Railway from Gunnedah to Narrabri; and if so, the date of such instructions?

(2.) What progress has been made with these trial surveys; have they been received, or when are they likely to be?

(3.) Were the surveyors entrusted with the work directed to make a trial survey on both sides of the river, and to what point, Narrabri or elsewhere?

Mr. Burns answered,—

(1.) Yes, and are being proceeded with; instructions were given on the 5th April to have this survey made.

(2.) The trial survey is completed to Narrabri, and plans for the same are in course of preparation.

(3.) Instructions were given to have a survey made from Gunnedah to Narrabri, and thence to the boundary of Queensland, at or near the intersection of the Macintyre River with the 149th degree of east longitude.

(2.) *John Hoath's Conditional Purchase*:—Mr. Dangar asked the Secretary for Lands,—

(1.) What decision has been arrived at in the case of John Hoath's Conditional Purchase No. 18, 80 acres (only 60 acres allowed), upon which improvements to the value of £120 have been erected, 2 acres of same reported to be on a water reserve, No. 201, Barwin River; case submitted 3rd December, 1877?

(2.) Is it intended to cancel the said 2 acres of reserve on which Hoath's improvements stand, and allow him to purchase same in virtue of his improvements?

(3.) Is it true that Hoath occupied the land twelve months before the surveyor came to report, and was necessarily forced to commence his improvements, not knowing at the time it was on a reserve?

(4.) Did Mr. Surveyor Fisher report upon same, and the nature of his report?

(5.) Was the matter referred to Licensed Surveyor Folkes about 21st February, 1877; has his report been received, and nature thereof; if not, will he be requested to furnish same as early as possible?

Mr. Farnell answered,—

(1 and 2.) It has been decided to allow the selector to retain the portion of the land applied for that is available, namely, 62 acres, and to deal with the 2 acres of the reserve on which his improvements are found to stand in a Bill for legalizing certain Conditional Purchases. The case was submitted on the 13th ultimo.

(3.) The selection was made in October, 1876, and the survey in November, 1877.

(4 and 5.) The selection was referred to Mr. Licensed Surveyor Folkes on 21st February, 1877, and by him transferred, on 19th February, 1878, to Mr. Licensed Surveyor Fisher, whose report was to the effect that the objections to the application had been pointed out to the applicant, but recommended his claim to favourable consideration.

(3.) *Bridge at Armidale, in Marsh-street*:—Mr. Copeland asked the Secretary for Public Works,—

(1.) Has a contract been let to build the Bridge at Armidale, in Marsh-street?

(2.) Was a petition recently presented by the Mayor of Armidale, signed by nearly 600 inhabitants of that place, praying for the Bridge to be erected in Falconer-street, in preference to Marsh-street?

(3.) Will the Minister state for the satisfaction of the people who signed the petition what were the reasons which induced him to erect the Bridge in Marsh-street?

Mr.

Mr. Burns answered,—

- (1.) Yes, by a misunderstanding as to name of street.
 - (2.) Yes.
 - (3.) The Minister has not yet been induced to build the Bridge in Marsh-street.
- (4.) Port Darwin Cable.—Coral:—*Mr. McElhone* asked the Postmaster General,—
- (1.) Has he any samples in the Post Office of the coral from the coral seas through which the submarine cable to Port Darwin runs?
 - (2.) If so, will he lay them upon the Table of this House?

Mr. Burns answered,—I have not any sample of coral from the seas through which the submarine cable to Port Darwin runs.

- (5.) Court-house, Cowra:—*Mr. Lynch* asked the Secretary for Public Works,—When will the contractors for the erection of the Court-house at Cowra commence the building; what is the cause of the delay?

Mr. Burns answered,—Tenders for the work have been received, but before the lowest tender could be accepted it was necessary to ascertain the time proposed for completion of contract, which had been omitted in the tender. As soon as this information is received, the tender can be accepted and the work commenced without further delay.

- (6.) Barrack Wall.—Green's Road:—*Mr. J. Davies* asked the Secretary for Public Works,—When will tenders be called for the taking down of the Barrack Wall and widening of Green's Road?

Mr. Burns answered,—Tenders will be invited so soon as funds are available. A sum of money for this work is on the Supplementary Estimates.

- (7.) Public Works in Electorate of West Macquarie:—*Mr. Pilcher* asked the Secretary for Public Works,—

- (1.) When will the erection of the Post and Telegraph Office at Rockley be proceeded with?
- (2.) When will the erection of the Bridge over Campbell's River be proceeded with?
- (3.) When will the erection of the Telegraph Line from Back Creek to Rockley be proceeded with?
- (4.) When will the Cattle-yards at Back Creek Railway Station be ready for use?

Mr. Burns answered,—

- (1.) A tender for the Post and Telegraph Office at Rockley has been accepted, and the work will be proceeded with at once.
 - (2.) The erection of the Bridge over Campbell's River is now being proceeded with.
 - (3.) The contractor has been written to, urging the commencement of the contract without delay, or the contract will be cancelled.
 - (4.) The question of the erection of yards at Newbridge (Back Creek) has not been decided. The gradients of the line are reported to be unfavourable; but further inquiry is being made with a view to see whether the difficulties cannot be overcome without incurring any very large expenditure, which the circumstances of the case would not justify.
- (8.) Reserve at Back Creek Railway Station:—*Mr. Pilcher* asked the Secretary for Lands,—When will the Reserve at the Back Creek Railway Station be available for the use of stock awaiting transmission by railway?

Mr. Farnell answered,—The Reserve is available for the purposes stated; and a report has been received from Messrs. Bruce and Lewis, and is now under consideration, recommending the erection of Trucking Yards at Back Creek.

- (9.) Commons, Gunnedah:—*Mr. McElhone* asked the Secretary for Lands,—

- (1.) What are the boundaries of the Permanent Common, Gunnedah?
- (2.) What are the boundaries of the Temporary Common?
- (3.) The names of the Trustees (if any)?
- (4.) The date of their appointment, and resignation, if they have resigned?
- (5.) The area of the permanent and temporary commons?

Mr. Farnell answered,—

- (1.) The Permanent Common is bounded on the north and west by the Namoi River, on the east by portion 38, parish of Cooridooon, and on the south by portions 90 to 93 in the same parish.
- (2.) The Temporary Common embraces all unalienated Crown Lands within the Population Reserve, exclusive of the area within the town boundaries.
- (3 and 4.) So far as I am aware, no trustees appear to have been elected by the commoners in 1877, as directed by the 3rd section of the Commons Regulation Act.
- (5.) Permanent Common, 710 acres; Temporary Common, gazetted as 27½ square miles.

- (10.) Amendment of the Mining Law:—*Mr. Baker* asked the Secretary for Mines,—Is it the intention of the Government to introduce during the present Session a Bill to amend the Mining Law?

Mr. W. H. Suttor answered,—In view of the more important public business engaging the attention of Parliament, it is not the present intention of the Government to introduce a measure dealing with the amending of the Mining Law.

2. SUBURBAN RAILWAYS:—*Mr. O'Connor* presented a Petition from Inhabitants of the Borough of Darlington, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways.
Petition received.
3. THE CHINESE:—*Mr. Cameron* presented a Petition, signed by John Macintosh as Chairman of a Public Meeting held at the Guild Hall, Sydney, praying the House to take immediate steps to prevent any further influx of Chinese into this Colony.
Petition received.

4. PAPERS :—

Mr. Leary laid upon the Table,—

- (1.) Annual Returns under the 103rd section of the District Courts Act of 1858.
- (2.) Return to an Order made on 2nd May, 1878,—“Jury Lists, Deniliquin.”
- (3.) Return to an Order made on 5th March, 1878,—“Public Schools.”
- (4.) Return to an Order made on 30th April, 1878,—“Police District of Campbelltown.”
- (5.) Return to an Address, adopted on 2nd April, 1878,—“Appeals to the Privy Council.”
Ordered to be printed.
- (6.) Return to an Order made on 1st May, 1878,—“Mr. P. Brougham, Police Magistrate, Bingera.”

Mr. Burns laid upon the Table,—Further Papers respecting the Duplication of the Telegraph Lines between Australasia and Europe.

Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—

- (1.) Return showing the number of Electors on the Roll of each Electoral District of New South Wales for 1878-9.
- (2.) Return showing the estimated number of Electors entitled to vote in the several Gold Fields Electoral Districts for 1878-9.

Ordered to be printed.

5. PATENT BILL :—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker :—

HERCULES ROBINSON,
Governor.

Message No 4.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to amend the Law in reference to Patents of Inventions.

*Government House,
Sydney, 30th September, 1878.*

Ordered to be printed and taken into consideration in Committee of the Whole.

6. CONDITIONAL PURCHASES OF JOHN ROBARDS AND CLADIUS SMITH AT SHADE'S CREEK (*Formal Motion*) :—Mr. Shepherd moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers connected with the Conditional Purchases of 50 acres of land at Shade's Creek, near Molong, made on 6th day of June, 1865, and 40 acres adjoining thereto, on the 6th day of July, 1865, by one John Robards; and also copies of all Papers connected with the Conditional Purchase of one Cladius Smith, by his agent, John Smith, of 160 acres, north of Shade's Creek aforesaid, on 8th day of July, 1862.

Question put and passed.

7. SUBURBAN RAILWAYS (*Formal Motions*) :—

- (1.) *Mr. Driver*, for Mr. Stephen Brown, moved, pursuant to Notice, That the Petition presented by him on 27th September from the Inhabitants of the Borough of Macdonald Town, relative to Suburban Railways, be printed.

Question put and passed.

- (2.) Sir Henry Parkes moved, pursuant to Notice, That the Petition presented by him on 27th September from Inhabitants of Waterloo, relative to a system of Suburban Railways, be printed.

Question put and passed.

8. SMALL DEBTS ACT FURTHER EXTENSION BILL (*Formal Motion*) :—Mr. O'Connor moved, pursuant to notice, for leave to bring in a Bill further to extend the provisions of the Small Debts Act, 10 Vic. No. 10.

Question put and passed.

9. PUBLIC VEHICLES REGULATION ACT REPEAL BILL (*Formal Motion*) :—Sir Henry Parkes moved, pursuant to Notice, That the Petition presented by him on 27th September from Owners of Omnibuses, relative to the Public Vehicles Regulation Act Repeal Bill, be printed.

Question put and passed.

10. IMPOUNDING ACT AMENDMENT BILL (*Formal Order of the Day*),—on motion of Mr. Jacob, read a third time, and *passed*.

Mr. Jacob then moved, That the Title of the Bill be “*An Act to amend the Impounding Act of 1865.*”

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled “*An Act to amend the Impounding Act of 1865,*”—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 1st October, 1878.*

11. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Robert Burdett Smith, Esquire, came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

12. THE SYDNEY INFIRMARY :—Mr. Greenwood moved, pursuant to Notice (*as amended by consent*), That, in the opinion of this House, the credit of the Colony and the necessities of public health demand that the Sydney Infirmary should be in the highest state of efficiency.

Debate ensued.

Motion, by leave, withdrawn.

13. VOLUNTEER LAND ORDER REGULATIONS:—*Mr. Day*, for *Mr. McElhone*, moved, pursuant to Notice (*as amended by consent*), That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of the original Memo. of the Executive Council, and all other Documents, Minutes, &c., relating to the framing of the Volunteer Land Order Regulations.
Debate ensued.
Question put and passed
14. SUBURBAN RAILWAYS:—*Mr. Macintosh* presented a Petition from the Mayor, Aldermen, and Citizens of the City of Sydney, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways.
Petition received.
15. SMALL DEBTS ACT FURTHER EXTENSION BILL:—*Mr. O'Connor* presented a Bill, intituled "*A Bill to further extend the provisions of the Small Debts Act 10 Vic. No. 10*,"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 11th October.
16. COMPENSATION TO JOHANNA CONNELLY:—*Mr. Barbour*, for *Mr. Bennett*, moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1879 a sum not exceeding £526 to compensate Johanna Connelly, district Tamworth, for loss of land and valuable improvements.
Question put and passed.
17. JOSIAH PITTY'S CONDITIONAL PURCHASE AT DENLIQUIN:—*Mr. McElhone*, for *Mr. Hurley (Hartley)*, moved, pursuant to Notice,—
(1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon a conditional purchase of land of 128 acres made by Josiah Pitty at Denilquin, on the 20th May, 1869, and the subsequent sale by auction of this land; and the claim (if any) for compensation for depriving Josiah Pitty of this land.
(2.) That such Committee consist of *Mr. Farnell*, *Mr. Murphy*, *Mr. McElhone*, *Mr. W. Davies*, *Mr. Day*, *Mr. W. C. Browne*, *Mr. Harris*, *Mr. Jacob*, and the Mover.
Debate ensued.
Question put and passed.
18. CLAIM OF MESSRS. KELLEHER AND FITZGERALD:—*Mr. Greenwood* moved, pursuant to Notice (*as amended by consent*),—
(1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the claim of Messrs. Kelleher and Fitzgerald to compensation for Gold Increase.
(2.) That such Committee consist of *Mr. Driver*, *Mr. Cameron*, *Mr. J. Davies*, *Mr. Macintosh*, *Mr. Hurley (Hartley)*, *Mr. Wisdom*, *Mr. Stephen Brown*, *Mr. Sutherland*, and the Mover.
Debate ensued.
Question put and passed.
19. PUBLIC VEHICLES REGULATION ACT REPEAL BILL:—*Mr. Jacob*, for *Mr. Coonan*, moved, pursuant to Notice, That the Petition presented by him on 27th September from Owners of Waggonettes, relative to the Public Vehicles Regulation Act Repeal Bill, be printed.
Question put and passed.
20. POSTPONEMENTS:—The following Orders of the Day postponed until Tuesday next:—
(1.) Bankers Books Evidence Bill; third reading.
(2.) Matrimonial Causes Act Amendment Bill; third reading.

The House adjourned at Eight o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 12.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 2 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Road from Queanbeyan to Urayarra :—Mr. Thompson asked the Secretary for Lands,—With reference to the petition presented by him to the Secretary for Public Works, about March last, from the Inhabitants of the District of Queanbeyan, praying for the survey of a road from Queanbeyan towards Urayarra,—What steps have been taken in compliance with the prayer of that petition ?

Mr. Farnell answered,—The petition in question has been referred to the local surveyor for report, and objections to the road—since received—have also recently been referred to him.

- (2.) Lunatic Asylums :—Mr. Cameron asked the Colonial Secretary,—What amount has been paid by private parties during the year 1877 for the maintenance of relatives in the Lunatic Asylums of this Colony for that year ?

Mr. Fitzpatrick answered,—£1,640 4s. 10d.

- (3.) Mr. Combes :—Mr. McElhone asked the Colonial Secretary,—What sum of money has been drawn to date by Mr. Combes for expenses as Commissioner to the Paris Exhibition ?

Mr. Fitzpatrick answered,—£1,250.

- (4.) Railway Engines :—Mr. Cameron asked the Secretary for Public Works,—Have any tenders been received for the construction of the Railway Engines required by the Government ; if so, is it his intention to accept any of the prices given, and will he kindly inform the House whose tender has been accepted ?

Mr. Burns answered,—Tenders have been received from three Sydney firms for the supply of seventy-eight out of the one hundred Railway Engines for which tenders were invited. The tenders are now under consideration, and the decision of the Government will be communicated to the tenderers on an early day.

2. REDMOND'S ESTATE BILL :—Mr. Windeyer presented a Petition from Edward Augustus Scarvell and others, praying for leave to bring in a Bill to authorize the sale, mortgage, and leasing of certain lands and hereditaments devised by the Will of Winifred Redmond, deceased, and for other purposes therein mentioned.

And Mr. Windeyer having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Australian*, newspapers, containing the Notices required by the 59th Standing Order,—Petition received.

3. PAPERS :—

Mr. Fitzpatrick laid upon the Table,—Statistical Information respecting Colonial Hospitals.
Ordered to be printed.

Mr. Burns laid upon the Table,—Return to an Order made on 29th January, 1878,—“ Grafton and Glen Innes Telegraph Contract.”

4. STOCK-SALE-YARDS BILL :—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker :—

HERCULES ROBINSON,
Governor.

Message, No. 5.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to establish Metropolitan Cattle Sale-yards for the Sale of Live Stock.

Government House,
Sydney, September, 1878.

5. **THE CHINESE** (*Formal Motion*):—Mr. Cameron moved, pursuant to Notice, That the Petition presented by him on the 1st instant from John Macintosh, Chairman of Public Meeting held in Sydney, relative to influx of Chinese, be printed.
Question put and passed.
6. **SUBURBAN RAILWAYS** (*Formal Motions*):—
- (1.) Mr. O'CONNOR moved, pursuant to Notice, That the Petition presented by him on 1st instant from Inhabitants of Darlington, relative to Circular Suburban Railways, be printed.
Question put and passed.
- (2.) Mr. Macintosh moved, pursuant to Notice, That the Petition presented by him on 1st instant from Municipal Council of Sydney, relative to Circular Suburban Railways, be printed.
Question put and passed.
7. **LUNACY BILL**:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
Ordered, that the adoption of the report stand an Order of the Day for Wednesday next.
8. **CUSTOMS REGULATION BILL**:—
- (1.) The following Message from His Excellency the Governor was delivered by Mr. Cohen, and read by Mr. Speaker:—
HERCULES ROBINSON,
Governor. *Message, No. 6.*
- In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends to the consideration of the Legislative Assembly a Bill to amend and consolidate the Laws for the Regulation of the Customs.
Government House,
Sydney, 2nd October, 1878.
- (2.) The Order of the Day having been read,—Mr. Cohen moved, That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend and consolidate the Laws for the Regulation of the Customs; and that the Message of His Excellency the Governor in reference thereto be referred to the Committee.
Question put and passed.
Whereupon Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*) that the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
Resolved,—That it is expedient to bring in a Bill to amend and consolidate the Laws for the Regulation of the Customs.
On motion of Mr. Cohen, the Resolution was read a second time, and agreed to.
- (3.) Mr. Cohen presented a Bill, intituled "*A Bill to amend and consolidate the Laws for the Regulation of the Customs*,"—which was read a first time.
Ordered to be printed, and read a second time on Wednesday next.
- The House adjourned at Seven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 13.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 3 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Public School, Trunkey:—Mr. Beyers asked the Minister of Justice and Public Instruction,—

- (1.) Has a site for a Public School at the Town of Trunkey been agreed to?
- (2.) If so, when will tenders be called for construction of Public School building?

Mr. Leary answered,—

- (1.) Yes.
- (2.) The plans and specifications are nearly ready, and tenders will be called for when they are completed.

(2.) Conservation of Water.—Construction of Dams.—Fencing:—Mr. Dangar asked the Secretary for Lands,—Is it intended to introduce during the present Session of Parliament Bills,—

- (a.) For conservation of Water in the Interior.
- (b.) To legalize the Construction of Dams.
- (c.) To compel Lessees of Runs to pay half cost of Fencing.

(See Votes and Proceedings No. 43, Question No. 1, 19 March, 1878) ?

Mr. Farnell answered,—

- (a.) Yes.
- (b.) Yes.
- (c.) A Bill will be introduced providing for Dividing Fences.

(3.) Boundaries between Queensland and New South Wales:—Mr. Dangar asked the Secretary for Lands,—

- (1.) Have, or will, any steps be taken towards running the boundaries between the Colonies of Queensland and New South Wales (29th parallel) in the neighbourhood of the Balloone and Moonie Rivers?
- (2.) Is the Government aware lessees of runs cannot complete fencing until this line is determined, and that these back blocks now contain water to enable such line to be run?

Mr. Farnell answered,—

- (1.) Yes; arrangements are nearly complete between the two Colonies; the surveyors will start in a few weeks.
- (2.) Yes; considerable inconvenience has been experienced, but the services of a qualified geodetic surveyor were not obtainable sooner.

(4.) Mr. Rogers, Crown Prosecutor:—*Mr. Driver*, for Mr. McElhone, asked the Minister of Justice and Public Instruction,—

- (1.) Is the Mr. Rogers who has been appointed to prosecute on the Western Circuit of the Criminal Court a Crown Prosecutor in the Courts of Quarter Sessions?
- (2.) If so, what salary does he receive as Crown Prosecutor; what amount is he to receive for prosecuting on the Western Circuit; and is such amount to be paid him in addition to his salary as Crown Prosecutor?

Mr. Leary answered,—

(1.) Mr. Rogers, who prosecutes at the Assizes at Dubbo and Grafton, is also a Crown Prosecutor in the Courts of Quarter Sessions.

(2.) Mr. Rogers receives £500 a year for prosecuting at Quarter Sessions only, his unoccupied time being at his own disposal for private practice. He is to receive £135 fee for prosecuting at the two Assize Courts above. Such amount is entirely independent of his salary and office of Crown Prosecutor at Quarter Sessions.

(5.)

(5.) Henry Steadman's Conditional Purchase at Forbes:—*Mr. Driver*, for Mr. McElhone, asked the Secretary for Lands,—

- (1.) Did Henry Steadman select 640 acres at Forbes nearly three years ago?
- (2.) Is he aware that this conditional purchase has not been surveyed yet, and through its non-survey the selector cannot make his improvements?
- (3.) Will he give instructions that he be allowed three years from date of survey to make his improvements?
- (4.) What is the reason that this conditional purchase has not been surveyed long since?

Mr. Farnell answered,—

- (1.) On the 22nd June, 1876.
- (2.) It is assumed that it is not yet measured, as the papers referred to the District Surveyor in June last have not been returned.
- (3.) The selector can obtain, by application, an extension of the time for improvements to three years from the date of survey.
- (4.) The completion of the survey was delayed in consequence of a question of considering a modification in survey, which was proposed by D. S. Twynam, to allow of access to reserved lands, its notification, and correspondence between the applicant and this office. The surveyor has been reminded.

(6.) Quat Quatta Reserve:—*Mr. Driver*, for Mr. McElhone, asked the Secretary for Lands,—

- (1.) In reference to Quat Quatta Reserve, cancelled by Mr. Secretary Garrett some time since,—Has it been decided to allow the late lessee, Mr. Wallace, to purchase any quantity of this reserve in virtue of improvements erected on it by him?
- (2.) If Mr. Wallace is to be allowed to purchase any quantity of this reserve, how much of it has it been decided to let him purchase?

Mr. Farnell answered,—The matter was referred to District Surveyor Wood, and his report has been received, but no decision has yet been arrived at.

(7.) Tenders for Supply of Stores:—*Mr. Driver*, for Mr. McElhone, asked the Colonial Treasurer,—

- (1.) How many tenders were received at the Treasury for the Supply of Stores for the year 1879; the names of the tenderers; and the total amount of each tender?
- (2.) The names of the successful tenderers for leather grindery?
- (3.) Are the tenders opened at the Treasury, and initialed by each Member of the Board previous to computation?
- (4.) What is the reason that the tenders are taken from the Treasury to the Stores Department for computation, and exposed to the gaze of any person who may have occasion to call on business?
- (5.) What is the reason why tenderers are not invited to be present when the tenders are opened?
- (6.) What is the reason that there are so many items in the different schedules that are not required, and enormous probable quantities attached thereto which are not likely to be wanted by the Government?

Mr. Cohen answered,—

- (1.) The information asked for will be laid upon the Table at an early date, in the shape of a Return.
- (2.) Mr. E. J. Tebbutt, 60, Riley-street, Woolloomooloo.
- (3.) Yes.
- (4.) The duty of the Board is to open and mark the tenders, and, as a matter of convenience, to refer them for computation to the Stores Department, where, for such purpose, they are placed in the hands of a confidential clerk. I am informed that it is not the case "that tenders are exposed to the gaze of any person who may have occasion to call upon business." If the Hon. Member will name a single instance, I will cause inquiry to be made, and if the allegation be proved, see that steps are taken to prevent its repetition.
- (5.) It has never been the practice at the Treasury to admit tenderers to the Board Room. It is considered that their presence would interfere with the free deliberations of the Board; and as the result is never disclosed at the time of opening the tenders, in consequence of the necessary reference for computation, and as the prices for the accepted tenders for annual supplies are always published, and as the system has been found productive of no inconvenience or complaint that I am aware of, it has been adhered to.
- (6.) The items in the different schedules are presumed to be required for the Public Service during the contract year, and they are placed in contract, however numerous, to avoid the higher prices which would probably be asked if they were sought to be purchased in the open market. The probable quantities are supplied to the Treasury by the principal Departments concerned, in answer to an annual Treasury circular, and in view, I assume, of their anticipation of the probable requirements of the Government.

(8.) Post and Telegraph Office, Merriwa:—*Mr. Driver*, for Mr. McElhone, asked the Postmaster General,—

- (1.) When was the tender accepted for the new Post and Telegraph Office, Merriwa?
- (2.) What is the amount of tender, and when is the building to be completed?
- (3.) Is he aware that the building has not yet been commenced; and will he give instructions to have it gone on with at once, or cause the contract to be cancelled?

Mr. Burns answered,—

- (1.) A tender for the erection of the Post and Telegraph Office at Merriwa was accepted on the 24th June last.
- (2.) The amount of the tender was £1,680, and the building is to be completed on or before the 24th April, 1879.
- (3.) I am not aware that the building has not yet been commenced, but inquiry is being made. Some delay has occurred in consequence of the contractor wishing to use good rubble stone in walls instead of brick, which has been allowed, and the contractor will be instructed to proceed with the work without delay.

- (9.) Police Quarters, Merriwa :—*Mr. Driver*, for *Mr. McElhone*, asked the Secretary for Public Works,—
- (1.) Has any contract been taken for the erection of new Police Quarters at Merriwa, or for the enlargement or repairs of old ones ?
 - (2.) If so, will he cause the contractor to proceed with the work at once, or cancel the contract ?
- Mr. Burns* answered,—
- (1.) The tender of Thompson and Turner for the erection of the new Police Quarters at Merriwa was accepted on the 17th ultimo.
 - (2.) The contractors will be instructed to proceed with the work at once.
- (10.) Bunnerong Road :—*Mr. Driver*, for *Mr. McElhone*, asked the Secretary for Lands,—
- (1.) What amount of rent is paid by the persons who are using certain lands near Bunnerong Road for brickmaking purposes ?
 - (2.) Is he aware that these persons have quite destroyed the Bunnerong Road, and made it almost impassable for light vehicles ?
 - (3.) Will he cancel the lease of these persons, as they have damaged the road to the extent of several hundred pounds ?
- Mr. Farnell* answered,—
- (1.) £5 per annum is paid by William Speccley for two acres of the Church and School Estate, which he holds under sufferance occupation till the end of this year. He employs at least five men, for each of whom he has to pay a license fee of £3.
 - (2.) Complaints have been made, but the use of the road for the carriage of bricks is considered legitimate. The Church and School Estate has paid several amounts to the Randwick Municipal Corporation for the maintenance of the Bunnerong Road.
 - (3.) For the above reasons it is not intended to cancel the lease.
- (11.) Public School, Inglewood Forest :—*Mr. Barbour*, for *Mr. Thompson*, asked the Minister of Justice and Public Instruction,—Has an application been made by the Inhabitants of Inglewood Forest, near Bungendore, for a site for a Public School; if such an application has been received, has the land been surveyed; if not surveyed, what is the cause of delay ?
- Mr. Leary* answered,—Yes; I have ascertained that the application has been received and approved by the Minister for Lands, subject to any objections which may be found to exist upon measurement. The matter rests at present with the Survey Department.
- (12.) Transit Commissioners :—*Mr. J. Davies* asked the Colonial Secretary,—
- (1.) What is the total amount received by the Transit Commissioners for the year 1877 for License Fees, Fines, &c. ?
 - (2.) What is the total amount expended during the same year ?
- Mr. Fitzpatrick* answered,—According to the published statement of the Commissioners the Revenue was £3,617 3s. 6d., and the expenditure, £3,795 18s. 6d.
- (13.) Telegraph Line from Kempsey to Grafton :—*Mr. Cameron* asked the Postmaster General,—When will the Returns ordered by this House on the 2nd of April last relative to *Mr. J. R. Jones's* Contract for construction of Telegraph Line at Grafton be laid upon the Table ?
- Mr. Burns* answered,—The papers are not quite ready, but it is probable that I shall be able to lay them upon the Table this day week.
2. BIRDS AND ANIMALS PROTECTION BILL :—*Mr. F. B. Suttor* presented the following Petitions, praying the House not to pass this Bill in its present form :—
- (1.) From Farmers and others, resident at Raglan.
 - (2.) Ditto ditto resident at Meadow Flat.
 - (3.) Ditto ditto resident at Bathurst.
 - (4.) Ditto ditto ditto.
 - (5.) Ditto ditto resident at Evans' Plains.
 - (6.) Ditto ditto resident at George's Plains.
 - (7.) Ditto ditto resident at Oberon.
 - (8.) Ditto ditto resident at White Rock.
 - (9.) Ditto ditto resident at Denis Island.
 - (10.) Ditto ditto resident at Macquarie Plains.
 - (11.) Ditto ditto resident at Campbell's River.
 - (12.) Ditto ditto resident at Bathurst.
- Petitions received.
3. SUBURBAN RAILWAYS :—*Mr. Driver* presented a Petition from Inhabitants of the Borough of Balmain, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways.
- Petition received.
4. SYDNEY INFIRMARY AND DISPENSARY BILL :—*Mr. Driver* presented a Petition from the President, Vice-President, and other officials of the Sydney Infirmary and Dispensary, praying that leave may be given to bring in a Bill to Incorporate the Sydney Infirmary and Dispensary. And *Mr. Driver* having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Evening News*, newspapers, containing the Notices required by the 59th Standing Order,—
- Petition received.
5. PAPERS :—*Mr. Fitzpatrick* laid upon the Table,—
- (1.) Report from the Inspector of the Insane, for 1877.
 - (2.) Report on the Nautical School Ship "Vernon" for the year ended 30 June, 1878.
- Ordered to be printed.

6. **ADJOURNMENT** :—Mr. Lucas moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
7. **REDMOND'S ESTATE BILL** (*Formal Motion*) :—
(1.) Mr. Windeyer moved, pursuant to Notice, That leave be given to bring in a Bill to authorize the sale, mortgage, and leasing of certain lands and hereditaments devised by the Will of Winifred Redmond, deceased, and for other purposes therein mentioned.
Question put and passed.
(2.) Mr. Windeyer having *presented* this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to authorize the sale mortgage and leasing of certain lands and hereditaments devised by the Will of Winifred Redmond deceased and for other purposes therein mentioned.*"—read a first time.
8. **PRIVILEGES OF PARLIAMENT** :—Mr. Farnell moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the Privileges of Parliament.
Question put and passed.
9. **WATER SUPPLY** :—Mr. Farnell moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to constitute Water Trusts, and for regulating the conservation of Water by artificial means.
Question put and passed.
10. **SYDNEY CORPORATION BILL** :—The Order of the Day having been read,—Mr. Fitzpatrick moved, That this Bill be now read a second time.
Debate ensued.
Mr. Charles moved, That this Debate be now adjourned.
Debate ensued.
Question put, That this Debate be now adjourned.
The House divided.

Ayes, 4.

Mr. Baker,
Mr. Eckford,
Tellers.
Mr. Charles,
Mr. Greenwood.

Noes, 26.

Mr. Farnell,	Mr. T. R. Smith,
Mr. Fitzpatrick,	Mr. Driver,
Mr. Burns,	Mr. O'Connor,
Mr. Cohen,	Mr. McElhone,
Mr. J. Davies,	Mr. Day,
Mr. Leary,	Mr. Murphy,
Mr. W. H. Suttor,	Mr. Hoskins,
Mr. Hungerford,	Mr. Bennett,
Mr. Cameron,	Mr. Barbour,
Mr. Jacob,	Mr. Beyers,
Sir John Robertson,	<i>Tellers.</i>
Mr. Coonan,	Mr. Harris,
Mr. Macintosh,	Mr. Greville.
Mr. W. Davies,	

And so it passed in the negative.

Original Question again proposed.

Debate continued.

And the House continuing to sit till after Midnight,—

FRIDAY, 4 OCTOBER, 1878, A.M.

Question,—That this Bill be now read a second time,—put and passed.

Bill read a second time.

On motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.

The House adjourned at a quarter after Twelve o'clock, A.M., until Four o'clock P.M., This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 14.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 4 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Railway Extension, Narrabri to Walgett:—Mr. Dangar asked the Secretary for Public Works,—Has any trial survey been made for the extension of the North-western Railway from Narrabri to Walgett, or is it intended to make such survey?

Mr. Burns answered,—No survey has yet been made for a railway line from Narrabri to Walgett; but it appears from an explanation made by Mr. Surveyor Wade in 1873 that the entire length of the route is level and favourable for railway construction.

- (2.) Protestant Hall, Hill-end:—Mr. Beyers asked the Minister of Justice and Public Instruction,—
(1.) Has the Government purchased the building known as the Protestant Hall at Hill-end for a Court-house?
(2.) If so, what was the price paid for it; and what will it cost to complete the building and make it suitable for the purpose for which it was purchased?
(3.) Was a petition presented protesting against the purchase?

Mr. Leary answered,—

- (1.) Yes.
(2.) £400. The cost of completing and fitting up the building is estimated at £1,400.
(3.) Yes.

- (3.) Extension of Jury Laws Amendment Act in Police District of Walgett:—Mr. Dangar asked the Minister of Justice and Public Instruction,—Has an application been made, or is it intended to extend the Jury Laws Amendment Act of 1876, 40 Vic. No. 6, in the Police District of Walgett to a circuit of fifty miles?

Mr. Leary answered,—Yes, application has been made, and it is intended to extend the Jury Laws Amendment Act of 1876 within the Police District of Walgett to a circuit of fifty miles, in terms of section 1 of 40 Vic. No. 6.

- (4.) Post and Telegraph Office, Bourke:—*Mr. Lynch*, for Mr. Coonan, asked the Postmaster General,—Has a tender been accepted for the Post and Telegraph Office, Bourke; if not, will the Postmaster General state the reason?

Mr. Burns answered,—A tender has not been accepted for the erection of the Post and Telegraph Office at Bourke, in consequence of the amounts named being far in excess of the vote for the work. There was only one response to the last call for tenders. Tenders have again been invited, and are to be sent in on or before the 22nd instant.

- (5.) Welaregang Reserve:—Mr. Day asked the Secretary for Lands,—
(1.) Has any decision been arrived at by the Government with reference to the disputed Welaregang Reserve, lately revoked?
(2.) Has Mr. Gray, the lessee of the Welaregang Run, been allowed to purchase the said revoked reserve by virtue of improvements?
(3.) Is he aware that the persons who selected this reserve under the 13th section of the Land Act have been waiting patiently for a long time for the Minister's decision, and that the delay in not deciding the case is absolutely ruinous to them?
(4.) Did Mr. McPhillamy value the improvements on this reserve at 20s. per acre; if not, what value did he put upon them?

Mr. Farnell answered,—

- (1.) The matter has not yet been wholly dealt with.
(2.) Mr. Gray has not as yet been permitted to purchase any part of the reserve, but the Government has contracted to allow him to purchase four portions in virtue of improvements, which are considered of sufficient value to justify the alienation of the land.

(3.)

- (3.) No time shall be lost in dealing with these matters on the information now to hand.
- (4.) Mr. McPhillamy did value the improvements effected on the portions applied for by Mr. Gray, but the price was considerably below 20s. per acre. They are as follows:—On portion 122 of 314 acres, £173 4s.; portion 124 of 256 acres 3 roods, £158 7s.; portion 125 of 226 acres, £101 16s.; portion 123 of 329 acres, £200 4s.
- (6.) Mr. Edward Hawkins's Land Purchase at Tumberumba:—Mr. Day asked the Secretary for Lands,—
- (1.) Is it true that Mr. Edward Hawkins purchased a piece of land at Tumberumba, in the County of Selwyn, on the 29th October, 1873, nearly five years ago, and that repeated applications have been made for the deeds of the said land, but without effect?
- (2.) Will he state whether the Government ever intend to issue the deeds of the land; if so, when?
- Mr. Farnell answered,—
- (1.) On the 29th October, 1873, a Mr. Edward John Haywood Hawkins purchased a portion of land at Tumberumba at a Government sale, but owing to the balance of the purchase money not having been lodged in the Treasury within the time appointed by law the purchase was forfeited.
- (2.) It was some time afterwards ascertained that the balance in question had been duly paid to the Crown Lands Agent, but that he had failed to transmit the amount to the Treasury. It has therefore been necessary, after reference to the Crown Law Officers, to obtain the authority of the Governor and the Executive Council for the preparation of a deed of grant for the land in question, which has unavoidably caused great delay; but the deed is now in the course of preparation.
- (7.) The Case of Patrick Nugent:—Mr. Day asked the Secretary for Lands,—
- (1.) Is it the intention of the Government to carry out the recommendation of the Select Committee of this House in the case of Mr. Patrick Nugent, who was deprived of his conditional purchase?
- (2.) Will he state what action (if any) the Government intend to take in this case?
- Mr. Farnell answered,—It is the intention of the Government to place a sum of money on the Estimates for 1879 for compensation to Nugent.
- (8.) Beazley's Conditional Purchase at Albury:—Mr. Day asked the Secretary for Lands,—
- (1.) Has any action been taken by the Government for the settlement of Beazley's case, conditional purchase 76,283 of 320 acres, Albury Land Office?
- (2.) How many acres has the lessee of the run been allowed to purchase out of this conditional purchase by virtue of improvements?
- (3.) What was Mr. McPhillamy's valuation of the improvements on this conditional purchase?
- Mr. Farnell answered,—
- (1.) The validity of the selection depending upon the improvements upon the land at the date of application, an appraisalment was made, pursuant to which it has been decided that Thomas Beazley is entitled to the land applied for by him, with the exception of so much as can be measured to embrace not less than £40 worth of improvements at £1 per acre. Mr. McPhillamy was instructed to examine and report upon this point as to which the appraisalment was not conclusive.
- (2.) Not any.
- (3.) Mr. McPhillamy's report has not yet been received.
- (9.) County Lithographs:—Mr. Dangar asked the Secretary for Lands,—Are the newly-revised Lithographs of the Counties of Gower, White, Jamieson, Baradine, and Denman yet ready for sale and distribution to the public; if not, when will they be?
- Mr. Farnell answered,—*County of Baradine*:—Printed and ready for sale. *County of White*:—Ready for sale in a week. The parishes fronting the River Namoi, from Turrowan to Wee Waa, have been compiled on a large scale, from which reduced photo-lithographs can be made when required. *County of Jamieson*:—The compilation of this county is about half finished, and it will be completed and printed in about four months time probably. *Counties of Gower and Denman*:—The compilations of these counties are not yet put in hand for want of compiling draftsmen.
2. PAPER:—Mr. Burds laid upon the Table,—Further Correspondence respecting Land adjoining the General Post Office.
Ordered to be printed.
3. BIRDS AND ANIMALS PROTECTION BILL (*Formal Motion*):—Mr. F. B. Suttor moved, pursuant to Notice, That the twelve Petitions presented by him on 3rd instant from the various Districts around Bathurst, against the Birds and Animals Protection Bill, be printed.
Question put and passed.
4. SYDNEY INFIRMARY AND DISPENSARY BILL (*Formal Motion*):—Mr. Driver moved, pursuant to Notice, That leave be given to bring in a Bill to Incorporate the Sydney Infirmary and Dispensary.
Question put and passed.
5. SUFFERANCE WHARFS (*Formal Motion*):—Mr. Cohen moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to further amend the Law relating to Public and Private Sufferance Wharfs.
Question put and passed.
6. SYDNEY INFIRMARY AND DISPENSARY BILL:—Mr. Driver having presented this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to Incorporate the Sydney Infirmary and Dispensary*,"—read a first time.
7. POSTPONEMENT:—The Order of the Day for the second reading of the Sydney Tramway and Omnibus Company (Limited) Bill postponed until Friday, 18th October.

8. DRUNKARDS PUNISHMENT ACT AMENDMENT BILL:—The Order of the Day having been read,—Mr. Jacob moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Jacob, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

On motion of Mr. Jacob (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time on Friday next.

9. BIRDS AND ANIMALS PROTECTION BILL:—The Order of the Day having been read,—Mr. Day moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Day, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 18th October.

10. BEER'S DISABILITIES BILL:—The Order of the Day having been read,—Mr. Hurley (*Hartley*) moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 15.

Noes, 18.

Mr. Greville,
Mr. Macintosh,
Mr. Terry,
Mr. Driver,
Mr. Baubour,
Mr. Murphy,
Mr. Windcyer,
Mr. Leary,
Mr. Bennett,
Mr. Lynch,

Mr. Thompson,
Mr. Beyers,
Mr. Copeland,
Tellers.
Mr. Badgery,
Mr. Hurley (*Hartley*).

Sir John Robertson,
Mr. Hungerford,
Mr. J. Davies,
Mr. Lackey,
Mr. Fitzpatrick,
Mr. Gray,
Mr. Farnell,
Mr. Bowman,
Mr. Greenwood,
Mr. W. Davies,

Mr. McCulloch,
Mr. McElhone,
Mr. Day,
Mr. Hoskins,
Dr. Bowker,
Mr. Coonan,
Tellers.
Mr. Charles,
Mr. Jacob.

And so it passed in the negative.

On motion of Mr. Charles, the Order of the Day was discharged.

Mr. Charles then moved, That the Bill be withdrawn.

Debate ensued.

Question put and passed.

11. POSTPONEMENTS:—The following Orders of the Day postponed until Friday, 18th October:—

(1.) Stock Sale-yards Bill; second reading.

(2.) Compensation to Johanna Councilly; consideration in Committee of the Whole of an Address to the Governor.

The House adjourned at a quarter after Ten o'clock, until Tuesday next at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 15.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 8 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Lapsed and Forfeited Conditional Purchases:—*Mr. Cameron*, for *Mr. Greenwood*, asked the Secretary for Lands,—What is the number and the total area of selections under conditional purchase that lapsed or were forfeited each year up to the present date?*Mr. Farnell* answered,—The accompanying Returns afford the information desired:—

Number and total area of selections under conditional purchase that lapsed each year up to the present date.

Year.	Number of Selections.	Area.		Year.	Number of Selections.	Area.	
1865	415	a.	r. p.	1873	663	a.	r. p.
1866	556	32,748	3 16	1874	143	48,330	0 28
1867	392	38,821	3 2	1875	503	10,375	3 0
1868	178	28,394	1 24	1876	966	33,043	0 10
1869	372	11,045	2 24	1877	2,422	78,841	1 37
1870	366	30,009	3 34	1878	1,344	236,364	2 21
1871	136	26,259	0 1			159,579	3 18
1872	213	9,630	0 0		8,669	756,530	1 15
		13,085	3 0				

Department of Lands,
Conditional Sales Division,
8th October, 1878.A. O. MORIARTY,
Chief Commissioner.

Number and total area of selections under conditional purchase that have been forfeited each year up to the present date:—

Year.	Number of Selections.	Area.		Year.	Number of Selections.	Area.	
1864	26	a.	r. p.	1873	288	a.	r. p.
1865	24	1,666	1 0	1874	234	39,778	1 16
1866	29	1,490	0 0	1875	1,166	42,003	2 29
1867	366	1,658	2 0	1876	724	126,342	2 35
1868	357	23,750	0 0	1877	802	89,915	1 0
1869	631	20,253	0 0	1878	935	107,536	3 5
1870	180	45,654	3 0			125,071	0 0
1871	335	11,546	0 0		6,286	664,572	0 15
1872	139	18,602	0 10				
		9,304	3 0				

On the 5th February, 1878, 216 conditional purchases, having a total area of 11,620 acres 2 roods 26 perches, were forfeited for non-payment of interest, and not included in the above Return.

Department of Lands,
Conditional Sales Division,
8th October, 1878.A. O. MORIARTY,
Chief Commissioner.
(2.)

- (2.) Depasturing Travelling Stock on Commons:—Mr. McElhone asked the Secretary for Lands,—
- (1.) Have drovers in charge of travelling stock the right to depasture travelling stock on town commons and temporary commons?
 - (2.) If so, for how long have they the right to depasture travelling stock on them?
 - (3.) What are the names of the town commons on which they have the right to depasture such stock?

Mr. Farnell answered,—The rights of travelling stock, as regards commons, have never been decided, but allowance has been made in deciding the areas of commons for the fact that travelling stock in passing through depasture thereon.

- (3.) Court-house, Gadooga:—Mr. Dangar asked the Secretary for Public Works,—What progress has been made in the erection of the Court-house, Gadooga, Bree River, for which the sum of £450 was voted by Parliament?

Mr. Cohen answered,—The tender of J. Kidd for erection of this building, amounting to £390, was accepted by the Police Department in May last; but as Mr. Kidd failed to proceed with the work, fresh tenders have been obtained, and one from J. Hunter, amounting to £600, has been recommended for acceptance, the excess over the vote to be against the general vote for Police Buildings.

- (4.) Village Reserve at Gadooga:—Mr. Dangar asked the Secretary for Lands,—
- (1.) Referring to Votes and Proceedings of Legislative Assembly, No. 48, of 27th March, 1878,—Has the design for the Gadooga or Dumble Village Reserve, Bree River, been received from the surveyor and approved of, and instructions issued for measurement of allotments for sale?
 - (2.) When will such allotments be submitted for sale, and lithographs of the town ready for distribution?

Mr. Farnell answered,—

(1.) Yes, a design has been received, approved, and the boundaries gazetted, as the "Village of Bokhara," on the 14th August, 1878. Instructions for the measurement of allotments have also been issued.

(2.) When the survey has been completed the plan will be lithographed and the allotments submitted for sale.

- (5.) McFarlane and Deasy's Conditional Purchases:—Mr. McElhone asked the Secretary for Lands,—

(1.) Was a conditional purchase of 320 acres taken up about July, 1875, by a person named McFarlane, in the County of Pottinger, Parish of Bundulla, at Tamworth or Gunnedah?

(2.) If so, has such conditional purchase been transferred to any person; if so, to whom, and when?

(3.) The like in regard to a conditional purchase taken up by Jeremiah Deasy in same county and parish, at Tamworth or Gunnedah?

Mr. Farnell answered,—

(1.) Yes.

(2.) Transferred to Daniel Moore on the 16th August, 1877, and to Duncan and John McMaster on the 17th July, 1878.

(3.) Jeremiah Deasy's conditional purchase was transferred to Donald McPherson on 31st March, 1877.

- (6.) Jacob Steele's Conditional Purchase, Bingera:—Mr. Dangar asked the Secretary for Lands,—

(1.) Has any further decision been arrived at in the case of Jacob Steele, who took up an additional 60 acres conditional purchase between his portions Nos. 40 and 41, at Bingera, County Murchison, Parish Bingera, and adjoining portions 10, 11, and 12, supposed to be on a portion of Bingera Gold Field Reserve No. 381, portions of which have since been cancelled?

(2.) Is it intended to cancel this 60 acres of the reserve, and give the additional conditional purchase to Steele, as has been done in several instances within the said reserve?

Mr. Farnell answered,—

(1.) No further decision has been arrived at than that communicated to the writer on 7th November, 1877, in reply to his request for information. It does not appear that any such application has been made, or that any case has arisen calling for a decision.

(2.) There is no present intention of taking such a course.

- (7.) Mr. Thompson's Conditional Purchase, Parish of Maroota:—Mr. Terry asked the Secretary for Lands,—

(1.) Did Mr. Thompson select 50 acres of land in the Parish of Maroota, in the County of Cumberland, this year?

(2.) Did the Secretary for Lands cancel such selection; if so, what was the cause of such cancellation?

(3.) Is this land Crown Land, or does it belong to Mr. Hall, whose property surrounds it?

(4.) If this land belongs to the Crown, will the Secretary for Lands cause it to be surveyed?

(5.) What do the Government intend to do with it?

(6.) Is the Secretary for Lands aware that Mr. Hall is now improving the land, although selected by Mr. Thompson?

Mr. Farnell answered,—

(1.) Yes.

(2.) Yes; the land not being available.

(3.) The land is Crown Land.

(4.) A survey will be made.

(5.) It is proposed that the land should be reserved.

(6.) No information to this effect has been received, but the land is stated to have been improved prior to the application of Mr. Thompson.

(8.) Bridge over Armidale Creek, in Marsh-street:—Mr. Terry asked the Secretary for Public Works,—

- (1.) When were tenders called for a Bridge over the Armidale Creek, in Marsh-street (in the town of Armidale), and when were they accepted?
- (2.) What was the reason of the delay between the calling for and the acceptance of the tender?
- (3.) Are not both sites, Falkner-street and Marsh-street, known to the Commissioner for Roads, and which did he recommend as best suited for the public interest?
- (4.) Have plans, sections, and levels of both sites been prepared?
- (5.) Will the Secretary for Works lay upon the Table of this House all plans showing sections and levels of both sites, and all papers and correspondence in connection therewith?

Mr. Cohen answered,—

- (1.) Tenders were called for on 7th May, 1878, and the most eligible was accepted on 7th September following.
- (2.) A difficulty as to the site.
- (3.) Both sites are known to the Commissioner for Roads, and he recommended Marsh-street as the best.
- (4.) Yes.
- (5.) There will be no objection to lay the papers upon the Table of the House.

(9.) Survey of Township of Welaregang:—Mr. Day asked the Secretary for Lands,—

- (1.) Has the survey of the Township at Welaregang, on the Murray River, been completed and confirmed by the Surveyor General?
- (2.) If so, what is the cause of delay in bringing the land to auction sale?
- (3.) When will the Minister have these allotments offered for sale, in accordance with the wish of the inhabitants of the locality, who are most anxious to purchase some of the land, and who have petitioned for its sale?

Mr. Farnell answered,—

- (1.) Surveyed only in part.
- (2.) The consideration of Mr. B. Gray's claim to purchase in virtue of improvements the site approved of for a village.
- (3.) It having now (10th August, 1878) been decided that the survey is to be carried out as soon as it is received, the allotments will be sent on for sale. Mr. D. S. Wood was instructed on 28th September, 1878.

(10.) Mr. Neil Harper:—Captain Onslow asked the Colonial Secretary,—

- (1.) Is he aware that Mr. Neil Harper, a Magistrate of this Colony, was summoned before the Court of Petty Sessions at Nowra on the 28th of May last, for having illegally taken and used two cows the property of James Smith, for which offence he was fined one shilling, with Court costs and expenses of three witnesses?
- (2.) Will he cause inquiry to be made into this case, and lay the depositions upon the Table of this House?

Mr. Fitzpatrick answered,—

- (1.) Yes.
- (2.) Inquiry has already been made into the case. The papers will be laid upon the Table.

(11.) Namoi-Narrabri Timber Reserve:—Mr. Dangar asked the Secretary for Lands,—

- (1.) Have any reports been called for from surveyors or others relative to the Namoi-Narrabri Timber Reserve, notified in *Gazette*, 23 March, 1877, the boundaries of which were subsequently amended in *Gazette* of 22 August, 1877; and if so, the nature of such reports?
- (2.) Have the boundaries of this timber reserve been since altered or amended in description; if so, the date of *Gazette* containing such notification, and the No. of reserve; what are the boundaries or description of this reserve as it now exists?
- (3.) Is the Government aware that on many parts of this reserve there is no valuable timber, and will such portions be cancelled to enable settlement of the country?
- (4.) Will surveyors or duly competent officers be instructed to visit and report upon this and other timber reserves, with a view of reserving compact blocks of the best timber?
- (5.) What are the regulations in existence as to cutting timber on this reserve; is such cutting permitted by license or otherwise; is it known that the Narrabri Forest Ranger has prevented timber from being cut on this reserve on any terms or conditions, or under license; is he justified in doing so, or will parties be permitted to cut under license or certain restrictions, and thus enable the public to procure timber for building and improvement purposes, which they now seem debarred of doing?

Mr. Farnell answered,—

- (1.) Yes; and copies will be prepared and laid upon the Table of the Assembly.
- (2.) Yes; in *Gazette* dated 9th September, 1878, as Nos. 1,272 and 1,273. A copy of the descriptions defining the amended boundaries is attached.
- (3.) No; but from the nature of the reports received it would appear that the reserve includes an extensive area of very valuable timber.
- (4.) The reserve has already been inspected and fully reported on.
- (5.) Licenses, as described in the 34th clause of the Timber Regulations (New), apply to timber cutting upon this reserve. Until the proclamation of 9th September last took effect, special licenses or permits were necessary, and the Forest Ranger was right in not permitting any cutting except by holders of such licenses.

“ Department of Lands, Sydney, 9 September 1878.

“ RESERVES FROM SALE FOR THE PRESERVATION OF TIMBER.

“ His Excellency the Governor, with the advice of the Executive Council, directs it to be notified that in pursuance of the provisions of the 4th section of the Crown Lands Alienation Act

" Act of 1861, the land specified in the Schedule appended hereto shall be reserved from sale for the preservation of Timber.

" (Signed) JAMES S. FARNELL.

" *Robertson Forest Reserve.*

" No. 1,272. County of Baradine, area about 57,000 acres. The Crown Lands within the following boundaries: Commencing at a point 24 chains south from the south-east corner of portion No. 5, parish of Talluba; and bounded thence on part of the west by a line bearing south $2\frac{1}{2}$ miles; thence on the south by a line running east about $21\frac{1}{2}$ miles to the west boundary of timber reserve No. 1,273, county of White, notified this day; thence on the east by a line running north 4 miles; thence on the north by a line west until it strikes the southern boundary of travelling stock reserve No. 1,158, notified 19th February, 1878; and thence by that boundary of that reserve westerly to the east boundary of reserve No. 257, notified 5th July, 1867; thence again on the west by part of the east boundary of that reserve south to its south-east corner; thence again on the north by a line partly forming the south boundary of that reserve west about 1 mile and 51 chains, to the point of commencement.

" *The Robertson Forest Reserve.*

" No. 1,273. Counties of White and Baradine, area about 156,800 acres. The Crown Lands within the following boundaries: Commencing at the south-west corner of portion No. 32, parish of Gurleigh; and bounded thence on part of the north by a line bearing east to Bohena Creek; thence on part of the east by that creek upwards about $18\frac{1}{2}$ miles to a point 5 miles south in a direct line from Bohena Station; thence on part of the south by a line bearing west 8 miles; again on the east by a line south 2 miles, passing east of Goona Waterhole; thence again on the south by a line west 14 miles; thence on part of the west by a line bearing north 2 miles; thence again on the south by a line bearing west 5 miles; thence again on the west by a line bearing north about $10\frac{1}{2}$ miles to the south boundary of village reserve No. 1,187, notified 8th July, 1878; thence again on the north by a line bearing east 3 miles; thence again on the east by a line bearing south $5\frac{1}{2}$ miles; thence again on the north by a line bearing east 2 miles; thence again on the east by a line bearing south 2 miles; thence again on the north by a line bearing east 14 miles; thence again on the west by a line bearing north about 14 miles to the south boundary of timber reserve No. 987, notified 25th January, 1876; thence again on the north by a line bearing east 2 miles to the south-east corner of that reserve; thence again on the west by a line bearing north about $1\frac{1}{2}$ mile, to the point of commencement."

- (12.) District Courts and Quarter Sessions at Narrabri.—Mr. Dangar asked the Minister of Justice and Public Instruction,—The arrangements for holding District Courts, &c., in the country districts having now been perfected, is it intended to hold District Courts and Quarter Sessions three times a year at Narrabri, in lieu of twice, as now held?

Mr. Leary answered,—No. The District Court Judge for the Northern District has represented that it is unnecessary to increase the number of times for holding Quarter Sessions and District Courts at Narrabri, as most of the business there has been usually sent from Walgett, Warialda, and Bingera, and as those places are in future to have such Courts there will, he anticipates, be little business left for the Narrabri Courts.

- (13.) Police Quarters, Moree.—Mr. Dangar asked the Colonial Secretary,—Is it intended, as promised last Session (see Votes and Proceedings No. 29, 20 February, 1878), to place a sum upon 1879 Estimates, or to pay the same out of the special vote for Public Buildings, to erect new Police Quarters (so much needed) at Moree?

Mr. Fitzpatrick answered,—A sum will be placed on the Estimates for 1879.

- (14.) H. H. Brown & Co.:—Mr. McElhone asked the Secretary for Lands,—

(1.) Is the firm of H. H. Brown & Co. in the habit of addressing the Secretary for Lands as Land Agents, and holding personal interviews with him and Heads of Departments on land agency business?

(2.) Is the H. H. Brown referred to the Member for the Electorate of The Paterson?

(3.) If so, does he intend to enforce the terms of the order made by him, that no communication should be received from, or interviews granted to, Members of Parliament who act as Land Agents?

Mr. Farnell answered,—

(1.) The firm of H. H. Brown & Co. have not addressed the Secretary for Lands as Land Agents since the passing by the Assembly of the Resolutions having reference to Members of Parliament acting as Land Agents. Mr. Brown interviews the Minister and Officers of the Department, when necessary, in the same way as any other Members of Parliament do.

(2.) Yes.

(3.) The Honorable Member will see from replies to Questions Nos. 1 and 2 that no such action on the part of the Minister for Lands is necessary.

2. SUBURBAN RAILWAYS:—Mr. Greenwood presented a Petition from Inhabitants of the City of Sydney, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways.
Petition received.

3. COPYRIGHT (*Formal Motion*):—Mr. Windeyer moved, pursuant to Notice, That this House will, on Friday the 1st November, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to secure to Proprietors of Works of Literature and Fine Art, and to Proprietors of Designs for Articles and Works of Manufacture and Art, the copyright of such Works and Designs for a limited period; and to consider an Address to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

Question put and passed.

4. JUSTICES ACTS FURTHER AMENDMENT BILL (*Formal Motion*):—Mr. Dangar moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Acts adopted by the Justices Act of 1850 in respect of proof of Service of Summonses.
Question put and passed.
5. SUBURBAN RAILWAYS (*Formal Motion*):—Mr. Driver moved, pursuant to Notice, That the Petition presented by him on behalf of the Honorable Member for The Glebe, on the 3rd instant, from Inhabitants of Balmain, relative to Circular Suburban Railways, be printed.
Question put and passed.
6. PETER GRIMLY'S SELECTION AT IRONBARKS (*Formal Motion*):—Mr. O'Connor moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all the Correspondence, Memoranda, and other Documents between the Mining Department and Peter Grimly, relating to a selection of ground at Ironbarks.
Question put and passed.
7. REDMOND'S ESTATE BILL (*Formal Motion*):—Mr. Windeyer moved, pursuant to Notice,—
(1.) That Redmond's Estate Bill be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of Mr. Jacob, Mr. Hungerford, Mr. Hurley (*Hartley*), Mr. Greville, Mr. Moses, Mr. Pilcher, and the Mover.
Question put and passed.
8. MATRIMONIAL CAUSES ACT AMENDMENT BILL (*Formal Order of the Day*):—The Order of the Day having been read,—Mr. Hurley (*Hartley*) moved, That this Bill be now read a third time.
Question put.

The House divided.

Ayes, 21.

Mr. Farnell,	Mr. Watson,
Mr. Cohen,	Mr. Moses,
Mr. Burns,	Mr. Tocce,
Sir John Robertson,	Mr. Murphy,
Mr. W. H. Suttor,	Mr. Terry,
Mr. Cameron,	Mr. Barbour,
Mr. Windeyer,	Mr. Hoskins,
Mr. Driver,	<i>Tellers.</i>
Mr. Bennett,	Mr. Greville,
Mr. Bowman,	Mr. Hurley (<i>Hartley</i>).
Mr. McElhone,	
Mr. Lynch,	

Noes, 13.

Mr. Fitzpatrick,	<i>Tellers.</i>
Mr. Leary,	Mr. Simson,
Mr. Eckford,	Mr. Shepherd.
Mr. Greenwood,	
Captain Onslow,	
Mr. R. B. Smith,	
Mr. Day,	
Mr. O'Connor,	
Mr. McCulloch,	
Mr. Jacob,	
Mr. Beyers,	

And so it was resolved in the affirmative.

Bill read a third time,—and, on motion of Mr. Hurley, *passed*.

Mr. Hurley then moved, That the Title of the Bill be "*An Act to amend the Law relating to Divorce and Matrimonial Causes.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend the Law relating to Divorce and Matrimonial Causes.*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 8th October, 1878.

9. PAPER:—Mr. Fitzpatrick laid upon the Table,—By-law of the Borough of Balmain.
Ordered to be printed.
10. ADJOURNMENT:—Mr. Jacob moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
11. WILLIAM CRESWELL:—Mr. Eckford moved, pursuant to Notice (*as amended by consent*),—
(1.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence relating to the lunatic called William Creswell, now in the hands of the Government, or that may reach them up to the present time.
(2.) Copies of all Correspondence in the hands of Dr. Taylor, Medical Superintendent, Lunatic Asylum, Parramatta, relating to the aforementioned lunatic, more especially a letter said to be forwarded by Mr. Wickham, Chief Clerk of Darlinghurst Gaol, on or about 20th June last, to Dr. Taylor from the friends of the lunatic in England.
(3.) Copies of all Minutes in the hands of Dr. Manning, or the Resident Surgeon, Gladesville, relating to the aforementioned lunatic, together with the names of barristers from England and solicitors or agents from Sydney who interviewed him, and at whose instance, in 1871.
(4.) That Mr. Fowler, Superintendent of Receiving House, Darlinghurst, be requested to furnish copies of dates when the aforementioned lunatic was received by him, how often, and what was his state of mind whilst under his care, and who did he represent himself to be.
(5.) That Mr. Wickham, who was Chief Clerk at Darlinghurst Gaol on or about 20th June last, be requested to state, is it a fact that he had received a letter in his official capacity or otherwise from the friends of the lunatic before alluded to, and that he had forwarded it to Dr. Taylor some three or four days previously, he having made this statement to Mr. Eckford in presence of Mr. Eckford's two daughters and two officials in Mr. Wickham's office.
Debate ensued.
Question put and passed.

12. VOLUNTEER LAND ORDERS:—Mr. McElhone moved, pursuant to Notice,—
 (1.) That, in the opinion of this House, the Government should at once get the Opinion of the Honorable the Attorney General and the Crown Solicitor, and also the Opinion of any leading barrister they may deem fit to employ, as to whether any person other than the person to whom any Volunteer Land Order or Orders were originally issued can legally take up and hold any Crown Land in virtue of such Volunteer Land Order or Orders.
 (2.) That when such Opinions have been obtained they should at once be made public.
 Debate ensued.
 Motion, by leave, withdrawn.
13. PORT DARWIN CABLE.—CORAL:—Mr. McElhone moved, pursuant to Notice (*as amended by consent*), That there be laid upon the Table of this House, samples of Coral Rock from the coral reefs and seas through which the telegraph line from Port Darwin to Banjoewangie, or any other place, being on portion of the submarine line connecting the Australian Colonies with England.
 Debate ensued.
 Question put and passed.
14. LECTURES IN DARLINGHURST GAOL:—Mr. Hurley (*Hartley*), for Mr. Shepherd, moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Letters, Reports, Documents, and other Papers having reference to the Lectures on Temperance in Darlinghurst Gaol.
 Debate ensued.
 Motion, by leave, withdrawn.
15. CONNECTION OF GREAT NORTHERN RAILWAY WITH SYDNEY:—Mr. Badgery moved, pursuant to Notice (*as amended by consent*), That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause the necessary steps to be taken to connect the Great Northern Railway with Sydney.
 Debate ensued.
 Question put and passed.
16. POSTPONEMENT:—The Order of the Day for the third reading of the Bankers Books Evidence Bill postponed until Friday, 1st November.

The House adjourned at twenty-five minutes after Ten o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 16.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 9 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Village Reserve at Kunopia:—Mr. Dangar asked the Secretary for Lands,—

(1.) Have directions been given for marking out a Village Reserve at Kunopia, Gwydir District; if so, the date of such instructions and name of surveyor, and has such been done?

(2.) Has the design for such town been received from Surveyor McMaster, or any other surveyor; and if so, when will land in the new township of Kunopia be submitted for sale?

Mr. Farnell answered,—

(1.) Yes, directions have been given, and the allotments have been measured.

(2.) A design has been received, and when the town and suburban boundaries have been notified the allotments will be submitted for sale.

(2.) Courts of Petty Sessions at Kunopia:—Mr. Dangar asked the Minister of Justice and Public Instruction,—Is it intended to establish Courts of Petty Sessions and Police at Kunopia, Gwydir District; and if so, when?

Mr. Leary answered,—It was decided some time back to form a Police Station at Kunopia; and Mr. Licensed Surveyor McMaster has lately reported and forwarded plan to the Surveyor General of a suitable site for the purpose. As soon as the requisite accommodation shall have been provided, the question as to the establishment of Petty Sessions at Kunopia will be determined.

(3.) Government Debentures:—Mr. Hoskins asked the Colonial Treasurer,—

(1.) Have the Government transmitted any Debentures to England for sale?

(2.) Have the Government obtained any advance from any Bank on account of any Debentures; if so, to what amount?

(3.) What is the total amount of Debentures so transmitted or deposited?

(4.) What are the several public purposes respectively to which the proceeds of the said Debentures are to be applied?

Mr. Cohen answered,—

(1.) Yes; but tenders have not yet been invited for them.

(2.) Yes; £200,000 from the Bank of New South Wales, viz., £100,000 on July 18th, and £100,000 on August 14th last.

(3.) £1,500,000.

(4.) The proceeds are intended to recoup the Consolidated Revenue for advances made from it to the Loan Acts, under which the issue of the Debentures is authorised, and to be applied mainly in liquidation of the public engagements of the Colony in London as they mature. It would be impossible by anticipation to state with precision all the public purposes to which the proceeds will be finally applied.

(4.) Remuneration to Civil Servants:—Mr. Jacob asked the Secretary for Lands,—Is it the intention of the Government, as promised last Session, to so frame the Estimates for next year as to indicate clearly thereon the full amount of moneys receivable by every Civil Officer holding a plurality of offices, distinguishing the various sources whence derived?

Mr. Farnell answered,—Yes.

(5.)

- (5.) Court-house, Moss Vale :—*Mr. J. Davies*, for Captain Onslow, asked the Minister of Justice and Public Instruction,—When will the Court-house at Moss Vale be opened for the use of the public?

Mr. Leary answered,—A tender has now been accepted for certain alterations and repairs to the temporary Court-house at Moss Vale, which will be opened for the use of the public as soon as the necessary alterations and repairs shall have been completed.

- (6.) Reserves :—*Mr. Driver*, for Mr. McElhone, asked the Secretary for Lands,—When does he intend to bring in a Bill to deal with Reserves?

Mr. Farnell answered,—Any matters dealing with Reserves will be included in the Land Bill.

- (7.) Public School, Muswellbrook :—*Mr. Driver*, for Mr. McElhone, asked the Minister of Justice and Public Instruction,—

(1.) Have tenders been called for the erection of the Public School at Muswellbrook?

(2.) If not, what is the cause of the delay in calling for tenders for this school, and when will they be called for?

Mr. Leary answered,—

(1.) Tenders have not yet been called for.

(2.) The cause of delay was the non-receipt for some time of a report from the Surveyor General's Department on the site which was said to be subject to flood. Plans and specifications have been prepared, and on the urgent representations of the Public School Board, the Council has resolved to obtain tenders forthwith, as it now appears that the site chosen was never known to have been under water.

- (8.) Narrabri Racecourse Ground :—*Mr. Dangar* asked the Secretary for Lands,—

(1.) Has an application been made to substitute the name of Dr. Lepervanche as a Trustee for the Narrabri Racecourse ground, in lieu of A. Goldman, deceased?

(2.) Will such appointment be made, and when?

Mr. Farnell answered,—

(1.) Yes.

(2.) The appointment received the approval of His Excellency the Governor and the Executive Council. A question has, however, since been raised as to whether Mr. Lepervanche is of British birth or a naturalized subject, and therefore eligible for such appointment. No reply in the matter has yet been received.

- (9.) Land Bill :—*Mr. Barbour* asked the Secretary for Lands,—When will the Land Bill be brought in?

Mr. Farnell answered,—In the course of a week.

- (10.) Bridge across the River Murray at Howlong :—*Mr. Day* asked the Secretary for Public Works,—Is it the intention of the Government to place a sufficient sum of money on the Estimates to pay one-half the cost of the construction of a Bridge across the River Murray at Howlong, on condition that the Government of Victoria pay the other half?

Mr. Cohen answered,—The question is under the consideration of the Government.

- (11.) Pile-driving by Australasian Steam Navigation Company at Pymont :—*Mr. Cameron* asked the Secretary for Public Works,—By whose authority are the Australasian Steam Navigation Company driving piles at Jones's Bay, Pymont, near their works?

Mr. Cohen answered,—The Australasian Steam Navigation Company have received no authority from the Government to drive piles in Jones's Bay, Pymont, near their works.

- (12.) Bridge at Armidale, in Marsh-street :—

(1.) *Mr. Hurley* (Hartley), for Mr. Terry, asked the Secretary for Public Works,—If the contract for a Bridge over Marsh-street in Armidale was not accepted after receiving a report from the Superintendent in Armidale as to the Marsh and Falkner street sites?

Mr. Cohen answered,—A report was received from the Road Superintendent previous to placing a sum on Estimates for the Bridge.

(2.) *Mr. Hurley* (Hartley), for Mr. Terry, asked the Secretary for Public Works,—Will he depute an official from Sydney to inspect the two rival sites for a Bridge at Armidale, and finally decide the question in accordance with such official report?

Mr. Cohen answered,—An officer has already examined and reported on this subject; but no further steps will be taken in the matter till a copy of the papers asked for be laid upon the Table of the Assembly.

2. JUSTICES ACTS FURTHER AMENDMENT BILL :—*Mr. Dangar* presented a Bill intituled "*A Bill to amend the Acts adopted by the Justices Act of 1850 in respect of proof of service of Summonses*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday, 25th October.

3. SUBURBAN RAILWAYS (*Formal Motion*) :—*Mr. Greenwood* moved, pursuant to Notice, That the Petition presented by him on the 8th instant from Inhabitants of Sydney, relative to Circular Suburban Railways, be printed.

Question put and passed.

4. TELEGRAPH LINE FROM YOUNG TO MORANGARELL (*Formal Motion*) :—*Mr. Cameron*, for Mr. Watson, moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Documents, Letters, Reports, Minutes, or other Papers having reference to Mr. Edward M'Evoy's claim against the Telegraph Department for the construction of the Telegraph Line from Young to Morangarell.

Question put and passed.

5. **SPECIAL ADJOURNMENT**:—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That this House at its rising on Friday do adjourn until "Wednesday the 16th."

Debate ensued.

Mr. Driver moved, That the Question be amended, by the omission of the words "Wednesday the 16th," with a view to the insertion in their place of the words "Thursday the 17th."

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

Debate continued.

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

Question put,—That the words proposed to be inserted in place of the words omitted be there inserted.

The House divided.

Ayes, 17.

Mr. Sutherland,	Mr. Driver,
Mr. R. B. Smith,	Mr. Beyers,
Mr. Harris,	Mr. Jacob,
Mr. Taylor,	Mr. Stephen Brown,
Mr. Greville,	Mr. Barbour,
Mr. T. R. Smith,	
Mr. Bennett,	<i>Tellers.</i>
Mr. Greenwood,	Mr. Hurley (<i>Hartley</i>),
Mr. Lucas,	Mr. Hungerford.
Mr. Lynch,	

Noes, 13.

Mr. Cohen,	Mr. Hoskins,
Mr. Fitzpatrick,	<i>Tellers.</i>
Mr. Lackey,	
Mr. Farnell,	Mr. Day,
Mr. Cameron,	Mr. W. Davies.
Mr. W. H. Suttor,	
Mr. Burns,	
Mr. Leary,	
Mr. Teece,	
Mr. J. Davies,	

And so it was resolved in the affirmative.

Main Question put,—That this House at its rising on Friday do adjourn until Thursday the 17th.

The House divided.

Ayes, 20.

Mr. Fitzpatrick,	Mr. Lynch,
Mr. Cohen,	Mr. Greenwood,
Mr. Lucas,	Mr. Hurley (<i>Hartley</i>),
Mr. Leary,	Mr. Beyers,
Mr. Hungerford,	Mr. Jacob,
Mr. Driver,	Mr. Stephen Brown,
Mr. Sutherland,	Mr. Barbour,
Mr. Taylor,	
Mr. Greville,	<i>Tellers.</i>
Mr. R. B. Smith,	Mr. Harris,
Mr. Bennett,	Mr. T. R. Smith.

Noes, 10.

Mr. Farnell,	<i>Tellers.</i>
Mr. Lackey,	
Mr. Burns,	Mr. Teece,
Mr. Cameron,	Mr. Day.
Mr. W. H. Suttor,	
Mr. J. Davies,	
Mr. W. Davies,	
Mr. Hoskins,	

And so it was resolved in the affirmative.

6. **LUNACY BILL**:—The Order of the Day having been read,—Mr. Farnell moved, "That" the report from the Committee of the Whole on this Bill be now adopted.

Mr. Fitzpatrick moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Bill be recommitted for the reconsideration of clauses 8, 12, 13, 33, 34, 42, 60, 69, 70, 78, 80, and 83."

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

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That the Bill be recommitted for the reconsideration of clauses 8, 12, 13, 33, 34, 42, 60, 69, 70, 78, 80, and 83,—put and passed.

On motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such reconsideration.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill 2^o with further amendments.

On motion of Mr. Fitzpatrick (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time to-morrow.

7. **PARRAMATTA TOWN HALL BILL**:—Mr. Taylor, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 17th September, 1878.

Ordered to be printed.

Mr. Taylor then moved, That the Bill (*as agreed to in Select Committee*) be read a second time on Friday, 18th October.

Question put and passed.

8. **POSTPONEMENT**:—The Order of the Day No. 2 postponed, to follow after Order No. 6.

9. **PRIVILEGES OF PARLIAMENT**:—The Order of the Day having been read,—on motion of Mr. Farnell, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the Privileges of Parliament.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to provide for the Privileges of Parliament.

On motion of Mr. Farnell, the Resolution was read a second time, and agreed to.

10. **WATER SUPPLY**:—The Order of the Day having been read,—on motion of Mr. Farnell, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to constitute Water Trusts, and for regulating the conservation of Water by artificial means.

Mr.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be *now* received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved.—That it is expedient to bring in a Bill to constitute Water Trusts, and for regulating the conservation of Water by artificial means.

On motion of Mr. Farnell, the Resolution was read a second time, and agreed to.

11. POSTPONEMENT:—The Order of the Day No. 5 postponed, to follow after Order No. 2 as postponed.

12. TONNAGE RATES AND PUBLIC WHARFS AMENDMENT BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to further amend the Law relating to Public and Private Sufferance Wharfs.

Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read, as follows:—

Resolved.—That it is expedient to bring in a Bill to further amend the Law relating to Public and Private Sufferance Wharfs.

On motion of Mr. Cohen, the Resolution was read a second time, and agreed to.

(2.) Mr. Cohen *presented* a Bill, intituled "*A Bill to further amend the Law relating to Public and Private Sufferance Wharfs and the rates payable thereat*,"—which was read a first time.

Ordered to be printed, and read a second time on Thursday, 17th October.

13. CUSTOMS REGULATION BILL:—The Order of the Day having been read,—Mr. Cohen moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair, and the Chairman reported progress, and obtained leave to sit again to-morrow.

The House adjourned at half-past Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN.

Speaker.

New South Wales.

No. 17.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 10 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

(1.) Miss Tickling's Conditional Purchase at Warialda:—Mr. McElhone asked the Secretary for Lands,—What is the cause of the delay in settling the claim of Miss C. Tickling to a conditional purchase of 80 acres, taken up on the 5th April, 1877, at Warialda, and will he give an immediate decision in this case?

Mr. Farnell answered,—The delay has been occasioned by a dispute as to improvements on the land claimed by the lessee, who formerly selected the land under the 31st clause of the Act of 1875. A decision has already been given to the effect that an appraisalment should take place.

(2.) Robert Patterson's Conditional Purchase at Narrabri:—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—Has the surveyor's report been received (see Votes and Proceedings, No. 46, 22 March, 1878) as to whether any objections exist to the selling by auction of the parcel of land between portions 170 and 171 at Narrabri, taken up by Robert Patterson, or will he be permitted to purchase the same without competition?

Mr. Farnell answered,—The surveyor's report has not yet been received.

(3.) Inspector of Conditional Purchases for the Gwydir District:—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands—Is it intended to make the appointment of an Inspector of Conditional Purchases for the Gwydir District, and thus prevent the vexatious delays that are taking place in the necessary reports when balances paid, and as a consequence the delay in the delivery of deeds (See Votes and Proceedings, Legislative Assembly, No. 75, 17 May, 1878)?

Mr. Farnell answered,—An Inspector has already been appointed for the Warialda, Bingera, and Inverell Districts, and arrangements have also been made under which the services of Inspectors of Stock are available, to prevent delay.

(4.) Gaol at Narrabri:—*Mr. J. Davies*, for Mr. Dangar, asked the Colonial Secretary,—Is it intended to make provision on 1879 Estimates for a new and more commodious Gaol at Narrabri (See Votes and Proceedings, Legislative Assembly, No. 68, 7 May, 1878)?

Mr. Fitzpatrick answered,—Yes.

(5.) Compensation to C. R. Lillyman and others:—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Referring to Estimates of Expenditure, 1878, page 92, No. VI, under the head of "Secretary for Lands—Miscellaneous Services,"—Have applications been made by C. R. Lillyman, P. Malone, and J. Robertson, or any one on their behalf, for the compensation allowed them by Parliament for land sold at Narrabri; and if so, have they received such?

(2.) Have these parties delivered up, or will they be requested to do so, their deeds of grant from the Crown; and will such deeds or receipts be cancelled?

Mr. Farnell answered,—

(1.) Mr. J. Robertson has applied for and received the compensation money; Lillyman and Malone have not yet applied for it.

(2.) Mr. J. Robertson has delivered up his deed of grant, and it has been cancelled. Lillyman and Malone were called upon on the 24th June, 1878, to deliver up their deeds, but it does not appear that they have as yet done so.

(6.) Police for Boggabilla and Engonia,—*Mr. J. Davies*, for Mr. Dangar, asked the Minister of Justice and Public Instruction,—

(1.) Referring to Votes and Proceedings, Legislative Assembly, No. 49, 28 March, 1878,—Have Police been sent to Boggabilla (Customs Station), on the McIntyre River, as promised; if not, when will they be?

(2.) Has a new Police Station been formed at Engonia, Warrego River, and Police sent there, as promised; if not, when will such be done?

Mr.

Mr. Fitzpatrick answered,—

(1.) Instructions were given to the Inspector of Police at Narrabri in June last to report upon a suitable site for a Police Station at Boggabilla, and to call for tenders for buildings.

(2.) A Police Station has been formed at Engonia.

- (7.) Court-house, Wee Waa :—*Mr. J. Davies*, for Mr. Mr. Dangar, asked the Secretary for Public Works,—When will inspection of foundations of Wee Waa Court-house take place, so that the contractor, who is now waiting to do so, may proceed with the work ?

Mr. Sutherland answered,—An officer of the Colonial Architect's Department is now on his way to inspect the foundations of the proposed Court-house at Wee Waa.

- (8.) Railway Station and Goods Shed at Lithgow :—*Mr. Hurley (Hartley)* asked the Secretary for Public Works,—

(1.) Has he decided to erect a Railway Station and Goods Shed at Lithgow ?

(2.) Which site has been determined on ; and when will tenders be invited for the work ?

Mr. Sutherland answered,—

(1.) Yes ; the growing traffic at this place requires more station accommodation.

(2.) I have not yet received the report of the Engineer for Existing Lines on this matter ; but the surveys, I understand, are nearly completed, and when the site is decided on no time will be lost in obtaining tenders for the required work.

- (9.) Mining Act :—*Mr. Beyers* asked the Secretary for Mines,—Is it his intention to amend the present Mining Act ; if so, when ?

Mr. W. H. Suttor answered,—In view of matters of more importance occupying the attention of the House, it is not the present intention of the Government to introduce a Bill to amend the Mining Act.

2. BIRDS AND ANIMALS PROTECTION BILL :—*Mr. Pilcher* presented a Petition from Residents of Rockley, praying that the Hare and the larger species of Magpie may not be protected. Petition received.

3. PAPER :—*Mr. Fitzpatrick* laid upon the Table,—Correspondence respecting the treatment of, and special accommodation for, Insane Persons in Country Lock-ups and Gaols. Ordered to be printed.

4. CLAIMS OF MESSRS. KELLEHER AND FITZGERALD (*Formal Motion*) :—*Mr. Greenwood* moved, pursuant to Notice, That the Return to Address laid upon the Table of this House on 30th April last, in reference to the cases of J. Kelleher and Henry Fitzgerald be referred to the Select Committee now sitting on that subject. Question put and passed.

5. THE SYDNEY INFIRMARY :—*Mr. Fitzpatrick* moved, pursuant to Notice, That, in pursuance of the recommendation contained in the Report of the Select Committee, dated 22nd April, 1870, and adopted by the Legislative Assembly on the 20th September, 1870, it is, in the opinion of this House, expedient that the Directors of the Sydney Infirmary should have permission to remove the main buildings in Macquarie-street, Sydney, formerly used as an Infirmary. Question put and passed.

6. LUNACY BILL :—The Order of the Day having been read,—*Mr. Fitzpatrick* moved, That this Bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time,—and, on motion of *Mr. Fitzpatrick*, *passed*.

Mr. Fitzpatrick then moved, That the Title of the Bill be "*An Act to consolidate and amend the Law relating to the Insane.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to consolidate and amend the Law relating to the Insane,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 10th October, 1878.

7. POSTPONEMENT :—The Order of the Day No. 2 postponed, to follow after Order No. 3.

8. SYDNEY CORPORATION BILL :—The Order of the Day having been read,—*Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again on Thursday next.

The House adjourned at five minutes after Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 18.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 11 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Volunteer Land Orders :—Mr. McElhone asked the Secretary for Lands,—When will he lay upon the Table of this House the copy of the original Papers and other Documents in reference to the making of Volunteer Land Orders transferable?

Mr. Farnell answered,—As soon as practicable, having regard to the number of Returns previously ordered by the House, three of which were on the motion of the Honorable Member himself. If desired, the Return now inquired about will receive preference over the three others last referred to.

- (2.) Railway Fences :—Mr. McElhone asked the Secretary for Public Works,—

(1.) What price has the Government paid per mile for the Railway Fence from Cootamundra to Wagga; and what is the character of the fence?

(2.) What is the contract per mile for the Railway Fence from Quirindi to Gunnedah; and what is the character of the fence?

Mr. Burns answered,—

(1.) The price per mile paid by the Government for the Railway Fence from Cootamundra to Wagga Wagga was—for 2-railed, split, 5s. 6d. per rod; top-railed and 4-wire, 7s. 3d. per rod; top-railed and 6-wire, 7s. 9½d. per rod.

(2.) The contract per mile for the Railway Fence from Quirindi to Gunnedah was—for 2-railed and 3-wire, 10s. per rod; 2-railed and 4-wire, 11s. 3d. per rod.

- (3.) Murrurundi Hospital :—

Mr. Barbour asked the Colonial Secretary,—

(1.) Who were the tenderers for supplies to the Murrurundi Hospital for the year 1878?

(2.) Was the tender of Alexander Brodie, storekeeper, of Murrurundi, for groceries accepted?

(3.) Was not the tender of Mr. Richard Davis, of Murrurundi, storekeeper, below that of Mr. Brodie?

(4.) Is it a fact that Alexander Brodie was a member of the committee of the Hospital at the time when his tender was accepted, and that he is still a member of that committee?

(5.) Will the Government sanction his acting in such capacity whilst he is a contractor to the Hospital?

Mr. Fitzpatrick answered,—I am not in a position to furnish the information asked for, but I have written to the Hospital Committee.

Mr. Barbour asked the Colonial Secretary,—

(1.) Is it a fact that Mr. T. B. Boyce of Murrurundi is a member of [the committee of the Murrurundi Hospital, and also secretary of the same?

(2.) Are the Government aware that Mr. Boyce is the proprietor of the *Murrurundi Times* newspaper, and that all meetings in connection with the Hospital are advertised through the columns of his paper?

(3.) Will the Government take steps to prevent Mr. Boyce from receiving any of the funds of the Hospital whilst he is a member of the committee?

Mr. Fitzpatrick answered,—I believe that Mr. Boyce is a member of the committee and also proprietor of the newspaper referred to; but the Murrurundi Hospital is not a Government institution, and the expenditure of its funds is not therefore under the control of the Government.

(4.)

- (4.) Auction Purchases of Crown Lands :—Mr. Barbour asked the Secretary for Lands,—When will the Return of Lands purchased at Auction, upon which late payments were made, ordered on January 29th last, be laid upon the Table of this House ?

Mr. Farnell answered,—This Return was put in hand some time ago, but was unavoidably discontinued, owing to pressure of other urgent business which could not be delayed. I may point out that the preparation of this Return involves the careful examination of the whole of the county registers, and that when this has been done the Treasury and the Audit Office will have to be referred to, to verify it.

- (5.) The Audit Act :—Mr. Greenwood asked the Colonial Treasurer,—

(1.) Is it true that the statutory discharges of receipts and payments by the Treasurer, which the Auditor General is required to issue monthly, by the 28th section of the Audit Act, are still in abeyance for the months of October and December, 1876, and for April, November, and December, 1877 ?

(2.) If so, will he inform the House under what circumstances, and for what reasons, the provisions of the Act have remained unobserved ?

Mr. Cohen answered,—

(1.) Yes.

(2.) It will be seen on reference to the terms of the Auditor General's Report, with respect to this special matter, that the statutory discharges referred to are withheld by that officer by reason, as it is alleged, of the non-return by the Treasury of certain vouchers and papers (two for 1876 and eight for 1877) which, it is stated, are necessary to complete those discharges. I have inquired into the matter, and am informed that these vouchers and papers are not now at the Treasury; that, in terms of the 20th section of the Audit Act, they were duly forwarded at the proper time to the Auditor General with their relative cash-sheets (which, indeed, is not denied by that officer); and it appears to me that the Treasury officers having once satisfied their legal obligation in this respect are scarcely to be held liable for any subsequent miscarriage of vouchers and papers between departments. I take this opportunity to state that in a letter addressed by the Audit Department to this office, under date 30th May, 1878, on the occasion of returning the Abstracts of the Public Accounts for 1877, which had been forwarded for examination on 29th March last, I am informed by the Auditor General that for the past year but one correction (of no material importance, and since adjusted) required to be made to bring the accounts into agreement with the results of audit as recorded in the books of that department.

- (6.) Telegraph Line from Goulburn to Crookwell :—Mr. Barbour, for Mr. W. Davies, asked the Postmaster General,—Will he cause to be placed on the Estimates-in-Chief for 1879 a sum of money for the construction of a Telegraph Line from Goulburn to Crookwell ?

Mr. Burns answered,—Provision will be made in the Estimates for 1879 for the construction of a Telegraph Line from Goulburn *via* Crookwell ?

- (7.) Post and Telegraph Offices, Morpeth :—Mr. Wisdom asked the Postmaster General,—Will provision be made on the Estimates for 1879 for the erection of new Post and Telegraph Offices at Morpeth ?

Mr. Burns answered,—Provision will be made in the Estimates for 1879 for the erection of new Post and Telegraph Offices at Morpeth.

- (8.) Advances to the Government by the Bank of New South Wales :—

Mr. Lynch, for Mr. Baker, asked the Colonial Treasurer,—Under what arrangements, and for what period, and at what rate of interest, has the Bank of New South Wales advanced the £200,000 to the Government, which were lent—one-half on 18th July, and one-half on 14th August ?

Mr. Cohen answered,—Each £100,000 was placed to the credit of the Public Account in the Bank of New South Wales, Sydney, on the dates mentioned, as the proceeds of a draft at sixty days sight for the like amount, drawn on behalf of the Government on the Bank of New South Wales, London, against the anticipated proceeds of Debentures. The Bank allowed the Government a premium of a $\frac{1}{4}$ per cent. on the amount of such drafts, upon which no interest has been charged under this arrangement.

Mr. Greenwood asked the Colonial Treasurer,—

(1.) Has the sum of £200,000 been advanced by the Bank of New South Wales on account of the Loan Fund 38 Victoria No. 2 ?

(2.) If so, will he inform the House on what terms such advance has been made ?

Mr. Cohen answered,—

(1.) The amount was obtained generally against the Debentures transmitted to England for sale, but has been taken into account in the books of the Treasury as against the Loan Fund under 38 Victoria No. 2.

(2.) My reply to the question of the Honorable Member for the Southern Gold Fields, Mr. Baker, will afford the information asked for.

- [2. RAILWAY REFRESHMENT ROOMS BILL :—The following Petitions, against the passing of this Bill, were presented by the Members named :—

(1.) By Mr. Cameron. From Citizens of Sydney.

(2.) By Mr. Long. From Residents of Parramatta.

(3.) By Mr. Greenwood. From Citizens of Sydney, in Public Meeting assembled.

(4.) By Mr. Greenwood. From Residents of Balmain.

(5.) By Mr. Hungerford. From Citizens of Sydney, in a Good Templars Lodge-meeting assembled.

(6.) By Mr. Leary. From Residents of Wagga Wagga, in Public Meeting assembled.

(7.) By Mr. J. Davies. From Citizens of Sydney.

(8.) By Dr. Bowker. From Citizens of Newcastle, in Public Meeting assembled.

(9.) By Mr. Macintosh. From Members of the Unitarian Church.

(10.)

- (10.) By Mr. Macintosh. From the Secretary and Chairman of the Bible Combination.
 (11.) By Mr. Macintosh. From Members of Freehold Land and Building Society, Pitt-street.
 (12.) By Mr. Macintosh. From Officers and Members of Crystal Spring Division Daughters of Temperance.
 (13.) By Mr. Farnell. From Residents of the District of Ryde.
 (14.) By Mr. Harris. From Persons at G. H. Lovett's Dining Rooms, Pitt-street.
 (15.) By Mr. Hurley (*Hartley*). From Members and others of the Temperance Alliance, Pitt-street, Sydney.
 (16.) By Mr. Hurley (*Hartley*). From City Missionaries of Sydney, in Public Meeting assembled.
 (17.) By Mr. W. Davies. From Society of Friends.
 (18.) By Mr. W. Davies. From Minister and Members of Primitive Methodist Church of Sydney.
 (19.) By Mr. Stephen Brown. From Residents of Newtown, in Public Meeting assembled.
 (20.) By Mr. Stephen Brown. From Residents of Camperdown, in Public Meeting assembled.

Petitions received.

3. BIRDS AND ANIMALS PROTECTION BILL:—Mr. McCulloch presented a Petition from Vinegrowers, Farmers, and others, of Central Cumberland, against the passing of this Bill.
 Petition received.

4. PAPERS:—

Mr. Farnell laid upon the Table,—

- (1.) Abstract of Crown Lands reserved from sale until surveyed for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Vic. No. 1.
 (2.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the same Act.
 (3.) Abstract of all Sites for Cities, Towns, and Villages declared under the 4th section of the same Act.
 (4.) Abstract of Crown Lands authorized to be dedicated for the use of Pastoral and Agricultural Associations, in accordance with the 32nd section of the Act 39 Vic. No. 13.
 Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—

- (1.) By-laws of the Borough of Victoria.
 (2.) Correspondence and Depositions relating to the conviction of Mr. Neil Harper, J.P., for unlawfully using two cows belonging to James Smith.
 Ordered to be printed.

5. DRUNKARDS PUNISHMENT ACT AMENDMENT BILL (*Formal Order of the Day*),—on motion of Mr. Jacob, read a third time, and *passed*.

Mr. Jacob then moved, That the Title of the Bill be "*An Act to amend the Drunkards Punishment Act of 1866.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend the Drunkards Punishment Act of 1866,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
 Sydney, 11th October, 1878.*

6. ROAD FROM GOULBURN TO CURRAWANG (*Formal Motion*):—Mr. W. Davies moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, Surveyors Reports, Minutes, Documents, and other Papers having reference to the deviation in the road from Goulburn to Currawang, at Bangalore Creek.
 Question put and passed.

7. APPLICATIONS FOR LAND AT GULF CREEK (*Formal Motion*):—Mr. Hurley (*Hartley*), moved, pursuant to Notice, That there be laid upon the Table of this House,—

- (1.) Copies of all Papers, Documents, Minutes, &c., relating to the applications of Messrs. Banks, Lester, and Farquhar, and also of Messrs. Griffiths and Gaffney, for land at Gulf Creek, County of Gough.
 (2.) Copies of all Correspondence which has taken place between the Lands Department, the Mines Department, and the applicants, or those acting on their behalf.
 (3.) Copies of Surveyors Reports and Plans, also copies of all entries in the books or registers of the Lands and Mines Departments in any way relating to these applications.
 Question put and passed.

8. BIRDS AND ANIMALS PROTECTION BILL (*Formal Motion*):—Mr. McElhone, for Mr. Pilcher, moved, pursuant to Notice, That the Petition presented by him on 10th instant from Inhabitants of Rockley, relative to Birds and Animals Protection Bill, be printed.
 Question put and passed.

9. CITY OF SYDNEY IMPROVEMENT BILL:—The Order of the Day having been read,—Mr. Driver moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 25th October.

10. **PATENT BILL** :—The Order of the Day having been read,—Mr. Macintosh moved, That this Bill be now read a second time.
 Debate ensued.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Macintosh, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 25th October.
11. **RAILWAY REFRESHMENT ROOMS BILL** :—The Order of the Day having been read,—Mr. Copeland moved, That this Bill be now read a second time.
 Debate ensued.
 Question put.
 The House divided.

Ayes 20.

Mr. Farnell,	Mr. Jacob,
Mr. Cohen,	Mr. Lackey,
Mr. Fitzpatrick,	Mr. Day,
Mr. Simson,	Mr. Greenwood,
Mr. Burns,	Mr. Driver,
Mr. Leary,	Mr. O'Connor,
Mr. Baker,	Mr. Wisdom,
Mr. Cameron,	<i>Tellers.</i>
Mr. Barbour,	Mr. Copeland,
Mr. Murphy,	Mr. Clarke.
Mr. Moses,	

Noes 13.

Mr. Harris,	<i>Tellers.</i>
Mr. J. Davies,	Mr. H. H. Brown,
Mr. Greville,	Mr. Roseby.
Mr. Hungerford,	
Mr. Macintosh,	
Mr. Beyers,	
Mr. Shepherd,	
Mr. W. Davies,	
Mr. Thompson,	
Mr. Stephen Brown,	
Mr. Hoskins,	

And so it was resolved in the affirmative.

Bill read a second time.

Mr. Copeland moved, That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole for the consideration of the Bill.

Debate ensued.

Question put.

The House divided.

Ayes, 15.

Mr. Farnell,	Mr. Greenwood,
Mr. Burns,	Mr. T. R. Smith,
Mr. Fitzpatrick,	Mr. Murphy,
Mr. Baker,	Mr. O'Connor,
Mr. Driver,	<i>Tellers.</i>
Mr. Lackey,	Mr. Copeland,
Mr. Cameron,	Mr. Barbour.
Mr. Day,	
Mr. Wisdom,	

Noes, 12.

Mr. J. Davies,	Mr. Thompson,
Mr. R. B. Smith,	<i>Tellers.</i>
Mr. Roseby,	Mr. Harris,
Mr. Greville,	Mr. Shepherd.
Mr. W. Davies,	
Mr. Bennett,	
Mr. H. H. Brown,	
Mr. Macintosh,	
Mr. Beyers,	

And so it was resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 25th October.

12. **POSTPONEMENTS** :—The following Orders of the Day postponed :—
 (1.) Small Debts Act further extension Bill; second reading :—*until Friday next.*
 (2.) Connection of Great Northern Railway with Sydney; consideration in Committee of the Whole of an Address to the Governor :—*until Friday, 1st November.*

The House adjourned at twenty-five minutes before Eleven o'clock, until *Thursday next*, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 19.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 17 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Wagga Wagga Common:—Mr. McElhone asked the Secretary for Lands,—

(1.) Has he come to any decision in regard to Mr. Donnelly's claim to purchase part of the Reserve or Common at Wagga Wagga in virtue of improvements?

(2.) Is he aware that for many years before Mr. Donnelly erected his house, &c., on this Common it was a travelling stock reserve, and does he intend to allow him to purchase any of the land in virtue of improvements?

Mr. Farnell answered,—There have been two or three conflicting decisions by different Ministers in this matter. It is one of peculiar difficulty, and will be dealt with by me at an early period.

- (2.) Water Supply for Sydney and Suburbs:—Mr. Cameron asked the Colonial Secretary,—When will the Return, ordered by this House on the 22nd February last, of all Papers and other Documents which were prepared for the information of Mr. Clark, Hydraulic Engineer, on the Water Supply for Sydney and Suburbs, be laid upon the Table?

Mr. Fitzpatrick answered,—The papers will be ready for presentation early next week.

- (3.) Pile-driving by Australasian Steam Navigation Company at Pymont:—Mr. Cameron asked the Secretary for Public Works,—

(1.) Referring to my question of the 9th instant,—Is it true that the Australasian Steam Navigation Company are driving piles near their works in Jones's Bay without authority, as alleged?

(2.) If so, will he take steps to stop this encroachment?

Mr. Burns answered,—

(1.) The Water Bailiff who was sent to report on the matter states that one pile had been driven, the Company alleging it was for a boundary mark.

(2.) Yes; the Australasian Steam Navigation Company have been directed to remove the encroachment.

- (4.) Sydney Corporation:—Mr. Greenwood asked the Colonial Secretary,—

(1.) What was the estimated number of ratepayers in the City of Sydney at the latest date when such estimate was made?

(2.) Under the provisions of the new Sydney Corporation Bill, what is the estimated number of ratepayers who will have one vote, two, three, and four respectively?

(3.) What is the debt of the Corporation at the present date; under what general heads is it classified; and what is the amount under each head?

(4.) What amount of such debt, under each head, do the Government propose to wipe out?

(5.) After such amount has been paid or guaranteed by the Government, will the works for sewerage and water supply as now existing be the exclusive property of the Corporation without liability for capital, interest, or the payment of any portion of revenue that may be derived from such works?

Mr. Fitzpatrick answered,—I have been unable to obtain from the Corporation this information. I have written for it, and will present it to the House as soon as I get it.

- (5.) Publicans Licensing Act:—Mr. J. Davies asked the Colonial Secretary,—Is it the intention of the Government during the present Session to introduce a Bill to amend the Licensing Act of 1862,—to make provision for the appointment of Licensing Board, and for the closing of Public-houses on Sundays, and for police supervision?

Mr. Fitzpatrick answered,—It is the intention of the Government to bring in a Bill to amend the Licensing Act. It would be premature to state what its provisions will be.

(6.)

(6.) Mr. P. Brougham, Police Magistrate, Bingera:—Mr. McElhone asked the Minister of Justice and Public Instruction,—When will the papers in the case of Mr. P. Brougham be printed?

Mr. Leary answered,—A copy of the papers in the case of Mr. P. Brougham was laid upon the Table of this House on the 1st October instant. No motion has been made for printing these papers, on the ground that the correspondence contains certain privileged communications, in respect of which legal immunity has been assured; and in portions of the correspondence there are reflections upon the character of persons which would render it undesirable that the papers be published.

(7.) The Case of Wilson, Cawley, and Frew:—Mr. Gray asked the Secretary for Lands,—Has provision been made on the Estimates for compensating Messrs. Wilson, Cawley, and Frew, in accordance with the recommendation of the Select Committee?

Mr. Farnell answered,—Yes; £990 has been noted for Estimates, viz.—H. Wilson, £500; M. Cawley, £240; Jas. Frew, £250.

(8.) Estate of the late Andrew McIlwaine:—Mr. Macintosh asked the Colonial Secretary,—

(1.) Who were the administrators of the intestate estate of Andrew McIlwaine, late of Morpeth, who died on or about May 26, 1852?

(2.) Have the accounts in said estate been lodged in the Supreme Court in accordance with law; if not, will the Colonial Secretary cause the administrators to file the accounts?

(3.) Was a box containing deeds of land or other documents left at the District or Police Court, Sydney, by one of the administrators (Index 272, Book 33); if so, are the box and contents intact, as when received?

Mr. Leary answered,—

(1.) James Dickson, of West Maitland, and Isaac Gorrick, of the same place.

(2.) No; if the parties interested in the estate apply in the usual way to the Prothonotary of the Supreme Court the matter will be attended to.

(3.) The requisite inquiry has been made at the Sydney District Court Office, and also at the Central and Water Police Offices, and I have been informed that nothing is known in respect of such a box having been left at any of those offices.

(9.) Travelling Expenses of Mr. Cracknell:—Mr. McElhone asked the Postmaster General,—

(1.) What amount was paid to Mr. Cracknell for travelling expenses, &c., exclusive of his salary, for the year 1877?

(2.) The like for 1878, up to end of September?

Mr. Burns answered,—

(1.) £87.

(2.) £88 10s.

} Exclusive in both cases of the equipment allowance.

(10.) Travelling Expenses of the Postmaster General:—Mr. McElhone asked the Postmaster General,—What was the amount of expenses of his trips to Melbourne and New Zealand in connection with the Conferences as to laying a second Telegraph Cable?

Mr. Burns answered,—£272.

2. RUSHCUTTERS BAY:—Mr. Macintosh presented a Petition from Residents in the Eastern Suburbs of Sydney, praying the House to take into consideration the desirability of the resumption by the Government of the low-lying land in Rushcutters Bay, situated south of the New South Head Road.
Petition received.
3. SYDNEY CORPORATION BILL:—Sir John Robertson presented the following Petitions, praying the House not to pass the Sydney Corporation Bill unless amended in certain respects:—
 - (1.) From W. J. Trickett, Chairman of a Public Meeting of Residents and Ratepayers in and about the Borough of Woollahra.
 - (2.) From the Mayor and Aldermen of the Suburban Borough and Municipal District of Woollahra.
 Petitions received.
4. SUBURBAN RAILWAYS:—Mr. Farnell presented a Petition from Inhabitants of the Borough of North Willoughby, praying the House to give its most favourable consideration to any measure that may be submitted for Circular Suburban Railways.
Petition received.
5. RAILWAY REFRESHMENT ROOMS BILL:—The following Petitions, against the passing of this Bill, were presented by the Members named:—
 - (1.) By Mr. Macintosh. From Officers of the Captain Cook Tent of Independent Order of Rechabites, in Tent Meeting assembled.
 - (2.) By Captain Onslow. From Residents of Campbelltown, in Public Meeting assembled.
 - (3.) By Mr. Fitzpatrick. From Residents of Yass, in Public Meeting assembled.
 - (4.) By Mr. Driver. From Inhabitants of the Town of Windsor.
 - (5.) By Mr. Driver. From Officers and Members of Hope of Richmond Division Sons of Temperance, Richmond, in Public Meeting assembled.
 - (6.) By Mr. R. B. Smith. From Residents of Jones Island, Manning River.
 - (7.) By Mr. R. B. Smith. From Residents of Port Macquarie.
 - (8.) By Mr. Hoskins. From Inhabitants of Tumut.
 - (9.) By Mr. W. H. Suttor, for Mr. F. B. Suttor. From Citizens of Bathurst and others, in Public Meeting assembled.
 - (10.) By Mr. Coonan. From Residents of Parkes.
 - (11.) By Mr. Coonan. From Inhabitants of Parkes.
 - (12.) By Mr. Shepherd. From Residents of Ironbarks and others, in Public Meeting assembled.
 Petitions received.

6. PAPERS :—Mr. Fitzpatrick laid upon the Table,—
 (1.) Amended By-law made by the Metropolitan Transit Commissioners under the Public Vehicles Regulation Act of 1873.
 (2.) Further Return to an Address adopted on 6th July, 1877,—“Immigration.”—Ships “La Hogue” and “Hawkesbury.”
 Ordered to be printed.
7. MARSUPIALS :—Mr. Dillon presented a Petition from Residents of the New England District, representing that large tracts of country are rendered valueless by reason of the ravages of Marsupials; and praying the House to take the matter into consideration.
 Petition received.
8. SYDNEY CORPORATION BILL :—Mr. T. R. Smith presented a Petition from Omnibus and Waggonette Owners, praying the House not to pass the clauses of this Bill that relate to Public Vehicles.
 Petition received.
9. ADJOURNMENT :—Mr. McElhone moved, That this House do now adjourn.
 Debate ensued.
 Question put and negatived.
10. PARLIAMENTARY POWERS AND PRIVILEGES BILL :—Mr. Farnell presented a Bill, intituled “*A Bill to provide for the Privileges of Parliament*,”—which was read a first time.
 Ordered to be printed, and read a second time on Thursday next.
11. POSTPONEMENT :—The Order of the Day for the second reading of the Tonnage Rates and Public Wharfs Amendment Bill postponed until Wednesday next.
12. SYDNEY CORPORATION BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.

The House adjourned at twenty minutes after Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 20.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 18 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Lands Office.—Alleged False Declarations:—Captain Onslow asked the Secretary for Lands,—When will the papers relating to the alleged false declaration of a Member of the Legislative Assembly be laid upon the Table?

Mr. Farnell answered,—Considerable difficulty is experienced in complying with the order referred to by the Honorable Member. The allegations as to false declarations appear to have been made in a certain newspaper paragraph, for which the Government are not responsible, and which does not indicate any particular circumstances or individual. To select any case as illustrating the allegation would be equivalent to adopting it, a course which the Government are not prepared to take.

- (2.) Gundaroo Common:—Mr. Thompson asked the Secretary for Lands,—

(1.) Has he received an application from the Trustees of the present Gundaroo Temporary Commonage for a Permanent and Temporary Commonage at Gundaroo?

(2.) If he has, is it his intention to grant the application, and will he issue instructions for survey thereof?

Mr. Farnell answered,—

(1.) Yes.

(2.) I cannot give any decision at present, as the application is awaiting the report of Mr. Schleicher, Acting District Surveyor.

2. MARSUPIALS (*Formal Motion*):—Mr. Dillon moved, pursuant to Notice, That the Petition presented by him on 17th October, relative to the increase of Marsupials, be printed.
Question put and passed.

3. SYDNEY INFIRMARY AND DISPENSARY BILL (*Formal Motion*):—Mr. Driver moved, pursuant to Notice,

(1.) That the Sydney Infirmary and Dispensary Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.

(2.) That such Committee consist of Mr. Fitzpatrick, Mr. Cameron, Mr. J. Davies, Mr. Day, Mr. Greenwood, Mr. Harris, Mr. Macintosh, Sir Henry Parkes, Mr. Roseby, and the Mover.

Question put and passed.

4. SUBURBAN RAILWAYS (*Formal Motion*):—Mr. Farnell moved, pursuant to Notice, That the Petition presented by him on 17th October, relative to Suburban Railways and increased facilities of transit, be printed.
Question put and passed.

5. SYDNEY CORPORATION BILL (*Formal Motion*):—Mr. Greville, for Mr. T. R. Smith, moved, pursuant to Notice, That the Petition presented by him on 17th October, relative to the Sydney Corporation Bill, be printed.
Question put and passed.

6. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motions*):—

(1.) Mr. Roseby, for Mr. Macintosh, moved, pursuant to Notice, That the Petition presented by him on 17th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.

(2.) Captain Onslow moved, pursuant to Notice, That the Petition presented by him on 17th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.

7. **BRIDGE OVER ARMIDALE CREEK** (*Formal Motion*):—Mr. Terry moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers and Correspondence, together with all Plans showing sections and levels of the two sites, Marsh-street and Faulkner-street, for a Bridge over the Armidale Creek, in Armidale.
Question put and passed.
8. **RAILWAY REFRESHMENT ROOMS BILL**:—The following Petitions, against the passing of this Bill, were presented by the Members named:—
 (1.) By Mr. Webb. From Residents of Wattle Flat, in Public Meeting assembled.
 (2.) By Mr. McElhone. From Residents of Maitland and Newcastle.
 (3.) By Mr. Dillon. From Citizens of Grafton, on the Clarence River.
 (4.) By Mr. Lucas. From Officers and Members of the Captain Cook Division, Sons of Temperance, Botany, in Public Meeting assembled.
 (5.) By Mr. Lucas. From Officers and Members, Rising Sun Division, Sons of Temperance.
 (6.) By Mr. Stephen Brown. From Residents of Newtown, in Public Meeting assembled.
 (7.) By Mr. Stephen Brown. From Residents of Camperdown, in Public Meeting assembled.
 (8.) By Mr. Roseby. From Residents of Shoalhaven and surrounding District.
 (9.) By Mr. Murphy. From Residents of Cooma.
 (10.) By Mr. Hurley (*Hartley*). From Inhabitants of Lithgow Valley.
 Petitions received.
9. **THE GLEBE BOROUGH BILL**:—The Order of the Day having been read,—Mr. Stephen Brown moved, That this Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Brown, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
 On motion of Mr. Brown, the report was adopted.
 Ordered, that the Bill be read a third time on Tuesday next.
10. **SYDNEY TRAMWAY AND OMNIBUS COMPANY (LIMITED) BILL**:—The Order of the Day having been read,—Mr. Driver moved, That this Bill be now read a second time.
 Debate ensued.
 Notice was taken that there was not a Quorum present.
 Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Badgery, Mr. Burns, Mr. Cameron, Mr. W. Davies, Mr. Day, Mr. Driver, Mr. Farnell, Mr. Fitzpatrick, Mr. Gray, Mr. Greenwood, Mr. Hoskins, Mr. Leary, Mr. Macintosh, Captain Onslow, Sir Henry Parkes, Sir John Robertson, Mr. Sutherland, Mr. W. H. Suttor, and Mr. Webb,—
- Mr. Speaker adjourned the House at seven minutes before Seven o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 21.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 22 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Public School, Mandurama:—Mr. Lynch asked the Minister of Justice and Public Instruction,—When will tenders be called for the erection of the Public School at Mandurama?

Mr. Leary answered,—I have ascertained that tenders for the proposed Public School buildings at Mandurama will be invited when the conveyance of the site has been completed. There are at present certain difficulties which may prevent the completion of the matter for some months, but the Council's solicitors do not consider them insuperable.

- (2.) Cavanagh's Conditional Purchase, Coonabarabran:—Mr. J. Davies, for Mr. Dangar, asked the Secretary for Lands,—

(1.) What decision has been arrived at in the case of Cavanagh's Conditional Purchase taken up at Coonabarabran, 50 acres, Dandry Creek?

(2.) Is it intended to allow Cavanagh the land upon which his improvements are valued at £200, said to be cut off in the measurement, or to legalize such sale in the Bill to be submitted to Parliament for legalizing certain Conditional Purchases?

Mr. Farnell answered,—A report on the application, by Mr. Dewhurst, District Surveyor, has been received, but it has been found necessary to refer to him for further information, pending the receipt of which a decision cannot be arrived at.

- (3.) Court-house, Gadooga:—Mr. J. Davies, for Mr. Dangar, asked the Secretary for Public Works,—Now that a fresh tender (see question No. 3 and reply on 8th October, 1878) has been accepted for Court-house, Gadooga, and a township about to be formed at Dumble (Bokirah), a very short distance from Gadooga, will inquiry be made before these buildings are erected whether it is not advisable to erect them at Dumble (Bokirah) in place of Gadooga, removing the Police Quarters also?

Mr. Burns answered,—Action has already been taken in this matter, and the Lands Department asked to reserve a site selected in the township of Bokhara, upon which the Court-house, &c., referred to will be erected.

- (4.) Wagga Wagga Common:—Mr. McElhone asked the Secretary for Lands,—Is it his intention to allow Mr. Donnelly to purchase any quantity of land out of the Reserve or Common, near Wagga, in virtue of improvements; and if so, how much?

Mr. Farnell answered,—I stated in reply to a question of the Honorable Member only on Thursday last that this matter was one of considerable difficulty, but would be dealt with at an early period. I would now state that a *précis* showing all the facts and details of the case has been prepared and submitted to me to-day, and that I will give my attention to it as early as possible.

- (5.) Abattoirs, Glebe Island:—Mr. McElhone asked the Colonial Treasurer,—

(1.) Is it a fact that according to the Regulations at Glebe Island the gates are not opened until 5 a.m. for the admission of the men to slaughter stock?

(2.) If so, is he aware that Mr. Oatley, the Inspector of Stock, allows Messrs. York, Walsh, Elliott, and Rennie to commence killing and delivering stock at 4 a.m.?

(3.) Is he also aware that Mr. H. Macnamarra and others are refused the same privilege; and will he give instructions that all persons who slaughter stock at the Abattoirs shall be allowed the same privilege?

Mr.

Mr. Cohen answered,—

(1.) Yes.

(2.) I am not aware that any such privilege is conceded to Messrs. York, Walsh, Elliott, and Rennie. But I am informed that on the 1st instant those gentlemen, as a matter of emergency, were allowed to kill and deliver at 4 a.m. certain sheep which had arrived during the night per train, and which constituted the only supply then available for the following day's consumption.

(3.) No. Whenever it is found necessary to extend or vary the hours of killing to meet cases of emergency the Abattoir is open to all alike.

- (6.) Railway Traffic Manager:—Mr. Hoskins asked the Secretary for Public Works,—Have any steps been taken to give effect to certain proposals embodied in his Minute to the Cabinet Council, dated January 10th, 1878, and in which proposals the Cabinet concurred by a Minute, dated January 11th, 1878, one of the said proposals being stated in the following words:—"I think that under all the circumstances of the case, and to provide for the more harmonious conduct of the business, the Government should send to England to secure the services of an experienced Traffic Manager, whose duties would not be limited to the superintendence of the management of the South and West Lines, but would include the Northern Lines also, which are now being very largely extended. No time I think should be lost in carrying out this proposal; and for the purpose of securing the services of a first-class man I recommend that the salary of that official be fixed at £800 per year"?

Mr. Burns answered,—Yes. Some preliminary inquiries were directed to be made in England shortly after the Minute was written as to the terms upon which the services of an experienced Traffic Manager could be obtained; and more recently further inquiries were made, to which replies have not been received. I hope to be able to finally determine this matter in a short time.

- (7.) Banks Liabilities Publication Act:—Mr. Hoskins asked the Colonial Treasurer,—Is any officer of the Department of the Treasury required to make periodical inspections of the Register of the Supreme Court, with the view of ascertaining whether the various Banking Companies established in this Colony comply with the requirements of the 5th, 6th, and 7th sections of the Act 4th Victoria No. 13, intituled the "Banks Liabilities Publication Act"; if not, has any officer in the Civil Service of the Colony been instructed to make such inspections?

Mr. Cohen answered,—The Act 4 Victoria No. 13 does not impose upon any official person the duty of inspecting the Register of the Supreme Court with the view to determine whether the provisions of clauses 5, 6, and 7 of said Act are complied with; and no such inspection is, or has been made, as far as I can ascertain, by any officer in the Civil Service of the Colony. Ample provision, however, appears to be otherwise made to guard the public interests, inasmuch as any person whomsoever may inspect the Register upon payment of a fee of 1s., and sue for and recover by action of debt in the Supreme Court a penalty of £100 for any breach of the provisions of those clauses.

- (8.) Harbour Defences:—Mr. Hoskins asked the Colonial Secretary,—

(1.) Have the Government been giving effect to the recommendations of Sir William Jervois in respect to the improvement and extension of the Fortifications at the Heads of Port Jackson, Botany, and Newcastle?

(2.) Will any of the works required be let by contract?

(3.) How many men were employed at the Fortifications in Port Jackson, Botany, and Newcastle respectively, during the month of September, 1878?

Mr. Fitzpatrick answered,—

(1.) Yes. As regards Port Jackson, the improvement to the Batteries is progressing satisfactorily. Designs for the extension of the Fortifications are well advanced. The design for the Fort on Bare Island, in Botany Bay, is also in hand. At Newcastle, tenders for the Fort on Signal Hill may be invited early next month. The Torpedo arrangements, including works at Newcastle and Port Jackson, are practically completed. Additional Barracks at the Heads are about to be commenced.

(2.) Yes; most of the works will be executed by contract.

(3.) Thirty-three men on the average were employed during September on Port Jackson works, besides a few men employed at Newcastle in the construction of the Torpedo Station.

- (9.) Patrick and Michael Griffin:—Mr. Greville asked the Minister of Justice and Public Instruction,—When will the correspondence in reference to the case of Patrick and Michael Griffin, ordered on the 10th April, 1878, be laid upon the Table of this House?

Mr. Leary answered,—I will lay the correspondence in this case upon the Table of the House to-day.

- (10.) Reserves on Murrumbidgee Run.—Mr. Lynch, for Mr. Coonan, asked the Secretary for Lands,—The number of Reserves now in existence on the Murrumbidgee Run, near Dubbo, and the areas thereof respectively?

Mr. Farnell answered,—No. of Reserves, 8, viz.:—244 of 636 acres; 269 of 108 acres; 270 of 80 acres; 285 of 170 acres; part of 828, containing 240 acres; part of Travelling Stock Reserve 23, containing 4,575 acres; part of Travelling Stock Reserve 24, containing 364 acres; part of Travelling Stock Reserve 829, containing 150 acres.

- (11.) Smith's Applications for Land in County of Ashburnham:—Mr. Lynch, for Mr. Coonan, asked the Secretary for Lands,—How many portions of land, and the area of each portion, John Smith and Lancet Smith have applied for under the improvement clauses in the County of Ashburnham?

Mr. Farnell answered,—No applications appear to have been made in the name of Lancet Smith. A Return has been prepared showing the applications made by John Smith, which I will lay upon the Table.

- (12.) Sequestrated Estates:—Mr. Greville asked the Minister of Justice and Public Instruction,—When will the Return relative to Sequestrated Estates, ordered by this House on the 13th February inst, be laid upon the Table?

Mr. Leary answered,—The Return in question will be laid upon the Table of this House in the course of a few days.

(13.) Mr. Giles, Clerk of Petty Sessions, Bombala :—*Mr. Eckford*, for Mr. H. H. Brown, asked the Minister of Justice and Public Instruction,—

(1.) Is he aware that Mr. James Giles, Clerk of Petty Sessions and Justice of the Peace at Bombala, went to one Agnes Dugate, and interrogated her as to the evidence she was to give the following day in a case of arson, to be heard before the said James Giles, against one Charles Crawshaw and wife?

(2.) Will the Minister make inquiry into the matter?

Mr. Leary answered,—I am not aware, but I have received a reply by telegram this day from Mr. Giles, who informs me that there is no truth whatever in the statement that he went to Agnes Dugate and interrogated her as to the evidence she was to give the following day.

(14.) Volunteer Land Orders :—

Mr. Teece asked the Secretary for Lands,—How many Volunteer Land Orders have been received at the Lands Department in payment for land since the passing of the "Volunteer Force Regulation Act of 1867"?

Mr. Farnell answered,—2,557.

Mr. Teece asked the Colonial Secretary,—

(1.) How many Volunteer Land Orders have been issued since the passing of the "Volunteer Force Regulation Act of 1867"?

(2.) How many Volunteers now in the Service will be entitled to Volunteer Land Orders if they serve as efficient Volunteers for the period requisite to entitle them to free grants?

Mr. Fitzpatrick answered,—

(1.) 3,037.

(2.) 381.

(15.) Damage by Flood to property in Darling Harbour :—Sir Henry Parkes asked the Colonial Secretary,—

(1.) Whether any application has been made to the Government by Messrs. Biddell Bros., Mr. Zollner, or others, for compensation for damage done to their premises at Darling Harbour by flood in February last?

(2.) If any such application has been made, what decision in the matter has been arrived at?

(3.) Whether the Government intend taking any steps to prevent a recurrence of damage to premises at Darling Harbour from similar causes?

Mr. Fitzpatrick answered,—

(1.) Yes, the persons named have applied for compensation.

(2.) No decision has been arrived at; inquiry is still proceeding.

(3.) The question for determination is whether the Railway Works at Darling Harbour contribute—and if so, to what extent—to the flooding of the surrounding lands on a lower level. The Government will take steps to prevent a recurrence of damages to premises at Darling Harbour if, and so far as, such damage is found to be contributed to by the Railway property. Under ordinary circumstances, however, the duty of providing for the drainage of the city devolves by law upon the Municipal Council of Sydney.

(16.) Whaling Road, North Shore :—Mr. Greenwood asked the Secretary for Lands,—

(1.) Is it the intention of the Government to open the Whaling Road at North Shore?

(2.) Is it deemed necessary to deal with the matter by Bill; and if so, when will such Bill be brought in?

(3.) Failing the opening of the said road, what other provision do the Government intend making to remedy the great inconvenience now suffered by property owners in its vicinity?

Mr. Farnell answered,—

(1.) Yes.

(2.) By Bill, which will shortly be placed in the hands of the Parliamentary Draftsman.

(3.) Answered by previous answers.

2. RAILWAY REFRESHMENT ROOMS BILL :—The following Petitions, against the passing of this Bill, were presented by the Members named :—

(1.) By Mr. Taylor. From Residents of Parramatta and others, in Public Meeting assembled.

(2.) By Mr. Cameron. From Citizens of South Sydney, in Public Meeting assembled.

(3.) By Mr. Cohen. From Residents of West Maitland, in Public Meeting assembled.

(4.) By Mr. Cohen. From Inhabitants of West Maitland, in Public Meeting assembled.

(5.) By Mr. Day. From Residents of Albury, on the Railways.

(6.) By Mr. J. Davies. From Members of No. 1 Grand Division Sons of Temperance of Sydney.

(7.) By Mr. R. B. Smith. From Residents of Kempsey, on the Macleay River.

(8.) By Mr. R. B. Smith. From Residents of the Manning River District.

(9.) By Mr. Roseby. From Residents of Wollongong, in Public Meeting assembled.

(10.) By Mr. Roseby. From Inhabitants of Jamberoo, and others.

(11.) By Mr. Baker. From Inhabitants of Adelong Gold Fields, in Public Meeting assembled.

(12.) By Mr. Baker. From Residents of Gundagai.

(13.) By Mr. Watson. From Residents of Grenfell.

(14.) By Mr. McCulloch. From Residents of Liverpool.

(15.) By Mr. W. C. Browne. From Members of the Happy Home Division of Sons of Temperance resident in the Borough of Singleton, in Meeting assembled.

(16.) By Mr. T. R. Smith. From Officers and Members of Wonder of the World Division Sons of Temperance, Luddenham, in Public Meeting assembled.

Petitions received.

3. PAPERS :—

Mr. Leary laid upon the Table,—Return to an Address, adopted on 10th April, 1878,—"Patrick and Michael Griffin."

Ordered to be printed.

Mr.

Mr. Fitzpatrick laid upon the Table,—Return to an Order made on 22nd February, 1878,—“ Water Supply for Sydney and Suburbs.”
Ordered to be printed.

Mr. Farnell laid upon the Table,—

- (1.) A Return of applications made by John Smith to purchase land in virtue of Improvements in the County of Ashburnham.
 - (2.) Return to an Address, adopted on 1st October, 1878,—“ Volunteer Land Order Regulations.”
Ordered to be printed.
4. BIRDS AND ANIMALS PROTECTION BILL:—Mr. J. Davies presented a Petition from Farmers, Gardeners, and others, against the passing of this Bill.
Petition received.
5. ROADS BILL (*Formal Motion*):—Mr. Lucas moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for making and repairing the Roads of the Colony.
Question put and passed.
6. RUSHCUTTERS BAY (*Formal Motion*):—Mr. Macintosh moved, pursuant to Notice, That the Petition presented by him on 17th October, relative to resumption of land at Rushcutters Bay, be printed.
Question put and passed.
7. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motions*):—
- (1.) Mr. Dillon moved, pursuant to Notice, That the Petition presented by him on 18th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (2.) Mr. Lucas moved, pursuant to Notice, That the two Petitions presented by him on 18th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (3.) Mr. Murphy moved, pursuant to Notice, That the Petition presented by him on 18th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (4.) Mr. Eckford, for Mr. Roseby, moved, pursuant to Notice, That the Petition presented by him on 18th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (5.) Mr. Fitzpatrick moved, pursuant to Notice, That the Petition presented by him on 17th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (6.) Mr. Driver moved, pursuant to Notice, That the two Petitions presented by him on 17th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (7.) Mr. J. Davies, for Mr. R. B. Smith, moved, pursuant to Notice, That the two Petitions presented by him on the 17th October, against the passing of the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (8.) Mr. W. H. Suttor, for Mr. F. B. Suttor moved, pursuant to Notice, That the Petition presented by him on 17th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (9.) Mr. Lynch, for Mr. Coonan, moved, pursuant to Notice, That the two Petitions presented by him on 17th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (10.) Mr. Hurley (*Hartley*), for Mr. Shepherd, moved, pursuant to Notice, That the Petition presented by him on 17th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (11.) Mr. Cameron moved, pursuant to Notice, That the Petition presented by him on 11th instant, from Citizens of Sydney, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (12.) Mr. J. Davies, for Mr. Long, moved, pursuant to Notice, That the Petition presented by him on 11th instant from Inhabitants of Parramatta, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (13.) Mr. Leary moved, pursuant to Notice, That the Petition presented by him on 11th instant from Residents of Wagga Wagga, in opposition to the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (14.) Mr. Macintosh moved, pursuant to Notice, That the four Petitions presented by him on 11th instant, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (15.) Mr. Greenwood moved, pursuant to Notice, That the two Petitions presented by him on 11th instant, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (16.) Mr. Farnell moved, pursuant to Notice, That the Petition presented by him on 11th instant from Residents of Ryde, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
 - (17.) Mr. J. Davies moved, pursuant to Notice, That the Petition presented by him on 11th instant from Citizens of Sydney, praying the House not to pass the Railway Refreshment Rooms Bill, be printed.
Question put and passed.

- (18.) Mr. Hurley (*Hartley*) moved, pursuant to Notice, That the Petition presented by him on 11th instant from Sydney City Missionaries, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (19.) Mr. Driver, for Mr. Stephen Brown, moved, pursuant to Notice, That the two Petitions presented by him on 11th instant, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (20.) Mr. J. Davies, for Mr. Harris, moved, pursuant to Notice, That the Petition presented by him on 11th instant, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
8. THE GLEBE BOROUGH BILL:—(*Formal Order of the Day*),—on motion of Mr. Driver, read a third time, and passed.
Mr. Driver then moved, That the Title of the Bill be "*An Act to enable the Borough of the Glebe to sell and dispose of two portions of land situate in the County of Cumberland Parish of Petersham at Grose Farm on the Old Parramatta Road granted to the Municipal Council of the Glebe as sites for Council Chambers and a School of Arts respectively and to provide for the appropriation of the proceeds thereof.*"
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council, with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to enable the Borough of the Glebe to sell and dispose of two portions of land situate in the County of Cumberland Parish of Petersham at Grose Farm on the Old Parramatta Road granted to the Municipal Council of the Glebe as sites for Council Chambers and a School of Arts respectively and to provide for the appropriation of the proceeds thereof,*"—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with certified copies of the original Deeds of Grant referred to in the Preamble.
*Legislative Assembly Chamber,
Sydney, 22nd October, 1878.*
9. ADJOURNMENT:—Mr. Lucas moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
10. INTERNATIONAL EXHIBITION IN SYDNEY:—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1879 a sum not exceeding £6,000 to provide Prizes for the proposed Exhibition of 1879, and to be divided as follows, viz.:—Best Horse, £1,000; best Bull, £1,000; best Cow, £1,000; best Ram, £1,000; Champion Rifle Team prize, £1,000; Champion Boat Race, £1,000,—to be open to the World, and to be awarded on the authority of the Agricultural Society, or Stewards appointed by them; such sum of £6,000 to be paid apart from any sum supplementing the contributions of the public.
Debate ensued.
Motion, by leave, withdrawn.
11. JURY LIST, DENILQUIN:—Mr. Hurley (*Hartley*) moved, pursuant to Notice,—
(1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the action taken by the Magistrates at Denilquin in revising the Juries Roll for 1878.
(2.) That such Committee consist of Mr. Leary, Mr. McElhone, Mr. Baker, Mr. McCulloch, Mr. Copeland, Mr. Terry, Mr. Greenwood, Mr. Barbour, and the Mover.
Debate ensued.
And Mr. Dillon requiring that the Committee be appointed by Ballot,—
Question,—That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the action taken by the Magistrates at Denilquin in revising the Juries Roll for 1878,—put and passed.
Whereupon the House proceeded to the Ballot, and Mr. Speaker declared the following to be the Committee duly appointed:—Mr. Hurley (*Hartley*), Mr. Baker, Mr. Greenwood, Mr. Leary, Mr. McCulloch, Mr. Copeland, Mr. Terry, Mr. Simson, and Mr. Driver.
12. MR. P. BROUGHAM, POLICE MAGISTRATE, BINGERA:—Mr. McElhone moved, pursuant to Notice, That all Papers, Correspondence, Minutes, &c., in the case of Mr. P. Brougham, P.M., Bingera, laid upon the Table on 1st October, be printed.
Debate ensued.
Question put.
The House divided.

Ayes, 22.

Mr. Greenwood,	Mr. Terry,
Mr. J. Davies,	Mr. Macintosh,
Mr. Driver,	Mr. Murphy,
Mr. Jacob,	Mr. Teece,
Sir Henry Parkes,	Mr. Cameron,
Mr. R. B. Smith,	Mr. Hurley (<i>Hartley</i>),
Mr. McElhone,	Mr. Taylor,
Mr. Moses,	Mr. W. C. Browne,
Mr. Thompson,	
Mr. Shopherd,	Tellers.
Mr. Hoskins,	Mr. Dillon,
Sir John Robertson,	Mr. Watson.

Noes, 15.

Mr. Sutherland,	Mr. Greville,
Mr. Farnell,	Tellers.
Mr. Fitzpatrick,	
Mr. Leary,	Mr. Day,
Mr. Burns,	Mr. Simson.
Mr. W. H. Suttor,	
Mr. Harris,	
Mr. Roschy,	
Mr. McCulloch,	
Mr. Copeland,	
Mr. Cohen,	
Mr. Eckford,	

And so it was resolved in the affirmative.

13.

13. **MARSUPIALS** :—Mr. Dillon moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the destruction of Marsupial animals; and to consider an Address to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

Debate ensued.

Question put,—

And Division called for,—

But there being no Tellers on the part of the *Noes*, no Division could be had,—and Mr. Speaker declared the Question to have been resolved in the *affirmative*.

14. **MR. JOHN GARSEED** :—Mr. Hurley (*Hartley*) moved, pursuant to Notice,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon a case instituted against one John Garsed in October, 1859.
 (2.) That such Committee consist of Mr. Leary, Mr. Barbour, Mr. W. C. Browne, Mr. Thompson, Mr. Beyers, Mr. Macintosh, Mr. Shepherd, Mr. O'Connor, and the Mover.
 (3.) That the Progress Report brought up last Session on the same subject be referred to such Committee.

Debate ensued.

Question put.

The House divided.

Ayes, 12.

Mr. Fitzpatrick,	Mr. Greville,
Mr. Leary,	Mr. Macintosh,
Mr. Baker,	Mr. Eckford,
Mr. Copeland,	<i>Tellers.</i>
Mr. Terry,	Mr. Hurley (<i>Hartley</i>),
Mr. Murphy,	Mr. W. C. Browne.
Mr. Shepherd,	

Noes, 17.

Sir John Robertson,	Mr. Hoskins,
Mr. Farnell,	Mr. Tecco,
Mr. W. H. Suttor,	Mr. Greenwood,
Mr. Cameron,	Mr. J. Davies,
Mr. Burns,	Mr. Day,
Mr. Harris,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Dillon,
Mr. Jacob,	Mr. Roseby.
Mr. Charles,	
Mr. Driver,	

And so it passed in the negative.

15. **COMPENSATION TO MRS. WALLINGS** :—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1879 a sum not exceeding £500 as compensation to Mrs. Wallings, the widow of the late Senior-sergeant Thomas Wallings, who was shot at Wonbobbie while in the execution of his duty, on 20th September, 1878.

Debate ensued.

Motion, by leave, withdrawn.

16. **PETITION OF PATRICK AND MICHAEL GRIFFIN** :—Mr. Greville moved, pursuant to Notice,—
 (1.) That the Petition presented by him on the 26th February, 1878, from Patrick and Michael Griffin, be referred to a Select Committee for consideration and report, with power to send for persons and papers.
 (2.) That such Committee consist of Sir Henry Parkes, Mr. Fitzpatrick, Mr. Baker, Mr. Barbour, Mr. Coonan, Mr. Copeland, Mr. Dillon, Mr. Driver, Mr. O'Connor, and the Mover.
 (3.) That the Report and Evidence taken before the Committee on the same subject last Session be referred to the Committee.

Question put and passed.

17. **RAILWAY REFRESHMENT ROOMS BILL** :—

(1.) Mr. McElhone moved, pursuant to Notice, That the Petition presented by him on 18th October, against the Railway Refreshment Rooms Bill, be printed.

Question put and passed.

(2.) Mr. Hoskins moved, pursuant to Notice, That the Petition presented by him on the 17th October, against the passing of the Railway Refreshment Rooms Bill, be printed.

Question put and passed.

18. **BIRDS AND ANIMALS PROTECTION BILL** :—Mr. McCulloch moved, pursuant to Notice, That the Petition presented by him on 11th instant from certain Residents of Central Cumberland and neighbouring District, relative to the Birds and Animals Protection Bill, be printed.

Question put and passed.

19. **PILOT STEAMER "CAPTAIN COOK"** :—Mr. Cameron moved, pursuant to Notice,—

(1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the management of the Pilot Steamer "Captain Cook."

(2.) That such Committee consist of Mr. Cohen, Mr. Long, Mr. Driver, Mr. J. Davies, Mr. Coonan, Mr. Eckford, Mr. McElhone, Mr. Greenwood, and the Mover.

Debate ensued.

Question put and passed.

20. **MANAGEMENT OF THE RAILWAY DEPARTMENT** :—Mr. McElhone moved, pursuant to Notice,—

(1.) That a Select Committee be appointed to inquire into and report upon the management of the Railway Department, and the working thereof, with power to send for persons and papers.

(2.) That such Committee consist of Mr. Day, Mr. W. Davies, Mr. Greenwood, Mr. Hoskins, Mr. Hurley (*Hartley*), Mr. Lackey, Mr. Macintosh, Mr. Sutherland, Mr. Watson, and the Mover.

Debate ensued.

Question put,—

And Division called for,—

But there being no Tellers on the part of the *Ayes*, no Division could be had,—and Mr. Speaker declared the Question to have passed in the *negative*.

21. BIRDS AND ANIMALS PROTECTION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 8th November.
22. POSTPONEMENTS :—The following Orders of the Day postponed :—
(1.) Stock Sale-yards Bill ; second reading ;—*until Friday next.*
(2.) Compensation to Johanna Connelly ; consideration in Committee of an Address to the Governor ;—*until Friday next.*
(3.) Parramatta Town Hall Bill (*as agreed to in Select Committee*) ; second reading ;—*until Friday, 15th November.*
23. SMALL DEBTS ACT FURTHER EXTENSION BILL:—The Order of the Day having been read,—Mr. Driver moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 15th November.

The House adjourned at a quarter before Twelve o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN.
Speaker.

New South Wales.

No. 22.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 23 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Conditional Purchase of John Capel, Piedmont :—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Has the surveyor's report been received in the case of John Capel, Piedmont, Barraba, who selected at Warialda, 23rd January, 1873, 160 acres, Anderson Creek, County Murchison, Parish Capel, No. 2; principal and interest paid 9th March, 1876, and conditions and improvements fulfilled; and which was referred to Inspector Lord, 11th October, 1875, and subsequently to another Inspector sent specially to deal with such cases?

(2.) If not received, when is it likely to be, and will the report be expedited; and when will the deeds be ready for delivery to Capel?

Mr. Farnell answered,—

(1.) The report of the second Inspector has not yet been received.

(2.) The report will be expedited and dealt with speedily on receipt.

2. Gall Bros. Conditional Purchase at Moree :—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Has the surveyor's report (sent 15th April, 1877) been received in case of Gall Bros., Gwydir Field, Moree, on two Conditional Purchases of 320 acres each, taken up at Warialda, 17th April, 1873; balance and deed fees paid over twelve months (C.P. 73-3,988); and if so, the nature thereof; if not, will the surveyor be directed to expedite his report thereon?

(2.) When will the deeds of this land be ready for delivery?

Mr. Farnell answered,—The Inspector's report has been received, and the declaration approved, and the case has gone forward for the preparation of the deed, which will be issued as soon as the exigencies of the Service will admit.

- (3.) Road from Barraba to Gunnedah :—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Has the District Surveyor's report been received (sent to him September 27th, 1877) on the application to survey and open up a road from Barraba to Gunnedah?

(2.) Is it intended, and if so when, to have this road surveyed and opened up to the public use?

Mr. Farnell answered,—

(1.) Report has been received.

(2.) Surveyor has been instructed to lay out road where it passes through alienated land.

- (4.) Site for Public School, Rob Roy Gully :—*Mr. Dillon* asked the Secretary for Lands,—Is it the intention of the Government to grant a site for a Public School at Rob Roy Gully, near Inverell, an application for which was sent to the Lands Office about two years ago?

Mr. Farnell answered,—Yes; and the Council of Education has been informed of the intention to make the appropriation. Moreover, a tender for the erection of the School has been accepted.

- (5.) Site for Watch-house, Rocky Point Road :—*Mr. Cameron*, for Mr. Lucas, asked the Colonial Secretary,—

(1.) The date of an agreement to purchase from Michael Conlon a portion of land situated on the side of the Rocky Point Road for the site of a Watch-house?

(2.) The date on which Inspector Read or other official received Conlon's deeds?

(3.) The name of the several officials through whose hands these documents have passed?

(4.) The period these papers have remained in the several officers hands?

(5.) When is it likely that the purchase will be completed?

Mr.

Mr. Fitzpatrick answered,—

(1.) Purchase was approved 5th April, 1878.

(2.) 12th April, 1878.

(3.) Received by the Inspector General of Police, 14th April, 1878; and forwarded by him to the Crown Solicitor, 15th April, 1878.

(4.) The deed is still in the Crown Solicitor's office.

(5.) The delay in this matter has been caused by the vendor himself, who represented the area of the land to be considerably more than it really is. The Government Valuator has been instructed to inspect the property, and report as to its value, when the question as to purchase will be decided.

(6.) Queanbeyan Roads :—Mr. Thompson asked the Secretary for Public Works,—Have the Roads from Queanbeyan to Coen, Weetangera to One-tree Hill, and Tuggeranong towards the Rob Roy had any repairs effected upon them, as promised by letters about March last; if not, what has caused the delay, and will he give instructions to have the matter attended to as soon as possible?

Mr. Sutherland answered,—The delays in effecting repairs to these roads have arisen through the change of officers in the district; but instructions have been given to carry out repairs as far as the funds available will admit.

2. PORT DARWIN CABLE.—CORAL :—Mr. Burns laid upon the Table, in compliance with an order made on 8th October, 1878, Samples of Coral from coral reefs and seas through which the Port Darwin Cable passes (*as an exhibit only*).

3. SYDNEY CORPORATION BILL :—Mr. Sutherland presented a Petition from the Municipal Council of the Borough of Paddington, praying the House not to pass this Bill unless amended in certain respects.

Petition received.

4. CROWN LANDS BILL :—

(1.) Mr. Farnell presented a Bill, intituled "*A Bill to regulate the Alienation Occupation and Administration of Crown Lands in New South Wales*,"—which was read a first time.

Ordered to be printed, and read a second time on Thursday, 14th November.

(2.) The following Message from His Excellency the Governor was delivered by Mr. Farnell, and read by Mr. Speaker :—

HERCULES ROBINSON,
Governor.

Message No. 7.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to regulate the Alienation, Occupation, and Administration of Crown Lands in New South Wales.

*Government House,
Sydney, 23rd October, 1878.*

Ordered to be printed, and taken into consideration in Committee of the Whole.

5. DUPLICATION OF THE PORT DARWIN TELEGRAPH CABLE :—The following Message from His Excellency the Governor was delivered by Mr. Burns, and read by Mr. Speaker :—

HERCULES ROBINSON,
Governor.

Message No. 8.

I recommend to the consideration of the Legislative Assembly an Agreement between the Governments of New South Wales, Victoria, New Zealand, and South Australia, and the Eastern Extension Australasia and China Telegraph Company, for the construction of a second Telegraph Cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin.

*Government House,
Sydney, 21st October, 1878.*

Ordered to be printed, and taken into consideration in Committee of the Whole.

6. PAPERS :—

Mr. Fitzpatrick laid upon the Table,—Further Return to an Address, adopted on 6th July 1877,—“Immigration”—Ship “Smyrna.”

Ordered to be printed.

Mr. Leary laid upon the Table,—Report on the Sydney Grammar School, for 1877.

Ordered to be printed.

7. WATER AND SEWERAGE BILL :—

(1.) Mr. Fitzpatrick presented a Bill, intituled, "*A Bill to make better provision for the Supply of Water to the City of Sydney and other parts of the Colony and for the Sewerage thereof*,"—which was read a first time.

Ordered to be printed, and read a second time on Thursday, 7th November.

(2.) The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker :—

HERCULES ROBINSON,
Governor.

Message No. 9.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to make better provision for the Supply of Water to the City of Sydney and other parts of the Colony, and for the Sewerage thereof.

*Government House,
Sydney, 23rd October, 1878.*

Ordered to be printed, and taken into consideration in Committee of the Whole.

8. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motions*):—

- (1.) *Mr. J. Davies*, for *Mr. Webb*, moved, pursuant to Notice, That the Petition presented by him on 18th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (2.) *Mr. Taylor* moved, pursuant to Notice, That the Petition presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (3.) *Mr. Cameron* moved, pursuant to Notice, That the Petition presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (4.) *Mr. J. Davies* moved, pursuant to Notice, That the Petition presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (5.) *Mr. Farnell*, for *Mr. Cohen*, moved, pursuant to Notice, That the two Petitions presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (6.) *Mr. Day* moved, pursuant to Notice, That the Petition presented by him on 22nd October, against the passing of the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (7.) *Mr. J. Davies*, for *Mr. R. B. Smith*, moved, pursuant to Notice, That the two Petitions presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (8.) *Mr. W. C. Browne* moved, pursuant to Notice, That the Petition presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (9.) *Mr. Teede*, for *Mr. Baker*, moved, pursuant to Notice, That the two Petitions presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (10.) *Mr. J. Davies*, for *Mr. Roseby*, moved, pursuant to Notice, That the two Petitions presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (11.) *Mr. Taylor*, for *Mr. T. R. Smith*, moved, pursuant to Notice, That the Petition presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (12.) *Mr. J. Davies*, for *Mr. Watson*, moved, pursuant to Notice, That the Petition presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
- (13.) *Mr. Beyers*, for *Mr. McCulloch*, moved, pursuant to Notice, That the Petition presented by him on 22nd October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.

9. SYDNEY CORPORATION BILL (*Formal Motion*):—*Sir John Robertson* moved, pursuant to Notice, That the two Petitions presented by him on 17th October, relative to the Sydney Corporation Bill, be printed.
Question put and passed.

10. BIRDS AND ANIMALS PROTECTION BILL (*Formal Motion*):—*Mr. J. Davies* moved, pursuant to Notice, That the Petition presented by him on 22nd October, relative to the Birds and Animals Protection Bill, be printed.
Question put and passed.

11. DUPLICATION OF THE PORT DARWIN TELEGRAPH CABLE:—*Mr. Burns* moved, pursuant to Notice (*as amended by consent*):—That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider the following Resolution, viz.:—

That this House approves of the following Agreement for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, as agreed upon by the Representatives of the Colonies of New South Wales, Victoria, New Zealand, and South Australia, and empowers the Government to enter into a contract, in conjunction with the other Governments named, on the terms therein stated, for the purpose of carrying out this undertaking:—

Memorandum of Agreement between the Governments of New South Wales and Victoria, on behalf of the Australasian Colonies and New Zealand (hereinafter called the Governments), on the one part, and the Eastern Extension Australasia and China Telegraph Company, Limited (hereinafter called the Company), on the other.

1. That the Company shall, subject to the approval of the shareholders, contract with the Governments for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, for an annual subsidy of £32,400.

2. That such subsidy shall be payable for a period of twenty years, subject to the provisions hereinafter contained.

3. That the Company shall throughout the whole of the period during which such subsidy shall be payable maintain in full working order, *force majeure* excepted, such second cable, and also its present lines of cable between Singapore and Batavia, and Banjoewangie and Port Darwin.

4. That the Company shall before such subsidy shall become payable lay a second cable between Singapore and Penang, and thereafter shall, in like manner, maintain the same, *force majeure* excepted, and its present lines of cable between Singapore and Penang, Penang and Madras, Penang and Rangoon, in full working order.

5. That the Company shall, in consideration of the subsidy herein agreed to be paid, and whilst that subsidy is payable, allow a rebate on Government messages, hereinafter defined, exchanged between England and Port Darwin, reducing their own proportion of the charge to the extent of 50 per cent. upon the present rate; and on press messages exchanged between England and Port Darwin, as hereinafter defined, will reduce their own proportion of the charge to the extent of 75 per cent. upon the present rate: Provided that such reduction shall not be extended to any Colony other than such as may contribute towards the subsidy.

6. That the Government shall have the right during the currency of the subsidy aforesaid to purchase the Company's cable lines and other property between Singapore and Port Darwin on equitable terms, to be fixed, in case of difference, by arbitration; twelve months previous notice to be given to the Company of the intention to exercise this right: Provided always that the right shall not be exercisable till the Company shall for five years have paid a dividend equal to 10 per cent.

7. That the Company shall complete and open for communication the second cables above-mentioned between Singapore and Port Darwin and Singapore and Penang within eight months from the date of the signing of the contract: Provided always that the Company shall not be held liable for any loss or damage which the Colonies may sustain in consequence of delay in completing the said cables, in the event of such delay being caused by war, inevitable accident, or other contingency over which the Company can have no control.

8. That in the event of the Company completing and having the duplicate cable above-mentioned open for communication within the period herein contracted for, the subsidy payable by the Government shall commence and accrue four months after the signing of the contract; but the Company shall not be entitled to any payment under this clause until the said cables shall have been actually completed and are open for communication as above stated.

9. That the said subsidy shall be payable quarterly in London to the Company in sterling money, free of all deductions.

10. That in the event of any total interruption in the communication between Port Darwin and Singapore the subsidy shall cease *pro rata* for the period of such interruption: Provided that if the interruption be caused by reason of war or any such like cause the subsidy shall continue, but the Company shall be bound to restore such communication at the request and cost of the Governments so soon as the war or other contingencies shall have terminated.

11. The Company shall at all times hereafter give priority in transmission through the said cable to all Government messages; being such as are exchanged between Her Majesty's Principal Secretary of State for the Colonies or the various Agents-General on the one hand, and the Governors or Chief Secretaries of the various Colonial Governments on the other, on matters relating to the administration of the Governments.

12. Press messages must be addressed to registered newspapers only, and shall be for *bond fide* publication in full. They must be in English, in plain language and intelligible; no cypher, code, groups of figures or of letters, or words of concealed meaning to be used.

Debate ensued.

Question put and passed.

12. COMMERCIAL BANKING COMPANY OF SYDNEY INCORPORATION ACTS EXTENSION BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to continue for a further term of twenty-one years the provisions of The Commercial Banking Company of Sydney Incorporation Act (as amended) whereby the Commercial Banking Company of Sydney as thereby incorporated was empowered to make issue circulate and reissue Bank Notes or Bills*,"—presents the same to the Legislative Assembly for its concurrence; accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with a copy of the Deed of Settlement of the said Company.

Legislative Council Chamber,
Sydney, 23rd October, 1878.

JOHN HAY,
President.

Bill, on motion of Mr. Lackey, read a first time.

Ordered to be printed, and read a second time on Friday, 15th November.

13. INTERNATIONAL EXHIBITION IN SYDNEY:—Mr. Fitzpatrick moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of an Address to His Excellency the Governor, praying that His Excellency will be pleased to recommend to this House the grant to the "Agricultural Society of New South Wales" of a sum of money (not to exceed £10,000) equal to the sums that may be advanced by the Society for the like purpose, from its own sources or from private contributions, to enable the said Society to make adequate provision for the holding in Sydney of an International Exhibition during the year 1879. Debate ensued.

Captain Onslow moved, That the Question be amended by the omission of the words "Agricultural Society of New South Wales," with a view to the insertion in their place of the words "Exhibition Commissioners."

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

Debate continued.

Question

Question put, That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 34.

Mr. Farnell,	Mr. Clarke,
Mr. Fitzpatrick,	Mr. Driver,
Mr. Cohen,	Mr. Harris,
Mr. Leary,	Mr. Rosoby,
Mr. Burns,	Mr. Shepherd,
Mr. Sutherland,	Mr. Lackey,
Sir John Robertson,	Mr. Charles,
Mr. W. H. Suttor,	Mr. Greenwood,
Mr. F. B. Suttor,	Mr. T. R. Smith,
Mr. Lucas,	Mr. Taylor,
Mr. Jacob,	Mr. W. C. Browne,
Mr. Lynch,	Mr. J. Davies,
Mr. Murphy,	Mr. Stephen Brown,
Mr. Teece,	Mr. Simson,
Mr. Beyers,	
Mr. Thompson,	<i>Tellers.</i>
Mr. Hoskins,	Mr. Macintosh,
Mr. Cameron,	Mr. Greville.

Noes, 8.

Mr. McElhone,
Mr. Webb,
Captain Onslow,
Mr. McCulloch,
Mr. Barbour,
Mr. Terry,
Tellers.
Mr. Copeland,
Mr. Dillon.

And so it was resolved in the affirmative.

Original Question then put.

The House divided.

Ayes, 34.

Mr. Farnell,	Mr. Clarke,
Mr. Fitzpatrick,	Mr. Driver,
Mr. Cohen,	Mr. Harris,
Mr. Leary,	Mr. Roseby,
Mr. Burns,	Mr. Shepherd,
Mr. Sutherland,	Mr. Macintosh,
Sir John Robertson,	Mr. Lackey,
Mr. W. H. Suttor,	Mr. Charles,
Mr. Lucas,	Mr. Greenwood,
Mr. McCulloch,	Mr. T. R. Smith,
Mr. Jacob,	Mr. Taylor,
Mr. Lynch,	Mr. Greville,
Mr. Murphy,	Mr. J. Davies,
Mr. Teece,	Mr. Stephen Brown,
Mr. Beyers,	<i>Tellers.</i>
Mr. Thompson,	Mr. Simson,
Mr. Webb,	Mr. W. C. Browne.
Mr. F. B. Suttor,	

Noes, 8.

Mr. Copeland,
Mr. McElhone,
Mr. Hoskins,
Mr. Dillon,
Captain Onslow,
Mr. Cameron,
Tellers.
Mr. Terry,
Mr. Barbour.

And so it was resolved in the affirmative.

14. **POSTPONEMENTS** :—The following Orders of the Day postponed until to-morrow :—
(1.) Tonnage Rates and Public Wharfs Amendment Bill; second reading.
(2.) Sydney Corporation Bill; to be further considered in Committee.

The House adjourned at twenty minutes before Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 23.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 24 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Bank Assets and Liabilities:—Mr. Hoskins asked the Colonial Treasurer,—Do the Government intend to take steps to compel every Bank, or Branch of a Bank, established in this Colony to make quarterly sworn returns of their assets and liabilities in this Colony?

Mr. Cohen answered,—The matter is now under consideration; but I may say that the Banks coming within the provisions of the existing law regularly furnish the sworn statements required of them.

- (2.) Parramatta Park:—Mr. Taylor asked the Secretary for Lands,—Has application been made to the Government for a sum of money to be placed on the Estimates for carrying out improvements in the Parramatta Park; if so, is it the intention of the Government to comply with the request?

Mr. Farnell answered,—Yes; a sum of money will be placed on the Additional Estimates for 1879.

- (3.) Railway Work-shops:—Mr. Taylor asked the Secretary for Public Works,—Is it the intention of the Government to remove any portion of the Work-shops from the Redfern Railway Station, which is now very much overcrowded and dangerous, to the land at the Junction, purchased by Sir John Robertson's Government for that purpose?

Mr. Burns answered,—The Government have no intention of proceeding in the matter, as both the Engineer-in-Chief and Engineer for Existing Lines strongly disapprove of the site referred to for the erection of Work-shops.

2. SYDNEY CORPORATION BILL:—Mr. Stephen Brown presented a Petition from William Bailey, as Chairman of a Public Meeting held at the Town Hall, Newtown, praying the House not to pass the Sydney Corporation Bill unless amended in certain respects.
Petition received.

3. RAILWAY REFRESHMENT ROOMS BILL:—The following Petitions, against the passing of this Bill, were presented by the Members named:—

(1.) By Mr. J. Davies. From Residents of Orange.

(2.) By Mr. Hungerford. From Inhabitants of Tighe's Hill, and others.

Petitions received.

4. PARLIAMENTARY POWERS AND PRIVILEGES BILL:—The following Message from His Excellency the Governor was delivered by Mr. Farnell, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 10.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to provide for the Privileges of Parliament.

Government House,

Sydney, 24th October, 1878.

Ordered to be printed, and taken into consideration in Committee of the Whole.

5. PAPERS:—Mr. Fitzpatrick laid upon the Table,—

(1.) A Return showing the number of Ratepayers in the City of Sydney, and the estimated number of Ratepayers who will have one, two, three, and four votes under the provisions of the Sydney Corporation Bill.

(2.) Papers connected with the claim of Mr. H. K. James for compensation for the transfer of Church of England Registers of Baptisms, Marriages, and Burials to the office of the Registrar General.

Ordered to be printed.

6. **REGISTERS OF MARRIAGES, BIRTHS, AND DEATHS** (*Formal Motion*):—Mr. Fitzpatrick moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider of the expediency of bringing in a Bill to transfer to the office of the General Registry certain Registers of Marriages, Births, and Deaths.
Question put and passed.
7. **SYDNEY CORPORATION BILL** (*Formal Motion*):—Mr. Farnell, for Mr. Sutherland, moved, pursuant to Notice, That the Petition presented by him on 23rd October, relative to the Sydney Corporation Bill, be printed.
Question put and passed.
8. **BILLS OF SALE**:—Mr. Greville, for Mr. Shepherd, moved, pursuant to Notice, for leave to bring in a Bill to amend the Law relating to Bills of Sale.
Question put and passed.
9. **PARLIAMENTARY POWERS AND PRIVILEGES BILL**:—The Order of the Day having been read,—Mr. Farnell moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.
On motion of Mr. Farnell, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
On motion of Mr. Farnell (*with the concurrence of the House*), the report was adopted.
Ordered, that the Bill be read a third time to-morrow.
10. **GRAPE-VINES AND GRAPES IMPORTATION PROHIBITION BILL**:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to prohibit the Importation of Grape-vines Grape-vine Cuttings and Grapes*,"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 24th October, 1878.

JOHN HAY,
President.

11. **INTERNATIONAL EXHIBITION IN SYDNEY**:—The Order of the Day having been read,—on motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of an Address to His Excellency the Governor, praying that His Excellency will be pleased to recommend to this House the grant to the Agricultural Society of New South Wales of a sum of money (not to exceed £10,000) equal to the sums that may be advanced by the Society for the like purpose, from its own resources or from private contributions, to enable the said Society to make adequate provision for the holding in Sydney of an International Exhibition during the year 1879.
Mr. Speaker resumed the Chair; and the Chairman reported that a Point of Order had arisen in the Committee, and obtained leave to sit again so soon as Mr. Speaker's decision had been obtained thereon.

The Chairman then stated the Point of Order, as follows:—

An amendment having been proposed to omit from the Resolution the words "equal to the sums that may be advanced by the Society for the like purpose, from its own resources or from private contributions," an Honorable Member objected that it was not competent to the Committee to entertain the amendment, on the ground that its effect would be to increase the burdens of the people; and that he (the Chairman) gave it as his opinion that the amendment would not increase the proposed vote, and was therefore admissible,—

And this opinion being dissented from, the question was referred for the ruling of Mr. Speaker.

Mr. Speaker said that it appeared to him that the proposed amendment went beyond the powers of the Committee in dealing with the Resolution remitted to it by the House, and that its effect would be to make absolute that which was only conditional. He was of opinion that the amendment could not be entertained.

On motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the Committee resumed.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

The Chairman moved (*with the concurrence of the House*), that the report be now received.

Debate ensued.

Question put and passed.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to recommend to this House the grant to the Agricultural Society of New South Wales of a sum of money (not to exceed £10,000) equal to the sums that may be advanced by the Society for the like purpose, from its own resources or from private contributions, to enable the said Society to make adequate provision for the holding in Sydney of an International Exhibition during the year 1879.

On motion of Mr. Fitzpatrick, the Resolution was read a second time, and agreed to.

12. **TONNAGE RATES AND PUBLIC WHARFS AMENDMENT BILL**:—The Order of the Day having been read,—Mr. Cohen moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr.

Mr. Speaker resumed the Chair ; and the Chairman reported the Bill with amendments, and with an amendment in the Title.

On motion of Mr. Cohen (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time to-morrow.

13. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.

The House adjourned at ten minutes before Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 24.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 25 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Approaches to Bridge at Windsor :—Mr. Driver asked the Secretary for Public Works,—
 (1.) Has the attention of the Works Department been drawn to the necessity that exists for fencing off the Approaches to the Bridge at Windsor; if so, when?
 (2.) Is it intended to erect such fences; and if so, when?

Mr. Sutherland answered,

(1.) Yes; on the 29th March last.

(2.) The work was let on the 14th instant, and is now completed.

- (2.) Post and Telegraph Offices, Windsor :—Mr. Driver asked the Postmaster General,—
 (1.) What is the cause of the delay in calling for tenders for the erection of Post and Telegraph Offices at Windsor, for which the money was voted during the last Session of Parliament?
 (2.) Will he take steps to have the building commenced without any further delay?

Mr. Burns answered,—There has been no departmental delay in the matter of the erection of the Post and Telegraph Offices at Windsor. Delay arose through difficulties in obtaining a site, which have been overcome, and the purchase of land selected for the purpose has been completed. The plans and specification are being prepared, and it is probable that tenders will be invited in about three weeks from this time.

- (3.) Fitzroy Bridge, Windsor :—Mr. Driver asked the Secretary for Public Works,—
 (1.) Has any money been voted for the repairs of the Fitzroy Bridge, Windsor?
 (2.) Is he aware that the Bridge is at the present time in a most dangerous and unsafe state?
 (3.) What is the cause of the delay in repairing such Bridge?

Mr. Sutherland answered,—

(1.) No; but a vote is available for a new Bridge, to replace the old one.

(2.) I am aware that the present structure requires to be replaced.

(3.) The delay in commencing the new Bridge, which is to be of iron, has arisen from the difficulty of obtaining eligible tenders for the work. Steps are now being taken to obtain fresh tenders in detail.

- (4.) Railway Trial Survey—Blayney to Wilcannia :—Mr. Lynch asked the Secretary for Public Works,—Is it the intention of the Government to cause a trial survey of a Line of Railway to be made from Blayney, *via* Carcoar, Cowra, Forbes, Parkes, and Condoblin, to Wilcannia?

Mr. Sutherland answered,—The Engineer-in-Chief for Railways has been requested to report on the advisability of a trial survey being undertaken as indicated by this question. So soon as that report is received the Government will decide whether a trial survey will be made.

- (5.) Road from Scone to Old Merriwa Crossing :—Mr. McElhone asked the Secretary for Lands,—
 (1.) In reference to the petition of Thomas Alterator and others, sent in nearly three years since by Mr. McElhone, applying to have a road from Scone to the old Merriwa Crossing surveyed, proclaimed, and opened,—Have any steps been taken to have this road surveyed, proclaimed, and opened?
 (2.) If so, what has been done in the matter; and when is it likely that this road will be surveyed, proclaimed, and opened?

Mr. W. H. Suttor answered,—

(1.) Instructions have been issued for further report and survey, if deemed advisable.

(2.) A reminder of instruction was sent to the surveyor in August last, who then reported :—"I have not been able to attend to this matter, my time being occupied with older instructions. I shall proceed to do so so soon as my party are on the ground." Survey has not been received.

(6.)

(6.) Murrurundi Hospital :—Mr. Barbour asked the Colonial Secretary,—

- (1.) Who were the tenderers for supplies to the Murrurundi Hospital for the year 1878 ?
- (2.) Was the tender of Alexander Brodie, storekeeper, of Murrurundi, for groceries accepted ?
- (3.) Was not the tender of Mr. Richard Davies, of Murrurundi, storekeeper, below that of Mr. Brodie ?
- (4.) Is it a fact that Alexander Brodie was a member of the Committee of the Hospital at the time when his tender was accepted, and that he is still a member of that Committee ?
- (5.) Will the Government sanction his acting in such capacity whilst he is a contractor to the Hospital ?

Mr. Fitzpatrick answered,—The following replies have been received from the Honorary Secretary to the Murrurundi Hospital,—

(1.) Messrs. A. Brodie, M. T. Robson, R. Davies, W. G. Decaux, and C. F. Mehan.

(2.) Yes.

(3.) Mr. Brodie's tender was the lowest.

(4.) Yes. He was one of the founders of the Institution ; has been President at different times ; and always a member of the Committee, notwithstanding that he has been the successful tenderer for Hospital Supplies for some years past. Mr. Brodie did not take part in the acceptance of tenders, but left the room while they were being opened and discussed.

(5.) Mr. Brodie has not been the contractor for supplies since September 6th, 1878.

(7.) Land Agent for Coonamble :—Mr. W. C. Browne asked the Secretary for Lands,—

(1.) When will a Land Agent be appointed for Coonamble ?

(2.) Is he aware that already serious inconvenience has arisen in consequence of no Land Agent being appointed there ?

Mr. Farnell answered,—

(1.) It is intended to notify a new Land Office at Coonamble, and appoint an Agent as soon as the information can be compiled as to the conditional purchases that will be included in the new district, which involves an examination of the registers for the last thirteen years, and is an operation of considerable difficulty, especially in the present state of the business of the Department.

(2.) The subdivision of the district will probably lead to convenience ; but no instances of serious inconvenience have been brought under notice as resulting from the present arrangement, which has been in existence for a considerable period.

(8.) Police for Brewarrina :—Mr. J. Davies asked the Colonial Secretary,—

(1.) Has the Bench of Magistrates, Brewarrina, recommended that an additional constable be appointed for that town ?

(2.) Do the Government intend to grant the application ; if so, when ?

(3.) Is the Colonial Secretary aware that on many occasions both policemen have been absent at the same time, consequently the town has been left without police protection ?

Mr. Fitzpatrick answered,—

(1.) Yes.

(2.) The Inspector General of Police reports that a third constable will be stationed at Brewarrina should provision be made for additional men required at that and other places.

(3.) The Inspector General of Police reports such to be the case.

(9.) Third District Court, Goulburn :—Mr. W. Davies asked the Minister of Justice and Public Instruction,—

(1.) Has he received from Mr. District Court Judge Macfarland any communication recommending that a third District Court be held at Goulburn ?

(2.) If so, what action will be taken ?

Mr. Leary answered,—

(1.) Yes.

(2.) The intervals for holding the several District Courts of the Colony will shortly be notified, which will include the sitting of a third District Court during each year at Goulburn.

(10.) Permanent Military Force :—Mr. Dillon asked the Colonial Secretary,—Is it the intention of the Government to fill up the two Captaincies at present vacant in the Permanent Force ; and if so, will the appointments be made at an early date ?

Mr. Fitzpatrick answered,—The necessary steps are now being taken for filling up these appointments.

(11.) Site for Watch-house, Rocky Point Road :—Mr. Lucas asked the Colonial Secretary,—When will the Government Valuator visit the land on the Rocky Point Road, to report as to the value of a portion of land purchased for the site of a Watch-house ?

Mr. Fitzpatrick answered,—The Valuator has examined the land. His report, which I have not had time to consider, reached my office late this afternoon.

2. RAILWAY REFRESHMENT ROOMS BILL :—The following Petitions, against the passing of this Bill, were presented by the Members named :—

(1.) By Mr. Pilcher. From Residents of Cow Flat and neighbourhood.

(2.) By Mr. Macintosh. From Members of the New Church.

(3.) By Mr. Macintosh. From Citizens of Sydney, in Public Meeting assembled.

(4.) By Mr. Macintosh. From Officers and Members of Rose of Australia Division Sons of Temperance.

(5.) By Mr. Macintosh. From Members, &c., of the Baptist Church, Woolloomooloo ; the Wesleyan Church, Bourke-street, Surry Hills ; St. Phillip's Church, Church Hill ; and the Workers of the Sunday Morning Breakfast.

(6.) By Mr. R. B. Smith. From Residents of Manning River.

(7.) By Mr. Harris. From Members of the Mariners Church, and others, Sydney.

(8.) By Mr. Lynch. From Residents of Corowa.

(9.)

- (9.) By Mr. Roseby. From Ladies of the Evangelistic Committee.
 - (10.) By Mr. Roseby. From Members of the Ladies Flower Mission.
 - (11.) By Mr. Dillon. From Rector and Resident Tutor of St. John's Roman Catholic College.
 - (12.) By Mr. Dillon. From Residents of Lismore, in Public Meeting assembled.
 - (13.) By Mr. Webb. From Residents of Lucknow.
 - (14.) By Mr. Farnell. From Residents of North Willoughby.
 - (15.) By Mr. Hungerford. From Officers and Members of We Hope to Prosper Division Daughters of Temperance.
 - (16.) By Mr. J. Davies. From Citizens of Sydney, in Public Meeting assembled.
 - (17.) By Mr. Greenwood. From Residents of Pymont, in Public Meeting assembled.
- Petitions received.

3. MESSRS. HACKETT AND ARMSTRONG:—Mr. Barbour presented a Petition from T. R. Hackett, of Queensland, and Andrew Armstrong, of Sydney, alleging that they purchased the right, title, and interest in and to certain land in the Parish of Merran, County of Wakool, and that the Department of Lands has declared such purchase void; and praying the House to take the matter into consideration.
Petition received.
4. MESSRS. LAKEMAN AND ARMSTRONG:—Mr. Barbour presented a Petition from Allan Lakeman, of Hay, and Andrew Armstrong, of Sydney, alleging that they applied, under the 25th clause of the Crown Lands Alienation Act, to purchase certain lands in the Parish of Windowran, County of Wakool, and that their applications have been refused by the Department of Lands; and praying the House to take the matter into consideration.
Petition received.
5. PAPERS:—Mr. Fitzpatrick laid upon the Table,—
(1.) Return showing the Strength and Distribution of the Police Force on the 30th September, 1878.
(2.) Statistical Register of New South Wales for the year 1877. Parts 6 and 7.
Ordered to be printed.
6. CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL:—Mr. W. Davies presented a Petition from Directors of the City of Goulburn Gas and Coke Company, praying for leave to bring in a Bill to incorporate the City of Goulburn Gas and Coke Company (Limited), and to enable the said City of Goulburn Gas and Coke Company (Limited) to construct Gas-works within the municipal boundaries and suburbs of the City of Goulburn.
And Mr. Davies having produced copies of the *Government Gazette*, and the *Sydney Morning Herald*, the *Goulburn Herald and Chronicle*, and the *Goulburn Evening Penny Post*, newspapers, containing the notices required by the 59th Standing Order,—
Petition received.
7. SYDNEY CORPORATION BILL (*Formal Motion*):—Mr. Stephen Brown moved, pursuant to Notice, That the Petition presented by him on 24th October, relative to the Sydney Corporation Bill, be printed.
Question put and passed.
8. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motions*):—
(1.) Mr. J. Davies moved, pursuant to Notice, That the Petition presented by him on 24th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
(2.) Mr. Hungerford moved, pursuant to Notice, That the Petition presented by him on 24th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
9. JUSTICES APPEAL BILL:—The Order of the Day having been read,—Mr. Terry moved, That this Bill be now read a second time.
Debate ensued.
Question put and negatived.
Mr. R. B. Smith moved, That the Order of the Day be discharged.
Debate ensued.
Question put and passed.
Ordered, that the Bill be withdrawn.
10. POSTPONEMENT:—The Order of the Day for the second reading of the Justices Acts further Amendment Bill postponed until Friday next.
11. CITY OF SYDNEY IMPROVEMENT BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 22nd November.
12. PATENT BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 15th November.
13. POSTPONEMENTS:—The following Orders of the Day postponed:—
(1.) Railway Refreshment Rooms Bill; to be further considered in Committee;—*until Friday, 22nd November.*
(2.) Roads Bill; consideration in Committee of the Whole of the expediency of bringing in a Bill to make better provision for making and repairing the Roads of the Colony;—*until Friday, 8th November.*

14. MARSUPIALS:—The Order of the Day having been read,—on motion of Mr. Dillon, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the destruction of Marsupial animals; and to consider an Address to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), That the report be *now* received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to provide for the destruction of Marsupial animals; and that an Address be presented to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

On motion of Mr. Dillon, the Resolution was read a second time, and agreed to.

15. POSTPONEMENT:—The Order of the Day for the second reading of the Stock Sale-yards Bill postponed until Friday, 8th November.

16. COMPENSATION TO JOHANNA CONNELLY:—The Order of the Day in reference to this subject read,—and, on motion of Mr. Bennett, discharged.

The House adjourned at ten minutes after Ten o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 25.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 29 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Village of Double Bay:—*Mr. J. Davies*, for Mr. Macintosh, asked the Secretary for Lands,—
- (1.) Was the plan of the Village of Double Bay published in the *Government Gazette* three times, as approved of 11th August, 1834, and the public invited to send in applications that they intended to purchase allotments in accordance with such approved plan?
- (2.) Were there any allotments of land in the Village of Double Bay sold by auction on 12th February, 1835, in accordance with the plan approved of 11th August, 1834, and adopted by the Government; if so, how many were sold on that day?
- (3.) Has the plan of the Village of Double Bay, as approved of on 11th August, 1834, and allotments of land therein sold to private persons on 12th February, 1835, whereby the purchasers and the public were to enjoy the free use of all streets, "The Steyne," and "The Marine Parade," as shown on the plan, been cancelled by authority of the Government, and the public been informed of such cancellation by a notice in the *Government Gazette*?

Mr. Farnell answered,—

- (1.) The approval of the plan of the Village of Double Bay was notified in the *Government Gazette* on the 13th and 20th August, 1834. The public were by that notice invited to inspect that plan, and to make applications to purchase allotments in accordance with the approved design.
- (2.) Several allotments were sold at public auction on 13th February, 1835; and during the remainder of that year at least five other allotments were sold, also at public auction, in accordance with the plan approved of on 11th August, 1834.
- (3.) No; by some inadvertence the land has been incorrectly described in the deed of grant to Sir Daniel Cooper issued in 1853 (easterly from "The Steyne"), but steps will be taken to define "The Marine Parade," with the view of opening it to the public.
- (2.) Railway Passenger Rates—Southern Line:—*Mr. J. Davies*, for Captain Onslow, asked the Secretary for Public Works,—
- (1.) The rate for 1st and 2nd class passengers from Sydney to Picton per mile?
- (2.) The rate for 1st and 2nd class passengers from Picton to Goulburn per mile?
- (3.) The rate for 1st and 2nd class passengers from Goulburn to Wagga Wagga per mile?

Mr. Sutherland answered,—The following are the rates per mile upon which the passenger fares are at present based:—Sydney to Cabramatta—1st class, 1½d., and 2nd class, 1¼d. per mile; Cabramatta to Picton—1st class, 3¼d., and 2nd class, 2d. per mile; Picton to Goulburn—1st class, 3¾d., and 2nd class, 3d. per mile; Goulburn to Wagga Wagga—1st class, 3d., and 2nd class, 2d. per mile;—subject to a reduction in the case of all fares for greater distances than 200 miles of 50 per cent. in the rate per mile for every mile exceeding that number. These rates have been in force since the revision which was made by the Government then in office in November, 1876, upon which occasion the suburban rates, viz., 1½d. and 1¼d., first and second classes respectively, were extended to distances of 20 miles, that is, to Cabramatta on the south, and Seven Hills on the west. From Cabramatta to Picton on the south, and from Seven Hills to Emu Plains on the west, the rates remained unaltered at, 1st class, 3¼d., and 2nd class, 2d. per mile. From Picton to Goulburn, and from Emu Plains to Bathurst, the rates were also left unaltered at, 1st class, 3¾d., and 2nd class, 3d.; but from these points it was deemed unreasonable to charge such high rates, considering that the cost of the extensions beyond these stations was so much less than for the old lines. The rates therefore beyond Bathurst and Goulburn were reduced to, 1st class, 3d., and 2nd class, 2d. per mile, with a further allowance in the cases of fares for greater distances than 200 miles of 50 per cent. for every mile exceeding that number. A further revision of the passenger fares is now under consideration, with a view of being brought into operation on the 1st of January next.

(3.)

(3.) Site for Court-house, Bombala :—*Mr. J. Davies*, for Captain Onslow, asked the Secretary for Public Works,—

(1.) What was the price given for the block of land at Bombala purchased by the Government for the purpose of building a Court-house ?

(2.) What is the extent of the land, and from whom was it purchased ?

Mr. Fitzpatrick answered,—

(1.) £200.

(2.) One and a half acres, being lots Nos. 1, 2, and 20 of section 2, in the Town of Bombala. The land was purchased from Mr. John Murphy, M.P.

(4.) Railway Passenger Rates—Western and Northern Lines :—*Mr. Murphy*, for Mr. Thompson, asked the Secretary for Public Works :—The Rates per mile for 1st and 2nd class passengers,—

(1.) Between Sydney and Penrith ?

(2.) Between Penrith and Bathurst ?

(3.) Between Bathurst and Orange ?

(4.) Between Newcastle and Singleton ?

(5.) Between Singleton and Murrurundi ?

(6.) Between Murrurundi and Tamworth ?

Mr. Sutherland answered,—

(1, 2, and 3.) Sydney to Seven Hills—1st class, 1½d., and 2nd class, 1¼d. per mile ; Seven Hills to Emu Plains—1st class, 3½d., and 2nd class, 2d. per mile ; Emu Plains to Bathurst—1st class, 3½d., and 2nd class, 3d. per mile ; Bathurst to Orange—1st class, 3d., and 2nd class, 2d. per mile.

(4, 5, and 6.) Newcastle to West Maitland—1st class, 2½d., and 2nd class, 1¾d. per mile ; West Maitland to Singleton, 1st class, 3d., and 2nd class, 2d. per mile ; Singleton to Murrurundi, 1st class, 3½d., and 2nd class, 3d. per mile ; Murrurundi to Tamworth—1st class, 3d., and 2nd class, 2d. per mile ;—subject to a reduction in the case of all fares for greater distances than 200 miles of 50 per cent. on the rate per mile for every mile exceeding that number. For further information see my remarks in reply given this day to question No. (2.)

(5.) Salaries of District Court Judges :—*Mr. R. B. Smith* asked the Minister of Justice and Public Instruction,—Is it the intention of the Government to introduce during the present Session a Bill to increase the Salaries of the District Court Judges ?

Mr. Leary answered,—It is not their intention to do so during the present Session.

(6.) Post and Telegraph Office, Jerry's Plains :—*Mr. McElhone*, for Mr. W. C. Browne, asked the Secretary for Public Works,—When will tenders be invited for the erection of a Post and Telegraph Office at Jerry's Plains ?

Mr. Fitzpatrick answered,—Tenders cannot be invited till the question of the site is determined.

(7.) Court-house and Police Barracks, Jerry's Plains :—*Mr. McElhone*, for Mr. W. C. Browne, asked the Secretary for Public Works,—When will tenders be invited for the erection of Court-house and Police Barracks at Jerry's Plains ?

Mr. Fitzpatrick answered,—No arrangements have been made for a Court-house and Police Barracks at Jerry's Plains, but a plan for a Lock-up, and the usual accommodation for a constable, has been prepared.

(8.) Salaries of Professional Staff in the Department of Engineer-in-Chief for Railways :—*Mr. McElhone*, for Mr. W. C. Browne, asked the Secretary for Public Works,—Is it his intention to have the increases to the office professional staff of the Engineer-in-Chief for Railways, so often recommended by that officer, placed on the Estimates for 1879, as promised by the Colonial Secretary, acting for the Secretary for Works, on the 15th March last ?

Mr. Sutherland answered,—The intentions of the Government will be known when the Estimates are laid upon the Table, which I believe will be to-morrow.

(9.) Collopy's Volunteer Land Order :—*Mr. McElhone* asked the Colonial Secretary,—

(1.) Did a person named Collopy, lately deceased, serve as a Volunteer in the Engineer Corps of the Volunteer Force ?

(2.) If so, did he serve the necessary time to entitle him to receive a Volunteer Land Order ?

(3.) If he did so, will he give instructions to have the Volunteer Land Order which Collopy was entitled to handed to his widow, Mrs. Collopy, or the person who is legally entitled to it ?

Mr. Fitzpatrick answered,—

(1.) Yes.

(2.) At date of death he had five years efficient service, minus eighteen days.

(3.) His name will be included in the intended Bill to legalize the issue of Land Orders in certain cases.

(10.) Railway Rates from Wagga Wagga to Sydney :—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) Is it his intention to alter the rate on cattle from Wagga Wagga to Sydney ?

(2.) If so, when does he intend to make the alteration ?

(3.) Is he aware that the Victorian Government intend to take off the duty on stock from New South Wales, and to lower the railway charges, with a view of diverting the stock traffic from Sydney to Melbourne ?

Mr. Sutherland answered,—

(1 and 2.) As stated in reply to the Honorable Member's question on the same subject on the 27th ultimo, the rate for cattle has only recently been reduced, and the revision of the rates for the conveyance of live stock will come under consideration as soon as time will permit.

(3.) I am not aware of anything beyond what has appeared in the daily papers. Any action, however, that I may deem necessary to take will not be influenced by any consideration of the kind alluded to.

(11.)

- (11.) Gunnedah Commons :—Mr. McElhone asked the Secretary for Lands,—
 (1.) Has the Permanent Common at Gunnedah been withdrawn from lease ?
 (2.) Has the Temporary Common, Gunnedah, been withdrawn from lease ?
 (3.) If not, will he take immediate steps to withdraw them from lease ?
 Mr. Farnell answered,—The Permanent and Temporary Commons at Gunnedah being within the population boundary are not held under lease.
2. PAPERS :—
 Mr. W. H. Suttor laid upon the Table,—Regulations under the Mining Act of 1874 for cutting Water Races through leased lands.
 Ordered to be printed.
 Mr. Fitzpatrick laid upon the Table,—By-laws of Municipal District of Hay—Water Supply.
 Ordered to be printed.
3. ROADS IN BOROUGH OF WOOLLAHRA :—Sir John Robertson presented a Petition from Owners of Property and Residents in the Borough of Woollahra, complaining of the state of certain Roads ; and praying the House to take the subject into consideration.
 Petition received.
4. PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL :—Mr. J. Davies presented a Petition from George James Bernard Kenny and James Studds, Members of the Primitive Methodist Church, praying for leave to bring in a Bill to regulate the temporal affairs of Churches and Chapels of the Religious Society denominated Primitive Methodists.
 And Mr. Davies having produced copies of the *Government Gazette*, and the *Sydney Morning Herald*, newspaper, containing the Notices required by the 59th Standing Order,—
 Petition received.
5. RAILWAY REFRESHMENT ROOMS BILL :—The following Petitions, against the passing of this Bill, were presented by the Members named :—
 (1.) By Mr. Lynch, for Mr. Beyers. From Residents of Tambaroora.
 (2.) By Mr. Lucas. From the Chairman of the Congregational Union of New South Wales.
 Petitions received.
6. SYDNEY CORPORATION BILL :—Sir Henry Parkes presented a Petition from the Mayor and Aldermen of the Suburban Borough and Municipal District of Waverley, praying the House not to pass the Sydney Corporation Bill unless amended in certain respects.
 Petition received.
7. SUNDAY SALE OF INTOXICATING LIQUORS :—Mr. Bawden presented a Petition from Inhabitants of the Lower Clarence District, praying the House to take the necessary steps for vesting the granting and control of Publicans Licenses in the hands of Local Boards, and for the closing of Public-houses on Sundays.
 Petition received.
8. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motions*) :—
 (1.) Mr. Macintosh moved, pursuant to Notice, That the four Petitions presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (2.) Mr. R. B. Smith moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (3.) Mr. J. Davies, for Mr. Harris, moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (4.) Mr. Roseby moved, pursuant to Notice, That the two Petitions presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (5.) Mr. Dillon moved, pursuant to Notice, That the two Petitions presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (6.) Mr. Webb moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (7.) Mr. Farnell moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (8.) Mr. Hungerford moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (9.) Mr. J. Davies moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
 (10.) Mr. Greenwood moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.
 Question put and passed.
9. MESSRS. LAKEMAN AND ARMSTRONG (*Formal Motion*) :—Mr. Murphy, for Mr. Barbour, moved, pursuant to Notice, That the Petition presented by him on 25th October, from Allan Lakeman and Andrew Armstrong, be printed.
 Question put and passed.

10. MESSRS. HACKETT AND ARMSTRONG (*Formal Motion*):—*Mr. Murphy*, for *Mr. Barbour*, moved, pursuant to Notice, That the Petition presented by him on 25th October, from T. R. Hackett and Andrew Armstrong, be printed.
Question put and passed.
11. CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL (*Formal Motion*):—*Mr. W. Davies* moved, pursuant to Notice, That leave be given to bring in a Bill to incorporate the City of Goulburn Gas and Coke Company (Limited), and to enable the said City of Goulburn Gas and Coke Company (Limited) to construct Gas-works within the municipal boundaries and suburbs of the City of Goulburn.
Question put and passed.
12. SYDNEY INFIRMARY AND DISPENSARY BILL:—*Mr. Driver*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 18th October, 1878; together with a copy of the Bill as amended and agreed to by the Committee.
Ordered to be printed.
Mr. Driver then moved, That the Bill be read a second time on Friday, 15th November.
Question put and passed.
13. LAND SOLD AT NARRANDERA TO MESSRS. CLARK AND MACLEAY:—*Mr. McElhone* moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers referring to land sold at Narrandera to Messrs. Clark and Macleay, date 31st July, and Correspondence and Minutes respecting withdrawal of the request of the Darlington Point Free Selectors Association.
Debate ensued.
Question put and passed.
14. LAND AGENTS:—*Mr. McElhone* moved, pursuant to Notice, That, in the opinion of this House, no Land Agent should be allowed to hold any personal interview with the Minister for Lands, Heads of Departments, or Clerks in the Lands Office, on Land Agency business, as the greater part of their time is taken up by interviews with Land Agents; and that all business between Land Agents and the Minister and Heads of Departments and Clerks shall be by letter only.
Debate ensued.
Question put.
The House divided.

Ayes, 7.

Mr. Shepherd,
Mr. Cameron,
Mr. Driver,
Mr. Barbour,
Mr. Murphy,

Tellers.

Mr. McElhone,
Mr. Coonan.

Noes, 36.

<i>Mr. Farnell,</i>	<i>Mr. Clarke,</i>
<i>Mr. Cohen,</i>	<i>Mr. Terry,</i>
<i>Mr. Fitzpatrick,</i>	<i>Mr. W. Davies,</i>
<i>Mr. Burns,</i>	<i>Mr. Badgery,</i>
<i>Mr. Leary,</i>	<i>Mr. Bennett,</i>
<i>Sir John Robertson,</i>	<i>Mr. Greville,</i>
<i>Mr. Hungerford,</i>	<i>Mr. Roseby,</i>
<i>Mr. W. H. Suttor,</i>	<i>Mr. Simson,</i>
<i>Mr. Lackey,</i>	<i>Mr. Sutherland,</i>
<i>Mr. Lucas,</i>	<i>Mr. Macintosh,</i>
<i>Mr. Johnston,</i>	<i>Mr. Greenwood,</i>
<i>Sir Henry Parkes,</i>	<i>Mr. Bowman,</i>
<i>Mr. Webb,</i>	<i>Mr. Taylor,</i>
<i>Mr. Lynch,</i>	<i>Mr. J. Davies,</i>
<i>Mr. Teece,</i>	<i>Captain Onslow,</i>
<i>Mr. Day,</i>	<i>Tellers.</i>
<i>Mr. Charles,</i>	
<i>Mr. McCulloch,</i>	<i>Mr. T. R. Smith,</i>
<i>Mr. Copeland,</i>	<i>Mr. Gray.</i>

And so it passed in the negative.

15. SILK CULTURE:—*Mr. Gray* moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Orders, Minutes, Petitions, and other Documents with reference to the reservation and leasing or granting of land for Sericulture at the Tweed River; and also all Reports with reference to land occupied, and said to have been improved, by *Mr. Charles Brady* in the same locality.
Debate ensued.
Motion, by leave, withdrawn.
16. CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL:—*Mr. W. Davies* having presented this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to incorporate the City of Goulburn Gas and Coke Company (Limited) and to enable the said City of Goulburn Gas and Coke Company (Limited) to construct Gas-works within the municipal boundaries and suburbs of the City of Goulburn,*"—read a first time.
17. MINISTERIAL OFFICES:—*Sir Henry Parkes* moved, pursuant to Notice,—
(1.) That whereas the Legislative Assembly, on the 24th June, 1863, resolved as follows:—"That, in the opinion of this House, it is not desirable that any of Her Majesty's Ministers in this Colony should be a Director or Manager of any private Banking, Insurance, or Loan Company whatsoever"; and whereas the rule thus affirmed has been latterly disregarded, this House reaffirms and adopts the Resolution as herein recited.
(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
Debate ensued.

Captain

Captain Onslow moved, That the Question be amended by the addition, at the end of the 1st Resolution, of the words " unless holding such position at the time of his accepting office."

Question proposed, That the words proposed to be added be there added.

Debate continued.

Question,—That the words proposed to be added be there added,—put and negatived.

Original Question put.

The House divided.

Ayes, 12.

Mr. Baker,
Mr. McElhone,
Mr. Barbour,
Sir Henry Parkes,
Mr. Tecece,
Mr. Terry,
Mr. Harris,
Mr. Greenwood,
Mr. Driver,
Mr. J. Davies,

Tellers.

Mr. McCulloch,
Mr. W. Davies.

Noes, 30.

Mr. Farnell,	Mr. Clarke,
Mr. Sutherland,	Mr. Watson,
Sir John Robertson,	Mr. Macintosh,
Mr. Burnas,	Mr. Dillon,
Mr. Gray,	Mr. Lackey,
Mr. Leary,	Mr. Simson,
Mr. W. H. Suttor,	Mr. Eckford,
Mr. Hungerford,	Mr. Cohen,
Mr. Murphy,	Mr. Johnston,
Mr. Webb,	Mr. T. R. Smith,
Mr. Lynch,	Mr. Fitzpatrick,
Mr. Greville,	Mr. Cameron,
Mr. R. B. Smith,	
Mr. Coonan,	Tellers.
Mr. Badgery,	Mr. Roseby,
Mr. Bennett,	Mr. Bawden.

And so it passed in the negative.

18. SYDNEY TRAMWAY AND OMNIBUS COMPANY (LIMITED) BILL:—Mr. Driver moved, pursuant to Notice, That the Order of the Day for the second reading of the Sydney Tramway and Omnibus Company (Limited) Bill, which lapsed by reason of the House being counted out on Friday, the 18th October, be restored to the Paper, and stand an Order of the Day for Friday, the 15th November.

Question put and passed.

19. PRESS BILL:—Mr. W. Davies presented a Bill, intituled "*A Bill to amend and consolidate the Laws relating to Newspapers and other periodical publications*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday, 22nd November.

20. RAILWAY REFRESHMENT ROOMS BILL:—

(1.) Mr. Driver, for Mr. Pilcher, moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.

Question put and passed.

(2.) Mr. Gray, for Mr. Lynch, moved, pursuant to Notice, That the Petition presented by him on 25th October, against the Railway Refreshment Rooms Bill, be printed.

Question put and passed.

The House adjourned at Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 26.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 30 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Salaries of District Court Judges :—Mr. R. B. Smith asked the Minister of Justice and Public Instruction,—Is it the intention of the Government to make provision on the Estimates for the increase of the Salaries of the District Court Judges ?

Mr. Leary answered,—It is not their intention.

- (2.) Post and Telegraph Offices, Dungog and Clarence Town :—Mr. Johnston asked the Secretary for Public Works,—When will tenders be invited for the erection of Post and Telegraph Offices at Dungog and Clarence Town ?

Mr. Burns answered,—Plans for these buildings are now being prepared, and tenders for their erection will be invited in about a month's time.

- (3.) Bridge over Myall River, at Bulahdelah :—Mr. Johnston asked the Secretary for Public Works,—Has an application been made for a sum of money to erect a Bridge over the Myall River, at Bulahdelah ; if so, is it the intention of the Government to place a sum on the Estimates for 1879 to cover the cost of such a structure ?

Mr. Burns answered,—Applications to this effect have been received ; but the Member for the district has been informed on two occasions that the existence of a ferry and the small traffic did not warrant so large an expenditure as would be required to bridge this river.

- (4.) Bridge over Gloucester River :—Mr. Johnston asked the Secretary for Public Works,—Has an application been made for a sum of money to erect a Bridge over the Gloucester River ; if so, is it the intention of the Government to place a sum on the Estimates for 1879 to cover the cost of such a structure ?

Mr. Burns answered,—The matter is now under consideration, and the papers are at present with the local road officer for some further particulars which are required before a decision can be arrived at.

- (5.) Bridge over Barrington River :—Mr. Johnston asked the Secretary for Public Works,—Has an application been made for a sum of money to erect a Bridge over the Barrington River ; if so, is it the intention of the Government to place a sum on the Estimates for 1879 to cover the cost of such a structure ?

Mr. Burns answered,—Application has been made, but no decision has yet been arrived at as to the necessity for such a Bridge.

- (6.) Post and Telegraph Office, Waratah :—Mr. Hungerford asked the Postmaster General,—

- (1.) Has the site for the Post and Telegraph Office at Waratah been decided on ; if so, what site ?
(2.) When will the building be proceeded with ?

Mr. Burns answered,—A site has been selected for the Post and Telegraph Office at Waratah, on part of the Commonage Reserve at the corner of Turton Road and Station-street. It is probable that tenders will be invited for the erection of the offices in about six weeks from this time.

2. RAILWAY REFRESHMENT ROOMS BILL :—The following Petitions, against the passing of this Bill, were presented by the Members named :—

- (1.) By Mr. Wisdom. From Residents of Hinton, Morpeth, and surrounding Districts.
(2.) By Mr. Clarke. From Inhabitants of Bega.

Petitions received.

3. PAPER :—Mr. Burns laid upon the Table,—Further Paper respecting the Duplication of the Telegraph Lines between Australasia and Europe.
Ordered to be printed.
4. SITE FOR COURT-HOUSE, BOMBALA (*Formal Motion*) :—Mr. Murphy moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers and Correspondence with respect to the purchase of a site for Court-house, Bombala.
Question put and passed.
5. ROADS IN BOROUGH OF WOOLLAHRA (*Formal Motion*) :—Sir John Robertson moved, pursuant to Notice, That the Petition presented by him on 29th October, relative to the state of certain Roads in the Borough of Woollahra, be printed.
Question put and passed.
6. PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL (*Formal Motion*) :—Mr. J. Davies moved, pursuant to Notice, for leave to bring in a Bill to regulate the temporal affairs of Churches and Chapels of the Religious Society denominated Primitive Methodists.
Question put and passed.
7. SYDNEY CORPORATION BILL (*Formal Motion*) :—Sir Henry Parkes moved, pursuant to Notice, That the Petition presented by him on 29th October, relative to the Sydney Corporation Bill, be printed.
Question put and passed.
8. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motion*) :—Mr. Cameron, for Mr. Lucas, moved, pursuant to Notice, That the Petition presented by him on 29th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
9. SUNDAY SALE OF INTOXICATING LIQUORS (*Formal Motion*) :—Mr. Bawden moved, pursuant to Notice, That the Petition presented by him on 29th October, relative to the Licensing System and closing of Public-houses on Sundays, be printed.
Question put and passed.
10. ADJOURNMENT :—Sir John Robertson moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
11. ESTIMATES OF EXPENDITURE FOR 1879, AND SUPPLEMENTARY ESTIMATES FOR 1878 AND PREVIOUS YEARS :—The following Message from His Excellency the Governor was delivered by Mr. Cohen, and read by Mr. Speaker :—
HERCULES ROBINSON, *Message No 11.*
Governor.
In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends to the consideration of the Legislative Assembly the accompanying Estimates of the Expenditure of the Government of New South Wales for the Year 1879, together with Supplementary Estimates for the Year 1878 and previous Years.
Government House,
Sydney, 30th October, 1878.
Ordered to be printed, together with the accompanying Estimates.
12. PAPER :—Mr. Cohen laid upon the Table,—Schedule to the Estimates-in-Chief for 1879, showing the total remuneration received by all Public Officers who hold more than one office, or who have any special Allowance, Quarters, Fuel, or Light, in addition to their fixed annual Salaries.
Ordered to be printed.
13. PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL :—Mr. J. Davies having *presented* this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to regulate the temporal affairs of Churches and Chapels of the Religious Society denominated Primitive Methodists,*"—read a first time.
14. PARLIAMENTARY POWERS AND PRIVILEGES BILL :—The Order of the Day having been read,—Mr. Farnell moved, "That" this Bill be now read a third time.
Mr. Greenwood moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Bill be recommitted for the purpose of reconsidering the Preamble and clauses 3 and 5."
Question proposed, That the words proposed to be omitted stand part of the Question.
Debate ensued.
Question,—That the words proposed to be omitted stand part of the Question,—put and passed.
Original Question,—That this Bill be now read a third time,—put and passed.
Bill read a third time,—and, on motion of Mr. Farnell, *passed.*
Mr. Farnell then moved, That the Title of the Bill be "*An Act to provide for the Privileges of Parliament.*"
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to provide for the Privileges of Parliament,*"—presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 30th October, 1878.

15. **DUPLICATION OF THE PORT DARWIN TELEGRAPH CABLE:**—The Order of the Day having been read,—on motion of Mr. Burns, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the following Resolution, viz. :—

That this House approves of the following Agreement for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, as agreed upon by the Representatives of the Colonies of New South Wales, Victoria, New Zealand, and South Australia, and empowers the Government to enter into a contract, in conjunction with the other Governments named, on the terms therein stated, for the purpose of carrying out this undertaking :—

Memorandum of Agreement between the Governments of New South Wales and Victoria, on behalf of the Australasian Colonies and New Zealand (hereinafter called the Governments), on the one part, and the Eastern Extension Australasia and China Telegraph Company, Limited (hereinafter called the Company), on the other.

1. That the Company shall, subject to the approval of the shareholders, contract with the Governments for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, for an annual subsidy of £32,400.

2. That such subsidy shall be payable for a period of twenty years, subject to the provisions hereinafter contained.

3. That the Company shall throughout the whole of the period during which such subsidy shall be payable maintain in full working order, *force majeure* excepted, such second cable, and also its present lines of cable between Singapore and Batavia, and Banjoewangie and Port Darwin.

4. That the Company shall before such subsidy shall become payable lay a second cable between Singapore and Penang, and thereafter shall, in like manner, maintain the same, *force majeure* excepted, and its present lines of cable between Singapore and Penang, Penang and Madras, Penang and Rangoon, in full working order.

5. That the Company shall, in consideration of the subsidy herein agreed to be paid, and whilst that subsidy is payable, allow a rebate on Government messages, hereinafter defined, exchanged between England and Port Darwin, reducing their own proportion of the charge to the extent of 50 per cent. upon the present rate; and on press messages exchanged between England and Port Darwin, as hereinafter defined, will reduce their own proportion of the charge to the extent of 75 per cent. upon the present rate: Provided that such reduction shall not be extended to any Colony other than such as may contribute towards the subsidy.

6. That the Government shall have the right during the currency of the subsidy aforesaid to purchase the Company's cable lines and other property between Singapore and Port Darwin on equitable terms, to be fixed, in case of difference, by arbitration; twelve months previous notice to be given to the Company of the intention to exercise this right: Provided always that the right shall not be exercisable till the Company shall for five years have paid a dividend equal to 10 per cent.

7. That the Company shall complete and open for communication the second cables above-mentioned between Singapore and Port Darwin and Singapore and Penang within eight months from the date of the signing of the contract: Provided always that the Company shall not be held liable for any loss or damage which the Colonies may sustain in consequence of delay in completing the said cables, in the event of such delay being caused by war, inevitable accident, or other contingency over which the Company can have no control.

8. That in the event of the Company completing and having the duplicate cable above-mentioned open for communication within the period herein contracted for, the subsidy payable by the Government shall commence and accrue four months after the signing of the contract; but the Company shall not be entitled to any payment under this clause until the said cables shall have been actually completed and are open for communication as above stated.

9. That the said subsidy shall be payable quarterly in London to the Company in sterling money, free of all deductions.

10. That in the event of any total interruption in the communication between Port Darwin and Singapore the subsidy shall cease *pro rata* for the period of such interruption: Provided that if the interruption be caused by reason of war or any such like cause the subsidy shall continue, but the Company shall be bound to restore such communication at the request and cost of the Governments so soon as the war or other contingencies shall have terminated.

11. The Company shall at all times hereafter give priority in transmission through the said cable to all Government messages; being such as are exchanged between Her Majesty's Principal Secretary of State for the Colonies or the various Agents-General on the one hand, and the Governors or Chief Secretaries of the various Colonial Governments on the other, on matters relating to the administration of the Governments.

12. Press messages must be addressed to registered newspapers only, and shall be for *bona fide* publication in full. They must be in English, in plain language, and intelligible; no cypher, code, groups of figures or of letters, or words of concealed meaning to be used.

And the Committee continuing to sit till after midnight,—

THURSDAY, 31 OCTOBER, 1878, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at twenty minutes before One o'clock A.M., until Four o'clock P.M. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 27.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 31 OCTOBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

(1.) Savings Bank :—*Mr. J. Davies*, for Captain Onslow, asked the Colonial Treasurer,—

- (1.) What are the names of the Trustees and Auditors of the Savings Bank, and the dates of their appointments?
- (2.) Are any of the Trustees or Auditors of the Savings Bank Directors or Auditors of any other Bank or Banks?
- (3.) If so, what are their names, and with what Banks are they connected?
- (4.) Has any money of the Savings Bank been lent on fixed deposit, or otherwise, to other Banks?
- (5.) What sum of money is there in the Savings Bank for investment?

Mr. Cohen answered,—As the information sought for would be too lengthy to give in the form of an answer, I will to-morrow lay a Return upon the Table giving the particulars asked for.

(2.) Travelling Stock Reserves :—*Mr. McElhone* asked the Secretary for Lands,—

- (1.) Have any steps been taken to have the Travelling Stock Reserves opened from Boggabri to Coolah, *via* Gullendaddy, Bando, Bomera, Binnia Plains, &c.?
- (2.) Is he aware that *Mr. McMaster* has a large Travelling Stock Reserve fenced in at Binnia; and will he give instructions to have fences removed off this Reserve, and the Reserve opened to the public?
- (3.) Is he aware that the Water Reserve at Miller's Creek is still fenced in; and will he give immediate instructions to have all the fencing removed off this Reserve?

Mr. Farnell answered,—

- (1.) The Reserves from Sale for Travelling Stock have been gazetted, and are Nos. 909, 910, 976, 978, 668, and 429. The question of withdrawing from pastoral lease Reserve No. 668, from Bomera Creek to Coolah, is now under consideration.
- (2.) A small portion of *Mr. McMaster's* fence, to the west of Reserve No. 175, is within the Travelling Stock Reserve; but I am not aware that the public are debarred access to the creek, or that stock are obstructed in their passage by the erection.
- (3.) Yes; instructions have been issued to have the fencing removed.

(3.) Messrs. Kidman and Son :—*Mr. McElhone* asked the Colonial Treasurer,—

- (1.) Has *Mr. Kidman*, or *Kidman & Son*, during the week sent in an account for supplies to one of the immigrant ships in harbour?
- (2.) What are the articles supplied, and the prices?
- (3.) Under the circumstances, is it the intention of the Government to pay such account?

Mr. Cohen answered,—

- (1.) Yes; an account was rendered by *Mr. James Kidman* for supplies to the immigrant ship "Smyrna" while in Quarantine.
- (2.) The articles supplied and the prices are contained on a list which I will lay upon the Table.
- (3.) The account was paid on the 28th instant.

(4.) Clerks in Auction Branch, Department of Lands :—*Mr. Bennett* asked the Secretary for Lands,—

- (1.) Has he within the last three months received any complaint from *Mr. W. C. Edwards*, or any other officer of the Auction Sales Branch of the Lands Department, with reference to any of the clerks in that branch being continuously absent from duty on special visits to the French Café, George-street, Sydney, between the hours of 9 a.m. and 4 p.m. daily?
- (2.) If so, when was such complaint made, and the name of the clerk complained of, and by whom was such complaint made?

Mr. Farnell answered,—No such complaint has ever been made.

(5.)

(5.) Alexander Donaldson's Conditional Purchase, Tamworth :—Mr. Bennett asked the Secretary for Lands,—

- (1.) Did a person named Alexander Donaldson take up, under the 13th section of the Lands Act of 1861, 320 acres, more or less, at Tamworth, on the 28th January, 1875?
- (2.) Was the land improved previously; if so, what was the value and nature of such improvements?
- (3.) Was Inspector Geary instructed to report upon the value of the said improvements; if so when, and what was the nature of his report, and date when forwarded to the Department?
- (4.) Has the said land been allowed to Alexander Donaldson; if not, what are the reasons assigned for not allowing the same?
- (5.) Who has possession of the said land now, and under what conditions?

Mr. Farnell answered,—

- (1.) Alexander Donaldson took a selection of 168 acres on the day mentioned.
- (2.) The land was reported by the surveyor as unimproved.
- (3.) Mr. Geary was instructed to report on 12th July, 1876; and the instruction was carried out by Mr. O'Hara on 15th July last.
- (4.) The selection was declared lapsed on 10th October, 1878, owing to the non-receipt of final declaration from the applicant.
- (5.) The selection has, under the Act of 1875, reverted to the former lessee.

(6.) Alfred Wood's Conditional Purchase, Bullewa Creek :—Mr. J. Davies, for Mr. Dangar, asked the Secretary for Lands,—When is it intended to refund the sum of £20, amount paid by Alfred Wood, of Narrabri, on a selection taken up at Narrabri, Bullewa Creek, 80 acres, on 23rd August, 1877, selection declared void, being already secured by one Mark Davis?

Mr. Farnell answered,—An order was sent to the selector, care of A. H. East, Narrabri, for refund of his deposit, under date 18th February, 1878.

(7.) Trust Moneys.—Loan Funds :—Mr. Greenwood asked the Colonial Treasurer,—

- (1.) What was the amount of Trust Moneys held by the Government on the 30th of last September?
- (2.) On what portion of such Trust Moneys was interest payable by the Government, and at what rate?
- (3.) Where were these moneys deposited, and what rate of interest was the Government receiving for them?
- (4.) What was the total amount of unexpended balances to the credit of Loan Funds at the same date; where were these balances deposited; and what interest on account of them was the Government receiving?

Mr. Cohen answered,—

- (1.) £1,042,975 17s. 1d., of which £574,348 13s. 2d. is invested in Government securities.
- (2.) No interest is allowed on the uninvested balances of Trust Fund Accounts, except in the case of the Government Savings Bank, on which the uninvested balance at 30th September was £89,312 16s. 3d.
- (3.) The uninvested balances of Trust Funds are lent upon special deposit to the Banks at 4 per cent. interest.
- (4.) £486,408 5s. 4d. Of this sum £125,000 is lent upon special deposit to the Banks at 4 per cent., and the balance bears interest at 3 per cent. per annum on the daily balance.

(8.) Clerk of Petty Sessions, Brewarrina :—Mr. Cameron for Mr. Wisdom asked the Minister of Justice and Public Instruction,—

- (1.) Has he received a petition from the inhabitants of Brewarrina, praying that a Clerk of Petty Sessions may be appointed for that place?
- (2.) If so, what steps (if any) have been taken in the matter?

Mr. Leary answered,—

- (1.) Yes.
- (2.) The sum of £175 has been placed upon the Estimates for a Clerk of Petty Sessions at Brewarrina.

(9.) Fees to District Court Bailiffs :—Mr. Murphy asked the Minister of Justice and Public Instruction,—

- (1.) Is he aware of the large amount allowed to District Court Bailiffs for service of summons, viz., 2s. per mile?
- (2.) Will the Minister take the case into consideration, and see if the fees cannot be reduced?

Mr. Leary answered,—

- (1.) Yes.
- (2.) Yes, the necessary steps are now being taken for that purpose.

(10.) Hyde Park :—Mr. J. Davies asked the Secretary for Lands,—

- (1.) What is the cause of the delay in the erection of a dwarf wall and iron railing round Hyde Park and the widening of Elizabeth and Liverpool Streets?
- (2.) Will the Government cause some immediate action to be taken in reference to this matter?

Mr. Farnell answered,—

- (1.) The delay is occasioned pending a decision on an application to the Government by the Municipal Corporation to set back the railing in Elizabeth-street so as to widen the footpath. The decision has not yet been given, in consequence, I believe, of legal difficulties.
- (2.) The matter is one resting between the Trustees of the Park and the City Corporation.

(11.) Road from Jacob and Joseph Creek to Quirindi :—Mr. Bennett asked the Secretary for Lands,—

- (1.) On whose application has the old line of road from Jacob and Joseph Creek to Quirindi been closed?
- (2.) On whose authority (if any), and when, did the proclamation to close such road appear in the *Government Gazette*?
- (3.) How many years had the old road referred to above been in use previously to being closed?

Mr.

Mr. W. H. Suttor answered,—

(1.) A deviation in part of the road from Quirindi to Jacob and Joseph Creek, through E. Underwood's land, in lieu of a reserved road, was made on the application of Mr. E. Underwood.

(2.) On the authority of Executive Council the road was proclaimed on the 25th January, 1878, and confirmed on the 28th May, 1878.

(3.) It is not known.

(12.) *Mr. John Garsed*:—*Mr. Hurley (Hartley)* asked the Secretary for Lands,—

(1.) Is he in receipt of a letter from John Garsed, dated 25th October, in which he asks for an investigation by Crown Law Officers?

(2.) Has he laid that letter before such officers, or is it his intention to do so?

(3.) If not, on what grounds does he refuse?

Mr. Farnell answered,—No such letter on the subject referred to has been received from *Mr. Garsed*.

2. PAPERS.—

Mr. Cohen laid upon the Table,—List of Articles supplied by *Mr. James Kidman* to the Immigrant Ship "Smyrna," and prices of same (while in Quarantine).
Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—Annual Report of the Comptroller-General of Prisons, for 1877.
Ordered to be printed.

3. VOLUNTEER LAND ORDERS (*Formal Motion*):—*Mr. Fitzpatrick* moved, pursuant to Notice, That leave be given to bring in a Bill to authorize the issue in certain specified cases of certificates to members of the Volunteer Force entitling them to grants of land under the Act 31 Victoria No. 5.
Question put and passed.

4. TONNAGE RATES AND PUBLIC WHARFS AMENDMENT BILL (*Formal Order of the Day*),—on motion of *Mr. Cohen*, read a third time, and passed.

Mr. Cohen then moved, That the Title of the Bill be "*An Act to further amend the Law relating to Public Wharfs and rates payable thereat.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to further amend the Law relating to Public Wharfs and the rates payable thereat,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 31st October, 1878.

5. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motions*):—

(1.) *Mr. Cameron*, for *Mr. Wisdom*, moved, pursuant to Notice, That the Petition presented by him on 30th October, against the passing of the Railway Refreshment Rooms Bill, be printed.
Question put and passed.

(2.) *Mr. J. Davies*, for *Mr. Clarke*, moved, pursuant to Notice, That the Petition presented by him on 30th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.

6. CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL (*Formal Motion*):—*Mr. W. Davies* moved, pursuant to Notice,—

(1.) That the City of Goulburn Gas and Coke Company's Incorporation Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.

(2.) That such Committee consist of *Mr. Farnell*, *Mr. Day*, *Mr. Barbour*, *Mr. Lynch*, *Mr. Beyers*, *Mr. Bennett*, *Mr. Taylor*, *Mr. Teece*, and the Mover.

Question put and passed.

7. DUPLICATION OF THE PORT DARWIN TELEGRAPH CABLE:—The Order of the Day having been read,—*Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the following Resolution:—

That this House approves of the following Agreement for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, as agreed upon by the Representatives of the Colonies of New South Wales, Victoria, New Zealand, and South Australia, and empowers the Government to enter into a contract, in conjunction with the other Governments named, on the terms therein stated, for the purpose of carrying out this undertaking:—

Memorandum of Agreement between the Governments of New South Wales and Victoria, on behalf of the Australasian Colonies and New Zealand (hereinafter called the Governments), on the one part, and the Eastern Extension Australasia and China Telegraph Company, Limited (hereinafter called the Company), on the other.

1. That the Company shall, subject to the approval of the shareholders, contract with the Governments for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, for an annual subsidy of £32,400.

2. That such subsidy shall be payable for a period of twenty years, subject to the provisions hereinafter contained.

3. That the Company shall throughout the whole of the period during which such subsidy shall be payable maintain in full working order, *force majeure* excepted, such second cable, and also its present lines of cable between Singapore and Batavia, and Banjoewangie and Port Darwin.

4. That the Company shall before such subsidy shall become payable lay a second cable between Singapore and Penang, and thereafter shall, in like manner, maintain the same, *force majeure* excepted, and its present lines of cable between Singapore and Penang, Penang and Madras, Penang and Rangoon, in full working order.

5.

5. That the Company shall, in consideration of the subsidy herein agreed to be paid, and whilst that subsidy is payable, allow a rebate on Government messages, hereinafter defined, exchanged between England and Port Darwin, reducing their own proportion of the charge to the extent of 50 per cent. upon the present rate; and on press messages exchanged between England and Port Darwin, as hereinafter defined, will reduce their own proportion of the charge to the extent of 75 per cent. upon the present rate: Provided that such reduction shall not be extended to any Colony other than such as may contribute towards the subsidy.

6. That the Government shall have the right during the currency of the subsidy aforesaid to purchase the Company's cable lines and other property between Singapore and Port Darwin on equitable terms, to be fixed, in case of difference, by arbitration; twelve months previous notice to be given to the Company of the intention to exercise this right: Provided always that the right shall not be exercisable till the Company shall for five years have paid a dividend equal to 10 per cent.

7. That the Company shall complete and open for communication the second cables above-mentioned between Singapore and Port Darwin and Singapore and Penang within eight months from the date of the signing of the contract: Provided always that the Company shall not be held liable for any loss or damage which the Colonies may sustain in consequence of delay in completing the said cables, in the event of such delay being caused by war, inevitable accident, or other contingency over which the Company can have no control.

8. That in the event of the Company completing and having the duplicate cable above-mentioned open for communication within the period herein contracted for, the subsidy payable by the Government shall commence and accrue four months after the signing of the contract; but the Company shall not be entitled to any payment under this clause until the said cables shall have been actually completed and are open for communication as above stated.

9. That the said subsidy shall be payable quarterly in London to the Company in sterling money, free of all deductions.

10. That in the event of any total interruption in the communication between Port Darwin and Singapore the subsidy shall cease *pro rata* for the period of such interruption: Provided that if the interruption be caused by reason of war or any such-like cause the subsidy shall continue, but the Company shall be bound to restore such communication at the request and cost of the Governments so soon as the war or other contingencies shall have terminated.

11. The Company shall at all times hereafter give priority in transmission through the said cable to all Government messages; being such as are exchanged between Her Majesty's Principal Secretary of State for the Colonies or the various Agents-General on the one hand, and the Governors or Chief Secretaries of the various Colonial Governments on the other, on matters relating to the administration of the Governments.

12. Press messages must be addressed to registered newspapers only, and shall be for *bonâ fide* publication in full. They must be in English, in plain language, and intelligible; no cypher, code, groups of figures or of letters, or words of concealed meaning to be used.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 1 NOVEMBER, 1878, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, that the reception of the Resolution stand an Order of the Day for Wednesday next.

The House adjourned at ten minutes before Two o'clock A.M., until Four o'clock P.M. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 28.

VOTES AND PROCEEDINGS,

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 1 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Camping Places for Teams:—Mr. Teece asked the Secretary for Lands,—

(1.) Have the Government had under consideration the advisability of reserving small portions of land within a mile or two of the various towns of the Colony as encamping places for teams?

(2.) Are the Government aware that a portion of land conveniently situated for an encamping ground has recently been fenced in at the crossing over the Wollondilly, on the Goulburn and Wheeo Road?

(3.) Has the fencing in of the land referred to been authorized; and if so, for what reason, on what terms, and under what conditions?

Mr. Farnell answered,—

(1.) Yes.

(2.) A Reserve, No. 39, at the crossing over the Wollondilly, on the Goulburn and Wheeo Road was notified on the 1st July, 1875, 80 acres of which had been selected by William Armstrong on the 11th March, 1875.

(3.) The fencing in of any portion of the Reserve outside the selection is unauthorized.

(2.) Pucka Widgee Run:—Mr. Barbour asked the Secretary for Lands,—

(1.) Did one James O'Dwyer select land at Deniliquin in 1876, in the Parish of Moonbria, Pucka Widgee Run?

(2.) Was survey of his selection made in accordance with application by L. S. Rigaut, who reported selection of such land was barred by improvements?

(3.) Did the lessee of Pucka Widgee Run, in December, 1877, apply for such land in virtue of improvements?

(4.) Was O'Dwyer's selection declared void without reference to Survey Department; if so, will the question of reversing the voidance of O'Dwyer's selection receive his early attention?

Mr. Farnell answered,—

(1.) William O'Dwyer did.

(2.) Yes.

(3.) He applied in September, 1876.

(4.) Yes; the matter did not appear to be one requiring reference to the Survey Department.

(3.) Forfeited Conditional Purchases, Parishes of Barratta and Bannangalite:—Mr. Barbour asked the Secretary for Lands,—

(1.) Is it a fact that four portions of land notified at page 4205, *Gazette* No. 326, of 18th October, 1878, surveyed portions Nos. 12, 13, and 14, Parish of Barratta, and 5, Parish of Bannangalite, each containing 320 acres, as open to purchase under the 2nd clause of the amending Act of 1875, are forfeited conditional purchases, improved whilst such conditional purchases, and now claimed under the second clause of the amending Act by the lessee?

(2.) If so, will he withdraw the land from sale under the 2nd clause, and place the same for auction sale with the amount of the improvements added to the upset price?

Mr. Farnell answered,—

(1.) The portions in the Parish of Barratta were measured under applications in virtue of improvements made in 1872; they do not appear to have been previously conditionally purchased. The portion in the Parish of Bannangalite was conditionally selected in 1873, and cancelled at the request of the selector. In 1874 it was applied for in virtue of improvements by H. Ricketson. There is no evidence that the selector previously improved the portion.

(2.) It is not intended to withdraw these lands from sale under the improvement clause.

(4.)

- (4.) Purchase of Land under 2nd clause of Land Act of 1875 :—Mr. Barbour asked the Secretary for Lands,—
- (1.) Is it a fact that in *Gazette* No. 326, of 18th October, 1878, certain persons therein named are permitted to purchase about 15,000 acres of Crown Lands under the 2nd clause of the amending Land Act 1875?
 - (2.) Is he aware that those persons are permitted to purchase at £1 per acre the very pick of the public estate, when the minimum upset price of lands sold at auction is 25s. per acre?
 - (3.) Will he withdraw for the present such lands from purchase, and cause a re-appraisement to be made upon the minimum standard of auction value, viz., 25s. per acre?
- Mr. Farnell answered,—
- (1.) Yes.
 - (2.) Yes; £1 per acre being the price determined by appraisement.
 - (3.) The price having been fixed in the manner prescribed by law, I have no power to order a re-appraisement.
- (5.) Distillation Law :—Mr. Bawden asked the Colonial Treasurer,—Is it the intention of the Government to introduce during the present Session a Bill to amend the Distillation Law?
- Mr. Cohen answered,—There is a Bill for this object under consideration. If the state of the public business will permit, I will introduce it this Session.
- (6.) Bridges at Merriwa and Collaroy :—Mr. McElhone asked the Secretary for Public Works,—
- (1.) Have the contracts been yet taken for the erection of Bridges at Merriwa and Collaroy?
 - (2.) If so, what is the amount of the accepted tender for each Bridge?
 - (3.) Are the tenders for the Bridges in each case over the amounts voted by this House?
 - (4.) If so, will he provide on the Supplementary Estimates for a sufficient sum of money to erect these Bridges?
- Mr. Fitzpatrick answered,—
- (1.) No; fresh tenders have been invited, to be opened on the 19th instant.
 - (2.) See above.
 - (3.) Yes.
 - (4.) Yes, if found necessary.
- (7.) Site for Watch-house, Rocky Point Road :—Mr. Cameron, for Mr. Lucas, asked the Colonial Secretary,—When will the purchase of a portion of land for the site of a Watch-house on the Rocky Point Road, from Michael Donelan, be completed?
- Mr. Fitzpatrick answered,—I cannot say precisely. Donelan does not possess the area of land which he agreed to sell. A further valuation has become necessary, and is now being proceeded with.
2. SYDNEY CORPORATION BILL :—Mr. Macintosh presented a Petition from the Mayor, Aldermen, and Citizens of Sydney, praying that the clause in the Sydney Corporation Bill which provides for the election of the Mayor by the Citizens may be reconsidered.
Petition received.
3. REDMOND'S ESTATE BILL :—Mr. Windeyer, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 8th October, 1878; together with a copy of the Bill as agreed to by the Committee.
Ordered to be printed.
Mr. Windeyer then moved, That the Bill be read a second time on Friday, 22nd November.
Question put and passed.
4. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motion*) :—Mr. Beyers moved, pursuant to Notice, That the Petition presented by him on 29th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
5. TOWN CLOCK FOR TOWN HALL, DENILIQUIN (*Formal Motion*) :—Mr. Barbour moved, pursuant to Notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1879 a sum not exceeding £300 for the supply and erection of a Town Clock for the new Town Hall of Deniliquin.
Question put and negatived.
6. PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL (*Formal Motion*) :—Mr. Roseby, for Mr. J. Davies, moved, pursuant to Notice,—
- (1.) That the Primitive Methodist Church Temporalities Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Roseby, Mr. Dillon, Mr. Harris, Mr. W. Davies, Mr. Lackey, Mr. Teece, Mr. Greenwood, Mr. Eckford, Mr. Macintosh, and the Mover.
- Question put and passed.
7. SUPPLY (*Formal Motion*) :—Mr. Cohen moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into the Committee of Supply; and that the Message of His Excellency the Governor, No. 11, be referred to the Committee.
Question put and passed.
8. WAYS AND MEANS (*Formal Motion*) :—Mr. Cohen moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into the Committee of Ways and Means.
Question put and passed.
9. MARRIED WOMEN'S RELIEF BILL :—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.

On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Windeyer, the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

10. COPYRIGHT BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to secure to Proprietors of Works of Literature and Fine Art, and to Proprietors of Designs for Articles and Works of Manufacture and Art, the Copyright of such Works and Designs for a limited period; and to consider an Address to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to secure to Proprietors of Works of Literature and Fine Art, and to Proprietors of Designs for Articles and Works of Manufacture and Art, the Copyright of such Works and Designs for a limited period; and that an Address be presented to the Governor, praying that His Excellency will be pleased to recommend by Message that provision be made for carrying out the objects of the said Bill.

On motion of Mr. Windeyer, the Resolution was read a second time, and agreed to.

(2.) Mr. Windeyer presented a Bill, intituled "*A Bill to secure to Proprietors of Works of Literature and Fine Art and to Proprietors of Designs for Articles and Works of Manufacture and Art the Copyright of such Works and Designs for a limited period*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday, 22nd November.

11. POSTPONEMENT:—The Order of the Day for the third reading of the Bankers Books Evidence Bill postponed until Friday, 15th November.

12. CONNECTION OF GREAT NORTHERN RAILWAY WITH SYDNEY:—The Order of the Day having been read,—on motion of Mr. Badgery, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause the necessary steps to be taken to connect the Great Northern Railway with Sydney.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That an Address be presented to the Governor, praying that His Excellency will be pleased to cause the necessary steps to be taken to connect the Great Northern Railway with Sydney.

On motion of Mr. Badgery, the Resolution was read a second time, and agreed to.

13. POSTPONEMENT:—The Order of the Day for the second reading of the Justices Acts further Amendment Bill postponed until Friday next.

14. ASSISTANT CLERK OF PETTY SESSIONS, WARATAH:—Mr. J. Davies moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, including Letters from the late Police Magistrate of Waratah, in reference to the appointment of an Assistant Clerk of Petty Sessions at Waratah.

Question put and passed.

15. REMOVAL OF CAMPBELL'S WALL:—Mr. J. Davies moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, Letters, &c., between the Municipal Council, Australasian Steam Navigation Company, and the Government, with reference to the removal of Campbell's Wall, Lower George-street.

Question put and passed.

16. CLERGY RETURNS TRANSFER BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to transfer to the office of the General Registry certain Registers of Marriages, Births, and Deaths.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to transfer to the office of the General Registry certain Registers of Marriages, Births, and Deaths.

On motion of Mr. Fitzpatrick, the Resolution was read a second time, and agreed to.

(2.) Mr. Fitzpatrick presented a Bill, intituled "*A Bill to transfer to the office of the General Registry certain Registers of Marriages Births and Deaths*,"—which was read a first time.

Ordered to be printed, and read a second time on Thursday next.

(3.) The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 12.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to transfer to the office of the General Registry certain Registers of Marriages, Births, and Deaths.

*Government House,
Sydney, 31st October, 1878.*

Ordered to be printed, and taken into consideration in Committee of the Whole.

The House adjourned at five minutes before Ten o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 29.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 5 NOVEMBER, 1878.

There being only seventeen Members present, exclusive of Mr. Speaker, namely,—Mr. Badgery, Mr. Bawden, Mr. Beyers, Mr. W. C. Browne, Mr. Burns, Mr. Cameron, Mr. Charles, Mr. Day, Mr. Farnell, Mr. Fitzpatrick, Mr. Greenwood, Mr. Hoskins, Mr. Leary, Mr. Murphy, Mr. W. H. Suttor, Mr. Terry, and Mr. Windeyer,—

Mr. Speaker adjourned the House at half-past Four o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 30.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 6 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Holidays to Railway Employés:—Mr. T. R. Smith asked the Secretary for Public Works,—
 (1.) What is the number of holidays allowed each year to Railway employés?
 (2.) Is it a fact that the holidays for the years 1877 and 1878 have not been allowed to some of the men; if so, will he give instructions for those holidays to be granted as soon as possible, or that they be paid for the days due to them?

Mr. Sutherland answered,—

(1.) The number varies. The men are allowed all proclaimed holidays; for the year 1877 they amounted to eight days.

(2.) The holidays are being taken as quickly as the pressure of business will admit. The following is the Regulation on the subject:—"Those servants who cannot take leave on the proclaimed holidays in consequence of being required to work, will, on making application, be allowed the same number of days at a future time, provided that the Head of the Branch decides that they can be conveniently spared. Should, however, the exigencies of the Service not admit of the whole or any of the holidays being taken before the 31st March of the year following that for which they are due, an equivalent in cash will be paid."

- (2.) Captain Vine Hall:—Mr. Cameron, for Mr. McElhone, asked the Colonial Treasurer,—
 (1.) Was the certificate of Captain Vine Hall, late of the S.S. "Chimborazo," suspended; if so, by whom, and for how long?
 (2.) Has his certificate been restored to him; if so, when, and by whom?

Mr. Cohen answered,—

(1.) It was; by the Marine Board of New South Wales; for six months.

(2.) It has. After Captain Hall's departure from the Colony it was posted to his address in London by the Secretary to the Marine Board, and reached England about a week before its actual date of expiry. No reduction of the original term of suspension has been made.

- (3.) Crane and Wharf, Darling Harbour:—Mr. Hoskins asked the Secretary for Public Works,—
 Are the parties who use the crane and wharf for unloading timber from vessels at Darling Harbour required to pay wharfage rates?

Mr. Sutherland answered,—Since the wharf has ceased to be a public wharf no charges have been made. Regulations are being prepared for its use as a railway wharf. All goods and material landed thereat for transit by railway will be free of wharfage and crane charges.

- (4.) Shed, Darling Harbour Wharf:—Mr. Hoskins asked the Secretary for Public Works,—Do the Railway Department intend to use the shed erected at the Darling Harbour Wharf for unloading and storing wool pending delivery to the consignees of the same during the present year, or is it intended to use the said shed for unloading and the storage of hay and straw?

Mr. Sutherland answered,—It is intended to open the new shed, Darling Harbour, on Monday, the 11th instant, for unloading and storing wool, sheepskins, hides, and tallow, pending delivery to the consignees. Hay or straw will not be unloaded in the shed during the wool season.

- (5.) Timber for Railway Purposes :—Mr. Day asked the Secretary for Public Works,—
- (1.) How many different kinds of wood are the contractors allowed to use for railway sleepers on the line between Wagga Wagga and Albury ?
 - (2.) Are the contractors bound to supply a fair proportion of each kind, or can they supply all one kind ?
 - (3.) Is he aware that gray (forest) gum will only last one-half the time for sleepers that red-gum will ?
 - (4.) What sum do the Government pay for each sleeper supplied on the above line of railway ?
 - (5.) What kind of timber are the contractors allowed to use for piles and beams in the construction of bridges, &c. ?
- Mr. Sutherland answered,—
- (1.) The sleepers are to be of ironbark, gray-gum, black-butt, red-gum, or other approved hardwood.
 - (2.) The whole of the sleepers may be of the same kind of timber.
 - (3.) No.
 - (4.) 6s. 6d. each.
 - (5.) The hewn timber in the superstructure of the viaducts must be ironbark. Piles may be of ironbark, box, stringybark, or other approved timber. The sawn timber may be of any approved hardwood. White-gum must not be used in any of the bridges.
2. THE CHINESE :—Mr. Cameron presented a Petition from people of New South Wales, praying the House to adopt the necessary measures for preventing any further influx of Chinese into the Colony.
And the same having been read at length by the Clerk, by direction of Mr. Speaker,—
Petition received.
3. RAILWAY REFRESHMENT ROOMS BILL :—Mr. Roseby presented a Petition from Citizens of Sydney, in Public Meeting assembled, praying the House to reject this Bill.
Petition received.
4. PAPERS :—
- Mr. Leary laid upon the Table,—
- (1.) Return to an Address, adopted on 13th February, 1878,—“ Sequestrated Estates.”
 - (2.) Return to an Address, adopted on 17th September, 1878,—“ The Case of Samuel Jeffs.”
- Ordered to be printed.
- Mr. Cohen laid upon the Table,—Return respecting the Savings Bank of New South Wales.
Ordered to be printed.
- Mr. Fitzpatrick laid upon the Table,—
- (1.) By-laws of the Borough of East St. Leonards.
 - (2.) By-laws of the Municipal District of Tenterfield.
 - (3.) Return to an Address, adopted on 8th October, 1878,—“ William Creswell.”
- Ordered to be printed.
5. CROWN LANDS BILL :—Mr. Day presented a Petition from Richard Sadleir, R.N., praying the House to take into consideration, when dealing with the Land Bill, certain provisions suggested by him.
Petition received.
6. GRAPE-VINES AND GRAPES IMPORTATION PROHIBITION BILL :—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker :—
- HERCULES ROBINSON, *Message No. 13.*
Governor.
- A Bill intituled “ *An Act to prohibit the Importation of Grape-vines Grape-vine Cuttings and Grapes,*”—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.
- Government House,*
Sydney, 6th November, 1878.
7. ROADS BILL :—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker :—
- HERCULES ROBINSON, *Message No. 14.*
Governor.
- In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to make better provision for making and repairing the Roads of the Colony.
- Government House,*
Sydney, 6th November, 1878.
- Ordered to be printed, and taken into consideration in Committee of the Whole.
8. MARSUPIALS :—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker :—
- HERCULES ROBINSON, *Message No. 15.*
Governor.
- In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to provide for the destruction of Marsupial Animals.
- Government House,*
Sydney, 6th November, 1878.
- Ordered to be printed, and taken into consideration in Committee of the Whole. 9.

9. VOLUNTEER LAND ORDERS BILL:—Mr. Fitzpatrick presented a Bill, intituled “*A Bill to authorize the issue in certain specified cases of Certificates to Members of the Volunteer Force entitling them to Grants of Land under the Act 31 Vic. No. 5,*”—which was read a first time.
Ordered to be printed, and read a second time on Wednesday next
10. PRINTING PETITIONS (*Formal Motion*):—Mr. Greenwood moved, pursuant to Notice, That after the passing of this Resolution the Clerk of the Assembly shall cause to be printed, as a matter of course, all Petitions received by this House (excepting Petitions for the introduction of Private Bills), unless it be otherwise ordered by the House: Provided that when several Petitions are presented substantially to the same effect, he shall cause to be printed only the one first presented, to which he shall append a statement of the number of other Petitions, the general designation of the party or parties to each, and the number of signatures attached.
Question put and passed.
11. CONDITIONAL PURCHASES OF JOHN DALY AND OTHERS AT CASINO (*Formal Motion*):—Mr. Bawden moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Applications, Alienations, Correspondence, Minutes of Evidence, Reports, and other Documents relative to the Conditional Purchases made at Casino by John Daly, James Gerahty, and Frederick West, respectively, and inquired into by Mr. Commissioner Bolding, at Lismore, on the 16th and 17th April, 1878.
Question put and passed.
12. SYDNEY CORPORATION BILL (*Formal Motion*):—Mr. Macintosh moved, pursuant to Notice, That the Petition presented by him on 1st November, relative to the Sydney Corporation Bill, be printed.
Question put and passed.
13. RAILWAY REFRESHMENT ROOMS BILL (*Formal Motion*):—Mr. Roseby, for Mr. W. Davies, moved, pursuant to Notice, That the two Petitions presented by him on 11th October, against the Railway Refreshment Rooms Bill, be printed.
Question put and passed.
14. WATER CONSERVATION BILL:—
(1.) Mr. Farnell presented a Bill, intituled “*A Bill for constituting Water Trusts and for regulating the Conservation of Water by artificial means,*”—which was read a first time.
Ordered to be printed, and read a second time on Thursday, 21st November.
(2.) The following Message from His Excellency the Governor was delivered by Mr. Farnell, and read by Mr. Speaker:—
HERCULES ROBINSON, *Message No. 16.*
Governor.
In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill for constituting Water Trusts, and for regulating the conservation of Water by artificial means.
Government House,
Sydney, 6th November, 1878.
Ordered to be printed, and taken into consideration in Committee of the Whole.
15. SUPPLY:—The Order of the Day having been read,—on motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.
The Chairman also reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), That the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
(1.) *Resolved*,—That there be granted to Her Majesty for the Supplementary Services of 1876 and previous years a sum not exceeding £9 to defray Contingencies, 1875, further sum, for Fitz Roy Dock.
On motion of Mr. Cohen, the Resolution was read a second time and agreed to.
16. WAYS AND MEANS (*Financial Statement*):—The Order of the Day having been read,—on motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.
17. PAPERS:—Mr. Cohen laid upon the Table,—
(1.) Estimates of the Ways and Means of the Government of New South Wales for the year 1879.
(2.) Explanatory Statement of the Public Accounts of New South Wales, as embodied in the Ways and Means for 1879.
Ordered to be printed.
18. DUPLICATION OF THE PORT DARWIN TELEGRAPH CABLE:—The Order of the Day having been read,—the Chairman of Committees moved, That the Resolution from the Committee of the Whole be now received.
Question put and passed.
Resolution read a first time, as follows:—
Resolved,—That this House approves of the following Agreement for the construction of a second cable from Singapore direct to Banjoewangic, and thence direct to Port Darwin, as agreed upon by the Governments of the Colonies of New South Wales, Victoria, New Zealand, and South Australia,

tralia, and empowers the Government to enter into a contract, in conjunction with the other Governments named, on the terms therein stated, for the purpose of carrying out this undertaking :—

Memorandum of Agreement between the Governments of New South Wales and Victoria, on behalf of the Australasian Colonies and New Zealand (hereinafter called the Governments), on the one part, and the Eastern Extension Australasia and China Telegraph Company, Limited (hereinafter called the Company), on the other.

1. That the Company shall, subject to the approval of the shareholders, contract with the Governments for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, for an annual subsidy of £32,400, and shall sign the contract and necessary conditions on or before the 1st July, 1879.

2. That such subsidy shall be payable for a period of twenty years, subject to the provisions hereinafter contained.

3. That the Company shall throughout the whole of the period during which such subsidy shall be payable maintain in full working order, the act of God or the Queen's enemies excepted, such second cable, and also its present lines of cable between Singapore and Batavia, and Banjoewangie and Port Darwin.

4. That the Company shall before such subsidy shall become payable lay a second cable between Singapore and Penang, and thereafter shall, in like manner, maintain the same, the act of God or the Queen's enemies excepted, and its present lines of cable between Singapore and Penang, Penang and Madras, Penang and Rangoon, in full working order.

5. That the Company shall, in consideration of the subsidy herein agreed to be paid, and whilst that subsidy is payable, allow a rebate on Government messages, hereinafter defined, exchanged between England and Port Darwin, reducing their own proportion of the charge to the extent of 50 per cent. upon the present rate; and on press messages exchanged between England and Port Darwin, as hereinafter defined, will reduce their own proportion of the charge to the extent of 75 per cent. upon the present rate: Provided that such reduction shall not be extended to any Colony other than such as may contribute towards the subsidy.

6. That the Company shall complete and open for communication the second cables above-mentioned between Singapore and Port Darwin and Singapore and Penang within eight months from the date of the signing of the contract: Provided always that the Company shall not be held liable for any loss or damage which the Colonies may sustain in consequence of delay in completing the said cables, in the event of such delay being caused by war, inevitable accident, or other contingency over which the Company can have no control.

7. That in the event of the Company completing and having the duplicate cable above-mentioned open for communication within the period herein contracted for, the subsidy payable by the Government shall commence and accrue four months after the signing of the contract; but the Company shall not be entitled to any payment under this clause until the said cables shall have been actually completed and are open for communication as above stated.

8. That the said subsidy shall be payable quarterly in London to the Company in sterling money, free of all deductions.

9. That in the event of any total interruption in the communication between Port Darwin and Singapore the subsidy shall cease *pro rata* for the period of such interruption: Provided that if the interruption be caused by reason of war or any such like cause the subsidy shall continue, but the Company shall be bound to restore such communication at the request and cost of the Governments.

10. The Company shall at all times hereafter give priority in transmission through the said cable to all Government messages; being such as are exchanged between Her Majesty's Principal Secretary of State for the Colonies or the various Agents-General on the one hand, and the Governors or Chief Secretaries of the various Colonial Governments on the other, on matters relating to the administration of the Governments.

11. Press messages must be addressed to registered newspapers only, and shall be for *bonâ fide* publication in full. They must be in English, in plain language, and intelligible; no cypher, code, groups of figures or of letters, or words of concealed meaning to be used.

12. The maximum charges for the transmission of messages between Port Darwin and London during the currency of this agreement shall not exceed,—

For Governmental messages, per word 6s. 4d.

For press messages, per word 5s. 1d.

For other messages, per word 9s. 5d.

Mr. Farnell moved, "That" the Resolution be now read a second time.

Mr. Burns moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Resolution be recommitted, for the reconsideration of paragraph 12, and the consideration of a new paragraph to stand " paragraph 13."

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

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That the Resolution be recommitted, for the reconsideration of paragraph 12, and the consideration of a new paragraph to stand paragraph 13,—put and passed.

On motion of Mr. Burns, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such reconsideration.

Mr. Speaker resumed the Chair; and the Chairman reported the Resolution 2^d with amendments. Ordered, that the reception of the Resolution stand an Order of the Day for to-morrow.

19. POSTPONEMENT :—The Order of the Day No. 4 postponed, to follow after Order No 5.

20. CUSTOMS REGULATION BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

Ordered, that the adoption of the report stand an Order of the Day for to-morrow.

21. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again to-morrow.

The House adjourned at twenty-five minutes before Twelve o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 31.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 7 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Post and Telegraph Office, St. Leonards:—*Mr. Cameron*, for *Mr. McElhone*, asked the Postmaster General,—

(1.) When will tenders be called for the erection of the new Post and Telegraph Office at St. Leonards?

(2.) What is the cause of the delay in calling for tenders?

Mr. Burns answered,—It is at present uncertain when tenders will be called for the erection of the new Post and Telegraph Office at St. Leonards. Plans were prepared some time ago, but in consequence of exception having been taken to the site selected further inquiry was ordered, but a report has not yet been furnished.

- (2.) Berthing Ships at the Circular Quay :—*Sir John Robertson* asked the Colonial Treasurer,—

(1.) The dates of entry at the Custom House of the ships "Patriarch," "Cynisca," "Thomas Stephens," and "Cambrian Princess," from London?

(2.) The dates the said ships were booked for berths at the Circular Quay?

(3.) The dates upon which they were moored at that quay?

Mr. Cohen answered,—

(1.) "Patriarch," 16th August; "Cynisca," 24th August; "Thomas Stephens," 2nd September; "Cambrian Princess," 7th September.

(2.) "Patriarch," August 17th; "Cynisca," August 27th; "Thomas Stephens," September 9th; "Cambrian Princess," September 9th.

(3.) "Cynisca," 17th September; "Thomas Stephens," 27th September; "Cambrian Princess," 4th October; "Patriarch," 30th October.

- (3.) Site for Post and Telegraph Office, Jerry's Plains :—*Mr. Bennett*, for *Mr. W. C. Browne*, asked the Secretary for Public Works,—Has any site been yet determined for the proposed Post and Telegraph Office at Jerry's Plains; if not, what is the cause of the delay?

Mr. Burns answered,—No site has yet been determined on for the proposed Post and Telegraph Office at Jerry's Plains, owing to differences which have arisen as to the most eligible site for the purpose.

2. PAPERS :—

Mr. Burns laid upon the Table,—Further Papers respecting the San Francisco Mail Service.

Ordered to be printed.

Mr. W. H. Suttor laid upon the Table,—Return to an Order made on 8th October, 1878,—"Peter Grimley's Selection at Ironbarks."

Ordered to be printed.

3. MUNICIPALITIES ACT AMENDMENT BILL :—The following Message from His Excellency the Governor was delivered by *Mr. Fitzpatrick*, and read by *Mr. Speaker* :—

HERCULES ROBINSON,
Governor.

Message No. 17.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a Bill to amend the Municipalities Act of 1867.

Government House,
Sydney, 7th November, 1878.

Ordered to be printed, and taken into consideration in Committee of the Whole.

4. OYSTER FISHERIES (*Formal Motion*) :—Mr. Farnell moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to consolidate and amend the Laws for regulating Oyster Fisheries.
Question put and passed.
5. RAILWAY FROM THE CLARENCE TO NEW ENGLAND (*Formal Motion*) :—Mr. Bawden moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Reports, Letters, Minutes, and other Papers relating to the explorations made by Mr. Surveyor Francis for railway purposes from the Clarence to New England, and thence to Moree, by way of Inverell and Warialda.
Question put and passed.
6. POSTPONEMENTS :—The Orders of the Day Nos. 1, 2, and 3 postponed, to follow after Order No. 4.
7. DUPLICATION OF THE PORT DARWIN TELEGRAPH CABLE :—The Order of the Day having been read,—The Chairman of Committees moved, That the Resolution from the Committee of the Whole be now received.
Question put and passed.

Resolution read a first time, as follows :—

Resolved,—That this House approves of the following Agreement for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, as agreed upon by the Governments of the Colonies of New South Wales, Victoria, New Zealand, and South Australia, and empowers the Government to enter into a contract, in conjunction with the other Governments named, on the terms therein stated, for the purpose of carrying out this undertaking :—

Memorandum of Agreement between the Governments of New South Wales and Victoria, on behalf of the Australasian Colonies and New Zealand (hereinafter called the Governments), on the one part, and the Eastern Extension Australasia and China Telegraph Company, Limited (hereinafter called the Company), on the other.

1. That the Company shall, subject to the approval of the shareholders, contract with the Governments for the construction of a second cable from Singapore direct to Banjoewangie, and thence direct to Port Darwin, for an annual subsidy of £32,400, and shall sign the contract and necessary conditions on or before the 1st July, 1879.

2. That such subsidy shall be payable for a period of twenty years, subject to the provisions hereinafter contained.

3. That the Company shall throughout the whole of the period during which such subsidy shall be payable maintain in full working order, the act of God or the Queen's enemies excepted, such second cable, and also its present lines of cable between Singapore and Batavia, and Banjoewangie and Port Darwin.

4. That the Company shall before such subsidy shall become payable lay a second cable between Singapore and Penang, and thereafter shall, in like manner, maintain the same, the act of God or the Queen's enemies excepted, and its present lines of cable between Singapore and Penang, Penang and Madras, Penang and Rangoon, in full working order.

5. That the Company shall, in consideration of the subsidy herein agreed to be paid, and whilst that subsidy is payable, allow a rebate on Government messages, hereinafter defined, exchanged between England and Port Darwin, reducing their own proportion of the charge to the extent of 50 per cent. upon the present rate; and on press messages exchanged between England and Port Darwin, as hereinafter defined, will reduce their own proportion of the charge to the extent of 75 per cent. upon the present rate: Provided that such reduction shall not be extended to any Colony other than such as may contribute towards the subsidy.

6. That the Company shall complete and open for communication the second cables above-mentioned between Singapore and Port Darwin and Singapore and Penang within eight months from the date of the signing of the contract: Provided always that the Company shall not be held liable for any loss or damage which the Colonies may sustain in consequence of delay in completing the said cables, in the event of such delay being caused by war, inevitable accident, or other contingency over which the Company can have no control.

7. That in the event of the Company completing and having the duplicate cable above-mentioned open for communication within the period herein contracted for, the subsidy payable by the Government shall commence and accrue four months after the signing of the contract; but the Company shall not be entitled to any payment under this clause until the said cables shall have been actually completed and are open for communication as above stated.

8. That the said subsidy shall be payable quarterly in London to the Company in sterling money, free of all deductions.

9. That in the event of any total interruption in the communication between Port Darwin and Singapore the subsidy shall cease *pro rata* for the period of such interruption: Provided that if the interruption be caused by reason of war or any such like cause the subsidy shall continue, but the Company shall be bound to restore such communication at the request and cost of the Governments.

10. The Company shall at all times hereafter give priority in transmission through the said cable to all Government messages; being such as are exchanged between Her Majesty's Principal Secretary of State for the Colonies or the various Agents-General on the one hand, and the Governors or Chief Secretaries of the various Colonial Governments on the other, on matters relating to the administration of the Governments.

11. Press messages must be addressed to registered newspapers only, and shall be for *bona fide* publication in full. They must be in English, in plain language, and intelligible; no cypher, code, groups of figures or of letters, or words of concealed meaning to be used.

12. The Company shall not during the currency of this agreement increase its own proportion of the charges for messages exchanged between Port Darwin and London beyond the rates provided for herein, viz. :—

For Governmental messages, per word	...	...	2s. 10d.
For Press messages, per word	...	...	1s. 5d.
For all other messages, per word	...	...	5s. 8d.

13. That the Government shall have the right during the currency of the subsidy aforesaid to purchase the Company's cable, lines, and other property between Singapore and Port Darwin, on equitable terms, to be fixed in case of difference by arbitration; twelve months previous notice to be given to the Company of the intention to exercise this right: Provided always that the right shall not be exercisable till the Company shall for five years have paid a dividend equal to 10 per cent. per annum, or shall for that period have passed 10 per cent. per annum to its Reserve or other Accumulated Fund.

On motion of Mr. Burns, the Resolution was read a second time, and agreed to.

8. WATER AND SEWERAGE BILL:—The Order of the Day having been read,—Mr. Fitzpatrick moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.

9. BANKERS BOOKS AND CHEQUES BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to amend the Law respecting Crossed Cheques and the reception in Evidence of Bankers Books*,"—presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,

Sydney, 7th November, 1878.

JOHN HAY,
President.

Bill, on motion of Mr. Terry, read a first time.

Ordered to be printed, and read a second time on Friday, 29th November.

10. CLERGY RETURNS TRANSFER BILL:—The Order of the Day having been read,—Mr. Fitzpatrick moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Fitzpatrick, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

On motion of Mr. Fitzpatrick (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time to-morrow.

11. POSTPONEMENT:—The Order of the Day for the resumption of the Committee of Supply postponed until Wednesday next.

12. CUSTOMS REGULATION BILL:—The Order of the Day having been read,—Mr. Fitzpatrick moved, "That" the report from the Committee of the Whole on this Bill be now adopted.

Mr. Cohen moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Bill be recommitted for the purpose of reconsidering clauses 2, 12, 22, 23, 24, 29, 39, 82, 92, 136, and 152, and the consideration of a new clause."

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

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That the Bill be recommitted for the purpose of reconsidering clauses 2, 12, 22, 23, 24, 29, 39, 82, 92, 136, and 152, and the consideration of a new clause,—put and passed.

On motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such reconsideration.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill 2^o with further amendments.

On motion of Mr. Cohen (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time on Wednesday next.

13. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.

14. MARRIED WOMEN'S RELIEF BILL:—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a third time.

Debate ensued,—and, on motion of Mr. Bawden, adjourned until Friday, 22nd November.

The House adjourned at Twelve o'clock, Midnight, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 32.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 8 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Road from Waratah to Maitland:—Mr. Jacob asked the Secretary for Public Works,—
 (1.) For how long has the road from Waratah to Maitland been in charge of an officer of his Department?
 (2.) What amount of money of the annual or any special grant for that road has been spent on that portion of it which is within the Electorate of the Lower Hunter since the officer took charge?
 (3.) The like information as to that portion of the road which is in the East Maitland Electorate?

Mr. Sutherland answered,—

(1.) Since the 19th May, 1877.

(2.) £255 16s.

(3.) £4 4s. I may state that it is intended to expend the present year's vote of £130 on the portion of road within the East Maitland Electorate. The delay has arisen from the fact that tenders were invited for works between Hexham and Maitland, but none were received.

- (2.) Railway Platform, Eveleigh-street:—Mr. Hoskins asked the Secretary for Public Works,—
 (1.) How many passenger trains stop daily at the platform at Eveleigh-street, Redfern?
 (2.) How many tickets were issued to passengers at that platform, and how many tickets were collected, during the months of June, July, August, September, and October, 1878?

Mr. Sutherland answered,—

(1.) Fifteen trains per diem.

(2.) The number of tickets issued was as under:—June, 406; July, 596; August, 625; September, 766; October, 893. No tickets are collected at Eveleigh; they are all collected at Newtown. A great number of passengers alight at the Eveleigh Platform who have taken tickets for Sydney.

- (3.) Explanatory Statement of Public Accounts:—Mr. Hoskins asked the Colonial Treasurer,—
 Whether he will have any objection to lay upon the Table of this House on Tuesday next, with the view of having the same distributed to Honorable Members on that date, a printed schedule specifying in detail the various items of expenditure, which include in the aggregate the sums of £300,000 and £280,000, set forth in the "Explanatory Statement of the Public Accounts of New South Wales, as embodied in the Ways and Means for 1879," as the amounts estimated as not likely to be required for the years 1877 and 1878 respectively?

Mr. Cohen answered,—I cannot now submit a schedule as asked for, or would be happy to do so, as the amounts are estimates only, based on past experience, and not made with reference to individual appropriations, which can now be ascertained.

2. PAPER:—Mr. Farnell laid upon the Table a Letter from the Honorary Secretary of the Necropolis, respecting an alleged failure to provide a grave in the Wesleyan Cemetery in time for the reception of a corpse.
 Ordered to be printed.

3. CLERGY RETURNS TRANSFER BILL (*Formal Order of the Day*),—on motion of Mr. Fitzpatrick, read a third time, and *passed*.

Mr. Fitzpatrick then moved, That the Title of the Bill be "*An Act to transfer to the office of the General Registry certain Registers of Marriages Births and Deaths.*"

Question put and passed.

Ordered,

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to transfer to the office of the General Registry certain Registers of Marriages Births and Deaths,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 8th November, 1878.*

4. COSTS IN MATRIMONIAL CAUSES BILL:—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
On motion of Mr. Windeyer, the report was adopted.
Ordered, that the Bill be read a third time on Tuesday next.
5. WORKING OF THE REAL PROPERTY ACTS:—The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the following Resolutions:—
(1.) That, in the opinion of this House, it is expedient that a Commission should be appointed by the Government to inquire into and report upon the working of the Real Property Acts.
(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
Mr. Speaker resumed the Chair, and the Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), That the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
Resolved,—
(1.) That, in the opinion of this House, it is expedient that a Commission should be appointed by the Government to inquire into and report upon the working of the Real Property Acts.
(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
On motion of Mr. Windeyer, the Resolution was read a second time, and agreed to.
6. BIRDS AND ANIMALS PROTECTION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday next.
7. ROADS BILL:—The Order of the Day having been read,—on motion of Mr. Lucas, Mr. Speaker left the Chair, and the House resolved into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for making and repairing the Roads of the Colony.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), That the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
*Resolved,—*That it is expedient to bring in a Bill to make better provision for making and repairing the Roads of the Colony.
On motion of Mr. Lucas, the Resolution was read a second time, and agreed to.
8. POSTPONEMENTS:—The following Orders of the Day postponed:—
(1.) Stock Sale-yards Bill; second reading;—*until Friday, 22nd November.*
(2.) Justices Acts further Amendment Bill; second reading;—*until Friday next.*
9. OYSTER FISHERIES:—The Order of the Day having been read,—on motion of Mr. Farnell, Mr. Speaker left the Chair, and the House resolved into a Committee of the Whole to consider the expediency of bringing in a Bill to consolidate and amend the Laws for regulating Oyster Fisheries.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
*Resolved,—*That it is expedient to bring in a Bill to consolidate and amend the Laws for regulating Oyster Fisheries.
On motion of Mr. Farnell, the Resolution was read a second time, and agreed to.

The House adjourned at twenty minutes after Seven o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 33.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 12 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Tolls on Roads, Bridges, and Ferries :—Mr. Jacob asked the Secretary for Public Works,—
 (1.) Does the Government intend to ask the House to rescind the Resolutions passed last Session abolishing Tolls on Roads, Bridges, and Ferries?
 (2.) If there is no such purpose, will the Government introduce a Bill to provide for the summary punishment of its employés at ferries, similar to the provisions, so far as the altered circumstances would permit, of the Act 2 Wm. IV. No. 12, so as to put a stop as much as possible to the frequent neglect of duties at ferries?

Mr. Sutherland answered,—

- (1.) No.
 (2.) No; but the Government will do all that they can to prevent the neglect of duties by their employés at ferries.

- (2.) Conditional Purchase on Barratta Run :—Mr. Barbour asked the Secretary for Lands,—
 (1.) The name of the conditional purchaser who selected portion 5, Parish of Banangalite, Barratta Run, notified at page 4205, *Gazette* of 18th October?
 (2.) The date when selected; the date when, and the reasons given by the selector to have it cancelled?
 (3.) The date when the selection was cancelled or declared forfeited in the *Gazette*, and the reasons for so doing?
 (4.) Did Mr. Street, and also Mr. Keele, inspect the conditional purchase; will he give the date of their several inspections, and the nature of their reports?
 (5.) What officer reported on the improvement purchase; what was the nature and value of the improvements and the date of inspection?

Mr. Farnell answered,—

- (1.) William Chapman.
 (2.) Selected 4th February, 1875. Application was made on the part of the selector by Mr. Gillott, as his solicitor, on the 20th March, 1878, for cancellation of his selection on the ground of its containing improvements, the property of Mr. Ricketson.
 (3.) The selection had previously (*viz.*, on 3rd September, 1877) been declared void on the same ground.
 (4.) The selection was not inspected by either of the officers named.
 (5.) Mr. Licensed Surveyor P. Rigaut. The improvements were described as an iron house and a dam; date of inspection, 26th March, 1877.

- (3.) Approaches to Howlong Punt :—Mr. W. C. Brown, for Mr. Day, asked the Secretary for Public Works,—
 (1.) When will the money be expended which was voted for the approaches to the Howlong Punt?
 (2.) What has been the cause of delay in commencing the work?
 (3.) Will this vote lapse if the work is not commenced before the 31st December next?

Mr. Sutherland answered,—

- (1.) As soon as possible.
 (2.) Uncertainty as to whether a bridge would be constructed or not.
 (3.) If the vote lapses, which is not likely, it will be re-voted.

(4.)

(4.) Approaches to Wahgunyah Bridge :—*Mr. W. C. Browne*, for Mr. Day, asked the Secretary for Public Works,—

- (1.) When will tenders be invited for the approaches to the Wahgunyah Bridge?
- (2.) Is there any reason why tenders were not invited for the completion of this work before now?
- (3.) Is he aware that the approaches to this bridge have been completely submerged by flood water during part of this winter, thus preventing traffic, and causing serious loss and inconvenience to the people of the district on that account?

Mr. Sutherland answered,—

- (1.) When a difficulty as to the consent of the proprietor of an inn on the flat can be got over.
- (2.) Yes, the difficulty mentioned above.
- (3.) This may have occurred; I have not been made aware of it.

(5.) Water Tank at Major's Waterhole :—*Mr. W. C. Browne*, for Mr. Day, asked the Secretary for Public Works,—

- (1.) What is the cause of delay in making the Water Tank at Major's Waterhole, for which £300 was voted on the last Estimates?
- (2.) As the amount voted for this work will lapse at the end of this year, will he give instructions for tenders to be invited for the completion of the Tank without further delay?

Mr. Sutherland answered,—

- (1.) There has been no unnecessary delay. A tender was accepted in September last, and the work is now being proceeded with.
- (2.) It cannot lapse, a contract having been entered into as above.

(6.) Road from Tumberumba to Welaregang :—*Mr. W. C. Browne*, for Mr. Day, asked the Secretary for Public Works,—

- (1.) What is the cause of delay in expending the money voted on the last Estimates for the repairs of the Road from Tumberumba to Welaregang?
- (2.) Will he give instructions for the commencement of the work in time to prevent the vote lapsing?

Mr. Sutherland answered,—

- (1.) Eligible tenders could not be obtained, but works have now been let to full extent of the funds available.
- (2.) Yes.

(7.) Road at Rossi's Crossing, Wollondilly River :—*Mr. Teece* asked the Secretary for Mines,—

- (1.) Was any complaint made to the Government in reference to the deviation in the road at Rossi's Crossing over the Wollondilly?
- (2.) Are the Government aware that a portion of land at this crossing conveniently situated for an encamping ground has been fenced in?
- (3.) Has this fencing been authorized; and if so, for what reason, on what terms, and under what conditions?

Mr. W. H. Suttor answered,—

- (1.) Yes.
- (2.) No.
- (3.) The width of the road was altered when a bridge was erected, and the width required for a ford was reduced to 150 links, reported by the District Surveyor to be sufficient "to admit of access to the river for water and, if necessary, the passage of stock on either side of the bridge"; and the owner of the land was of course at liberty to alter his fences.

(8.) Prohibition on Importation of Stock :—*Mr. Badgery* asked the Secretary for Mines,—

- (1.) On what grounds the present Government removed the prohibition on the Importation of Stock?
- (2.) Did they consult the other Colonies before doing so?

Mr. W. H. Suttor answered,—

- (1.) The Government did not remove the prohibition. The proclamation prohibiting the Importation of Stock expired on the 30th of June last. The Government did not think it desirable to renew it, considering that under stringent quarantine regulations Stock might be imported without risk of introducing disease.
- (2.) A circular, dated 11th of June, was sent to all the Colonies, informing them of the intention of the Government of this Colony to allow the prohibition to lapse, and forwarding copy of proposed Regulations under which it was intended to admit Stock from Great Britain, for their consideration and suggestions.

(9.) Court-house, Warialda :—*Mr. Bowman* asked the Secretary for Public Works,—

- (1.) Is he aware that the additions to the Court-house, Warialda, were finished in October, 1877, but not inspected until March or April, 1878?
- (2.) Is he aware that the said works were not passed by the officer inspecting?
- (3.) Is he aware that the Court-house at present is in a very dilapidated state, owing to the badness of the work done in 1877?
- (4.) When will the Minister for Works see that the repairs are properly carried out?

Mr. Sutherland answered,—

- (1.) Yes; in consequence, I am informed, of the Colonial Architect being unable to spare an officer to visit the locality.
- (2.) The works were not passed by the inspecting officer; but to prevent inconvenience to the contractor, payments were made to him on the certificate of the Police Magistrate that the work was satisfactorily performed.
- (3.) The inspecting officer has since reported several defects in the work.
- (4.) Peremptory instructions have been given to the contractor to effect the necessary repairs required through defective workmanship.

(10.) Court-house, Richmond :—Mr. Bowman asked the Minister of Justice and Public Instruction,—Is he aware that the Court-house at Richmond, although finished, is not available for carrying on the public business?

Mr. Leary answered,—Upon inquiry I have ascertained that the building is now waiting for the necessary fittings, &c. These, together with fencing, will be finished as soon as possible, when the necessary steps will be taken for the opening of the Court-house.

2. COPYRIGHT BILL :—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker :—

HERCULES ROBINSON,
Governor.

Message No. 18.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to secure to Proprietors of Works of Literature and Fine Art, and to Proprietors of Designs for Articles and Works of Manufacture and Art, the Copyright of such Works and Designs for a limited period.

Government House,

Sydney, 12th November, 1878.

Ordered to be printed, and taken into consideration in Committee of the Whole.

3. ADJOURNMENT :—Sir Henry Parkes moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

4. SEDUCTION (*Formal Motion*) :—Mr. Windeyer moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Law as to Seduction.

Question put and passed.

5. PATRICK CAVANAGH'S PRE-EMPTIVE LEASE, GININDERRA (*Formal Motion*) :—Mr. Murphy, for Mr. Thompson, moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Applications, Correspondence, Minutes, Reports, and other Documents relating to the granting to, and subsequent cancellation of, Mr. Patrick Cavanagh's pre-emptive lease of 960 acres, in the Parish of Gininderra, County of Murray.

Question put and passed.

6. COSTS IN MATRIMONIAL CAUSES BILL (*Formal Order of the Day*),—on motion of Mr. Windeyer, read a third time, and passed.

Mr. Windeyer then moved, That the Title of the Bill be "*An Act to amend the Law as to Costs in Matrimonial Causes.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend the Law as to Costs in Matrimonial Causes,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 12th November, 1878.

7. MUNICIPALITIES ACT AMENDMENT BILL (*Formal Motion*) :—Mr. Fitzpatrick moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Municipalities Act of 1867.

Question put and passed.

8. RECLAMATION OF LAND AT WHITE BAY, BALMAIN (*Formal Motion*) :—Mr. Farnell moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to reclaim and resume certain lands at White Bay, Balmain.

Question put and passed.

9. RECLAMATION OF LAND AT SNAILS BAY, BALMAIN (*Formal Motion*) :—Mr. Farnell moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to reclaim certain land at Snails Bay, Balmain.

Question put and passed.

10. RESUMPTION OF LAND NEAR RUSHCUTTERS BAY (*Formal Motion*) :—Mr. Farnell moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to resume certain low-lying land near Rushcutters Bay for public purposes.

Question put and passed.

11. RESUMPTION OF ADDITIONAL LAND AT RUSHCUTTERS BAY (*Formal Motion*) :—Mr. Farnell moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill for the resumption of additional land fronting Rushcutters Bay.

Question put and passed.

12. RECLAMATION OF LAND AT NEUTRAL HARBOUR (*Formal Motion*) :—Mr. Farnell moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to reclaim certain land at Neutral Harbour, North Shore, Port Jackson.

Question put and passed.

13. RECLAMATION OF LAND AT CAREENING COVE (*Formal Motion*) :—Mr. Farnell moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to reclaim certain land at Careening Cove, North Shore, Port Jackson.

Question put and passed.

14. RESERVATION OF LAND ADJOINING RAILWAY LINES:—Mr. Hurley (*Hartley*) moved, pursuant to Notice,—
 (1.) That this House is of opinion that in future Crown Lands adjoining to, and two miles in width on each side of, any proposed extensions of Railways in this Colony shall only be sold by auction, and that portions of such land as may be considered suitable for the purpose shall be reserved as the sites for townships, villages, and for other public purposes, and that the proceeds of the sale of such land shall be set apart as a fund to be used in defraying the cost of such Railways: Provided that until after such land may have been sold it may be leased, and the rent paid to the credit of said fund.
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
 Debate ensued.
 Motion, by leave, withdrawn.
15. RAILWAY FARES:—Mr. Teece moved, pursuant to Notice,—
 (1.) That, in the opinion of this House, the fares for the conveyance of passengers by rail are in many instances unequal in their pressure and excessive, and should consequently be rendered more uniform and reduced.
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
 Debate ensued.
 Motion, by leave, withdrawn.
16. ALEXANDER COUPER:—Mr. Macintosh presented a Petition from Alexander Couper, of Woolloomooloo, Sydney, representing that in the month of December, 1877, he obtained, by auction selection, a portion of land in the County of Bourke, Parish of Berembid, and that the issue of the Deed of Grant for the land is refused to him by the Crown; and praying the House to take his case into consideration.
 Petition received.
17. PETITION OF MR. E. W. RUDDER:—Mr. R. B. Smith moved, pursuant to Notice,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the Petition of Mr. E. W. Rudder for his services in connection with the Gold Discovery in 1851.
 (2.) That such Committee consist of Mr. Baker, Mr. Copeland, Mr. J. Davies, Mr. Gray, Mr. Hurley (*Hartley*), Mr. McElhone, Sir Henry Parkes, Mr. Webb, Mr. W. H. Suttor, and the Mover.
 Debate ensued.
 Question put.
 The House divided.

Ayes, 24.

Mr. Farnell,	Mr. Macintosh,
Mr. Sutherland,	Mr. Jacob,
Mr. Leary,	Mr. Simson,
Mr. Burns,	Mr. Gray,
Mr. W. H. Suttor,	Mr. Day,
Mr. H. H. Brown,	Mr. Johnston,
Mr. Barbour,	Mr. Fitzpatrick,
Mr. Hurley (<i>Hartley</i>),	Mr. J. Davies,
Mr. Baker,	Mr. Greville,
Mr. Teece,	<i>Tellers.</i>
Mr. Coonan,	
Mr. Eckford,	Mr. R. B. Smith,
Mr. Murphy,	Mr. W. C. Browne.

Noes, 11.

Mr. Bowman,
Mr. Hungerford,
Mr. Greenwood,
Mr. Terry,
Mr. Cameron,
Mr. Driver,
Mr. Bennett,
Mr. Hoskins,
Mr. Lynch,
<i>Tellers.</i>
Mr. Dillon,
Mr. Harris.

And so it was resolved in the affirmative.

18. CLAIM OF CONSTABLE RICHARD PEARD:—Mr. Teece moved, pursuant to Notice,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the claim of Constable Richard Peard to be placed upon the Police Superannuation Fund.
 (2.) That such Committee consist of Mr. Fitzpatrick, Mr. R. B. Smith, Mr. Lynch, Mr. Bennett, Mr. Macintosh, Mr. J. Davies, Mr. W. Davies, and the Mover.
 Debate ensued.
 Question put and passed.
19. BRIDGE ACROSS THE MYALL RIVER, AT BULAHDELAH:—Mr. Johnston moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on an Additional Estimate for 1879 a sum not exceeding £2,500 for the erection of a Bridge across the Myall River, at Bulahdelah.
 Debate ensued.
 Question put.
 The House divided.

Ayes, 20.

Mr. Farnell,	Mr. Bowman,
Mr. Sutherland,	Mr. Bennett,
Mr. Fitzpatrick,	Mr. R. B. Smith,
Mr. Burns,	Mr. W. C. Browne,
Mr. W. H. Suttor,	Mr. Coonan,
Mr. Leary,	Mr. Greville,
Mr. Murphy,	Mr. Cohen,
Mr. Day,	<i>Tellers.</i>
Mr. Cameron,	
Mr. Barbour,	Mr. Johnston,
Mr. Macintosh,	Mr. Terry.

Noes, 4.

Mr. Driver,
Mr. Greenwood,
<i>Tellers.</i>
Mr. Hurley (<i>Hartley</i>),
Mr. Roseby.

And so it was resolved in the affirmative.

20. FRANKING PARLIAMENTARY CORRESPONDENCE:—Mr. Day moved, pursuant to Notice,—
- (1.) That, taking into consideration the large amount of correspondence forced upon Members of Parliament in the discharge of their Parliamentary duties, it is expedient and desirable that the Government should provide a Stamp at the Legislative Assembly to frank free of postage all letters written by Members on public business during the sittings of Parliament, such Stamp to be under the care and safe keeping of the Clerk of the Assembly.
- (2.) That the above Resolution be communicated by Address to His Excellency the Governor.
- Debate ensued.

And the House continuing to sit till after Midnight,—

WEDNESDAY, 13 NOVEMBER, 1878, A.M.

Question put and negatived.

21. BRIDGE ACROSS THE McDONALD RIVER, AT ST. ALBANS:—Mr. Bowman moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on an Additional Estimate for 1879 a sum not exceeding £700 for the erection of a Low-level Bridge across the McDonald River, at the township of St. Albans.

Debate ensued.

Question put.

The House divided.

Ayes, 24.

Mr. Greville,	Mr. Driver,
Mr. Farnell,	Mr. Cameron,
Mr. Burns,	Mr. Macintosh,
Mr. Sutherland,	Mr. W. H. Suttor,
Mr. Fitzpatrick,	Mr. Leary,
Mr. Baker,	Mr. Bennett,
Mr. Day,	Mr. J. Davies,
Mr. Dillon,	Mr. Johnston,
Mr. Murphy,	Mr. Cohen,
Mr. Harris,	<i>Tellers.</i>
Mr. Terry,	
Mr. Barbour,	Mr. Coonan,
Mr. R. B. Smith,	Mr. Bowman.

Noes, 2.

Tellers.

Mr. Hurley (*Hartley*),
Mr. Roschy.

And so it was resolved in the affirmative.

The House adjourned at One o'clock A.M., until Four o'clock P.M. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 34.

VOTES AND PROCEEDINGS.

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 13 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Salaries of Clerks on Northern Railway:—Mr. Hungerford asked the Secretary for Public Works,—Why the Government Clerks on the Northern Line of Railway cannot be paid when pay is due, instead of having to wait ten or twelve days for their due pay?

Mr. Burns answered,—I cannot learn that there is any foundation for the statement that the pay of the Government Clerks on the Northern Line has been delayed ten or twelve days. The clerks referred to are paid fortnightly, instead of monthly, as is usually the case.

- (2.) Court-house and Gaol, Tenterfield:—*Mr. Cameron*, for Mr. Dillon, asked the Secretary for Public Works,—

(1.) Have the Government received any intimation that the contractors for the new Court-house and Gaol at Tenterfield have abandoned their contract?

(2.) If such is the case, when will fresh tenders be invited for the work?

Mr. Burns answered,—I am not aware of any intimation that the contractors for the new Court-house and Gaol at Tenterfield have abandoned their contract.

- (3.) Compensation to Messrs. Larkins and Stevenson:—*Mr. Coonan* asked the Secretary for Public Works,—Whether he intends placing any money on the Estimates to compensate Messrs. Larkins and Stevenson for injuries received by them at Penrith on the 30th January last?

Mr. Burns answered,—I have informed the Honorable Member for the Nepean, in reply to a similar inquiry, that these men had been paid full wages from the day of the accident. Larkins will be able, it is understood, to resume duty at an early day. Stevenson's pay will be continued till he is able to resume duty.

- (4.) Adelong Common:—*Mr. Baker* asked the Secretary for Lands,—Are the Government allowing, or have they recently allowed, portions of the Adelong Common to be sold to the public; if so, will the Minister state on whose recommendation such alienations have taken place, and who are the purchasers, and at what time were such purchases made?

Mr. Farnell answered,—It is not now the practice to sell land in temporary commons; but the action with reference to the sales referred to has advanced to a stage at which the Government cannot prevent the sale.

- (5.) Proposed Loan:—*Mr. Baker* asked the Colonial Treasurer,—Will the Honorable Gentleman lay upon the Table to-day copies of all Letters or Communications from the Agent General, or any other person, relating to the Loan which the Government had it in contemplation to raise in London some short time since?

Mr. Cohen answered,—As the negotiating of the Loan is still incomplete it would be undesirable to lay these papers upon the Table of the House at present.

- (6.) Letters of Credit on Bank of New South Wales, London:—*Mr. Baker* asked the Colonial Treasurer,—What is the aggregate amount of the letters of credit and balances of letters of credit given by the Government upon the Bank of New South Wales, London, at the date of the latest advices?

Mr. Cohen answered,—At the latest date of acknowledgment in London of letters of credit issued by the Bank of New South Wales to the Government, the aggregate amount there was outstanding £291,435 16s.

(7.)

- (7.) Telegraph Office, Cannonbar :—Mr. Coonan asked the Postmaster General,—Has the Telegraph Line been completed to Cannonbar, and have arrangements been made for opening the Telegraph Office there ?

Mr. Burns answered,—The overseer for the construction of the Telegraph Line between Warren and Bourke has not yet reported its completion as far as Cannonbar, but premises for the Telegraph Office have been secured, and the necessary instruments have been dispatched from Sydney. The Telegraph Office cannot be opened till the line is inspected and approved by an Inspector.

- (8.) Payment of Jurors :—Mr. Coonan asked the Minister of Justice and Public Instruction,—Will he have any objection to lay upon the Table of the House all Papers and Correspondence in reference to the Payment of Jurors ?

Mr. Leary answered,—There will be no objection to lay the Papers upon the Table of the House. I may however state, that the requisite steps have been taken to alter the scale of allowances to Jurors, which will shortly come into operation.

- (9.) Land Agent, Coonamble :—Mr. Coonan asked the Secretary for Lands,—When will a Land Agent be appointed for Coonamble ?

Mr. Farnell answered,—As soon as ever the necessary departmental arrangements referred to in my reply to a similar question on the 25th October last have been completed, and which are being carried out with all possible dispatch.

- (10.) Steamship "Wotonga" :—Mr. Coonan asked the Colonial Treasurer,—Is it a fact that the steamship "Wotonga," which arrived from Melbourne on Sunday morning at 1 a.m., was not boarded by the Tide Surveyors, or any other officers of Customs, to seal up her bonded stores until Monday morning at 6 a.m. (twenty-nine hours after arrival) ?

Mr. Cohen answered,—Yes. The officer having this duty to perform, as well as that of measuring deck cargoes, both import and export, is employed from 5 a.m. to 6 p.m. daily, and, on full consideration, the Collector of Customs being satisfied that the revenue was not imperilled, directed that he might rest on the Sabbath.

2. PAPERS :—

- Mr. Leary laid upon the Table,—Copy of the Judge's Notes in the case of Patrick and Michael Griffin.

Ordered to be printed.

- Mr. Fitzpatrick laid upon the Table,—

- (1.) By-laws of the Borough of West Maitland.
- (2.) By-law under the Public Vehicles Regulation Act of 1873.
- (3.) Further Papers relative to the case of Ex-Constable Stafford.

Ordered to be printed.

- Mr. Farnell laid upon the Table,—

(1.) Abstract of Crown Lands reserved from sale until surveyed for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Vic. No. 1.

(2.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the same Act.

(3.) Abstract of all Sites for Cities, Towns, and Villages declared under the 4th section of the same Act.

(4.) Abstract of Crown Lands authorized to be dedicated for the use of Pastoral and Agricultural Associations, in accordance with the 32nd section of the Act 39 Vic. No. 13.

Ordered to be printed.

3. THE CASE OF PATRICK AND MICHAEL GRIFFIN :—

- (1.) Mr. Greville (*by consent*) moved, without Notice, That the copy of the Judge's Notes on the trial of Patrick and Michael Griffin, laid upon the Table of the House this day, be referred to the Select Committee now sitting on the "Petition of Patrick and Michael Griffin."
Question put and passed.

- (2.) Mr. Greville (*by consent*) moved, without Notice, That the Return to Address, laid upon the Table of this House on 22nd October last, in reference to the case of Patrick and Michael Griffin, be referred to the Select Committee now sitting on that case.
Question put and passed.

4. RAILWAY REFRESHMENT ROOMS BILL :—Mr. J. Davies presented a Petition from Residents of Balmain, in Public Meeting assembled, praying the House to reject this Bill.
Petition received.

5. DOG ACT :—Mr. Badgery presented a Petition from Inhabitants of Mulbring and Mount Vincent, praying that the operation of the Dog Act may not be continued in those districts.
Petition received.

6. APPROPRIATION OF LAND FOR PUBLIC PURPOSES (*Formal Motion*) :—Mr. Farnell, for Mr. Sutherland, moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the acquisition and appropriation of land for public purposes.
Question put and passed.

7. CUSTOMS REGULATION BILL (*Formal Order of the Day*),—on motion of Mr. Cohen, read a third time, and *passed*.

Mr. Cohen then moved, That the Title of the Bill be "*An Act to amend and consolidate the Laws for the regulation of the Customs.*"

Question put and passed.

Ordered,

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend and consolidate the Laws for the regulation of the Customs,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 13th November, 1878.*

8. POSTPONEMENT :—The Order of the Day No. 1 postponed, to follow after Order No. 3.
9. WAYS AND MEANS :—The Order of the Day having been read,—on motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.
10. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) The Glebe Borough Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable the Borough of the Glebe to sell and dispose of two portions of land situate in the County of Cumberland Parish of Petersham at Grose Farm on the Old Parramatta Road granted to the Municipal Council of the Glebe as sites for Council Chambers and a School of Arts respectively and to provide for the appropriation of the proceeds thereof,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 13th November, 1878.*

JOHN HAY,
President.

(2.) Islanders Shipping Engagement Bill :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to protect the Aboriginal Natives of the Islands of the Pacific Ocean from imposition when engaging as Seamen,*"—presents the same to the Legislative Assembly for its concurrence.

*Legislative Council Chamber,
Sydney, 13th November, 1878.*

JOHN HAY,
President.

Bill, on motion of Mr. Cohen, read a first time.

Ordered to be printed, and read a second time on Wednesday next.

(3.) Adulteration of Food Prevention Bill :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to prevent the Adulteration of Articles of Food or Drink and the sale of certain Liquors injurious to health,*"—presents the same to the Legislative Assembly for its concurrence.

*Legislative Council Chamber,
Sydney, 13th November, 1878.*

JOHN HAY,
President.

Bill, on motion of Mr. Driver, read a first time.

Ordered to be printed, and read a second time on Friday, 22nd November.

11. POSTPONEMENT :—The Order of the Day for the resumption of the Committee of Supply postponed until to-morrow.
12. VOLUNTEER LAND ORDERS BILL :—The Order of the Day having been read,—Mr. Fitzpatrick moved, That this Bill be now read a second time.
Debate ensued.
Mr. Day moved, That this Debate be now adjourned.
Debate continued.
Question,—That this Debate be now adjourned,—put and passed.
Ordered, that the Debate be adjourned until Wednesday, 27th November.

The House adjourned at Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 35.

VOTES AND PROCEEDINGS.

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 14 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Hospital Site, Walgett:—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—
- (1.) Is it intended to grant the application made 14th December, 1877, for section 28, Town of Walgett, as an Hospital site, and will the land be so dedicated?
 - (2.) If not, is it intended to grant any other site for such purpose; and if so, where?
 - (3.) Has a surveyor measured a piece of land in Walgett suitable for the purpose, and approved of by the Hospital Committee; and if so, when will it be dedicated for the required purpose?
 - (4.) Is the Government aware that the sum of £500 has been subscribed for the erection of this Hospital, and an equal sum granted by Government, but that the erection of the building is delayed for want of a piece of land being granted and dedicated?

Mr. Farnell answered,—

- (1.) No.
- (2.) Yes; suburban portions 21 and 22, and part of 20, containing in all eight acres.
- (3.) The surveyor has reported on the site, which forms part of that approved by the Hospital Committee. The dedication will be proceeded with immediately.
- (4.) The sum of £500 has been so voted. There has been no unusual delay. The application was made in December, 1877, and the necessary report from the Survey Department has only just come to hand.

(2.) Mr. W. M. Ollivier:—*Mr. Hurley (Hartley)* asked the Secretary for Lands,—

- (1.) Is Wilby M. Ollivier, who figures in the correspondence in regard to P. Brougham (moved for by J. McElhone, M.P.), in the employ of the Government of this Colony?
- (2.) If so, in what capacity, and salary; and by whom was he appointed, and when, and on whose recommendation?

Mr. Farnell answered,—

- (1.) Yes.
- (2.) He is at present a temporary clerk in the Conditional Sales Branch, Department of Lands, at a salary of 12s. 6d. per day. Previously, however, he had been for over two years in the office of the Auditor General, from whom he produced a satisfactory certificate of service. He was also recommended by the Honorable Alexander Stuart, by Mr. E. A. Rennie, of the Audit Office, and by Messrs. Rabone, Feez, & Co. He was appointed by me (on these recommendations) to his present position on the 1st February, 1878.

(3.) Mr. John Garsed:—*Mr. Hurley (Hartley)* asked the Secretary for Lands,—

- (1.) Is he in receipt of a letter from John Garsed, dated 25th October, in which he asks for an investigation by Crown Law Officers?
- (2.) Has he laid that letter before such officers, or is it his intention to do so; if not, on what grounds does he refuse?

Mr. Farnell answered,—I have received a letter from Mr. John Garsed, but it is very lengthy, and I have not had time to read it yet.

2. PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL:—*Mr. J. Davies*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 1st November instant; together with a copy of the Bill as amended and agreed to in the Committee.

Ordered to be printed.

Mr. Davies then moved, That the Bill be read a second time on Friday, 29th November.

Question put and passed.

3. **POSTPONEMENTS** :—The following Orders of the Day postponed :—
 (1.) Crown Lands Bill ; second reading ;—*until Wednesday next.*
 (2.) Appropriation of Land for Public Purposes ; consideration in Committee of the Whole of the expediency of bringing in a Bill to provide for the acquisition and appropriation of land for public purposes ;—*to follow after Order of the Day No. 3.*
4. **WAYS AND MEANS** :—The Order of the Day having been read,—on motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.
 Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again.
5. **TONNAGE RATES AND PUBLIC WHARFS AMENDMENT BILL** :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill intituled "*An Act to further amend the Law relating to Public Wharfs and the rates payable thereat,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
 Sydney, 14th November, 1878.*

JOHN HAY,
 President.

The House adjourned at a quarter before Twelve o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 36.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 15 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Railway Engines:—Mr. Cameron asked the Secretary for Public Works,—Has any decision been arrived at with reference to the tenders received in August last for the construction of Railway Engines; if not, what is the cause of the delay?

Mr. Sutherland answered,—A final decision has not yet been arrived at, but will be at an early day. Inquiry is being made as to the relative cost of these Engines constructed in the Colony, at the prices named in the tenders, and the cost of obtaining them from England.

(2.) White Spirits, Spirits of Wine, and Fusel Oil:—Mr. Roseby asked the Colonial Treasurer,—(1.) The amount of White Spirits and Spirits of Wine and Fusel Oil that has been taken out of Bond during the last ten years?

(2.) The names and occupations of the persons who have taken the above articles out of Bond, specifying the quantities taken out by each person during each year?

Mr. Cohen answered,—The information asked for by the Honorable Member is too voluminous to be given in the form of an answer to a question; but I have given instructions for a Return to be prepared affording the information, which I will lay upon the Table as soon as completed.

(3.) Dredge "Newcastle" and Tender "Ajax":—Mr. Hungerford asked the Secretary for Public Works,—Have the men on board the dredge "Newcastle" and tender "Ajax" applied to the Department for an increase of pay; if so, is it the intention of the Government to grant it?

Mr. Sutherland answered,—Yes. It is not the intention of the Government to increase the pay. For the information of the Honorable Member, I will presently lay upon the Table a copy of the Minute of the Engineer-in-Chief for Harbours and Rivers on which I based my decision herein.

(4.) Bridge on Road Gunning to Monaro:—Mr. Thompson asked the Secretary for Public Works,—Is the work at the Bridge on the road Gunning to Monaro, at Gundaroo, suspended; if so, when is it likely to be resumed?

Mr. Sutherland answered,—I am not aware that the work has been suspended.

(5.) Maintenance Men under Road Superintendents:—Mr. Thompson asked the Secretary for Public Works,—Are Maintenance Men under Road Superintendents entitled to all the public holidays without deduction of pay?

Mr. Sutherland answered,—The duties of the Road Officers throughout the Colony and of the men under them are of too pressing a character to permit of the observance of regular holidays; in addition to which, the employment of the men is of a temporary and desultory nature, and they are paid for the number of days on which they work.

(6.) Royal Commission—Lands Department:—Mr. J. Davies, for Mr. Bowman, asked the Secretary for Lands,—

(1.) Is it a fact that Mr. James Thomson, of the Treasury Department, has sent in his resignation as a member of the Royal Commission appointed to inquire into and report upon the Lands and Survey Departments?

(2.) If so, what were his reasons adduced for such resignation?

(3.) Will the Minister lay upon the Table of this House a copy of Mr. Thomson's letter resigning his appointment on the Commission?

Mr. Farnell answered,—

(1.) Yes.

(2 and 3.) His reasons will be found stated in his letter, a copy of which I will lay upon the Table next week, together with other correspondence on the subject.

(7.)

- (7.) Post and Telegraph Office, Windsor :—Mr. Driver asked the Secretary for Public Works,—
- (1.) Have the plans and specifications for Post and Telegraph Office, Windsor, been prepared?
 - (2.) When were instructions given to the Colonial Architect to prepare same?
 - (3.) Is it intended to proceed with the work during the present year?
- Mr. Sutherland answered,—
- (1.) Plans are now being prepared.
 - (2.) On 3rd September last, but the requisite information respecting site to enable plans to be prepared was not furnished until the 23rd of that month.
 - (3.) Tenders for the work can be invited in about a fortnight.
- (8.) Public Pound, Richmond :—Mr. Driver asked the Secretary for Public Works,—
- (1.) What is the cause of the delay in proceeding with the erection of a Public Pound at Richmond?
 - (2.) When will the work be undertaken?
- Mr. Sutherland answered,—
- (1.) The matter has been delayed in consequence of the tenders for the work being considerably above the amount authorized.
 - (2.) Fresh tenders will be obtained, and, if found necessary, further authority will be asked to cover the additional cost.
- (9.) Court-house, Richmond :—Mr. Driver asked the Minister of Justice and Public Instruction,—
- (1.) When was the new Court-house at Richmond completed?
 - (2.) Has the slightest attempt been made since the building was completed to furnish same; if so, what has been done?
 - (3.) When will same be furnished and opened for business?
- Mr. Leary answered,—
- (1.) The Court-house portion of the building was finished about the middle of last month, but the contractor having still some minor works on hand in connection with the Court-house, completion has not yet been reported.
 - (2.) No requisition has yet been made for furniture, but steps will be taken to put it in hand at once.
 - (3.) In about three weeks or a month.
- (10.) Residence for Police Officer, Richmond :—Mr. Driver asked the Colonial Secretary,—
- (1.) Is it intended to erect a Residence for the Police Officer stationed in Richmond?
 - (2.) Has the attention of the Government been directed to the matter; and if so, has anything been done?
- Mr. Fitzpatrick answered,—I am not aware that any additional quarters are required at present beyond those provided in the new Court-house and Lock-up building.
- (11.) Railway to Tamworth East :—Mr. Bennett asked the Secretary for Public Works,—When will tenders be invited to extend the Railway Line from Tamworth West to Tamworth East; as also the erection of Passenger and Goods Stations, Tamworth East?
- Mr. Sutherland answered,—Tenders will probably be invited in January next for the construction of the works on the extension of the Great Northern Railway from Tamworth to Uralla, and this length will include the portion of the line between the present terminus and the Town of Tamworth.
- (12.) Mr. John Edwards, Land Appraiser :—Mr. Murphy asked the Secretary for Lands,—
- (1.) Has Mr. John Evans been appointed Appraiser; and if so, from what date?
 - (2.) In the event of a vacancy in the Lands Department through such appointment, will it be filled on account of seniority or merit?
- Mr. Farnell answered,—
- (1.) Mr. John Edwards (not Evans) has been appointed an Appraiser from the 1st July last.
 - (2.) The vacancy will be filled up by the clerk who may be considered best qualified to perform the particular duties, due regard being paid, as far as possible, to seniority.
2. PAPERS :—
- Mr. Sutherland laid upon the Table,—Memorandum of the Engineer-in-Chief for Harbours and Rivers respecting a Petition from the Crews of the "Newcastle" and "Ajax" for an increase of pay.
Ordered to be printed.
- Mr. W. H. Suttor laid upon the Table,—Return to an Order made on 11th October, 1878,—"Road from Goulburn to Currawang."
Ordered to be printed.
3. SUSPENSION OF 61ST STANDING ORDER (*Mudgee Turf Club Bill*) :—Sir John Robertson (*by consent*) moved, without Notice, That the 61st Standing Order of this House be suspended to admit of the introduction and passing of a Bill to enable the Trustees of certain land at Mudgee, in the Colony of New South Wales, dedicated for the purpose of public recreation, to grant leases thereof, and to enable the Members of the Mudgee Turf Club to sue and be sued in the name of the Chairman for the time being of the Committee, and for other purposes.
Question put and passed.
4. MUDGEE TURF CLUB BILL :—Sir John Robertson presented a Petition from the Mudgee Turf Club, and Residents of the Town and District of Mudgee, praying that leave be given to bring in a Bill to enable the Trustees of certain land at Mudgee, in the Colony of New South Wales, dedicated for the purposes of public recreation, to grant leases thereof, and to enable the Members of the Mudgee Turf Club to sue and be sued in the name of the Chairman for the time being of the Committee, and for other purposes.
And Sir John Robertson having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Mudgee Independent*, newspapers, containing the Notices required by the 59th Standing Order,—
Petition received.

5. PARRAMATTA TOWN HALL BILL:—The Order of the Day having been read,—Mr. Taylor moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Taylor, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
On motion of Mr. Taylor, the report was adopted.
Ordered, that the Bill be read a third time on Tuesday next.
6. CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL:—Mr. Day, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 31st October, 1878; together with a copy of the Bill as agreed to in the Committee.
Ordered to be printed.
Mr. Day then moved, That the Bill be read a second time on Friday, 29th November.
Question put and passed.
7. SMALL DEBTS ACT FURTHER EXTENSION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
Ordered, that the adoption of the report stand an Order of the Day for Tuesday next.
8. COMMERCIAL BANKING COMPANY OF SYDNEY INCORPORATION ACTS EXTENSION BILL:—The Order of the Day having been read,—Mr. Lackey moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Lackey, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
On motion of Mr. Lackey, the report was adopted.
Ordered, that the Bill be read a third time on Wednesday next.
9. POSTPONEMENT:—The Order of the Day for the further consideration in Committee of the Patent Bill postponed until Friday, 29th November.
10. SYDNEY INFIRMARY AND DISPENSARY BILL:—The Order of the Day having been read,—Mr. Driver moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.
On motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
On motion of Mr. Driver (*with the concurrence of the House*), the report was adopted.
Ordered, that the Bill be read a third time on Tuesday next.

The House adjourned at Eleven o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 37.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 19 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Railway Platform, Mount Pleasant:—*Mr. J. Davies*, for Mr. Lucas, asked the Secretary for Public Works,—When will the Railway Platform at Mount Pleasant, at the Sydney side of Ashfield, which was promised by Mr. Secretary Lackey, be completed?

Mr. Burns answered,—As soon as the number of residents in the neighbourhood will justify it, in terms of the conditional promise made by Mr. Secretary Lackey.

(2.) Road from Phelps's Grant to Bunnerong:—*Mr. J. Davies*, for Mr. Lucas, asked the Secretary for Lands,—Was a Government surveyor instructed to survey the Road from Phelps's Grant to Bunnerong; did he complete his instructions, or was he withdrawn before he had completed them?

Mr. W. H. Suttor answered,—No; but the Reserve connected with it has been remeasured?

(3.) Aborigines Reserve, Bunnerong:—*Mr. J. Davies*, for Mr. Lucas, asked the Secretary for Lands,—Has the piece of land reserved for the use of the Aborigines, on the west side of Bunnerong, been placed under the care of Trustees; if so, who are the Trustees?

Mr. Farnell answered,—The reserve for public recreation, between J. C. Phelps's 75 acres and J. N. Brown's 131 acres (the Bunnerong Estate), has been placed in trust, and the Trustees are George Hill, junr., John Geddes, Edward Flood, and John Lupton.

(4.) Lee's Conditional Purchase, Parish of Terramiah:—*Mr. Day* asked the Secretary for Lands,—

(1.) Did Mary Annie Lee and Thomas Lee conditionally purchase 320 acres of land each at the Albury Land Office on the 4th March, 1875, in the County Denison, Parish Terramiah?

(2.) Did the Government surveyor duly measure these selections?

(3.) Was it discovered three years afterwards that the surveyor in measuring the land had encroached on Reserve 296?

(4.) Did the surveyor give any explanation, or was he called upon by the Minister to explain why he measured a portion of these selections upon a Reserve?

(5.) Is it the intention of the Minister to forfeit these selections, or will he include them in a special Bill, so that the selectors may retain the land?

(6.) When will such Bill be brought before Parliament?

Mr. Farnell answered,—

(1.) Yes.

(2.) Yes.

(3.) Yes.

(4.) The surveyor was not called on for any explanation, as the encroachment took place through an error in the compilation of the county map.

(5.) The parties have been advised, under date 27th March, 1878, that the selections would be included in the schedule to a special Bill proposed to be laid before Parliament.

(6.) As soon as the state of the public business will permit.

(5.) Telegraph Line from Kempsey to Grafton:—*Mr. Cameron* asked the Postmaster General,—When will the papers with reference to J. B. Jones's Telegraph Contract, which were ordered by this House on the 2nd of April last, and which he has twice promised to produce in the course of a few days, be laid upon the Table?

Mr. Burns answered,—I have at no time promised to produce the papers, which are bulky, in the course of a few days, but they have at last been copied, and I shall be able to lay them upon the Table to-morrow.

(6.)

- (6.) Prospecting Association, Home Rule:—Mr. Beyers asked the Secretary for Mines,—Has he received a petition from Home Rule, near Gulgong, referring to the Prospecting Association there; if so, what course does he intend to take in the matter?

Mr. W. H. Suttor answered,—The petition has been received, and referred to the Prospecting Board, whose report had been delayed to enable the applicants for aid to make arrangements for suitable steam machinery. The report has now been prepared, and sent to the Warden for approval and signature.

- (7.) Court-house and Gaol, Tenterfield:—Mr. Dillon asked the Secretary for Public Works,—
 (1.) On what date was the contract for the Court-house and Gaol at Tenterfield accepted?
 (2.) Has the bond for the due execution of the work been signed by the contractors and their sureties?
 (3.) If not, when will the Government insist on its signature?
 (4.) Has the work yet been commenced?

Mr. Burns answered,—

- (1.) On 23th July, 1878. The contract was to be completed in twenty-four months.
 (2.) No; in consequence of one of the sureties having declined to sign. The contractors have now submitted the name of a new surety.
 (3.) The contractors will be called on to execute the bond without further delay.
 (4.) The Police Magistrate has been requested to state whether the work has been commenced, but his reply has not yet been received.
- (8.) Beer's Disabilities Bill:—Mr. Day, for Mr. McCulloch, asked the Minister of Justice and Public Instruction,—Has a letter been received from Mr. W. H. Cooper, referring to certain remarks made by him in his address to this House advocating the second reading of the Beer's Disabilities Bill; if so, will he lay the same upon the Table of the House?

Mr. Leary answered.—Yes, a letter has been addressed to the Attorney General by Mr. W. H. Cooper, in reference to certain remarks made by him on the occasion referred to, and I will presently lay the letter upon the Table of the House.

- (9.) Road from Bibbenluka to Bombala:—Mr. Bowman asked the Secretary for Mines,—
 (1.) When will the Road between Bibbenluka and Bombala, *via* Shoemaker's Creek (which has been surveyed, and mile-posts erected thereon, by Mr. Surveyor Atchison, and approved of by Mr. District Surveyor Betts and Mr. Bundock, Road Superintendent), be opened?
 (2.) Will the Minister cause to be laid upon the Table of the House the reports by these gentlemen in reference to the said Road, and all other papers connected therewith?

Mr. W. H. Suttor answered,—

- (1.) A deviation in the Road has been applied for, and an arrangement has been made for a joint inspection by officers of the Lands and Works Departments. The Road cannot be opened until this matter is dealt with.
 (2.) No objection to lay the papers upon the Table of the House, if moved for in the usual way, but the effect of so doing would be to delay the action now being taken.
- (10.) Registrar General's Department:—Mr. J. Davies asked the Colonial Secretary,—
 (1.) On what principle have the increased salaries in the Registrar General's Department been made?
 (2.) Have all the increases been recommended by the Head of the Department?

Mr. Fitzpatrick answered,—

- (1.) Increases are proposed in certain cases with the view to make the salaries adequate to the services.
 (2.) Yes, in common with other increases, which the Government were not able to comply with.

2. PAPERS:—

Mr. Burns laid upon the Table,—Further Papers respecting the Duplication of the Telegraph Lines between Australasia and Europe.

Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—Information respecting Chinese Residents in the Colony.

Ordered to be printed.

Mr. Cohen laid upon the Table,—

- (1.) General Abstract of Bank Liabilities and Assets for the Quarter ended 30th September, 1878.
 (2.) Despatch respecting Board of Trade Examinations.

Ordered to be printed.

Mr. Leary laid upon the Table a Letter from Mr. Walter H. Cooper in reference to a speech made by him at the Bar of the House in advocacy of Beer's Disabilities Bill.

Ordered to be printed.

3. REMOVAL OF THE SHIP "CIMBA" FROM THE CIRCULAR QUAY (*Formal Motion*):—Sir John Robertson moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Letters, Papers, and Minutes, together with the Opinion of the Law Officers of the Crown, and the date thereof, in connection with the forcible removal of the ship "Cimba" from a berth at the Circular Quay, and the right of the ship "Patriarch" to occupy that berth.
 Question put and passed.

4. JURORS FEES (*Formal Motion*):—Mr. W. C. Erowae, for Mr. Coonan, moved, pursuant to Notice, That there be laid upon the Table of this House, a copy of the Table of the Scale of Fees payable to Jurors lately agreed to by the Executive Council.
 Question put and passed.

5. MUDGEE TURF CLUB BILL (*Formal Motion*):—Sir John Robertson moved, pursuant to Notice, That leave be given to bring in a Bill to enable the Trustees of certain land at Mudgee, in the Colony of New South Wales, dedicated for the purposes of public recreation, to grant leases thereof, and to enable the members of the Mudgee Turf Club to sue and be sued in the name of the Chairman for the time being of the Committee, and for other purposes.
 Question put and passed.

6. PARRAMATTA TOWN HALL BILL (*Formal Order of the Day*),—on motion of Mr. Driver, read a third time, and *passed*.

Mr. Driver then moved, That the Title of the Bill be "*An Act to authorize the erection of a Town Hall and other buildings on land granted as a site for a Market in the Town of Parramatta and for other purposes therein mentioned.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to authorize the erection of a Town Hall and other buildings on land granted as a site for a Market in the Town of Parramatta and for other purposes therein mentioned,*"—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with certified copies of Deeds of Grant referred to in the Preamble.

*Legislative Assembly Chamber,
Sydney, 19th November, 1878.*

7. SYDNEY INFIRMARY AND DISPENSARY BILL (*Formal Order of the Day*),—on motion of Mr. Driver, read a third time, and *passed*.

Mr. Driver then moved, That the Title of the Bill be "*An Act to incorporate the Sydney Infirmary and Dispensary.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to incorporate the Sydney Infirmary and Dispensary,*"—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

*Legislative Assembly Chamber,
Sydney, 19th November, 1878.*

8. GRAFTON AND GLEN INNES TELEGRAPH CONTRACT:—Mr. Burns (*by consent*) moved, without Notice, That the Return to Order in reference to this subject, laid upon the Table on 2nd October last, be printed.

Question put and passed.

9. MUDGEES TURF CLUB BILL:—Sir John Robertson having *presented* this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to enable the Trustees of certain land at Mudgee in the Colony of New South Wales dedicated for the purposes of public recreation to grant leases thereof and to enable the members of the Mudgee Turf Club to sue and be sued in the name of the Chairman for the time being of the Committee and for other purposes,*"—read a first time.

10. WIDOW OF THE LATE JOHN DUNMORE LANG:—Sir John Robertson moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the present year a sum not exceeding £3,000 to be paid to the widow of the late John Dunmore Lang in recognition of the valuable services to this Colony of her late husband.

Debate ensued.

Question put.

The House divided.

Ayes, 29.

Mr. Sutherland,	Mr. Copeland,
Mr. Fitzpatrick,	Mr. McCulloch,
Mr. Burns,	Mr. O'Connor,
Sir John Robertson,	Mr. Macintosh,
Mr. Greenwood,	Mr. Bowman,
Mr. Shepherd,	Mr. Dillon,
Mr. W. H. Suttor,	Mr. W. C. Browne,
Sir Henry Parkes,	Mr. Camerou,
Mr. Windeyer,	Mr. Simson,
Mr. Clarke,	Mr. J. Davies,
Mr. Hoskins,	Mr. Eckford,
Mr. Barbour,	<i>Tellers.</i>
Mr. H. H. Brown,	
Mr. Jacob,	Mr. Dangar,
Mr. R. B. Smith,	Mr. Roseby.
Mr. W. Davies,	

Noes, 9.

Mr. Farnell,
Mr. Leary,
Mr. Greville,
Mr. Beyers,
Mr. Terry,
Mr. McElhone,
Mr. Stephen Brown,

Tellers.

Mr. Day,
Mr. Moses.

And so it was resolved in the affirmative.

11. ADJOURNMENT:—Mr. Windeyer moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

12. THE CHINESE:—Mr. Macintosh presented a Petition from Mechanics, Labourers, and others, Members of the Working Men's Defence Association, against the influx of Chinese to this Colony.
Petition received.

13. RAILWAY REFRESHMENT ROOMS BILL:—Mr. R. B. Smith presented the following Petitions against the passing of this Bill.

(1.) From Residents of the Macleay River.

(2.) From Residents of Gladstone, Smithtown, Austral-Eden, and Belmore River.

Petitions received.

14. **WATERLOO MILLS GRANT** :—Mr. McElhone moved, pursuant to Notice,—
 (1.) That, in the opinion of this House, the Government should at once resume the 10 acres of land reserved for public purposes in the grant known as Waterloo Mills Grant of 1,400 acres, granted to one Hutchinson on 27th May, 1823.
 (2.) That the above Resolution be communicated by Address to His Excellency the Governor.
 Debate ensued.
 Question put and passed.
15. **RESERVES AT BOTANY** :—Mr. McElhone moved, pursuant to Notice, That, in the opinion of this House, all obstructions should at once be removed off the Reserves at Botany, and the whole of these Reserves should at once be thrown open to the public.
 Debate ensued.
 Question put and passed.
16. **SALARIES OF DISTRICT COURT JUDGES** :—Mr. R. B. Smith moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause a Bill to be brought in by the Government during the present Session of Parliament to increase the Salaries of the several District Court Judges to an annual sum not exceeding £1,500.
 Debate ensued.
 Mr. Windeyer moved, That this Debate be now adjourned.
 Debate continued.
 Question,—That this Debate be now adjourned,—put and negatived.
 Original Question again stated.
 Debate continued.
 Mr. Driver moved, That this House do now adjourn.
 Debate ensued.
 Question put and negatived.
 Original Question put.
 The House divided.

Ayes, 12.

Mr. Windeyer,	
Mr. Greville,	<i>Tellers.</i>
Mr. Macintosh,	Mr. Dillon,
Mr. Hungerford,	Mr. R. B. Smith.
Mr. Shepherd.	
Mr. H. H. Brown,	
Mr. Eckford,	
Mr. Bowman,	
Mr. J. Davies,	
Mr. Driver,	

Noes, 22.

Mr. Farnell,	Mr. Roseby,
Mr. Sutherland,	Mr. McElhone,
Mr. Cohen,	Mr. O'Connor,
Mr. Burns,	Mr. Murphy,
Mr. Leary,	Mr. Beyers,
Mr. W. H. Suttor,	Mr. Day,
Mr. Hoskins,	Mr. W. Davies,
Mr. Cameron,	Mr. Terry,
Mr. Greenwood,	<i>Tellers.</i>
Mr. Long,	Mr. Thompson,
Mr. Fitzpatrick,	Mr. W. C. Browne.
Mr. Harris,	

And so it passed in the negative.

The House adjourned at twenty minutes before Twelve o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 38.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 20 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Railway Carriages and Trucks:—Mr. J. Davies asked the Secretary for Public Works,—
 (1.) What is the total number of Railway Carriages, Trucks, &c., supplied by contract during the present year; what are the names of the successful tenderers?
 (2.) What quantity of Carriages, Trucks, &c., have been supplied without tenders being called for?
 (3.) What are the names of the contractors who have so supplied the Government during the year?

Mr. Sutherland answered,—I shall be prepared in a few days to lay upon the Table a Return containing the information required by this question.

- (2.) Lighting Railway Carriages with Gas:—Mr. J. Davies asked the Secretary for Public Works,—
 When will the instructions given by the late Minister for Works, Mr. Hoskins, for the lighting of the Railway Carriages with gas be carried out?

Mr. Sutherland answered,—Arrangements have just been completed for lighting the Railway Carriages with gas, and it is expected that trains so lighted will be run in the month of January next.

- (3.) Building on proposed Street opposite Post Office:—Mr. J. Davies asked the Secretary for Public Works,—

(1.) What is the total cost of the erection and fittings of the new building erected on the proposed new street opposite the Post Office?

(2.) Were tenders called for the erection and fittings of the new building?

Mr. Sutherland answered,—

(1.) The total cost of the building, including fittings, will be about £1,095.

(2.) The work was carried out by Hudson Brothers, who have the annual contract for carpenters work; and the fittings, which will amount to about £120 of the above sum, are also being carried out by the same contractors under their annual contract.

- (4.) Yanko Cutting:—Mr. Day asked the Secretary for Public Works,—

(1.) Is it the intention of the Government to expend the money voted on the last Estimates for the repairs of the Yanko Cutting?

(2.) What has been the cause of delay in expending this money, and when will the work be commenced?

Mr. Sutherland answered,—

(1.) Yes; a contract has been taken for the work.

(2.) The Inspecting Officer has reported that owing to the river being too high he was unable to set out the work. As soon as the state of the river permits, work will be commenced.

- (5.) Cancellation of Reserve in Murrumbidgee District:—Mr. Barbour asked the Secretary for Lands,—

(1.) On whose application was Reserve No. 213 cancelled, Murrumbidgee District?

(2.) Has any Government officer reported on the application?

(3.) Has the pastoral tenant sent in applications to purchase the whole of the Reserve in virtue of improvements?

(4.) Has any inquiry been made as to the date when such improvements were made?

(5.) Will he withdraw from the pastoral lease this Reserve, pending investigation?

Mr. Farnell answered,—

(1.) On the application of R. and A. Landale.

(2.) Yes; Surveyor Finley and District Surveyor Wood.

(3.) The greater part of the Reserve has been applied for in virtue of improvements by R. and A. Landale.

(4.)

(4.) Licensed Surveyor Conroy subdivided the Reserve, and in a letter transmitting plan, has stated that incomplete improvements existed at the date of survey, 14th June, 1878.

(5.) The withdrawal of the Reserve from lease would not affect the case, as the applications to purchase by Messrs. Landale have already been made.

(6.) Watering Stock in Railway Trucks :—*Mr. Day*, for *Mr. McElhone*, asked the Secretary for Public Works,—

(1.) Has *Mr. B. W. Roberts* submitted a plan to the Minister for watering Stock in the trucks on the Railway?

(2.) If so, does he intend to give his plan an early trial?

Mr. Sutherland answered,—Yes. I received *Mr. Roberts's* plan, and referred it to the proper officer for report. I have received the report to-day, and have directed a trial to be given to *Mr. Roberts's* proposal.

(7.) Application of *Mr. A. Munro* to purchase Land in County of Jamieson :—*Mr. W. C. Browne* asked the Secretary for Lands,—When the application of *Mr. A. Munro*, made seventeen years ago, for the purchase of 40 acres, in virtue of improvements, County of Jamieson, Parish Dobikin, will be finally dealt with?

Mr. Farnell answered,—At the time the application referred to was made, in June, 1862, the land was on a Reserve, and was therefore invalid. Instructions were, however, sent to the surveyor to measure, in June, 1878, and the Survey Department has issued directions to have the report expedited.

(8.) Public School at Jerry's Plains :—*Mr. W. C. Browne* asked the Secretary for Lands,—

(1.) Is he aware that notwithstanding plans and specifications for a Public School at Jerry's Plains have been ready for the past ten months, tenders cannot be invited for the erection of the building in consequence of the delay in the Department of Lands in transferring three allotments to the Council of Education, situated in the Government township?

(2.) Did not the Council of Education apply to the Lands Department for the transfer of these allotments in December, 1877?

(3.) What is the cause of the delay?

Mr. Farnell answered,—

(1.) I am not aware.

(2.) Yes.

(3.) The surveyor (who was instructed in January last) has been engaged on important surveys in a remote portion of his district, and has (as reported by him some time since) been unable to perform this survey. He will be at once directed to carry out his instructions.

2. PAPERS :—

Mr. Burns laid upon the Table,—Return to an Order made on 2nd April, 1878,—“Telegraph Line from Kempsey to Grafton.”

Ordered to be printed.

Mr. Farnell laid upon the Table,—Correspondence in reference to the resignation of *Mr. James Thomson* of his appointment as a Member of the Royal Commission appointed to inquire into the working of the Lands and Survey Departments.

Ordered to be printed.

3. MARSUPIALS :—*Mr. Dangar* presented a Petition from Residents in the Gwydir District, representing that large tracts of country are rendered valueless through the ravages of Marsupials; and praying that measures may be taken for their destruction.

Petition received.

4. SWEET-BRIER :—*Mr. W. Davies* presented a Petition from Residents of Collector and its surrounding neighbourhood, praying that the necessary steps may be adopted for eradicating the shrub commonly known as the “Sweet-brier.”

Petition received.

5. ROADS IN BOROUGH OF PADDINGTON :—*Mr. Sutherland* presented the following Petitions, praying that the Roads now under the control of the Commissioners of the South Head Roads Trust may be taken over by the Government, and placed under the jurisdiction of the Roads Department, on the same conditions as other Public Roads :—

(1.) From the Municipal Council of the Borough of Paddington.

(2.) From Owners of Property, and Residents in the Borough of Paddington.

Petitions received.

6. RAILWAY EXTENSION—JUNEE TO NARRANDERA :—Pursuant to the requirement of the Government Railways Act, 22 Victoria No. 19, section 9,—*Mr. Sutherland* laid upon the Table (*as Exhibits only*) copies of certain Plans, Sections, and a Book of Reference of a proposed Railway from Junee to Narrandera.

7. MESSAGES FROM THE GOVERNOR :—The following Messages from His Excellency the Governor were delivered by *Mr. Farnell*, and read by *Mr. Speaker* :—

(1.) The Glebe Borough Bill :—

HERCULES ROBINSON,

Governor.

Message No. 19.

A Bill, intituled “*An Act to enable the Borough of the Glebe to sell and dispose of two portions of land situate in the County of Cumberland Parish of Petersham at Grose Farm on the Old Parramatta Road granted to the Municipal Council of the Glebe as sites for Council Chambers and a School of Arts respectively and to provide for the appropriation of the proceeds thereof*,”—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 20th November, 1878.

(2.)

(2.) Tonnage Rates and Public Wharfs Amendment Bill :—

HERCULES ROBINSON,
Governor.

Message No. 20.

A Bill, intituled "*An Act to further amend the Law relating to Public Wharfs and the rates payable thereat,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 20th November, 1878.

8. **BANK LIABILITES PUBLICATION** (*Formal Motion*) :—Mr. Hoskins moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales, and the registration of the names of the proprietors thereof.
Question put and passed.
9. **MUDGE TURF CLUB BILL** (*Formal Motion*) :—Sir John Robertson moved, pursuant to Notice,—
(1.) That the Mudgee Turf Club Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
(2.) That such Committee consist of Mr. Bowman, Mr. Coonan, Mr. J. Davies, Mr. Lackey, Mr. Beyers, Mr. Copeland, Mr. Hurley (*Hartley*), and the Mover.
Question put and passed.
10. **THE CHINESE** :—Mr. McElhone presented a Petition from J. M. O'Connell, Chairman of a Public Meeting of Citizens of Sydney assembled at the Guild Hall, praying that immediate steps may be taken to prevent the introduction of Chinese into this Colony.
Petition received.
11. **WAYS AND MEANS** :—The Order of the Day having been read,—on motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.
The Chairman also reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows :—
(1.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Supplementary Services of 1876 and previous years, there be granted out of the Consolidated Revenue Fund of New South Wales the sum of £9 to defray Contingencies, 1875, further sum, for Fitz Roy Dock.

On motion of Mr. Cohen the Resolution was read a second time, and agreed to.

The House adjourned at ten minutes before Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 39.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 21 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

COSTS IN MATRIMONIAL CAUSES BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill intituled "*An Act to amend the Law as to Costs in Matrimonial Causes*,"—returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,
Sydney, 20th November, 1878.

JOHN HAY,
President.

2. QUESTIONS:—

(1.) Municipal Council Chambers, Waratah:—*Mr. J. Davies*, for Mr. Hungerford, asked the Minister of Justice and Public Instruction,—Does he intend to bring in a Bill to authorize the sale of the Municipal Council Chambers at Waratah to the Government, in order that the money voted last Session for the purchase of these buildings may be paid over to the Council?

Mr. Leary answered,—Yes, and the Parliamentary Draftsman has been instructed to prepare the requisite Bill for that purpose.

(2.) Road from Turee Creek to the Main Range:—Mr. McElhone asked the Secretary for Mines,—

(1.) In reference to several letters written by him, and a petition signed by Donald McDonald and others, praying that a Road may be opened from Turee Creek to the Main Range,—What steps (if any) have been taken to have this Road surveyed, proclaimed, and opened, as requested?

(2.) What is the cause of the great delay in surveying, proclaiming, and opening this Road?

(3.) Is he aware that on account of this Road not having been surveyed, &c., a large number of selectors are unable to obtain timber to erect their fencing and other improvements?

(4.) Will he give immediate instructions to have this Road surveyed, proclaimed, and opened without any further delay?

Mr. W. H. Suttor answered,—A report has recently been received from the Surveyor, which will be considered at once.

(3.) Steamship "Balclutha":—*Mr. Coonan*, for Mr. O'Connor, asked the Colonial Treasurer,—Is it true that the steamship "Balclutha," which arrived at 9.10 p.m. on Saturday last, the 16th instant, was not boarded by the Custom House officer till 12.30 p.m. on Sunday for the purpose of sealing up her bonded stores?

Mr. Cohen answered,—The "Balclutha" was boarded by Mr. Tide-surveyor Smyth, and her bonded stores sealed up at 11.50 a.m. on Sunday the 17th instant. The hour of her arrival is not recorded. The duty was performed after other duties of a similar nature.

(4.) Volunteer Corps, Newcastle:—*Mr. J. Davies*, for Mr. Hungerford, asked the Colonial Secretary,—Is the signature of the officer commanding each Volunteer Corps at Newcastle sufficient when application is made to the Heads of the Department for leave of absence to enable the application of the Volunteer to be granted?

Mr. Fitzpatrick answered,—I am not quite sure that I understand the Honorable Member's question. If it refers to the granting of leave of absence to Civil Servants who are Volunteers to attend the rifle matches, I can only say that the recommendation of the officer commanding any corps would be considered sufficient. But a general permission has been given to all Civil Servants engaged in the matches to attend.

(5.)

(5.) Harbour Defences :—Mr. Hoskins asked the Colonial Secretary,—When will the working plans, sections, and specifications for the proposed Fortifications at Port Jackson, Botany, and Newcastle, as recommended by Sir William Jervois, be given to the Colonial Architect, to enable that gentleman to call for tenders for this work?

Mr. Fitzpatrick answered,—The plans for Port Jackson and Botany are being prepared under Colonel Scratchley's superintendence, and will probably be brought back by him when he returns next month from Melbourne. A general plan and sections for Newcastle have been sent to the Colonial Architect, but further plans with specifications are required. These will most probably be ready to forward to the Colonial Architect by the end of this month.

3. SOUTH HEAD ROADS TRANSFER BILL. (*Normal Motion*) :—Mr. Sutherland moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to transfer the control and management of certain Roads from the South Head Road Trust Commissioners to the Commissioner for Roads.
Question put and passed.

4. COMMERCIAL BANKING COMPANY OF SYDNEY INCORPORATION ACTS EXTENSION BILL (*Formal Order of the Day*),—on motion of Mr. Lackey, read a third time, and *passed*.

Mr. Lackey then moved, That the Title of the Bill be "*An Act to continue for a further term of twenty-one years the provisions of 'The Commercial Banking Company of Sydney Incorporation Act' (as amended) whereby the Commercial Banking Company of Sydney as thereby incorporated was empowered to make issue circulate and reissue Bank Notes or Bills.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day agreed to the Bill, intituled "*An Act to continue for a further term of twenty-one years the provisions of 'The Commercial Banking Company of Sydney Incorporation Act' (as amended) whereby the Commercial Banking Company of Sydney as thereby incorporated was empowered to make issue circulate and reissue Bank Notes or Bills,*"—returns the same to the Legislative Council without amendment.

*Legislative Assembly Chamber,
Sydney, 21st November, 1878.*

5. PAPERS:—

Mr. Leary laid upon the Table,—Order in Council—Alteration in Scale of Fees under the District Courts Act of 1858.

Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—Information respecting the present system with regard to the insertion of Government Advertisements in newspapers.

Ordered to be printed.

6. CROWN LANDS BILL:—The Order of the Day having been read,—Mr. Farnell moved, That this Bill be now read a second time.

Debate ensued.

Interruption.

7. ADMISSION TO THE BODY OF THE HOUSE:—Mr. Farnell (*with the unanimous consent of the House*) moved, That William McArthur, Esquire, a Member of the British House of Commons (now present), be accommodated with a Chair on the floor of the House.

Question put and passed.

Whereupon Mr. McArthur entered the Chamber, and took a seat at the right hand of Mr. Speaker.

8. CROWN LANDS BILL:—The Debate on the motion for the second reading of this Bill,—interrupted by the proceeding recorded in entry 7,—resumed.

Mr. Lackey moved, That this Debate be now adjourned.

Question put and passed.

Ordered, that the Debate be adjourned until Wednesday next.

The House adjourned at a quarter before Eleven o'clock, until To-morrow, at Four o'clock

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 40.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 22 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Miss Laycock's Conditional Purchase at the Clarence River:—Mr. Driver asked the Secretary for Lands,—

(1.) Did Miss Emily Connell Laycock, on the 6th August, 1877, conditionally purchase 640 acres of land at Newbold, County of Gresham, Clarence River?

(2.) Was any promise made to Miss Laycock in the month of April last that such land should be surveyed at once?

(3.) Has such land been surveyed; if not, will the Minister give directions to have same made at once?

Mr. Farnell answered,—

(1.) Ycs.

(2.) There is no record of any such promise; but Miss Laycock was advised on the 11th July last that part of the land applied for was previously sold by auction, and offered, at her option, a refund of the deposit on this portion or on the whole.

(3.) No reply from Miss Laycock has been received to this communication, but a further inquiry is now being addressed to her, and on receipt of her reply the necessary further action will be taken.

(2.) No. 3 Company Volunteer Rifles:—Mr. Driver asked the Colonial Secretary,—

(1.) Is it a fact that the Captain of No. 3 Company, 1st Regiment Volunteer Rifles, retains possession of about £120 sterling of the surplus funds belonging to the Company, and that he declines to make a fair and equitable distribution of same amongst the efficient members thereof to 30th September last?

(2.) If so, will inquiry be made, and instructions given which will lead to a final settlement in the matter?

Mr. Fitzpatrick answered,—

(1.) The sum of £130 3s. is deposited in the City Bank in the names of the Captain and Secretary of finance committee of No. 3 Company. The distribution has been approved by the members of the Company. The Captain has not yet made the distribution, believing that he required superior authority for the appropriation.

(2.) Inquiry has been made, and the Captain verbally informed that no such authority is requisite in matters affecting the general fund of the Corps.

(3.) Government Advertisements in Newspapers:—Mr. J. Davies, for Mr. Bowman, asked the Colonial Treasurer,—

(1.) What amount has been paid for Advertisements for Land Sales in the *Town and Country Journal* and *Sydney Mail* newspapers, respectively, from January 1st, 1878, to present date?

(2.) Will the Minister lay upon the Table of this House any correspondence or minutes received by him, or any other Government Department, referring to same (if any) on the subject?

Mr. Cohen answered,—

(1.) To the *Town and Country Journal*, £272 2s. 8d., and to the *Sydney Mail*, £6 3s. 6d.

(2.) No correspondence relating to the advertising of land sales in the papers mentioned can be traced in the Treasury; but I imagine that no objection would be raised to producing such correspondence if the honorable gentleman will name the department with which it took place.

(4.)

- (4.) Land Sale, Coonabarabran :—Mr. Dangar asked the Secretary for Lands,—When is it intended to gazette or submit for sale Allotments in the Town of Coonabarabran, lately surveyed by Surveyor Davidson, in Namoi and Camp Streets ; also the Suburban Allotments bounded by Horseley and Sussex Streets, and those between Cowper and Knight Streets ?

Mr. Farnell answered,—The allotments in Namoi and Camp Streets will be advertised in the next sale list. The plan of allotments alluded to in the last paragraph has been returned to the surveyor on account of certain discrepancies and for further connection, and will be advertised for sale as soon as possible after these matters have been settled.

- (5.) Fortifications at Botany Bay :—Mr. W. C. Browne asked the Secretary for Public Works,—What progress has been made with the proposed Fortifications at Botany Bay, in accordance with the recommendation of Sir William Jervois ?

Mr. Cohen answered,—The drawings of the design approved of by Sir William Jervois for the Fortifications at Botany Bay are being prepared under Colonel Scratchley's supervision.

- (6.) Donaldson's Conditional Purchase, Newcastle :—Mr. McElhone asked the Secretary for Lands,—

(1.) In reference to certain mineral selections taken up by Samuel Owen at Newcastle, and since cancelled, and since taken up as a free selection,—Is he aware that two or more roads run through this conditional purchase of Donaldson's ?

(2.) Can he legally hold this land when roads divide it ; if not, will he cause inquiry to be made at once as to the roads running through it, with a view to its cancellation ?

(3.) Is he aware that Donaldson has surveyed the land himself, and will he recognize this survey ?

Mr. Farnell answered,—

(1.) Yes, two roads pass through the land applied for by A. L. Donaldson. The one from Coorumbung to Newcastle passes through the land applied for near its north-west corner ; the other road, from Lake Macquarie to Newcastle, passes approximately through the centre of the land applied for.

(2.) The part of the conditional purchase north-westerly from the road from Coorumbung to Newcastle will not be allowed. Inquiry will be made as to the importance of the road from Lake Macquarie to Newcastle, as to whether it should be considered a frontage—that is, a main road within the meaning of the Land Act Amendment Act of 1875.

(3.) I am not aware that Mr. Donaldson has surveyed the land. A survey by Mr. Donaldson would not be recognized.

- (7.) Land purchased by Frederick Peters at Bendemeer :—Mr. McElhone asked the Secretary for Lands,—

(1.) Did a person named Frederick Peters purchase 16 acres 3 roods near Bendemeer in 1861 ?

(2.) If so, is he aware that the deed for this land has never been issued, although repeated applications have been made for it ?

(3.) Is he aware that Peters has sold this land to Mr. Herbert Gardiner ; and will he give immediate instructions to have the deed issued ?

Mr. Farnell answered,—

(1.) Yes, on the 27th June, 1861.

(2.) I am not aware of any repeated applications having been made for the Deed of Grant. It was prepared in December, 1861, and was ready for delivery to the grantee at any time subsequently on application. It was forwarded to the Crown Lands Agent at Tamworth on the 15th instant, for delivery, at grantees written request, dated 23rd of last month.

(3.) There is no information in the Lands Department as to the sale of the land to Mr. Herbert Gardiner.

- (8.) John Engelbrath's Conditional Purchase, Singleton :—Mr. McElhone asked the Secretary for Lands,—

(1.) Did John Engelbrath select 40 acres of land at Singleton on the 11th July last, being portion No. 139, on the north of John Engelbrath's conditional purchase, and south of W. Bowman's Volunteer Land Order No. 322 ?

(2.) If so, was a surveyor instructed to survey this conditional purchase ; and if so, is he aware that the surveyor has left the neighbourhood without surveying it ?

(3.) Will he give instructions to have it surveyed at once, as W. Bowman claims it in virtue of a Volunteer Land Order ?

Mr. Farnell answered,—

(1.) Yes.

(2.) Instructions were issued to Mr. L. S. Pring to measure the land, if unobjectionable, under date 25th September last ; these instructions were transferred to Mr. Licensed Surveyor Seccombe on the 12th instant.

(3.) Instructions have already been issued as above stated.

- (9.) Road from Scone to Old Merriwa Crossing :—Mr. McElhone asked the Secretary for Mines,—

(1.) In reference to petition sent in by him from T. Alterater and others, nearly three years ago, praying that the Road known as the Old Merriwa Road, from Scone to their selections, might be surveyed, proclaimed, and opened,—Have instructions been given to survey, proclaim, and open this Road ?

(2.) Is he aware that this Road was open and used for over forty years until lately fenced by Mr. Finlay and others ; and will he give immediate instructions to have this Road surveyed, proclaimed, and opened ?

(3.) What is the cause of the long delay in having this Road surveyed and opened ?

Mr. W. H. Suttor answered,—

(1.) Instructions have been issued to District Surveyor. A special reminder of instructions was issued to District Surveyor on 15th November.

(2.) I have no evidence of the time this road has been in user.

(3.) The delay is in consequence of the great press of work in the district, change of surveyors, and the illness of some of them.

- (10.) William Chapman's Conditional Purchase :—Mr. Barbour asked the Secretary for Lands,—
- (1.) Is he aware that the improvement purchase notified at page 4205, *Gazette* of 18th October, was improved whilst the conditional purchase of William Chapman?
 - (2.) On that grounds will he withdraw the land from improvement purchase, and cause it to be sold by auction with the value of the improvements added?
- Mr. Farnell answered,—It is impossible for me to reply to the Honorable Member's questions, without some more definite information as to the particular "improvement purchase" to which he alludes. There are no less than sixty-seven such purchases notified at page 4205 of the *Gazette* of the 18th October, and there is nothing in such notice to show that any one of them is of land originally conditionally purchased by William Chapman.
- (11.) Steamship "Coonanbara" :—Mr. Cameron asked the Colonial Treasurer,—How many deck-hands were on board the steamship "Coonanbara" when she left for Newcastle on Monday evening last, independent of engineers, firemen, and officers?
- Mr. Cohen answered,—The Marine Board are informed that on the occasion referred to there were eight deck hands, including the Captain, 1st and 2nd officers, on board the steamship "Coonanbara."
- (12.) Civil Servants as Directors of Companies :—Mr. McElhone asked the Colonial Secretary,—
- (1.) Is he aware that the Auditor General acts as a Bank Director?
 - (2.) Is he aware that the Prothonotary, Mr. Slattery, acts as a Director for one or more Companies?
 - (3.) Will he issue instructions to prohibit all Civil Servants from acting as Directors or Auditors of Companies?
- Mr. Fitzpatrick answered,—
- (1 and 2.) Yes.
 - (3.) I am not at present disposed to go beyond the Resolution adopted by this House on the 6th June, 1876; but I will inquire how far, if at all, the terms of that Resolution have been disregarded in the case of either of the officers alluded to.
- (13.) Volunteer Corps, Newcastle :—Mr. Hungerford asked the Colonial Secretary,—Is the signature of the officer in command of each local Corps at Newcastle sufficient, when application is made to the Department for leave of absence to enable such leave to be granted, without reference to the Head of the Department?
- Mr. Fitzpatrick answered,—Under new Regulations leave can be granted by Officers Commanding Corps without application to higher authority—to Officers for one month, and to Volunteers for three months. Leave for Officers from continuous training, or a period beyond one month, can only be given by Officer Commanding Volunteer Force, or His Excellency the Governor and Commander-in-Chief, as the case may be, and to Volunteers, beyond three months, by the Officer Commanding Volunteer Force.
2. RAILWAY REFRESHMENT ROOMS BILL :—Mr. J. Davies presented the following Petitions against the passing of this Bill :—
- (1.) From Citizens of Sydney.
 - (2.) From Inhabitants of Balmain.
- Petitions received.
3. SYDNEY CORPORATION BILL :—Mr. Lucas presented a Petition from the Mayor and Aldermen of the Borough of Petersham, praying the House not to pass the Sydney Corporation Bill unless amended in certain respects.
- Petition received.
4. CITY OF SYDNEY IMPROVEMENT BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
- Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
- On motion of Mr. Driver (*with the concurrence of the House*) the report was adopted.
- Ordered, that the Bill be read a third time on Wednesday next.
5. RAILWAY REFRESHMENT ROOMS BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
- Mr. Speaker resumed the Chair; and the Chairman reported that there was not a Quorum present in the Committee.
- Mr. Speaker counted the House; and there being a Quorum present, the Committee resumed.
- Mr. Speaker resumed the Chair; and the Chairman again reported that there was not a Quorum present in the Committee.
- Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Badgery, Mr. W. C. Browne, Mr. Burns, Mr. Cameron, Mr. Cohen, Mr. Copeland, Mr. J. Davies, Mr. Driver, Mr. Farnell, Mr. Fitzpatrick, Mr. Greenwood, Mr. Jacob, Mr. Leary, Mr. Moses, Mr. Murphy, Mr. O'Connor, Mr. Shepherd, Mr. Terry, and Mr. Watson,—
- Mr. Speaker adjourned the House at twenty minutes before Eight o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 41.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 26 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Barrington Gold Field:—*Mr. Murphy*, for Mr. Beyers, asked the Secretary for Mines,—
 (1.) How many leases have been applied for since the 1st January last on the Barrington Gold Field; who were the applicants, and what is the area of the land applied for?
 (2.) What is the area of the land on the Barrington Gold Field now being worked under miners rights?

Mr. W. H. Suttor answered,—

- (1.) 190 applications for an aggregate area of 586 acres; names of applicants shown on Return which I will presently lay upon the Table.
 (2.) About 8 acres.

- (2.) Alignment of Streets, Gulgong:—*Mr. Murphy*, for Mr. Beyers, asked the Secretary for Mines,—
 When will the alignment of the Streets at Gulgong be commenced?

Mr. W. H. Suttor answered,—The surveyor who has been appointed to align the Streets is now giving up his district, transferring his instructions, and will reach Sydney on his way to Gulgong in ten days.

- (3.) Survey of Conditional Purchases, Namoi River District:—*Mr. Dangar* asked the Secretary for Lands,—

(1.) The name of the Licensed Surveyor who has charge of the Namoi River District, extending from Narrabri downwards on the north side?

(2.) The date of instructions issued to this officer to survey the several conditional purchases in this locality, including Loder's, Ryan's, Robertson's, Hawkes's, Gray's, and others?

(3.) The cause of delay in the survey of these, some of which have been taken up eighteen months or more; and will instructions be at once issued to this officer to survey these selections without further delay?

Mr. Farnell answered,—

(1.) The district on the north of the Namoi River, from Narrabri downwards to the boundaries of Counties Nandewar and Jamison, is in charge of Mr. Licensed Surveyor Loder; below that boundary, and as far as the boundary between Counties of Jamison and Denham, Mr. Licensed Surveyor Clements is in charge.

(2.) Instructions were sent to Mr. Licensed Surveyor Clements for the survey of Loder's conditional purchase on 17th June, 1878; Ryan's, on 14th June, 1877; Robertson's, on 20th August, 1877; Hawkes's, on 23rd August, 1877; and Gray's, on 2nd February and 21st March, 1877.

(3.) The plans of Ryan's and Gray's conditional purchases have been received and accepted. The surveyor has been reminded on instructions in the other cases, and requested to report as to the cause of delay.

- (4.) Post and Telegraph Office, Warialda:—*Mr. Dangar* asked the Postmaster General,—

(1.) When will tenders be called for the erection of the new Post and Telegraph Office at Warialda, the money for which has been voted by Parliament some time?

(2.) Will this vote lapse at the end of the year if tenders be not invited?

Mr. Burns answered,—Tenders for the erection of the new Post and Telegraph Office at Warialda will be invited not later than next week.

- (5.) Mails down the McIntyre River:—*Mr. Dangar* asked the Postmaster General,—In consequence of the rail alterations to Tamworth, and the Mails arriving six hours earlier in Warialda, is it intended to cause the Mails down the McIntyre River to be dispatched and received earlier accordingly?

Mr. Burns answered,—On and after the 2nd proximo the Mails for the McIntyre River will leave Warialda on Monday and Thursday at 11.30 a.m., in lieu of Tuesday and Friday at 4 a.m., and will arrive at their destination from 15 to 23 hours earlier than at present. (6.)

(6.) Public Water Tanks:—Mr. Dangar asked the Secretary for Public Works,—Referring to questions and replies during last Session of Parliament and this,—Is it intended, as therein promised, to make any provision, on the Additional Estimates, or otherwise, for the construction and maintenance of Public Water Tanks on the several tracks between the Barwin and Narren Rivers, between Narrabri and Moree, and at Bulgan and Baradine?

Mr. Burns answered,—For such of these Tanks as are required, and for which there are no funds available, provision will be made on future Estimates.

(7.) Messrs. Kidman and Son :—*Mr. Teece*, for Mr. W. Davics, asked the Colonial Treasurer,—

(1.) Who gave the order to Messrs. Kidman & Son for articles supplied to the immigrant ship "Smyrna?"

(2.) Was the account for those goods paid at the rates affixed in the Return before the House?

Mr. Cohen answered,—

(1.) The Agent for Immigration, being for supplies required for the maintenance of the Immigrants subsequent to the expiration of the laydays.

(2.) Yes.

(8.) Gunnedah Commons :—*Mr. McElhone* asked the Secretary for Lands,—

(1.) Have the whole of the temporary and permanent commons, Gunnedah, been withdrawn from the leases of the Runs of which they formerly formed part?

(2.) If so, when were they withdrawn from lease?

(3.) If they have not been withdrawn from lease, will he have them withdrawn from the lease of the Runs at once?

Mr. Farnell answered,—As far as can be ascertained the whole of the commons referred to were withdrawn from lease in the year 1870.

(9.) Messrs. Eagar and Kelly, Customs Department :—*Mr. McElhone* asked the Colonial Treasurer,—

(1.) Did a clerk in the Customs named Eagar charge £3 for clearing steamers after 4 p.m. on the 14th?

(2.) If so, what are the names of the vessels for which he received this money for clearing?

(3.) Is he allowed to make this charge, and what sum has he received this year for clearing vessels after hours?

(4.) Does a person named Kelly receive £100 a year overtime for clearing vessels after hours?

(5.) What salary does Kelly receive per annum?

(6.) What amount has he received as overtime for the present year?

(7.) Is he allowed to charge for clearing vessels after hours when he is paid £100 a year for doing this work?

Mr. Cohen answered,—

(1.) No; £3 were paid to Mr. Eagar through the official channel, on the 15th instant, for clearing six steam vessels on the wharf, viz.:—"The Clarence," on the 4th October; "Macedon," on the 4th October; "Edina," on the 11th October; "Leura," on the 14th October; "The Clarence," on the 18th October; "Edina," on the 25th October.

(2.) Is answered by information supplied in respect of No. 1.

(3.) No such charge was made. He has received this year £98 10s.

(4.) Yes.

(5.) £400.

(6.) £1 10s.

(7.) No; authority has not been given for such charge. The £1 10s. referred to in question 6 to be refunded.

(10.) Boarding Intercolonial Steamers :—*Mr. W. C. Browne*, for Mr. Coonan, asked the Colonial Treasurer,—

(1.) When, and by whose authority, and for what reason, has the boarding of intercolonial steamers been discontinued on the Sabbath and at night?

(2.) Did Mr. Dunshee's predecessor board intercolonial steamers on the Sabbath and at night?

(3.) Did Mr. Dunshee's predecessor detain for duty, or place under seizure, goods sought to be removed from intercolonial steamers during the Sabbath and at night?

(4.) Has Mr. Dunshee's predecessor ever placed under arrest and convicted any persons for removing stores from intercolonial steamers after arrival?

Mr. Cohen answered,—

(1.) When the two duties of attending to deck cargoes and to the dutiable stores of intercolonial steamers (which previously occupied two officers) were ordered to be fulfilled by one, the general question of risk to the revenue was reviewed by the Acting Collector of Customs, who directed that the attendance in respect of stores during the Sabbath and such part of the night as had been theretofore in use might be discontinued as unnecessary.

(2.) Sometimes. It may be observed that this boarding on account of stores was never more than during a portion of the night. Steamers coming in late were not boarded till next day. As there was but one officer to attend to this duty this must be obvious.

(3.) Yes; a package of traveller's samples containing some cigars and wine, when being landed with his luggage during the night, was detained by Mr. Tide-surveyor Smyth, who did not seize it, being satisfied that there was no fraudulent intention, but directed that it should be placed in the ship's store-room, where Mr. Dunshee's predecessor seized it next day. He did not detain the goods or arrest the importer on their landing, not being present on the occasion. Mr. Dunshee's predecessor with another officer boarded the mail steamer "Siam," on Sunday, the 25th August last, as private individuals anxious to purchase some cigars. They succeeded in persuading the Indian crew to contribute some from their sea stock, and having obtained all that the sailors were willing to part with they seized them.

(4.) The records in the Chief Clerk's office, and those of the Tide Surveyor, have been examined for the last five years without finding any instances of the kind.

(11.) Bingera Gold Field Reserve:—Mr. Dangar asked the Secretary for Mines,—

(1.) The nature of Mr. Commissioner Dawson's Report on the Bingera Gold Field Reserve, directed to be made on Mr. Charles Bull's application?

(2.) Has it been determined to cancel the Bingera Gold Field Reserve No. 381?

Mr. W. H. Suttor answered,—

(1.) The only Report of Mr. Commissioner Dawson relating to the Bingera Gold Field refers to trespass by the sheep of some person not named.

(2.) A Geological Surveyor has been sent to examine the Gold Field and report upon it, and his Report shall be dealt with promptly.

(12.) Road from Goorangoola to Bowman's Creek:—Mr. W. C. Browne asked the Secretary for Mines,—

(1.) What action has been taken towards opening the road from Goorangoola Post Office to Bowman's Creek?

(2.) What time has elapsed since this road was first petitioned for?

(3.) Is not this road already a public highway by user, it having being used without sufferance for more than twenty years by the public?

Mr. W. H. Suttor answered,—

(1.) Petition has been reported upon, and survey has been made, plan of which is now under examination, and will be dealt with as speedily as possible.

(2.) Fifteen months.

(3.) Not aware; it is so stated.

(13.) Steamship "Coonanbara":—Mr. Cameron asked the Colonial Treasurer,—Did Captain Allan, Harbour Master at Newcastle, cause some of the men of the local Pilot Service to go on board the "Coonanbara," while that vessel was short-handed, for the purpose of bringing her to Sydney?

Mr. Cohen answered,—No, Captain Allan did not do so. There were three men of the Harbour Department, members of the Naval Brigade, who proceeded to Sydney in the "Coonanbara," to be present at the Commodore's inspection, but they paid their passages, and took no part in the navigation of the vessel.

(14.) Employés at Botanical Gardens:—Mr. Cameron asked the Secretary for Lands,—

(1.) Have the men employed at the Botanical Gardens petitioned the Minister to be allowed to leave work at 2 p.m. on Saturdays?

(2.) Is it his intention to comply with their request?

(3.) Is it true that Mr. Charles Moore, the Director of the Gardens, has threatened to discharge any of his men whom he may find agitating this matter?

Mr. Farnell answered,—

(1.) Yes.

(2.) Yes, subject to this condition,—that one or more of the men should by rotation take the duty of watchman during the afternoons of that day without additional remuneration.

(3.) The Director did not threaten to discharge any man for agitating this matter, but told the men collectively that in future any one or more of them would be subject to dismissal if found agitating in a public manner any question affecting the management of the establishment, without first submitting the matter in the usual way for Ministerial decision.

(15.) Bridge at Croydon:—Mr. Lucas asked the Secretary for Public Works,—Is it the intention of the Commissioner for Roads to construct the Bridge at Croydon for which this House voted £600 about two years since, or is it his intention to let the Vote lapse?

Mr. Burns answered,—A sum was voted on the Estimates for the present year for the Bridge at Croydon, on condition that certain clearing, &c., should be done by the parties interested. The completion of such work has not yet been advised; when it is a contract will be entered into.

(16.) Enclosing Stock Routes, Barratta Run:—Mr. Barbour asked the Secretary for Lands,—

(1.) Have inquiries been made as to the fencing in of the stock routes by the Crown Lessee of Barratta Run, Murrumbidgee District, which he promised on 10th April last should be made?

(2.) Will he give the name of the officer instructed to make the inquiries, and the facts elicited?

(3.) What action have the Government taken, or do they intend to take, to punish the offender?

Mr. Farnell answered,—

(1.) Yes.

(2.) Mr. J. G. Condell, Forest Ranger and Crown Lands Bailiff. Reserve in question, No. 1,032, was gazetted on 6th January, 1874, reserving from sale only half-a-mile upon each side of two roads pending final selection of stock route; that there is half-a-mile of wire fencing upon the eastern side of Barratta Run running across the land so reserved, but this fence has three openings in it for the passage of stock.

(3.) None. No offence has been disclosed, the fence having been erected by the lessee of the land, and no obstruction caused to the passage along the road.

2. PAPERS:—

Mr. Leary laid upon the Table,—Return to an Order made on the 19th November instant,—“Jurors Fees.”

Ordered to be printed.

Mr. W. H. Suttor laid upon the Table,—Return of Applications for Gold Mining Leases on the Barrington Gold Field, made since 1st January, 1878, showing names of applicants, and area of land applied for.

Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—

(1.) Further Return to an Address, adopted on 8th October, 1878,—“William Creswell.”

(2.) Further Return to an Address, adopted on 6th July, 1877,—“Immigration.”—Ship “Pericles.”

Ordered to be printed.

3. **RUSCUTTERS BAY**:—Mr. Macintosh presented a Petition from Residents of and about the vicinity of Ruscutters Bay, complaining of a nuisance arising from foul drains crossing from the neighbourhood of Glenmore, which empty into the said Bay; praying the House to take the matter into immediate consideration.
Petition received.
4. **ADJOURNMENT**:—Mr. McElhone moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
5. **LEAVE OF ABSENCE**:—Sir John Robertson moved, pursuant to Notice, That Leave of Absence for the remainder of the present Session be granted to the Honorable Member for East Sydney, Mr. Stuart; and the Honorable Member for Orange, Mr. Combes.
Debate ensued.
Mr. Hurley (*Hartley*) moved the Previous Question.
Debate continued.
Mr. Hurley, by leave, withdrew the motion for the Previous Question.
Original Question, by leave, withdrawn.
6. **WILLIAM CRESWELL.—ARTHUR ORTON**:—Mr. Eckford moved, pursuant to Notice,—
(1.) That, in the opinion of this House, it is desirable for the ends of justice that Arthur Orton, *alias* William Creswell, a supposed lunatic, now confined in the Lunatic Asylum, Parramatta, be handed over to W. H. Lock, of 31, Charles-street, Fitzroy, Victoria, as the duly authorized agent of Arthur Orton's elder brother, Charles Orton, of 66, Paradise-street, Rotherhithe, in the county of Kent, England, he now being the next of kin, for the purpose of taking him to England for further identification, there being every reason to believe that he is the Arthur Orton referred to in the Tichborne trial, and who may be the means of proving beyond doubt that the person now serving a sentence of fourteen years imprisonment in gaol in England in connection with the claims known as those of Tichborne is not the Arthur Orton he has been assumed to be.
(2.) That the above Resolution be communicated by Address to His Excellency the Governor.
Debate ensued.
Question put.
The House divided.

Ayes, 4.

Mr. Johnston,
Mr. Charles,*Tellers.*Mr. Eckford,
Mr. Roseby.

Noes, 29.

Mr. Farnell,	Mr. Hutley (<i>Hartley</i>),
Sir John Robertson,	Mr. Terry,
Mr. Cohen,	Mr. Greville,
Mr. Macintosh,	Mr. Fitzpatrick,
Mr. Leary,	Mr. Jacob,
Mr. Burns,	Mr. W. C. Browne,
Mr. Barbour,	Mr. Driver,
Mr. Greenwood,	Mr. Murphy,
Mr. Bowman,	Mr. Hoskins,
Mr. Dangar,	Mr. McCulloch,
Mr. McElhone,	Mr. W. H. Suttor,
Mr. O'Connor,	<i>Tellers.</i>
Mr. Cameron,	Mr. Dillon,
Mr. Wisdom,	Mr. Harris.
Mr. Copeland,	
Mr. J. Davies,	

And so it passed in the negative.

7. **DOUBLE BAY**:—Mr. Macintosh moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Documents, Correspondence, Reports, and Plans from Surveyors or other persons, with all Minutes of whatsoever nature thereon, that have taken place with the Government, from 1830 to date, having reference to the purchase or exchange for other land of that parcel of land situate between the Steyne, Double Bay, and the western boundary of the land granted to Captain Piper, and abutting on the Marine Parade.
Question put and passed.
8. **JURY LISTS, DENILQUIN**:—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on an Additional Estimate for 1879 a sum not exceeding £250 to defray the expenses of witnesses before the Select Committee on "Jury Lists, Denilquin."
Question put and passed.
9. **TOWN CLOCK, DENILQUIN**:—Mr. Barbour moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1879 a sum not exceeding £300 for the supply and erection of a Town Clock for Denilquin.

Point of Order:—Mr. Burns requested the ruling of Mr. Speaker, as to whether this Question was properly before the House, the same Question having been decided during the present Session.

Mr. Speaker said that on the occasion referred to no debate arose, nor was any decision arrived at on the subject matter of the present motion,—the House, as it appeared to him, simply refused to resolve itself into Committee on the day named. Such being the technical effect of the resolution of the House, he thought that the present motion was in order.

Debate then ensued.

Question

Question put.

The House divided.

Ayes, 20.

Mr. Farnell,	Mr. Terry,
Mr. Burns,	Mr. Charles,
Mr. Fitzpatrick,	Mr. Wisdom,
Mr. Cohen,	Mr. Dillon,
Mr. Leary,	Mr. W. C. Browne,
Mr. W. H. Suttor,	Mr. Roseby,
Sir John Robertson,	<i>Tellers.</i>
Mr. Harris,	
Mr. T. R. Smith,	Mr. Macintosh,
Mr. J. Davies,	Mr. Barbour.
Mr. R. B. Smith,	
Mr. Coonan,	

Noes, 10.

Mr. Windeyer,
Mr. Greville,
Mr. Hoskins,
Mr. Driver,
Mr. Murphy,
Mr. McElhone,
Mr. Cameron,
Mr. Hurley (<i>Hartley</i>),
<i>Tellers.</i>
Mr. O'Connor,
Mr. Bowman.

And so it was resolved in the affirmative.

10. **POSTPONEMENT** :—The Order of the Day for the second reading of the Press Bill postponed until Friday, 6th December.
11. **REDMOND'S ESTATE BILL** :—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
Ordered, that the committal of the Bill stand an Order of the Day for Friday, 6th December.
12. **POSTPONEMENT** :—The Order of the Day for the second reading of the Copyright Bill postponed until Friday, 13th December.
13. **MARRIED WOMEN'S RELIEF BILL** :—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Windeyer, "That this Bill be now read a third time,"—Mr. Cameron moved, That this Debate be now adjourned.
Question put.

The House divided.

Ayes, 23.

Mr. Farnell,	Mr. Greville.
Mr. Cohen,	Mr. Bowman,
Mr. Burns,	Mr. Driver,
Mr. Fitzpatrick,	Mr. Macintosh.
Mr. Leary,	Mr. R. B. Smith,
Mr. W. H. Suttor,	Mr. T. R. Smith.
Sir John Robertson,	Mr. Cameron,
Mr. Greenwood,	Mr. J. Davies,
Mr. Barbour,	<i>Tellers.</i>
Mr. Hoskins,	
Mr. Wisdom,	Mr. W. C. Browne,
Mr. O'Connor,	Mr. Charles.
Mr. Coonan,	

Noes, 6.

Mr. Windeyer.
Mr. Terry,
Mr. McElhone,
Mr. Hurley (<i>Hartley</i>),
<i>Tellers.</i>
Mr. Harris,
Mr. Roseby.

And so it was resolved in the affirmative.

Ordered, that the Debate be adjourned until Friday, 13th December.

14. **POSTPONEMENTS** :—The following Orders of the Day postponed :—
(1.) Stock Sale-yards Bill ; second reading ;—*until Friday, 6th December.*
(2.) Adulteration of Food Prevention Bill ; second reading ;—*until Friday, 6th December.*
15. **WIDOW OF THE LATE JOHN DUNMORE LANG** :—The Order of the Day in reference to a gratuity to the Widow of the late John Dunmore Lang, read,—and, on motion of Sir John Robertson, discharged.
16. **POSTPONEMENT** :—The Order of the Day in reference to Bank Liabilities Publication postponed until Friday, 6th December.
17. **SMALL DEBTS ACT FURTHER EXTENSION BILL** :—The Order of the Day having been read,—Mr. O'Connor moved, That the report from the Committee of the Whole on this Bill be now adopted.
Mr. Windeyer moved, That this debate be now adjourned.
Debate ensued.

And the House continuing to sit till after Midnight,—

WEDNESDAY, 27 NOVEMBER, 1878, A.M.

Question,—That this Debate be now adjourned,—put and passed.

Ordered, that the Debate be adjourned until Friday, 6th December.

The House adjourned at twenty-five minutes before One o'clock, A.M., until Four o'clock P.M. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 42.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 27 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Barwin River:—Mr. Dangar asked the Secretary for Public Works,—Is it intended to make any provision on the Additional Estimates, or otherwise, for a grant of money to clear and snag the Barwin River from Brewarrina to Walgett?

Mr. Sutherland answered,—An officer has been instructed to report on the condition of the river between Brewarrina and Walgett. When his report has been received the Government will come to a determination in the matter.

- (2.) Railway Trial Survey, Narrabri to Walgett:—Mr. Dangar asked the Secretary for Public Works,—Is it intended to make a trial survey of the North-western Railway from Narrabri to Walgett?

Mr. Sutherland answered,—Not at present. An exploration was made from Narrabri to Walgett in 1873, and the entire length was found to be level and favourable for railway construction.

- (3.) Bridges over Big River and Bingera Creek:—Mr. Dangar asked the Secretary for Public Works,—Is it intended to place sums of money on the Supplementary or Additional Estimates, or otherwise make provision for the erection of Bridges over the Big River at Bingera Town and over Bingera Creek, near Bingera?

Mr. Sutherland answered,—The question of providing for these Bridges is still under consideration, it being one that, to a great extent, is involved in the direction of future Railway extension.

- (4.) Bridge over the Williams at Clarence Town:—Mr. Jacob asked the Secretary for Public Works,—

(1.) Is the bridge over the Williams at Clarence Town, for which tenders are invited, to be paid for out of the £5,000 voted last Session for a Bridge, Williams River?

(2.) If so, has the site been fixed at Clarence Town after the fullest inquiry as to which part of the Williams River the bridge ought to be, so as to afford the greatest accommodation to the public?

(3.) Has he received a Petition purporting to be from persons who would use a bridge across the river named, and therefore the best judges as to the locality where it would be of most service, praying for the structure to be at Seaham and not at Clarence Town?

(4.) If such a Petition has been received, when was it, and have the Petitioners been replied to, and to what effect?

(5.) Will he lay upon the Table of the House all Correspondence, Reports, &c., including the Petition referred to and the letter accompanying it, relative to the proposed bridge, which were not part of the Papers on the subject tabled in July of last year?

Mr. Sutherland answered,—

(1.) Yes, if a tender is accepted.

(2.) Tenders have been invited for Bridge at Clarence Town, as it was at that site the Bridge was applied for when the money was voted.

(3.) Yes.

(4.) On the 27th July last. The Member for the Williams was informed on the 2nd August that the Petition had been forwarded to the Commissioner for Roads. No communication has since been made respecting it.

(5.) The Papers will be laid upon the Table of the House.

(5.)

(5.) International Exhibition in Sydney:—*Mr. Dangar*, for *Mr. J. Davies*, asked the Colonial Secretary,—

(1.) Is it the intention of the Government to provide the necessary funds for the successful holding of the International Exhibition?

(2.) Are the Government aware that the sum of £6,000 only has been raised by private subscription?

(3.) Are the Government aware that the French Government have placed a sum of £12,000 on their Estimates for the purpose of conveying their exhibits to our International Exhibition?

Mr. Fitzpatrick answered,—

(1.) If the Agricultural Society find that the proposed Exhibition is assuming proportions beyond their powers, the Government will be prepared to take the matter in hand, subject to the approval of Parliament.

(2.) Yes.

(3.) It is so stated in the public Press.

(6.) International Exhibition in Sydney:—*Mr. Cameron*, for *Mr. Lucas*, asked the Colonial Secretary,—

(1.) Whether he has, since the 26th of October last, had any correspondence with those gentlemen who have taken upon themselves the management of the proposed International Exhibition?

(2.) How much money has been subscribed by the public up to this date towards the Exhibition?

(3.) Is it true that several gentlemen, members of the Agricultural Society, have protested against the appropriation of any of the moneys of that Society towards the proposed International Exhibition?

(4.) Can the Honorable Gentleman give this House any other information as to the progress being made to make the proposed Exhibition a success?

Mr. Fitzpatrick answered,—

(1.) Since the date named certain telegrams have passed between the Government and the Agent General, at the instance of the Agricultural Society. These, in common with other Correspondence ordered by the House, will shortly be laid upon the Table.

(2.) I am informed that the subscriptions are a little over £6,000.

(3.) Judging from what I read in the public Press, I believe such to be the case.

(4.) I can not.

(7.) Bridge at Croydon:—*Mr. Lucas* asked the Secretary for Public Works,—If he will lay upon the Table of this House all Correspondence, Minutes, and other Papers referring to the Croydon Bridge?

Mr. Sutherland answered,—There will be no objection to lay the Papers upon the Table of the House.

(8.) Waterloo Grant:—*Mr. McElhone* asked the Secretary for Lands,—

(1.) Has he yet issued instructions to resume the 10 acres of land for public purposes out of the Waterloo Grant, now held by *Sir D. Cooper* and his family?

(2.) If not, will he give instructions to have this land resumed at once?

Mr. Farnell answered,—The necessary instructions for resumption cannot be issued until certain information which, under an opinion just received from the Attorney General, is required has been obtained, and which I have directed to be furnished.

(9.) Botany Reserves:—*Mr. McElhone* asked the Secretary for Lands,—

(1.) Has he given instructions to have the Reserve at Botany re-surveyed; if not, will he give immediate instructions to have it re-surveyed at once, so as to enable the Trustees to have it fenced and improved?

(2.) Will he place a sum of money on the Supplementary Estimates to improve the Botany Reserves?

Mr. Farnell answered,—

(1.) *Mr. Surveyor Binsted* was instructed on the 10th of last month to point out the boundaries of the Reserve to the Trustees.

(2.) Yes.

(10.) Land Office, Brewarrina:—*Mr. Dangar*, for *Mr. J. Davies*, asked the Secretary for Lands,—Has a Land Office been established in Brewarrina, and if so, has he appointed a Land Agent for that town; if not, when does he intend doing so?

Mr. Farnell answered,—A Land Office has not yet been established, nor has a Land Agent been appointed. It is intended to establish an office and appoint an agent as soon as the necessary books can be prepared.

(11.) Reserves on the Barwon:—*Mr. Dangar*, for *Mr. J. Davies*, asked the Secretary for Lands,—

(1.) Has an application been made in reference to opening up the Reserves on the left bank of the Barwon?

(2.) Is the Minister aware that numbers of families are waiting to select as soon as the restriction is taken off?

Mr. Farnell answered,—

(1.) Yes, an application was made by *Mr. Kelly*, which has been referred to the District Surveyor for report.

(2.) Not aware.

(12.) Burrowa Commons:—*Mr. Dangar*, for *Mr. J. Davies*, asked the Secretary for Lands,—On what dates were the temporary and permanent commons at Burrowa proclaimed?

Mr. Farnell answered,—15th March, 1867, and 2nd October, 1866, respectively.

(13.) Reserve, Murrumbidgee District:—*Mr. Barbour* asked the Secretary for Lands,—Is it his intention to re-reserve that portion of Reserve No. 213, Murrumbidgee District, revoked in *Gazette* of 21st October last?

Mr.

Mr. Farnell answered,—It was upon the recommendation of the Surveyor General, based upon the report of Mr. Surveyor Finlay, which report was further recommended for adoption by the District Surveyor (Mr. Wood), that the portion of the reserve referred to was “not of the slightest benefit to the public”—that the revocation of the said portion of the reserve was approved. Under the above recommendation and reports I cannot see any reasons for the re-reservation of such portion, the unimproved areas of which became open to conditional purchase on Thursday last. With regard to the improved portions, I may state that the Government some months ago laid down the principle that they would allow no lands to be sold in virtue of improvements made during the currency of the reserve on which they were made, and that I am not aware of any grounds for supposing that the Government have authorized, or will authorize, any departure from that principle with regard to the particular reserve alluded to by the Honorable Member.

2. **THE LAND LAW** :—Mr. Watson presented a Petition from Free Selectors and other Residents of the District of Young, praying that a Bill may be introduced to remedy certain defects in the present Land Law in regard to improved conditional purchases.
Petition received.
3. **RAILWAY EXTENSION** :—Mr. Leary presented a Petition from Charles Hardy, Chairman of a Public Meeting of Inhabitants of the Town and District of Wagga Wagga, praying the House to take the necessary steps for the extension of the Southern Railway from South Wagga Wagga to South Hay, on the south side of the Murrumbidgee River, instead of from Junee to Narrandera.
And the same having been read at length by the Clerk, by direction of Mr. Speaker,—
Petition received.
4. **SPECIAL ADJOURNMENT (Formal Motion)** :—Mr. Driver moved, pursuant to Notice, That this House, at its rising to-morrow, do adjourn until Tuesday, 3rd December.
Question put and passed.
5. **DISTILLATION BILL (Formal Motion)** :—Mr. Cohen moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the expediency of bringing in a Bill to amend in certain particulars the Distillation Act, 13 Vic., No. 27.
Question put and passed.
6. **VOLUNTEER HALL, WINDSOR (Formal Motion)** :—Mr. Driver moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, Papers, and Telegrams received by the Honorable the Colonial Secretary, and his replies thereto, respecting the application for the Volunteer Hall at Windsor, for the use of the Loyal Orange Lodge, No. 52, and the refusal of the same by the Government.
Question put and passed.
7. **MR. JOHN Garsed (Formal Motion)** :—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That there be laid upon the Table of this House, copy of a Letter addressed to the Honorable the Premier, J. S. Farnell, dated 25th October, 1878, from Mr. John Garsed; also any other Letter or Letters addressed to the Premier having reference to the Letter of above date.
Question put and passed.
8. **CITY OF SYDNEY IMPROVEMENT BILL (Formal Order of the Day)**,—on motion of Mr. Driver, read a third time, and *passed*.
Mr. Driver then moved, That the Title of the Bill be “*An Act to make better provision for the construction of Buildings and for the safety and health of the Inhabitants within the city of Sydney.*”
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council with the following Message :—
MR. PRESIDENT,—
The Legislative Assembly having this day passed a Bill, intituled “*An Act to make better provision for the construction of Buildings and for the safety and health of the Inhabitants within the City of Sydney.*”—presents the same to the Legislative Council for its concurrence.
*Legislative Assembly Chamber,
Sydney, 27th November, 1878.*
9. **CROWN LANDS BILL** :—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Farnell, “That this Bill be now read a second time”,—
And the Question being again proposed,—The House resumed the said adjourned Debate.
Mr. Murphy moved, That this Debate be now adjourned.
Debate ensued.
Question put and passed.
Ordered, that the Debate be adjourned until to-morrow.

The House adjourned at a quarter after Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 43.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 28 NOVEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Road through Fitzgerald's Grant to Uarbry:—*Mr. Bennett*, for *Mr. McElhone*, asked the Secretary for Mines,—

(1.) In reference to a Petition signed by *Mr. T. J. Piper* and others, and also as to several letters written by me, praying that a road might be opened through *R. M. Fitzgerald's* grant of 790 acres to Uarbry and the bridge crossing the Talbragar River, near Uarbry,—What steps (if any) have been taken to survey, proclaim, and open this road?

(2.) What is the cause of the great delay in surveying, proclaiming, and opening this road?

(3.) Has any objection been made as to the cost of fencing this road; if so, is he aware that there is no necessity to fence it, as public gates could be erected on this road, which would do away with the cost of fencing?

(4.) Will he give immediate instructions to have this road surveyed, proclaimed, and opened without any further delay, and has any report been received from the surveyor?

Mr. W. H. Suttor answered,—

(1.) A report has been received, upon which instruction to survey was issued.

(2.) It is believed that the survey has been made, but the plan has not yet been sent in.

(3.) The case has not reached the legal stage at which objections and the question of final adoption of the road are considered.

(4.) Immediate instructions will be given to have the case dealt with speedily.

(2.) Bridges over Parramatta River and Iron Cove:—*Mr. Bowman* asked the Secretary for Public Works,—

(1.) When will a commencement be made with foundations of Parramatta River and Iron Cove Bridges?

(2.) Is the gentleman in charge of the work experienced in the construction of iron bridges?

(3.) What progress has been made during the past twelve months with the above work?

(4.) Have such works been successfully carried out hitherto by the Department of Roads and Bridges; and if so, under whose supervision?

Mr. Sutherland answered,—

(1.) A commencement has been made. The foundations of two of the abutments are in progress.

(2.) Yes.

(3.) The work was commenced in April. Since that date a large quantity of excavation in preparing sites for landing and receiving ironwork, for abutments and for Hunter's Hill approach, including quarrying of stone for abutments, has been done; stores, workshops, offices have been built. Appliances and staging for sinking three piers are ready; also two timber jetties for landing ironwork, building two large punts, several boats, &c., &c.

(4.) Yes; under the superintendence of Messrs. Trombicki, Whiteside, Statham, and Franklin.

(3.) Site for School of Arts, Gunnedah:—*Mr. Dangar* asked the Secretary for Lands,—Is it intended to grant the application made, on behalf of the Gunnedah School of Arts Provisional Committee, for a grant of part of the Market Reserve, in the Town of Gunnedah, as a site for a School of Arts, and the nomination of Messrs. Abbott, Allen, and Cohen, as recommended, as Trustees thereof?

Mr. Farnell answered,—1 rood 28 perches, being allotment 2 of section 30A, part of the Market Reserve, has been dedicated for the purpose. The Trustees will be appointed at once.

(4.)

- (4.) Gaol at Bingera :—Mr. Dangar asked the Colonial Secretary,—Is it intended to proclaim Bingera Lock-up a Gaol to meet light sentence cases, and prevent prisoners being sent at heavy expense to Gaols at long distances?

Mr. Fitzpatrick answered,—Not at present. Provision will be made on Additional Estimates for enlargement of the Lock-up to fit it as a Gaol in view of the extension to Bingera of Courts of Quarter Sessions. In the meantime the Justices in their summary jurisdiction can award imprisonments for periods not exceeding fourteen days in the nearest Lock-up or Watch-house. It does not therefore appear necessary to proclaim the Bingera Lock-up to be a Gaol to meet light sentence cases.

- (5.) Railway Omnibus Accommodation :—Mr. Taylor asked the Secretary for Public Works,—

(1.) Is it known that, owing to the insufficient omnibus accommodation, many railway travellers carry keys, that they may open the carriage doors and in the scramble have a chance for a seat on the omnibus?

(2.) Will the Minister give imperative instructions for immediate additional omnibus accommodation at the Redfern Railway Station, or throw open the traffic to all omnibus proprietors on equal terms?

Mr. Sutherland answered,—

(1.) It is known that some railway travellers (whose names are not known) carry keys and use them, in violation of the By-law which prohibits the practice; when discovered the offenders are prosecuted.

(2.) Yes, inquiry is being made to ascertain the fact.

- (6.) Post and Telegraph Office, Jerry's Plains :—Mr. W. C. Browne asked the Postmaster General,—When will Tenders be invited for the erection of a Post and Telegraph Office at Jerry's Plains, a site having been now adopted by the Postmaster General?

Mr. Burns answered,—The site has only recently been approved, and inquiry is being made as to whether the site in question is available. No delay will occur in preparing the plans and specification and inviting tenders for the erection of the office.

- (7.) International Exhibition in Sydney :—Mr. Hurley (*Hartley*) asked the Colonial Secretary,—

(1.) Is it true that the Colonial Secretary forwarded, at the expense of the Colony, a telegram from the Exhibition Committee to Sir Daniel Cooper, asking for subscriptions to be collected in England to defray the expenses of the New South Wales Exhibition?

(2.) Is it true that in consequence of a telegram received from the Secretary of the Exhibition Committee in Paris that 6 acres of covered space had been applied for, the Colonial Secretary forwarded the following message to the Agent General in London :—“Building at present arranged for only 75,000 feet floor space. Funds limited. Subscriptions coming in slowly. Great judgment must be shown in accepting only valuable and instructive exhibits”?

Mr. Fitzpatrick answered,—

(1.) No.

(2.) At the instance of the Agricultural Society I telegraphed to the Agent General, on the 16th instant, to the above effect, in reply to a message from Mr. Forster intimating that 6 acres of space had been applied for.

- (8.) Township of Daysdale :—Mr. Day asked the Secretary for Lands,—

(1.) When will the Township of Daysdale be surveyed and offered for sale?

(2.) Have any instructions been issued for the survey of this land?

(3.) If not, will he issue instructions to have the land cut up for sale at once?

Mr. Farnell answered,—

(1.) All that is known with regard to Village of Daysdale is that a letter was sent in to the Department by the Manager of Bank of New South Wales, Corowa, asking to have the land surveyed at a place so named.

(2.) This letter was forwarded to District Surveyor Wood for report.

(3.) No further action can be taken until this report is received.

- (9.) Mrs. Devine's Conditional Purchase at Albury :—Mr. Day asked the Secretary for Lands,—

(1.) Did Mary Devine conditionally purchase 178½ acres of land at Albury on the 20th August, 1874?

(2.) Did this selection embrace a portion of G. H. Jennings's conditional purchase?

(3.) Did the Lands Department inform Mrs. Devine that she could have all the available land in the locality, about 60 acres?

(4.) Is there any reason why this promise should not be carried into effect?

(5.) Will he state briefly how this case stands?

Mr. Farnell answered,—

(1.) Mary Devine made an application at the Land Office, Albury, on the date named, for a conditional purchase of 170 acres.

(2.) Yes.

(3.) Yes.

(4.) Yes; it was thought that Mary Devine could retain about 60 acres of her conditional purchase, but Mr. Licensed Surveyor Berry has reported that the whole of the land applied for by her was included in G. H. Jennings's conditional purchase of 320 acres.

(5.) The case has been referred to the District Surveyor for report.

- (10.) Water Tanks for Brocklesby West :—Mr. Day asked the Secretary for Public Works,—

(1.) Did the inhabitants of Brocklesby West send in a Petition asking the Government to provide two water-tanks for that waterless locality?

(2.) Has a report been sent in by the proper officer in answer to the Petition; if so, what is the nature of the report, and does the Minister concur in such report?

(3.) If not, will he place a sufficient sum of money on the Estimates to sink one or two tanks in the locality named in the said Petition?

(4.) How much money has been expended by the Government in water supply on that extensive and thickly populated tract of dry country between the Billabong Creek, the Murray River, Deniliquin, and Albury?

Mr. Sutherland answered,—

(1.) Yes.

(2.) Yes; the report is conclusive that no grant should be authorised for these tanks. I directed the Honorable Member to be so informed.

(3.) The Commissioner for Roads recommended the advisability of dealing with these various questions in a more comprehensive way.

(4.) The proposal of the Commissioner for Roads would embrace the district referred to, on which as yet only £300 is in course of expenditure, and £600 has been provided but not yet expended.

2. CAPTAIN TALBOT, VOLUNTEER ARTILLERY (*Formal Motion*):—Mr. J. Davies moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, Minutes, Memoranda, &c., having reference to the application of Captain Talbot, No. 2 Battery, Volunteer Artillery, to retain his position under the new Volunteer Regulations, and to his subsequent retirement.

Question put and passed.

3. LAND ORDERS TO QUARTERMASTER NOBLE AND LIEUT. MURRAY, VOLUNTEER ARTILLERY (*Formal Motion*):—Mr. J. Davies moved, pursuant to Notice, That there be laid upon the Table of this House,—

(1.) Copies of all Correspondence, Minutes, Memoranda, &c., connected with the issue of a Land Order to Quartermaster Noble, late of No. 2 Battery, Volunteer Artillery.

(2.) Copies of all Correspondence, Minutes, Memoranda, &c., having reference to the issue of a Land Order to Lieut. P. Murray, late of No. 2 Battery, Volunteer Artillery.

Question put and passed.

4. PAPER:—Mr. Fitzpatrick laid upon the Table,—Report of the Royal Commission appointed to inquire into and report upon the management of Berrima Gaol, together with Minutes of Evidence and Appendices.

Ordered to be printed.

5. POSTPONEMENT:—The Order of the Day No. 1 of Government Business postponed, to follow after Order No. 2.

6. CROWN LANDS BILL:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Farnell, "That this Bill be now read a second time",—

And the Question being again proposed,—The House resumed the said adjourned Debate.

Mr. Bawden moved, That this Debate be now adjourned.

Debate ensued.

Question put and passed.

Ordered, that the Debate be adjourned until Wednesday next.

The House adjourned at a quarter after Eleven o'clock, until *Tuesday next*, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 44.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 3 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Court-house, Walgett:—Mr. Dangar asked the Secretary for Public Works,—

(1.) Has a fresh tender or contract been accepted for the new brick Court-house at Walgett, the foundation of which has now been laid over two years; if so, the name of contractor, and when the contract time expires?

(2.) Have the original designs of this building been altered with a view to increase the accommodation; and if so, to what extent?

Mr. Burns answered,—

(1.) No fresh tender has been accepted for the Court-house at Walgett.

(2.) The original designs of this building have not been altered to increase the accommodation, as it is intended now for a watch-house only; but fresh plans are being prepared for a new building, providing accommodation for holding Courts of Petty Sessions, for which the sum of £3,000 has been placed on Estimates for 1879, now before Parliament.

(2.) Land purchased at Wagga Wagga for Railway Purposes:—Mr. Beyers, for Mr. McCulloch, asked the Colonial Treasurer,—

(1.) What is the reason for the delay in settling the purchases by the Commissioner for Railways from George William Cummins, Patrick Malone, Charles Amedee Soguiés, Alexander Thorley Bolton, and William Love, respectively, of land at Wagga Wagga?

(2.) When will the purchase money be paid?

Mr. Cohen answered,—

(1.) Certain inquiries have been necessary.

(2.) The money will be paid in a day or two.

(3.) E. D. Ogilvie's Auction Purchase, County of Drake:—Mr. Barbour asked the Secretary for Lands,—

(1.) Did the Honorable E. D. Ogilvie omit to pay balance upon an auction purchase of land in the County of Drake?

(2.) Did he during the present month apply for leave to pay said balance?

(3.) Was such leave granted after the date which rendered such purchase void and deposit forfeited to the Crown?

(4.) If so, upon whose authority was such leave allowed?

(5.) Is it a fact that in several similar cases, notably those of Lachlan M'Bean at Hay, and Hunt and Brown at Deniliquin in 1877 were refused, and the balances forfeited to the Crown?

(6.) When will the Return of such cases, ordered by the House, be laid upon the Table?

Mr. Farnell answered,—

(1.) Yes.

(2.) Yes; during October.

(3.) Yes.

(4.) On the authority of the Minister for Lands.

(5.) There have been three or four such cases, but in each one there was a conflicting claim.

(6.) The Return is partly made out, and will be completed as soon as ever the pressing current work of the Auction Branch will admit.

(4.) Post and Telegraph Office, Quirindi:—Mr. Bennett asked the Postmaster General,—Is it the intention of the Government to make provision on the Supplementary Estimates for 1879 for erecting Post and Telegraph Offices on the site reserved for that purpose in section 19, Town of Quirindi?

Mr. Burns answered,—The question of whether provision shall be made in the next Estimates for the erection of a Post and Telegraph Office at Quirindi has not yet been considered by the Government.

(5.)

(5.) Court-house and Police Station, Quirindi:—Mr. Bennett asked the Minister of Justice and Public Instruction,—Is it the intention of the Government to make provision on the Supplementary Estimates for 1879 for the erection of Court-house and Police Station on the site set apart for the purpose in section 19, Town of Quirindi?

Mr. Leary answered,—Inquiry is now being made as to the necessity for the erection of a Court-house on the site in question. It appears, however, that a Police Station has already been erected at Quirindi, but its situation would seem to be too distant from the township and railway station. So soon as the requisite information shall have been obtained, the subject will receive immediate attention.

(6.) Railway from Juneec to Narrandera:—Mr. Watson asked the Secretary for Public Works,—Is it the intention of the Government to take action, and if so, when, with a view to carry out the decision of this House for the construction of the Railway from Juneec to Narrandera?

Mr. Burns answered,—It is the intention of the Government to carry out the decision of the House for the construction of the Railway from Juneec to Narrandera as soon as public business will permit.

(7.) Mr. James Duff's Pre-leases at Millie:—Mr. Day, for Mr. McElhone, asked the Secretary for Lands,—

(1.) Is he aware that Mr. James Duff's pre-leases at Millie, near Narrabri, have been measured for auction sale at the request of Mr. Abbey Dangar, or Dangar Brothers?

(2.) Will he at once withdraw this land from sale?

Mr. Farnell answered,—No pre-emptive lease in James Duff's name can be traced.

(8.) Land Office, Gulgong:—Mr. J. Davies, for Sir John Robertson, asked the Secretary for Mines,—

(1.) Did Mr. Wilkinson, the Geological Surveyor, recommend certain lands near Gulgong to be thrown open for conditional purchase?

(2.) If so, is it the intention of the Government to comply with that recommendation?

(3.) Is it the intention of the Government to proclaim a Land Sales Office at Gulgong; and if so, when?

Mr. W. H. Suttor answered,—

(1.) Yes.

(2.) Yes.

(3.) No.

2. COSTS IN MATRIMONIAL CAUSES BILL:—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 21.

A Bill, intituled "*An Act to amend the Law as to Costs in Matrimonial Causes*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 28th November, 1878.

3. THE CHINESE:—Mr. Greville presented the following Petitions, praying the House to devise measures for restricting the influx of Chinese to this Colony:—

(1.) From J. M. O'Connell, Chairman of a Public Meeting of Citizens of Sydney assembled at the Haymarket.

(2.) From T. R. Smith, M.P., Chairman of a Public Meeting of Residents of the Municipality of Redfern.

(3.) From J. M. O'Connell, Chairman of a Public Meeting of Citizens of Sydney assembled at Belmore Markets.

(4.) From J. M. O'Connell, Chairman of a Public Meeting of Inhabitants of Balmain.
Petitions received.

4. TELEGRAPHIC COMMUNICATION WITH MUNDOORAN:—Mr. Coonan presented a Petition from Residents of the Town and District of Mundooran, praying that steps may be forthwith taken for extending Telegraphic Communication to the Town of Mundooran.
Petition received.

5. ROAD FROM BIBBENLUKE TO BOMBALA (*Formal Motion*):—Mr. Bowman moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, Papers, Reports, and Minutes having reference to the surveyed road from Bibbenluke to Bombala.
Question put and passed.

6. GOVERNMENT ADVERTISEMENTS IN NEWSPAPERS (*Formal Motion*):—Mr. Bowman moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence or Minutes received by the Colonial Treasurer, Lands Department, or any other Government Department, with reference to the advertisements for Land Sales in the *Town and Country Journal* and *Sydney Mail*, newspapers, from the 1st January, 1878, to present date.
Question put and passed.

7. HIGH SCHOOL FOR GIRLS:—Mr. Windeyer moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions,—
(1.) That, deeming it right that provision should be made in the educational system of the Colony for extending the advantages of instruction in secondary schools to girls as well as to boys, this House is of opinion that the necessary steps should be taken by the Government for the establishment and partial endowment of a High School for Girls in Sydney.

(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
Debate ensued.

Question put and passed.

8. **COMMERCIAL BANKING COMPANY OF SYDNEY INCORPORATION ACTS EXTENSION BILL:**—The following Message from His Excellency the Governor was delivered by Mr. Fitzpatrick, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 22.

A Bill, intituled "*An Act to continue for a further term of twenty-one years the provisions of 'The Commercial Banking Company of Sydney Incorporation Act' (as amended) whereby the Commercial Banking Company of Sydney as thereby incorporated was empowered to make issue circulate and reissue Bank Notes or Bills,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 3rd December, 1878.*

9. **PAPER:**—Mr. Speaker laid upon the Table,—Copies of two Minutes of the Governor and Executive Council authorizing the transfer of sums from one Head of Service to another,—transmitted to the Legislative Assembly under the directions contained in the 18th section of the Audit Act of 1870.
Ordered to be printed.
10. **ENTRANCE TO THE TWEED RIVER:**—Mr. Gray moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1878 a sum not exceeding £15,000 for the improvement of the entrance to the Tweed River.
Debate ensued.
Motion, by leave, withdrawn.
11. **RESERVES FOR PUBLIC RECREATION:**—Mr. Windeyer moved, pursuant to Notice (*as amended by consent*), That, in the opinion of this House, it is desirable that Clarke, Schnapper, and Rodd Islands should be dedicated as places of public recreation, and placed in the hands of Trustees, and that the land at the head of Long Bay should also be secured to the public as a place of public recreation by Act of Parliament.
Debate ensued.
Question put and passed.
12. **MR. COMBES, MEMBER FOR ORANGE:**—Mr. McElhone moved, pursuant to Notice, "That" the Seat of Edward Combes, Esquire, Member for Orange, has become, and is hereby declared to be vacant, by reason of his acceptance of an office of profit under the Crown, within the spirit and meaning of the Constitution Act.
Debate ensued.
Captain Onslow moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the question whether "Mr. Combes has accepted an office of profit under the Crown, within the spirit and meaning of "the Constitution Act, be referred to the Committee of Elections and Qualifications, for consideration and report."
Question proposed, That the words proposed to be omitted stand part of the Question.
Debate continued.
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.
Main Question,—That the question whether Mr. Combes has accepted an office of profit under the Crown, within the spirit and meaning of the Constitution Act, be referred to the Committee of Elections and Qualifications, for consideration and report,—put and passed.
13. **FURTHER SUPPLEMENTARY ESTIMATE FOR 1878:**—The following Message from His Excellency the Governor was delivered by Mr. Cohen, and read by Mr. Speaker:—
HERCULES ROBINSON,
Governor.
- Message No. 23.*
- In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the accompanying Further Supplementary Estimate of the Expenditure of the Government of New South Wales, for the year 1878.
*Government House,
Sydney, 3rd December, 1878.*
Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.
14. **RAILWAY REFRESHMENT ROOMS BILL:**—Mr. Copeland moved, pursuant to Notice, That the Order of the Day for consideration in Committee of the Railway Refreshment Rooms Bill, which lapsed by reason of the House being counted out on Friday, 22nd November, be restored to the Paper, and stand an Order of the Day for Friday, the 6th of December.
Debate ensued.
Question put.

The House divided.

Ayes, 24.

Mr. Farnell,	Mr. Badgery,
Mr. Sutherland,	Mr. Greenwood,
Mr. Cohen,	Mr. Gray,
Mr. Burns,	Mr. Driver,
Mr. W. H. Suttor,	Mr. Bowman,
Mr. Charles,	Mr. Murphy,
Mr. Bawden,	Mr. Terry,
Mr. Wisdom,	Mr. Cameron,
Mr. Leary,	Mr. Hurley (<i>Hartley</i>),
Mr. Day,	<i>Tellers.</i>
Mr. Greville,	Mr. Copland,
Mr. Johnston,	Mr. Barbour.
Mr. Fitzpatrick,	

Noes, 9.

Mr. J. Davies,
Mr. R. B. Smith,
Mr. Macintosh,
Mr. Bennett,
Mr. Dillon,
Mr. Thompson,
Mr. Beyers,

Tellers.

Mr. Roseby,
Mr. Harris.

And so it was resolved in the affirmative.

The House adjourned at twenty minutes before Twelve o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 45.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 4 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Land for Church of England purposes, Narrabri:—Mr. Dangar asked the Secretary for Lands,—
(a.) Has a reply been received from the Lord Bishop of Grafton and Armidale (see Votes and Proceedings, Legislative Assembly, No. 47, 26 March, 1878); and if so, (b) is it intended to grant for Church of England purposes the land applied for under application, 30 October, 1877, viz., 2 acres, 1, 2, 3, 4, and 17, section 4, Town of Narrabri, and the lot exchanged for Post and Telegraph Office site?

Mr. Farnell answered,—

(a.) A reply has been received.

(b.) Part of the land above referred to, together with 1 acre in section 2, will be granted.

(2.) Court-house, Moree:—Mr. Dangar asked the Minister of Justice and Public Instruction,—
When does the contract time expire for the completion of the new Court-house at Moree, or has such been completed, or what progress made?

Mr. Leary answered,—The contract time for completion of this building expired on 22nd September last, but the contractor, Charles Grace, having become insolvent, the contract was transferred on 22nd October to Mr. Gosling, one of the sureties; at the date of last report, 29th October, the walls were nearly their full height, but the work could only be slowly proceeded with in consequence of the difficulty in obtaining good workmen.

(3.) Bridges, Mungindi and Goondiwindi:—Mr. Dangar asked the Secretary for Public Works,—
(1.) Has any arrangement been made with the Governments of New South Wales and Queensland as to the erection of Mungindi and Goondiwindi Bridges, money for which was voted by Parliament; if so, the nature thereof?

(2.) Has a tender been accepted by this Government for a Bridge at Mungindi; if so, name of tenderer, and date of completion?

(3.) Can the same information be given as to whether a tender has been accepted for Goondiwindi Bridge by the Queensland Government?

(4.) Referring to Votes and Proceedings, No. 35, 5 March, 1878,—Has the Queensland Government been requested to make suitable reserves and approaches to these Bridges on their side, and have they done so?

Mr. Sutherland answered,—

(1.) Yes. To secure unity of action in each case, the Bridge at Goondiwindi is being constructed by Queensland, that at Mungindi by New South Wales, and after examination of accounts a moiety of the total expenditure is to be paid by each Colony.

(2.) Yes; the tender of Scott Brothers has been accepted for Mungindi Bridge, to be completed in nine months.

(3.) No intimation has been received from the Queensland Government as to the acceptance of a tender for Goondiwindi Bridge, but it is believed the work is being carried out direct by the Department.

(4.) I am informed that application has been made to the Queensland Government to make suitable reserves, but I am not aware with what result.

(4.)

- (4.) Pilots, Port Jackson and Newcastle :—Mr. Hungerford asked the Colonial Treasurer,—Do the Pilots in the Pilot Service at Port Jackson receive a higher salary than the Pilots at Newcastle; if so, what is the difference?

Mr. Cohen answered,—Yes; the difference is £100 per annum, but the Newcastle Pilots are provided with quarters, and the Port Jackson Pilots are not.

- (5.) Site for Public School, Blackville :—Mr. Bennett asked the Secretary for Lands,—When will the site applied for in November, 1876, for Public School purposes, Blackville, Liverpool Plains, be handed over to the Council of Education, in order that the requisite buildings may be proceeded with?

Mr. Farnell answered,—The application was made in November, 1877, and not in November, 1876, as stated. The instructions are in the hands of the surveyor, who, having resigned his district, has been requested to return them; when that has been done they will be reissued to the surveyor appointed to the district.

- (6.) Railway Rolling Stock :—Mr. Hungerford asked the Secretary for Public Works,—

(1.) Do the tenders called for by notice in *Gazette* of last week for the supply of Rolling Stock other than Locomotives for five years include all Rolling Stock required for the Northern Line as well as the Western and Southern?

(2.) Have any tenders for the supply of Rolling Stock been carried out by manufacturers at Newcastle; if so, has such work been up to contract?

Mr. Sutherland answered,—

- (1.) Yes.
(2.) Yes.

- (7.) Draining Flooded Lands, Macleay River :—Mr. R. B. Smith asked the Secretary for Public Works,—

(1.) Why have the Government not expended the sum of £1,000, voted by Parliament in 1877, for draining the flooded lands on the Macleay River?

(2.) Is it not a fact that repeated representations have been made from time to time to the Minister for Works and his predecessor, urging the necessity for the execution of the work in question without any delay?

(3.) In view of the very urgent necessity for the work, will the Minister for Works direct that tenders be forthwith invited for carrying out the work, and thus save the vote from lapsing, as it otherwise will at the end of the month?

Mr. Sutherland answered,—

(1.) Because the Government engineers have reported against the feasibility of the project.

(2.) Yes.

(3.) Tenders shall be invited for the work, with the view of testing the question as to whether it can be carried out at a reasonable cost.

- (8.) Congarini Road, Nambuccera River :—Mr. R. B. Smith asked the Secretary for Mines,—

(1.) What is the cause of delay in the non-proclamation of the Congarini Road, Nambuccera River, which was measured and approved by Mr. Surveyor Herborn several months ago?

(2.) Will he direct the proclamation to be made without further delay, as the Works Department refuse to expend money on the road until it is proclaimed?

Mr. W. H. Suttor answered,—The road referred to was preliminarily notified in *Government Gazette* of the 25th October, 1878, and the case is now awaiting receipt of customary letter from Executive Council reporting objections.

- (9.) Telegraph Office, Trial Bay :—Mr. R. B. Smith asked the Postmaster General,—

(1.) What is the cause of delay in opening the Telegraph Office at Trial Bay, which was completed as far back as June last?

(2.) As there is a male population of some 200 at Trial Bay, will he direct an operator to be appointed, and the office opened without further delay?

Mr. Burns answered,—

(1.) The Telegraph Office at Trial Bay has not been completed since June last, and some poles have yet to be erected in order that the wires may be carried into the office.

(2.) A telegraphist has been appointed, who has already reached Trial Bay, and the office will be opened in a few days.

2. PAPERS :—

Mr. Cohen laid upon the Table,—Return showing the Tenders received at the Treasury for the supply of Stores for the year 1879; the names of the Tenderers; and the amount of each Tender. Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—Correspondence respecting Lectures in Darlinghurst Gaol. Ordered to be printed.

3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Pursuant to the requirement of the 70th section of the Electoral Act of 1858, Mr. Speaker appointed the first meeting of the Committee of Elections and Qualifications to take place at eleven o'clock on Tuesday next, the 10th of December, in Committee Room No. 2.

4. AMENDMENT OF LICENSED PUBLICANS ACT :—Mr. Farnell moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Licensed Publicans Act of 1862. Question put and passed.

5. CROWN LANDS BILL :—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Farnell, "That this Bill be now read a second time",—
And the Question being again proposed,—The House resumed the said adjourned Debate.

Mr.

Mr. Day moved, That this Debate be now adjourned.
 Debate ensued.
 Question put.
 The House divided.

Ayes, 35.

Mr. Cohen,	Mr. Terry,
Mr. Farnell,	Mr. Lynch,
Mr. Sutherland,	Mr. F. B. Suttor,
Mr. Burns,	Mr. W. Davies,
Mr. Fitzpatrick,	Mr. Hoskins,
Mr. W. H. Suttor,	Mr. Coonan,
Mr. Roseby,	Mr. McElhone,
Mr. Shepherd,	Mr. Badgery,
Mr. Clarke,	Mr. Bennett,
Mr. Merriman,	Mr. Leary,
Mr. Murphy,	Mr. T. R. Smith,
Mr. Barbour,	Mr. Taylor,
Mr. W. C. Browne,	Mr. Johnston,
Mr. Thompson,	Mr. Greville,
Mr. Bawden,	<i>Tellers.</i>
Mr. Simson,	Mr. Day,
Mr. Copeland,	Mr. Charles.
Mr. Beyers,	
Mr. Hurley (<i>Hartley</i>),	

Noes, 26.

Sir John Robertson,	Mr. Greenwood,
Mr. Lucas,	Mr. Bowman,
Mr. J. Davies,	Mr. Cameron,
Mr. Lackey,	Mr. Baker,
Mr. Garrett,	Mr. Hungerford,
Mr. Watson,	<i>Tellers.</i>
Mr. Long,	Mr. Eckford,
Mr. H. H. Brown,	Mr. Dangar.
Mr. Harris,	
Mr. Driver,	
Mr. R. B. Smith,	
Mr. Webb,	
Sir Henry Parkes,	
Mr. Stephen Brown,	
Mr. McCulloch,	
Mr. Windeyer,	
Mr. Tecece,	
Mr. Jacob,	
Captain Onslow,	

And so it was resolved in the affirmative.

Ordered, that the Debate be adjourned until to-morrow.

The House adjourned at five minutes before Twelve o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 46.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 5 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Dyke at Rushcutters Bay:—Mr. Cameron asked the Secretary for Public Works,—
 (1.) How many times were tenders called for the forming of the Dyke at Rushcutters Bay?
 (2.) Was the lowest tender accepted on either occasion of tendering?
 (3.) Who is the successful tenderer for the work alluded to?
 (4.) Who were the other tenderers at the time the contract was agreed to, and the amount of their tenders?

Mr. Burns answered,—I will presently lay upon the Table the papers on this subject, which will give the information required by the Honorable Member.

- (2.) Land Sales at Yetman, &c.:—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—
 Is it intended for the future to sell all Town Allotments and Suburban Lots at Yetman, Boggabri, Brewarrina, and Moree, at those places, instead of, as formerly, at the Land District Office?

Mr. Farnell answered,—Sales have been held at Brewarrina and Moree on special application, the former of which has lately been made a district. As regards the other places, no decision has as yet been arrived at.

- (3.) Court of Petty Sessions, Blackville:—Mr. Bennett asked the Minister of Justice and Public Instruction,—

- (1.) Is it the intention of the Government to establish a Court of Petty Sessions at Blackville; if so, where?
 (2.) Is it intended to appoint Senior-constable Causeland Clerk of Petty Sessions of the said Court?

Mr. Leary answered,—

- (1.) Yes, so soon as the requisite accommodation shall have been provided, and the attendance of Magistrates can be ensured for the holding of Petty Sessions at Blackville.
 (2.) The necessary inquiry will be made in reference to this question, and the subject will receive the earliest consideration.

- (4.) Bridge over the Williams at Clarence Town:—Mr. Jacob asked the Secretary for Public Works,—

- (1.) With reference to his answers of 27th ultimo regarding the proposed Bridge at Clarence Town,—
 Has a survey been made elsewhere than in the vicinity of that town (at Seaham for instance) with the ostensible purpose of considering the desirableness of constructing it there?
 (2.) If so, as he has alleged that the Bridge is to be at Clarence Town because it was at that site it was applied for when the money was voted, what object was to be served by the survey when the position was a foregone conclusion?

Mr. Burns answered,—

- (1.) A survey has been made elsewhere than in the vicinity of Seaham respecting the Bridge to be erected over the Williams River.
 (2.) A survey was made at Seaham to ascertain the kind of Bridge which would be required at that place, and the probable cost of its erection.

(5.)

- (5.) Beacon, Port Macquarie:—Mr. R. B. Smith asked the Colonial Treasurer,—What steps have the Government taken for replacing the Beacon at the entrance of the Port Macquarie Harbour, which was washed away several weeks ago?

Mr. Cohen answered,—Arrangements are being made to place a temporary Beacon. It will be necessary to put a sum of money on the Estimates for erecting a new one.

- (6.) Conditional Purchase Branch, Lands Office:—Mr. W. C. Browne asked the Secretary for Lands,—

(1.) Is it a fact that an application has been made for an increase of from twenty to twenty-five additional clerks to the staff of the Conditional Purchase division?

(2.) Has he any objection to lay a copy of such application upon the Table of the House?

Mr. Farnell answered,—

(1.) A representation has been made to the effect mentioned, and has been referred to the Commission of Inquiry now sitting.

(2.) There is no objection to the document being produced; but as the subject is under inquiry, it is thought undesirable to do so at present.

- (7.) Royal Commission,—Department of Lands:—Mr. J. Davies asked the Secretary for Lands,—

(1.) Has the vacancy which occurred through the resignation of Mr. Thomson, one of the Commissioners to inquire into the working of Lands and Survey Department, been filled up?

(2.) Is it true that the Commission have been proceeding with the inquiry since the resignation of Mr. Thomson?

Mr. Farnell answered,—

(1.) No.

(2.) Yes, under a fresh Commission.

- (8.) Road from Walgett to the Culgoa:—Mr. J. Davies, for Mr. Hungerford, asked the Secretary for Mines,—Has he given instructions to survey the road asked for, leading direct from the bridge near Walgett to Combra Springs, *viâ* the Girriwin, to the Culgoa, *viâ* Wilby Wilby; if not, will he do so?

Mr. W. H. Suttor answered,—A report on the application for the road was asked for from the local surveyor on the 19th July, 1878, but has not been received. A reminder will be sent to him.

2. PAPERS:—

Mr. Burns laid upon the Table,—Correspondence respecting the construction of a Stone Dyke at Rushcutters Bay.
Ordered to be printed.

Mr. Fitzpatrick laid upon the Table,—Return to an Order, made on 30th October, 1878,—“Site for Court-house, Bombala.”
Ordered to be printed.

Mr. Farnell laid upon the Table,—Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Vic. No. 1.
Ordered to be printed.

3. THE CHINESE:—Mr. Greville presented a Petition from J. M. O’Connell, Chairman of a Public Meeting of Citizens of Sydney, assembled under the auspices of the Political Reform Union, and kindred Societies,—praying the House to devise measures for restricting the influx of Chinese to this Colony.
Petition received.

4. DRAINING FLOODED LANDS, MACLEAY RIVER (*Formal Motion*):—Mr. R. B. Smith moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Petitions, Memorials, Letters, Papers, Documents, Surveys, and Reports having reference to the draining of the flooded lands on the Macleay River, for the execution of which work a sum of £1,000 was voted by Parliament in 1877.
Question put and passed.

5. SALE OF LIQUORS LICENSING ACT AMENDMENT BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Farnell, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Licensed Publicans Act of 1862.

Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read, as follows:—

Resolved,—That it is expedient to bring in a Bill to amend the Licensed Publicans Act of 1862.

On motion of Mr. Farnell, the Resolution was read a second time, and agreed to.

(2.) Mr. Farnell presented a Bill, intituled “*A Bill to amend the ‘Sale of Liquors Licensing Act of 1862’*”,—which was read a first time.

Ordered to be printed, and read a second time on Thursday next.

6. CLERGY RETURNS TRANSFER BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled “*An Act to transfer to the office of the General Registry certain Registers of Marriages Births and Deaths*,”—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 5th December, 1878.

JOHN HAY,
President.

CLERGY

CLERGY RETURNS TRANSFER BILL.

SCHEDULE of the Amendments referred to in Message of 5th December, 1878.

JOHN J. CALVERT,
Clerk of the Parliaments.

- Page 2, clause 1, line 12. *After "Australia" insert "or of some assignee or assignees claiming under him"*
 „ clause 2, line 23. *Omit "said Henry Kerrison James" insert "person in lawful possession of the documents and volumes mentioned in the preceding clause"*
 „ clause 2, lines 27 and 28. *Omit "said Henry Kerrison James" insert "person so in possession as aforesaid"*

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Thursday next.

7. CROWN LANDS BILL:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Farnell, "That this Bill be now read a second time",—
 And the Question being again proposed,—The House resumed the said adjourned Debate.
 Question put, That this Bill be now read a second time.
 The House divided.

Ayes, 22.

Noes, 41.

Mr. Farnell,	<i>Tellers.</i>
Mr. Fitzpatrick,	
Mr. Colton,	Mr. Shepherd,
Mr. Sutherland,	Mr. Day.
Mr. Burns,	
Mr. Leary,	
Mr. W. H. Suttor,	
Mr. McElhone,	
Mr. Johnston,	
Mr. Taylor,	
Mr. Bennett,	
Mr. Hurley (<i>Narellan</i>),	
Mr. Lynch,	
Mr. Pilcher,	
Mr. Clarke,	
Mr. T. R. Smith,	
Mr. Greville,	
Mr. Merriman,	
Mr. Murphy,	
Mr. Roseby,	

Sir John Robertson,	Mr. F. B. Suttor,
Mr. J. Davies,	Mr. Terry,
Mr. Lackey,	Mr. McCulloch,
Mr. Baker,	Mr. W. Davies,
Mr. Eckford,	Mr. Badgery,
Mr. Lucas,	Mr. Watson,
Mr. Charles,	Mr. Simson,
Mr. R. B. Smith,	Mr. Copeland,
Mr. Windeyer,	Mr. Teede,
Sir Henry Parkes,	Mr. Jacob,
Mr. W. C. Browne,	Mr. Greenwood,
Mr. Bawdon,	Mr. Hungerford,
Mr. Barbour,	Mr. Dangar,
Mr. Hurley (<i>Hartley</i>),	Mr. Bowman,
Mr. Moses,	Mr. Long,
Mr. Driver,	Mr. Cameron,
Mr. Beyers,	Mr. Harris,
Mr. Garrett,	<i>Tellers.</i>
Mr. Stephen Brown,	
Mr. Hoskins,	Mr. H. H. Brown,
Captain Ouslow,	Mr. Webb.
Mr. Thompson,	

And so it passed in the negative.

8. LUNACY BILL:—Mr. Speaker reported the following Message from the Legislative Council:—
 MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to consolidate and amend the Law relating to the Insane*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
 Sydney, 5th December, 1878.

JOHN HAY,
 President.

LUNACY BILL.

SCHEDULE of the Amendments referred to in Message of 5th December, 1878.

JOHN J. CALVERT,
 Clerk of the Parliaments.

- Page 1, clause 1, line 6. *Omit "January" insert "March"*
 „ 3, clause 4. *Omit "clause 4" insert the following new clause:—*
 "4. Upon information on oath before a Justice that a person deemed to be insane is
 "without sufficient means of support or is wandering at large or has been discovered under
 "circumstances that denote a purpose of committing some offence against the law such Justice
 "may by order under his hand require a constable to apprehend such person and bring him before
 "two Justices. And every constable finding any such person so wandering or under such circum-
 "stances as are lastly abovementioned may without any such order apprehend him and take him
 "before two Justices."
 Page 3, clause 5, line 29. *Omit "and" insert "or cruelly"*
 „ 3, „ 5, „ 40. *Before "neglected" insert cruelly"*
 „ 3, „ 6, „ 49. *Omit "such"*
 „ 3, „ 6, „ 50. *After "insane" insert "and is without sufficient means of support"*
 „ 4, „ 6, lines 7 and 8. *Omit "provided always that" insert "and"*
 „ 4, „ 6, line 9. *After "insane" insert "and any witness in the matter"*
 „ 4, „ 6, „ 11. *Omit "also"*
 „ 4, „ 6, lines 24 and 25. *Omit "of an insane person"*

Page

- Page 4, clause 8, line 47. *Omit* "countersigned by two Justices" *insert* "authenticated by a Justice or Minister of Religion authorized to celebrate marriage"
- " 5, clause 11, line 32. *Omit* "persons" *insert* "medical practitioner"
- " 5, " 11, " 37. *Omit* "person" *insert* "such practitioner"
- " 5, " 11, lines 38, 39. *Omit* "such person not being then" *insert* "knowing him not to be"
- " 5, clause 11, line 39. *Omit* "person" *insert* "practitioner"
- " 5, " 11, " 39. *Omit* "the same"
- " 5, " 11, lines 40 and 41. *Omit* lines 40 and 41 *insert* "be guilty of a misdemeanour"
- " 7, " 24, line 51. *Omit* "Colonial Secretary" *insert* "Governor in Council"
- " 9, " 31, " 10. *Omit* "in the case of the revocation of a" *insert* "before the revocation of any such"
- " 9, clause 31, line 10. *Omit* "thereof"
- " 9, " 31, " 11. *Omit* "thereto"
- " 9, " 31, lines 11 and 12. *Omit* "person whose license shall be revoked" *insert* "licensee"
- " 9, " 34, line 26. *Omit* "that may hereafter be established"
- " 9, " 34, " 29. *After* "license" *insert* "who whether he be the licensee or proprietor or not shall be the Superintendent thereof"
- " 9, " 34, " 45. *After* "week" *Add* "Provided also that the present licensee of the house known as Bay View House at Cook's River so long as he shall be licensee of the same shall for the purposes of this section only be taken to be a medical practitioner."
- " 11, clause 42, line 16. *After* "house" *insert* "for reward"
- " 12, " 44, line 10. *After* "Justice" *insert* "such Justice to be accompanied by a medical practitioner"
- " 12, clause 44, line 11. *After* "Justice" *insert* "and medical practitioner"
- " 13, " 49, " 4. *After* "order" *insert* "or request"
- " 14, " 58. *Omit* "clause 58" *insert* the following new clause:—
- " 58. If any person indicted for any offence shall be insane and shall upon arraignment be found so to be by a jury lawfully impanelled for that purpose so that such person cannot be tried upon such indictment or if upon the trial of any person so indicted such person shall appear to the jury charged with such indictment to be insane it shall be lawful for the Court before which any such person shall be brought to be arraigned or tried as aforesaid to direct such finding to be recorded and thereupon to order such person to be kept in strict custody in such place and in such manner as to the Court may seem fit until he shall be dealt with as hereinafter provided And in all cases where it shall be given in evidence upon the trial of any person charged with any treason felony or misdemeanour that such person was insane at the time of committing such offence and such person is acquitted the jury shall be required to find specially whether such person was insane at the time of the commission of such offence and to declare whether such person was acquitted by them on account of such insanity and if they shall find that such person was insane at the time of committing such offence the Court before whom such trial is had shall order such person to be kept in strict custody in such place and in such manner as to the Court may seem fit until the Governor's pleasure shall be known And it shall be lawful in any case where the jury have so found that such person was insane at the time of committing such offences for the Governor upon the receipt of certificates by two medical practitioners in the form of Schedule 2 accompanied by a statement of particulars in the form of Schedule 14 by warrant under his hand to direct that such person be conveyed to and kept in an hospital for the criminal insane during the Governor's pleasure."
- Page 15, clause 63, line 16. *Omit* "Her Majesty's" *insert* "the Governor's"
- " 15, " 64, " 27. *After* "thereto" *insert* "or any constable"
- " 15, " 64, " 27. *Omit* "or"
- " 15, " 64, " 27. *After* "servant" *insert* "or constable"
- " 15, " 64, " 28. *Omit* "in this behalf"
- " 15, " 64, " 28. *Omit* "in this behalf"
- " 15, " 65, lines 40, 41. *Omit* "liable to a penalty not exceeding twenty pounds nor less than two pounds" *insert* "guilty of a misdemeanour"
- " 15, clause 66, line 47. *After* "or" *insert* "by the medical Officer and"
- " 15, " 67, " 51. *After* "ward" *insert* "cell"
- " 16, " 69, " 7. *After* "hospital" *insert* "whether"
- " 16, " 69, " 7. *Omit* "and" *insert* "or for"
- " 16, " 70, " 26. *After* "ward" *insert* "cell"
- " 16, " 70, " 36. *After* "ward" *insert* "cell"
- " 16, " 71, " 40. *Omit* "for the insane and the criminal insane"
- " 17, " 77, " 37. *After* "hospital" *insert* "whether"
- " 17, " 77, " 37. *Omit* "and" *insert* "or for"
- " 17, " 78, " 48. *Omit* "one" *insert* "two"
- " 17, " 78, lines 49, 50. *Omit* ("who shall be either barristers-at-law medical practitioners or justices) who" *insert* "one of whom shall be a medical practitioner and one a police magistrate or a barrister-at-law any two or more of whom one being a medical practitioner"
- " 19, clause 88, line 55. *Omit* "the" *insert* "any"
- " 20, " 89, " 10. *Omit* "the" *insert* "any"
- " " 91, " 36. *Add* "s" to "visitor"
- " " " 41. *Omit* "therefore"
- " " " 43. *Add* "s" to "visitor"
- " 21, " 98. *Omit* "clause 98"
- " 33, " 162, line 15. *Omit* "may and"
- " 36, " 179, " 2. *After* "hospital" *insert* "whether"
- " " " " *After* "or" *insert* "for"
- " " " 7. *After* "plead" *insert* "the general issue and may under such plea give in evidence"

Procedure where persons charged with offences are found to be insane by a jury or are acquitted on the ground of insanity.

- Page 36, clause 183, line 56. *After "every" insert "such"*
 " lines 56, 57. *Omit "for the insane or the criminal insane"*
 " 37, " 183, line 10. *Omit "every" insert "any"*
 " 37, " 184, " 26. *After "any" insert "such"*
 " 37, " 184, lines 26 and 27. *Omit "for the insane or the criminal insane"*
 " 37, " 184, line 37. *Add "s" to "visitor"*
 " 37, " 184, " 39. *After "his" insert "or their"*
 " 37, " 184, " 39. *After "visit" insert "and no such letter if unsent shall be destroyed*
 " "until it has been submitted to the Inspector General."
 " 37, clause 186, line 50. *Omit "Any."*
 " 37, " 186, " 50. *Add "s" to "visitor."*
 " 37, " 186, " 52. *Omit "under his hand and seal."*
 " 37, " 186, " 54. *After "him" insert "or them."*
 " 37, " 186, " 55. *Add "s" to "visitor."*
 " 37, " 186, " 55. *After "is" insert "or are."*
 " 37, " 186, lines 56 and 57. *Omit "(which oath such Inspector General or official visitor*
 " "is hereby empowered to administer.)"
 " 37, clause 186, line 58. *Omit "before such Inspector General or official visitor."*
 " 37, " 186, " 59. *After "summons" insert "(having had his reasonable expenses paid*
 " "or tendered to him at the time of service of such summons.)"
 " 38, clause 186, line 3. *Omit "Any."*
 " 38, " 186, " 4. *Add "s" to "visitor."*
 " 38, " 186, " 4. *Omit "before him."*
 " 43, schedule 13, " 46. *Omit "Colonial Secretary" insert "Governor."*
 " 46, " 17, " 41. *Omit "an" insert "we."*
 " 46, " 17, " 41. *Add "s" to visitor."*
 " 46, " 17, " 43. *After "me" insert "[or us]."*
 " 46, " 17, " 47. *Omit "Given under my hand and seal" insert "Dated."*

Examined,—

J. GEO. LONG INNES,
 Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Wednesday next.

9. ADJOURNMENT:—Mr. Farnell moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned, at five minutes after Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 47.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 6 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MINISTERIAL STATEMENT—ADJOURNMENT:—Mr. Farnell said that, in consequence of the vote arrived at last night, he felt it to be his duty to wait on His Excellency the Governor this morning, and to tender to him certain advice, which His Excellency desired time to consider.

Mr. Farnell then moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned, at twenty minutes before Five o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 48.

VOTES AND PROCEEDINGS,

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 10 DECEMBER, 1878.

The House met pursuant to adjournment: Mr. Speaker took the Chair.

MINISTERIAL STATEMENT—ADJOURNMENT:—Mr. Farnell—referring to the statement made by him on Friday last—informed the House that His Excellency the Governor not being pleased to accept the advice offered to him, he (Mr. Farnell), on behalf of his colleagues and himself, tendered to His Excellency the resignation of their respective offices, and that His Excellency requested the Government to continue in office pending the appointment of their successors. On Saturday afternoon last His Excellency put himself in communication with Sir John Robertson, and up to the present time that gentleman had not succeeded in the formation of a Government.

Mr. Farnell then moved, That this House do now adjourn.

Question put and passed.

Whercupon Mr. Speaker left the Chair, and the House stood adjourned, at half-past Four o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 49.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 11 DECEMBER, 1878.

The House met pursuant to adjournment: Mr. Speaker took the Chair.

MINISTERIAL STATEMENT—ADJOURNMENT:—Mr. Farnell said that he was not yet informed who the new Administration are,—and moved, That this House do now adjourn.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned, at half-past Four o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 50.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 12 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MINISTERIAL STATEMENT:—Mr. Farnell informed the House that he had received from His Excellency the Governor, this morning, a communication informing him that Sir John Robertson had formed an Administration, and said that he thought it his duty to read to the House the letter written by Sir John Robertson in reference to the formation of that Administration:—

“ Reform Club,
“ 11th December, 1878.

“ Dear Sir Hercules,

“ I have the honor to submit, for your Excellency's approval, as the gentlemen selected by me to form a new Administration, the following:—

- “ Colonial Secretary, Sir John Robertson.
- “ Colonial Treasurer, James Watson, Esquire.
- “ Attorney General, The Hon. W. B. Dalley.
- “ Minister for Lands, E. A. Baker, Esquire.
- “ Minister for Works, John Lackey, Esquire.
- “ Minister for Mines, A. H. Jacob, Esquire.
- “ Minister for Justice and Public Instruction, Sir John Robertson.
- “ Postmaster General, John Davies, Esquire.
- “ Vice-President of the Executive Council, with a Seat in the Legislative Council,
“ P. A. Jennings, Esquire.

“ Yours truly,
“ JOHN ROBERTSON.”

Mr. Farnell then said, that being the new Administration, he had, at the request of Sir John Robertson, to ask for certain Supplies, as it had been the practice for outgoing Governments to do for incoming Governments. The Supplies will be for certain special purposes—for the payment of Workmen, and for the proposed Exhibition. But he would read to the House Sir John Robertson's letter to His Excellency on the subject:—

“ Reform Club,
“ 12th December, 1878.

“ Dear Sir Hercules,

“ I observe that Mr. Farnell did not ask the Assembly to grant the £50,000 for the Exhibition, &c. Will you please remind him of the desirability of his doing so this afternoon, and also of his asking for any other Supply that may be necessary to meet payments (should there be such) falling due during the period of the adjournment of the Assembly, to enable the election of Ministers, which adjournment, I presume, would be only until the 14th or 21st of January.

“ Yours sincerely,
“ JOHN ROBERTSON.”

Mr. Farnell further said that, in accordance with that request, the Government for the time being, holding office until the appointment of their successors, felt it to be their duty to ask the House to suspend the Standing Orders, in order that a Supply Bill might be passed this afternoon, and that his Honorable Colleague, the Colonial Treasurer, would move the necessary Resolutions for that purpose.

2. VOTE OF CREDIT :—The following Message from His Excellency the Governor was delivered by Mr. Cohen, and read by Mr. Speaker :—

HERCULES ROBINSON,
Governor.

Message No. 24.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends to the consideration of the Legislative Assembly that provision be made for defraying the expenses of certain Services of an urgent nature for the years 1878 and 1879.

Government House,
Sydney, 12th December, 1878.

Ordered to be printed, and referred to the Committee of Supply.

3. POSTPONEMENTS :—The following Orders of the Day postponed :—
- (1.) Sale of Liquors Licensing Act Amendment Bill ; second reading ;—*until Thursday next.*
 - (2.) Clergy Returns Transfer Bill ; consideration in Committee of the Whole of Legislative Council's amendments ;—
 - (3.) Lunacy Bill ; consideration in Committee of the Whole of Legislative Council's amendments ;—
 - (4.) Distillation Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to amend in certain particulars the Distillation Act 13 Vic. No. 27 ;—
 - (5.) Volunteer Land Orders Bill ;—resumption of the adjourned Debate, on the motion of Mr. Fitzpatrick, "That this Bill be now read a second time" ;—
 - (6.) South Head Roads Transfer Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to transfer the control and management of certain Roads from the South Head Road Trust Commissioners to the Commissioner for Roads ;—
 - (7.) Water Conservation Bill ; second reading ;—*until Thursday, 26th December.*
- } *until Wednesday next.*
4. SUPPLY :—The Order of the Day for the resumption of the Committee of Supply having been read,—Mr. Cohen moved, That Mr. Speaker do now leave the Chair.
Debate ensued.
Question put and passed.
Whereupon Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again to-morrow.
The Chairman also reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be *now* received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

(2.) *Resolved*,—That there be granted to Her Majesty for the Supplementary Services of the year 1878 a sum not exceeding £86,500,—being £8,000 for Stores and Stationery, 1878, further sum ; £70,000 for Railways, Working Expenses, &c., further sum, 1878 ; and £8,500 for Harbours and Rivers Department, Wages of Employés, &c., further sum, 1878.

On motion of Mr. Cohen, the Resolution was read a second time, and agreed to.

5. PARRAMATTA TOWN HALL BILL :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to authorize the erection of a Town Hall and other buildings on land granted as a site for a Market in the Town of Parramatta and for other purposes therein mentioned*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 12th December, 1878.

JOHN HAY,
President.

PARRAMATTA TOWN HALL BILL.

SCHEDULE of the Amendments referred to in Message of 12th December, 1878.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 2, Preamble, lines 13 and 14. *Omit* "and also a power to raise money by mortgage of the "said land towards the erection or completion of such buildings "

" 2, clause 2. *Omit* clause 2.

" 2, " 3. *Omit* clause 3.

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Wednesday next.

6. PAPERS:—

Mr. Burns laid upon the Table,—

(1.) Papers relating to the Treaty signed at Berne, on 9th October, 1874, in reference to the formation of a General Postal Union.

(2.) Correspondence concerning arrangements with the Imperial Government respecting Postal Communication between the United Kingdom and the Australasian Colonies.

Ordered to be printed.

Mr. Sutherland laid upon the Table,—

(1.) Return to an Order made on 9th October, 1878,—“Telegraph Line from Young to Morangarell.”

(2.) Return of Rolling Stock supplied from 1st January, 1878, to 20th November, 1878.

(3.) Illustrations and Maps in connection with the Railway Report of 1877. (*To be appended to the Report of the Commissioner for Railways, laid upon the Table on 10th September last.*)

Ordered to be printed.

The House adjourned at twenty minutes after Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 51.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 13 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.
ADJOURNMENT:—Mr. McElhone moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
2. PAPERS:—
Mr. Fitzpatrick laid upon the Table,—
(1.) Return (*in part*) to an Order made on 24th September, 1878,—“The Civil Service.”
(2.) Further Return to an Address adopted on 6th July, 1877,—“Immigration.”—Ship “La Hogue.”
(3.) Return to an Order made on 27th November, 1878,—“Volunteer Hall, Windsor.”
(4.) By-laws under Public Vehicles Regulation Act of 1873.
(5.) Correspondence relating to outstanding claims to Volunteer Land Orders.
Ordered to be printed.
Mr. Burns laid upon the Table,—Further Papers respecting Duplication of the Telegraph Lines between Australasia and Europe.
Ordered to be printed.
3. MINISTERIAL STATEMENT:—Mr. Farnell informed the House that he had this afternoon received from His Excellency the Governor a letter which had been forwarded to him by Sir John Robertson, in which that gentleman informed His Excellency that, in view of the present position of the vote for the International Exhibition to be held in Sydney, he and his intended colleagues had decided on relinquishing their intention of forming an Administration.
4. ADJOURNMENT:—Mr. Farnell moved, That this House do now adjourn.
Debate ensued.
Motion, by leave, withdrawn.
5. VACANT SEAT:—Mr. Speaker informed the House that he had received a letter from Sir John Robertson, resigning his Seat as Member for the Electoral District of Mudgee.
Whereupon Mr. Farnell moved, That the Seat of Sir John Robertson hath become and is now vacant, by reason of the resignation thereof by the said Sir John Robertson since his Election and Return to serve in this House as Member for the Electoral District of Mudgee.
Question put and passed.

The House adjourned at Seven minutes before Six o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN;
Speaker.

New South Wales.

No. 52

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 17 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MINISTERIAL STATEMENT:—Mr. Farnell informed the House that, in consequence of Sir John Robertson having relinquished the task of forming a Ministry, at the request of His Excellency the Governor he waited upon him on Saturday last, when His Excellency requested him, on behalf of his colleagues and himself, to withdraw their resignations. In view of the urgent and important business and measures submitted by them to Parliament, his colleagues and himself, after mature deliberation, deemed it their duty, in the public interest, at this critical period, to comply with His Excellency's request; therefore they consented to resume their duties as a Government. The Government will, therefore, proceed to complete the arrangements for carrying out the International Exhibition, and those sanitary and social measures they have introduced, and will proceed as early as possible with the other measures, and the railway policy, as announced in His Excellency's Speech on opening Parliament.

2. ADDRESS OF CONDOLENCE WITH HER MAJESTY THE QUEEN:—Mr. Farnell (*by consent*) moved, without Notice,—

(1.) In view of the intelligence just received of the decease of Her Royal Highness the Princess Alice of Hesse, daughter of Her Gracious Majesty the Queen, that a Select Committee be now appointed to prepare an Address of Condolence with Her Majesty.

(2.) That such Committee consist of Sir Henry Parkes, Mr. Fitzpatrick, Mr. Driver, Mr. Wisdom, Mr. Pilcher, Mr. Lackey, Mr. Day, Mr. Shepherd, and the Mover.

Question put and passed.

And the Committee retired to prepare the Address.

And Mr. Farnell having brought up the Address prepared by the Committee, the same was read by the Clerk, by direction of Mr. Speaker, as follows:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,—

We, Your Majesty's dutiful and loyal subjects, the Legislative Assembly of New South Wales, in Parliament assembled, having heard with unfeigned sorrow of the decease of Your Majesty's daughter, Her Royal Highness the Princess Alice of Hesse, desire humbly to approach Your Majesty with an expression of our heartfelt sympathy, and the hope that the Almighty Disposer of all things may enable you fittingly to bear this great affliction.

Mr. Farnell then moved, That the Address of Condolence with Her Majesty the Queen, as read by the Clerk, be now adopted by this House.

Question put and passed.

3. ADJOURNMENT:—Mr. Farnell moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned, at five minutes after Five o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 53.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 18 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

ADDRESS OF CONDOLENCE WITH HER MAJESTY THE QUEEN:—Mr. Speaker informed the House that he had this day presented to the Governor the Address of Condolence with Her Majesty the Queen on the death of Her Royal Highness the Princess Alice of Hesse, with a request that His Excellency would be pleased to forward the same to the Secretary of State for the Colonies, for presentation to Her Majesty; and that His Excellency had promised to forward the Address to its destination.

2. THE CHINESE:—Mr. Shepherd presented a Petition from Henry J. Lambert, Chairman of a Public Meeting held at Wellington, praying the House to devise measures for restricting the influx of Chinese to this Colony.
Petition received.
3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Mr. Lackey moved, That leave be given to the Committee of Elections and Qualifications to adjourn their sittings to ten o'clock of the day on which the House will reassemble after the adjournment for the Christmas vacation.
Question put and passed.
4. ALFRED THOMAS COOMBER:—Mr. Shepherd presented a Petition from Alfred Thomas Coomber, alleging that he has been refused the necessary certificate to entitle him to a Volunteer Land Order; and praying the House to take his case into favourable consideration.
Petition received.
5. POSTPONEMENTS:—The Orders of the Day of Government Business, Nos. 1 to 18 inclusive, postponed until to-morrow.
6. WANT OF CONFIDENCE IN THE MINISTRY:—Sir Henry Parkes moved, pursuant to Notice, That an Address be presented to the Governor, respectfully informing His Excellency that this House declines to proceed with public business while the present Ministers are allowed to retain office.
Debate ensued.
Question put.
The House divided.

Ayes, 30.

Sir Henry Parkes,	Mr. McCulloch,
Mr. Lucas,	Mr. Harris,
Mr. Windeyer,	Mr. Eckford,
Mr. J. Davies,	Mr. Terry,
Mr. Lackey,	Mr. F. B. Suttor,
Mr. Watson,	Mr. Thompson,
Mr. Cameron,	Mr. W. Davies,
Mr. Dillon,	Mr. Clarke,
Mr. Baker,	Mr. Gray,
Mr. Jacob,	Mr. Barbour,
Mr. Hoskins,	Mr. Copeland,
Mr. Driver,	Mr. R. B. Smith,
Mr. Dangar,	
Mr. Long,	<i>Tellers.</i>
Mr. Stephen Brown,	Mr. Hurley (<i>Hartley</i>),
Mr. Beyers,	Mr. Greenwood.

Noes, 21.

Mr. Farnell,	Mr. Macintosh,
Mr. Fitzpatrick,	Mr. Bennett,
Mr. Cohen,	Mr. Coonan,
Mr. Burns,	
Mr. Leary,	<i>Tellers.</i>
Mr. W. H. Suttor,	Mr. Taylor,
Mr. Sutherland,	Mr. T. R. Smith.
Mr. Day,	
Mr. Moses,	
Mr. Roscby,	
Mr. W. C. Browne,	
Mr. Merriman,	
Mr. Badgery,	
Mr. Shepherd,	
Mr. Hurley (<i>Narellan</i>),	
Mr. Johnston,	

And so it was resolved in the affirmative.

The House adjourned at five minutes after Nine o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 54.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 19 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MINISTERIAL STATEMENT—ADJOURNMENT:—Mr. Farnell informed the House that, on account of the vote arrived at last evening, he waited on His Excellency the Governor this morning, and tendered to him the resignations of his colleagues and himself; and that His Excellency is now taking steps for the formation of a new Ministry.

Mr. Farnell then moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned at seven minutes before Five o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 55.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 20 DECEMBER, 1878.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MINISTERIAL STATEMENT:—Mr. Farnell informed the House that His Excellency the Governor had forwarded to him a letter written by Sir Henry Parkes, intimating that he had formed a Ministry, consisting of the following gentlemen:—

Colonial Secretary and Premier	...	...	...	Sir Henry Parkes.
Vice-President of the Executive Council	...	...	...	Sir John Robertson.
Colonial Treasurer	...	...	...	Mr. James Watson.
Secretary for Lands	...	...	...	Mr. James Hoskins.
Secretary for Public Works	...	...	...	Mr. John Lackey.
Postmaster General	...	...	...	The Honorable Saul Samuel.
Minister of Justice and Public Instruction	...	...	...	Mr. F. B. Suttor.
Minister for Mines	...	...	...	Mr. E. A. Baker.
Attorney General	...	...	...	Mr. W. C. Windeyer.

Mr. Farnell said that it will be the duty of the Government to ask for the Supplies which will be required before their successors can meet the House; and the Colonial Treasurer will therefore move that the Standing Orders be suspended to enable that to be done.

2. VOTE OF CREDIT:—The following Message from His Excellency the Governor was delivered by Mr. Cohen, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 25.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends to the consideration of the Legislative Assembly that provision be made for a further advance of £30,000 to the Colonial Treasurer, and for an advance of £90,000 for the completion of the line of Railway to Wagga Wagga, pending provision being made by Loan.

Government House,
Sydney, 20th December, 1878.

Ordered to be printed, and referred to the Committee of Supply.

3. SUSPENSION OF THE STANDING ORDERS (*Formal Motion*):—Mr. Cohen moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing of a Bill, intituled "A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the years 1878 and 1879," through all its stages in one day, and would also preclude the Resolutions of the Committees of Supply and of Ways and Means respectively, whereon the said Bill is proposed to be founded, being received on the same day on which they are come to by the said Committees respectively.

Question put and passed.

4. POSTPONEMENTS (*General Business*):—The following Orders of the Day postponed:—

(1.) Parramatta Town Hall Bill; consideration in Committee of the Whole of Legislative Council's amendments;—*until Tuesday, 21st January, 1879.*

(2.) Copyright Bill; second reading;—

(3.) Married Women's Relief Bill; resumption of the adjourned Debate, on } *until Friday next.*
the motion of Mr. Windeyer, "That this Bill be now read a third time";—

(4.) Press Bill; second reading;—*until Friday, 17th January, 1879.*

(5.) Redmond's Estate Bill; to be considered in Committee;—*until Friday next.*

(6.)

- (6.) Stock Sale-yards Bill ; second reading ;—
 (7.) Adulteration of Food Prevention Bill ; second reading ;—
 (8.) Bank Liabilities Publication ; consideration in Committee of expediency of bringing in a Bill ;—
 (9.) Small Debts Act further extension Bill reported ; resumption of the adjourned Debate, on the motion of Mr. O'Connor, "That the report from the Committee of the Whole be now adopted" ;—
 (10.) High School for Girls ; consideration in Committee of Resolutions ;—
 (11.) Railway Refreshment Rooms Bill ; to be further considered in Committee ;—
 (12.) Bankers Books and Cheques Bill ; second reading ;—
 (13.) Primitive Methodist Church Temporalities Bill (*as amended and agreed to in Select Committee*) ; second reading ;—
 (14.) City of Goulburn Gas and Coke Company's Incorporation Bill (*as agreed to in Select Committee*) ; second reading ;—
 (15.) Patent Bill ; to be further considered in Committee ;—
 (16.) Jury Lists, Deniliquin ; consideration in Committee of an Address to the Governor ;—
 (17.) Town Clock, Deniliquin ; consideration in Committee of an Address to the Governor ;—
 (18.) Sydney Tramway and Omnibus Company (Limited) Bill ; second reading ;—
 (19.) Bankers Books Evidence Bill ; third reading ;—
 (20.) Birds and Animals Protection Bill ; to be further considered in Committee ;—
 (21.) Justices Acts further Amendment Bill ; second reading ;—
 (22.) Bridge across the Myall River, at Bulahdelah ; consideration in Committee of an Address to the Governor ;—
 (23.) Bridge across the McDonald River, at St. Albans ; consideration in Committee of an Address to the Governor ;—
- } until Friday next.
5. **POSTPONEMENTS** (*Government Business*) :—The Orders of the Day of Government Business, Nos. 1 to 6 inclusive, postponed until Friday, 17th January, 1879.
6. **SUPPLY** :—The Order of the Day having been read,—on motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply. Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again. The Chairman also reported that the Committee had come to a Resolution. Ordered, on motion of the Chairman, That the report be now received. The Chairman then reported the Resolution, which was read a first time, as follows :—
 (3.) *Resolved*,—That there be granted to Her Majesty for the Supplementary Services of the Year 1878 a sum not exceeding £120,000,—being £30,000 as a further advance to the Treasurer, to enable him to make advances to Public Officers, and on account of other Governments, and to pay expenses of an unforeseen nature, which will afterwards be submitted for Parliamentary appropriation, the whole amount to be adjusted not later than 31st December, 1879 ; and £90,000 as an advance for the completion of a Line of Railway to Wagga Wagga, pending provision being made by Loan.
 On motion of Mr. Cohen, the Resolution was read a second time and agreed to.
7. **WAYS AND MEANS** :—The Order of the Day having been read,—on motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again. The Chairman also reported that the Committee had come to certain Resolutions. Ordered, on motion of the Chairman, That the report be now received. The Chairman then reported the Resolutions, which were read a first time, as follows :—
 (2.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Supplementary Services of the Year 1878, the sum of £86,500 be granted out of the Consolidated Revenue Fund of New South Wales to defray the expenses of Stores and Stationery, 1878, further sum ; Railways, working expenses, &c., further sum ; and Harbours and Rivers Department, Wages of Employés, &c., further sum.
 (3.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Supplementary Services of the Year 1878, the sum of £120,000 be granted out of the Consolidated Revenue Fund of New South Wales for further advance of £30,000 to the Colonial Treasurer, and for advance of £90,000 for the completion of the Line of Railway to Wagga Wagga, pending provision being made by Loan.
 On motion of Mr. Cohen, the Resolutions were read a second time, and agreed to.
8. **CONSOLIDATED REVENUE FUND BILL** :—
 (1.) Ordered, on motion of Mr. Cohen, that a Bill be brought in, founded on Resolutions of Ways and Means (Nos. 2 and 3), to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Years 1878 and 1879.
 (2.) Mr. Cohen then presented a Bill, intituled "*A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Years 1878 and 1879*,"—which was read a first time. Ordered to be printed, and now read a second time.
 (3.) Bill read a second time.
 On motion of Mr. Cohen, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill. Mr. Speaker resumed the Chair, and the Chairman reported the Bill without amendment. On motion of Mr. Cohen, that report was adopted. Ordered, that the Bill be now read a third time.
- (4.)

(4.) Bill read a third time, and, on motion of Mr. Cohen, *passed*.

Mr. Cohen then moved, That the Title of the Bill be "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Years 1878 and 1879.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Years 1878 and 1879,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20th December, 1878.

9. PAPER:—Mr. W. H. Suttor laid upon the Table,—Regulations under Diseases in Sheep Acts: Amendment Act of 1878.

Ordered to be printed.

10. VACANT SEATS:—

(1.) Mr. Speaker informed the House that he had received a letter from Sir Henry Parkes, resigning his Seat as a Member for the Electoral District of Canterbury.

Whereupon Mr. Farnell moved, That the Seat of Sir Henry Parkes, K.C.M.G., a Member for the Electoral District of Canterbury, hath become and is now vacant, by reason of the resignation thereof by the said Sir Henry Parkes.

Question put and passed.

(2.) Mr. Speaker informed the House that he had received a letter from James Watson, Esquire, resigning his Seat as Member for the Electoral District of The Lachlan.

Whereupon Mr. Farnell moved, That the Seat of James Watson, Esquire, Member for the Electoral District of The Lachlan, hath become and is now vacant, by reason of the resignation thereof by the said James Watson.

Question put and passed.

(3.) Mr. Speaker informed the House that he had received a letter from James Hoskins, Esquire, resigning his Seat as Member for the Electoral District of The Tumut.

Whereupon Mr. Farnell moved, That the Seat of James Hoskins, Esquire, Member for the Electoral District of The Tumut, hath become and is now vacant, by reason of the resignation thereof by the said James Hoskins.

Question put and passed.

(4.) Mr. Speaker informed the House that he had received a letter from John Lackey, Esquire, resigning his Seat as a Member for the Electoral District of Central Cumberland.

Whereupon Mr. Farnell moved, That the Seat of John Lackey, Esquire, a Member for the Electoral District of Central Cumberland, hath become and is now vacant, by reason of the resignation thereof by the said John Lackey.

Question put and passed.

(5.) Mr. Speaker informed the House that he had received a letter from Francis Bathurst Suttor Esquire, resigning his Seat as Member for the Electoral District of Bathurst.

Whereupon Mr. Farnell moved, That the Seat of Francis Bathurst Suttor, Esquire, Member for the Electoral District of Bathurst, hath become and is now vacant, by reason of the resignation thereof by the said Francis Bathurst Suttor.

Question put and passed.

(6.) Mr. Speaker informed the House that he had received a letter from Ezekiel Alexander Baker, Esquire, resigning his Seat as Member for the Electoral District of Gold Fields South.

Whereupon Mr. Farnell moved, That the Seat of Ezekiel Alexander Baker, Esquire, Member for the Electoral District of Gold Fields South, hath become and is now vacant, by reason of the resignation thereof by the said Ezekiel Alexander Baker.

Question put and passed.

(7.) Mr. Speaker informed the House that he had received a letter from William Charles Windeyer, Esquire, resigning his Seat as Member for the Electorate of The University of Sydney.

Whereupon Mr. Farnell moved, That the Seat of William Charles Windeyer, Esquire, Member for the Electorate of The University of Sydney, hath become and is now vacant, by reason of the resignation thereof by the said William Charles Windeyer.

Question put and passed.

11. CONSOLIDATED REVENUE FUND BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Years 1878 and 1879,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,

Sydney, 20th December, 1878.

JOHN HAY,

President.

12. ADJOURNMENT:—Mr. Farnell (*by consent*) moved, That this House do now adjourn until Tuesday, the 21st day of January, 1879.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned, at twenty minutes after Nine o'clock, until *Tuesday, 21st January, 1879.*

G. WIGRAM ALLEN,

Speaker.

New South Wales.

No. 56.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 21 JANUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

WRITS OF ELECTION:—Mr. Speaker informed the House that, in accordance with the direction of the 30th clause of the Electoral Act of 1858, and upon Resolutions passed by the House, he had issued Writs for the election of Members to serve in the Legislative Assembly in the room of the undermentioned gentlemen, who had respectively resigned their Seats, viz.:—

Sir John Robertson, Member for Mudgee;
 Sir Henry Parkes, a Member for Canterbury;
 James Watson, Esquire, Member for The Lachlan;
 James Hoskins, Esquire, Member for The Tumut;
 John Lackey, Esquire, a Member for Central Cumberland;
 Francis Bathurst Suttor, Esquire, Member for Bathurst;
 Ezekiel Alexander Baker, Esquire, Member for Gold Fields South;
 William Charles Windeyer, Esquire, Member for the University of Sydney,—

And that the said Writs had been duly returned to him, with certificates endorsed thereon by the several Returning Officers of the election of the following gentlemen to serve as Members for the Electoral Districts mentioned in connection with their names:—

Richard Rouse, Esquire, of Guntawang,—for Mudgee.
 The Honorable Sir Henry Parkes,—for Canterbury.
 The Honorable James Watson, Esquire,—for The Lachlan.
 The Honorable James Hoskins, Esquire,—for The Tumut.
 The Honorable John Lackey, Esquire,—for Central Cumberland.
 The Honorable Francis Bathurst Suttor, Esquire,—for Bathurst.
 The Honorable Ezekiel Alexander Baker, Esquire,—for Gold Fields South.
 The Honorable William Charles Windeyer, Esquire,—for the University of Sydney.

2. MEMBERS SWORN:—The undermentioned gentlemen having each taken and subscribed the Oath, and signed the Roll of the House, took their Seats as Members for the Electoral Districts respectively named:—

The Honorable Sir Henry Parkes,—for Canterbury;
 The Honorable James Watson, Esquire,—for The Lachlan;
 The Honorable James Hoskins, Esquire,—for The Tumut;
 The Honorable John Lackey, Esquire,—for Central Cumberland;
 The Honorable Francis Bathurst Suttor, Esquire,—for Bathurst;
 The Honorable Ezekiel Alexander Baker, Esquire,—for Gold Fields South;
 The Honorable William Charles Windeyer, Esquire,—for the University of Sydney.

3. CONSOLIDATED REVENUE FUND BILL:—The following Message from His Excellency the Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

HERCULES ROBINSON,
 Governor.

Message No. 26.

A Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Years 1878 and 1879,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House;
 Sydney, 23rd December, 1878.

4. **ROADS BILL** :—Mr. Lucas presented a Bill, intituled “ *A Bill to make better provision for the making repairing and management of the Common Roads of the Colony,*”—which was read a first time. Ordered to be printed, and read a second time on Friday, 14th February.
5. **MARSUPIALS DESTRUCTION BILL** :—Mr. Dangar, for Mr. Dillon, presented a Bill, intituled “ *A Bill to provide for the Destruction of Marsupial Animals,*”—which was read a first time. Ordered to be printed, and read a second time on Friday, 31st January.
6. **MINISTERIAL STATEMENT** :—Sir Henry Parkes made a Ministerial Statement, and informed the House of the course the Government proposed to take in dealing with the public business.
7. **ADJOURNMENT** :—Mr. Charles moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
8. **COMMITTEE OF ELECTIONS AND QUALIFICATIONS** :—Mr. Speaker, pursuant to the requirement of the Electoral Act of 1858, laid upon the Table his Warrant, appointing Henry Copeland, Esquire, and Andrew Hardie McCulloch, junior, Esquire, to be Members of the Committee of Elections and Qualifications for the present Session, of which the following is a copy :—
“ *By the Honorable the Speaker of the Legislative Assembly
of 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 1858, I do hereby appoint
“ Henry Copeland, Esquire, and
“ Andrew Hardie McCulloch, junior, 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, in the room of James Watson, Esquire, and John Lackey, Esquire, whose Seats in the said Assembly were declared vacant on the twentieth day of December last, by reason of the resignation thereof.
“ Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney, this twenty-first day of January, in the year of our Lord one thousand eight hundred and seventy-nine.
“ G. WIGRAM ALLEN,
“ *Speaker.*”
9. **PAPERS** :—
Sir Henry Parkes laid upon the Table,—
(1.) Further Correspondence relating to outstanding claims to Volunteer Land Orders.
(2.) Report on Parramatta Lunatic Asylum.
(3.) By-laws under Newcastle Paving and Public Vehicles Regulation Act.
(4.) Return to an Order made on 28th November, 1878,—“ Captain Talbot, Volunteer Artillery.”
(5.) Return to an Order made on 28th November, 1878,—“ Land Orders to Quarter master Noble and Lieut. Murray, Volunteer Artillery.”
(6.) Further Return to an Address, adopted on 6th July, 1877,—“ Immigration.”—Ship “ Hereford.”
Ordered to be printed.
Mr. Watson laid upon the Table,—
(1.) Report of Board of Audit on Public Accounts.
(2.) Despatch.—Report of the Deputy Master of the Mint on the Gold Coinage of the Sydney Branch, for the year ended 30th June, 1878.
Ordered to be printed.
10. **VENEREAL DISEASE** :—Captain Onslow moved, pursuant to Notice (*as amended by consent*), That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Naval and other authorities and His Excellency the Governor on the subject of the prevalence of Venereal Disease in the City of Sydney.
Question put and passed.
11. **POSTPONEMENTS** :—The following Orders of the Day postponed :—
(1.) Parramatta Town Hall Bill; consideration in Committee of the Whole of Legislative Council’s amendments ;—*until Friday next.*
(2.) Press Bill; second reading ;
(3.) Copyright Bill; second reading ; } *until Friday, 31st January.*
12. **MARRIED WOMEN’S RELIEF BILL** :—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Windeyer, “ That this Bill be now read a third time,”—And the Debate not being resumed,—
Question,—That this Bill be now read a third time,—put and passed.
Bill read a third time,—and, on motion of Mr. Windeyer, *passed.*
Mr. Windeyer then moved, That the Title of the Bill be “ *An Act to amend the Law relating to the Rights and Liabilities of Married Women.*”
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council, with the following Message :—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled, “ *An Act to amend the Law relating to the Rights and Liabilities of Married Women,*”—presents the same to the Legislative Council for its concurrence.
*Legislative Assembly Chamber,
Sydney, 21st January, 1879.*

13. **REDMOND'S ESTATE BILL**:—The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
On motion of Mr. Windeyer, the report was adopted.
Ordered, that the Bill be read a third time to-morrow.
14. **POSTPONEMENTS**:—The following Orders of the Day postponed:—
(1.) Stock Sale-yards Bill; second reading;—*until Friday, 14th February.*
(2.) Adulteration of Food Prevention Bill; second reading.
(3.) Bank Liabilities Publication; consideration in Committee of the } *until Friday,*
expediency of bringing in a Bill. 31st January.
15. **SMALL DEBTS ACT FURTHER EXTENSION BILL**:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. O'Connor, "That the report from the Committee of the Whole be now adopted,"—
And the Debate not being resumed,—
Question put, That the report be now adopted.
The House divided.

Ayes, 28.

Sir Henry Parkes,	Mr. Wisdom,
Mr. Lackey,	Mr. Cameron,
Mr. F. B. Suttor,	Mr. Thompson,
Mr. Hoskins,	Mr. Clarke,
Mr. Driver,	Mr. Teece,
Mr. Hungerford,	Mr. Fitzpatrick,
Mr. J. Davies,	Mr. Burns,
Mr. W. H. Suttor,	Mr. Greenwood,
Mr. Terry,	Mr. Groville,
Mr. Hurley (<i>Hartley</i>),	Mr. Lynch,
Mr. Day,	Mr. Cohen,
Mr. Roseby,	<i>Tellers.</i>
Mr. McElhone,	
Mr. Jacob,	Mr. Johnston,
Mr. Baker,	Mr. O'Connor.

Noes, 3.

Mr. Leary,
<i>Tellers.</i>
Mr. Beyers,
Mr. McCulloch.

And so it was resolved in the affirmative.

Ordered, that the Bill be read a third time to-morrow.

16. **POSTPONEMENTS**:—The following Orders of the Day postponed:—
(1.) High School for Girls; consideration in Committee of Resolutions;—*until Friday, 7th February.*
(2.) Railway Refreshment Rooms Bill; to be further considered in Committee;—*until Friday next.*
(3.) Bankers Books Cheques Bill; second reading;—*until Tuesday, 18th February.*
17. **PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL**:—The Order of the Day having been read,—
Mr. J. Davies moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Davies, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
On motion of Mr. Davies, the report was adopted.
Ordered, that the Bill be read a third time to-morrow.
18. **POSTPONEMENTS**:—The following Orders of the Day postponed:—
(1.) City of Goulburn Gas and Coke Company's Incorporation Bill (*as agreed to in Select Committee*); second reading. } *until Friday,*
(2.) Patent Bill; to be further considered in Committee. } *7th February.*
19. **JURY LISTS, DENILQUIN**:—The Order of the Day having been read, on motion of Mr. Hurley (*Hartley*), Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on an Additional Estimate for 1879 a sum not exceeding £250 to defray the expenses of witnesses before the Select Committee on "Jury Lists, Denilquin."
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
Resolved,—That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on an Additional Estimate for 1879 a sum not exceeding £250 to defray the expenses of witnesses before the Select Committee on "Jury Lists, Denilquin."
On motion of Mr. Hurley, the Resolution was read a second time, and agreed to.
20. **POSTPONEMENTS**:—The following Orders of the Day postponed:—
(1.) Town Clock, Denilquin; consideration in Committee of an Address to the Governor;—*until Friday next.*
(2.) Sydney Tramway and Omnibus Company (Limited) Bill; second reading;—*until Friday, 31st January.*

21. BANKERS BOOKS EVIDENCE BILL:—The Order of the Day having been read,—Mr. Lackey moved, That this Bill be now read a third time.

Question put.

The House divided.

Ayes, 16.

Sir Henry Parkes,	Mr. Thompson,
Mr. Lackey,	Mr. Johnston,
Mr. F. B. Suttor,	Mr. Leary,
Mr. Wisdom,	Mr. Beyers,
Mr. Baker,	Mr. T. R. Smith,
Mr. Teece,	
Mr. Clarke,	<i>Tellers.</i>
Mr. Greenwood,	Mr. Day,
Mr. Terry,	Mr. Roseby.

Noes, 11.

Mr. Cohen,	<i>Tellers.</i>
Mr. Burns,	Mr. McCulloch,
Mr. W. H. Suttor,	Mr. Shepherd.
Mr. J. Davies,	
Mr. Driver,	
Mr. Jacob,	
Mr. McElhone,	
Mr. Greville,	
Mr. Cameron,	

And so it was resolved in the affirmative.

Bill read a third time.

Mr. Lackey then moved, That this Bill do now pass.

Debate ensued.

Mr. Cohen moved, That this Debate be now adjourned.

Question put and passed.

Ordered, that the Debate be adjourned until Friday, 31st January.

22. POSTPONEMENTS:—The following Orders of the Day postponed:—

(1.) Birds and Animals Protection Bill; to be further considered in Committee;—*until Friday, 7th February.*

(2.) Justices Acts further Amendment Bill; second reading;—*until Friday, 31st January.*

(3.) Bridge across the Myall River, at Bulahdelah; consideration in Committee of an Address to the Governor;—*until Friday next.*

(4.) Bridge across the McDonald River, at St. Albans; consideration in Committee of an Address to the Governor;—*until Friday, 31st January.*

The House adjourned at five minutes before Nine o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 57.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 22 JANUARY, 1879.

The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Coal Mines Regulation Act:—Mr. W. H. Suttor asked the Secretary for Mines,—

(1.) Has he obtained any opinion from the Attorney General as to the power of the Government in putting in force the provisions of the Coal Mines Regulation Act in regard to payment by weight to miners of the mineral gotten by them?

(2.) Will he lay such opinion upon the Table at an early date?

Mr. Baker answered,—

(1.) An opinion was given by Mr. Attorney General Dalley on the 27th February, 1877, and a further opinion by Mr. Attorney General Windeyer on 22nd June, 1877. I cannot find that any opinion in regard to this matter has been given by Mr. Attorney General Foster.

(2.) Copies of the opinions which have been given will be laid upon the Table of the House.

(2.) Railway Trial Survey, Raglan to Mudgee:—Mr. W. H. Suttor asked the Secretary for Public Works,—Has the Government taken any steps towards making trial survey of a Railway Line from a point on the Western Line at or near Raglan to Mudgee?

Mr. Lackey answered,—In consequence of representations having been made to the Government that a line from Raglan to Mudgee would be 25 miles shorter than the line already surveyed from Wallerawang to that place, and that for nearly the whole of the distance it would be through Crown Lands, instructions have been given to have the route indicated explored.

(3.) Bridge over the Gwydir River, at Bundarra:—Mr. Jacob, for Mr. Terry, asked the Secretary for Public Works,—What steps have been taken towards the construction of a bridge over the Gwydir River at Bundarra?

Mr. Lackey answered,—Tenders have been received, but as no eligible offer was made, it has been decided to invite fresh tenders, which will be done.

(4.) Widening Elizabeth and Liverpool Streets.—Enclosure of Hyde Park:—Mr. J. Davies asked the Secretary for Lands,—What steps have the Government taken for the widening of Elizabeth and Liverpool Streets, and for the erection of dwarf wall and iron railing round Hyde Park?

Mr. Hoskins answered,—I can only repeat the reply given to the Honorable Member by my predecessor in office on the 31st October last, viz., that the matter is one which now rests between the Trustees of the Park and the City Corporation.

(5.) Stockton and Raymond Terrace Road to Saltash:—Mr. Jacob asked the Secretary for Lands,—

(1.) With reference to his application made so far back as December, 1873, for the extension of the road from the Stockton and Raymond Terrace Road to Saltash, which has involved him in no end of correspondence, &c., (*vide* Votes and Proceedings of 13th September last, Question No. 2), and regarding which extension he (Mr. Jacob) received a letter from the Department of Lands, of date 24th September, of the past year, to the effect that Mr. Surveyor Tucker had reported that the road would be marked within a week,—How much nearer now is the accomplishment of the object sought than it was five years ago?

(2.) Will he see that those whose duty it is to attend to such matters perform it with a little more expedition than they seem to be in the habit of doing?

Mr. Baker answered,—The proclamation notice of this road will appear in the *Government Gazette* of the 24th instant.

(6.)

(6.) Road from Tilligherry Creek to Nelson's Bay :—Mr. Jacob asked the Secretary for Lands,—When may he expect the further communication to his letter of 20th May, 1878, promised by letter of 28th June following, respecting a memorial of the people interested, in reference to a road from Tilligherry Creek to Nelson's Bay?

Mr. Baker answered,—Plan of survey has been received, and is now under examination in the Surveyor General's Office. Proclamation will follow without unnecessary delay.

(7.) The Chinese :—Captain Onslow asked the Colonial Secretary,—What is the estimated number of Chinese in the Colony?

Sir Henry Parkes answered,—I am informed by the Registrar General that the number of Chinese in the Colony is 8,000, but this does not include either the arrivals or departures over the borders into other Colonies.

2. VOTE OF CREDIT :—The following Message from His Excellency the Governor was delivered by Mr. Watson, and read by Mr. Speaker :—

HERCULES ROBINSON,
Governor.

Message No. 27.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends to the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the Colony for the month of January, 1879; together with provision for other services of an urgent nature.

Government House,
Sydney, 22nd January, 1879.

Ordered to be printed, and referred to the Committee of Supply.

3. PAPERS :—

Mr. F. B. Suttor laid upon the Table,—Return to an Order made on 1st November, 1878,—“Assistant Clerk of Petty Sessions, Waratah.”
Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Return (*in part*) to an Address, adopted on 21st January, 1879,—“Venereal Disease.”
Ordered to be printed.

Mr. Baker laid upon the Table;—

(1.) Opinion of Mr. Attorney General Windeyer on certain points submitted by the Honorable the Minister for Mines.—39 Vic. No. 31.—Coal Mines Regulation Act of 1876.

(2.) Opinion of Mr. Attorney General Dalley, *in re* 39 Victoria, No. 31.—Coal Mines Regulation Act of 1876.

Mr. Lackey laid upon the Table;—

(1.) Road Trust Accounts for the half-years ended 30 June and 31 December, 1877.

(2.) Correspondence, Minutes, &c., respecting Bridge over the Williams River, subsequent to those laid upon the Table in July, 1877.

(3.) Correspondence, Minutes, and other Papers, referring to the Bridge over Cook's River, on the Road from Kingsgrove to Croydon.

Ordered to be printed.

4. RAILWAY REFRESHMENT ROOMS BILL :—Mr. W. H. Suttor presented a Petition from Residents of Kelso, praying the House to reject this Bill.
Petition received.

5. SMALL DEBTS ACT FURTHER EXTENSION BILL (*Formal Order of the Day*),—on motion of Mr. O'Connor, read a third time, and *passed*.

Mr. O'Connor then moved, That the Title of the Bill be “*An Act to further extend the provisions of the Small Debts Act 10 Victoria No. 10.*”

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, “*An Act to further extend the provisions of the Small Debts Act 10 Victoria No. 10,*”—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 22nd January, 1879.

6. PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL (*Formal Order of the Day*),—on motion of Mr. J. Davies, read a third time, and *passed*.

Mr. Davies then moved, That the Title of the Bill be “*An Act to regulate the temporal affairs of Churches and Chapels of the Religious Society denominated Primitive Methodists.*”

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled “*An Act to regulate the temporal affairs of Churches and Chapels of the Religious Society denominated Primitive Methodists,*”—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

Legislative Assembly Chamber,
Sydney, 22nd January, 1879.

7. ADJOURNMENT :—Mr. McElhone moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

8. RAILWAY EXTENSION—WAGGA WAGGA TO HAY:—Mr. Barbour presented a Petition from Inhabitants of Jerilderie, Yanko, Argoon, Colombo Creek, and surrounding district, praying that the Southern Railway may be extended from Wagga Wagga to Hay, on the south side of the Murrumbidgee, by way of Urana and Jerilderie.
Petition received.
9. SPECIAL ADJOURNMENT:—Mr. Driver moved, pursuant to Notice, That this House at its rising To-morrow do adjourn until "Friday next, at Seven o'clock, p.m."
Debate ensued.
Mr. J. Davies moved, That the Question be amended, by the omission of the words "Friday next, at Seven o'clock p.m.," with a view to the insertion in their place of the words "Tuesday next."
Question proposed, That the words proposed to be omitted stand part of the Question.
Debate continued.
Question,—That the words proposed to be omitted stand part of the Question,—put and passed.
Original Question put,—
And Division called for,—
But there being no Tellers on the part of the *Noes*, no Division could be had, and Mr. Speaker declared the Question to have passed in the *affirmative*.
10. CHINESE IMMIGRATION:—Sir Henry Parkes moved, pursuant to Notice, That this House will, To-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to regulate and restrict Chinese Immigration.
Question put and passed.
11. LANDS ACTS AMENDMENT BILL:—Mr. Hoskins moved, pursuant to Notice (*as amended by consent*), That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill further to amend the Crown Lands Acts of 1861 and 1875.
Question put and passed.
12. SUSPENSION OF STANDING ORDERS:—Mr. Watson moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing of a Bill, intituled "A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Year 1879," through all its stages in one day, and would also preclude the Resolutions of the Committees of Supply and of Ways and Means, respectively, whereon the said Bill is proposed to be founded, being received on the same day on which they are come to by the said Committees respectively.
Question put and passed.
13. POSTPONEMENT:—The Order of the Day for the second reading of the Sale of Liquors Licensing Act Amendment Bill postponed until Wednesday next.
14. CLERGY RETURNS TRANSFER BILL:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.
On motion of Sir Henry Parkes the report was adopted.
Ordered, that the following Message be carried to the Legislative Council:—
MR. PRESIDENT,
The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill intituled "*An Act to transfer to the office of the General Registry certain Registers of Marriages Births and Deaths.*"
Legislative Assembly Chamber,
Sydney, 22nd January, 1879.
15. POSTPONEMENT:—The Order of the Day No. 3 postponed, to follow after Order No. 9.
16. DISTILLATION BILL:—The Order of the Day for the consideration in Committee of the expediency of bringing in a Distillation Bill read,—and, on motion of Sir Henry Parkes, discharged.
17. POSTPONEMENT:—The Order of the Day for the resumption of the adjourned Debate in reference to the Volunteer Land Orders Bill postponed until to-morrow.
18. SOUTH HEAD ROADS TRANSFER BILL:—The Order of the Day for the consideration in Committee of the expediency of bringing in the South Head Roads Transfer Bill read,—and, on motion of Sir Henry Parkes, discharged.
19. WATER CONSERVATION BILL:—The Order of the Day for the second reading of the Water Conservation Bill read,—and, on motion of Sir Henry Parkes, discharged.
20. SUPPLY:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.
The Chairman also reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman, that the report be now received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
(4.) *Resolved*,—That there be granted to Her Majesty for the Services of the year 1879, a sum not exceeding £905,993, being £305,000 to defray the expenses of the various Departments and Services of the Colony for the month of January, 1879, at the rates which have been sanctioned for 1878, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1879; £60,000 to enable the Treasurer to make advances to Public Officers; £60,000 for wages of Railway Employés for the month of February, 1879; £7,000 for wages of Employés in the Department of Harbours and Rivers for the month of February, 1879; £423,993 for Roads and Bridges; and £50,000 towards meeting the expenses connected with the International Exhibition to be held in Sydney in 1879.
On motion of Mr. Watson, the Resolution was read a second time and agreed to.

21. **WAYS AND MEANS**:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

(4.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Services of the Year 1879, the sum of £905,993 be granted out of the Consolidated Revenue Fund of New South Wales to defray the expenses of the various Departments and Services of the Colony for the month of January, 1879; to enable the Treasurer to make advances to Public Officers; for Wages of Railway Employés and Employés in the Department of Harbours and Rivers for the month of February, 1879; for Roads and Bridges; and towards meeting the expenses connected with the International Exhibition to be held in Sydney in 1879.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

22. **CONSOLIDATED REVENUE FUND BILL (No. 2)**:—

(1.) Ordered, on motion of Mr. Watson, that a Bill be brought in, founded on Resolution of Ways and Means (No. 4), to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Year 1879.

(2.) Mr. Watson then presented a Bill, intituled "*A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Year 1879*,"—which was read a first time.

Ordered to be printed, and now read a second time.

(3.) Bill read a second time.

On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

Mr. Watson moved, That that report be now adopted.

Question put.

The House divided.

Ayes, 29.

Noes, 2.

Sir Henry Parkes,	Mr. J. Davies,
Mr. F. B. Suttor,	Mr. W. H. Suttor,
Mr. Watson,	Mr. Harris,
Mr. Lackey,	Mr. Leary,
Mr. Windeyer,	Mr. Beyers,
Mr. Driver,	Mr. Greville,
Mr. O'Connor,	Mr. H. H. Brown,
Mr. Fitzpatrick,	Mr. Greenwood,
Mr. Cameron,	Mr. Hurley (<i>Hartley</i>),
Mr. Hoskins,	Mr. Merriman,
Mr. Baker,	Mr. Barbour,
Mr. Hungerford,	<i>Tellers.</i>
Mr. Cohen,	
Mr. Burns,	Mr. R. B. Smith,
Mr. Jacob,	Mr. Thompson.
Mr. Charles,	

Tellers.

Mr. Howman,
Mr. McElhone.

And so it was resolved in the affirmative.

Ordered, that the Bill be now read a third time.

(4.) Bill read a third time, and, on motion of Mr. Watson, *passed*.

Mr. Watson then moved, That the Title of the Bill be "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Year 1879*."

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Year 1879*,"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 22nd January, 1879.

The House adjourned at half-past Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 58.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 23 JANUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Waterloo Grant :—Mr. McElhone asked the Secretary for Lands,—

(1.) What steps, if any, have been taken to resume the 10 acres of land reserved for public purposes out of the 1,400 acres grant to one Hutchinson, and known as the Waterloo Grant?

(2.) If no steps have been taken to resume it, will he at once take steps to resume it, and so carry out the order of this House?

Mr. Hoskins answered,—

(1.) Mr. District Surveyor Woolrych has been directed to report on the most suitable site within the 1,400 acres.

(2.) Action will be taken on the report when received.

- (2.) Goulburn and Braidwood Road to Windellima :—Mr. Cameron, for Mr. Teece, asked the Secretary for Lands,—

(1.) Were instructions issued for the marking out of a road from the Goulburn and Braidwood Road in the Parish of Tirranna, to the Windellima and Bullamulita Road, in the Parish of Gundry?

(2.) Has such road been surveyed, and has any report been received from the Surveyor; if so, what is the nature of such report?

(3.) Is the Government aware that a road was reserved in the original measurements of the lands in the Parishes of Tirranna and Gundry, to afford access from the Goulburn and Braidwood Road to Windellima, Bungonia, and other places?

(4.) Is it the intention of the Government to proclaim the road in question; and, if so, when, and from what boundaries?

Mr. Baker answered,—

(1.) Yes.

(2.) Yes; the report of the Surveyor is to the effect that the traffic upon the road will be of casual and uncertain character for many years, and that the proclamation of it might be carried out with the intention of granting public gates upon it if desired by the proprietors of the enclosed lands through which it passes.

(3.) The road surveyed follows reserved roads in part only, the remainder being through alienated lands.

(4.) The plans of this road, together with its continuation (through alienated lands) to the Boro and Bungonia Road, are now undergoing the necessary examination, &c., prior to proclamation of the roads.

- (3.) Railway Extension—Tamworth West to Tamworth East :—Mr. Bennett asked the Secretary for Public Works,—When will tenders be invited for the extension of the Great Northern Railway from Tamworth West to Tamworth East, and to Armidale?

Mr. Lackey answered,—Tenders for the extension of the Great Northern Railway, from the present terminus at Tamworth to Uralla, will be invited about the end of February.

- (4.) Volunteer Land Orders.—Land sold to Messrs. Macleay and Clarke :—Mr. McElhone asked the Secretary for Lands,—

(1.) When will the papers in reference to Correspondence, Minutes, &c., in reference to transfer of Volunteer Land Orders, be laid upon the Table and printed?

(2.) The like in regard to Correspondence as to land ordered to be withdrawn from sale by Mr. Farnell, in July last, and sold to Macleay and Clarke?

Mr. Hoskins answered,—

(1.) The only papers on the subject which appear to have been ordered by the Assembly, on the motion of the Honorable Member, were laid upon the Table of the House on the 22nd October last, and, by the order of the House, printed.

(2.) In the course of next week, or ten days.

(5.)

- (5.) Post and Telegraph Office, Carcoar :—Mr. Lynch asked the Secretary for Public Works,—
 (1.) What is the delay in not paying the Contractors for the building of the Post and Telegraph Office, Carcoar, which has been finished three months ?
 (2.) Will he take immediate steps to have the building inspected, so as the Contractors may be paid for the building in question ?

Mr. Lackey answered,—

- (1.) The delay has been caused through the Contractors not having reported the completion of the work. The building however is not yet ready for occupation.
 (2.) The work has been recently inspected and the building found to be completed ; the balance of contract will therefore be paid, but the Contractors are still occupied with the fittings.
- (6.) Mr. David Ferguson, J.P. :—Mr. Hurley (*Hartley*) asked the Colonial Secretary,—When was David Ferguson, of Wellington, appointed to the Commission of the Peace, and on whose recommendation ?

Sir Henry Parkes answered,—Mr. David Ferguson, of Wellington, was appointed to the Commission of the Peace in October, 1876. With regard to the latter part of the question, I much doubt the propriety of informing the House of the names of persons who recommend Magistrates.

- (7.) Connection of Northern Railway with Sydney :—Mr. Farnell asked the Secretary for Public Works,—Have instructions been given for a Trial Survey relative to the connecting of the Northern Railway, *via* Peat's Ferry, with Sydney, as promised to a deputation by the preceding Secretary for Works ?

Mr. Lackey answered,—Yes, and the survey is in progress.

- (8.) Bridge over the Williams River, at Seaham :—Mr. Jacob asked the Secretary for Public Works,—Referring to his predecessor's answers of 5th ultimo, regarding a survey made at Seaham, across the River Williams,—Has it been yet determined what kind of bridge will be required there, and are steps going to be taken for its erection ?

Mr. Lackey answered.—An opening bridge will be required at Seaham, but no provision has been made by Parliament for its construction.

2. PAPERS :—

Mr. Watson laid upon the Table,—

- (1.) Return to an Order made on 19th November, 1878,—“ Removal of the ship ‘Cimba’ from the Circular Quay.”
 (2.) Return of White Spirits, Spirits of Wine, and Fusel Oil taken out of Bond.
 Ordered to be printed.

Mr. Lackey laid upon the Table,—Return to an Order made on 18th October, 1878,—“ Bridge over Armidale Creek.”

3. LIBRARY COMMITTEE (*Formal Motion*) :—Sir Henry Parkes moved, pursuant to Notice, That the names of Mr. Windeyer, Mr. Stephen Brown, and Sir Henry Parkes, be added to the Library Committee.
 Question put and passed.

4. REFRESHMENT COMMITTEE (*Formal Motion*) :—Sir Henry Parkes moved, pursuant to Notice, That the name of Mr. Badgery be added to the Refreshment Committee.
 Question put and passed.

5. STANDING ORDERS COMMITTEE (*Formal Motion*) :—Sir Henry Parkes moved, pursuant to Notice, That the names of Mr. Hoskins and Sir Henry Parkes be added to the Standing Orders Committee.
 Question put and passed.

6. REDMOND'S ESTATE BILL (*Formal Order of the Day*),—on motion of Sir Henry Parkes, read a third time, and *passed*.

Mr. Windeyer then moved, that the Title of the Bill be “ *An Act to authorize the sale mortgage and leasing of certain lands and hereditaments devised by the Will of Winifred Redmond deceased and for other purposes therein mentioned.*”

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled “ *An Act to authorize the sale mortgage and leasing of certain lands and hereditaments devised by the Will of Winifred Redmond deceased and for other purposes therein mentioned.*”—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with attested copies of the Will of Winifred Redmond, and the Disclaimer by Sir Daniel Cooper, Baronet, of Trusteeship and Executorship under the said Will.

Legislative Assembly Chamber,

Sydney, 23rd January, 1879.

7. MOORE'S ESTATE BILL :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled “ *An Act to enable the Trustees of the Will of William Gosling Moore to sell and lease certain lands and to make provision for the disposal and investment of the proceeds.*”—presents the same to the Legislative Assembly for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

Legislative Council Chamber,

Sydney, 23rd January, 1879.

JOHN HAY,
 President.

Bill, on motion of Mr. Cohen, read a first time.

Ordered to be printed, and read a second time on Friday, 7th February.

S.

8. CHINESE IMMIGRATION :—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to regulate and restrict Chinese Immigration. Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read as follows :—

Resolved,—That it is expedient to bring in a Bill to regulate and restrict Chinese Immigration.

On motion of Sir Henry Parkes, the Resolution was read a second time, and agreed to.

9. POSTPONEMENTS :—The following Orders of the Day postponed :—
 (1.) Volunteer Land Orders Bill; resumption of the adjourned Debate, on the motion of Mr. Fitzpatrick, "That this Bill be now read a second time";—*until Wednesday next.*
 (2.) Supply; resumption of the Committee;
 (3.) Ways and Means; resumption of the Committee; } *to follow after Order No. 16.*
10. LUNACY BILL :—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill. Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments. On motion of Sir Henry Parkes, the report was adopted. Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled "*An Act to consolidate and amend the Law relating to the Insane.*"

*Legislative Assembly Chamber,
 Sydney, 23rd January, 1879.*

11. POSTPONEMENT :—The Order of the Day for the second reading of the Islanders Shipping Engagement Bill postponed until Wednesday next.
12. APPROPRIATION OF LAND FOR PUBLIC PURPOSES :—The Order of the Day in reference to this subject read,—and, on motion of Sir Henry Parkes, discharged.
13. POSTPONEMENT :—The Order of the Day for the further consideration in Committee of the Water and Sewerage Bill postponed until Wednesday next.
14. SYDNEY CORPORATION BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair and the House resolved itself into a Committee of the Whole for the further consideration of this Bill. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.
15. CONSOLIDATED REVENUE FUND BILL (No. 2) :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Year 1879,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
 Sydney, 23rd January, 1879.*

JOHN HAY,
 President.

The House adjourned at twenty-five minutes before Eleven o'clock, until To-morrow, at Seven o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 59.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 24 JANUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Reserve at Bullewa Creek for quarrying Freestone:—Mr. Dangar asked the Secretary for Lands,—Have any reports been called for or received, and if so, the nature thereof, as to reserving land at Bullewa Creek, near Narrabri, for freestone purposes, before such land is alienated; if not, will such be done, and such reserve made?

Mr. Hoskins answered,—A report has been received from the District Surveyor, recommending the reservation of about 160 acres for quarrying freestone and other public purposes. The case is at present under reference to the Executive Council for final approval previous to notification.

- (2.) Site for Public School, Pokolbin:—Mr. Burns asked the Secretary for Lands,—When will the land at Pokolbin, applied for by the Council of Education on the 13th July, 1878, as a site for a Public School, be surveyed and conveyed to the Council for such purpose?

Mr. Hoskins answered,—The case is awaiting a reference to the Council of Education. When the reference has been replied to, the necessary steps will be taken for the survey and dedication of the land.

- (3.) The Volunteers:—*Mr. Day*, for Mr. McElhone, asked the Colonial Secretary,—

(1.) The number of old Volunteers, exclusive of Officers, who joined the Metropolitan Corps of Infantry before 1st December, 1878, in accordance with the new Regulations?

(2.) The number of old Volunteers, exclusive of Officers, who joined the Country Corps of Infantry before 1st December, 1878, in accordance with the new Regulations?

(3.) The number of Metropolitan Artillery who joined before 1st December, 1878, in accordance with the new Regulations?

(4.) The number of Country Artillery who joined before 1st December, 1878, in accordance with the new Regulations?

(5.) The number of Engineers who joined before 1st December, 1878, in accordance with the new Regulations?

(6.) The number of the Torpedo Corps who joined before 1st December, 1878, in accordance with the new Regulations?

(7.) The number of old Volunteers who have failed to attend any parade, although signifying their intention to join the Force?

(8.) The number of Recruits of all arms who have joined, to date?

Sir Henry Parkes answered,—

(1.) 90.

(2.) 107.

(3.) 41.

(4.) 23.

(5.) 17.

(6.) 96. This corps, 96 of all ranks, was the only corps brought under the new Government Regulations of the 9th September, 1878.

(7.) 170; but many of these were not permitted to enrol, not coming up to the standard of physique required.

(8.) 623.

(4.) Approaches to Belmore Bridge, West Maitland :—*Mr. J. Davies*, for *Mr. H. H. Brown*, asked the Secretary for Public Works,—

(1.) Is he aware that accidents are frequently happening to persons travelling in vehicles on the road approaching the Belmore Bridge at West Maitland, for the want of some protection to the embankments, where the road is raised ?

(2.) Will he have this matter inquired into, with a view of erecting a railing on each side of the road ?

Mr. Lackey answered,—

(1.) I am not aware that any accidents have occurred.

(2.) There is a sum of £400 on the Estimates-in-Chief for the improvement of this road, which will be expended as soon as voted.

(5.) Police Magistrate and Quarter Sessions, Brewarrina :—*Mr. Dangar* asked the Minister of Justice and Public Instruction,—

(1.) Is it intended to make any provision on the Estimates, or to appoint a Police Magistrate or Clerk of Petty Sessions at Brewarrina, to act as Land Agent, &c. ?

(2.) Is it intended to grant District Courts and Quarter Sessions at Brewarrina ; and if so, when—considering the fact that Judge Murray passes through the town on his way from Walgett to Bourke, and that consequently little extra expense would be involved in the establishment there of these Courts ?

Mr. F. B. Suttor answered,—

(1.) It is intended to place on the Estimates a salary for a Clerk of Petty Sessions. My Honorable Colleague, the Attorney General, will answer the second question.

Mr. Windeyer answered,—

(2.) This matter is under consideration, and has been referred to Judge Murray for his report.

(6.) Captain Charles Smith :—*Mr. Cameron* asked the Colonial Treasurer,—

(1.) Did Captain Charles Smith, of the pilot steamer "Captain Cook," apply to be removed to his present position, or was he so removed by the Marine Board ?

(2.) What was his past and his present salary ?

Mr. Watson answered,—

(1.) He applied to be removed to his present position.

(2.) His past salary was £400 per annum ; his present salary is £250 per annum.

(7.) Precedence of Civil over Criminal Cases :—*Mr. Cameron*, for *Mr. O'Connor*, asked the Attorney General,—

(1.) Is he aware that Mr. District Court Judge Josephson has given precedence to civil cases over criminal ones ?

(2.) Will the Minister make immediate inquiry into this matter, and if true, will the Minister issue instructions to revert to the practice followed by the Judges of the Supreme Court ?

Mr. Windeyer answered,—

(1.) I am aware that Mr. District Court Judge Josephson has given precedence to civil cases, that is to say, that in the arrangement of the business some civil cases are taken first.

(2.) I will cause inquiry to be made into this matter, and upon hearing the reasons will then determine what course shall be taken.

2. PAPERS :—

Mr. Hoskins laid upon the Table,—

(1.) Return to an Order, made on 12th November, 1878,—“Patrick Cavanagh's Pre-emptive Lease, Gininderra.”

(2.) Abstract of Crown Lands reserved from sale until surveyed for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Vic. No. 1.

(3.) Abstract of Sites for Cities, Towns, and Villages, declared under the 4th section of the same Act.

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Further Return to an Address adopted on 6th July, 1877,—“Immigration,”—Ship “Northampton.”

Ordered to be printed.

3. PARRAMATTA TOWN HALL BILL :—The Order of the Day having been read,—on motion of *Mr. Burns*, *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.

Mr. Speaker resumed the Chair ; and the Chairman reported that the Committee had agreed to the Council's amendments.

On motion of *Mr. Burns*, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled “An Act to authorize the erection of a Town Hall and other buildings on land granted as a site for a market in the Town of Parramatta and for other purposes therein mentioned.”

Legislative Assembly Chamber,
Sydney, 24th January, 1879.

4. POSTPONEMENT :—The Order of the Day for the further consideration in Committee of the Railway Refreshment Rooms Bill postponed until Friday, 14th February.

5. TOWN CLOCK, DENILQUIN :—The Order of the Day in reference to the erection of a Town Clock at Deniliquin read,—and, on motion of *Mr. Barbour*, discharged.

6. BRIDGE ACROSS THE MYALL RIVER, AT BULAHDELAH:—The Order of the Day having been read,—Mr. Johnston moved, That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on an Additional Estimate for 1879 a sum not exceeding £2,500 for the erection of a Bridge across the Myall River, at Bulahdelah.

Debate ensued.

Question put.

The House divided.

Ayes, 15.

Mr. Burns,	Mr. Cameron,
Mr. Copeland,	Mr. Greville,
Mr. Jacob,	Mr. Bennett,
Mr. Thompson,	Mr. Fitzpatrick,
Mr. Day,	<i>Tellers.</i>
Mr. Badgery,	
Mr. W. H. Suttor,	Mr. Beyers,
Mr. W. Davies,	Mr. Johnston.
Mr. Barbour,	

Noes, 13.

Mr. Lackey,	Mr. Hungerford,
Sir Henry Parkes,	Dr. Bowker,
Mr. Windeyer,	<i>Tellers.</i>
Mr. Watson,	
Mr. Greenwood,	Mr. Dillon,
Mr. Driver,	Mr. Hurley (<i>Hartley</i>).
Mr. Bowman,	
Mr. J. Davies,	
Mr. Teece,	

And so it was resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

Mr. Speaker resumed the Chair; and the Chairman reported that a Point of Order had arisen in the Committee, and obtained leave to sit again so soon as the question had been decided in the House.

The Chairman then stated the Point of Order, as follows:—

An Honorable Member proceeding to read from a newspaper the report of a debate of the present Session, objection was taken to his doing so; and on being appealed to he (the Chairman) stated his opinion that the Honorable Member was in order in the course he was taking, inasmuch as the debate from which he was about to quote arose on a different stage of the question then under the consideration of the Committee,—Whereupon, at the instance of the Honorable Member for The Hunter, the following Point of Order was referred for Mr. Speaker's ruling thereon,—“That an Honorable Member is not in order in reading from a newspaper report of a speech delivered in the House during the same Session.”

Mr. Speaker said that he was aware that the rule of Parliament was that a Member may not read any portion of a speech, made in the same Session, from a printed book or newspaper; but as the speech which the Honorable Member was about to quote was made on a different stage of the same question, he thought that the Chairman was perfectly correct in the opinion he had given.

In support of this ruling, Mr. Speaker quoted from Hansard the decision of the present Speaker of the House of Commons in 1876 on the Royal Titles Act Proclamation.

Whereupon, on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the Committee resumed.

Mr. Speaker resumed the Chair.

- MUNICIPALITIES ACT AMENDMENT BILL:—The Order of the Day in reference to this Bill read,—and, on motion of Sir Henry Parkes, discharged.
- RECLAMATION OF LAND AT WHITE BAY, BALMAIN:—The Order of the Day in reference to this subject read,—and, on motion of Sir Henry Parkes, discharged.
- RECLAMATION OF LAND AT SNAIL'S BAY, BALMAIN:—The Order of the Day in reference to this subject read,—and, on motion of Sir Henry Parkes, discharged.
- RESUMPTION OF LAND NEAR RUSHCUTTERS BAY:—The Order of the Day in reference to this subject read,—and, on motion of Sir Henry Parkes, discharged.
- RESUMPTION OF ADDITIONAL LAND AT RUSHCUTTERS BAY:—The Order of the Day in reference to this subject read,—and, on motion of Sir Henry Parkes, discharged.
- RECLAMATION OF LAND AT NEUTRAL HARBOUR:—The Order of the Day in reference to this subject read,—and, on motion of Sir Henry Parkes, discharged.
- RECLAMATION OF LAND AT CAREENING COVE:—The Order of the Day in reference to this subject read,—and, on motion of Sir Henry Parkes, discharged.

The House adjourned at five minutes before Ten o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 60.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 28 JANUARY, 1879.

There being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Bennett, Mr. Beyers, Mr. Burns, Mr. Cameron, Mr. Dangar, Mr. Dillon, Mr. Farnell, Mr. Greenwood, Mr. Hoskins, Mr. Hurley (*Hartley*), Mr. Lackey, Sir Henry Parkes, Mr. F. B. Suttor, Mr. Teece, Mr. Watson, Mr. Windeyer, and Mr. Wisdom,—Mr. Speaker adjourned the House at half-past Four o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 61.

VOTES AND PROCEEDINGS.

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 29 JANUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) International Exhibition in Sydney:—Mr. J. Davies asked the Colonial Secretary,—

(1.) What is the estimated cost for the erection of the proposed Exhibition Building for the holding of the International Exhibition?

(2.) Is it true that contracts have been accepted without public competition for the above Building?

(3.) Has the Government any objection to lay the Papers and Correspondence in reference to the Building upon the Table of this House?

Sir Henry Parkes answered,—

(1.) The estimated cost for the erection of the proposed Exhibition Building is £50,000.

(2.) It is not true that any contract has been accepted in the manner indicated in this question.

(3.) It appears to the Government that it would be prejudicial to the public interest to lay the correspondence upon the Table at the present time.

(2.) Tolls on Roads, Bridges, and Ferries:—Mr. Jacob asked the Secretary for Public Works,—Does the Government purpose asking the House to rescind the Resolutions passed in the Session of 1876-7 abolishing Tolls on Roads, Bridges, and Ferries?

Mr. Lackey answered,—This matter has been under the consideration of the Government, and we believe it will be our duty to invite the House to reopen the question.

(3.) Endowment of Municipal Council of Sydney:—Mr. J. Davies asked the Colonial Secretary,—Is it the intention of the Government to place a sum of money on the Estimates for the present year equal to the amount raised from the Ratepayers during last year, as an endowment to the Sydney Municipal Council, to enable them to carry out important sanitary matters?

Sir Henry Parkes answered,—It is the intention of the Government to place on the Estimates a sum for the endowment of the City of Sydney. As to the exact amount or form it will assume we have not yet quite determined.

(4.) Bridge over West Brook:—Mr. Burns, for Mr. W. C. Browne, asked the Secretary for Public Works,—When will tenders be invited for the erection of a Bridge over the West Brook, near Singleton?

Mr. Lackey answered,—Tenders have been invited, and were received on the 14th instant, but the lowest tender was not signed, and was considerably above the sum voted. Fresh tenders will be invited.

(5.) Road from Goorangoola to Bowman's Creek:—Mr. Burns, for Mr. W. C. Browne, asked the Secretary for Mines,—What further action has been taken with regard to opening the Road from Goorangoola to Bowman's Creek?

Mr. Baker answered,—The Road has been proclaimed in *Government Gazette* of 7th January, 1879.

(6.) Post and Telegraph Office, Jerry's Plains:—Mr. Burns, for Mr. W. C. Browne, asked the Secretary for Public Works,—When will tenders be called for the erection of a Post and Telegraph Office at Jerry's Plains?

Mr. Lackey answered,—Tenders will be invited next week.

(7.) Railway Locomotives:—Mr. Cameron, for Mr. Gray, asked the Secretary for Public Works,—

(1.) The number of Locomotives which have lately been given on contract to local manufacturers?

(2.) The price to be paid for each class of engine, and how many of them are to be fitted with the Westing-house break?

(3.) The total sum to be paid to the contractors?

(4.) The portions of the Locomotives, exclusive of the raw materials, which the contractors may import?

(5.) What will be done in regard to the engines which have not been contracted for in the Colony, but are required during the coming year?

Mr.

- Mr. Lackey answered,—
- (1.) Sixty-six.
 - (2.) Tank engines, £2,875; mixed engines, £3,325; passenger engines, £3,343; goods engines, £3,481. The Westing-house break is to be fitted to thirty-four of these engines.
 - (3.) £222,514.
 - (4.) Wheels and axles, buffer springs and buffers complete, dome and dome seat, copper plates, boiler plates, injectors and lubricators, gauges, safety valves, steel slide bars, brass boiler tubes, copper pipes, steel piston rods, and Westing-house air brakes.
 - (5.) They have been ordered from England and America.
- (8.) Traffic at Wallerawang Railway Station:—Mr. McElhone asked the Secretary for Public Works,—
- (1.) What was the number of bales of wool received at Wallerawang from Mudgee and Hartley Districts in 1877?
 - (2.) The like in regard to 1878?
 - (3.) The number of tons of goods received at Wallerawang for Mudgee and Western Districts in 1877?
 - (4.) The like as regards 1878?
- Mr. Lackey answered,—
- (1.) 9,653 bales.
 - (2.) 10,109 bales.
 - (3.) 8,734 tons.
 - (4.) 7,233 tons.
- (9.) The Glenmore Road:—Mr. Cameron asked the Secretary for Mines,—Has the attention of the Government been called to the state of the road known as the Glenmore Road, between Paddington and South Head Roads; if so, is it their intention to place a sum of money on the Estimates for the purpose of repairing the road in question?
- Mr. Baker answered,—Yes, and a sum was voted recently for the repair of this and other roads in the vicinity.
- (10.) Road from Terryhiehie to Warialda:—Mr. Dangar asked the Secretary for Mines,—
- (1.) Has a petition been received asking that the road from Terryhiehie, known as the Buggy Road to Warialda, by Slaughter-house Plain, Gravesend, &c., be thrown open 2 chains wide for the use of the public, the said road having been in use for a number of years, but now stopped by the erection of a wire fence across it?
 - (2.) Is it intended to survey and open up this road without delay, and thus prevent parties who have to attend the District Court and Quarter Sessions, and Land Office, at Warialda, going a round of some 45 miles, before the land through which it passes is alienated?
- Mr. Baker answered,—
- (1.) A petition has been received, and the lessees of Yaggaba Run, in the Gwydir District, have been informed that unless passage be afforded to traffic it may be necessary in the public interests to withdraw from lease an area sufficient to admit of an uninterrupted passage.
 - (2.) It is considered that survey of the track is quite unnecessary.
- (11.) Site for Township of Millie:—Mr. Dangar asked the Secretary for Lands,—
- (1.) What progress has been made in the survey and marking out of land for sale at Millie as a township, between Narrabri and Moree?
 - (2.) Has any report thereon been furnished by the District Surveyor; and if so, the nature thereof?
 - (3.) Has a petition been received from residents and others, protesting against the site fixed by the District Surveyor, which is 4 miles from the old Millie site, and at Little Bumble, and stating that the old site, was in every way suited—plenty of water, junction of main road, large traffic, and convenient to Telegraph Office for drovers, reporters of stock, and others?
 - (4.) What decision has been arrived at in the matter, and which site will be adopted?
 - (5.) Will there be any objection to place a copy of all papers connected therewith upon the Table of the House, and surveyor's tracing, showing old and new site, alienated land, and reserves in the locality?
 - (6.) Does a reserve exist at Old Millie, and do any objections exist as to cancelling this for the site of the town?
- Mr. Hoskins answered,—
- (1.) No survey of allotments has yet been made.
 - (2.) Yes; the District Surveyor is favourable to the adoption of the new site.
 - (3.) Yes, and reported on by the District Surveyor, stating that new site, referred to in Question 2, should be adopted.
 - (4.) No decision has yet been arrived at. District Surveyor's report now under consideration.
 - (5.) No.
 - (6.) No; cancelled in August last.
- (12.) Public School at Turlingali:—Mr. Greenwood asked the Minister of Justice and Public Instruction,—
- (1.) When did the Council of Education invite tenders for the erection of a Public School at Turlingali?
 - (2.) What prevents proceedings in regard to the school?
 - (3.) Has the Council decided that no school is required in that locality?
- Mr. F. B. Suttor answered,—
- (1.) Tenders were invited for the erection of new school buildings at Turlingali, in October, 1877.
 - (2.) The requisite grant in respect of the proposed site has not yet issued, but steps are being taken to expedite its completion.
 - (3.) No.
- (13.) Bridge over the Fish River at O'Connell:—Mr. Cohen, for Mr. W. H. Suttor, asked the Secretary for Public Works,—Is it the intention of the Government to place a sum of money on the Estimates to provide for the erection of a Bridge over the Fish River at O'Connell?

Mr. Lackey answered,—No ; the officers of the Department report that the crossing is a good one, and there is already an iron foot-bridge available for foot passengers when the river is up, which is only for a very short time each flood.

- (14.) Railway from Werris Creek to Breeza :—*Mr. Dangar*, for *Mr. Bennett*, asked the Secretary for Public Works,—Is it the intention, on the completion of the Line from Werris Creek to Breeza, to open the same for Mail and Passenger traffic ?

Mr. Lackey answered,—Inquiries will be made to ascertain if the line to Breeza can be opened for public traffic before the completion of the length to Gunuedah.

2. MESSAGES FROM THE GOVERNOR :—The following Messages from His Excellency the Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker :—

- (1.) Consolidated Revenue Fund Bill (No. 2).

HERCULES ROBINSON,
Governor.

Message No. 28.

A Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Year 1879*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 23th January, 1879.

- (2.) Clergy Returns Transfer Bill :—

HERCULES ROBINSON,
Governor.

Message No. 29.

A Bill, intituled "*An Act to transfer to the office of the General Registry certain Registers of Marriages, Births, and Deaths*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 23th January, 1879.

3. PAPER :—Sir Henry Parkes laid upon the Table a letter from Dr. Renwick, Vice-President of the Sydney Infirmary, respecting the disposal of the materials of the old Infirmary building.
Ordered to be printed.
4. ORANGE TOWN HALL SITE SALE BILL :—*Mr. Lynch* presented a Petition from the Municipal Council of the Borough of Orange, praying for leave to bring in a Bill to enable the Municipal Council of Orange to sell the present and provide another Site for the Town Hall.
And *Mr. Lynch* having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Western Examiner*, newspapers, containing the Notices required by the 59th Standing Order,—
Petition received.
5. THE CHINESE :—*Mr. Dillon* presented a Petition from Residents of Tenterfield and the surrounding District, praying the House permanently to restrict, or prohibit, the admission of Chinese into this Colony.
Petition received.
6. CONTRACTORS DEBTS BILL (*Formal Motion*) :—*Mr. Burns*, for *Mr. W. H. Suttor*, moved, pursuant to Notice, for leave to bring in a Bill for better securing the payment of debts due to workmen.
Question put and passed.
7. MESSRS. HUDSON BROTHERS (*Formal Motion*) :—*Mr. Cameron* moved, pursuant to Notice, That there be laid upon the Table of this House, a Return showing the number of contracts, and prices paid in each case, with the dates thereof, of all work entrusted to Messrs. Hudson Brothers, without tender, from November, 1877, to the present date.
Question put and passed.
8. BAND IN HYDE PARK (*Formal Motion*) :—*Mr. Hurley (Hartley)* moved, pursuant to Notice, That in the opinion of this House the Government should, as early as practicable, take the necessary steps and cause the Head-Quarters Band, or other Bands that are paid from the public funds, to perform in Hyde Park two evenings every week.
Question put and passed.
9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—
- (1.) *Maturity of Warrant reported* :—*Mr. Speaker* reported that his Warrant, laid upon the Table on the 21st January instant, appointing Henry Copeland, Esquire, and Andrew Hardie McCulloch, junior, Esquire, to be Members of the Committee of Elections and Qualifications for the present Session, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of Business, had now taken effect ; and intimated that it was therefore open to *Mr. Copeland* and *Mr. M'ulloch* to be sworn at the Table by the Clerk, in accordance with the 70th section of the Electoral Act of 1858.
- (2.) *Member of Committee Sworn* :—*Mr. Copeland* came to the Table, and was sworn by the Clerk as a Member of the Committee.
- (3.) *Meeting of the Committee* :—*Mr. Speaker* reported that the meeting of the Committee called for yesterday, 28th instant, had lapsed by reason of no member being present ; and that no provision was made in the Electoral Act to meet such an emergency.

Whereupon

Whereupon Sir Henry Parkes moved, That Mr. Speaker be empowered to appoint the time and place of the next meeting of the Elections and Qualifications Committee.

Question put and passed.

Mr. Speaker then appointed the next meeting of the Committee to take place on Friday next, at noon, in Committee Room No. 2.

10. LANDS ACTS AMENDMENT BILL:—The Order of the Day having been read,—on motion of Mr. Hoskins, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill further to amend the Crown Lands Acts of 1861 and 1875.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill further to amend the Crown Lands Acts of 1861 and 1875.

On motion of Mr. Hoskins, the Resolution was read a second time, and agreed to.

11. POSTPONEMENTS:—The following Orders of the Day postponed:—

- (1.) Sale of Liquors Licensing Act Amendment Bill; second reading;—*until Wednesday next.*
- (2.) Volunteer Land Orders Bill; resumption of the adjourned Debate, on the motion of Mr. Fitzpatrick, "That this Bill be now read a second time";—*to follow after Order No. 6.*
- (3.) Islanders Shipping Engagement Bill; second reading;
- (4.) Water and Sewerage Bill; to be further considered in Committee; } *until Wednesday next.*

12. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again to-morrow.

13. CONTRACTORS DEBTS BILL:—Mr. W. H. Suttor presented a Bill, intituled "*A Bill for better securing the payment of Debts due to Workmen*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday, 21st February.

14. CHINESE IMMIGRATION REGULATION BILL:—Sir Henry Parkes presented a Bill, intituled "*A Bill to regulate and restrict Chinese Immigration*,"—which was read a first time.

Ordered to be printed, and read a second time on Thursday, 6th February.

15. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Andrew Hardie McCulloch, junior, Esquire, came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

The House adjourned, at twenty minutes after Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 62.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 30 JANUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Railway Trial Survey, Narrabri to Walgett:—Mr. Dangar asked the Secretary for Public Works,—Having in view that now all the produce required and that all the trade from Walgett down the Barwin and Darling Rivers is now conveyed from Adelaide by steamer, and all the wool taken thereto in the same manner, is it intended to at once direct a Trial Railway Survey to be made and continued from Narrabri to Walgett?

Mr. Lackey answered,—Not at present. An exploration was made from Narrabri to Walgett in 1873, and the entire length was found to be level and favourable for Railway construction.

(2.) Licenses to Cut Timber in Electorate of The Williams:—Mr. Jacob asked the Secretary for Lands,—

(1.) Did three persons of the name of Engel, and one or two others, apply in December last, at the Clarence Town Land Office, paying the fees therefor, for licenses to cut timber on Church and School Lands at Sawyers' Point, in The Williams Electorate?

(2.) If so, have permits been granted to them; if they have not been granted, what is the cause?

(3.) If any complaints have been made against them, by whom were they made, and what is the nature of them?

(4.) Who is the lessee of the lands referred to?

(5.) Has he a permit to cut timber, or has any one who is employed by him; and does the lessee reap any benefit from the license?

Mr. Hoskins answered,—

(1.) Yes.

(2.) No. Pending investigation as to whether they were cutting timber prior to date of application for a license.

(3.) Mr. Newman. That they were cutting without licenses.

(4.) Mr. Johnston, M.P.

(5.) Mr. Johnston has none, but people in his employ may have.

(3.) Road from Rylstone to Capertee:—Mr. Copeland, for Mr. Hurley (*Hartley*), asked the Secretary for Mines,—

(1.) Was application made on the 12th of September for a road from Rylstone *via* Bogie to Glen Alice or Capertee; if so, from whom was the application?

(2.) Was an application made since, or prior; if so, from whom and on what date?

(3.) How does the matter now stand?

Mr. Baker answered,—

(1.) Yes. An application was forwarded on the 12th September, 1878, by Mr. Hurley, M.P., on behalf of inhabitants of Rylstone and Capertee.

(2.) Yes, since; namely, on the 18th November, 1878, by Thomas Ashe.

(3.) The proclamation will appear in the *Government Gazette* of 31st January, 1879.

(4.) Sale or Transfer of Land under Conditional Purchase:—Mr. Greenwood asked the Secretary for Lands,—When will the Return, ordered by the House on the 5th of February, 1878, respecting the sale or transfer of land under conditional purchase, be laid upon the Table of this House?

Mr. Hoskins answered,—The Return will be an exceedingly elaborate one, requiring details of transactions for fifteen years, and the compilation has necessarily been deferred from time to time by the pressure and arrears of current business. An abstract can be supplied without very much delay, but the completed return, in the terms as ordered, cannot be promised for some time to come

come. I may further state in reply to this question, that I am furnished with the following information by the clerk in charge of that branch of the department:—"With respect to Mr. Greenwood's question for to-day, respecting the preparation of Return of Transfers of Conditional Purchases, I cannot say definitely how long it would take to prepare it, but it would take a considerable time; for instance, to ensure accuracy we should have to go through 180 large registers and inspect the history of about 110,000 conditional purchases, and even experts would have to proceed carefully. Then, so great and increasing is the current work of alienation (and about 14,000 transfers were received during 1878) that we cannot spare any experienced clerk, and new hands would take an interminable time."

- (5.) Public Tanks:—Mr. Dangar asked the Secretary for Public Works,—Is it intended to place sums of money on the Estimates, as promised, for the construction and maintenance of Public Tanks on the several tracks between the Barwin and Narren Rivers, between Narrabri and Moree, and at Baradine. (See Votes and Proceedings, Legislative Assembly)?

Mr. Lackey answered,—There has been already a sum voted towards a water supply in the District of Liverpool Plains, and when this money has been expended further provision will be made for the purpose if required.

2. ORANGE TOWN HALL SITE SALE BILL (*Formal Motion*):—

(1.) Mr. Lynch moved, pursuant to Notice, That leave be given to bring in a Bill to enable the Municipal Council of Orange to sell the present and provide another site for a Town Hall.
Question put and passed.

(2.) Mr. Lynch having *presented* this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to enable the Municipal Council of Orange to sell the present and provide another Site for a Town Hall*,"—read a first time.

3. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.

4. MATRIMONIAL CAUSES ACT AMENDMENT BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to amend the Law relating to Divorce and Matrimonial Causes*,"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 30th January, 1879.*

JOHN HAY,
President.

The House adjourned at twenty minutes before Ten o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 63.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 31 JANUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Water Supply, Hunter River District :—Dr. Bowker asked the Colonial Secretary,—When will the works for supplying the Townships of the Hunter River District with water be commenced ?

Sir Henry Parkes answered,—The contract surveys for the supply of water to the Hunter River District are in a very advanced condition, and will be completed before the cast-iron piping and machinery, the principal items in a pumping scheme, can be procured from England, and which latter can be indented for as soon as the necessary funds for the works are provided by Parliament.

- (2.) Improvements on Crown Lands :—Mr. Barbour asked the Secretary for Lands,—

(1.) Is he aware that some of the Government surveyors and appraisers continue to allow valuations to Crown lessees for dummy iron houses that are not required for the working of the station, that do not comply with clause 3 of the Amending Act, 1875—not being of a fixed character,—nor do they render more beneficial the occupation of the land, which are not fit for a habitation, nor has any person ever lived in them ?

(2.) Is he aware that many of the complaints for non-survey of land selected two and three years ago has been caused by the claims put forward by the Crown tenants for improvement purchases in respect of such dummy houses and objected to by the selectors ?

(3.) Will he issue instructions to his surveyors and appraisers that such dummy houses are not improvements according to law, and are not to be valued, nor is land to be purchased in respect of such ?

Mr. Hoskins answered,—

(1.) I am not aware. Improvements are only admitted as such on the special report of the Surveyor that they are necessary to the beneficial occupation of the run, but in cases of dispute the lessee has the privilege of proving their necessity.

(2.) I am not aware. The delay in surveying land has been owing to the scarcity of qualified Surveyors.

(3.) If, on inquiry, I find illegal practices prevail, I will take the course which appears to me most likely to be effectual to prevent them.

- (3.) Purchases in virtue of Improvements on Crown Lands :—Mr. Barbour asked the Secretary for Lands,—

(1.) Is he aware that in nearly every *Gazette* issued since he took office there are notifications that certain persons therein mentioned are permitted to purchase, in virtue of improvements, without competition, the very pick of the country at the old upset price of one pound per acre, whilst the upset price of all auction land subject to competition is one pound five shillings per acre ?

(2.) Is he aware that clause 2 of the Regulations (middle of the clause) states, "Such value must be equal to the minimum upset price of land of the same class if offered at auction?"

(3.) Will he withdraw from sale such of these lands as have not already been taken up, and send them back for re-appraisalment on the basis of twenty-five shillings an acre ?

Mr. Hoskins answered,—

(1.) I am not aware; but there has not been time for any lands ordered for appraisalment by me to have arrived at the stage of appearing in the *Government Gazette*, as described by the Honorable Member. The Honorable Member is mistaken in supposing that the minimum upset price of lands has been changed; it remains as established by law in 1861 and 1875. True, the Minister may, and frequently does, place a higher rate on lots for sale by auction. I may mention, however, that the Bill about to be introduced by me will deal with this matter.

(2.) I am aware of the Regulation alluded to.

(3.) When lands are submitted to appraisalment they cannot be withdrawn.

(4.) Water Supply, Hunter River District :—Mr. Cohen asked the Colonial Secretary,—

(1.) Is it the intention of the Government to take any steps, during the present Session, to provide a water supply for the Hunter River and other country towns ?

(2.) Is it the intention of the Government to proceed with Part G of the Water and Sewerage Bill introduced by the late Farnell Administration ?

Sir Henry Parkes answered,—

(1.) The reply I gave just now to the Honorable Member for Newcastle will apply to the first part of this question,—that is, that the Contract Surveys for the supply of water to the Hunter River District are in a very advanced condition, and will be completed before the cast-iron piping and machinery—the principal items in a pumping scheme—can be procured from England, and which latter can be indented for as soon as the necessary funds for the works are provided by Parliament. With regard to the other part of the question, preliminary surveys for Goulburn, Bathurst, Orange, Albury, Richmond, and Windsor are completed, and the same for Deniliquin are in progress. The machinery and iron piping can at any time be ordered for the towns for which surveys have been made.

(2.) I shall have to make a statement, before I take up the Water and Sewerage Bill, when I will fully explain what we intend to do.

(5.) Government Banking Account :—Mr. Hurley (*Hartley*) asked the Colonial Treasurer,—

(1.) For what advance is the sum of £7,155 12s. charged on the London account of the Bank of New South Wales, and at what per-centage ?

(2.) Was the sum used or withdrawn from the Bank on the date interest is charged, or is the interest charged on a certain sum whether withdrawn or not ?

Mr. Watson answered,—I presume the amount referred to by the Honorable Member is identical with that shown at page 3 of the Report of the Board of Audit on the Public Accounts, of date 27th December, 1878. The amount referred to (£7,155 12s.), is a charge made by the Bank of New South Wales for interest alleged to be due on the London Current Account,—which charge, however, is not admitted by the Government, and is now in course of adjustment.

(6.) Landing Waiters :—Mr. Hurley (*Hartley*) asked the Colonial Treasurer,—

(1.) What number of Landing Waiters are employed in Sydney, and what salaries are paid them, and are they required to find a bond ?

(2.) The number acting in the same capacity, and are they called on to find a bond equal to those who are permanently appointed ?

Mr. Watson answered,—The information asked for by the Honorable Member will be supplied in a day or two, and laid upon the Table in the shape of a Return.

(7.) Post and Telegraph Office, Narrabri :—Mr. Dangar asked the Postmaster General,—

(1.) What is the cause of delay in opening the new Post and Telegraph Office at Narrabri, tenders for which were called two years ago, and the building not yet passed ?

(2.) Money having been voted last Session for additions to this building, what is the cause of tenders not having been called for such, and when will they be ?

(3.) Is the Government aware that the present Post Office will not hold the bags, several having to be left outside while others are getting sorted ?

(4.) When will the new Post and Telegraph Office in this town be opened for public use ?

Mr. Lackey answered,—

(1.) The delay has been caused in consequence of alterations from the original design having to be made to the building, the accommodation provided in the plan first approved having subsequently been found insufficient.

(2.) A tender from the contractor, Mr. Avey, for the proposed alterations, amounting to £630, is now under consideration.

(3.) The Government is not aware of this, but inquiry will be made.

(4.) The Post and Telegraph Office can probably be opened in about three months.

(8.) Statue of Captain Cook :—Mr. Driver, for Mr. Taylor, asked the Colonial Secretary,—Is it intended to unveil Captain Cook's Statue on Tuesday, 25 February ; if so, will the Government proclaim that day a Public Holiday in honour of the occasion ?

Sir Henry Parkes answered,—This matter has not been under the consideration of the Government, but I think it is very probable the day will be proclaimed a holiday.

(9.) Foot Passenger Bridge over the Parramatta River :—Mr. Driver, for Mr. Taylor, asked the Secretary for Public Works,—Is it the intention of the Government to cause a Foot Passenger Bridge to be erected over the Parramatta River, near Mr. French's Tweed Factory ?

Mr. Lackey answered,—I have given instructions that an officer be sent to confer with the Municipal authorities on the subject, when his report is received a decision in the matter will be arrived at.

(10.) Clock for Post and Telegraph Office, Parramatta :—Mr. Driver, for Mr. Taylor, asked the Postmaster General,—Is it the intention of the Government to have a Clock erected at the Post and Telegraph Office, Parramatta ?

Sir Henry Parkes answered,—No decision has been come to on this subject, but it shall have consideration.

(11.) Court-house, Walgett :—Mr. Dangar asked the Secretary for Public Works,—

(1.) Have (or will) fresh tenders been called for the erection and completion of new brick Court-house at Walgett ; and if so, has one been accepted ; if so, name of contractor, and date fixed for completion ?

(2.) If not, when will such be done ?

(3.) Has any progress, if so, what, been made in the erection of this building ?

Mr.

Mr. Lackey answered,—

(1.) Fresh tenders have not been called for, but a plan for a new Court-house has been approved, the estimated cost of which is £3,000. Provision for this amount has been made on the Estimates for this year.

(2 and 3.) Tenders can be called for the works so soon as funds are available.

2. JURY LIST, DENILQUIN :—Mr. Hurley (*Hartley*) *by consent*, moved, without Notice, That the names of Mr. Burns and Mr. F. B. Suttor be added to the Select Committee on "Jury List, Denilquin."
Question put and passed.
3. PUBLIC TANKS IN THE GWYDIR ELECTORATE (*Formal Motion*) :—Mr. Dangar moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence that has taken place between the Government, Surveyors, or anyone else, relating to the construction and maintenance of Public Tanks in the Gwydir Electorate.
Question put and passed.
4. ORANGE TOWN HALL SITE SALE BILL (*Formal Motion*) :—Mr. Lynch moved, pursuant to Notice,—
(1.) That the Orange Town Hall Site Sale Bill be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of Mr. Greville, Mr. Coonan, Mr. Beyers, Mr. Hurley (*Hartley*), Mr. Day, Mr. Barbour, Mr. W. H. Suttor, Mr. O'Connor, Mr. Charles, and the Mover.
Question put and passed.
5. ADJOURNMENT :—Mr. McElhone moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
6. PETITION OF MR. E. W. RUDDER :—Mr. R. B. Smith (*by consent*) moved, without Notice, That the names of Mr. Baker and Mr. Burns be added to the Select Committee on "Petition of Mr. E. W. Rudder."
Question put and passed.
7. MARSUPIALS DESTRUCTION BILL :—The Order of the Day having been read,—Mr. Dillon moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.
On motion of Mr. Dillon, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday next.

Notice was taken that there was not a Quorum present.

Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Burns, Mr. Cameron, Mr. Dangar, Mr. J. Davies, Mr. W. Davies, Mr. Dillon, Mr. Farnell, Mr. Greenwood, Mr. Hoskins, Mr. Jacob, Mr. Johnston, Mr. Lackey, Sir Henry Parkes, Mr. Roseby, Mr. Teece, Mr. Watson, and Mr. Windeyer,—

Mr. Speaker adjourned the House at eight minutes before Seven o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 64.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 4 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

(1.) Mineral Conditional Purchases held by Messrs. Parkes and Sutherland :—Mr. McElhone asked the Secretary for Lands,—

- (1.) Do Messrs. Parkes and Sutherland hold certain mineral conditional purchases near Jervis Bay?
- (2.) If so, when were they taken up, and what is the area of these mineral conditional purchases held by them?
- (3.) Have mineral conditional purchases been surveyed; if so, on what date?
- (4.) Is it not a fact that the holders of mineral conditional purchases are by law compelled to spend £2 per acre on them within three years of date of survey, or from the date of their being taken?
- (5.) What is the value of the improvements on these mineral conditional purchases?
- (6.) What is the nature and extent of such improvements?
- (7.) Is he aware that very little improvements have been made on the above mineral conditional purchases, and will he cause an immediate report to be made as to the nature and value of the improvements on above mineral conditional purchases, with a view to their forfeiture, if they have not been improved to the full extent required by law?
- (8.) Has any report been received as to the nature and value of the improvements on above mineral conditional purchases of Parkes and Sutherland; if so, what is the report?

Mr. Hoskins answered,—

- (1.) Yes.
- (2.) Four purchases taken up on the 18th February, 1875, of an aggregate area of 408 acres; twenty-two selections, amounting to 3760 acres, on 23rd December, 1875.
- (3.) Yes; the first four on 30th January, 1877, the others prior to selection.
- (4.) Yes.
- (5 and 6.) On the first mentioned purchases an expenditure of £2 per acre has been declared to. On the others the period for the declarations to be made has not yet expired.
- (7.) No; the inspector was directed under date 3rd January, 1879, to report on the selections which have been declared to, and the like course will be taken with respect to the others when the proper time arrives.
- (8.) No.

(2.) Grammar Schools :—Mr. Cameron, for Mr. Wisdom, asked the Minister of Justice and Public Instruction,—Have any steps been taken by the Government towards carrying out the Resolution of this House respecting the establishment of Grammar Schools at Maitland, Bathurst, and Goulburn?

Mr. F. B. Suttor answered,—This question is one of considerable magnitude, involving the question of whether or not a Bill is necessary for the purpose; but though no decision has yet been arrived at, the matter will be speedily settled.

(3.) Mr. Hanrahan, late Assistant Land Agent at Dubbo :—Mr. McElhone asked the Secretary for Lands,—

- (1.) Was a person named Hanrahan appointed Land Agent at Dubbo; if so, on what date, and who appointed him?
- (2.) Is it a fact that he absconded with a large sum of public money; if so, what amount?
- (3.) Have any steps been taken to arrest and prosecute him; if not, will steps at once be taken to arrest and prosecute him?

Mr.

Mr. Hoskins answered,—

- (1.) Mr. Hanrahan was appointed Assistant Land Agent at Dubbo on 1st December, 1875, by Mr. Garrett.
- (2.) It is a fact that he left the Colony suddenly, and that a deficiency was subsequently discovered in his accounts of £859 16s. 6d.
- (3.) A warrant was issued for his apprehension in November, 1877.
- (4.) Crown Lands held under Pastoral Lease :—Mr. Greenwood asked the Secretary for Mines,—
 - (1.) In the Return respecting Crown Lands, ordered by this House on the 5th of February, 1878, to what date does the term "present area under pastoral lease" refer?
 - (2.) What interpretation was placed by the department upon the terms "area of purchased land attached to runs," and to what date was that area made up?
 - (3.) What is the reason that no purchased land is given as attached to runs in the Murrumbidgee District, and no area of cultivation for any district except Monaro?
 - (4.) Will the Minister cause this omission in regard to the Murrumbidgee District to be rectified, and ensure due obedience in all respects to the order of this House as made on the 5th of February last?

Mr. Baker answered,—

- (1.) Date of the last appraisements of the runs, which date is stated in a column opposite each run.
- (2.) The whole of the land alienated within the boundaries of each run to any one whomsoever, whether by auction, improvement purchase, or conditional purchase, up to the date of the last appraisement of such run.
- (3.) The reason given to me by the officers of the Occupation Branch is, that the Crown Lands Commissioner of the Murrumbidgee District was unable to furnish the areas purchased. I am also informed that the Monaro District is the only one in respect to which the information asked for touching the area under cultivation was in the possession of the Officers of the Occupation Branch at the time of compiling the Return.
- (4.) The information as to the Murrumbidgee District is being prepared, and that, and the other information, shall be supplied as soon as possible.
- (5.) Court-house, Branxton :—Mr. Burns asked the Secretary for Public Works,—When will tenders be invited for the erection of the Court-house at Branxton?

Mr. Lackey answered,—Tenders will be invited when a decision is arrived at with regard to site. The matter is now under consideration.

- (6.) Reserve Pamphlets :—Mr. Dangar asked the Secretary for Lands,—
 - (1.) Referring to Votes and Proceedings, No. 9, 26 September, 1878,—Are the revised Reserve Pamphlets of Monaro, Albert, Darling, and Gwydir Districts yet ready for sale; if not, when will they be?
 - (2.) Is it intended on account of cost to discontinue the revising and publishing of these pamphlets, as therein expressed, and thus deprive the public of the use of this much desired information in this concise form without having to go through immense piles of *Gazettes* to obtain the requisite information?
 - (3.) If it is intended to continue them, when will all these pamphlets be revised from last compilation to present date?

Mr. Hoskins answered,—

- (1.) The Reserve Pamphlets are being revised, and will shortly be published.
- (2.) No.
- (3.) In the revision it is intended to continue them to the present date, and where practicable to arrange under parishes. It is also intended to publish the Reserves from Lease.
- (7.) Police, Walgett :—Mr. Dangar asked the Colonial Secretary,—
 - (1.) What is the authorized number of Constables allowed for the Walgett Police Station?
 - (2.) Has the authorized number been maintained at this Station; if not, why not?
 - (3.) Is the Minister aware that in consequence of the collection of the Electoral Roll that the only Constable under the Sub-inspector is absent, and the town of Walgett, and a radius of 70 miles around it, is virtually without police protection?

Sir Henry Parkes answered,—

- (1.) One officer, two mounted and one foot constable, also a warder in the gaol.
- (2.) Yes, as far as practicable.
- (3.) Walgett was never left without police protection, even during the collection of the Electoral Lists; there was a constable in the town and the warder.
- (8.) Inquest on the body of John Norris :—Mr. Burns, for Mr. Driver, asked the Minister of Justice and Public Instruction,—
 - (1.) Was Dr. Dalgairns summoned to appear and give evidence at the inquest holden upon the body of John Norris, at Windsor, some few weeks back?
 - (2.) Was Dr. Dalgairns the only medical man who saw the deceased shortly before his death?
 - (3.) Was any other medical man summoned to give evidence at such inquest; if so, his name, and had he seen deceased shortly before his death?
 - (4.) Why was Dr. Dalgairns not summoned?
 - (5.) Have any instructions been given to the District Coroner at Windsor to summon the Surgeon belonging to the District Hospital in all such cases; and is there any objection to lay a copy of such instructions upon the Table of this House?

Mr. F. B. Suttor answered,—

- (1.) No.
- (2.) I am informed that no medical man had seen the deceased shortly before his death.
- (3.) Yes; Dr. Vincent Morano was summoned, he being the medical officer of the District Hospital.
- (4.) I am informed by the Coroner that he saw no reason why Dr. Dalgairns should be summoned in this particular case more than any other.

(5.) Yes; a circular was issued to the Coroners of the Colony from the Crown Law Officers, dated 10th August, 1869, respecting the attendance of medical practitioners at inquests, &c., and there will be no objection to lay a copy of the circular letter in question upon the Table of this House. The Coroner also states that it was reported to him by the Police that Norris was dead before Dr. Dalgairns arrived, and that that statement was fully borne out by the evidence at the inquest, and that besides he had no information that Dr. Dalgairns saw Norris either dead or alive.

(9.) Gaol, East Maitland:—*Mr. McElhone*, for Mr. Badgery, asked the Colonial Secretary,—

(1.) What is the reason that the buildings at East Maitland Gaol, for Gaoler and Warders Quarters, are not being proceeded with?

(2.) Do the Government intend to discontinue the employment of prison labour at the Gaol and Court-house Reserves, East Maitland; and if so, what employment will be given to the prisoners?

Sir Henry Parkes answered,—

(1.) I am informed that the delay in the construction of these buildings has been caused by some want of decision as to whether they should be two story or one, but the matter shall be at once inquired into.

(2.) The Comptroller General of Prisons reports to me that "there is no objection to continue the supply of prison labour, but the exigencies of the Service have compelled me to make application to the Department of Lands to furnish a great many in the place of those who have hitherto been supplied from the prison." Then he says, "A copy of the correspondence has been supplied to the Colonial Secretary." It thus appears that the prison labour has been withdrawn, from its being required in the Public Service elsewhere.

(10.) Mr. John Young:—*Mr. McElhone* asked the Colonial Secretary,—

(1.) Is it a fact that when Mr. John Young got the contract for building the General Post Office, through a clerical error in the contract he was paid £1 6s. 8d. per day for day labourers instead of 6s. 8d.?

(2.) If so, is it a fact that when the mistake was pointed out to Mr. Young he refused to allow the error to be adjusted?

Sir Henry Parkes answered,—The answer to both these questions is, No; that is,—there never was any such error as that indicated by the questions, but there was a clerical error of this kind:—That 8s. 6d. per hour was put down instead of 8s. 6d. per day. It is the fact, that when having sent in his account, either from inadvertence or otherwise, this charge was made, but when his attention was called to it the account was adjusted, and he was paid at the rate of 8s. 6d. per day.

(11.) Breakwater at Lake Macquarie:—*Mr. Hurley (Hartley)* asked the Secretary for Public Works,—

(1.) Is it the intention of the Government to carry out the work in connection with Breakwater, according to survey, at Lake Macquarie?

(2.) If not, what is the reason for delay?

Mr. Lackey answered,—

(1.) Yes.

(2.) We are making further surveys with a view of better testing the district for the most durable kind of stone for the Breakwater.

(12.) Wharfage Rates:—*Mr. Macintosh* asked the Colonial Treasurer,—Is it the intention of the Government to bring before Parliament, during the present Session, a Bill to regulate and amend the Wharfage Rates now charged in Port Jackson?

Mr. Watson answered,—Yes.

2. MESSAGES FROM THE GOVERNOR:—The following Messages from His Excellency the Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker:—

(1.) Lunacy Bill:—

HERCULES ROBINSON,
Governor.

Message No. 30.

A Bill, intituled "*An Act to consolidate and amend the Law relating to the Insane*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 4th February, 1879.

(2.) Parramatta Town Hall Bill:—

HERCULES ROBINSON,
Governor.

Message No. 31.

A Bill, intituled "*An Act to authorize the erection of a Town Hall and other buildings on land granted as a site for a Market in the Town of Parramatta and for other purposes therein mentioned*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 4th February, 1879.

3. THE CHINESE:—*Mr. Hungerford* presented a Petition from Inhabitants of the Borough of Plattsburg and surrounding neighbourhood, in Public Meeting assembled, praying the House to take steps for preventing the introduction of Chinese in large numbers into this Colony.
Petition received.

4. PAPERS :—

Mr. Baker laid upon the Table,—Return to an Order made on 3rd December, 1878,—“ Road from Bibbenluke to Bombala.”
Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—Circular Letter to Coroners *re* attendance of Medical Practitioners at Inquests.
Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Further Papers respecting the Duplication of the Telegraph Lines between Australasia and Europe.
Ordered to be printed.

Mr. Hoskins laid upon the Table,—A Return showing the number of acres of Mineral Land that have been conditionally purchased or converted into Mineral Conditional Purchases during each of the seven years, 1872 to 1878, inclusive.
Ordered to be printed.

5. ADJOURNMENT :—Mr. Lucas moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

6. MESSAGES FROM THE GOVERNOR :—The following Messages from His Excellency the Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker :—

(1.) Chinese Immigration Regulation Bill :—

HERCULES ROBINSON,
Governor.

Message No. 32.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision for any necessary expense in connection with the Bill to regulate and restrict Chinese Immigration.

Government House,

Sydney, 3rd February, 1879.

Ordered to be printed, and taken into consideration in Committee of the Whole on the Bill.

(2.) Sydney Corporation Bill :—

HERCULES ROBINSON,
Governor.

Message No. 33.

Referring to Message of September 25th, 1878, the Governor, in accordance with the 54th section of the Constitution Act, recommends for the consideration of the Legislative Assembly the expediency of making provision to meet any additional expenses in connection with the Bill to consolidate and amend the laws relating to the Corporation of the City of Sydney.

Government House,

Sydney, 3rd February, 1879.

Ordered to be printed, and taken into consideration in Committee of the Whole on the Bill.

7. DUBBO MECHANICS INSTITUTE TRUSTEES BILL :—Mr. Pilcher presented a Petition from James Samuels, junior, Walter Hugh Tibbits, and George Henry Taylor, Esquires, Trustees of the Dubbo Mechanics Institute, praying for leave to bring in a Bill to enable the Trustees of the Dubbo Mechanics Institute to sell and dispose of a certain portion of land situate in the County of Lincoln, Parish of Dubbo, and Town of Dubbo, granted to the Trustees of the said Institute as a site for the erection of a building for the said Institute, and to provide for the appropriation of the proceeds thereof.

And Mr. Pilcher having produced the *Government Gazette*, and the *Sydney Morning Herald*, and the *Dubbo Dispatch and Wellington Independent*, newspapers, containing the Notices required by the 59th Standing Order,—
Petition received.

8. BRIDGE ACROSS QUEEN CHARLOTTE VALE CREEK, AT KING'S FALLS (*Formal Motion*) :—Mr. Pilcher moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Petitions and other Correspondence having reference to the erection of a Bridge across Queen Charlotte Vale Creek, at King's Falls.

Question put and passed.

9. BRIDGES OVER COLLAROY AND MERRIWA CREEKS :—Mr. Hungerford moved, pursuant to Notice,—

(1.) That, in the opinion of this House, the expenditure of money in the construction of Bridges over the Collaroy and Merriwa Creeks is a waste of public funds.

(2.) That all money available for the North-western line of Road should be expended on the roads.

Debate ensued.

Question put.

The House divided.

Ayes, 2.

Tellers.

Mr. McCulloch,
Mr. Hungerford.

Noes, 28.

Sir Henry Parkes,	Mr. F. B. Suttor,
Mr. Lackey,	Mr. Pilcher,
Mr. Baker,	Mr. Fitzpatrick,
Mr. Windeyer,	Mr. Barbour,
Mr. Hoskins,	Mr. Teece,
Mr. Leary,	Mr. Roseby,
Mr. Burns,	Mr. Sutherland,
Mr. Driver,	Mr. Lynch,
Mr. J. Davies,	Mr. Shepherd,
Mr. Day,	Mr. Hurley (<i>Narellan</i>),
Mr. Hurley (<i>Hartley</i>),	Mr. Greenwood,
Mr. Dangar,	<i>Tellers.</i>
Mr. Cameron,	Mr. Johnston,
Mr. Copeland,	Mr. McElhone.
Mr. Greville,	

And so it passed in the negative.

10. VOLUNTEER LAND ORDERS :—Mr. McElhone moved, pursuant to Notice,—
 (1.) That, in the opinion of this House, the Government should at once get the Opinion of the Honorable the Attorney General as to whether any person other than the persons to whom any Volunteer Land Orders were originally issued can legally take up and hold any Crown lands in virtue of such Volunteer Land Orders.
 (2.) That when such Opinion has been obtained it should be at once made public.
 Question put and passed.
11. CROWN LAND TAKEN UP BY CIVIL SERVANTS :—Mr. McElhone moved, pursuant to Notice,—
 (1.) That there be laid upon the Table of this House, a Return showing the quantity of Crown Land, and area of each lot and locality, taken up by Civil Servants after auction selection, or otherwise, during the last ten years.
 (2.) The names of all persons employed on the permanent or temporary staff of the Civil Service who have taken up land as mentioned above, and the offices they occupied at the time.
 Debate ensued.
 Question put and passed.
12. NEWCASTLE SCHOOL BOARD :—*Mr. J. Davies*, for Captain Onslow, moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence between the Council of Education, the Newcastle School Board, and any other person, regarding the appointment of additional Members to that Local Board.
 Question put and passed.
13. WATER SUPPLY FOR SYDNEY AND SUBURBS :—Mr. Hungerford moved, pursuant to Notice,—
 (1.) That there be laid upon the Table of this House, copies of the two letters of Mr. James Manning on Sydney Water Supply by gravitation, addressed to the Minister of Works on the 16th of June and 11th of November last.
 (2.) That such letters, together with all those of Mr. Manning on the same subject, and which have been printed by order of Parliament since Mr. Clark, the Hydraulic Engineer, gave in his report, should form a part of the printed book on Water Supply, as moved for by Mr. Cameron, and ordered to be printed.
 Question put and passed.
 Notice was taken that there was not a Quorum present.
 Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Cameron, Mr. J. Davies, Mr. Driver, Mr. Greenwood, Mr. Hoskins, Mr. Hungerford, Mr. Johnston, Mr. Lackey, Mr. Leary, Mr. Macintosh, Mr. McCulloch, Mr. McElhone, Sir Henry Parkes, Mr. Shepherd, Mr. F. B. Sutter, Mr. Teece, Mr. Watson, and Mr. Windeyer,—

Mr. Speaker adjourned the House at twenty minutes before Eight o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 65.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 5 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Legalization of certain Conditional Purchases:—*Mr. Coonan*, for *Mr. Dangar*, asked the Secretary for Lands,—

(1.) Is it intended, and if so when, to introduce, as promised, a Bill to legalize certain conditional purchases, including John Hoath's, of Walgett, and many other free selectors, who are in a similar position?

(2.) In the event of certain portions of Bingera Gold Field Reserve, No. 381, being cancelled, will the cases of Jacob Steele, and others who may have selected or otherwise purchased on this Reserve, be so included, provided the cancellation embraces their selections?

Mr. Hoskins answered,—(1.) A Bill is in preparation, and will be introduced when the state of the public business admits, dealing with certain cases of conditional purchase calling for exceptional treatment. In that of John Hoath, instructions were sent to *Mr. Fisher*, licensed surveyor, in October last, to measure three acres, having regard to the proposed Bill.

(2.) No conditional purchase in the name of Jacob Steele can be traced in the district mentioned.

(2.) Post and Telegraph Office, Moree:—*Mr. Coonan*, for *Mr. Dangar*, asked the Secretary for Lands,—Has application been made by the Contractor for erecting Moree Post and Telegraph Office to make bricks on Government land there, and will such permission be granted?*Mr. Hoskins* answered,—Yes; the Contractor has been informed that permission to remove brick earth from ordinary Crown Lands can be obtained by license at the nearest Land Agent's office. If he wishes to work upon reserved land he can apply for a special lease, and the case would then be considered by the Surveyor General. No application for lease has yet been received.(3.) *Mr. Hanrahan*, late Assistant Land Agent at Dubbo:—*Mr. McElhone* asked the Secretary for Lands,—(1.) Is it a fact that the warrant issued against *Hanrahan*, late Assistant Land Agent at Dubbo, has been withdrawn?

(2.) If so, will he have a fresh warrant issued for his arrest?

(3.) Has the money taken by *Hanrahan* been repaid to the Government?*Mr. Hoskins* answered,—

(1. and 2.) The warrant has never been withdrawn.

(3.) No; the Government have been paid, however, the sum of £125, the amount of security given by *Mr. Hanrahan*, and for which he furnished the guarantee bond of the Victorian Insurance Company.(4.) Purchase of Land between Homebush and Parramatta:—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) Have the Government concluded the purchase of the 1,200 acres of land between Homebush and Parramatta?

(2.) If so, who were the owners of the land, and the price paid per acre?

Mr. Hoskins answered,—The Government have not concluded the purchase of the 1,200 acres of land between Homebush and Parramatta, but the propriety of the purchase will be submitted to Parliament for consideration.(5.) Land Office, Parkes:—*Mr. Coonan* asked the Secretary for Lands,—Has *Mr. District Surveyor Fisher* sent in any report in reference to the establishment of a Land Office at Parkes; if so, what is the nature of the report?*Mr. Hoskins* answered,—No report has been received from *Mr. District Surveyor Fisher*.

(6.)

(6.) Land Agent, Coonamble:—Mr. Coonan asked the Secretary for Lands,—When will a Land Agent be appointed for Coonamble?

Mr. Hoskins answered,—Mr. H. R. Sanders, of the Lands Department, has been appointed Land Agent for the new Land District of Coonamble. He cannot, however, proceed there until the completion of the new Conditional Purchase Registers, which, I am informed, are being proceeded with as quickly as possible.

(7.) Court-house, Forbes:—Mr. Coonan asked the Secretary for Public Works,—

(1.) What is the delay in calling for tenders for the erection of the new Court-house, Forbes?

(2.) The plans being already prepared, will the Minister see that tenders are called for at once?

Mr. Lackey answered,—Tenders have been called for in the daily papers, and the notice will appear in the next issue of the *Government Gazette*.

(8.) Chaplain of Darlinghurst Gaol:—Mr. McElhone asked the Colonial Secretary,—Is the Chaplain of Darlinghurst Gaol, the Reverend Charles Francis Peter Collingridge, to have a successor appointed; if so, will he see that it is done at once?

Sir Henry Parkes answered,—The Reverend W. Ryan has been appointed Roman Catholic Chaplain to the above gaol as successor to Mr. Collingridge.

(9.) Light-house, South Head:—Mr. Driver asked the Secretary for Public Works,—

(1.) Is he aware that £15,000 was voted by this House last year to build a new light-house and quarters at South Head?

(2.) Is it the intention of the Government to commence this work at an early date; and if so, will the buildings be fitted with electric lights?

Mr. Lackey answered,—

(1.) The sum named has been voted, and plans are being prepared, but have been held over waiting the arrival of particulars respecting the use of the electric light for the building, which have recently been received from England.

(2.) The use of the electric light is under consideration, and so soon as a decision has been arrived at the work will be put in hand as soon as practicable.

2. PAPERS:—

Sir Henry Parkes laid upon the Table,—

(1.) By-laws of the Borough of East Maitland.

(2.) Report on the Police Department for 1878.

Ordered to be printed.

Mr. Speaker laid upon the Table,—Copies of two Minutes of the Governor and Executive Council, authorizing the transfer of sums from one Head of Service to another,—transmitted to the Legislative Assembly under the directions contained in the 18th section of the Audit Act of 1870. Ordered to be printed.

3. BRIDGE OVER ARMIDALE CREEK (*Formal Motion*):—Mr. Lackey moved, pursuant to Notice, That the Return to Order, "Bridge over Armidale Creek," laid upon the Table on 23rd January, 1879, be printed.

Question put and passed.

4. DUBBO MECHANICS INSTITUTE TRUSTEES BILL (*Formal Motion*):—

(1.) Mr. Pilcher moved, pursuant to Notice, for leave to bring in a Bill to enable the trustees of the Dubbo Mechanics Institute to sell and dispose of a certain portion of land, situate in the county of Lincoln, parish of Dubbo, in the town of Dubbo, granted to the trustees of the said Institute as a site for the erection of a building for the said Institute, and to provide for the appropriation of the proceeds thereof.

Question put and passed.

(2.) Mr. Pilcher having presented this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to enable the Trustees of the Dubbo Mechanics Institute to sell and dispose of a certain portion of land situate in the County of Lincoln Parish of Dubbo and Town of Dubbo granted to the trustees of the said Institute as a site for the erection of a building for the said Institute and to provide for the appropriation of the proceeds thereof*,"—read a first time.

5. VOLUNTEER LAND ORDERS (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of the Original Memo. of the Executive Council, and all other Documents, Minutes, &c., in reference to the making of Volunteer Land Orders transferable. Question put and passed.

6. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again this day.

7. MEMBER SWORN:—Richard Rouse, Esquire, having taken and subscribed the Oath, and signed the Roll of the House, took his Seat as Member for the Electoral District of Mudgee.

8. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again to-morrow.

The House adjourned at a quarter before Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 66.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 6 FEBRUARY, 1879.

There being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Beyers, Mr. Burns, Mr. Cameron, Mr. Dangar, Mr. J. Davies, Mr. Day, Mr. Hoskins, Mr. Jacob, Mr. Johnston, Mr. Lackey, Mr. Lynch, Mr. F. B. Suttor, Mr. Teece, Mr. Terry, Mr. Watson, Mr. Webb, and Mr. Windeyer,—

Mr. Speaker adjourned the House at half-past Four o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 67.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 7 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Conditional Purchases on Gold Fields:—Mr. Copeland asked the Secretary for Lands,—When will the Returns in reference to the alienation of land on the Gold Fields, moved for by him on the 5th February, last year, be forthcoming?

Mr. Hoskins answered,—It has been found necessary, in order to obtain the groundwork of the Return required by the Honorable Member, to examine some 4,000 plans in the Survey Department, necessarily involving a very serious amount of labour and inevitable delay. Returns giving the substance of the information, without distinguishing the Gold Fields, or giving detailed particulars, can, however, be completed within a comparatively short time. The same difficulty applies to Purchases in virtue of improvements, as well as to Conditional Purchases.

- (2.) Post and Telegraph Office, Blayney:—Mr. Lynch asked the Secretary for Public Works,—When will Tenders be called for the erection of the Post and Telegraph Office, Blayney?

Mr. Lackey answered,—Tenders for the erection of this building will be invited next week.

- (3.) Constable W. Stafford:—Mr. Macintosh asked the Colonial Secretary,—

(1.) Was Constable W. Stafford dismissed from the Police Force on a charge of attempting to defraud the Government by submitting a claim for travelling expenses, amounting to 21s.; if so, was his case dealt with in accordance with Regulation No. 74?

(2.) Has Stafford appealed to the Colonial Secretary to be dealt with in accordance with the Police Regulations of 1864?

(3.) Will the Colonial Secretary be pleased to allow Stafford an opportunity, in accordance with Police Regulation No. 74, to disprove the charge of fraud alleged against him?

(4.) What amount per day would Stafford have been entitled to as a pension if discharged from the Police Force on the 5th December, 1877?

(5.) Were the Police Quarters, Moruya, occupied by Sergeant Cornett for seven weeks after Stafford took sole charge of the district, causing him necessarily to lodge at an hotel, and keep his family in Braidwood?

Sir Henry Parkes answered,—

(1.) Constable W. Stafford was dismissed for sending in a fraudulent claim for travelling allowance. The charge was fully investigated. Regulation 74 does not apply.

(2.) He appealed for a special inquiry into his case, and was informed that the Colonial Secretary did not see any grounds for granting the special inquiry prayed for. Subsequently Constable Stafford petitioned the House. All the papers relating to the case have been laid upon the Table of the House and printed.

(3.) The charge was clearly proved. The Regulation No. 74 does not appear to bear on the question.

(4.) Constable Stafford would not have been entitled to any pension, he not having attained the age of sixty years, nor being physically incapacitated for further service.

(5.) The police quarters at Moruya were occupied for seven weeks by Sergeant Cornett's family after Stafford's arrival, but the latter occupied a room in the barracks, and his family remained during the period in the barracks at Braidwood. It is not the case that Stafford had to lodge at an hotel; he was not a single night absent from the barracks.

(4.)

- (4.) The Volunteer Force :—*Mr. J. Davis*, for *Mr. Long*, asked the Attorney General,—
- (1.) Is the Government aware that according to the interpretation of the new Regulations for the guidance of the Volunteer Force by the Brigade authorities, the power given to, and formerly exercised by, the Commanding Officer of a Company has been withdrawn, and is now transferred to, and exercised by, the Commanding Officer of a Regiment?
 - (2.) If this be so, has the attention of the Government been directed to the legality or otherwise of such a course of procedure?
- Mr. Windeyer* answered,—
- (1.) Yes.
 - (2.) No; but now that attention has been called to this matter it will be considered.
- (5.) Court of Petty Sessions, Manilla :—*Mr. Johnston*, for *Mr. Bennett*, asked the Minister of Justice and Public Instruction,—When will the Court of Petty Sessions be opened at Manilla for the Administration of Justice, &c.?
- Mr. F. B. Suttor* answered,—I have ascertained that the Court of Petty Sessions has already been opened at Manilla, but that certain books and furniture are required; and steps have been taken for the transmission of the requisite books and furniture for use in the Court-house at Manilla.
- (6.) Bridge over the Namoi, at Manilla :—*Mr. Johnston*, for *Mr. Bennett*, asked the Secretary for Public Works,—Is it the intention of the Government to place on the Additional Estimates for 1879 a sum of money for the erection of a high-level bridge over the river Namoi, at Manilla Township, District of Liverpool Plains?
- Mr. Lackey* answered,—Until the Railway policy of the Country is finally decided on by the Government and adopted by Parliament, it would be premature to provide for the large outlay which would be required to bridge this river with a permanent high-level bridge.
- (7.) Cavanagh's Conditional Purchase, at Coonabarabran :—*Mr. Dangar* asked the Secretary for Lands,—Referring to Votes and Proceedings, No. 21, 22 October, 1878,—Has the further report been received from the District Surveyor as to Cavanagh's conditional purchase, Dandry Creek, Coonabarabran; and if so, what decision has been arrived at; if not, when is the report likely to be received?
- Mr. Hoskins* answered,—A further Report has been received on Cavanagh's selection, and a re-measurement of it has been made. The report and survey are now being dealt with in the Charting Branch of the Survey Department, and a decision will be arrived at as soon as practicable.
- (8.) Wharfage in Sydney Cove :—*Mr. Macintosh* asked the Secretary for Public Works,—Is it the intention of the Government to make provision on the Estimates for the present year for the further improvement of the Wharfage in Sydney Cove.
- Mr. Lackey* answered,—A sum of £89,000, voted in 1873, is still available for this work. The Government intend to take up the question, and carry out the work with as little delay as possible.
- (9.) Reserve No. 637, County of Hardinge :—*Mr. McElhone* asked the Secretary for Lands,—At whose instance was Reserve No. 637, County of Hardinge, parishes of Morse and Honeysuckle, area 1,280 acres (Gazetted in November, 1878), made?
- Mr. Hoskins* answered,—Reserve No. 637, situated in the County of Hardinge, parishes of Morse and Honeysuckle, notified on the 25th of November, 1878, was made on the recommendation of the Surveyor General, to preserve access to the vacant Crown Lands for camping and water supply.
- (10.) Road to Lake Bathurst :—*Mr. Teece* asked the Secretary for Mines,—
- (1.) Has a road been surveyed by the Government from the Braidwood Road at Tarago, *via* the Village Reserve at Lake Bathurst, to the Boro Road?
 - (2.) Is it the intention of the Government to proclaim such road?
- Mr. Baker* answered,—
- (1.) Yes.
 - (2.) Yes; steps for the proclamation of the road are now being taken.
- (11.) Reserves at Lake Bathurst :—*Mr. Teece* asked the Secretary for Lands,—
- (1.) What is the number and area of the Reserves adjacent to Lake Bathurst, County of Argyle?
 - (2.) When were these lands reserved from sale, and when from lease?
 - (3.) Will steps be taken to remove any encroachment or trespass that may be found to exist on these reserves?
- Mr. Hoskins* answered,—
- (1.) Two Reserves with a frontage to Lake Bathurst, County of Argyle, containing 1,600 acres and 560 acres respectively, and one to the east of the Lake, No. 53, containing 320 acres, on the 22nd August, 1877.
 - (2.) The first two were reserved from sale on the 24th December, 1861, and from lease on the 29th September, 1877; the third was reserved from sale and lease on the 29th September, 1877.
 - (3.) Inquiry will be made as to any encroachment that may be found to exist on any of the above Reserves, and necessary steps will be taken for its removal.
- (12.) Robert Rae's Conditional Purchase at Edgeroi :—*Mr. Dangar* asked the Secretary for Lands,—
- (1.) Did Robert Rae, about twelve months ago, take up at Edgeroi, Narrabri District, 320 acres of land between portions 6 and 18, on the Edgeroi Run, and subsequently No. 18, 100 acres adjoining?
 - (2.) Was this land, previously to being so taken up, surveyed by Mr. Licensed Surveyor Clements, and fenced in by Robert Rae, according to such survey?
 - (3.) Did Mr. Licensed Surveyor Clements, nine months after the land had been taken up, re-survey this

this land and cut off the northern boundary of both portions, taking away a great portion of Rae's improvements, and leaving the land useless?

(4.) Is it intended to allow Rae the land as originally surveyed and taken up; and if not, for what reason?

Mr. Hoskins answered,—

(1.) Yes; 320 acres on 15th November, and 100 acres on 20th December, 1877.

(2.) The additional section was a portion previously measured.

(3.) The survey of the 320 acre portion appears to have been made about eleven months after the date of selection; both selections are bounded northerly by a reserve which includes part of the measured portion applied for in the additional selection.

(4.) The matter is now being dealt with in the Charting Branch of the Survey Department, and a decision will be arrived at as soon as practicable.

(13.) William Gallagher's Conditional Purchase at Tunawana:—Mr. Dangar asked the Secretary for Lands,—

(1.) Did William Gallagher, of Myall Creek, Bingera, take up, on 28th March, 1878, 103 acres, more or less, measured portion 209, in parish of Tunawana, County of Murchison, under the 13th section of the Crown Lands Alienation Act?

(2.) Has he resided on the land ever since, and erected improvements over the value of £100?

(3.) Has he been informed his selection is void, and refund of money offered, on account of its being on a Travelling Stock Reserve, No. 577?

(4.) Has this reserve been recommended for cancellation; has or will such be done; and, if so, will Gallagher be permitted to occupy this land, or will his case be included in the Bill proposed to be submitted to Parliament to legalize certain Conditional Purchases?

Mr. Hoskins answered,—

(1.) Yes.

(2.) No previous report to this effect has come under my notice.

(3.) Yes, on 9th December, 1878.

(4.) The cancellation of the reserve has been recommended, and the applicant has been informed to that effect. After cancellation he will have an opportunity of re-selecting.

(14.) Springs for Railway Engines and Carriages:—Mr. J. Davies, for Captain Onslow, asked the Secretary for Public Works,—

(1.) Has the Inspecting Engineer in England recommended that in all tenders for Springs for Railway Engines and Carriages that certain materials only, or steel of a particular quality, should be used?

(2.) If so, is it true that, notwithstanding the opinion of Mr. Fowler, one of the late Secretaries for Public Works has sent positive instructions to England that manufacturers tendering may, in future, use what materials they please?

Mr. Lackey answered,—As the answer to this question, to be sufficiently explanatory, will necessarily be lengthy, and as the Honorable Member has given notice that he will move for the production of the papers in the case, to which the Government will offer no objection, it will be, perhaps, better that the question should be postponed till the papers are produced.

2. WITHDRAWAL OF ESTIMATES FOR 1878-9:—The following Message from His Excellency the Governor was delivered by Mr. Watson, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 34:

A change having taken place in the Administration since the transmission of the Estimates of Expenditure for the present year, and the Supplementary Estimates of Expenditure for 1878 and previous years, which accompanied His Excellency's Message No. 11, the Governor requests that those documents may be returned to him with a view to the substitution of other Estimates, which have been prepared under the present Administration.

Government House,
Sydney, 7th February, 1879.

Ordered to be printed,

Mr. Watson then moved, That His Excellency's Message No. 34 be now taken into consideration.

Question put and passed.

And the Message having been read by the Clerk, by direction of Mr. Speaker,—

Mr. Watson moved, That the request contained in His Excellency's Message No. 34 be complied with, and that an Address be accordingly presented to His Excellency, returning the Estimates which accompanied his Message No. 11, of 30th October, 1878.

Question put and passed.

3. ESTIMATES OF EXPENDITURE FOR 1879, AND SUPPLEMENTARY ESTIMATES FOR 1878 AND PREVIOUS YEARS:—The following Message from His Excellency the Governor was delivered by Mr. Watson, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 35.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the accompanying Estimates of Expenditure for this Government for the year 1879, together with Supplementary Estimates of Expenditure for 1878 and previous years; in substitution for those submitted with His Excellency's Message No. 11, of 30th October, 1878.

Government House,
Sydney, 7th February, 1879.

Ordered to be printed, together with the accompanying Estimates, and referred to the Committee of Supply.

4. PAPERS :—
 Mr. Watson laid upon the Table,—Schedule to the Estimates-in-Chief for 1879, showing the total remuneration received by all Public Officers who hold more than one office, or who have any special Allowance, Quarters, Fuel, or Light, in addition to their fixed annual Salaries.
 Ordered to be printed.
- Mr. Lackey laid upon the Table,—
 (1.) Return showing the proposed distribution of the Vote on the Estimates for Subordinate Roads under Trustees.
 (2.) Return showing the proposed distribution of the Vote on the Estimates for Subordinate Roads under the Officers of the Roads Department.
 Ordered to be printed.
- Mr. Baker laid upon the Table,—Return to an Order made on 11th October, 1878,—“Applications for Land at Gulf Creek.”
 Ordered to be printed.
- Sir Henry Parkes laid upon the Table,—Further correspondence relating to outstanding claims to Volunteer land orders.
 Ordered to be printed.
5. ORANGE TOWN HALL SITE SALE BILL :—Mr. Lynch, as Chairman, brought up the Report from, and laid upon the Table the Minutes of the Proceedings of, and Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on 31st January, 1879, together with a copy of the Bill as amended and agreed to in the Committee.
 Ordered to be printed.
 Mr. Lynch then moved, That the Bill be read a second time on Friday, 21st February.
 Question put and passed.
6. RAILWAY REFRESHMENT ROOMS BILL :—Mr. Clarke presented a Petition from James Fullerton, LL.D., and others, against the passing of this Bill.
 Petition received.
7. THE CHINESE :—Mr. Clarke presented a Petition from James Fullerton, LL.D., and others, praying the House to adopt such measures as may be calculated to protect from violence and persecution all Chinese residing in this Colony, who are peaceable and unoffending, and also to induce the British Government to have the Treaty which was made with the Chinese in 1842 carefully reconsidered, that such modifications may be made as may be beneficial to the Empires of Great Britain and China, and permit such of the Chinese as may desire to emigrate to take their wives and children with them; and reject all Legislative enactments which may tend to prejudice the minds of the Chinese against Christians, and obstruct the progress of commerce, by excluding the natives of heathen countries from trading and residing in this Colony.
 Petition received.
8. ADJOURNMENT :—Mr. J. Davies moved, That this House do now adjourn.
 Debate ensued.
 Question put and negatived.
9. PATRICK RYAN'S CONDITIONAL PURCHASE AT MOLONG (*Formal Motion*) :—Mr. McElhone, for Mr. Coonan, moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers, Letters, and Reports, having reference in any way to the Conditional Purchase of Patrick Ryan, which was made on the 10th June, 1878, at Molong.
 Question put and passed.
10. HIGH SCHOOL FOR GIRLS :—The Order of the Day having been read,—on motion of Mr. Greenwood Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of the following Resolutions,—
 (1.) That, deeming it right that provision should be made in the educational system of the Colony for extending the advantages of instruction in secondary schools to girls as well as to boys, this House is of opinion that the necessary steps should be taken by the Government for the establishment and partial endowment of a High School for Girls in Sydney.
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
 Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to certain Resolutions.
 Ordered, on motion of the Chairman (*with the concurrence of the House*), That the report be now received.
 The Chairman then reported the Resolutions, which were read a first time, as follows :—
Resolved,—
 (1.) That, deeming it right that provision should be made in the educational system of the Colony for extending the advantages of instruction in secondary schools to girls as well as to boys, this House is of opinion that the necessary steps should be taken by the Government for the establishment and partial endowment of a High School for Girls in Sydney.
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
 On motion of Mr. Greenwood, the Resolutions were read a second time, and agreed to.
11. CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL :—The Order of the Day having been read,—Mr. Teece moved, That this Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Teece, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
 On motion of Mr. Teece, the report was adopted.
 Ordered, that the Bill be read a third time on Tuesday next.

12. **POSTPONEMENT**:—The Order of the Day for the further consideration in Committee of the Patent Bill postponed until Friday, 21st February.

13. **BIRDS AND ANIMALS PROTECTION BILL**:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

Mr. Day (*with the concurrence of the House*), moved, "That" the report be now adopted.

Mr. Jacob moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Bill be recommitted, for the reconsideration of clauses 6 and 10 and the Schedules."

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

The House divided.

Ayes, 6.
Mr. McElhone,
Mr. Driver,
Mr. Day,
Mr. Lucas,
Tellers.
Mr. Teece,
Mr. Thompson.

Noes, 22.
Mr. Watson,
Mr. Lackey,
Mr. Cohen,
Mr. Burns,
Mr. Baker,
Sir Henry Parkes,
Mr. Windeyer,
Mr. W. H. Suttor,
Mr. Greenwood,
Mr. Hoskins,
Mr. F. B. Suttor,
Mr. Jacob,
Mr. J. Davies,
Mr. R. B. Smith,
Mr. Beyers,
Mr. McCulloch,
Mr. Hurley (*Hartley*),
Mr. W. Davies,
Mr. Macintosh,
Mr. Cameron,
Tellers.
Mr. Copeland,
Mr. Hungerford.

And so it passed in the negative.

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That the Bill be recommitted for the reconsideration of clauses 6 and 10 and the schedules,—put and passed.

On motion of Mr. Day, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such reconsideration.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill 2^o with further amendments.

Mr. Day (*with the concurrence of the House*), moved, "That" the report be now adopted.

Mr. Thompson moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Bill be recommitted for the reconsideration of clause 4."

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

Question,—That the report be now adopted,—put and passed.

Ordered, that the Bill be read a third time on Wednesday next.

14. **MOORE'S ESTATE BILL**:—The Order of the Day having been read, Mr. Burns moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Burns, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with an amendment.

On motion of Mr. Burns (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

15. **POSTPONEMENTS**:—The following Orders of the Day postponed:—

- | | |
|--|-----------------------------------|
| (1.) Marsupials Destruction Bill; to be further considered in Committee; | } until Friday,
21st February. |
| (2.) Press Bill; second reading; | |
| (3.) Copyright Bill; second reading; | } until Friday, 28th February. |
| (4.) Adulteration of Food Prevention Bill; second reading; | |

16. **BANK LIABILITIES AND ASSETS PUBLICATION ACT EXTENSION BILL**:—

- (1.) The Order of the Day having been read,—on motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales, and the registration of the names of the proprietors thereof.

Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read, as follows:—

Resolved,—That it is expedient to bring in a Bill to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales, and the registration of the names of the proprietors thereof.

On motion of Mr. Driver, the Resolution was read a second time and agreed to.

- (2.) Mr. Driver presented a Bill, intituled "*A Bill to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales and the registration of the names of the proprietors thereof*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday, 21st February.

17. **POSTPONEMENTS**:—The following Orders of the Day postponed:—

- (1.) Sydney Tramway and Omnibus Company (Limited) Bill; second reading;—until Friday, 28th February.
- (2.) Bankers Books Evidence Bill; resumption of the adjourned Debate on the motion of Mr. Lackey, "That this Bill do now pass";—until Friday, 7th March.
- (3.) Justices Acts further Amendment Bill; second reading;—until Friday next.
- (4.) Bridge across the McDonald River at St. Albans; consideration in Committee of the Whole of an Address to the Governor;—until Friday, 21st February.

The House adjourned at twenty-three minutes after Eight o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 68.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 11 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

ELECTION PETITION (Mudge) :— Mr. Speaker laid upon the Table an Election Petition which had been addressed to him from William Wilton and others, Electors for the Electoral District of Mudge, objecting and protesting against the election of Richard Rouse, Esquire, as Member for the said Electoral District, on the following grounds :—1st. That the Returning Officer voted at the said Election for Mr. Rouse. 2nd. That a voter, after obliterating the name of Mr. Buchanan, instead of putting the voting paper into the Ballot Box placed it on a table, and then left the room, and the Returning Officer, in the absence of the voter, put it into the Ballot Box. 3rd. That at one of the Polling Booths the Poll Clerk did not attend until ten o'clock in the forenoon, the voting having proceeded in his absence. 4th. That two minors voted for Mr. Rouse at the said election. Petitioners pray that the Petition may be dealt with according to law, and that the return of the said Richard Rouse may be declared null and void; and that it may further be declared that David Buchanan was duly elected, and is entitled to take his Seat as the Member for the said Electoral District.

Ordered, on motion of Sir Henry Parkes, that the Petition be referred to the Committee of Elections and Qualifications.

2. QUESTIONS :—

- (1.) Mr. Henry Ricketson :—Mr. Barbour asked the Secretary for Lands,—

(1.) Has Henry Ricketson, Lessee of Derulaman Station, Murrumbidgee District, applied for and obtained permission from the Minister for Lands to ringbark a quantity of valuable timber near to Gibson's selection, in accordance with law?

(2.) If such permission was asked for and granted, what is the name of the officer who recommended it?

(3.) If such permission was not asked for, will he instruct the Crown Lands Ranger to prosecute the offender?

Mr. Baker answered,—

(1.) Mr. Ricketson has obtained permission to ringbark stunted box timber only upon that portion of Derulaman Run which is not within any Forest Reserve.

(2.) Recommended on the report of the Forest Ranger.

- (2.) Road from Mount Victoria to Mount Piddington :—*Mr. Barbour*, for Mr. McCulloch, asked the Secretary for Public Works,—

(1.) Upon whose application was money granted for the formation of the road from Mount Victoria to Mount Piddington?

(2.) What amount was granted?

(3.) Under whose supervision is it being expended?

Mr. Lackey answered,—

(1.) W. R. Piddington.

(2.) £225.

(3.) £200 by Messrs. W. R. Piddington, E. Fairfax, J. L. Meads. £25 by Roads Department.

- (3.) Railway Station, Blue Mountains :—*Mr. Barbour*, for Mr. McCulloch, asked the Secretary for Public Works,—Is the new Railway Station at Blue Mountains being erected by contract or by day labour; what is the estimated cost of the building?

Mr. Lackey answered,—The building is being erected by day labour; its cost will be about £800.

- (4.) Liverpool Asylum :—*Mr. Barbour*, for Mr. McCulloch, asked the Colonial Secretary,—What has been the annual death rate at the Liverpool Asylum during the last seven years?

Sir Henry Parkes answered,—The Manager of the Government Asylums states it to have been 27·598 per cent.

(5.)

(5.) George Rutcliffe's Conditional Purchase at Bingera :—*Mr. Macintosh*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) What decision has been arrived at in the case of George Rutcliffe's Conditional Purchase, No. 65, at Bingera, taken up on 6th May, 1875,—Rutcliffe having resided upon such lot since, and fulfilled all the conditions of improvement?

(2.) Did Rutcliffe pay interest from 6th May, 1878, to 31st December, 1878, and tender further interest on 2nd January, 1879; and if so, on what grounds did the Local Land Agent refuse to receive it?

Mr. Hoskins answered,—

(1.) The purchase was declared void on 21st June, 1876, on account of the land being at the date of application within the Bingera Gold Field, and also within reserve 381, parish of Bingera, notified 21st August, 1874.

(2.) The purchase remains void, which is the cause of the Crown Lands Agent having refused to accept the interest money. The Treasury Department was instructed on 3rd September last to refund the interest money placed in Suspense Account.

(6.) Post and Telegraph Offices, Moree and Warialda :—*Mr. Macintosh*, for Mr. Dangar, asked the Minister representing the Postmaster General,—Have tenders been accepted for the erection of new brick Post and Telegraph Offices at Moree and Warialda; if so, name of Contractors, and date fixed for completion of each?

Mr. Lackey answered,—Tenders have been accepted for both of the buildings named, to be of brick, as follows :—Moree, contractor, T. Avey; date for completion, 11th October, 1879. Warialda, contractor, S. Seinor; date for completion, 31st December, 1879.

(7.) Brisbane Valley Reserve :—*Mr. Hurley (Hartley)* asked the Secretary for Lands,—

(1.) Will he cause the Department to give a reply to his repeated inquiries concerning the Brisbane Valley Reserve?

(2.) Is he aware that *Mr. Hurley* has written letters to the Department, and received no reply, besides making very many verbal applications for the information?

Mr. Hoskins answered,—No letters from the Honorable Member on the subject referred to can be traced in the Lands Department. Perhaps the Honorable Member will postpone his question, and give some further particulars by which the matter can be identified.

3. CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL (*Formal Order of the Day*),—on motion of *Mr. Teece*, read a third time, and passed.

Mr. Teece then moved, That the Title of the bill be "*An Act to incorporate the City of Goulburn Gas and Coke Company (Limited) and to enable the said City of Goulburn Gas and Coke Company (Limited) to construct Gas-works within the Municipal boundaries and Suburbs of the City of Goulburn.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to incorporate the City of Goulburn Gas and Coke Company (Limited) and to enable the said City of Goulburn Gas and Coke Company (Limited) to construct Gas-works within the Municipal boundaries and Suburbs of the City of Goulburn,*"—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with a copy of the Deed of Settlement of the said Company.

*Legislative Assembly Chamber,
Sydney, 11th February, 1879.*

4. MOORE'S ESTATE BILL (*Formal Order of the Day*),—on motion of *Mr. Cohen*, read a third time, and passed.

Mr. Cohen then moved, That the Title of the Bill be "*An Act to enable the Trustees of the Will of William Gosling Moore to sell and lease certain lands and to make provision for the disposal and investment of the proceeds.*"

Question put and passed.

Ordered, that the Bill be returned to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Bill returned herewith, intituled "*An Act to enable the Trustees of the Will of William Gosling Moore to sell and lease certain lands and to make provision for the disposal and investment of the proceeds,*"—with the amendment indicated by the accompanying Schedule, in which amendment the Assembly requests the concurrence of the Legislative Council.

*Legislative Assembly Chamber,
Sydney, 11th February, 1879.*

MOORE'S ESTATE BILL.

SCHEDULE of the Amendment referred to in Message of 11th February, 1879.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

Page 3, clause 1, line 3. After "auction" insert "or private contract."

Examined—

ANGUS CAMERON,
Chairman of Committees.

5. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—(*The case of Mr. Combes, Member for Orange*):—

Mr. R. B. Smith, 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, relative to the question referred to them on the 3rd December last as to whether Mr. Combes had accepted an office of profit under the Crown within the spirit and meaning of the Constitution Act.

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

The Committee of Elections and Qualifications, duly appointed on the 11th September, 1878, to whom was referred, on 3rd December, 1878, the question whether Mr. Combes has accepted an office of profit under the Crown, within the spirit and meaning of the Constitution Act, have agreed to the following Report:—

“That, in the opinion of this Committee, Edward Combes, Esquire, Member for Orange, during the present Parliament, accepted an office of profit, as Executive Commissioner of New South Wales in connection with the Universal Exhibition in Paris, from the Crown, and thereby rendered his Seat liable to be declared vacant.”

No. 2 Committee Room,
11th February, 1879.

R. BURDETT SMITH,
Chairman.

Ordered, on motion of Mr. Smith, that the Report and Minutes of Proceedings and Evidence be printed.

Sir Henry Parkes then moved, That, the Committee of Elections and Qualifications having reported that in their opinion “Edward Combes, Esquire, Member for Orange, during the present Parliament accepted an office of profit, as Executive Commissioner of New South Wales in connection with the Universal Exhibition in Paris, from the Crown, and thereby rendered his Seat liable to be declared vacant,”—The Seat of the said Edward Combes, Esquire, is hereby declared to be vacant, for the reason found by the Committee.

Debate ensued.

Question put and passed.

6. ADJOURNMENT:—Mr. McElhone moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

7. REWARDS FOR THE DISCOVERY OF A PAYABLE GOLD FIELD IN THE ALBERT DISTRICT:—Mr.

Copeland moved, pursuant to Notice,—

(1.) That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause the sum of £5,000 to be placed on the Additional Estimates for 1879, for the purpose of providing rewards for the discovery of a payable Gold Field in the Albert District.

(2.) That on proving to the satisfaction of the Minister for Mines, or such officer as he may appoint, that such payable Gold Field is of a *bona fide* nature, the discoverers thereof shall be entitled to receive the sum of £2,500 as a reward for such discovery.

(3.) That on satisfactory proof being given to the Minister for Mines that such new Gold Field shall have yielded 5,000 ozs. of gold, such discoverers shall be entitled to a further sum of £2,500.

(4.) That to entitle the discoverers to either of the above rewards, it shall be necessary for them to report such discovery to the Minister for Mines, for the information of the public, within one month after making such discovery.

Debate ensued.

Motion, by leave, withdrawn.

8. DAMAGE BY FLOOD TO PROPERTY IN DARLING HARBOUR:—Mr. Macintosh moved, pursuant to

Notice, That there be laid upon the Table of this House, a Return of all Petitions, Correspondence, Reports, and Minutes thereon, having reference to a loss suffered by Messrs. Biddell, Zollner, and others, on the reclaimed land, Darling Harbour, by their premises being flooded by storm waters, and alleged to have been caused by certain works of the Government being carried out.

Question put and passed.

9. DUBBO MECHANICS INSTITUTE TRUSTEES BILL:—Mr. Burns, for Mr. Pilcher, moved, pursuant to Notice,—

(1.) That the Dubbo Mechanics Institute Trustees Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.

(2.) That such Committee consist of Mr. Barbour, Mr. Coonan, Mr. Day, Mr. Leary, Mr. Shepherd, Mr. Lynch, Mr. Beyers, Mr. Roseby, Mr. Thompson, and the Mover.

Question put and passed.

10. BRIDGE ACROSS THE BARRINGTON RIVER:—Mr. Johnston moved, pursuant to Notice, That this

House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on an Additional Estimate for 1879 a sum not exceeding £3,500 for the erection of a Bridge across the Barrington River, on Road from Gloucester to Barrington Gold Fields.

Debate ensued.

Motion, by leave, withdrawn.

The House adjourned, at seventeen minutes after Ten o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 69.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 12 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Mr. J. M'Donald, Acting Landing-waiter:—Mr. Hurley (*Hartley*) asked the Colonial Treasurer,—
 (1.) Was a person named J. M'Donald, now Acting Landing-waiter, discharged from the Government service some time since; if so, what was he discharged for, and at whose instance?
 (2.) By whom was he reappointed, and what is his salary now, and what was his salary before his discharge?

Mr. Watson answered,—

- (1.) No.
 (2.) Reappointed as Extra Tide-waiter by the Honorable W. R. Piddington. Present salary £32 10s. per annum, and 15s. per diem. His salary under his previous appointment as First Locker was £225 per annum.
 (2.) Council of Education:—Dr. Bowker asked the Minister of Justice and Public Instruction,—
 (1.) How many meetings of the Council of Education were held during the year 1877?
 (2.) The like for 1878?
 (3.) The number of attendances of the respective members at each meeting?

Mr. F. B. Suttor answered,—

- (1.) 51.
 (2.) 49.
 (3.) I will presently lay this information upon the Table of the House in the shape of a Return.
 (3.) Mr. John Young:—Mr. W. H. Suttor asked the Colonial Secretary,—
 (1.) What per-centage is to be paid to Mr. John Young for his services in connection with the International Exhibition?
 (2.) Upon what amount of expenditure is this per-centage to be based?

Sir Henry Parkes answered,—I have already informed the House that the commission to be paid to Mr. Young is five per cent. on the total outlay for the building, and that the estimate of the cost of the building, made by the Colonial Architect, is £50,000.

2. THE CHINESE:—The following Petitions, praying the House to adopt stringent measures for restricting the influx of Chinese to this Colony, were presented by the Members named:—
 (1.) By Mr. Copeland. From Residents of the Barrington Gold Field, in Public Meeting assembled.
 (2.) By Mr. Hurley (*Hartley*), for Mr. Rouse. From Inhabitants of Mudgee and surrounding Districts, in Public Meeting assembled.
 (3.) By Mr. Barbour. From Citizens of Sydney, in Public Meeting assembled.
 Petitions received.

3. MATRIMONIAL CAUSES ACT AMENDMENT BILL:—The following Message from His Excellency the Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 36.

A Bill, intituled "*An Act to amend the Law relating to Divorce and Matrimonial Causes,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has reserved the said Bill for the signification of Her Majesty's pleasure thereon.

The proper measures will be forthwith adopted for obtaining the Queen's decision accordingly, and in the meantime the Bill has been transmitted to the Legislative Council, to await Her Majesty's pleasure.

Government House,
Sydney, 11th February, 1879.

4. PAPERS:—

Mr. Watson laid upon the Table,—Murray River Customs Convention between New South Wales and South Australia.

Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—A Return showing the attendances of Members of the Council of Education at Meetings held in 1877 and 1878.

Ordered to be printed.

5. LANDS ACTS FURTHER AMENDMENT BILL:—Mr. Hoskins *presented* a Bill, intituled “*A Bill further to amend the Lands Acts of 1861 and the Act of 1875,*”—which was read a first time.
Ordered to be printed, and read a second time on Thursday, 27th February.

6. MEDICAL BILL:—Dr. Bowker *presented* a Bill, intituled “*A Bill to amend the Law respecting the Qualification of Medical Practitioners,*”—which was read a first time.
Ordered to be printed, and read a second time on Friday, 14th March.

7. ESTIMATE OF EXPENDITURE ON ACCOUNT OF PUBLIC WORKS AND OTHER SERVICES PROPOSED TO BE DEFRAYED OUT OF THE ACCUMULATED SURPLUS ON THE CONSOLIDATED REVENUE FUND:—
The following Message from His Excellency the Governor was delivered by Mr. Watson, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 37.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends to the consideration of the Legislative Assembly the accompanying Estimate of the Expenditure of the Government of New South Wales on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund.

Government House,

Sydney, 12th February, 1879.

Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.

8. WAGGA WAGGA COMMON (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers, Correspondence, Minutes, &c., in reference to an application to purchase part of the Common at Wagga Wagga by Mr. Donnelly; also date of application to purchase; the date on which the Common was proclaimed; the date on which the land was reserved from lease; also the date on which the reserve was originally made; and copy of any plans showing the position of the reserve, and date of its revocation, if any. Question put and passed.

9. SUPPLY:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), That the report be *now* received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

(5.) *Resolved*,—That there be granted to Her Majesty a sum not exceeding £1,797 to defray the expenses of the establishment of His Excellency the Governor for the year 1879.

On motion of Mr. Watson the Resolution was read a second time, and agreed to.

10. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

(1.) Primitive Methodist Church Temporalities Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled “*An Act to regulate the temporal affairs of Churches and Chapels of the Religious Society denominated ‘Primitive Methodists,’*”—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 12th February, 1879.

JOHN HAY,
President.

PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL.

SCHEDULE of the Amendments referred to in Message of 12th February, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 5, clause 14, line 43. *After* “mortgage” *add* “Provided that no lands granted by the Crown to the said Church shall come within the operation of this or the preceding section.”

Page 6, clause 19, line 53. *After* “7” *omit* “8” *insert* “9.”

Examined—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Tuesday next.

(2.) Redmond's Estate Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to authorize the sale mortgage and leasing of certain lands and hereditaments devised by the Will of Winifred Redmond deceased and for other purposes therein mentioned*,"—with the amendment indicated by the accompanying Schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 12th February, 1879.

JOHN HAY,
President.

REDMOND'S ESTATE BILL.

SCHEDULE of the Amendment referred to in Message of 12th February, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 8, clause 12, line 25. After "7" omit "8" insert "9."

Examined—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendment made by the Legislative Council in this Bill be taken into consideration on Friday next.

11. WAYS AND MEANS (*Financial Statement*) :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Thursday, 20th February.
12. PAPERS :—Mr. Watson laid upon the Table,—
 - (1.) Estimates of the Ways and Means of the Government of New South Wales for the year 1879.
 - (2.) Explanatory Statement of the Public Accounts of New South Wales, as embodied in the Ways and Means for 1879.
 Ordered to be printed.
13. SYDNEY CORPORATION BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported Progress, and obtained leave to sit again To-morrow.
14. POSTPONEMENT :—The Order of the Day for the second reading of the Chinese Immigration Regulation Bill postponed until Wednesday, 26th February.

The House adjourned at a quarter after Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 70.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

• THURSDAY, 13 FEBRUARY, 1879.

1 The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Overland Telegraph Line to Port Darwin:—Mr. Greenwood asked the Colonial Secretary,—

(1.) How many times, and how long on each occasion, has communication with Europe been interrupted on the overland line between Port Darwin and Adelaide, during the year 1878, and up to date of the present year?

(2.) Do the Government intend to enter into negotiations with other Colonial Governments for a duplicate overland line by way of Queensland?

Sir Henry Parkes answered,—

(1.) The interruptions on the Port Darwin Line during the year 1878, and up to date of the present year were as follows:—On January 1st, one day; January 14th, five days; February 9th, one day; March 15th, five days; March 23rd, two and a half days; March 25th, two days; March 29th, one day; April 17th, two and a half days; April 30th, two and a half days; May 9th, one day and a half; May 16th, three and a half days; June 9th, three days; July 1st, two days; August 30th, one day; September 14th, three days; October 26th, four and a half days; November 15th, two days; December 16th, one day. 1879:—January 4th, one day; January 10th and 11th, partially interrupted; January 13th, one day.

(2.) This question has not yet been considered, but before the duplicate cable is laid the question of a duplicate land line through Australia to Port Darwin will be considered.

(2.) Protection from Floods in the Hunter River:—Mr. Cohen asked the Secretary for Public Works,—

(1.) Is it the intention of the Government to ask Parliament, during the present Session, for a re-vote of £7,000 to protect the banks of the River Hunter, in West Maitland, from the encroachments of floods, the original vote having lapsed at the end of last year?

(2.) Will the Government, in view of the nature of this work, and the advisability of proceeding with it during the summer months, include the amount in the next monthly Supply Bill?

Mr. Lackey answered,—

(1.) Yes.

(2.) There will be no reason for this. If the parties interested will pay into the Treasury their moiety of the contribution, the work can be commenced at once. Had they done this earlier the vote would not have lapsed.

(3.) Surveys for Mr. Thomas Broughton:—Mr. McElhone asked the Secretary for Lands,—

(1.) Is he aware that Mr. Thomas Broughton has got Government Surveyors measuring land at North Shore, known as the Gore, and other property, for him?

(2.) What are the names of the Surveyors who are doing this work for him, and who gave them the authority to do it?

(3.) Will he at once put a stop to these Surveyors doing Mr. Broughton's work?

Mr. Hoskins answered,—

(1.) Surveys have recently been made for the purpose of locating grants made to Gore and others, and for the removal of trespassers, with the view to issuing a consolidated grant in accordance with promise to Gore.

(2.) Mr. Maitland has made the survey referred to.

(3.) No Surveyors are at work for Mr. Broughton.

(4.)

(4.) Mr. McCracken, late Accountant in Telegraph Department:—Mr. McElhone asked the Colonial Secretary,—

- (1.) Has Mr. McCracken, late Accountant in the Telegraph Department, been dismissed?
- (2.) Has he, or any one for him, paid any sum or sums of money which he was deficient in his accounts?

Sir Henry Parkes answered,—

- (1.) Yes.
- (2.) No. The Treasury Inspector has not reported any deficiency in his accounts.

(5.) Land taken up by Mr. Richardson:—Mr. McElhone asked the Secretary for Lands,—

- (1.) On what date did Mr. Richardson obtain permission to take up the after auction selection of 59 acres in the parish of Gordon, and county of Cumberland, and who gave him the permission to take it up?
- (2.) If the said permission was in writing, will he cause it to be laid upon the Table of this House?

Mr. Hoskins answered,—

- (1.) The after auction selection referred to was not taken up in Mr. Richardson's name, but by Mr. Alexis Mackenzie. The date of the selection is 6th July, 1877.
- (2.) Mr. Mackenzie wrote to the Under Secretary on the 8th August, requesting that the Deed of Grant might be prepared in the name of Mr. Richardson, for whom he had bought it. This letter, after having been recorded in the usual way, was submitted by the Clerk in charge of the Auction Branch, with the following minute:—"The request may, I presume, be complied with." Upon this the Under Secretary complied with the application by the following minute:—"Approved, but let the alteration be shown on the face of the application itself.—W.W.S." This is all the correspondence which took place on the subject. A copy can be laid upon the Table if the Honorable Member desires it.

(6.) Miners Rights taken out by Chinese:—Mr. Beyers asked the Secretary for Mines,—How many Miners Rights were taken out by Chinese during the year 1878?

Mr. Hoskins answered,—The same form of Miners Right is used for Chinese as for Europeans, consequently the information can be obtained only by examining the butts of all the books throughout the Colony, and even then the information would necessarily be incomplete, as the Return would not include Miners Rights issued to Chinese who have assumed European names. I will have a Return prepared from the butts of Miners Rights Books, showing the number of such Rights issued in Chinese names.

(7.) Gold Mining Leases:—Mr. Beyers asked the Secretary for Mines,—What number of Gold Leases have been issued for Hill End and Tambaroora District; and what is the number of Gold Leases issued in other Districts respectively?

Mr. Baker answered,—Gold-Mining Leases issued from 1st January, 1867, to 31st January, 1879:—

In the District of—	Under the Gold Fields Act, 1866.	Under the Mining Act, 1874.	Totals.
Tambaroora and Turon	85	91	176
Mudgee	15	37	52
Lachlan	13	17	30
Bathurst	24	36	60
Tumut and Adelong	55	33	88
Southern	14	18	32
Peel and Uralla	13	89	102
New England and Clarence	4	20	24
Church and School	9	12	21
Totals	232	353	585

(8.) Reserves near Western Railway:—Mr. Macintosh asked the Secretary for Lands,—When will the Papers relating to the Reserves near the Western Railway, as ordered by Resolution of the Assembly, 1st May, 1877, be laid upon the Table of the House?

Mr. Hoskins answered,—The Return is being prepared as quickly as possible.

(9.) Court-house, Windsor:—Mr. Driver asked the Secretary for Public Works,—

- (1.) Has the Colonial Architect been instructed to prepare plans and specifications for the erection of a Court-house at Windsor; if so, when was he instructed?
- (2.) Have tenders been called for the erection of said building; if not, when will the Government call for tenders?

Mr. Lackey answered,—

- (1.) The Colonial Architect has not yet received instructions to prepare the plans referred to.
- (2.) Tenders have not been called for the erection of the building in question, but they will be invited as soon as the necessary provision shall have been made for carrying out the work.

(10.) Water Supply for Wagga Wagga:—Mr. Cohen, for Mr. Leary, asked the Colonial Secretary,—Do the Government intend to have a survey made at Wagga Wagga for the purpose of providing that district with water?

Sir Henry Parkes answered,—When the House is asked to concur in measures of legislation for this purpose, it is the intention of Government to provide for the supply of water to all such towns as Wagga Wagga; and in all probability it will be determined to charge these Municipalities for this water supply at so much per thousand gallons.

(11.) Court-house, Narrandera:—*Mr. Cohen*, for *Mr. Leary*, asked the Minister of Justice and Public Instruction,—When will the Government hand over the Court-house at Narrandera to the Bench of Magistrates?

Mr. F. B. Suttor answered,—I have ascertained that this building was recently inspected, and that some small works were still required to be carried out. On their completion, which will probably be in about a week, the Court-house can be handed over to the Bench of Magistrates.

(12.) Post and Telegraph Office, Cootamundra:—*Mr. Cohen*, for *Mr. Leary*, asked the Secretary for Public Works,—When will tenders be called for the erection of a Post and Telegraph Office at Cootamundra?

Mr. Lackey answered,—The vote for this work has lapsed, but tenders will be invited for carrying it out as soon as the amount is re-voted.

(13.) Transfers of Conditional Purchases:—*Mr. McElhone* asked the Secretary for Lands,—

(1.) Is he aware that leading Barristers have given opinions that the transfer of selections under the 13th and 21st clauses of the Land Act are not binding on the persons who transfer?

(2.) If so, will he introduce a clause in his Land Bill to legalise the transfer of all Conditional Purchases under the Land Acts of 1861 and 1875, as well as under the Land Bill of the present Government?

Mr. Hoskins answered,—

(1.) Questions have arisen as to the sufficiency of the documents in certain cases, but I am not aware of any opinion having been given to the effect stated.

(2.) The Bill is now on the Table, and should the second reading be passed, the subject will be further considered, with a view to the introduction of any necessary clauses in Committee.

(14.) International Exhibition in Sydney:—*Mr. Greville* asked the Colonial Secretary,—Have the Government instructed the Executive Commissioner of the International Exhibition to submit to tender all work and materials required by the Commission and not connected with the erection of the building?

Sir Henry Parkes answered,—No instruction of this kind has been issued to the Executive Commissioner. The management of the Exhibition is practically left to the Commission, but it is understood that in any matter involving serious expenditure, or any novel proposal, that they will consult with the Government.

(15.) Land Sales, Kunopia and Gadooga:—*Mr. Dangar* asked the Secretary for Lands,—Have allotments been surveyed and marked out for sale in the proposed townships of Kunopia and Gadooga, Bree River; and, if so, when will such be submitted for sale?

Mr. Hoskins answered,—Allotments have been surveyed at Kunopia, and will be offered for sale in about six weeks from the present date. Allotments have been measured at Gadooga, now Bokhara, but as further and important information was required, the matter has been referred to the District Surveyor. No unnecessary delay will occur in dealing with this case.

(16.) Police Barracks and Post and Telegraph Office, Walgett:—*Mr. Dangar* asked the Secretary for Public Works,—Have tenders been accepted for erection of Police Barracks, Walgett, and Post and Telegraph Office at that place; if so, name of Contractors, and dates works to be completed by?

Mr. Lackey answered,—Tenders have been accepted for both of these buildings, the contractor in each case being *T. F. O'Keefe*, and the dates for completion,—Police Station, 7th November, 1879, and Post and Telegraph Office, 7th February, 1880.

(17.) Band in Hyde Park:—*Mr. Hurley (Hartley)* asked the Colonial Secretary,—When will effect be given to the Resolution passed by this House on 29th January having reference to the Head Quarters Band or other Bands performing two evenings every week in Hyde Park?

Sir Henry Parkes answered,—There is some little difficulty in the way of giving effect to this Resolution. The Band of the Permanent Artillery can and will be instructed to play in the park in terms of the Resolution, but the Band of the Volunteers cannot be so ordered; and if that Band plays in accordance with the terms of the Resolution, it will involve an expense of £150 per annum.

(18.) Anti-Chinese Meeting:—*Mr. Coonan* asked the Colonial Secretary,—Is it the intention of the Government to take steps to prevent the contemplated meeting of the Anti-Chinese League in Hyde Park, as advertised in yesterday's *Herald*?

Sir Henry Parkes answered,—I am credibly informed that there is no intention on the part of the Anti-Chinese League to hold any meeting in Hyde Park, and that the Committee of that body disclaim any knowledge of this resolution—that they regard it as a hoax.

2. PAPERS:—

Mr. Baker laid upon the Table,—Return to an Order, made on the 27th September, 1878,—“Rent in arrear on Mineral Leases.”

Ordered to be printed.

Mr. Hoskins laid upon the Table,—

(1.) Return to an Order, made on 29th October, 1878,—“Land sold at Narrandera to Messrs. *Clark and Macleay*.”

(2.) Abstract of Crown Lands reserved from Sale until Surveyed for the preservation of Water Supply or other Public Purposes, in accordance with the 4th section of the Act 25 Victoria, No. 1.

(3.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the same Act.

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—By-laws of the Municipal District of Hay, under the Nuisances Prevention Act of 1875.

Ordered to be printed.

3. MUDGEE TURF CLUB BILL:—Mr. J. Davies (*by consent*), moved, without Notice, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee on the "Mudgee Turf Club Bill," and that Committee being desirous to examine The Honorable George Henry Cox, Member of the Legislative Council, in reference thereto, requests that the Legislative Council will give leave to its said Member to attend and be examined by the said Committee on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,
Sydney, 13th February, 1879.*

Question put and passed.

4. RAILWAY EXTENSION INTO THE CITY (*Formal Motion*):—Mr. Lackey moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to enable the Government to construct a Railway from the present Railway Terminus at Redfern to the waters of Port Jackson, and to grant the necessary powers to resume land for the purposes thereof.

Question put and passed.

5. BIRDS AND ANIMALS PROTECTION BILL (*Formal Order of the Day*),—on motion of Mr. Windeyer, read a third time, and *passed*.

Mr. Windeyer then moved, That the Title of the Bill be "*An Act to secure the protection of certain Birds and Animals.*"

Question put and passed.

Ordered, that the Bill be returned to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Bill, returned herewith, intituled "*An Act to secure the protection of certain Birds and Animals,*—with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

*Legislative Assembly Chamber,
Sydney, 13th February, 1879.*

BIRDS AND ANIMALS PROTECTION BILL.

SCHEDULE of the Amendments referred to in Message of 13th February, 1879.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

- Page 1, clause 1, line 9. *Omit "birds and"*
 " " line 10. *Omit "birds and"*
 " *Omit clause 2.*
 " 2. *Omit clause 3.*
 " clause 4, line 13. *After "game" insert "or imported game"*
 " " " *Omit "October" insert "August"*
 " " " *Omit "last" insert "twentieth"*
 " " line 14. *Omit "of the"*
 " " " *Omit "specified" insert "whatever"*
 " " line 15. *Omit "in the last section"*
 " " line 16. *Omit "native"*
 " " 5, line 25. *Omit "or" insert "and"*
 " " 6, line 28. *Omit "birds"*
 " " " *Omit "or reptiles"*
 " " line 29. *After "insects" insert "which are"*
 " " line 31. *Omit "birds and"*
 " " line 34. *Omit "birds"*
 " " " *Omit "or reptiles"*
 " " *Add at end of clause—"Provided that the Colonial Secretary may by like
 " proclamation withdraw any such animal from the Schedules."*
 " *After clause 6 insert new clauses 7 and 8:—*
 " 7. *If any person within the period stated in the 4th section shall buy sell or knowingly
 " have in his possession or under his control any dead game whether native or imported he shall
 " be liable to a penalty not exceeding five pounds unless it can be proved to the satisfaction of the
 " Justices hearing the case that such dead game were imported from any neighbouring Colony
 " and the burthen of such proof shall rest with the accused."*
 " 8. *Whenever any sheet of water island or enclosed land has been dedicated to the public or
 " otherwise set apart by the Government or any private person for preserving any of the animals
 " mentioned in either Schedules the Colonial Secretary may declare by notice published in the
 " Gazette such dedication or setting apart and the names of the animals intended to be preserved
 " and thereafter any person taking or killing or otherwise destroying any such animals therein
 " shall be liable to a penalty not exceeding five pounds Provided that the Colonial Secretary may
 " by a like notice cancel any dedication or setting apart as aforesaid."*
 Page 2. *Omit clause 7.*
 " *Omit clause 8.*
 " *Omit clause 9.*
 Page 3, clause 10, line 1. *Omit "all offences against this Act may be heard and determined"
 " insert "all penalties imposed by this Act or sums of money made payable thereunder may
 " be recovered before any two justices"*

Penalty for
having dead
animals in
possession.

Animals may be
protected in
preserves.

- Page 3, clause 10, lines 2 and 3. *Omit* "by any two Justices and the moiety of any penalty imposed by them shall belong to the informer"
- " clause 10, line 3. *Omit* "this Act" *insert* "the provisions of this Act relating to native game"
- " clause 10, lines 4 and 5. *Omit* "as it respects native game unless employed by another person"
- " clause 10, line 5. *Omit* "and birds"
- " clause 11, line 9. *After* "conviction" *insert* "or order"
- " clause 12, line 14. *Omit* "Birds and"
- " First Schedule, line 22. *Omit* "Hare £5"
- " " lines 24 and 25. *Omit* "bird or animal which may from time to time be named for that purpose by proclamation by the Governor in Council £2"
- " First Schedule, line 26. *Omit* "birds or"
- " Second Schedule, line 30. *Omit* "Great White-bellied Sea Eagle"
- " " line 31. *Omit* "Pelican"
- " " line 38. *Omit* "Satin bird"
- " " line 39. *Omit* "Quail"
- " " line 42. *After* "magpie" *insert* "other than the black magpie"
- " " line 44. *Omit* "or progeny"

Examined,—

ANGUS CAMERON,
Chairman of Committees:

6. PARLIAMENTARY POWERS AND PRIVILEGES BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to provide for the Privileges of Parliament*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 13th February, 1879.

JOHN HAY,
President.

PARLIAMENTARY POWERS AND PRIVILEGES BILL.

SCHEDULE of the Amendments referred to in Message of 13th February, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

- Page 1, preamble, line 1. *Omit* "to declare"
- " " " *After* "Parliament" *insert* "should"
- " " " *Omit* "es" at the end of "possesses"
- " " line 2. *Omit* "considered"
- " " line 6. *Omit* "thereof" *insert* "and the Committees thereof respectively"
- " clause 2, line 24. *Omit* "used as the Houses of" *insert* "occupied by"
- " " lines 24 and 25. *Omit* "occupied in connection therewith" *insert* "either House thereof and the enclosed grounds in front thereof"
- Page 2, clause 3, line 4. *After* "hold" *insert* "and"
- " " " *Omit* "and exercise"
- " " line 9. *After* "that" *insert* "no act done or word spoken written or published shall be dealt with as a contempt or breach of privilege by either House unless done spoken or published in the chamber itself or within the precincts thereof and that"
- " clause 4, line 14. *After* "any" *insert* "book purporting to be a"
- " " lines 14 and 15. *After* "printed" *insert* "or reprinted"
- " " line 15. *After* "printed" *insert* "or reprinted"
- " " 5, line 20. *After* "Parliament" *insert* "cognizable under this Act"
- " " lines 21 and 22. *Omit* "and any such offence if committed by any person whomsoever within the precincts of Parliament"
- " " line 24. *Omit* "or" *insert* "and any such offence if committed by any person whomsoever within the precincts of Parliament may be dealt with and punished by the House"
- " clause 6. *Omit* Clause 6.
- " " 7. *Omit* Clause 7.
- " " 8, line 52. *After* "to" *insert* "attend and"
- " " line 56. *Omit* "to give evidence"
- " " line 57. *After* "to" *insert* "attend and"
- " " line 59. *After* "thereof" *insert* "or the clerk attending the same"
- Page 3, clause 8, line 3. *Omit* "British"
- " " 9, line 12. *After* "Chairman" *insert* "or acting Chairman"
- " " 10, line 24. *Omit* "for any public inquiry to be examined either by" *insert* "at the instance of"
- " clause 10, line 25. *Omit* "by"
- " " 12, line 37. *Before* "False" *insert* "Knowingly"
- " " lines 38 and 39. *Omit* "wilful and corrupt"
- " " 13, line 40. *Omit* "so summoned"
- " " line 41. *After* "examination" *insert* "or shall prevaricate in his testimony"
- " " line 46. *After* "may be" *omit* remainder of Clause.

Page

Page 3. *After clause 13 insert new clause :—*

“ Every person acting in obedience to or in pursuance of any warrant or order of the President of the Legislative Council or Speaker of the Legislative Assembly under any section of this Act and every person giving evidence during any examination as a witness under this Act shall be protected respectively from all actions whatsoever in respect thereof and if any such action be brought he may plead the general issue and give the special matter in evidence under such plea.”

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Thursday next.

7. **POSTPONEMENT** :—The Order of the Day for the resumption of the Committee of Supply postponed until Wednesday next.
8. **SYDNEY CORPORATION BILL** :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.
9. **MESSAGES FROM THE LEGISLATIVE COUNCIL** :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) **Moore's Estate Bill** :—

MR. SPEAKER,

The Legislative Council has this day agreed to the amendment made by the Legislative Assembly in the Bill, intituled “ *An Act to enable the Trustees of the Will of William Gosling Moore to sell and lease certain lands and to make provision for the disposal and investment of the proceeds.*”

Legislative Council Chamber,
Sydney, 13th February, 1879.

JOHN HAY,
President.

(2.) **Mudgee Turf Club Bill** :—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated this day, requesting leave for the Honorable George Henry Cox, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on the “ Mudgee Turf Club Bill,”—the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

Legislative Council Chamber,
Sydney, 13th February, 1879.

JOHN HAY,
President.

The House adjourned at twenty minutes before Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 71.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 14 FEBRUARY, 1879.

I. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Light-house at Barrenjoey:—*Mr. J. Davies*, for Mr. Macintosh, asked the Secretary for Public Works,—

(1.) Has any Tender been accepted for the erection of a Light-house at Barrenjoey; if so, who was the contractor, the time allowed for erection, and the amount of tender?

(2.) If no tender has been accepted, is it the intention of the Government to call for fresh tenders, or make a selection from among those that have already tendered for the construction of the work?

(3.) On how many occasions have tenders been invited for the erection of the Light-house at Barrenjoey?

Mr. Lackey answered,—

(1.) No tender has been accepted for this work.

(2.) It is not proposed to call for fresh tenders until the Estimates are passed; portion of the money voted having lapsed, which will require to be re-voted. A selection will not be made from among those who have already tendered for the work.

(3.) Tenders have been invited on two occasions.

(2.) Site for Public School, Molong:—*Mr. J. Davies*, for Mr. Macintosh, asked the Minister of Justice and Public Instruction,—

(1.) Has the Council of Education purchased a new site for a Public School at Molong; if so, from whom was the purchase made; the amount to be paid, and under what conditions?

(2.) Is it the intention of the Council to dispose of the old school, or has an exchange been made for the new site?

(3.) Were the majority of the Local School Board in favour of retaining the old school site?

(4.) Will the Minister for Public Instruction be pleased to lay upon the Table of the House copies of all Correspondence, Reports, and Minutes thereon, having reference to the foregoing subject?

Mr. F. B. Suttor answered,—

(1.) The Council of Education has agreed to purchase a new site for a Public School at Molong from Mr. John Robards, for the sum of £400; and the Council has further agreed to give Mr. Robards the option of purchasing the present Public School premises for the same amount, and to allow him to remain in possession of the cottage on his land until the conveyance of the school premises to him has been completed.

(2.) It is the intention of the Council to dispose of the old school, as above indicated.

(3.) This is not known to the Council of Education.

(4.) Yes, if the Honorable Member sees sufficient reason to move for the production of the papers in the usual manner.

(3.) Hyde, Phillip, and Cook Parks:—*Mr. J. Davies*, for Mr. Macintosh, asked the Secretary for Lands,—

(1.) Have Hyde, Phillip, and Cook Parks been dedicated and proclaimed as places for public recreation; if so, will the Secretary for Lands be pleased to lay a copy of the documents upon the Table of the House?

(2.) Is it the intention of the Government to carry out to completion the Watch-house now being constructed on the north-east corner of the reserve?

Mr. Hoskins answered,—

(1.) Yes. There will be no objection to lay a copy of the correspondence upon the Table of the House.

(2.) This question will be replied to by the Colonial Secretary, to whose Department the matter appertains.

Sir

Sir Henry Parkes answered,—With regard to the building in respect to which inquiry has been made, I find that a portion of land at the corner of Riley and Woolloomooloo Streets was approved as a site for a Lock-up in July, 1877. The contract was taken in November last, and about a fourth of the stone walls have been erected. It is alleged that a Lock-up is very much wanted in that locality. According to the plan given to me, the building can hardly be said to be on the Park; it seems to be on the corner of Woolloomooloo and Riley Streets, closely abutting upon a mass of buildings there, and hardly upon the path; but whether the building ought to be proceeded with and completed I am not in a position to say. I think I will go and look at it myself, and then will decide. I think I must have approved of this myself, as the approval was given in July, 1877; but it is just possible that this may have been given inadvertently, as matters of this kind frequently escape notice at the time.

(4.) Brisbane Valley Reserve:—Mr. Hurley (*Hartley*) asked the Secretary for Lands,—

- (1.) Is the Brisbane Valley Reserve rented; if so, to whom, and on what date, and at what rental?
- (2.) Was not the said Reserve created for the benefit of the public?
- (3.) Are the public entitled to run their cattle over the said Reserve?
- (4.) Is the Department in possession of any letters from Mr. Hurley in regard to this matter?

Mr. Hoskins answered,—

- (1.) Yes, to Messrs. J. and A. Stephenson by transfer from H. Humphries, to whom the lease was granted on the 16th March, 1869. Rental, £5 per annum.
- (2.) Yes, but the reserve from lease was not made until July, 1878, *i.e.*, some years after the lease was granted. The lease will now be cancelled.
- (3.) Yes, immediately the lease has been cancelled.
- (4.) It was found that there was a letter from Mr. Hurley on the subject in the year 1876. The only one since is dated 29th ultimo, and was addressed to Mr. Brown, of the Lease Branch, and in absence of the particulars now given by the Honorable Member, when putting his question of the 11th instant, the case could not be identified. The matter shall now be dealt with without delay.

(5.) Uralla Common:—Mr. Copeland asked the Secretary for Lands,—When will the extension to the Uralla Common be gazetted?

Mr. Hoskins answered,—In to-day's *Government Gazette*.

(6.) Travelling Stock Route—Yetman to Warialda:—Mr. Dangar asked the Secretary for Lands,—Is it intended to proclaim for travelling stock and other purposes the road from Yetman to Warialda *via* Colatai; represented to be the nearest and best route?

Mr. Hoskins answered,—A reserve for travelling stock purposes has already been notified, No. 352B, of 31st December, 1874, which includes half-a-mile on right-hand side of road from Yetman to Warialda.

(7.) Railway from the Clarence to New England:—Mr. Cameron, for Mr. Dillon, asked the Secretary for Public Works,—Is it the intention of the Government to propose the construction of a line of Railway from some point in the Clarence River District to New England, or from Glen Innes to Inverell and Warialda, as proposed by the late Government, and for which surveys have been already made?

Mr. Lackey answered,—No surveys have been made from Glen Innes to Inverell and Warialda; the route has been explored only. It is the intention of the Government, however, to take this proposal into consideration when framing their Railway policy for next Session.

(8.) Rewards in cases of Horse Stealing:—Mr. Cameron, for Mr. Dillon, asked the Colonial Secretary,—

- (1.) Have the Government offered a reward of £50 for information leading to the conviction of the parties who lately stole Mr. W. J. Dangar's horses?
- (2.) Is it usual for the Government to offer a reward in ordinary cases of horse-stealing?
- (3.) If not, is there any special reason why an unusual course should be adopted in the present instance?

Sir Henry Parkes answered,—

- (1.) It is true that a reward of £50 has been offered in this case.
- (2.) It is not usual to offer rewards in ordinary cases of horse-stealing.
- (3.) The present case is considered to be an unusually serious one. I recollect the letter of Mr. William Dangar coming before me, and at first sight I thought it was not a case where a reward should be offered, and consulted one of my colleagues, Sir John Robertson, who thought similarly to myself, but we decided to send the letter to the Inspector General of Police; and the Inspector General, who, as a rule, decides these questions, reported in favour of a reward being offered, and gave several instances where that course had been pursued under similar circumstances. Having a report from the head of the Police to that effect, we approved of the reward.

(9.) Road through George Bell's Conditional Purchase, Narrabri:—Mr. Dangar asked the Secretary for Lands,—

- (1.) Is it intended to close one of the roads (and if so, which) through George Bell's, senior, conditional purchase, Narrabri, Eulah Creek, of 40 acres, No. 53, and allow such road to Bell?
- (2.) Is it a fact that two roads exist through this selection—one an old one and of no service, and a newly measured one?
- (3.) Is it intended to measure or grant to Bell his full area of 40 acres as applied for, or refund of his money?

Mr. Hoskins answered,—

- (1.) Only one road has been reserved through portion 53.
- (2.) Nothing is known of the existence of two roads.
- (3.) An area of 40 acres has been measured exclusive of the reserved road.

(10.) International Exhibition in Sydney :—*Mr. J. Davies*, for *Mr. Coonan*, asked the Colonial Secretary,—

- (1.) Are all the necessary drawings completed for the Exhibition, or is it not the case that they are only prepared as the work progresses?
- (2.) What assistance has *Mr. Barnett*, the Colonial Architect, in the shape of a thorough clerk of works, irrespective of *Mr. John Young*, as his own foreman, or are the works entirely entrusted to the hands of *Mr. John Young*?
- (3.) Is it proposed to illuminate the building by gas, or any other mode?
- (4.) Do the Government intend insuring the building against fire during its progress, or when completed?
- (5.) Would it not be more expedient and much less expensive to commence the works at 5 a.m. and stop at 7 p.m. daily, by relays of workmen, than carry on the works by gas or electric lights at night, as is now proposed?
- (6.) If the works are to be done at night, what additional rate of wages will the workmen receive?

Sir Henry Parkes answered,—

- (1.) The drawing of the general design of the building was prepared on the 29th December last, but the detailed drawings are prepared only as required, in the same way as with all other Government buildings.
 - (2.) One clerk of works, one foreman of works, three assistants for measuring timber, one clerk, and two time-keepers.
 - (3.) Gas will be used for night-work if required, but it is intended to conduct the work after the lapse of a short time by the electric light.
 - (4.) It is the intention of the Government to insure the building.
 - (5.) I do not think it prudent, in the public interest, to give any answer to this question.
- (11.) Mount Pleasant Colliery :—*Mr. Roseby*, for *Mr. W. H. Suttor*, asked the Secretary for Mines,—
Is it the intention of the Government to enforce the law in reference to the payment by weight of the coal raised at the Mount Pleasant Colliery?
Mr. Baker answered,—Steps will be taken to enforce the provisions of the Act in regard to payment by weight of the coal raised at the Mount Pleasant Colliery.

2. COMMISSIONERS OF INQUIRY UNDER LANDS ACTS AMENDMENT ACT (*Formal Motion*) :—*Mr. Thompson* moved, pursuant to Notice, That there be laid upon the Table of this House, a Return showing,—

- (1.) The names and districts allotted to each of the Commissioners of Inquiry under the Lands Acts Amendment Act of 1875.
 - (2.) The date of each Court of Inquiry held during 1878, number of days sitting, name of place, and presiding Commissioner.
 - (3.) The number of cases investigated during the year 1878 by each Commissioner, particularizing the Court where investigation was held.
 - (4.) The number of cases in which forfeiture was recommended, by which Commissioner, and the number of cases in which such recommendation was carried into effect by the Minister for Lands.
 - (5.) Amount of salary and allowance for travelling expenses paid to each Commissioner.
- Question put and passed.

3. PUCKA WIDGEE RUN (*Formal Motion*) :—*Mr. Barbour* moved, pursuant to Notice, That copies of all applications under the Conditional Improvement and Improvement Clauses of the Land Act by *Robert Patterson*, Pucka Widgee Run, conflicting with Conditional Purchase application by *William O'Dwyer*, at Deniliquin, 1876, with all Papers and Minutes referring thereto, be laid upon the Table of the House.
Question put and passed.

4. REMUNERATION TO JURORS (*Formal Motion*) :—*Mr. Cameron* moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, Minutes, &c., between the Departments of the Sheriff and that of Clerk of the Peace, or any others, relative to the remuneration paid to Jurors.
Question put and passed.

5. ROADS BILL :—The Order of the Day having been read,—*Mr. Lucas* moved, That this Bill be now read a second time.
Debate ensued.
Mr. Lackey moved, That this Debate be now adjourned.
Debate continued.
Question put and passed.
Ordered, that the Debate be adjourned until Friday, 7th March.

6. STOCK SALE-YARDS BILL :—The Order of the Day for the second reading of this Bill read,—and, on motion of *Mr. Lackey*, discharged.
Ordered, that the Bill be withdrawn.

7. RAILWAY REFRESHMENT ROOMS BILL :—The Order of the Day having been read,—*Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair.

8. JUSTICES ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read,—*Mr. Dangar* moved, That this Bill be now read a second time.
Debate ensued.
Question put.

The

The House divided.

Ayes, 11.

Mr. Thompson,	<i>Tellers.</i>
Mr. Garrett,	Mr. Day,
Mr. Greenwood,	Mr. Dangar.
Mr. Clarke,	
Mr. Murphy,	
Mr. Barbour,	
Mr. Roseby,	
Mr. R. B. Smith,	
Mr. Beyers,	

Noes, 19.

Mr. Fitzpatrick,	Mr. T. R. Smith,
Mr. Windeyer,	Mr. Greville,
Mr. F. B. Suttor,	Mr. Burns,
Sir Henry Parkes,	Mr. McElhone,
Mr. Baker,	Mr. Driver,
Mr. Macintosh,	Mr. Tecce,
Mr. McCulloch,	<i>Tellers.</i>
Mr. Harris,	Mr. Webb,
Mr. Lackey,	Mr. W. Davies.
Mr. Simson,	
Mr. Cameron,	

And so it passed in the negative.

Mr. Driver moved, That the Order of the Day be discharged.

Debate ensued.

Question put.

The House divided.

Ayes, 15.

Sir Henry Parkes,	Mr. Simson,
Mr. F. B. Suttor,	Mr. Cameron,
Mr. Lackey,	Mr. Driver,
Mr. Windeyer,	Mr. Garrett,
Mr. Hoskins,	<i>Tellers.</i>
Mr. Baker,	Mr. T. R. Smith,
Mr. Burns,	Mr. McCulloch.
Mr. Webb,	
Mr. W. Davies,	

Noes, 10.

Mr. R. B. Smith,	<i>Tellers.</i>
Mr. Day,	Mr. Macintosh,
Mr. Clarke,	Mr. Greenwood.
Mr. Barbour,	
Mr. Beyers,	
Mr. Murphy,	
Mr. Thompson,	
Mr. Dangar,	

And so it was resolved in the affirmative.

Ordered, that the Bill be withdrawn.

9. REDMOND'S ESTATE BILL:—The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendment made by the Legislative Council in this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendment.

On motion of Mr. Windeyer, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendment made by the Legislative Council in the Bill, intituled "*An Act to authorize the sale mortgage and leasing of certain lands and hereditaments devised by the Will of Winifred Redmond deceased and for other purposes therein mentioned.*"

Legislative Assembly Chamber,

Sydney, 14th February, 1879.

The House adjourned at twenty-five minutes after Nine o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,

Speaker.

New South Wales.

No. 72.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 18 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Mr. C. Oliver, Lands Department:—*Mr. Cameron*, for Mr. McElhone, asked the Secretary for Lands,—

(1.) Did Mr. C. Oliver have permission from his superior officer to attend the late Melbourne Cup Races in November last?

(2.) How long was he away from Sydney at the time he went to Melbourne?

(3.) How many days travelling expenses did he send in his account for whilst away on this trip, and how many days travelling expenses were paid him?

(4.) Was he paid travelling expenses for the days he spent in Melbourne at the races?

(5.) Will the Minister lay upon the Table a copy of the voucher sent in for travelling expenses on this trip, and the dates he claimed for travelling expenses?

Mr. Hoskins answered,—

(1.) Yes.

(2.) He had been five days away from Sydney when he went to Melbourne.

(3.) For twenty-one days, being the whole period for which he was absent, and he was paid for twenty-one days.

(4.) Yes.

(5.) Yes, I will presently lay a copy upon the Table, together with a statement from Mr. Oliver. The voucher was duly examined, and certified to as correct, before payment.

(2.) Arrivals in Sydney by Sea:—*Mr. J. Davies*, for Captain Onslow, asked the Colonial Treasurer,—

(1.) How many Chinese have arrived in Sydney by sea in the year 1878?

(2.) How many of the above have been put in quarantine?

(3.) How many persons of European and other nationality have arrived in Sydney by sea in the year 1878?

(4.) How many of the last foregoing have been put in quarantine?

Mr. Watson answered,—

(1.) 2,485.

(2.) 615.

(3.) 37,394.

(4.) 2,334. The number of persons shown to have been placed in quarantine, under answers 2 and 4, is no test as to the proportion of sickness in each case, but indicates only the total number of passengers placed in quarantine, sick and well.

(3.) Mr. Keele:—*Mr. Cameron*, for Mr. McElhone, asked the Secretary for Lands,—Is it a fact that Mr. Keele, who was dismissed from the office of Inspector of Conditional Purchases, has been appointed an appraiser, or to any other office in Government employ?

Mr. Hoskins answered,—Mr. Keele was appointed by the late Secretary for Lands as an appraiser under the Crown Lands Alienation Act of 1861. He has carried out all the instructions, and fresh instructions for other appraisements are now being issued to him. It should, perhaps, be stated that Mr. Keele was not removed from the Public Service, but only from the office he held as Conditional Purchase Inspector, and in the Minute approved by the Executive Council, it was specifically stated that such removal was not to debar him from re-employment when an opportunity offered.

(4.)

(4.) Land purchased by Sir G. W. Allen, fronting Sydney Harbour:—*Mr. Cameron*, for *Mr. McElhone*, asked the Secretary for Lands,—

- (1.) Was Sir G. W. Allen allowed to purchase any land fronting the waters of Sydney Harbour?
- (2.) If so, when, and where is the land situated; what is the extent of the water frontage, and its depth?
- (3.) What price per foot, or acre, was paid for it; what is the area of it; and the grounds on which the purchase was allowed?
- (4.) Was it sold by auction, or how?
- (5.) Has any other person or persons applied to purchase land at or near the same locality, or at North Shore; if so, on what grounds; what are their names; and have their claims to purchase been allowed?

Mr. Hoskins answered,—

- (1.) Yes.
 - (2.) On 3rd September and 12th November, 1878, at Watson's Bay and Camp Cove. The frontages of the properties are 213 feet in the Watson's Bay case, and 211 feet in the Camp Cove case. The areas purchased respectively extend from high-water mark, mean distances of about 178 feet, and about 175 feet into the waters of Port Jackson.
 - (3.) At the rate of £6 17s. 11½d. per acre for the land at Watson's Bay, and £6 16s. 9½d. per acre for the land at Camp Cove—the areas of the portions being 2 roods 36 perches and 2 roods 37 perches respectively. The ground on which the purchases were allowed was compliance by applicant with the provisions of the 9th section, which sets forth that the Government may sell, &c., to the proprietors of land having frontage to any harbour, &c., reclaimed land; provided such reclamation does not interfere with navigation of such harbour, &c.
 - (4.) Without competition, at appraised value (under 9th clause Crown Lands Alienation Act, 1861).
 - (5.) Many persons have applied under 9th section to purchase land below or beyond their freehold property fronting waters of Port Jackson. In many cases the applications have been acceded to. Detailed information of such applications would involve the preparation of a lengthy Return.
- (5.) *Mr. T. Broughton*, Muttama Run:—*Mr. Barbour* asked the Secretary for Lands,—
- (1.) Has *Mr. T. Broughton*, lessee of Muttama Run, applied to purchase land situated one mile east of *John O'Brien's* surveyed portion, No. 110, parish of Mooney Mooney, county Harden, in virtue of improvements, viz., a dam?
 - (2.) Is he aware that that dam is the property of *Travers Jones*, and was not erected by *Mr. T. Broughton*, but by a Gold Mining Company known as the Eureka Gold Mining Company?
 - (3.) Under these circumstances, will he refuse the said *T. Broughton* liberty to purchase the said land in virtue of said improvements?

Mr. Hoskins answered,—

- (1.) Yes; the application was forwarded to Licensed Surveyor *McCarthy* for report, on 1st November last.
 - (2.) I am not aware, but instructions have been sent to the Surveyor to report with the least possible delay whether the dam, in virtue of which *Mr. Broughton* has applied to purchase, is identical with that which *Mr. Travers Jones* claims as his property.
 - (3.) No steps whatever will be taken to comply with *Mr. Broughton's* application until I have received full information on the subject.
- (6.) Supply of Coal for Railway Purposes:—*Mr. Cameron* asked the Secretary for Public Works,—
- (1.) The names of the tenderers for the supply of Coal for the Southern and Northern Railways for the present year?
 - (2.) The names of the successful tenderers, and the amount paid for Coal delivered in Sydney and Newcastle?

Mr. Lackey answered,—

- (1.) The following tenders were received for the Southern and Western Lines, viz.:—*Wallsend Coal Company*, *Waratah Coal Company*, *John C. Dibbs*, *Thos. Brown*, *Vale of Clwydd* and *Lithgow Valley Coal Companies*. For the Great Northern Line the following were received, viz.:—*E. Vickery*, *Waratah* and *Wallsend Coal Companies*, *Campbell*, *Jones & Co.*, and *John C. Dibbs*.
 - (2.) For the Southern and Western Railways:—Western Coal supplied by *Mr. Saywell*, delivered at the mine, at 7s. 6d. per ton; Northern Coal supplied by *Waratah Company*, delivered at *Darling Harbour*, at 15s. 11d. per ton. For the Northern Railways: *Campbell*, *Jones & Co.*, to be delivered at *Singleton*, at 12s. per ton; *Waratah Coal Company*, to be delivered at *Newcastle*, at 12s. per ton.
- (7.) *Mr. Hay's* Conditional Purchase on the Blue Mountains:—*Mr. Cameron*, for *Mr. McElhone*, asked the Secretary for Lands,—Is he aware that *Mr. Hay*, a Clerk in the Lands Office, has got a conditional purchase on the Blue Mountains, and does not reside on it; and will he take the necessary steps to cancel it for non-residence?
- Mr. Hoskins* answered,—Attention has already been called to the conditional purchase referred to, and a report has been obtained from the Inspector of Conditional Purchases, on which it has been decided to refer the case for inquiry before a Commissioner under the Lands Acts Amendment Act of 1875.

(8.) Railway from Werris Creek to Gunnedah:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Public Works,—When does the contract time expire for the completion of the North Western Railway from Werris Creek to Gunnedah?

Mr. Lackey answered,—30th June, 1879.

(9.) *A. T. Simpson's* Conditional Purchase at Yetman:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Lands,—

- (1.) Did *A. T. Simpson* select at Yetman, *McIntyre River*, and subsequently make application to the Commissioner of Crown Lands, *Warialda*, and to the Head Office, Sydney, for his grass right?

(2.)

- (2.) In the meantime, had the lessees of the run upon which such selection was made had the whole of the land around Simpson's conditional purchase surveyed for auction sale, thus depriving him of his pre-emptive right, no power being given to take it up after survey?
- (3.) Is it a fact that a reserve in the same neighbourhood has been fenced in by the lessees of the run, and impounding and removing stock therefrom; if so, what steps will be taken in the matter?
- (4.) Will Simpson be permitted to take up his pre-lease; if not, for what reason?

Mr. Hoskins answered,—

- (1.) A. T. Simpson has not made any selection since the year 1868 up to the present time.
- (2.) In the absence of further information it cannot be stated by the Survey Department whether any land has been measured for auction. There is no rule, however, against surveyed blocks being leased.
- (3.) No information or complaint appears to have been received in this department, or that of the Occupation of Lands, as to the fencing of any reserve by the lessee of the run.
- (4.) For the reason stated in reply to question No. 1, A. T. Simpson cannot claim any pre-lease.
- (10.) Post and Telegraph Office, Windsor:—*Mr. Taylor*, for Mr. Driver, asked the Secretary for Public Works,—
- (1.) Has any money been voted by Parliament for the erection of a Post and Telegraph Office at Windsor; and if so, when?
- (2.) What is the reason why the Colonial Architect has not been instructed to prepare plans and specifications for such a building, and who is to be blamed for the delay?

Mr. Lackey answered,—

- (1.) £1,500 was voted for this work on Estimates for 1878, and a further sum of £100 is included in draft Additional Estimates for 1879.
- (2.) Instructions have been received to prepare plans and specifications, which are now ready, and the work will be advertised at once.
- (11.) Furniture for Court-house, Richmond:—*Mr. Taylor*, for Mr. Driver, asked the Secretary for Public Works,—
- (1.) Has any application been made for the supply of furniture to the Court-house, Richmond; and if so, when?
- (2.) What is the cause of the delay in supplying the articles applied for?
- (3.) Is it a fact that such delay is causing great inconvenience?

Mr. Lackey answered,—

- (1.) Application for furniture was made on the 20th December last, but what was considered sufficient for a Court-house of this class was supplied, before the receipt of the application referred to, on the 12th December; the additional articles included therein were supplied on the 7th instant.
- (2.) There has been no delay in supplying the articles applied for.
- (3.) No inconvenience has been occasioned that I am aware of.
- (12.) Mr. Broughton, Muttama Run:—*Mr. Barbour* asked the Secretary for Lands,—
- (1.) Has Mr. Broughton, lessee of Muttama, applied to purchase 20 acres of the Muttama Village Reserve by virtue of improvements?
- (2.) Has he also applied to purchase 300 acres adjoining the reserve in virtue of the same improvements?
- (3.) Is the Department aware that the above Town Reserve has been withdrawn from pastoral lease since 1852; and if so, will they refuse the Crown Lessee's application to purchase?

Mr. Hoskins answered,—

- (1 and 2.) Mr. Broughton, under a misapprehension, applied for 320 acres of land under the 8th instead of the 7th clause of the Crown Lands Alienation Act of 1861, under which latter clause it has been dealt with. It embraces about 20 acres of the Muttama Village Reserve and the 300 acres adjoining.
- (3.) The land was not withdrawn from lease till April, 1863, and the application, bearing date 1862, will not be affected by the withdrawal.

- (13.) Border Duties:—*Mr. Cohen* asked the Colonial Secretary,—Have the Government had any negotiations with the Government of Victoria for the completion of a Border Duties Convention between the two Colonies; and if so, will he state whether any, and if so what, determination has been arrived at?

Sir Henry Parkes answered,—About a month ago, I think, a communication from the Victorian Government was received, intimating that that Government desired to open negotiations with the Government of New South Wales with a view to some arrangement that would obviate the actual collection of the Border Duties on the Murray. In consequence of a reply expressing in cordial terms the desire of this Government to enter into the negotiation, one of the Ministers visited this Colony (the Commissioner for Trade and Customs). He was here only a few days, and his negotiations with the Government were confined to submitting a preliminary memorandum, which was understood to be of a non-official character, preparatory to some official communication. At this stage he was suddenly called away on important business, and since that I have heard nothing further on the subject.

2. PAPERS:—*Mr. Hoskins* laid upon the Table,—

- (1.) Statement of Mr. Charles Oliver, Inspector of Land Offices, respecting certain Travelling Expenses charged by him.
- (2.) Correspondence, &c., relating to the appointment of a Board to inquire into and report upon the administration and working of the Lands and Survey Departments.
- Ordered to be printed.

3. INFUX INTO NEW SOUTH WALES OF CONVICTS FROM NEW CALEDONIA (*Formal Motion*):—*Mr. Fitzpatrick* moved, pursuant to Notice, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Despatches, Minutes, or other Documents, having reference to the influx into New South Wales from New Caledonia of persons who have been deported thither as convicts by the Government of France.

Question put and passed.

4. PAYMENTS OUT OF THE CHURCH AND SCHOOL LAND FUND TO ROMAN CATHOLIC BISHOPS (*Formal Motion*):—*Mr. Cameron*, for *Mr. McEihone*, moved, pursuant to Notice, That there be laid upon the Table of this House, a Return showing the amount of money paid out of the Church and School Land Fund to each of the Roman Catholic Bishops of this Colony from the year 1870 up to the end of the year 1878, together with copies of the Schedules, or Returns, showing how the said money was applied.
Question put and passed.
5. SPRINGS FOR RAILWAY ENGINES AND CARRIAGES (*Formal Motion*):—*Mr. J. Davies*, for *Captain Onslow*, moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence between the Government, the Agent General, and others, respecting the tenders of *Osborn & Co.*, and others, manufacturers for Springs for Railway Engines and Carriages.
Question put and passed
6. TELEGRAPH LINE FROM KEMPSEY TO GRAFTON (*Formal Motion*):—*Mr. Cameron* moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Contracts, Specifications, Correspondence, Minutes, and other Documents, now in possession of the Government having reference to the construction of Telegraph Line from Kempsey to Grafton.
Question put and passed.
7. CONVICTIONS FOR VAGRANCY (*Formal Motion*):—*Mr. Cameron* moved, pursuant to Notice, That there be laid upon the Table of this House, a Return showing the number of convictions for vagrancy at the Central and Water Police Courts which have taken place from June, 1877, to the present date, with the names and ages of the prisoners, and the names of the Magistrates in each case.
Question put and passed.
8. RESERVES FOR PUBLIC RECREATION:—*Mr. Lucas* moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
(1.) The health of the people should be one of the first objects of all good Governments, and to insure a healthy, and consequently a vigorous and intelligent community, it is necessary that all cities, towns, villages, and such other centres of population, should possess parks and pleasure grounds as places of public recreation.
(2.) That immediately after survey of any Crown Lands as the sites of future cities, towns, or villages, a sufficient number of blocks thereof should be reserved as sites for schools and other public buildings; also that every fifth section of such land, and at least 640 acres suburban thereto, should be dedicated as parks, pleasure grounds, and other like places of public recreation.
(3.) In those cities, towns, and villages already proclaimed, in and about which there is a sufficient quantity of Crown Lands (and if not a sufficient then any less quantity thereof as may be available), such reserves and dedications as mentioned in the previous clause should be made.
(4.) In the case of those cities, towns, and villages, in and around which there are no such Crown Lands, the Government should, as opportunities offer, purchase land for the purposes mentioned in the foregoing paragraphs, and the purchase money should be paid from the money received for Crown Lands sold by auction during the year in which any such purchase may be made.
(5.) That the foregoing Resolutions be communicated by Address to His Excellency the Governor.
Debate ensued.
Question put and passed.
9. RAILWAY EXTENSION TOWARDS HAY:—*Mr. Barbour* moved, pursuant to Notice,—
(1.) That, in the opinion of this House, in extending the Southern Line of Railway towards Hay it will best conserve the public interests to construct the line to the south of the Murrumbidgee River, instead of on the northern side.
(2.) That by taking the southern side the traffic on the northern side will be as certainly secured to this Colony, whilst the rich agricultural lands of Urana and Yanko will be traversed, a much larger population will be compassed, and the trade which now goes to Melbourne will be intercepted and taken to Hay, Wagga Wagga, and Sydney.
Debate ensued.
Mr. Lucas moved the Previous Question.
Debate continued.
Previous Question, by leave, withdrawn.
Original Question, by leave, withdrawn.
10. JURY LIST, DENILQUIN:—*Mr. Hurley (Hartley)* moved, pursuant to Notice, That the Select Committee on "Jury List, Deniliquin," be granted leave to visit Deniliquin, and sit during any adjournment.
Debate ensued.
Question put.
The House divided.

Ayes, 3.
Mr. Barbour,
Tellers.
Mr. Shepherd,
Mr. Hurley (Hartley).

Noes, 29.
Mr. Fitzpatrick,
Mr. Farnell,
Mr. Lucas,
Mr. Windeyer,
Sir Henry Parkes,
Mr. F. B. Suttor,
Mr. Baker,
Mr. Roseby,
Mr. Wisdom,
Mr. Hoskins,
Mr. Harris,
Mr. Macintosh,
Mr. Watson,
Mr. J. Davies,
Mr. Driver,
Mr. Day,
Mr. Dangar,
Mr. Thompson,
Mr. Murphy,
Mr. Clarke,
Mr. Stephen Brown,
Mr. Badgery,
Mr. R. B. Smith,
Mr. Cameron,
Mr. Greenwood,
Mr. Cohen,
Mr. Hungerford,
Tellers.
Mr. Terry,
Mr. McCulloch.

And so it passed in the negative.

11. **POSTPONEMENT**:—The Order of the Day for the second reading of the Bankers Books and Cheques Bill postponed until Friday, 14th March.

12. **PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL**:—The Order of the Day having been read,—on motion of Mr. J. Davies, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.

On motion of Mr. J. Davies, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled "*An Act to regulate the temporal affairs of Churches and Chapels of the Religious Society denominated Primitive Methodists.*"

Legislative Assembly Chamber,

Sydney, 18th February, 1879.

The House adjourned at twenty-seven minutes before Ten o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 73.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 19 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Inspector of Conditional Purchases, Warialda:—Mr. Dangar asked the Secretary for Lands,—
 (1.) Has an Inspector of Conditional Purchases been recently appointed for the Warialda, Bingera, and Inverell Districts?
 (2.) If so, his name and address, and date of appointment?

Mr. Hoskins answered,—There has been no new appointment of an Inspector for the Districts named.

- (2.) Randwick and Benevolent Asylums:—Mr. Taylor asked the Colonial Secretary,—In view of the recent unsatisfactory proceedings relating to the management of the Randwick and Benevolent Asylums, and having regard to the very large amount of public money voted in aid of such Institutions, will the Government take into consideration the advisability of immediately taking over the sole control and management of such Asylums?

Sir Henry Parkes answered,—The matters embraced by the Honorable Member's question have not been in any regular way under the consideration of the Government, though they have in some degree been thought of. I am not in a position to give any definite answer now.

- (3.) Land at Parramatta Junction for Railway Purposes:—Mr. Taylor asked the Secretary for Public Works,—

(1.) Is it the intention of the Government to utilize for Railway works or otherwise the land purchased some considerable time since at the Parramatta Junction for Railway purposes?

(2.) If so, when will a start be made with the work?

(3.) If not, what use is intended to be made of the ground?

Mr. Lackey answered,—The question of the best site for the proposed new Railway Workshops will shortly be under the consideration of the Government, and nothing can be done with the land referred to till a decision is arrived at.

- (4.) Government Financial Arrangements:—Mr. Cohen asked the Colonial Treasurer,—

(1.) What amount should be to the credit or debit (as the case may be) of the Government with the Bank of New South Wales in London, after taking into account all advances made by the Bank in London, and remittances thereto to date, and all payments by the Bank of which advice has been received, and all outstanding letters of credit issued to the Government by the Bank, and all drafts upon the Bank drawn by the Government, payment of which has not yet been notified to the Treasury?

(2.) Have any sums been advanced from the Consolidated Revenue Fund to Loan Acts since the present Government took office; if so, will he state the dates, amounts, and the Acts to which the advances have been made?

(3.) Have the Government, since their accession to office, renewed any of the Special Deposits with the Banks; and if so, for what currency, and upon what terms as to interest?

(4.) At what price per acre has the £1,000,000 estimated to be realized from auction sales of land during the current year been computed?

Mr. Watson answered,—

(1.) Taking into account all transactions now current, there should be on their completion (which, however, will not be for some months to come), the following debits in London, namely:—1. On the Public Account of the Government, Dr., £162,053. 2. On Loan Advance Account, Dr., £500,000.

(2.) Yes, the following advances have been made:—1879,—January 13, 41 Vic. No. 7, £25,000; January 22, 38 Vic. No. 2, £25,000; January 22, 41 Vic. No. 7, £25,000; January 23, 40 Vic. No. 12, £25,000; February 7, 41 Vic. No. 7, £25,000; total, £125,000.

(3.) Yes, for twelve months; and at the rate of interest provided by the Bank agreement.

(4.) 25s. per acre.

(5.)

(5.) Tenders for Railway Rolling Stock :—Mr. O'Connor asked the Secretary for Public Works,—Has he accepted any of the Tenders for Rolling Stock submitted on the 14th January last ; if not, will he say when it is likely he will do so ?

Mr. Lackey answered,—No Tender has been accepted. The offers are now under consideration, and a decision will be arrived at on an early day.

(6.) The Honorable James Watson, Colonial Treasurer :—Mr. Fitzpatrick asked the Colonial Secretary,—Is the Honorable James Watson, Colonial Treasurer, still the Chairman of the Board of Directors, or a Director, of the City Bank ?

Sir Henry Parkes answered,—I have ascertained that Mr. Watson, who at present holds the office of Colonial Treasurer, is a Director of the City Bank, and also Chairman of the Board.

2. THE CHINESE :—Captain Onslow presented a Petition from Chinese Residents in New South Wales, praying that in any legislation with reference to immigration no difference may be made between the natives of China and those of any other friendly country, and that Petitioners may be heard at the Bar of the House by Counsel or Agent against the Chinese Immigration Regulation Bill. And the same having been read at length by the Clerk, by direction of Mr. Speaker,—Captain Onslow moved, That the Petition be received.
Debate ensued.
Question put and passed.
3. ADJOURNMENT :—Mr. Fitzpatrick moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
4. NET FISHING (*Formal Motion*) :—Mr. Hurley (*Hartley*) moved, pursuant to Notice, for leave to bring in a Bill to prevent net fishing in New South Wales for a period of three years.
Question put and passed.
5. SITE FOR PUBLIC SCHOOL, MOLONG (*Formal Motion*) :—Mr. Macintosh moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, Reports, and Minutes thereon, that may have taken place in reference to the purchase of, or exchange of, the site for a Public School at Molong, with the Government or the Council of Education.
Question put and passed.
6. PAPERS :—Sir Henry Parkes laid upon the Table,—
(1.) By-law of the Municipal District of Inverell.
(2.) By-laws of the Borough of Newcastle, under Municipalities Act of 1867, and Nuisances Prevention Act of 1875.
(3.) Return to an Order made on 18th February, 1879,—“Telegraph Line from Kempsey to Grafton.”
Ordered to be printed.
7. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) Married Women's Relief Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled “*An Act to amend the Law relating to the Rights and Liabilities of Married Women*,”—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 19th February, 1879.

JOHN HAY,
President.

MARRIED WOMEN'S RELIEF BILL.

SCHEDULE of the Amendments referred to in Message of 19th February, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 1, line 9. Omit “Relief” insert “Property”
Omit “of 1878”
” 2, ” 4, ” 22. Omit “out” insert “by means”
” ” ” 24. Omit “eight” insert “nine”
” ” 6, ” 49. After “creditors” insert “or when he was in fact insolvent”
” ” 7, lines 54 and 55. Omit “to any sum of money not exceeding two hundred pounds”
” 3, ” 8, line 4. After “of” insert “any”
” ” ” 5. After “or” insert “the”
” ” 10, lines 27 and 28. Omit “to his creditors or” insert “form part of his estate”
” ” line 35. After “paid” add “Provided also that nothing in this section contained
” shall be deemed to affect the Life Assurance Encouragement Act of 1862”
” clause 11, line 50. Omit “belonging” insert “belonged”

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Friday, 7th March.

(2.) Small Debts Act further Extension Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to further extend the provisions of the Small Debts Act, 10 Victoria No. 10.*"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 19th February, 1879.

JOHN HAY,
President.

SMALL DEBTS ACT FURTHER EXTENSION BILL.

SCHEDULE of the Amendments referred to in Message of 19th February, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 1, line 13. Omit "or any two Justices"

" 2, " 2. Omit Clause 2.

" " 3. Omit Clause 3.

" " 4. Omit Clause 4.

" " 5. Omit Clause 5.

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Friday, 7th March.

8. PRECEDENCE OF GOVERNMENT BUSINESS ON TUESDAYS (*Sessional Order*):—Sir Henry Parkes moved, pursuant to Notice (*as amended by consent*), That during the remainder of the present Session, unless otherwise ordered, Government Business shall take precedence of General Business after Seven o'clock on Tuesdays.

Debate ensued.

Question put and passed.

9. RAILWAY EXTENSION INTO THE CITY:—The Order of the Day having been read,—on motion of Mr. Lackey, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to enable the Government to construct a Railway from the present Railway Terminus at Redfern to the waters of Port Jackson, and to grant the necessary powers to resume land for the purposes thereof.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to enable the Government to construct a Railway from the present Railway Terminus at Redfern to the waters of Port Jackson, and to grant the necessary powers to resume land for the purposes thereof.

On motion of Mr. Lackey, the Resolution was read a second time, and agreed to.

The House adjourned at five minutes after Seven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 74.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 20 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Encroachment on Foot-path, King and Pitt Streets:—*Mr. Cameron*, for *Mr. McElhone*, asked the Colonial Secretary,—Is it the intention of the Colonial Secretary to instruct the Attorney General to issue a Writ of Intrusion, or take the necessary steps to compel *Mr. Myers* to place the foot-path in front of his property in King and Pitt Streets in the position it was in before he encroached upon it,—Judge Hargrave having decided that the Corporation has no power in the matter?

Mr. Windeyer answered,—The Government are not in a position to take any action in this matter. No official intimation has in any way been given by the Corporation to the Government, so far as I am aware, of a desire that any steps should be taken in the matter, and without some such information I hardly see how the Government can interfere.

- (2.) Road from Majura to Queanbeyan:—*Mr. Thompson* asked the Secretary for Mines,—What action has been taken with regard to the application for a road from Majura towards Queanbeyan? *Mr. Baker* answered,—*Mr. Surveyor Smith* has this day been instructed to lay out a road for proclamation.

- (3.) Connection of Northern Railway with Sydney:—*Mr. Burns* asked the Secretary for Public Works,—With reference to the proposed construction of a Railway from the Great Northern Line to Sydney,—

- (1.) What surveys have already been made?
 (2.) The surveys, if any, in progress?
 (3.) When it is probable the Government will be able to select the route?

Mr. Lackey answered,—

(1.) Trial surveys have been made from Parramatta to a crossing of the Hawkesbury, a few miles below Wiseman's Ferry; thence to a level of the Wollombi Road. A trial survey has also been made from Mulgrave to a crossing of the Hawkesbury, at the confluence of the Colo River; thence *via* the direction of the Bulga Road to Singleton.

(2.) A trial survey is now in progress from the neighbourhood of Homebush; thence to the Peate's Ferry Road, crossing the Hawkesbury at Croppy Point; thence to the west of Gosford and Lake Macquarie, to join the Northern Railway near Hexham.

(3.) In two months the trial surveys will be so far completed that a comparison can be made between the merits of the routes surveyed.

- (4.) Site for Public School, Pokolbin:—*Mr. Burns* asked the Secretary for Lands,—

(1.) Is there any, and if any, what objection on the part of the Government to the grant as a site for a Public School of certain land at Pokolbin, applied for by the Council of Education on the 13th July, and again on the 10th December last?

(2.) If not, when will the land in question be surveyed and vested in the Council?

Mr. Hoskins answered,—

(1.) I am not aware of any objection, but the application which was for part of a conditional purchase was unaccompanied by the consent of the owner; this has, however, been received since.

(2.) *Mr. Licensed Surveyor Madsen* has been directed to survey the land, with a view to its transfer to the Council of Education.

(5.) Reserve at La Perouse, Botany Bay :—*Mr. Cameron*, for *Mr. McElhone*, asked the Secretary for Lands,—

- (1.) Is the Reserve at La Perouse, Botany Bay, open to the public for recreation purposes?
- (2.) If so, have the public the right to take their horses and vehicles on this Reserve on holidays?
- (3.) If so, is he aware that *Mr. M'Dermott*, the officer of H. M. Customs at La Perouse, has turned people's horses off on holidays, and will he give instructions to *M'Dermott* that the public are to have free access to this Reserve with their horses and vehicles?

Mr. Hoskins answered,—

(1.) The Reserve at La Perouse is a Crown Reserve, not dedicated for any particular purpose. Part of it, in the vicinity of La Perouse Monument, is occupied in connection with the Defences, the Customs, the Marine Board, the Telegraph Department, and by officers of the Telegraph Company.

(2.) So far as I am aware there is no objection, provided they do not encroach on the portions used for the purposes set forth in my answer to the preceding question.

(3.) No complaint has been received in this department, but inquiry will be made.

(6.) *W. F. Kerr*, Mudgee Volunteers :—*Mr. Hurley (Hartley)* asked the Colonial Secretary,—

- (1.) Is *W. F. Kerr*, of Mudgee, Volunteer, entitled to a land order; if so, why is it not issued to him?
- (2.) How many drills should he have attended to entitle him to receive it, and what number did he perform?
- (3.) If a Quarter-master should fail to make the correct returns, is the person serving to be the loser by his mistake?
- (4.) Has not the Captain of the Mudgee Volunteers verified the statement of Volunteer *Kerr*?

Sir Henry Parkes answered,—

(1.) No; not having qualified as an efficient during the last half of the year 1874.

(2.) He should have attended seven drills, whereas he only attended six.

(3.) The Captain of the Corps is the only person recognized as responsible for the correctness of the returns, and it is his business to see that the Quarter-master Sergeant renders to him the record of attendance correctly, but as a matter of fact, there is the written statement of the Quarter-master Sergeant in the Brigade Office, in which he does not attempt to show that Private *Kerr* attended more than six drills during the period in question.

(4.) The Commandant is not aware whether or no the statement of Private *Kerr* has been verified by the Captain, but reference to Brigade Office records shows that early in 1875 this matter was referred to the Captain of the Corps, and that his report was not such as to justify the issue of a certificate of efficiency for the six months in question.

(7.) Wagga Wagga Common :—*Mr. Cameron*, for *Mr. McElhone*, asked the Secretary for Lands,—Has *Mr. Donnelly* yet had the deeds issued to him of the 490 acres out of the Commonage at Wagga Wagga?

Mr. Hoskins answered,—No.

(8.) Inquiry into Lands and Survey Departments :—*Mr. Farnell* asked the Secretary for Lands,—

- (1.) Have the Government determined to close the inquiry conducted by the Lands and Survey Departments Commission; if so, when?
- (2.) Has that determination been communicated to the Commission; if so, when?
- (3.) Have the Commissioners replied to that communication; and, if so, what is the nature of the reply?

Mr. Hoskins answered,—

(1.) Yes, by Minute of the 10th instant, the Executive Council approved of the Commission being brought to a termination on the 17th instant.

(2.) Yes, on the 12th instant.

(3.) Yes, acknowledging receipt of letter of 12th instant.

(9.) Railway Extension into the City :—*Mr. Lucas* asked the Secretary for Public Works,—What will be the total cost, including compensation, of extending our Railway,—

- (1.) From Redfern to the corner of Market and Castlereagh Streets?
- (2.) From Redfern to the point proposed between King and Hunter Streets?
- (3.) From Redfern to the Circular Quay?
- (4.) What area of land, and its value, will be required for a Terminus at the Circular Quay?

Mr. Lackey answered,—I shall be prepared, when the second reading of the Bill for the Extension of the Railway into Sydney is proposed, to afford the information asked for on these points, so far as the Government will be enabled to do so. At present the particulars asked for have not been ascertained.

(10.) Supply of Coal for Railway Purposes :—*Mr. Hurley (Hartley)* asked the Secretary for Public Works,—

- (1.) Have Tenders been accepted for the supply of Coal from any of the Collieries at Lithgow Valley?
- (2.) If so, what mine is to supply, and at what price per ton; and for what quantity, and for what term?

Mr. Lackey answered,—

(1.) Yes.

(2.) The Coal must be either from the Lithgow Mine, the Vale of Clwydd, or the Eskbank Mine; the price is 7s. 6d. per ton at the coal sidings. The estimated quantity for the twelve months is 25,000 tons; the contract is from 1st January to 31st December, 1879.

2. PAPER :—*Mr. Hoskins* laid upon the Table,—Return to an Order made on 25th January, 1878,—“Conditional Purchases of *M. Brennan* and *Miss Harrington*, Yanko Reserve.”

Ordered to be printed.

3. SYDNEY TRAM-ROAD (*Formal Motion*):—Mr. Lackey moved, pursuant to Notice, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of bringing in a Bill to enable the Government to construct a Tram-road from the Redfern Railway Station to Hunter-street, Sydney.
Question put and passed.
4. FELONS APPREHENSION BILL:—
(1.) Sir Henry Parkes moved, pursuant to Notice, That so much of the Standing Orders be suspended as will admit of the introduction and passing through all its stages in one day of "A Bill to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured."
Debate ensued.
Question put and passed.
(2.) Sir Henry Parkes moved, That leave be given to bring in a Bill to facilitate the taking or apprehending of persons charged with certain felonies, and the punishment of those by whom they are harboured.
Question put and passed.
(3.) Sir Henry Parkes presented a Bill, intituled "A Bill to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured,"—which was read a first time.
Ordered to be printed, and read a second time at a later hour of the day.
5. POSTPONEMENTS:—The Orders of the Day Nos. 1 to 8 inclusive postponed, to follow after the Order of the Day for the second reading of the Felons Apprehension Bill.
6. FELONS APPREHENSION BILL:—The Order of the Day having been read,—Sir Henry Parkes moved, That this Bill be now read a second time.
Debate ensued.
Question put.
The House divided.

Ayes, 88.

Sir Henry Parkes,	Mr. Dangar,
Mr. Windeyer,	Mr. Greville,
Mr. Watson,	Mr. Terry,
Mr. Baker,	Mr. Simson,
Mr. Hoskins,	Mr. Clarke,
Mr. F. B. Suttor,	Mr. Webb,
Mr. J. Davies,	Mr. Stuart,
Mr. Thompson,	Mr. O'Connor,
Mr. McCulloch,	Mr. Hungerford,
Mr. Eckford,	Captain Onslow,
Mr. Roseby,	Mr. Macintosh,
Mr. Stephen Brown,	Mr. Greenwood,
Mr. Lynch,	Mr. Wisdom,
Mr. Burns,	Mr. Driver,
Mr. Barbour,	Mr. Lackey,
Mr. Beyers,	Mr. Cameron,
Mr. Murphy,	<i>Tellers.</i>
Mr. Cohen,	
Mr. Hurley (<i>Hartley</i>),	Mr. Charles,
Mr. Moses,	Mr. W. Davies.

Noes, 3.

Mr. Farnell,
<i>Tellers.</i>
Mr. W. H. Suttor,
Mr. Fitzpatrick.

And so it was resolved in the affirmative.

Bill read a second time.

On motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

On motion of Mr. Windeyer, the report was adopted.

Ordered, that the Bill be read a third time at a later hour of the day.

7. WAYS AND MEANS:—The Order of the Day having been read,—on motion of Sir Henry Parkes Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Tuesday next.
8. POSTPONEMENTS:—The Orders of the Day Nos. 2 to 8 inclusive postponed, to follow after the Order of the Day for the third reading of the Felons Apprehension Bill.
9. FELONS APPREHENSION BILL:—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a third time.
Question put and passed.
Bill read a third time,—and, on motion of Mr. Windeyer, *passed.*
Mr. Windeyer then moved, That the Title of the Bill be "An Act to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured."
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "An Act to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured,"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20th February, 1879.

The House adjourned at five minutes before Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 75.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 21 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Mr. Henry Ricketson, Kerrarberry Station:—Mr. Barbour asked the Secretary for Lands,—When will the Return of improvement purchases applied for by Henry Ricketson on Kerrarberry, Curnallo, Derulaman, and Aratulla Stations, and on Baratta Station, ordered by the House on 12th March, 1878, be laid upon the Table?

Mr. Hoskins answered,—The Return was unavoidably delayed through press of current business which could not be postponed. The Return contains matters of voluminous detail, irrespectively of which the Return called for by Mr. Greenwood, the Honorable Member for East Sydney, in part furnished, but still incomplete, was directed to have precedence. The matter will now receive immediate attention.

- (2.) Timber Reserves:—Mr. Dangar asked the Secretary for Mines,—

(1.) Is it intended to have all Timber Reserves that have been Gazetted properly marked and defined by Surveyors, and only such land reserved as actually contains valuable timber?

(2.) Is it a fact that the Forest Rangers are unable to obtain convictions through these Reserves not being so marked, and the boundaries properly known?

Mr. Baker answered,—

(1.) The Government are desirous of having Timber Reserves properly marked and defined, but hitherto the scarcity of Surveyors has prevented the work being carried out, except in special and pressing cases.

(2.) Yes, in a few cases the Rangers have failed, either in consequence of the boundaries of the Reserves not having been marked, or because the Bench of Magistrates considered the evidence of a Surveyor necessary.

- (3.) The Volunteer Force:—Mr. Macintosh asked the Colonial Secretary,—

(1.) Is the Volunteer Force under the old Regulations to be disbanded?

(2.) Is it the intention of the Government to hand over to the respective Companies the balance (if any) of the capitation allowance voted for the years 1877 and 1878; if so, when?

Sir Henry Parkes answered,—This matter is now under consideration, but it is not in a state in which I can give any definite answer.

- (4.) Weighing Hay at Parramatta Junction:—Mr. Cameron, for Mr. T. R. Smith, asked the Secretary for Public Works,—When will the promise made to T. R. Smith, M.P., for the Nepean, in November, 1877, by Mr. Combes, when Minister for Works, and also since then by Mr. Sutherland, viz., that hay sent by rail to Sydney and Darling Harbour would be weighed at Parramatta Junction, be carried out?

Mr. Lackey answered,—Since the promise was made the weigh-bridge at Parramatta Junction has been made available for weighing produce intended for the Suburban Stations. The produce for Sydney is weighed at Darling Harbour. It is not practicable at present to weigh the latter at Parramatta Junction, nor will it be possible to do so except at great expense, and delay of the traffic. No advantage whatever would be gained by weighing the hay at Parramatta Junction.

(5.)

- (5.) Railway Station, Emu Plains :—*Mr. Cameron*, for *Mr. T. R. Smith*, asked the Secretary for Public Works,—When will the erection of the new Railway Station Buildings at Emu Plains be proceeded with?

Mr. Lackey answered,—The delay is caused by the difficulty of obtaining a site for the new station. Negotiations are now pending.

- (6.) *Mr. Broughton*, Muttama Run :—*Mr. Barbour* asked the Secretary for Lands,—
 (1.) Referring to the answer No. 12, of 18th February, *re Mr. Broughton's Muttama Run*,—Is he aware that this Crown lessee has made application to purchase other portions of his run in extent up to the total quantity allowed to be purchased under clause 7, Alienation Act, 1861?
 (2.) If so, will he allow him to purchase the 320 acres of the Village Reserve as well, which would be clearly contrary to law?

Mr. Hoskins answered,—

(1.) Yes, he has, and the total quantity allowed has not been purchased.

(2.) The area allowed, including the 320 acres (20 acres being within the Village Reserve), does not exceed the total quantity allowed by law.

- (7.) Forfeited Pre-leases :—*Mr. Barbour* asked the Secretary for Lands,—
 (1.) Is he aware that large quantities of land that had been held as pre-leases and forfeited previous to the passing of the Amending Act, 1875, pay no rent to the State?
 (2.) Is there any reason why such lands should not be offered by auction to the highest bidder, as provided for in section 12 sub-section 7, and section 16, Occupation Act, 1861, which states that pre-leases in the unsettled districts shall be subject to the like conditions as lands held in fee and in first-class districts?

Mr. Hoskins answered,—

(1.) I am not aware; the fact being, that pre-leases forfeited previously to the passing of the Lands Acts Amendment Act of 1875 have reverted, under the 19th section of that Act, to the runs of which they formed part.

(2.) It has never been the practice to put up forfeited pre-leases in the unsettled districts to sale by auction; even if it had been, the 19th clause of the Act above referred to would now prohibit it.

- (8.) *Frederick Painter's Application to Purchase a Road*:—*Mr. W. Davies* asked the Colonial Treasurer,—

(1.) Did *Frederick Painter* pay a sum of £5, in November, 1876, as deposit, on application to purchase a road?

(2.) Was the purchase disallowed, and will the money be refunded?

Mr. Watson answered,—

(1.) *Mr. Painter* paid a deposit of £5 on 6th November, 1876, on application to purchase a road, county Argyle, parish Towrang. The application, with report of payment, was forwarded to the Lands Department on same day.

(2.) The Treasury has not been informed of the disallowance of the purchase, nor has the money been authorised to be refunded.

2. PAPERS :—

Mr. Hoskins laid upon the Table,—Memorandum showing purchases on Muttama Run, under section 7 of the Crown Lands Alienation Act of 1861.
 Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Report from the Agent for Immigration for 1878.

Ordered to be printed.

3. SPECIAL ADJOURNMENT :—*Sir Henry Parkes* (*by consent*) moved, without notice, That this House at its rising this day do adjourn until Wednesday next.
 Question put and passed.

4. CONTRACTORS DEBTS BILL :—The Order of the Day having been read,—*Mr. W. H. Suttor* moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of *Mr. Suttor*, *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 14th March.

5. ORANGE TOWN HALL SITE SALE BILL :—The Order of the Day having been read,—*Mr. Lynch* moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of *Mr. Lynch*, *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of *Mr. Lynch*, the report was adopted.

Ordered, that the Bill be read a third time on Wednesday next.

6. PATENT BILL :—The Order of the Day having been read,—*Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 21st March.

7. POSTPONEMENTS :—The following Orders of the Day postponed until Friday next :—

(1.) Marsupials Destruction Bill; to be further considered in Committee.

(2.) Press Bill; second reading.

8. **BANK LIABILITIES AND ASSETS PUBLICATION ACT EXTENSION BILL**:—The Order of the Day having been read,—Mr. Driver moved, That this Bill be now read a second time.
 Debate ensued.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
 On motion of Mr. Driver, the report was adopted.
 Ordered, that the Bill be read a third time on Wednesday next.
9. **POSTPONEMENTS**:—The following Orders of the Day postponed:—
 (1.) Bridge across the McDonald River, at St. Albans; consideration in Committee of an Address to the Governor;—*until Friday next.*
 (2.) Reserves for Public Recreation; consideration in Committee of Resolutions;—*until Friday, 21st March.*
 (3.) Parliamentary Powers and Privileges Bill; consideration in Committee of the Whole of Legislative Council's amendments;—*until Wednesday next.*
10. **SYDNEY CORPORATION BILL**:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
 Ordered, that the adoption of the report stand an Order of the Day for Thursday next.

The House adjourned at twenty minutes before Nine o'clock, until *Wednesday* next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 76

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 26 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) The Chinese:—Captain Onslow asked the Colonial Treasurer,—

(1.) How many Chinese arriving by sea in the Port of Sydney during the year 1878 have been found on examination by the Health Officer to be suffering from disease?

(2.) How many of the foregoing have, during the same time, been placed in quarantine?

Mr. Watson answered,—During the year 1878 three Chinese only have been found, on examination by the Health Officer, to be suffering from such disease as rendered quarantine necessary, and they were the only Chinese detained in quarantine as sick persons during that year.

(2.) Public Schools at Turlingali and Coila:—*Mr. Cameron*, for *Mr. Clarke*, asked the Minister of Justice and Public Instruction,—

(1.) Has an application been made to the Council of Education for the erection of a Public School at a place called Turlingali; if so, by whom?

(2.) Have the residents of the Town of Coila and its vicinity made application to the Council of Education to have a Public School erected in that township upon a site of land dedicated for School purposes?

(3.) If so, what steps have the Council taken to grant their request?

Mr. E. B. Suttor answered,—

(1.) Yes, by Mr. G. H. Goodin.

(2.) Yes.

(3.) I have ascertained that the Council, after having caused full and careful inquiry to be made into the educational requirements of Coila, has resolved that the best and most central site for a school in the locality would be opposite the Post Office at Turlingali, and now only awaits the issue of grant of the site before commencing building operations.

(3.) Duty on Gold:—*Mr. Hurley (Hartley)* asked the Secretary for Mines,—Is it his intention to bring in a Bill next Session to abolish the duty on gold?

Mr. Baker answered,—I propose to introduce a Bill to abolish the duty on gold this Session, and at as early a date as possible.

(4.) Cooma and Kiandra Roads Trust:—*Mr. Murphy* asked the Secretary for Public Works,—

(1.) Is he aware that the late Trustees of the Cooma and Kiandra Roads are not in a position to pay one of the contractors through not being supplied with money to meet the expenses of the Trust?

(2.) That one of the contractors has been nearly twelve months waiting for his money?

(3.) Will the Minister cause the necessary inquiries to be made as to the delay, so that the contractor may be paid?

Mr. Lackey answered,—

(1.) It has been ascertained from the Trustees that they exceeded their authority by anticipating funds not placed at their credit.

(2.) The Trustees reported some time ago that the contractor for this unauthorized work was waiting for his money.

(3.) Arrangements have been made for the immediate payment of the just liabilities of the Trust.

(5.)

- (5.) Furniture for Court-house, Gunnedah :—Mr. Bennett asked the Minister of Justice and Public Instruction,—What articles of furniture and nature of fittings has the Colonial Architect ordered for the Court-house, Gunnedah ; the cost of same ; and will the said furniture, &c., be forwarded and fixed up in time for use at the Court of Quarter Sessions to take place in May next ?

Mr. F. B. Suttor answered,—The articles of furniture and fittings authorized for use of the Court-house at Gunnedah would, it is feared, be too numerous to particularize in answer to the Honorable Member's question ; but I am informed by the Colonial Architect that the requisite furniture and fittings will be forwarded and fixed up within the time named, and that the cost of the whole is estimated at £293.

- (6.) William Simpson's application for Land :—*Mr. Teece*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Did William Simpson, of Gooraway, Walgett, make an application for some ground on the Narren Road, for the purpose of accommodation ?

(2.) Was such referred to Surveyor Folkes on 26th August, 1878 ; has his report been received ; if not, will he be requested to expedite the same ?

(3.) If report received, what decision has been arrived at in the matter, and will permission be so granted to Simpson ?

Mr. Hoskins answered,—

(1.) Yes.

(2 and 3.) Yes ; but the report has not yet been received. He will be instructed to expedite it.

- (7.) James Fletcher's Conditional Purchase at Wee Waa :—*Mr. Teece*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Was a Conditional Purchase of 80 acres, taken up at Narrabri on 26th October, 1873, situated at Wee Waa, by James Fletcher, and subsequently transferred to J. Fletcher ?

(2.) Was an additional Conditional Purchase to the above portion, lots 36, 37, and 38, in all 52 acres (as marked on the lithograph map of the town of Wee Waa), taken up, and the necessary deposit paid ?

(3.) Has the interest been paid on this additional Conditional Purchase, and is the same liable to forfeiture, or been forfeited ?

(4.) Can such forfeiture be defeated by paying up the back interest ; and if so, the amount due thereon ?

Mr. Hoskins answered,—

(1.) A Conditional Purchase, as described, was taken up on the 26th October, 1871.

(2.) Yes.

(3.) Interest upon the additional purchase was not paid, and the selection was declared lapsed on the 31st October, 1876.

(4.) It is not now open to the selector to defeat the forfeiture by payment of the unpaid interest money, but if there is any circumstance in the case deserving of special consideration it is open to him to represent it.

- (8.) Title to Land at Ashfield for Operative Building Society :—Mr. Fitzpatrick asked the Colonial Secretary,—What is the cause of delay in passing through the Land Titles Office the application lodged by the Operative Building Society, on 18th July last, with respect to certain land at Woodlands, Ashfield ?

Sir Henry Parkes answered,—I have received the following statement from the Registrar General :—
“ I find that the case referred to was received on the 18th February, 1878, and after the usual searches, &c., had been made, forwarded to Mr. Examiner Burton on 3rd May, 1878, for examination and report to the Registrar General. On looking over the papers I learned that certain notes have been made by Mr. Burton on the title, and the case appears so to stand to the present. I requested an explanation from Mr. Burton, and the following are his words :—‘ The chief part of this complicated title was perused last year, and instructions were then given for certain searches which have been recently received. It is intended further to deal with the case ‘ with all speed.’ ”

- (9.) Water Supply for Wagga Wagga :—*Mr. Cohen*, for Mr. Leary, asked the Colonial Secretary,—Has the Hydraulic Engineer completed his survey at Deniliquin ; if not, will the Government direct that officer to make the requisite survey at Wagga Wagga for water supply ?

Sir Henry Parkes answered,—The surveyor employed has not yet completed the survey at Deniliquin. An officer shall be sent to Wagga as soon as one can be spared for the purpose contemplated.

- (10.) Bridge over the Fish River at O'Connell :—*Mr. Cohen*, for Mr. W. H. Suttor, asked the Secretary for Public Works,—What does the Government intend to do in reference to the erection of a Bridge over the Fish River at O'Connell ?

Mr. Lackey answered,—Provision for a Bridge over the Fish River at O'Connell will be made, and the present Foot-bridge there will be removed and re-erected elsewhere.

- (11.) Government Financial Arrangements :—Mr. Cohen asked the Colonial Treasurer,—

(1.) What is the amount now to the credit of the Public Account of the Government with the Bank of New South Wales, Sydney ?

(2.) For what amount has notice of withdrawal from the Special Deposits with the Banks been given by the Government, and have the Government determined upon giving notice of any further immediate withdrawals from these deposits ; and if so, will they state for what amount ?

Mr. Watson answered,—

(1.) £325,821 5s. 4d.

(2.) £100,000. The intentions of the Government, as to withdrawals from the Special Deposits, were disclosed in the Financial Statement, and are to the following effect, namely :—“ Not to withdraw these Special Deposits from the Banks suddenly, or in large amounts, but rather to do so gradually, and chiefly for carrying out the Services specified in the Surplus Revenue Estimate, and for advances to the Loan Accounts pending the realization of Debentures.” (12.)

(12.) Conservation of Water—Construction of Dams—Fencing:—Mr. Dangar asked the Secretary for Lands,—Is it intended this Session, or the next, to introduce Bills,—

- (1.) For conservation of water in the interior?
- (2.) To legalize the construction of dams?
- (3.) To compel lessees of runs to pay half cost of fencing,—the same law existing in Queensland and Victoria?

Mr. Hoskins answered,—They will not be introduced this Session, but these matters will receive consideration during the recess.

(13.) Inspectors of Conditional Purchases:—Mr. Lynch asked the Secretary for Lands,—

- (1.) The number of permanent Inspectors of Conditional Purchases employed by the Government; their names, dates of appointment, and respective districts?
- (2.) The number of temporary Inspectors of Conditional Purchases; their names, dates of appointment, and present districts?

Mr. Hoskins answered,—The information required by the Honorable Gentleman can be properly supplied only by a Return, which I will presently lay upon the Table.

(14.) Mr. Oliver, Inspector of Land Offices:—Mr. Thompson asked the Secretary for Lands,—

- (1.) What officer certified that the claim of the Inspector of Land Offices for travelling allowance while attending the Melbourne Races in November last was correct?
- (2.) Was the payment of that allowance in the case referred to a special favour, or is it the general practice of the Lands Department to give leave of absence on full pay, with travelling allowance, to its officers when desirous of attending race meetings in neighbouring colonies?

Mr. Hoskins answered,—

(1.) It has been already shown by the voucher laid upon the Table of the House last week that this claim was certified by the accountant, then signed as usual by the Under Secretary, and finally approved by the Minister for Lands.

(2.) It was not granted as a special favour. The Inspector of Land Offices did not receive leave of absence for the purpose of attending a race meeting. He had in making his tour of inspection to pass through Melbourne, and obtained permission to stop there a day or two on his way.

(15.) Approaches to Railway Station, Gunnedah:—Mr. Dangar asked the Secretary for Public Works,—

- (1.) Is it intended that, as the main roads from Coonabarabran and Coolah, conveying a large quantity of traffic, enter Marquis-street, Gunnedah, to leave a level crossing in that street?
- (2.) To metal Chandos and Tempest Streets, in the same town near the Railway, for conveyance of traffic to and from the Railway Station?
- (3.) To resume and fence in the land in the same town, situated near the Railway Station, and between it and Barber-street, for a camping ground, for the benefit and convenience of teams conveying goods to and from the Station?

Mr. Lackey answered,—

(1.) Yes.

(2.) Whatever approaches are required to the Railway Station at Gunnedah will be metalled. The particular streets are not yet decided.

(3.) Yes. This can be done if considered desirable.

2. VOTE OF CREDIT:—The following Message from His Excellency the Governor was delivered by Mr. Watson, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 38.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends to the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the Colony for the month of February, 1879; together with provision for other Services of an urgent nature.

Government House,

Sydney, 26th February, 1879.

Ordered to be printed, and referred to the Committee of Supply.

3. PAPERS:—

Mr. Hoskins laid upon the Table,—A Return showing the number of permanent and temporary Inspectors of Conditional Purchases, with their names, dates of appointment, and present districts.
Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Amended By-laws of the Municipal District of Penrith.
Ordered to be printed.

4. THE CHINESE:—The following Petitions against the influx of Chinese into this Colony were presented by the Members named:—

(1.) By Mr. Cameron. From Residents of Balmain.

(2.) By Mr. Murphy. From Residents of Bombala and surrounding District, in Public Meeting assembled.

Petitions received.

5. ORANGE TOWN HALL SITE SALE BILL (*Formal Order of the Day*), on motion of Mr. Lynch, read a third time, and *passed*.

Mr. Lynch then moved, That the Title of the Bill be "*An Act to enable the Municipal Council of Orange to sell the present and provide another Site for a Town Hall.*"

Question put and passed.

Ordered,

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to enable the Municipal Council of Orange to sell the present and provide another Site for a Town Hall*,"—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with an attested copy of the Deed of Grant referred to in the Preamble.

Legislative Assembly Chamber,

Sydney, 26th February, 1879.

6. BANK LIABILITIES AND ASSETS PUBLICATION ACT EXTENSION BILL (*Formal Order of the Day*),—on motion of Mr. Cameron, read a third time, and *passed*.

Mr. Cameron then moved, That the Title of the Bill be "*An Act to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales and the Registration of the names of the Proprietors thereof*."

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales and the Registration of the names of the Proprietors thereof*,"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 26th February, 1879.

7. SUSPENSION OF STANDING ORDERS :—Mr. Watson moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing of a Bill, intituled "A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879," through all its stages in one day, and would also preclude the Resolutions of the Committees of Supply and of Ways and Means, respectively, whereon the said Bill is proposed to be founded, being received on the same day on which they are come to by the said Committees respectively.

Question put and passed.

8. POSTPONEMENTS :—The Orders of the Day Nos. 1 to 4 postponed, to follow after Order No. 5.

9. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

(6.) *Resolved*,—That there be granted to Her Majesty for the Services of the year 1879, a sum not exceeding £397,000, being £305,000 to defray the expenses of the various Departments and Services of the Colony for the month of February, 1879, at the rates which have been sanctioned for 1878, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1879 ; £25,000 for Special Grant to the Corporation of Sydney for the year 1879 ; £60,000 for wages of Railway Employés for the month of March, 1879 ; and £7,000 for wages of Employés in the Department of Harbours and Rivers for the month of March, 1879.

On motion of Mr. Watson, the Resolution was read a second time and agreed to.

10. ANIMALS PROTECTION BILL [*Heretofore BIRDS AND ANIMALS PROTECTION BILL*] :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council has this day agreed to the amendments made by the Legislative Assembly in the Bill, intituled "*An Act to secure the protection of certain Birds and Animals*."

Legislative Council Chamber,

Sydney, 26th February, 1879.

JOHN HAY,

President.

11. MUDGEE TURF CLUB BILL :—Mr. J. Davies, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 20th November, 1878 ; together with Appendix, and a copy of the Bill as agreed to in the Committee.

Ordered to be printed.

Mr. Davies then moved, That the Bill be read a second time on Friday, 7th March.

Question put and passed.

12. WAYS AND MEANS :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.

Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again at a later hour of the day.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

(6.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Services of the year 1879, the sum of £397,000 be granted out of the Consolidated Revenue Fund of New South Wales to defray the expenses of the various Departments and Services of the Colony for the month of February, 1879 ; for Special Grant to the Corporation of Sydney for the year 1879 ; and for Wages of Railway Employés and Employés in the Department of Harbours and Rivers for the month of March, 1879.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

13.

13. CONSOLIDATED REVENUE FUND BILL (No. 3) :—

(1.) Ordered, on motion of Mr. Watson, that a Bill be brought in, founded on Resolution of Ways and Means (No. 6), to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879.

(2.) Mr. Watson then presented a Bill, intituled "*A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—which was read a first time.

Ordered to be printed, and now read a second time.

(3.) Bill read a second time.

On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Watson, the report was adopted.

Ordered, that the Bill be now read a third time.

(4.) Bill read a third time, and, on motion of Mr. Watson, passed.

Mr. Watson then moved, That the Title of the Bill be "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 26th February, 1879.

14. POSTPONEMENT :—The Order of the Day for the second reading of the Chinese Immigration Regulation Bill postponed until Wednesday next.

15. SYDNEY TRAM-ROAD :—The Order of the Day having been read,—on motion of Mr. Lackey, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to enable the Government to construct a Tram-road from the Redfern Railway Station to Hunter-street, Sydney.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Wednesday next.

16. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) Consolidated Revenue Fund Bill (No. 3) :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 26th February, 1879.

JOHN HAY,
President.

(2.) Felons Apprehension Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured,*"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 26th February, 1879.

JOHN HAY,
President.

FELONS APPREHENSION BILL.

SCHEDULE of the Amendments referred to in Message of 26th February, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, preamble, lines 2 to 4. Omit "it has become necessary to provide for the punishment of felonies committed in New South Wales by offenders who have been outlawed in some other Australian Colony"

" preamble, line 5. Omit "for that purpose as well as"

" " line 6. Omit "and" insert "as well as"

" clause 1, line 15. Omit "shall" insert "may"

Page 2, clause 2, line 1. Omit "whenever"

" line 4. After "death" insert "and after an information by the Attorney General for such felony filed in the Supreme Court"

" clause 2, lines 4 and 5. Omit "on an application made to him in Chambers by or on behalf of the Attorney General and"

" After clause 2 insert the following new clause :—

" 3. If upon an application by or on behalf of the Attorney General to any Judge of the Supreme Court it shall be proved to the satisfaction of such Judge by affidavit that any person has been duly adjudged an outlaw in accordance with the law in force for the time being in any

Outlawry in New South Wales of extra-territorial outlaw.

" Australian

“ Australian Colony other than New South Wales after the alleged commission by him in such
 “ first-mentioned Colony of any crime punishable by the law of that Colony with death it shall be
 “ lawful for such Judge if satisfied that such person has been or is then at large in this Colony and
 “ will probably resist all attempts by the ordinary legal means to apprehend him to issue a Bench
 “ Warrant under the hand and seal of such Judge for the apprehension of the person so charged in
 “ order to his being remitted to the jurisdiction within which the alleged crime was alleged to have
 “ been committed for the purpose of answering and taking his trial and such Judge may thereupon
 “ either immediately or at any time afterwards before the apprehension or surrender or after any
 “ escape from custody of the person so charged order a summons to be inserted in the *Gazette*
 “ requiring such person to surrender himself on or before a day and at a place specified to be so
 “ remitted as aforesaid Provided that the Judge shall further direct the publication of such
 “ summons at such places and in such newspapers and generally in such manner and form as shall
 “ appear to him to be best calculated to bring such summons to the knowledge of the accused.”

Pages 3 and 4, clause 10. *Omit* clause 10.

Page 4, clause 11. *Omit* clause 11.

„ clause 12. *Omit* clause 12.

Examined,—

J. GEO. LONG INNES,
 Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration at a later hour of the day.

17. **POSTPONEMENTS** :—The following Orders of the Day postponed :—
- | | |
|---|--------------------------------|
| (1.) Parliamentary Powers and Privileges Bill ; consideration in Committee of the Whole of Legislative Council's amendments ;— | <i>until to-morrow.</i> |
| (2.) Sale of Liquors Licensing Act Amendment Bill ; second reading ;— | } <i>until Wednesday next.</i> |
| (3.) Islanders Shipping Engagement Bill ; second reading ;— | |
| (4.) Water and Sewerage Bill ; to be further considered in Committee ;— | |
| (5.) Volunteer Land Orders Bill ; resumption of the adjourned Debate, on the motion of Mr. Fitzpatrick, “That this Bill be now read a second time” ;— | |
18. **WAYS AND MEANS** :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again to-morrow.
19. **POSTPONEMENT** :—The Order of the Day for the consideration in Committee of the Legislative Council's amendments in the Felons Apprehension Bill postponed until to-morrow.

The House adjourned at twenty-five minutes before Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 77.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 27 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Patents:—Captain Onslow asked the Colonial Secretary,—

- (1.) What is the sum of money that a person wishing to obtain a Patent has to pay before it can be procured?
- (2.) How is this money appropriated, among what persons, and in what proportions?
- (3.) What are the duties of the persons who receive fees?

Sir Henry Parkes answered,—

- (1.) The sum paid into the Treasury is £20.
- (2.) The Attorney General receives £5 for perusing the papers connected with the application, and perusing and settling draft Letters of Registration.
- (3.) The Attorney General's clerk receives £1. The Crown Solicitor receives £5 10s. 6d. for preparing Letters of Registration. A Board consisting of two persons, who receive £3 3s. each for their services, is always appointed to examine and report upon all petitions for Letters of Registration. The balance £2 3s. 6d. remains in the Treasury.

- (2.) Whipping Prisoners:—Mr. Jacob asked the Colonial Secretary,—In view of the remarks of the Inspector General of Police, in his Report for last year, relative to the growing disorderly conduct and petty misdemeanours of youths, and the increase of larrikinism, in which Report he suggests legislation to include provision for whipping, will the Government deal with this very important question by introducing a Bill this Session?

Sir Henry Parkes answered,—I admit the importance of the subject to which the Honorable Member draws the attention of the Government, but I am not prepared to say that a Bill will be introduced this Session to deal with it, nor is it quite certain that it should be dealt with by a separate piece of legislation.

2. PATENTS (*Formal Motion*):—Mr. J. Davies, for Captain Onslow, moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing,—

- (1.) The number of Patents issued during the last five years respectively.
- (2.) The sum of money paid for such Patents.
- (3.) The names of the persons among whom the fees have been distributed, and the amount paid to each person.

Question put and passed.

3. THE CHINESE:—Mr. Hungerford presented a Petition from Residents of the Hunter River District against the influx of Chinese into this Colony.
Petition received.

4. WAYS AND MEANS:—The Order of the Day for the resumption of the Committee of Ways and Means having been read,—Mr. Watson moved, That Mr. Speaker do now leave the Chair.
Debate ensued.

Motion, by leave, withdrawn.

On motion of Mr. Watson, the Order of the Day was postponed, to follow after the Order of the Day in reference to the Felons Apprehension Bill.

5. **FELONS APPREHENSION BILL**:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to some and amended other of the amendments made by the Council, and proposed a new clause in the Bill. On motion of Sir Henry Parkes, the report was adopted.
6. **WAYS AND MEANS**:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again at a later hour of the day.
7. **FELONS APPREHENSION BILL**:—Ordered, on motion of Sir Henry Parkes, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 26th February, 1879, requesting its concurrence in certain amendments made by the Council in the Felons Apprehension Bill,—

Agrees to the amendments in the Preamble, and in clauses 1 and 2.

Agrees to the insertion of a new clause to follow clause 2, but proposes to amend such new clause by omitting the word "the" before "person," and substituting the word "such"; and proposes further to amend the clause by omitting the words "so charged" after "person," and by omitting the words "jurisdiction within which the alleged crime was alleged to have been committed for the purpose of answering and taking his trial," and inserting "proper authority in the Colony where such person was so adjudged an outlaw to be there dealt with in due course of law."

Agrees to all the remaining amendments made by the Council, and proposes to insert the following new clause to stand clause 12, as consequent on and relevant to the amendment proposed by the Council in the introduction of new clause 3, viz.:—

Saving clause.

12. Nothing in this Act contained shall be deemed to abridge the jurisdiction now by law reposed in the Supreme or any Circuit Court or to compel the surrender of any extra-territorial outlaw to be dealt with in the Colony where he shall have been outlawed if such outlaw shall have during outlawry committed in this Colony any crime for which he might have been indicted and tried in this Colony before the passing of this Act.

*Legislative Assembly Chamber,
Sydney, 27th February, 1879.*

8. **MESSAGES FROM THE GOVERNOR**:—The following Messages from His Excellency the Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker:—

- (1.) Consolidated Revenue Fund Bill (No. 3):—

HERCULES ROBINSON,
Governor.

Message No. 39.

A Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 27th February, 1879.*

- (2.) Redmond's Estate Bill:—

HERCULES ROBINSON,
Governor.

Message No. 40.

A Bill, intituled "*An Act to authorize the sale, mortgage, and leasing of certain lands and hereditaments devised by the Will of Winifred Redmond deceased, and for other purposes therein mentioned,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 27th February, 1879.*

- (3.) Primitive Methodist Church Temporalities Bill:—

HERCULES ROBINSON,
Governor.

Message No. 41.

A Bill, intituled "*An Act to regulate the temporal affairs of Churches and Chapels of the Religious Society denominated Primitive Methodists,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 27th February, 1879.*

9. **POSTPONEMENTS** :—The Orders of the Day Nos. 3 to 6 inclusive postponed, to follow after the Order of the Day for the resumption of the Committee of Ways and Means.
10. **WAYS AND MEANS** :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Tuesday next.
11. **FELONS APPREHENSION BILL** :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having taken into consideration the Legislative Assembly's Message, dated this day, in reference to the "Felons Apprehension Bill,"—agrees to the Assembly's amendments in new clause 3 proposed by the Council, and to the new clause 12 proposed by the Assembly, as consequential upon the Council's amendments in the Bill, but proposes to amend such new clause by the omission therefrom of the words "during outlawry."

*Legislative Council Chamber,
Sydney, 27th February, 1879.*

JOHN HAY,
President.

Ordered, that the Council's amendment be forthwith taken into consideration.

Whereupon, on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendment.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendment in the new clause 12 proposed by the Assembly.

On motion of Mr. Watson, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having taken into consideration the Legislative Council's Message dated this day in reference to the "Felons Apprehension Bill,"—agrees to the Council's amendment in new clause 12 proposed by the Assembly.

*Legislative Assembly Chamber,
Sydney, 27th February, 1879.*

The House adjourned at six minutes after Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 78.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 28 FEBRUARY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Land Sale, Hartley:—Mr. Hurley (*Hartley*) asked the Secretary for Lands,—

(1.) Will he cause the surveyed lots in section 15, town of Hartley, to be put up for sale; if so, when?

(2.) Is he aware that repeated applications have been made for this land to be sold by auction, and what is the cause of the delay,—the boundary of the town being well known?

Mr. Hoskins answered,—

(1.) The town and suburban boundaries of the Village of Hartley have not yet been notified; until that is done it cannot be ascertained whether section 15 is town or suburban land.

(2.) Mr. Birch's first application was forwarded to the District Surveyor, with instructions to define the boundaries. As, however, he has not yet acted upon those instructions, he has this day been reminded to carry them out.

(2.) Postmaster at Ebenezer:—Mr. Bowman asked the Colonial Secretary,—

(1.) Is it true that the postmaster at Ebenezer was accused a short time ago of opening a private letter that came into his hands by virtue of his office of postmaster?

(2.) Is it true that when an investigation was about to be made he acknowledged his guilt?

(3.) Is the same person allowed to act as postmaster at Ebenezer?

Sir Henry Parkes answered,—

(1.) Nearly twelve months since a verbal complaint was made by the addressee's father at the General Post Office that a letter posted at Parramatta to a person at Ebenezer had been opened in course of transit.

(2.) Before any investigation was made the sender of the letter wrote, stating that the postmaster at Ebenezer had explained to the complainant that he had accidentally opened this letter instead of one which arrived by the same mail for himself, and requested, on the part of himself and complainant, that the matter might be allowed to drop. This is the only complaint of the kind which has ever been made against the postmaster in question.

(3.) The same person is still postmaster at Ebenezer.

(3.) Patrick Cleary, *alias* Doyle:—Mr. Bowman asked the Minister of Justice and Public Instruction,—

(1.) Is it true that a person named Patrick Doyle died at Windsor about November last, and that a short time before his death a man named Patrick Ryan was fined at the Police Court, Windsor, for assaulting the said Patrick Doyle, by throwing him on to the palisading at the Windsor Railway Station?

(2.) Is it true that at the time of Doyle's death there was a charge of assault pending in the Police Court, Windsor, against the said Patrick Ryan for assaulting the said Patrick Doyle?

(3.) Was there an inquest upon the said Patrick Doyle; and if not, why not?

(4.) Was there any report to, or correspondence with, the Minister of Justice, in reference to Doyle's case; if so, will he lay it upon the Table of this House?

Mr. F. B. Suttor answered,—

(1.) No; but I have ascertained that a person known as Patrick J. Cleary, *alias* Doyle, died at Windsor on 27th July last, and that on 1st May the deceased laid an information for common assault against one Patrick Ryan, who was fined 20s. and usual costs of Court, &c., but no complaint appears to have been made by deceased of having sustained permanent injury through such assault.

(2.) No; so far as I have been able to ascertain, the only charge of assault brought by Doyle against Ryan was disposed of in May, and Doyle's death did not take place till 27th July following, and it is said was not in any way caused by the assault. (3.)

(3.) No inquest was held in connection with Doyle's death, as the police did not consider there was any necessity for inquiry. Deceased, who is said to have been a man of very intemperate habits, was attended by Doctors McPhee and Dalgairns, who certified the cause of death to be congestion of the lungs, brought on by excessive drinking.

(4.) Yes; the case was fully reported at the time to the Department, and it was considered that no further action need be taken in the matter. There will be no objection to lay the papers upon the Table of the House if moved for in the regular manner.

(4.) District Court at Rocky Mouth:—Mr. Cameron asked the Attorney General,—Is it his intention to establish a District Court at Rocky Mouth, Clarence River?

Mr. Windeyer answered,—It is my intention to establish a District Court as soon as the boundaries of the district can be defined and other arrangements made.

(5.) Trustees of Commons:—Mr. Dangar asked the Secretary for Lands,—Have the Trustees of Commons power to lease such, or any portions thereof, for any purposes whatever?

Mr. Hoskins answered,—No. I refer the Honorable Member to the Act 36 Vic. No. 23, section 11 (Commons Regulation Act of 1873).

(6.) The Volunteer Force:—*Mr. Roseby*, for Mr. J. Davies, asked the Colonial Secretary,—

(1.) How many of the old Volunteers who signified their intention to join the new Force, but subsequently failed to attend any parade, were rejected as not coming up to the standard of physique required?

(2.) How many of the 170 old Volunteers who signified their intention to join the new Force are included in the total 623 recruits of all arms who had joined up to the 24th January last?

(3.) Is it the intention of the Military authorities that the old Volunteers who have joined the new Force shall be permitted and called upon to parade for the celebration of Her Majesty's approaching birthday?

(4.) Are any of the old Volunteers, not maturing for Land Orders, still attending drill, &c., without having joined under the new Regulations; if so, how many; in what manner do the Military authorities intend to dispose of them, and will they be permitted and called upon to parade for the celebration of Her Majesty's approaching birthday?

(5.) Are the officers commanding old Volunteers who have not joined under the new Regulations still called upon by the Military authorities to send in their returns, &c., as heretofore; if so, for what purpose?

(6.) Who is the officer (if any) at present officially responsible for the Government property in use with No. 2 Battery of the old Volunteer Artillery?

(7.) Was the alleged issue of Land Orders to some eleven men of No. 2 Battery, Volunteer Artillery, a year before they were due, discovered prior to Captain Talbot's report to the Commandant of Quartermaster-Sergeant Noble's receipt of one before he had matured for it?

(8.) Are there any other instances in the old Volunteer Force where members have received Land Orders for less than the five years of efficiency and consecutive service demanded by the regulations; if so, the particulars of each instance?

(9.) Is it the rule to record the going through the musketry of members of the Volunteer Force?

(10.) In what battery was Lieutenant Murray (now of the New South Wales Artillery) when his going through musketry was first certified?

(11.) Did Lieutenant Murray ever go through musketry at all; if so, what date?

(12.) On what date was Lieutenant Murray gazetted from No. 2 Battery, Volunteer Artillery, to the New South Wales Artillery?

(13.) Was not Lieutenant Murray inefficient as a Volunteer when he quitted that Force?

(14.) What proportion of the £30,000 voted for the new Force has been expended since the initiation of that Force in November, 1878, up to this time, specifying the amount or amounts paid to each rank of the Force (including the Staff); on what account, and the number in each rank who have received such amount or amounts?

(15.) Is it intended that the balance be similarly expended?

(16.) Was not the £30,000 voted by Parliament with the express view of forming a new Force of Volunteers on the Naval Brigade system?

(17.) Has the new Force been organized on that system or not; if not, on whose recommendation or authority has the money been appropriated in a manner different from that for which the Parliament voted it?

(18.) Are there any members who joined under the new Regulations who have not availed themselves of their uniforms, or not attended regularly to drill; if so, how many, and from what reason?

Sir Henry Parkes answered,—I am sure the Honorable Member cannot expect an answer to this question to-day. It is indeed not a question, but a string of eighteen different questions, which took him about five minutes to read, and the answer to which would take about five days to prepare. I would suggest that as the matters of fact, or alleged facts, inquired about comprise such a variety of questions, and the whole thing is so complicated, it would be more satisfactory to move for a Return. If, however, the Honorable Member should again ask the questions I shall endeavour to answer them, or part of them, to the best of my ability.

2. PAPERS:—

Sir Henry Parkes laid upon the Table,—Report on Lunatic Asylum, Parramatta, for 1878.

Ordered to be printed.

Mr. Hoskins laid upon the Table,—Return to an Order made on 12th February, 1879,—“Wagga Wagga Common.”

Ordered to be printed.

3. ADJOURNMENT:—Mr. Hurley (*Hartley*) moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

4. **COPYRIGHT BILL**:—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 21st March.
5. **POSTPONEMENT**:—The Order of the Day for the second reading of the Adulteration of Food Prevention Bill postponed until Friday next.
6. **SYDNEY TRAMWAY AND OMNIBUS COMPANY (LIMITED) BILL**:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Driver, “That this Bill be now read a second time,”—
 And the Question being again proposed,—
 The House resumed the said adjourned Debate.
 Notice was taken that there was not a Quorum present.
 Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Beyers, Mr. Cameron, Mr. Day, Mr. Driver, Mr. Farnell, Mr. Hungerford, Mr. Jacob, Mr. Johnston, Mr. Lackey, Mr. Macintosh, Mr. Murphy, Mr. Roseby, Mr. Shepherd, Mr. T. R. Smith, Mr. Stuart, Mr. F. B. Suttor, and Mr. Windeyer,—
- Mr. Speaker adjourned the House at twelve minutes before Eight o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 79.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 4 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Supply of Water to Jindera:—Mr. Day asked the Secretary for Public Works,—

(1.) When did Mr. Langtree, the engineer, send in his report respecting sinking a tank to supply the inhabitants of Jindera with water?

(2.) Is it the intention of the Government to place a sufficient sum of money on the Supplementary Estimates to carry out the work during this year?

Mr. Lackey answered,—

(1.) Mr. Langtree's report is dated 16th August, 1878, but it did not reach the Works Department until 23rd December last.

(2.) A final decision in this case, as well as in others of a similar nature, is being delayed pending the consideration of a more comprehensive scheme suggested for water supply from the Murray, above Albury.

(2.) Road through Walbundrie:—Mr. Day asked the Secretary for Public Works,—

(1.) Did the inhabitants of Walbundrie send in a Petition for the repair of the main road through that township?

(2.) Is it the intention of the Government to repair the road in question, and when?

Mr. Lackey answered,—

(1.) A Petition from the inhabitants of Walbundrie was received in September, 1877, praying for the repair of road at the north end of Walbundrie Bridge, in compliance with which there were 20 chains of road cleared and drained, 250 lineal yards metalled, and one culvert erected in that year.

(2.) It is not intended to do any more repairs in the town of Walbundrie this year, as the full amount of vote is required for more urgent work between Jindera and Albury, where traffic is the greatest. In addition to the work done in 1877, during 1878 there were 5 miles of road cleared from Walbundrie towards Albury, and some culverts and causeways were also constructed.

(3.) Albury Gaol:—Mr. Day asked the Secretary for Public Works,—

(1.) When were tenders invited for the additions to the Albury Gaol, and was any tender accepted?

(2.) What is the cause of delay in commencing the work?

(3.) When will the work be commenced?

Mr. Lackey answered,—

(1.) Tenders were invited, in the first instance, on the 8th October last, but as they were all too high they were declined. Fresh tenders were invited on the 3rd December (Dickson and Alkemades) amounting to £9,611, being accepted on the 14th of the same month, to be completed in eighteen months.

(2.) Some delay has been occasioned in consequence of the stone intended to be used in the work having been found unsuitable. The contractors, however, on the 26th ultimo informed the Colonial Architect they had secured a quarry of good stone, but it was 9 miles away, with bad road?

(3.) The local officer of the Colonial Architect's Department on the spot reports that the contractors have eight men at work quarrying, and the work will be commenced as soon as they can get the stone upon the ground.

(4.)

- (4.) Defence of the Colony :—Mr. Greville asked the Colonial Secretary,—Will he cause to be laid forthwith upon the Table of the House a detailed statement, extracted from the Estimates for 1879, showing the whole of the proposed expenditure relative to the defence of the Colony ?

Sir Henry Parkes answered,—I think a statement such as the Honorable Member indicates would be very valuable, and I will have it prepared and laid upon the Table without delay.

- (5.) James Monaghan's Conditional Purchases at Murrurundi :—Mr. Murphy, for Mr. Bennett, asked the Secretary for Lands,—When will the conditional purchases of James Monaghan, made at Murrurundi on the 26th July, 1877, and 2nd August, 1877, be surveyed ; and when will a reply to Mr. Bennett's letters of date the 25th January last be forwarded to him on the same subject of non-survey of the above-mentioned conditional purchases ?

Mr. Hoskins answered,—The Surveyor has been reminded as recently as the 28th February last, and the District Surveyor also has this day been specially reminded to effect survey, or report to be made at once.

- (6.) Inquiry into Lands and Survey Departments :—Mr. Murphy, for Mr. Bennett, asked the Secretary for Lands,—When will the report and the evidence of the Lands and Survey Departments taken by the Commissioners be printed and issued to Members of this House ?

Mr. Hoskins answered,—The evidence is rather voluminous, and the last portion of it (which was not received with the Commissioners Report) has only just been revised. The report and evidence will be laid upon the Table of the House as soon as it has been printed.

- (7.) Railway Extension to Breeza :—Mr. Dangar asked the Secretary for Public Works,—

(1.) Has the Report of the Engineer-in-Chief for Railways been received, as to the desirability of opening the North-Western Railway from Werris Creek to Gunnedah as far as Breeza ; if so, the nature thereof ; and if favourable or otherwise ?

(2.) Is it intended to open such extension to Breeza for Passenger and Mail traffic ; if so, when ?

(3.) Will the opening of such extension in any way, if granted, interfere with the completion of the line to Gunnedah by the contract time, 30th June next ; or is it intended to give the contractor any extension of time should it be decided to open to Breeza ; and, if so, to what extent ?

Mr. Lackey answered,—

(1.) Yes ; the report is favourable to the opening of the line.

(2.) It is intended to open to Breeza for goods and passenger traffic on the 25th instant.

(3.) The opening will to some slight extent interfere with the completion of the line to Gunnedah, but extra works having been ordered on the length between Breeza and Gunnedah an extension of probably two months will have to be given to the contractor.

- (8.) Racecourse and Recreation Ground, Warialda :—Mr. Dangar asked the Secretary for Lands,—

(1.) What decision has been arrived at with regard to the application of 27/7/77 (accompanied by plan) for grant of a portion of land for a Racecourse at Warialda ?

(2.) Was such referred to District Surveyor Greaves for report and measurement, and when ; has such report been received, or the measurement taken place ; if not, will the matter be expedited ?

(3.) Will section 74, applied for same date, be granted for Recreation and Cricket Ground, facing Day, Queen, Riddell, and Nicholson Streets, and vested in Trustees ?

(4.) Will the land applied for as a Racecourse be included in this dedication until the law permits its being legally granted for racing purposes ?

Mr. Hoskins answered,—

(1.) The application is subject to the general decision,—that the existing law does not provide for the dedication of land for Racecourses.

(2.) The reference to Mr. Greaves was to suggest a suitable site ; he has proposed one at the junction of Travelling Stock Reserve No. 555 with the west boundary of the Permanent Common. Mr. Greaves's report is dated 30th October, 1877. The matter is, however, as will be seen from my reply to the previous question, awaiting further legislation.

(3.) Yes.

(4.) It could not be, even if legal—the portions not being identical.

- (9.) School at Thorp's Pinch :—Mr. Hurley (*Hartley*) asked the Minister of Justice and Public Instruction,—

(1.) Is a Teacher to be sent to Thorp's Pinch ; if so, when ?

(2.) Is he aware that for some time all the necessary furniture has been provided, and that the children's education is neglected on account of no Teacher being sent ?

(3.) Will he cause instructions to be issued to all the Teachers in the country to avoid living in public-houses when they can secure board and lodging in private houses ?

Mr. F. B. Suttor answered,—The only accommodation for a Teacher at Thorp's Pinch is to be had at a public-house, and as it is considered undesirable to appoint a Teacher to a place where public-house accommodation is all that can be obtained, the appointment of a Teacher is deferred until a private residence can be offered by the local Committee ?

- (10.) Mr. Edwin Ryan, late Clerk of Petty Sessions, Mudgee :—Mr. Hurley (*Hartley*) asked the Minister of Justice and Public Instruction,—What charge was brought against Edwin Ryan, late C.P.S. of Mudgee, to cause his removal.

Mr. F. B. Suttor answered,—Mr. Ryan appears to have been removed from the position of Clerk of Petty Sessions at Mudgee on account of certain irregularities in the performance of his public duties, as detailed in report from William Owen, Esq., Barrister-at-law, who was appointed to inquire into the case, and a copy of that gentleman's report was laid upon the Table of the Legislative Assembly on the 22nd of March, 1871.

- (11.) Land Agent at Hay :—Mr. Thompson asked the Secretary for Lands,—

(1.) Was the late Land Agent at Hay dismissed from the Public Service ?

(2.) What was the cause of his dismissal ?

(3.) Did the Inspector of Land Offices recommend, or concur in recommending, the dismissal of that officer ; and if so, on what grounds ?

Mr.

Mr. Hoskins answered,—

(1.) Yes.

(2.) For charging travelling expenses to the Department of Lands which had previously been paid by the Department of Justice in respect of the same journey.

(3.) No, he did not.

(12.) Railway to Monaro:—Mr. Thompson asked the Secretary for Public Works,—With reference to the proposed Railway from the Great Southern Railway to Monaro,—

(1.) What trial surveys have been made, or are intended to be made, and what are their respective points of junction with the Southern Line?

(2.) Have these surveys progressed sufficiently to enable the Government to express an opinion as to the most eligible route?

Mr. Lackey answered,—

(1.) Trial surveys have been made from Mutbilly Creek (152 miles from Sydney) to Collector, along the western side of Lake George to Bungendore; thence to Queanbeyan, and *via* Jerabombera and Tuggeranong Creek to the Rob Roy track. Another line has been surveyed from Gunning (165 miles from Sydney) to Gundaroo, and joins the line above-mentioned about 2½ miles south of Queanbeyan. A line is now being surveyed from Bungendore to Carwoola, and *via* Burra Creek to Michelago.

(2.) The last-mentioned survey is not sufficiently advanced to allow any comparison to be made with the routes previously surveyed.

(13.) Mr. Oliver, Inspector of Land Offices:—Mr. McElhone asked the Secretary for Lands,—In reference to his questions Nos. 3 and 4, of 18th February, in reference to Mr. Oliver, and the Minister's reply,—

(1.) What steps (if any) does he intend to take to punish Mr. Oliver for having drawn travelling expenses whilst away at the Melbourne Races?

(2.) Is it usual to allow travelling expenses to persons in Government employ attending races in Melbourne or elsewhere?

Mr. Hoskins answered,—In consequence of what was said in the House, I called upon Mr. Oliver for an explanation, and the explanation in all respects, except the charging travelling expenses in Melbourne, I regard as satisfactory; and those expenses Mr. Oliver has refunded.

2. CONNECTION OF NORTHERN RAILWAY WITH SYDNEY:—Mr. Lackey presented the following Petitions in favour of connecting the Great Northern Railway with Sydney; and praying that the House will sanction the construction of the line from Parramatta to Singleton, *via* Baulkham Hills, Castle Hill, Dural, Wiseman's Ferry, Macdonald River, and Wollombi:—

(1.) From Inhabitants of the District of Central Cumberland.

(2.) From Inhabitants of the Town of Parramatta.

Petitions received.

3. QUAT QUATTA RESERVE (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence, Telegrams, Minutes, &c., in reference to the claim of J. Wallace to purchase by virtue of improvements the whole of the Quat Quatta Reserve, No. 42, in Corowa Land District, and cancelled some time since by Mr. Secretary Garrett, to enable the people to select it; also, a copy of the Correspondence, Telegrams, &c., from Messrs. Brown, Gallagher, and other persons, who selected this land under the 13th section of the Lands Act.

Question put and passed.

4. PUBLIC SCHOOLS AT BALMAIN (*Formal Motion*):—Mr. Fitzpatrick moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence that has passed since 1st January, 1875, between the Council of Education and the local Trustees of the Public Schools at Balmain, touching the want of school accommodation or of fitting appliances in the said schools, or either of them.

Question put and passed.

5. LAND OFFICE AT ALBURY (*Formal Motion*):—Mr. Thompson moved, pursuant to Notice, That there be laid upon the Table of this House, copies of any Reports, Minutes, or Correspondence, relating to irregularities in the Land Office at Albury, rendering inspection of that office necessary last November, and copies of any Reports thereon by the Inspector of Land Offices.

Question put and passed.

6. PUBLIC EDUCATION:—Dr. Bowker moved, pursuant to Notice,—

(1.) That this House is of opinion that it is expedient that the Government should bring in a "Bill" without delay providing for the placing of the Educational matters of this Colony in the hands of a responsible Minister, instead of their being managed, as at present, by the Council of Education.

(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.

Debate ensued.

Sir Henry Parkes moved, That the Question be amended by the omission of all the words of the first Resolution after the word "Bill," with a view to the insertion in their place of the words "during next Session to extend and improve the means of public education and to render the "school administration responsible to Parliament."

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

Debate continued.

And it being Seven o'clock, Government Business was proceeded with.

7. **WAYS AND MEANS**:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.
The Chairman also reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman (*with the concurrence of the House*), That the report be *now* received.
The Chairman then reported the Resolution, which was read a first time, as follows:—
(5.) *Resolved*,—That to make good the Supply granted to Her Majesty for the Service of the year 1879, there be granted out of the Consolidated Revenue Fund of New South Wales the sum of £1,797, for the expenses of the Establishment of His Excellency the Governor for the year 1879.
- On motion of Mr. Watson, the Resolution was read a second time, and agreed to.
8. **POSTPONEMENTS**:—The following Orders of the Day postponed:—
(1.) Lands Acts further Amendment Bill; second reading;—
(2.) Sydney Corporation Bill reported; adoption of report;—
(3.) Supply; resumption of the Committee;—*to follow after the Order of the Day No. 5.* } *until to-morrow.*
9. **PARLIAMENTARY POWERS AND PRIVILEGES BILL**:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.
Mr. Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to some, and disagreed to others, of the Council's amendments.
Sir Henry Parkes moved, "That" the report be now adopted.
Mr. R. B. Smith moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Council's amendments" be recommitted, with a view to the reconsideration of the amendments in clause 2."
Question proposed,—That the words proposed to be omitted stand part of the Question.
Debate ensued.
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.
Question then,—That the Council's amendments be recommitted, with a view to the reconsideration of the amendments in clause 2,—put and passed.
On motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such reconsideration.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments in clause 2, with an amendment.
On motion of Sir Henry Parkes (*with the concurrence of the House*) the report was adopted.
10. **SUPPLY**:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at half-past Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 80.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 5 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Railway Survey between Raglan and Mudgee:—Mr. W. H. Suttor asked the Secretary for Public Works,—Is the report of the exploration of the country for a Railway survey between Raglan and Mudgee of a sufficiently hopeful character to warrant the making of a trial survey of that line?

Mr. Lackey answered,—The line explored from Raglan to Mudgee is not an entirely new line, as it joins a former trial survey from Wallerawang to Mudgee, by way of Cherry-tree Hill, about 25 miles before reaching Mudgee. These 25 miles comprise the worst portion of the trial section referred to, being the descent to Mudgee, *viâ* the Bocoble Mountain, and was abandoned in favour of the route surveyed through Rylstone. The line from Raglan to Mudgee would make the distance from Sydney to Mudgee 210 miles, with 70 miles of new line; whilst the distance to Mudgee from Sydney by way of Wallerawang and Rylstone would be 190 miles, and the length of new line to construct would be 85 miles. The report is not unfavourable from Raglan to the junction with the old trial survey, but from this point to Mudgee the difficulties are greater than on any portion of the line *viâ* Rylstone.

- (2.) Steamship "Platypus":—Mr. Hurley (*Hartley*) asked the Colonial Treasurer,—

- (1.) Is he aware that the steamship "Platypus" on her last trip was in great danger, and though repeated calls were made for the assistance of the steam-tug "Francis Hixson," no notice was taken?
 (2.) Is there a subsidy granted to the tug named for the purpose of assisting ships in danger; if so, what is the sum?
 (3.) Who holds the command, and will he reprimand him for his conduct in leaving a ship in distress when repeated calls were made for his assistance?

Mr. Watson answered,—

- (1.) Complaints to this effect have reached the Marine Board, and inquiries are being made on the subject.
 (2.) There is a subsidy granted towards maintaining a steam-tug on the Richmond River; the amount is £155 per month.
 (3.) Thomas Fenwick, the owner of the vessel, is in command. If on inquiry it is ascertained that the state of the tide and sea and depth of water were such as to justify the "Francis Hixson" being immediately taken alongside the stranded vessel on the bar to endeavour to render assistance, further action will be taken in the matter.

- (3.) Balderogera Run.—Billabong East Run:—Mr. Bowman asked the Secretary for Lands,—

- (1.) For what reason and under what circumstances was portion No. 14 on the Balderogera Run withdrawn from lease for public purposes?
 (2.) What is the definition of public purposes to which it is intended this withdrawal should apply?
 (3.) What course do the Government intend to pursue in relation to the illegal selections of Woods and of Kelly on Reserve No. 576 on the Billabong East Run, county of Ashburnham?

Mr. Hoskins answered,—

- (1 and 2.) To prevent the possibility of the lessee bringing an action against a conditional purchaser whose selection might be considered as encroaching upon a Reserve too indefinitely described to be placed upon the maps; which Reserve, it was therefore thought, should not be a bar to conditional purchase.
 (3.) It is proposed to include the selections in the schedule of a Bill for legalizing certain conditional purchases.

2. **FELONS APPREHENSION BILL**:—The following Message from His Excellency the Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message No. 42.

A Bill, intituled "*An act to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 4th March, 1879.

3. **PARLIAMENTARY POWERS AND PRIVILEGES BILL**:—Ordered, on motion of Sir Henry Parkes, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message dated 13th February, 1879, requesting its concurrence in certain amendments made by the Council in the Parliamentary Powers and Privileges Bill,—

Amends the amendment in clause 2, lines 24 and 25, by omitting therefrom the words "in front,"—in which amendment it requests the concurrence of the Legislative Council.

Disagrees from the Council's amendments in the third clause, and the omission of the sixth and seventh clauses,—because the privilege claimed by these provisions of the Bill as transmitted to the Legislative Council is not in excess of the privileges enjoyed by the Imperial Parliament, and not in excess of the powers which inherently belong to the Legislature of this Colony,—and

Agrees to the amendments made by the Council in other parts of the Bill.

Legislative Assembly Chamber,
Sydney, 5th March, 1879.

4. **PAPER**:—Sir Henry Parkes laid upon the Table,—By-laws of the Municipal District of Bourke. Ordered to be printed.
5. **GUMLY GUMLY COMMON**:—Mr. Hoskins presented a Petition from Land and Householders residing near Gumly Gumly Common, praying that this Common may be declared to be a public reserve. Petition received.
6. **CHIPPENDALE ROMAN CATHOLIC CHURCH LAND SALE BILL**:—Mr. O'Connor presented a Petition from John James Curran, John Williamson, and Patrick Mulcahy, praying for leave to bring in a Bill to enable the Very Reverend Samuel John Austen Sheehy, the Reverend Michael John Dwyer, John James Curran, John Williamson, and Patrick Mulcahy, as Trustees of certain Land on the Old Cook's River Road, in the parish of Petersham, to sell the said Land, and to provide for the application of the proceeds thereof. And Mr. O'Connor having produced the *Government Gazette* and the *Sydney Morning Herald*, newspaper, containing the notices required by the 59th Standing Order,—Petition received.
7. **RAILWAY TO ARMIDALE**:—Mr. Terry presented a Petition from Inhabitants of the City and District of Armidale, praying that a deviation may be authorized of the proposed route so that the Great Northern Railway may pass through the City of Armidale. Petition received.
8. **CLERK OF PETTY SESSIONS, MUDGEE (Formal Motion)**:—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That the Report of the Commissioner appointed to inquire into certain charges against the late Clerk of Petty Sessions at Mudgee, laid upon the Table on 22nd March, 1871, be printed. Question put and passed.
9. **CLAIM OF CONSTABLE RICHARD PEARD (Formal Motion)**:—Mr. Teece moved, pursuant to Notice, That the Correspondence and Documents in connection with the claim of Constable Richard Peard, under the Superannuation Act, laid upon the Table of the House and ordered to be printed on the 17th December, 1867, be referred to the Select Committee now sitting on the subject. Question put and passed.
10. **CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL**:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to incorporate the City of Goulburn Gas and Coke Company (Limited) and to enable the said City of Goulburn Gas and Coke Company (Limited) to construct Gas-works within the municipal boundaries and suburbs of the City of Goulburn*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 5th March, 1879.

JOHN HAY,
President.

CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL.
SCHEDULE of the amendments referred to in Message of 5th March, 1879.

JOHN J. CALVERT,
 Clerk of the Parliaments.

Page 1, preamble, line 1. *After* "Goulburn" *insert* "and its suburbs"
 " " " " line 13. *After* "until" *insert* "the said Company be"
 " 9, clause 24, lines 54 to 58. *After* "City" *omit* remainder of clause.
 " 10, " 25, line 7. *Omit* "1878"

Examined,—

J. GEO. LONG INNES,
 Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Friday next.

11. CHINESE IMMIGRATION REGULATION BILL:—The Order of the Day for the second reading of this Bill having been read,—Captain Onslow moved, pursuant to *Contingent* Notice, That the Chinese residents who have petitioned against the Chinese Immigration Regulation Bill be heard at the Bar of this House by their Counsel, Solicitor, or Agent.

Debate ensued.

Question put and passed.

Henry Burton Bradley, Esquire, Solicitor, was then, by direction of Mr. Speaker, conducted by the Sergeant-at-Arms to the Bar of the House, and having been informed by Mr. Speaker of the Resolution of the House under which he had been admitted, addressed the House on the subject under consideration,—and withdrew.

Sir Henry Parkes then moved, That this Bill be now read a second time.

Debate ensued.

Mr. Copeland moved, That this Debate be now adjourned.

Question put and passed.

Ordered, that the Debate be adjourned until to-morrow.

The House adjourned at Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 81.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 6 MARCH, 1879.

1 The House met pursuant to adjournment : Mr. Speaker took the Chair.

QUESTIONS :—

(1.) William Coggan's Auction Purchase :—Mr. McElhone asked the Secretary for Lands,—Did one Coggan apply for leave to make overdue payment on an auction purchase during the present month ; was such application refused ; and if so, what are the grounds for such refusal ?

Mr. Hoskins answered,—No such application has been received in the Department of Lands during the present month ; but, on 20th August, 1878, and on 9th September, 1878, William Coggan made an application to that effect. The application was refused because the balance of the purchase money was not received at the Treasury until the 9th September, 1878, whereas it was due on the 15th August, 1878, and the law does not give the Minister for Lands any power to remit the forfeiture of deposit when the balance is not paid within three months of land purchased at auction.

(2.) Public School, Grasstree :—Mr. McElhone asked the Minister of Justice and Public Instruction,—

(1.) What is the cause of the very great delay in erecting the Public School at Grasstree, near Muswellbrook ?

(2.) Is he aware that repeated applications have been made for this School for over three years, and that he promised when last in office that steps would be at once taken to erect it ?

(3.) Will he cause steps to be at once taken to have this School erected ?

Mr. F. B. Suttor answered,—

(1.) The delay appears to have been, in a measure, caused by the unavoidable exchange of instructions to surveyors in reference to measurement of the requisite site, &c.

(2.) Yes.

(3.) Yes ; the appropriation of the necessary site having now been sanctioned, steps will be taken for the erection of the School buildings at Grasstree without delay.

(3.) Tonkins's Conditional Purchase, Adelong :—Mr. McElhone asked the Secretary for Mines,—

(1.) Was a Petition received from the Inhabitants of Adelong in reference to the cancellation of Tonkins's selection, and throwing it open as a gold-field ; if so, what steps, if any, have been taken in the matter ?

(2.) Did Mr. Slee, Inspector of Mines, report on this matter ; if so, what was the nature of his report ?

Mr. Baker answered,—

(1.) A Petition was received in the month of December last from certain Inhabitants of Adelong, which was forwarded from the Lands Department to the Mining Department for report. No report has yet been made by the Mining Department in the matter.

(2.) The Inspector of Mines has not yet reported to the Mining Department respecting Tonkins's selection.

(4.) Governor's Signature to Crown Grants and Debentures :—Captain Onslow asked the Secretary for Lands,—Is it true that the Crown Grants are now stamped by lithographic or other process instead of being signed by His Excellency the Governor ?

Sir Henry Parkes answered,—

With the permission of the Honorable Member I will reply to this and his following Questions all in one answer, which, I think, will be more intelligible. The first Question which the honorable and gallant Member asks is, "Is it true that the Crown Grants are now stamped by lithographic or other process instead of being signed by His Excellency the Governor" ? And the next is, "Is it true that the Debentures are stamped instead of being signed by His Excellency the Governor" ? The honorable and gallant Member also asks, "Has the Attorney General been

been

been asked for, or has he given, any opinion as to the legality of a lithographic stamp being used for the purpose of signing Crown Grants or Debentures; if so, what is that opinion; and whether His Excellency the Governor is labouring under any severe indisposition, which renders it painful and inconvenient for His Excellency to sign with his own hand those Instruments which require his Sign Manual; if so, will the Government introduce a Bill similar in effect to the Statutes 11 Geo. IV and 1 Wm. IV, chap. 23, (*An Act to enable His Majesty to appoint certain persons to affix His Majesty's Royal Signature to Instruments requiring such Signature*)"? I find that in the year 1874 the signature of the Governor to all debentures was affixed by stamp. In the year 1875-6 the signature of the Governor was affixed by a stamp to all mineral licenses. In the year 1878 (last year) the signature of the Governor was affixed by a stamp to all duplicate deeds of Crown Grants. There is a duplicate of every grant issued, and to all the duplicates the signature was affixed last year by a stamp. At the beginning of this year this memorandum from the Lands Department was brought under my notice,—

"Urgent.
"Sir,

Department of Lands,
Sydney, 18 January, 1879.

"I am directed to inform you that there are now in this Department 7,000 deeds for signature, and that unless the same are signed before His Excellency the Governor leaves the Colony a heavy loss will be sustained, in addition to considerable inconvenience to the public.

"2. And I am to request that, in view of His Excellency's probable departure, you will move the Colonial Secretary to ask His Excellency if he will be pleased to say whether, in order to prevent the destruction of the deeds referred to, which will be unavoidable if they are not signed by him, he will receive more than the usual number per diem for signature.

"I have the honor to be, Sir,

"The Under Secretary,
"Colonial Secretary's Department.

"Your most obedient servant,
"W. W. STEPHEN.

"Immediate. Submitted,—18/1/79. His Excellency.

"I will see His Excellency on this subject on Monday.—H.P., 18/1/79."

That letter was sent to His Excellency on the same day with this minute:—"I will see His Excellency on this subject on Monday.—H.P." I had a conference with the Governor in consequence of receiving this letter, and I afterwards found that besides the 7,000 deeds of grant then lying in the Lands Department there were a considerable number lying in the Colonial Secretary's Office and at Government House, amounting to between nine and ten thousand altogether. I had a conversation with His Excellency, when he represented to me that it was absolutely impossible for him to complete these grants; and it was found that the inconvenience and loss would be very serious. The loss would not be simply that of the skins of parchment, but, as everybody knows, each grant has a small map charted upon it—the preparation of the documents causing considerable expense. In consequence of the conversation I had with the Governor, this letter was written to the Secretary of the Attorney General:—

"Sir,

"Colonial Secretary's Office,
"Sydney, 25th January, 1879.

"I am directed by the Colonial Secretary to request that he may be favoured with the opinion of the Attorney General on the question whether there would be any doubt as to the legality of the name of the Governor being stamped on deeds of land, instead of being written by His Excellency; and further, whether in such case the stamp must be used by the Governor himself, or could be used by a deputy under His Excellency's direction.

"I have, &c., for the U. S.,

"The Secretary to the Attorney General."

"WM. GOODMAN.

I hold in my hand the opinion of the Attorney General, dated 29th January last:—

Copy of Opinion.

"I am clearly of opinion that it is competent for the Governor to affix his signature to deeds by means of a stamp. Such a mode of signing documents has been held good, both under the Statute of Frauds and the Statute of Wills. The object of His Excellency's signature is to authenticate the document as issued with the sanction of the Crown, and that object is attained by the use of a stamp by His Excellency personally just as well as if he wrote his signature in the ordinary way.

"As Chief Justice Bovill observes, in the case of *Bennett v. Brumfitt* (37 L.J.C.P.25),—"Acts of signature are generally, if not universally, performed by instruments directed by the hand. There is no distinction between a stamp applied personally and a pen; in each case there is a personal act.' As a personal act is necessary, I do not think the stamp should be used by a deputy.

"In the case of a Minister using a stamp, I need not point out that whilst such a practice is perfectly legal, the utmost care should be taken that the stamp be kept under the sole and personal control of the Minister, as the mere existence of such an instrument affords a possibility of fraud much easier of successful accomplishment, and unattended by the probability of detection attaching to ordinary cases of forgery.

"29/1/79.

"W. C. WINDEYER, A.G."

Since that period the deeds have been stamped by an instrument directed by His Excellency's hand in accordance with this opinion. The Honorable Member asks—"Were any of the deeds or debentures to which a lithographic or other stamp has been affixed so stamped before the opinion of the Attorney General was asked or given, and how long before?" No deeds were stamped until this opinion was received. The Honorable Member also asks—"In whose custody is the lithographic stamp, and what persons are authorised to use it?" As I have already explained, it is used by the Governor himself, and it is kept under lock and key by the Governor himself. I do not know that there is any other information required by any of these questions.

(5.) Site for Post and Telegraph Office, Molong:—Mr. J. Davies asked the Colonial Secretary,—

(1.) Did the Colonial Secretary ever receive a petition through His Excellency the Governor from the Inhabitants of Molong, and signed by 119 householders, protesting against the site for the new Post and Telegraph Office; if so, has the Government arrived at any final decision in the matter; and if so, when and where is the new Post and Telegraph Office to be erected, and what is the cause of the delay in erecting the building?

(2.) Did the present Colonial Secretary ever, when on a visit to Molong, inspect the respective sites, or express his entire disapprobation of the ineligibility of the site chosen, and which the majority of the people of Molong (five to one), both by petition to the Postmaster General and His Excellency the Governor, protested against?

Sir Henry Parkes answered,—In reply to these questions I have received the following answers from the Postmaster General:—

(1.) Yes; on 27th June last such a petition was referred to the late Colonial Secretary. The late Government finally decided on 16th September last to erect the new Post and Telegraph Office on the site purchased by the late Postmaster General, namely,—lot 7 of section 26 of the town of Molong. Tenders are now invited for the building. The cause of the delay was the difficulty in deciding on a site, owing to conflict of opinion amongst the residents, which rendered it impossible to enter into a contract in time to prevent the Vote from lapsing on 31st December last.

(2.) With regard to the statement that a majority of the people of Molong protested against the site selected, the Postmaster General is of opinion that a majority of the inhabitants are in favour of that site. The Mayor, on behalf of the Progress Committee, has telegraphed stating that the site chosen is quite satisfactory to a large majority of the inhabitants. This site was, it may be added, only determined on after the most careful consideration. Two Postal Inspectors sent specially to Molong to report, also the Police Magistrate of Orange, reported in favour of it. It is within a few yards of the banks, principal hotels and stores, and not more than 400 yards from the other site mentioned as being in a suitable position.

With regard to the latter part of the question, I may say that when in Molong some four or five months ago I was asked to see these respective sites; and in my judgment the site that has been sanctioned is not nearly so eligible as the one on the higher part of the town. That opinion I have expressed on a document that was sent to me from Molong, and have forwarded to the Postmaster General.

(6.) Stationery for Local School Boards:—Mr. T. R. Smith asked the Minister of Justice and Public Instruction,—Are the Local School Boards supplied with stationery, or are they expected to provide it at their own expense?

Mr. F. B. Suttor answered,—Local School Boards are not supplied by the Council of Education with stationery.

(7.) Road from Canterbury to Saltpan Creek:—Mr. T. R. Smith asked the Secretary for Mines,—When will a Surveyor be sent to re-survey the road from Canterbury to the Saltpan Creek, in accordance with the Minister's promise to the Deputation which waited upon him on the subject?

Mr. Baker answered,—If the road referred to is the George's River Old Road, a preliminary notice has been published, under which objections can be lodged. When such objections (if any) shall have been dealt with, the question of re-survey will be considered.

2. SITE FOR POST AND TELEGRAPH OFFICE, MOLONG (*Formal Motion*):—Mr. J. Davies moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers, Petitions, Documents, Letters, Maps, Correspondence, and Minutes, &c., that have taken place with the Postmaster General respecting the selection of a site for a Post and Telegraph Office at Molong.

Question put and passed.

3. PARIS EXHIBITION (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Papers, Minutes, Correspondence, &c., in reference to the appointment of the Commissioner and Secretary to the Paris Exhibition.

Question put and passed.

4. CHINESE IMMIGRATION REGULATION BILL:—The Order of the day having been read for the resumption of the adjourned Debate, on the motion of Sir Henry Parkes, "That this Bill be now read a second time,"—

And the Question being again proposed,—

The House resumed the said adjourned Debate.

Question put, That this Bill be now read a second time.

The House divided.

Ayes, 31.

Sir Henry Parkes,	Mr. Baker,
Mr. Windeyer,	Mr. Tecce,
Mr. F. B. Suttor,	Mr. Greenwood,
Mr. Watson,	Mr. Thompson,
Mr. Lackey,	Mr. Garrett,
Mr. R. B. Smith,	Mr. Murphy,
Mr. Lucas,	Mr. O'Connor,
Mr. J. Davies,	Mr. McElhone,
Mr. Macintosh,	Mr. Roseby,
Mr. Copeland,	Mr. Eckford,
Mr. Hoskins,	Mr. Stephen Brown,
Mr. W. C. Browne,	Mr. Burns,
Mr. T. R. Smith,	
Mr. Barbour,	<i>Tellers.</i>
Mr. Beyers,	Mr. Badgery,
Mr. Hungerford,	Mr. H. H. Brown.
Mr. Cameron,	

Noes, 9.

Mr. Fitzpatrick,
Mr. W. H. Suttor,
Mr. Driver,
Mr. Stuart,
Captain Onslow,
Mr. Bowman,
Mr. Leary,

Tellers.

Mr. Charles,
Mr. W. Davies.

And so it was resolved in the affirmative.

Bill read a second time.

Sir

Sir Henry Parkes moved, That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole for the consideration of the Bill.

Debate ensued.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 7 MARCH, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Tuesday next.

The House adjourned at five minutes before One o'clock A.M., until Four o'clock P.M. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 82.

VOTES AND PROCEEDINGS.

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 7 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

ELECTORATE OF ORANGE:—Mr. Speaker informed the House, that upon the passing of the Resolution of the 11th ultimo, declaring the Seat of Edward Combes, Esquire, vacant, he had issued a Writ for the election of a Member to serve in the room of Mr. Combes, and that such Writ had been duly returned, with a certificate endorsed thereon by the Returning Officer of the election of Andrew Taylor Kerr, of Wellwood, near Orange, to serve as Member for the Electoral District of Orange.

2. QUESTIONS:—

(1.) Volunteer Land Orders:—*Mr. Barbour*, for *Mr. Lynch*, asked the Secretary for Lands,—

- (1.) Are unregistered Volunteer Land Orders accepted as legal payment for Crown Lands, notwithstanding No. 1 Regulation under the "Volunteer Force Regulation Act of 1867"?
- (2.) If so, has the opinion of the Crown Law Officers been taken on the legality of such payments?
- (3.) If such an opinion exists, will he lay it upon the Table of this House?

Mr. Hoskins answered,—

(1.) It is not the general practice to accept unregistered Volunteer Land Orders, but in some instances they appear to have been passed by the Land Agents and accepted. In one particular case recently, which was surrounded by special circumstances, the late Minister for Lands held that the non-registration of the Order was no bar to the selection.

(2.) An opinion was obtained from the Attorney General on the particular case just referred to.

(3.) The opinion will be laid upon the Table, together with the other papers in the case, in compliance with the Notice of Motion on the Business Paper for Tuesday next, in the name of the Honorable Member for the Upper Hunter.

(2.) Stock passing between New South Wales and Victoria:—*Mr. Simson* asked the Colonial Treasurer,—The number of sheep, cattle, and horses that have passed from New South Wales into Victoria, and from Victoria into New South Wales, respectively, during the year 1878?

Mr. Watson answered,—Passed from New South Wales into Victoria in 1878,—sheep, 486,904; cattle, 32,304; horses, 2,072. Passed from Victoria into New South Wales in 1878—sheep, 472,617; cattle, 5,324; horses, 717.

(3.) Courts of Petty Sessions at Mogil Mogil and Baradine:—*Mr. Dangar* asked the Minister of Justice and Public Instruction,—

(1.) What arrangements have been made for holding Courts of Petty Sessions at Mogil Mogil and Baradine, and how often have the Police Magistrates of Walgett and Coonabarabran been instructed to attend these places?

(2.) The number of times they have already attended each place?

Mr. F. B. Suttor answered,—

(1.) The Police Magistrate at Walgett was instructed by letter from the Department, dated 13th April, 1878, to visit Mogil Mogil once a month; and the Police Magistrate at Coonabarabran was instructed by letter, dated 26th July, 1878, to attend at Baradine once every two months.

(2.) *Mr. Hales*, Police Magistrate, Walgett, reports he has attended at Mogil Mogil four times since opening of Court, the land sales having prevented him from attending more frequently. *Mr. Edwards*, Police Magistrate, Coonabarabran, reports that he has attended the Baradine Court three times since its opening.

(4.) Railway to Monaro:—*Mr. Thompson* asked the Secretary for Public Works,—With reference to the Trial Surveys for a Railway from the Great Southern Railway to Monaro,—

(1.) Was the survey of a line from Bungendore to Carwoola and *via* Burra Creek to Michelago undertaken at the request of the inhabitants of the district, or by whom was it recommended?

(2.) Is he aware that the line referred to for the greater portion of its length skirts a mountainous, barren, and thinly-populated country, and should it be adopted for the Monaro Railway that the town and district of Queanbeyan would derive but little benefit therefrom?

Mr.

Mr. Lackey answered,—

(1.) No. It was recommended to the Engineer-in-Chief for Railways for Trial Survey by the Assistant Engineer for Trial Surveys.

(2.) No. The country will compare favourably with any on the surveyed lines through Queanbeyan, although the line referred to would pass 9 miles eastward of that town.

- (5.) Governor's Signature to Crown Grants and Debentures :—*Mr. Cameron*, for Captain Onslow, asked the Attorney General,—Is it not the case that Mr. Justice Willes, in the same case of *Bennett v. Brunfitt*, to which the Attorney General alludes, states : “ That personal signature was “ only considered necessary in the case of the Royal Sign Manual, which is said to be distinguished “ from every ordinary signature. This led to a special Act of Parliament in the reign of Geo. IV, “ to enable His Majesty, who was labouring under very severe indisposition, which rendered it “ painful and inconvenient for him to sign with his own hand Instruments which required the Royal “ Sign Manual, to appoint certain persons to affix it by means of a stamp” ?

Mr. Windeyer answered,—Yes ; but such observations are in no way inconsistent with my opinion with reference to the signature of deeds by the Governor, inasmuch as the Governor's signature is not the Royal Sign Manual, and His Excellency's signature by means of a stamp is a personal signature. The special Act referred to by Mr. Justice Willes was to enable another person to sign for His Majesty.

- (6.) Messrs. H. T. Edwards and Hyam Joseph :—*Mr. Cameron*, for Mr. J. Davies, asked the Minister of Justice and Public Instruction,—Will he cause to be laid upon the Table of this House a Return from the C.P.S. of Bombala showing the number of cases of Messrs. H. T. Edwards and Hyam Joseph, Justices of the Peace for the District of Bombala, in which they have sat during the years 1876, 1877, and 1878, and the name and dates of cases and particulars of the offences ?

Mr. F. B. Suttor answered,—Yes, if the Honorable Member will move for the required Return in the customary manner.

- (7.) Daniel Coward's Conditional Purchase at Tambar Springs :—*Mr. Dangar* asked the Secretary for Lands,—

(1.) What decision has been arrived at in the case of conditional purchase of D. Coward, Menjilah, Tambar Springs, Gunnedah District ?

(2.) Is it intended to cancel that portion of Travelling Stock Reserve No. 666, or allow other measurements to be substituted ?

(3.) Is the Minister aware that no one, not even the surveyor who measured this conditional purchase, knew that this Reserve existed, and that Coward's three years for improvement is nearly up ?

(4.) Will Coward get the ground, or his case be included in the Bill to be introduced to legalize certain conditional purchases ?

Mr. Hoskins answered,—Daniel Coward's original and additional conditional purchases have been found to involve questions of some intricacy, arising from their partial interference with a travelling stock reserve, and separation by a frontage creek. A report dealing fully with the case has recently been received from the Survey Branch, and a decision thereupon will be arrived at with as little delay as possible.

- (8.) Patrick O'Neal's Conditional Purchase on Binnaguy Run :—*Mr. Dangar* asked the Secretary for Lands,—

(1.) Did Patrick O'Neal, of Pallamallawa, Big River, select at Warialda Land Office about six months ago 300 acres of land on Binnaguy Run, and pay £75 cash deposit thereon ?

(2.) Was this land previously selected, and did O'Neal apply to the Minister to be allowed another portion of land 1 mile from his first selection, which has since been taken up by some one else ?

(3.) Has O'Neal made application for a refund of his deposit ; and how is it that it has not been returned, and when will it be ?

(4.) Is the Minister aware of the great inconvenience conditional purchasers suffer in the delay of a refund of their deposits, as is instanced in this case, by O'Neal not having his money returned to enable him to secure the portion of land taken up by another, and in many cases conditional purchasers having no other means ?

Mr. Hoskins answered,—

(1.) Yes.

(2.) Yes.

(3.) An application was received for refund of deposit on the 14th ultimo. An order for refund was forwarded to the applicant on the 26th ultimo.

(4.) Delay is sometimes experienced in obtaining the information necessary for disposal of claims. There is no delay in the refund of deposits when the facts are found to warrant it.

3. PETITION OF PATRICK AND MICHAEL GRIFFIN :—*Mr. Greville*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report the Petition of Patrick and Michael Griffin was referred on 22nd October, 1878.

Ordered to be printed.

4. TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL (*Formal Motion*) :—

(1.) *Mr. Driver* moved, pursuant to Notice, for leave to bring in a Bill to declare the law as to the effect of transfers before grant of lands conditionally purchased under the Acts regulating the alienation of Crown Lands.

Question put and passed.

(2.) *Mr. Driver* presented a Bill, intituled “ *A Bill to declare the law as to the effect of Transfers before grant of Lands conditionally purchased under the Acts regulating the alienation of Crown Lands,* ”—which was read a first time.

Ordered to be printed, and read a second time on Friday next.

5. PAPER :—*Sir Henry Parkes* laid upon the Table,—Return to an Order made on 4th February, 1879,—“ *Water Supply for Sydney and Suburbs.* ”

Ordered to be printed.

6. **BANKERS BOOKS EVIDENCE BILL**:—The Order of the Day having been read for the resumption of the adjourned Debate on the motion of Mr. Lackey, "That this Bill do now pass,"—
And the Debate not being resumed,—
Question put, That this Bill do now pass.

The House divided.

Ayes, 14.

Sir Henry Parkes,	Mr. Greenwood,
Mr. Watson,	Mr. W. Davies,
Mr. Windeyer,	Mr. Roseby,
Mr. F. B. Suttor,	Mr. Beyers,
Mr. Lackey,	<i>Tellers.</i>
Mr. Hungerford,	Mr. Copeland,
Mr. Baker,	Mr. W. C. Browne.
Mr. Simson,	

Noes, 15.

Mr. Fitzpatrick,	Mr. Murphy,
Mr. Cohen,	Mr. Bennett,
Mr. Driver,	Mr. McElhone,
Mr. J. Davies,	Mr. Barbour,
Mr. O'Connor,	<i>Tellers.</i>
Mr. Gray,	Mr. Greville,
Mr. Cameron,	Mr. Shepherd.
Mr. Thompson,	
Mr. Day,	

And so it passed in the negative.

Mr. McElhone moved, That the Order of the Day be discharged.

Debate ensued.

Question put and passed.

Ordered, that the Bill be withdrawn.

7. **POSTPONEMENT**:—The Order of the Day in reference to the Roads Bill postponed until Friday next.

8. **MARRIED WOMEN'S RELIEF BILL**:—The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill. Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.

On motion of Mr. Windeyer, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled "*An Act to amend the Law relating to the Rights and Liabilities of Married Women.*"

Legislative Assembly Chamber,

Sydney, 7th March, 1879.

9. **SMALL DEBTS ACT FURTHER EXTENSION BILL**:—The Order of the Day having been read,—on motion of Mr. O'Connor, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had disagreed to one, and agreed to all the other amendments made by the Council in the Bill.

Mr. O'Connor moved, "That" the report be now adopted.

Mr. Pilcher moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Council's amendments be recommitted for the purpose of reconsidering the amendment made in clause 1."

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

Debate ensued.

Question put and passed.

Question,—That the report be now adopted,—put and passed.

10. **MUDGEES TURF CLUB BILL**:—The Order of the Day having been read,—Mr. J. Davies moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 28.

Sir Henry Parkes,	Mr. Beyers,
Mr. Watson,	Mr. Greville,
Mr. Windeyer,	Mr. Bennett,
Mr. Lackey,	Mr. Thompson,
Mr. Hoskins,	Mr. Garrett,
Mr. F. B. Suttor,	Mr. Cohen,
Mr. Macintosh,	Mr. Greenwood,
Mr. J. Davies,	Mr. Badgery,
Mr. Cameron,	Mr. O'Connor,
Mr. Copeland,	Mr. Driver,
Mr. Fitzpatrick,	Mr. Day,
Mr. Stuart,	<i>Tellers.</i>
Mr. W. C. Browne,	
Mr. Roseby,	Mr. Dangar,
Mr. Leary,	Mr. Moses.

Noes, 5.

Mr. Barbour,
Mr. W. Davies,
Mr. Tecco,
<i>Tellers.</i>
Mr. Shepherd,
Mr. McElhone.

And so it was resolved in the affirmative.

Bill read a second time.

On motion of Mr. Davies, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday next.

11. METROPOLITAN RAILWAY EXTENSION BILL:—Mr. Lackey presented a Bill, intituled "*A Bill to enable the Government to construct a Railway from the present Railway Terminus at Redfern to the waters of Port Jackson and to grant the necessary powers to resume land for the purposes thereof,*"—which was read a first time.
Ordered to be printed, and read a second time on Wednesday, 19th March.
12. POSTPONEMENT:—The Order of the Day for the second reading of the Adulteration of Food Prevention Bill postponed until Friday, 21st March.
13. CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL:—The Order of the Day having been read,—on motion of Mr. Teece, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.
On motion of Mr. Teece, the report was adopted.
Ordered, that the following Message be carried to the Legislative Council:—
- MR. PRESIDENT,
- The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled "*An Act to incorporate the City of Goulburn Gas and Coke Company (Limited) and to enable the said City of Goulburn Gas and Coke Company (Limited) to construct Gas-works within the municipal boundaries and suburbs of the City of Goulburn.*"
- Legislative Assembly Chamber,
Sydney, 7th March, 1879.*
14. POSTPONEMENTS:—The following Orders of the Day postponed:—
(1.) Public Education; resumption of adjourned Debate;—*until Friday, 28th March.*
(2.) Marsupials Destruction Bill; to be further considered in Committee;—*until Friday next.*
15. PRESS BILL:—The Order of the Day having been read,—Mr. W. Davies moved, That this Bill be now read a second time.
Mr. Windeyer moved, That this Debate be now adjourned.
Question put and passed.
Ordered, that the Debate be adjourned until Friday, 28th March.

The House adjourned at three minutes before Seven o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 83.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 11 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MEMBER SWORN:—Andrew Taylor Kerr, Esquire, having taken and subscribed the Oath, and signed the Roll of the House, took his Seat as Member for the Electoral District of Orange.

2. QUESTIONS:—

(1.) Temporary Inspectors of Conditional Purchases:—Mr. McElhone asked the Secretary for Lands,—

(1.) What amount of money has been paid to each Temporary Inspector of Conditional Purchases since they were appointed, and their names?

(2.) The amount now due to each?

(3.) The travelling expenses paid to each of them?

(4.) The amount of travelling expenses now due to each of them?

Mr. Hoskins answered,—The information asked for by the Honorable Member can be more clearly and conveniently given in the shape of a Return, which I will presently lay upon the Table.

(2.) Bridge across the Murray River, at Howlong:—Mr. Day asked the Secretary for Public Works,—Is it the intention of the present Government to place a sum of £5,000 on the Supplementary Estimates for 1879, in accordance with the promise of the late Government, for the purpose of defraying one-half the cost of a wooden bridge across the Murray River at the township of Howlong, the Victorian Government subscribing the other half?

Mr. Lackey answered,—The Government have not yet arrived at a decision on this point. There is no record of any promise having been given by the late Government in this matter.

(3.) Quat Quatta Reserve:—Mr. Day asked the Secretary for Lands,—

(1.) Has Mr. Commissioner Rose sent in his report and the evidence taken before him at Corowa in December last, with respect to the Quat Quatta Reserve dispute?

(2.) As this is a most important case and has been so long standing, and as all the evidence that can be got is now in the hands of the department, will he decide the case either one way or the other, and when may a decision be expected?

Mr. Hoskins answered,—

(1.) Yes.

(2.) The matter, which is very complicated, is now engaging my attention, with a view to further action being taken.

(4.) Auction Purchases by Messrs. Jennings and Shanahan:—Mr. Barbour asked the Secretary for Lands,—Did Mr. Jennings, or Messrs. Jennings and Shanahan, once or oftener during the present year, apply for leave to make an overdue payment on auction purchases; was the application allowed, and will he give the number of acres?

Mr. Hoskins answered,—Yes, on one occasion, which, under the explanation afforded, I allowed. The area was 180 acres.

(5.) Police Superannuation Fund:—Mr. Roseby asked the Colonial Secretary,—

(1.) What is the amount now at the credit of the Police Superannuation Fund; how and where is it invested, and at what rate of interest?

(2.) Who are the persons who have the management and distribution of this Fund?

(3.) What amount has been paid into the Fund by the members of the Force; what received from fines; and what accrued from interest during the last ten years?

(4.) What was the amount paid into this Fund by the late Inspector General of Police, and how much did his widow receive from it after his decease?

(5.) Do the officers and men both receive the same proportion to what they have paid in?

(6.)

(6.) What amount has been paid by the men to the Medical Officer of the Police Force each year during the last ten years, and how much has he received during the same period from the Government?

(7.) Are the men supplied with copies of the Regulations of the Superannuation Fund, and furnished annually with a detailed report of the receipts and disbursements for the year?

(8.) When a man has paid into this Fund for ten, fifteen, twenty, or twenty-five years, what moiety is he entitled to, and can he claim the amount and retire from the Force, or what pension could he claim to receive if incapacitated for active service?

(9.) Is it true that a man who is receiving the small pension allowed from this Fund is prohibited from entering into any kind of business or employment to support himself and his family?

(10.) Is the Colonial Secretary aware that considerable dissatisfaction is felt by the Members of the Force at the manner in which the Police Superannuation Fund is carried out, and that it is interfering very seriously with the efficiency of the Force, and will he cause inquiry to be made into the grievances here referred to?

Sir Henry Parkes answered,—

(1.) £21,984 13s. 9d. at credit of Police Reward and Superannuation Funds on 31st December, 1878; invested in Government Debentures, £19,200 at 5 per cent.; balance in Treasury, £2,784 13s. 9d.

(2.) The funds are administered in accordance with the Act of Parliament (25 Vic. No. 16). All claims for pensions, gratuities, or rewards are submitted to a Board consisting of the Inspector General of Police, a Police Magistrate, and a Superintendent of Police, who report to the Government.

(3.) Contributions, £34,494 6s. 9d.; fines, £30,834 12s. 9d.; interest, £11,555 11s. 5d.

(4.) £401 8s. 2d. paid in exclusive of interest. The sum of £1,333 6s. 8d. was paid to the widow, being the gratuity fixed by the Act.

(5.) Yes.

(6.) The members of the Police Force do not pay anything to the Police Surgeon, who has received a salary of £200 per annum during the past ten years.

(7.) The Regulations are contained in the Act of Parliament, together with an Appendix to the Police Rules, and the receipts and disbursements of the funds are published quarterly (in the Treasurer's Statement of Public Accounts) in the *Government Gazette*.

(8.) A member of the Police Force must either have attained the age of 60 years, or be certified by the Police Medical Board to be unfit for further service, before he would be entitled to any consideration from the Fund. For service under fifteen years gratuities are paid equal to one month's pay for each year of service, with an additional month's pay for each year's service above ten and under fifteen. Pension for service above fifteen years and under twenty, half pay. Pension for service above twenty years and under twenty-five, two-thirds of pay. Pension for service above twenty-five years and under thirty, three-fourths of pay. Pension for service above thirty years, full pay. If disabled by wounds, &c., received in the execution of duty, special allowances or pensions may be granted without reference to length of service.

(9.) No.

(10.) I am not aware that any such dissatisfaction exists. In individual cases no doubt members of the Force have been disappointed at not obtaining pensions when applied for. The total amount now paid annually for pensions is £7,473, of which only £450 is for superannuated officers. The funds have been inadequate to meet the claims without realising the investments, and the assistance derived from the extra 1 per cent., voluntarily contributed by officers and men. Suggestions have been made to various Governments for placing the funds on a more healthy and satisfactory basis, for which legislation would be necessary. These answers are signed, Edmund Fosbery, Inspector General of Police.

(6.) Water Supply on Road between Inverell and Warialda:—Mr. Dangar asked the Secretary for Public Works,—

(1.) Is the Minister aware that between the townships of Inverell and Warialda, a distance of 40 miles, there is no water, which retards communication very seriously between these two districts, rendering carriage very high,—Warialda and the outlying districts being thus prevented from procuring flour, forage, &c., from Inverell, which they could do if this obstacle was removed?

(2.) Will there be any objection to place a sum on the 1879 Supplementary Estimates to construct a watering-place, tank, or well between these two townships, an excellent place for either being half-way, at Gibson's Gate?

Mr. Lackey answered,—

(1.) No report to this effect has been made to the Government. The Honorable Member's note on this subject was received only on the 6th instant. A report will be at once obtained.

(2.) The matter will be considered before the Supplementary Estimates are framed.

(7.) Road between Tamworth and Bingera:—Mr. Dangar asked the Secretary for Public Works,—

(1.) Is he aware that a great portion of the road between Tamworth and Bingera has not yet been cleared of the timber, and in consequence great danger attends persons travelling by the mail coach, which now travels the greater portion of this road at night?

(2.) Will steps be taken forthwith to clear this road?

Mr. Lackey answered,—

(1.) Some portion of the road has not been cleared. The vote of 1879, as far as possible, will be applied to do the clearing, which is most required.

(2.) Yes, as far as funds voted will admit.

(8.) Police Station at Boggabilla:—Mr. Dangar asked the Colonial Secretary,—Has a Police Station been formed at Boggabilla, in accordance with the promise recently made by the late Colonial Secretary; and if not, why not?

Sir Henry Parkes answered,—Police buildings are now in course of erection at Boggabilla, and when completed the station will be formed.

(9.) Post and Telegraph Office, Jerry's Plains:—Mr. W. C. Browne asked the Secretary for Public Works,—When will Tenders be invited for the erection of a Post and Telegraph Office at Jerry's Plains?

Mr. Lackey answered,—Tenders for the erection of this building have been invited in this day's *Gazette*.

(10.) Additional Clerks for Conditional Purchase Branch, Department of Lands:—Mr. W. C. Browne asked the Secretary for Lands,—Will he have any objection to lay upon the Table of this House a copy of the application made to the late Minister for Lands for twenty-two additional Clerks for the Conditional Purchase Branch, which was referred to the late Land Commission for inquiry and report?

Mr. Hoskins answered,—There will be no objection.

(11.) Site for School at Back Creek:—*Mr. Garrett*, for Mr. Copeland, asked the Secretary for Lands,—

(1.) What is the date of the Council of Education's application for a site for a School at Back Creek, Barrington Gold Fields?

(2.) Has the site been granted; and if not, what is the reason of the delay?

Mr. Hoskins answered,—

(1.) 4th December, 1878.

(2.) The non-receipt of Plan and Report from the Surveyor. As the case appears to be a very urgent one, I have directed that a Surveyor be specially sent to the locality to measure the land without delay.

(12.) Mr. Oliver, Inspector of Land Offices:—Mr. McElhone asked the Secretary for Lands,—

(1.) Mr. Oliver having stated in Return lately laid upon the Table of this House that he travelled 1,200 miles in twenty-one days when on his late trip, when he stayed to see the Melbourne Races,—Is he aware that over 1,000 miles of this distance was performed by rail, which would not occupy over three days?

(2.) Is it not a fact that he spent a week at Melbourne Races, and not four days, as stated in his report?

Mr. Hoskins answered,—

(1.) It will be seen on reference to the Return alluded to by the Honorable Member that Mr. Oliver has not stated that he travelled only 1,200 miles in twenty-one days, but that he travelled that distance (or rather 1,210 miles) between the 5th and 21st November, *i.e.*, in fifteen days. The total distance travelled in the twenty-one days was 1,594 miles. It would have been simply impossible for Mr. Oliver (the route he had to travel) to get over 1,000 miles by rail in three days, as apparently supposed by the Honorable Member.

(2.) No.

3. PAPERS:—

Mr. Hoskins laid upon the Table,—

(1.) Return showing Fees paid to Temporary Inspectors of Conditional Purchases; the amount of Fees due to each; the Travelling Expenses paid to each; and the amount of Travelling Expenses now due to them.

(2.) Report of the Commission appointed to inquire into and report upon the administration and working of the Lands and Survey Departments; together with Minutes of Evidence, and observations by the Under Secretary for Lands relative to the Report.

(3.) Return to an Order made on 4th March, 1879,—“Land Office at Albury.”

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—

(1.) Twenty-second Annual Report from the Municipal Council of Sydney on Sewerage and Water Supply, being for the year 1878.

(2.) Papers relating to the Financial Condition of the Sydney Corporation.

Ordered to be printed.

Mr. Watson laid upon the Table,—Despatch respecting Sydney Branch Royal Mint.

Ordered to be printed.

4. CHINESE IMMIGRATION REGULATION BILL:—Mr. Hungerford presented a Petition from J. M. O'Connell, Chairman of a Public Meeting of Residents of Sydney, praying that the restrictions in the penal clauses of this Bill may be increased.

Petition received.

5. LAND TAKEN UP BY MEMBERS OF PARLIAMENT BY AFTER AUCTION SELECTIONS (*Formal Motion*):—

Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House, a Return showing the names of Members of Parliament who have taken up land by after auction selection during the years 1875, 1876, 1877, and 1878,—such Return to show the counties and parishes such after auction selections were situated in, the dates on which they were taken up, and the area of each after auction selection, and the total area of the same.

Question put and passed.

6. WILLIAM CONSTABLE'S CONDITIONAL PURCHASES (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House, a copy of all Correspondence, Minutes, &c., in reference to the conditional purchase of 100 acres of William Constable, of Begerabong, Forbes, taken up on the 12th of August, 1869; also the like in regard to two conditional purchases of 50 and 100 acres, taken up on 19th November, 1874, and 13th May, 1875.

Question put and passed.

7. C. A. GOODCHAP'S CONDITIONAL PURCHASE AT SPRINGWOOD (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House, copies of all Correspondence between the Government and any person or persons with reference to C. A. Goodchap's conditional purchase of 40 acres 2 roods at Springwood; also all documents having reference to the forfeiture

forfeiture and re-selection of the said conditional purchase; and all correspondence and other papers in the possession of the Government with reference to any claim or claims preferred by any person or persons to the possession of the said conditional purchase.
Question put and passed.

8. **AMENDMENT OF THE LAND LAW:**—Mr. McElhone moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions,—

- (1.) That, in the opinion of this House, in any Land Bill introduced into this House it would be advisable to divide the Colony into Agricultural and Pastoral Districts.
- (2.) That no land should be sold by auction in the Agricultural Districts, or by any other way than by free selection.
- (3.) That in the Squatting Districts the squatters should have a lease of their runs for (say) fourteen years, to enable them to recoup themselves for outlay in effecting improvements, but that they should not have the power to purchase any land leased to them by auction or otherwise, and that no free selection should be allowed in the Pastoral Districts.
- (4.) That the Government shall have the right to resume any quantity of the lands leased to the squatters which shall be required for public purposes, and that for any land so resumed the Government shall pay the lessees compensation, to be fixed by arbitration; and to provide funds for this purpose they shall be empowered to levy a tax on stock, similar to the tax levied under the Scab in Sheep Act, which shall be used for the purpose of paying the Crown lessees for any leased lands taken from them during the currency of their leases.
- (5.) That in consideration of the Crown lessees being given a definite lease of their runs in the Squatting Districts, they should be compelled to pay a fair additional rent for their runs in consideration for the security of tenure given to them.
- (6.) That the following rates should be paid as a fair rental, viz., 2s. 6d. per head on all horned cattle, 2s. 6d. per head on horses, and 4d. per head on sheep, per annum,—on each horned beast, horse, or sheep carried on each run leased to them.

Debate ensued.

And it being Seven o'clock, Government Business was proceeded with.

9. **ADDITIONAL JUDGE OF THE SUPREME COURT:**—Mr. Windeyer moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to authorize the appointment of an additional Judge of the Supreme Court.
Debate ensued.

Question put.

The House divided.

Ayes, 31.

Sir Henry Parkes,	Mr. Barbour,
Mr. Watson,	Mr. Bennett,
Mr. Windeyer,	Mr. Teece,
Mr. F. B. Suttor,	Mr. H. H. Brown,
Mr. Lackey,	Mr. Greenwood,
Mr. Baker,	Mr. Kerr,
Mr. Macintosh,	Mr. Hoskins,
Mr. W. C. Browne,	Mr. Bowman,
Mr. Sinson,	Mr. Cameron,
Mr. Webb,	Mr. Driver,
Mr. Thompson,	Mr. R. B. Smith,
Mr. Garrett,	Mr. J. Davies,
M. Beyers,	<i>Tellers.</i>
Mr. Groville,	
Mr. W. H. Suttor,	Mr. Shepherd,
Mr. Cohen,	Mr. Copeland.
Mr. Eckford,	

Noes, 5.

Mr. Terry,
Mr. Jacob,
Mr. McElhonn,

Tellers.

Mr. Stephen Brown,
Mr. O'Connor.

And so it was resolved in the affirmative.

10. **SMALL DEBTS ACT FURTHER EXTENSION BILL:**—Ordered, on motion of Mr. O'Connor, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 19th February, 1879, requesting its concurrence in certain amendments made by the Council in the Small Debts Act further Extension Bill,—

Disagrees from the amendment in clause 1,—Because it would not be possible at all times to procure the attendance of a Stipendiary Magistrate, and suitors would thus be put to very considerable inconvenience and delay; and because the amendment would have the effect of depriving suitors of the benefit of the ability and services of unpaid Justices, a large number of whom have served the country for years.

Agrees to the other amendments made by the Council in the Bill.

Legislative Assembly Chamber,

Sydney, 11th March, 1879.

11. **JOHN BYRON:**—Mr. Macintosh presented a Petition from John Byron, representing that he served for many years in the Police Force of this Colony, and applied for a pension under the Police Superannuation Act, which was refused on the ground that his length of service did not entitle him to it; and praying the House to take his case into consideration.
Petition received.

12. **POSTPONEMENTS:**—The Orders of the Day Nos. 1 and 2 of Government Business postponed until to-morrow.
13. **SUPPLY:**—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
-

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 12 MARCH, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at ten minutes before One o'clock, a.m., until Four o'clock, p.m., This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 84.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 12 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Road from Kelloshiel to Sofala Road:—Mr. W. H. Suttor asked the Secretary for Public Works,—

(1.) How much money has the Commissioner for Roads now on hand to credit of the road from Kelloshiel to the road from Sofala to Hill End?

(2.) Is he aware that it is desirable to expend some of the grant for this road on that portion between the Turon River and the Hill End Road?

Mr. Lackey answered,—

(1.) Balance of 1878 Vote unexpended, £907 6s. 1d.; Vote of 1879, £1,500; in all, £2,407 6s. 1d.

(2.) Yes; plans and sections for the improvement of the portion of road referred to are now under consideration, preparatory to carrying out the work.

(2.) Main Western Road, Blue Mountains:—Mr. T. R. Smith asked the Secretary for Public Works,—

(1.) The date when the Main Western Road at the Blue Mountains was last repaired?

(2.) Will he give instructions to have the disgraceful state of this road seen to without further delay?

Mr. Lackey answered,—

(1.) I am not in a position to reply to this question, but I have directed that the information be obtained from the local Road Officer.

(2.) Whatever repairs the traffic may require will be made as far as the funds voted will admit.

(3.) Railway Passenger Fares:—Mr. T. R. Smith asked the Secretary for Public Works,—

(1.) In reference to the general reduction of the Passengers Railway Fares, how is it that the season tickets for the Main Western Line remain unaltered in amount?

(2.) Will he see to a proportionate reduction of the said season rates?

Mr. Lackey answered,—

(1 and 2.) The season ticket rates were reduced some little time since, and they bear favourable comparison for cheapness with the rates charged in the neighbouring Colonies, or even on the English Railway Lines. For a quarterly season ticket to Penrith, for instance, the charge is £7 17s. 3d., and to a holder travelling daily the fare there and back would amount to 1s. 9d. per diem. The ordinary fare for the double journey is 11s. 6d.

(4.) Train to the Blue Mountains:—Mr. T. R. Smith asked the Secretary for Public Works,—Is it his intention to provide a Train to the Blue Mountains a little earlier than the present late Mail Train which took the place of one leaving Redfern before at 6.10 p.m., and which was deferred without reference to the convenience of those resident at the Blue Mountains?

Mr. Lackey answered,—A Train in addition to the Mail Train cannot be run; but the question whether the Mail Train can be started earlier, with advantage to the public, will receive early consideration.

(5.) Post and Telegraph Office, Merriwa:—Mr. McElhone asked the Secretary for Public Works,—

(1.) What is the cause of the great delay in commencing to build the new Post and Telegraph Office at Merriwa?

(2.) When is it likely that the work will be commenced?

Mr. Lackey answered,—

(1.) The delay has been caused in consequence of a difficulty in regard to foundations necessitating a quantity of extra work, for which the contractor has given a tender now under consideration.

(2.) Instructions will be given for having the work commenced at once. (6.)

- (6.) Mr. Coggan's Auction Purchase :—Mr. McElhone asked the Secretary for Lands,—
- (1.) Is it not a fact that he refused to allow one Coggan to pay up the balance of purchase money on land bought at auction, on the ground that he had not paid it in three months from time of sale, as required by law, from the time of purchase?
 - (2.) Is it not also a fact that he has allowed Mr. P. Jennings to pay up the balance on an auction purchase in which the balance had not been paid within three months from the time of sale, as required by law?
 - (3.) On what grounds is the law administered in a different manner to these two persons, as has been done, and is it usual to give different decisions in similar cases, as has been done in these two cases?

Mr. Hoskins answered,—

- (1.) It is a fact. The balance of purchase money was due on 15th August, 1878, and was not tendered to be paid into the Treasury until 10th September, 1878.
 - (2.) It is a fact. The balance of purchase money was due on 2nd February, 1879, and was received at the Treasury on 7th February, 1879.
 - (3.) In the case of Mr. Coggan, the balance was tendered at the Treasury on 10th September, or twenty-six days after it was due. In the case of Mr. Jennings, the auction sale took place at Deniliquin, and as it was explained that the balances on auction purchases were usually paid by the agent in the country, who purchased on Mr. Jennings's behalf, but that after the sale, the agent (Mr. Davidson) left the Colony for Queensland, and the papers were left by him with Mr. Jennings, with the understanding that the three months expired on 22nd February, on which date the three months on other auction sales expired; and Mr. Jennings's time being so much taken up as Executive Commissioner of the International Exhibition, the error in date escaped his notice, until when, on 7th February, he went to the Treasury to pay the balances on both sales. I approved of the amount being credited.
- (7.) Wharf Accommodation, Newcastle :—Mr. Johnston asked the Colonial Treasurer,—Has application been made for wharf accommodation at Newcastle for River Passenger Steamboats plying on the Hunter and Williams; is it the intention of the Government to grant the required accommodation; if so, what is the cause of delay?

Mr. Watson answered,—The application has been referred to the Department of Public Works, with a view to ascertain the possibility of complying with the wishes of the applicants.

- (8.) Police Barracks and Post and Telegraph Offices, Walgett :—Mr. Dangar asked the Secretary for Public Works,—Are the new Police Barracks and Post and Telegraph Offices at Walgett to be erected of brick or wood?

Mr. Lackey answered,—Both buildings are to be of brick. Tenders have been accepted in each case.

- (9.) Namoi-Narrabri Timber Reserves :—Mr. Dangar asked the Secretary for Lands,—Have the reports from the Surveyors and others relative to the Narrabri and Namoi Timber Reserves, as promised in reply to Question 11, on 8th October, 1878, been laid upon the Table of this House; if not, when will they be?

Mr. Hoskins answered,—No, but they will be laid upon the Table as early as practicable.

- (10.) Road from Clarence Town and Raymond Terrace Road :—Mr. Jacob asked the Secretary for Lands,—What is the cause of delay in publishing the further *Gazette* notification relative to the road from the Clarence Town and Raymond Terrace Road, the preliminary proclamation regarding which appeared in the *Gazette* of 25th October, 1878?

Mr. Hoskins answered,—The cause of delay is an objection by the Reverend W. S. Donald, who claims the cost of fencing, estimated at £105 12s.

- (11.) Clerk of Petty Sessions, Brewarrina :—Mr. Coonan asked the Minister of Justice and Public Instruction,—Is it the intention of the Government to appoint a Clerk of Petty Sessions at Brewarrina; if so, when?

Mr. F. B. Suttor answered,—A gentleman has lately been appointed Clerk of Petty Sessions at Brewarrina, subject, in respect of payment of salary, to the sanction of Parliament, in due course, and that officer has reported that he entered upon the duties of his office on the 7th March, instant.

- (12.) Bridge over the Castlereagh River, at Coonamble :—Mr. Coonan asked the Secretary for Public Works,—Is it the intention of the Government to place a sum of money on the Supplementary Estimates for the construction of a bridge over the Castlereagh River, at Coonamble?

Mr. Lackey answered,—No; the Local Road Officer's report is to the effect that a bridge over the river here is not required, as it would be inaccessible in floods, and would not be on the main line of traffic; but he states that a bridge over Coonamble Creek is required, and further inquiries are now being made as to cost, &c. As, however, the crossing of the river is represented as a dangerous one, an iron boat has been constructed and will be forwarded this week to Coonamble.

- (13.) Mr. Parnell, Registrar General's Office :—Mr. Day asked the Colonial Secretary,—

(1.) Is it true that one of the best and most efficient junior clerks in the Registrar General's Office, named Parnell, who has been in the Service for the last four years, and has given entire satisfaction to his superior officers, has tendered his resignation in consequence of the Government having refused to raise his salary above £75 per annum?

(2.) Is it the intention of the Government to serve all the junior clerks in the Public Service who have served four years faithfully in the same way?

Sir Henry Parkes answered,—Mr. Parnell, a clerk in the Registrar General's Office, has resigned his situation, stating that private employment offers him greater advantages. It is not correct that the sum to raise his salary from £75 a year was removed from the Estimates. It stands upon the Estimates at the present time,—the proposal to raise the salary from £75 to £100,—but of course it has not yet been voted.

(14.) Barrington Gold Field :—Mr. McElhone asked the Secretary for Mines,—Is it a fact that Mr. Johnston, the Member for The Williams, has put in a claim, or made application, for a reward for the discovery of the Barrington Gold Fields; if so, has he any objection to lay a copy of the claim or application upon the Table of the House?

Mr. Baker answered,—No, but notice of the discovery of the Barrington Gold Field was sent to the Department of Mines on the 8th of July, 1876, by Mr. Johnston. If the Honorable Member deems it expedient to move for the papers relating to this matter they will be laid upon the Table of the House.

2. ADDITIONAL JUDGE OF THE SUPREME COURT:—The following Message from His Excellency the Governor was delivered by Mr. Windéyer, and read by Mr. Speaker:—

HERCULES ROBINSON,
Governor.

Message. No. 43.

In accordance with the provision contained in the 54th clause of the Constitution Act, the Governor recommends to the Legislative Assembly to make provision for the salary of an additional Judge of the Supreme Court.

*Government House,
Sydney, 12th March, 1879.*

Ordered to be printed, and taken into consideration in Committee of the Whole.

3. PAPERS :—

Sir Henry Parkes laid upon the Table,—Detailed Statement of Expenditure for the Defences of the Colony, showing proposed Expenditure for 1879.
Ordered to be printed.

Mr. Lackey laid upon the Table,—

- (1.) Return to an Order made on 7th November, 1878,—“Railway from the Clarence to New England.”
 - (2.) Return to an Order made on 25th September, 1878,—“Land taken for Railway Purposes.”
- Ordered to be printed.

4. CHINESE IMMIGRATION REGULATION BILL:—Mr. Coonan presented a Petition from the President and Officers of the New South Wales Political Reform Union, praying that this Bill may be so amended as to add to its stringency and effectiveness.
Petition received.

5. TOURISTS RAILWAY MAP (*Formal Motion*):—Mr. Macintosh moved, pursuant to Notice, That there be laid upon the Table of this House a copy of the “Tourists Map” attached to the Railway Report for 1877, showing, by various tints, the alienations to date, with nature thereof, areas, dates, and alienees; also, by separate tints, the lands at present reserved and resumed, with the dates of such reservation or resumption, the areas, dates, and present objects of the same, and the trustees of the said reserves.
Question put and passed.

6. MR. W. A. DUNCAN, COLLECTOR OF CUSTOMS (*Formal Motion*):—Mr. W. C. Browne moved, pursuant to Notice, That there be laid upon the Table of this House a copy of all Correspondence, Minutes, and other Documents having reference to the leave of absence of Mr. W. A. Duncan, Collector of Customs, and the appointment of an Acting Collector.
Question put and passed.

7. APPOINTMENTS MADE BY MR. GARRETT IN THE DEPARTMENT OF LANDS (*Formal Motion*):—Mr. Garrett moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing,—

- (1.) The names of all persons appointed by him as Officers of the Lands Department, or by the Governor and Executive Council, during his administration of the said department; whether such appointments were temporary or permanent.
- (2.) The number of such persons who have been dismissed, for what cause, and by what Minister or Government.
- (3.) The rate of pay each of such persons received upon being appointed.
- (4.) The present status of those of such persons who now remain in the Public Service.
- (5.) If they have been promoted, by what Minister or Government.

Question put and passed.

8. BALANCES DUE ON AUCTION PURCHASES (*Formal Motion*):—Mr. Garrett moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing,—

- (1.) The number of cases during the last six years up to the present date in which parties have been allowed to pay the balance due on their auction purchases after the three months prescribed by law from date of sale had expired.
- (2.) The names of the parties to whom such privilege was granted in each case.
- (3.) The number of cases (during the period named in section 1 of this question) in which the privilege of paying the same description of balance has been refused.
- (4.) The names of the parties to whom such privilege was denied.
- (5.) The name of the Minister who dealt with each such application.

Question put and passed.

9. AMENDMENT OF THE PATENT LAW:—Mr. Windéyer moved, pursuant to Notice, That this House will, on Thursday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the law relating to Patents for Inventions and Improvements in Arts or Manufactures.
Question put and passed.

10. **ORANGE TOWN HALL SITE SALE BILL:**—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable the Municipal Council of Orange to sell the present and provide another Site for a Town Hall,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 12th March, 1879.*

JOHN HAY,
President.

11. **POSTPONEMENTS:**—The Orders of the Day Nos. 1, 2, and 3 of Government Business, postponed, to follow after Order No. 4.
12. **ADDITIONAL JUDGE OF THE SUPREME COURT:**—The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to authorize the appointment of an additional Judge of the Supreme Court.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
Ordered, that the reception of the Resolution stand an Order of the Day for to-morrow.
13. **CHINESE IMMIGRATION REGULATION BILL:**—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 13 MARCH, 1879, A.M.,

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at half-past One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 85.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 13 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MESSAGES FROM THE GOVERNOR:—The following Messages from His Excellency the Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker:—

- (1.) Animals Protection Bill:—

HERCULES ROBINSON,
Governor.

Message No. 44.

A Bill, intituled "*An Act to secure the protection of certain Birds and Animals*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 12th March, 1879.

- (2.) Moore's Estate Bill:—

HERCULES ROBINSON,
Governor.

Message No. 45.

A Bill, intituled "*An Act to enable the Trustees of the Will of William Gosling Moore to sell and lease certain lands and to make provision for the disposal and investment of the proceeds*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 12th March, 1879.

2. QUESTIONS:—

- (1.) Arrears of Rent on pre-leased land due by Mr. James Tyson:—Mr. McElhone asked the Secretary for Lands,—What amount is due to the Government for arrears of rent due upon pre-leased land in the occupation of Mr. James Tyson?

Mr. Hoskins answered,—The rent of Mr. Tyson's pre-emptive leases is not in arrear, although the rent for the current year was tendered after the prescribed time, and the payment was authorized by the late Minister for Lands on 15th November last. A second payment has also been made for the same leases for the current year in Mr. Tyson's behalf in error by the Commercial Bank. The last amount has been suspended, and will be refunded.

- (2.) Volunteer Land Orders:—Mr. McElhone asked the Attorney General,—When will he give his opinion as to the legality of any persons other than those to whom Volunteer Land Orders were granted taking up land in virtue of being the holders of such Volunteer Land Orders?

Mr. Windeyer answered,—To-morrow.

- (3.) Boundaries of Commons:—Mr. Teece asked the Secretary for Lands,—Will he give instructions that in future the boundaries of Permanent as well as Temporary Commons shall be gazetted?

Mr. Hoskins answered,—Instructions have been issued for the proclamation in future of the boundaries of Permanent as well as Temporary Commons.

(4.)

(4.) Court-houses and Lock-ups at Bingera and Warialda:—Mr. Dangar asked the Minister of Justice and Public Instruction,—

(1.) Referring to Votes and Proceedings 12th November, 1878, and reply thereto,—Has or will the necessary inquiry be made, and will the required additions and alterations be added to the Court-houses and Lock-ups at Bingera and Warialda, so that District Courts and Quarter Sessions may be held at those places, as promised?

(2.) Were the plans and particulars of the work required for the Warialda Court-house and Lock-up forwarded some months ago to the Colonial Architect, with instructions for the work to be done, and what is the cause of delay in doing so?

(3.) What is the cause of District Courts and Quarter Sessions not being held at Bingera and Warialda, and when will they be?

(4.) Is the Minister aware some twenty-five persons from Warialda had to attend the last Sessions at Tamworth on account of the non-holding of Courts at these places, involving expense to the country and much inconvenience to those interested?

Mr. F. B. Suttor answered,—

(1.) Plans have been approved for additions to both the buildings named, and tenders are about to be invited for the Warialda work. A sum has been included in Additional Estimates for the additions to Bingera Court-house, and tenders will shortly be invited.

(2.) Plans for additions to the Court-house and Lock-up at Warialda have only recently been approved, and authority given for defraying the cost from the general Vote for Gaols and Court-houses. A form of notice inviting tenders for the work has been forwarded for insertion in the *Government Gazette*.

(3.) It will be found on reference to *Government Gazette* of 7th February last, that Courts of Quarter Sessions were proclaimed to be holden at Bingera on Friday, the 2nd of May next, and on Friday, the 31st of October next; and at Warialda on Monday, the 5th of May next, and on Monday, the 3rd of November next; and it will be seen on reference to Supplement to the *Government Gazette* of 9th December, 1878, that District Courts were notified to be holden at Bingera on Friday, the 2nd of May next, and Friday, the 31st of October next; and at Warialda on Monday, the 5th of May next, and on Monday, the 3rd of November next.

(4.) No, I am not aware.

(5.) Military and Volunteer Forces:—Mr. J. Davies asked the Colonial Secretary,—

(1.) What is the total number of men that have joined the Military Forces under the new Regulations?

(2.) What is the number of Volunteers under the old Regulations still connected with the Force?

(3.) What is the strength of the Permanent Force, including officers?

(4.) What is the cost per head for each member of the Force, including rations, &c.?

Sir Henry Parkes answered,—

(1.) The total number of all ranks is 1,214, out of 1,790 on Estimates.

(2.) 1,374 remained on the roll on the 1st January, 1879, since which date some have left. The precise number, however, could not be ascertained under some days, the Returns for current quarter not being due until end of this month.

(3.) The actual strength at present time is 351.

(4.) About £97.

(6.) Railway Contracts:—Mr. McElhone asked the Secretary for Public Works,—

(1.) What was the actual amount of the tender of the Contract for Railway,—1. Goulburn to Wagga; 2. Bathurst to Orange; 3. Murrurundi to Tamworth?

(2.) What was the actual cost for each length above the tender?

(3.) What was the cost of putting in water-ways near Cootamundra after completion of the contract?

Mr. Lackey answered,—

(1.) The only contract which has been finally measured, and a settlement made with the contractor, is contract No. 1, from Goulburn to Yass; Mr. Daniel Williams, contractor. The estimated amount of the original tender was £194,766 6s. 1d., but this sum did not include the cost of straightening rails, boxing up road, station arrangements at Gunning and Yass platforms, sidings, water supply at Goulburn, Fish River, and Yass. These additional works cost nearly £23,000. The balance is made up by extra earthworks, bridges, &c. The amount paid to Mr. Williams under this contract was £247,646 0s. 5d.

(2.) The cost of the other contracts cannot be given until the works have been finally measured, and the contractor's accounts settled.

(3.) The term "near Cootamundra" is too indefinite to admit of the question being answered with the accuracy which I should desire. In stating the cost some culverts might be included to which no reference was intended; and others might be omitted, the cost of which the Honorable Member might desire to know. If a defined distance was named, the information could be furnished.

(7.) Rails for Sydney Tramway.—Condemned Rails, Newcastle:—Mr. Cameron asked the Secretary for Public Works,—

(1.) Is it the intention of the Government to call for tenders for the supply of rails for the Tramway to be laid from the Redfern Station into the City?

(2.) When is it likely that tenders will be invited for the purchase of the condemned rails and scrap-iron (about 100 tons) at Newcastle and Honeysuckle Point?

Mr. Lackey answered,—

(1.) An offer has already been accepted for the supply of these rails.

(2.) Inquiry will be made as to the quantity of old material which has accumulated since the last sale, and it will either be disposed of by tender or sold at auction.

(8.) Parramatta Volunteers:—Mr. Taylor asked the Colonial Secretary,—Is he aware that Captain Byrnes, of the Parramatta Volunteers, holds in his possession certain moneys, which in the case of all the other Companies have been ratably divided between the members connected with the old Force, and although a petition has been presented to him by the members, asking that the same course of procedure may be pursued as in all the other Companies, he has treated the said petition with contempt, and refuses to give any statement as to the disbursement of the Company's funds during the years 1877 and 1878?

Sir Henry Parkes answered,—I am not aware what are the exact circumstances in this case, but I will see that inquiry is at once made.

(9.) Railway Station, Dubbo:—Mr. Coonan asked the Secretary for Public Works,—When do the Government intend calling for tenders for the erection of the necessary buildings for the Railway Station at Dubbo?

Mr. Lackey answered,—Tenders will be invited next month.

(10.) Post and Telegraph Office, Coonamble:—Mr. Coonan asked the Secretary for Public Works,—When do the Government intend calling for tenders for the erection of the Post and Telegraph Office, Coonamble?

Mr. Lackey answered,—A plan for this building is now under consideration, and if approved tenders will be invited without delay.

(11.) Railway to Shepherd's Creek:—Mr. Coonan asked the Secretary for Public Works,—Is it the intention of the Government to open the Railway to Shepherd's Creek, on the Wellington route, in view of the forthcoming Exhibition?

Mr. Lackey answered,—This portion of the line cannot be opened without the consent of the Contractor, with whom there has been no time to communicate.

(12.) Mrs. Hall's Conditional Purchase on Bingera Run:—Mr. Dangar asked the Secretary for Lands,—

(1.) Did Mrs. M. A. Hall, of Bingera, select on 21st March, 1878, 40 acres on Bingera Run?

(2.) Has such application been refused, the land being within the boundaries of a water reserve?

(3.) Has Mrs. Hall had a refund of her money; if not, will it be refunded, and when, in order to enable her to select other land?

Mr. Hoskins answered,—

(1.) Yes.

(2.) Yes, on the 19th August, 1878.

(3.) An order for refund of the deposit was forwarded to the applicant on the date mentioned.

(13.) Waters's Conditional Purchase, Bingera:—Mr. Dangar asked the Secretary for Lands,—Has Waters, of Bingera, received his deposit on 90 acres of land, taken up there some nine months ago; if not, when is it likely he will be refunded such?

Mr. Hoskins answered,—There are several applications in the name of Waters, one of which (probably the one referred to by the honorable gentleman) has been cancelled. This application by Alfred Waters, dated 13th December, 1877, was declared void on the 22nd November, 1878, and a refund order forwarded to the applicant on the same date.

(14.) Offices adjoining Custom-house, Newcastle:—Mr. W. C. Browne asked the Secretary for Public Works,—

(1.) Has notice been given to the Coal Proprietors or Managers whose unsightly offices adjoin the new Custom-house at Newcastle to remove them?

(2.) Is it a fact that the same persons have applied for other sites on Government land in the neighbourhood, on which they propose to erect offices; and if so, is it the intention of the Government to comply with their request?

Mr. Lackey answered,—

(1.) Yes, and they have been removed.

(2.) Yes, and land has been leased to them for this purpose.

(15.) Inspectors of Permanent Way:—Mr. W. C. Browne asked the Secretary for Public Works,—

(1.) What salaries and allowances are given to the Inspectors of Permanent Way on the Southern, Western, and Northern Railways respectively?

(2.) Did the late Cabinet approve of Mr. James Duffy, Inspector of Permanent Way on the Northern Line, being placed on the same salary and allowance as the Southern and Western Inspectors?

(3.) Have the present Cabinet refused to sanction this decision; and if so, why?

(4.) What length of time has each Inspector been employed in the Government Service?

Mr. Lackey answered,—

(1.) On the South and West Lines there are,—one Inspector at £300 a year; two Inspectors at £5 10s. per week. On the Northern Line,—one Inspector (Mr. Duffy) at £275 a year.

(2.) On the Estimates of the late Government the salary for Mr. Duffy was increased from £275 to £300 a year.

(3.) Without reference to this special case, it was decided by the Government that the question of increases should be postponed; consequently the salary for Mr. Duffy, in common with many others in which increases had been proposed, was placed on the Estimates for 1879 at the rate voted for 1878.

(4.) Joseph Lewton, twenty years and seven months; Richard Waring, nineteen years and three months; James Duffy, nineteen years and two months; John Hollis, fifteen years and eleven months.

(16.) Police Barracks, Singleton:—Mr. W. C. Browne asked the Secretary for Public Works,—

(1.) Why is the work of the erection of the Police Barracks at Singleton not being proceeded with?

(2.) Have any representations been made to the present or the late Government with a view of altering the recommendations of the Officers of the Government with regard to the site or erection of these buildings; and if so, by whom?

(3.)

(3.) Has any communication been made alleging such representation to have been made, as set forth in question 2; and if so, by whom?

(4.) Has he any objection to lay a copy of the document upon the Table of this House?

Mr. Lackey answered,—

(1.) The contractor has been delayed through having to make the bricks required for the work, and has in consequence asked for an extension of time.

(2.) I am not aware of any representations having been made to this effect; the site referred to was purchased on the recommendation of the Inspector General of Police.

(3.) Such a communication has been made by Mr. W. J. Dangar.

(4.) There is no objection to lay a copy of this letter upon the Table.

3. RAILWAY FROM GOULBURN TO COOMA:—Mr. Greville presented a Petition from Inhabitants of the Town and District of Braidwood, in favour of constructing a Branch Railway from Goulburn to Cooma, *via* Braidwood.
Petition received.

4. PAPERS:—

Mr. Hoskins laid upon the Table,—Abstract of Crown Lands reserved from Sale until Surveyed for the Preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Vic. No. 1.

Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—Return to an Order made on 18th February, 1879,—“Convictions for Vagrancy.”

Ordered to be printed.

5. ADJOURNMENT:—Mr. Copeland moved, That this House do now adjourn.
Debate ensued.

Disorder.—PRIVILEGE:—During the progress of the Debate, and while the Honorable Member for the Upper Hunter was addressing the House, Mr. Charles Kidman, who was in the Strangers Gallery, exclaimed “It is a lie.”

And Mr. Kidman having been removed from the Gallery by order of Mr. Speaker,—

Sir Henry Parkes moved, That “the Attorney General be instructed to take proceedings” against Mr. Charles Kidman for the outrage committed by him in the Legislative Assembly Chamber this day, by exclaiming in the midst of the deliberations of the said Assembly “It is a lie.”

Debate ensued.

Dr. Bowker moved, That the Question be amended by the omission of the words “the Attorney General be instructed to take proceedings,” with a view to the insertion in their place of the words “the matter be referred to the Law Officers of the Crown to report whether any and what proceedings can be taken”

Debate continued.

Proposed amendment, by leave, withdrawn.

Original Question put and passed.

Debate on the motion, That this House do now adjourn,—resumed.

Question put and negatived.

6. VALEDICTORY ADDRESS TO HIS EXCELLENCY SIR HERCULES ROBINSON:—Sir Henry Parkes (*by consent*) moved, without Notice, and Mr. Fitzpatrick seconded the motion,—

(1.) That a Select Committee be appointed to prepare an Address to His Excellency Sir Hercules Robinson on his departure from the Colony.

(2.) That such Committee consist of Mr. Lackey, Mr. Fitzpatrick, Mr. Stephen Brown, Mr. Stuart, Mr. Cohen, and the Mover.

Question put and passed.

And the Committee retired to prepare the Address.

Sir Henry Parkes having brought up the Address prepared by the Committee, the same was read by the Clerk, by direction of Mr. Speaker, as follows:—

To His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,—

On the retirement of your Excellency from the high position of Governor of New South Wales, we, the Members of the Legislative Assembly in Parliament assembled, desire respectfully to express our sense of your able administration of the Government of the Colony, and of your courtesies in your intercourse with us during your more than usually long period of office.

We desire also to assure your Excellency that we fully recognize the desire you have at all times evinced to promote the welfare of all classes of the population, and the interest you have taken in the industrial and commercial progress of the Colony.

In now bidding farewell to your Excellency we would beg to assure you of the continued interest which we shall feel in your Excellency's career after you have left our shores, and of our earnest hope that the administrative ability which has already won for you so many distinguished marks of the confidence reposed in you by Our Most Gracious Majesty will be accompanied by all the happiness and public esteem which worth of character commands.

Sir Henry Parkes then moved, and Mr. Fitzpatrick seconded the motion, That the Address as read by the Clerk be now adopted, and be presented by Mr. Speaker to His Excellency the Governor.

Debate ensued.

Question put.

The

The House divided.

Ayes, 41.

Sir Henry Parkes,	Mr. Greenwood,
Mr. Watson,	Mr. H. H. Brown,
Mr. Windeyer,	Mr. O'Connor,
Mr. Lackey,	Mr. Burns,
Mr. Baker,	Mr. T. R. Smith,
Mr. F. B. Suttor,	Mr. Thompson,
Mr. J. Davies,	Mr. Webb,
Captain Onslow,	Mr. Garrett,
Mr. Fitzpatrick,	Mr. Moses,
Mr. Roseby,	Mr. Jacob,
Mr. Driver,	Mr. Copeland,
Mr. Clarke,	Mr. Simson,
Mr. Stephen Brown,	Mr. Bennett,
Mr. Lynch,	Mr. Macintosh,
Mr. Eckford,	Mr. Coonan,
Mr. Murphy,	Mr. Day,
Mr. Barbour,	Mr. Leary,
Mr. Boyers,	
Mr. W. H. Suttor,	<i>Tellers.</i>
Mr. Cameron,	Mr. W. C. Browne,
Mr. Hoskins,	Mr. Badgery.
Mr. Kerr,	

Noes, 2.

Tellers.

Mr. Terry,
Mr. McElhone.

And so it was resolved in the affirmative.

7. PATENTS LAW AMENDMENT BILL :—
- (1.) The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the law relating to Patents for Inventions and Improvements in Arts or Manufactures.
- Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution which was read as follows :—
- Resolved*,—That it is expedient to bring in a Bill to amend the law relating to Patents for Inventions and Improvements in Arts or Manufactures.
- On motion of Mr. Windeyer, the Resolution was read a second time, and agreed to.
- (2.) Mr. Windeyer presented a Bill, intituled "*A Bill to amend the Law relating to Patents for Inventions and Improvements in Arts or Manufactures*,"—which was read a first time.
- Ordered to be printed, and read a second time on Tuesday next.
8. SUPREME COURT (ADDITIONAL JUDGE) BILL :—
- (1.) The Order of the Day having been read,—the Chairman of Committees reported from a Committee of the Whole a Resolution, which was read a first time, as follows :—
- Resolved*,—That it is expedient to bring in a Bill to authorize the appointment of an Additional Judge of the Supreme Court.
- On motion of Mr. Windeyer, the Resolution was read a second time, and agreed to.
- (2.) Mr. Windeyer presented a Bill, intituled "*A Bill to provide for the appointment of an Additional Judge of the Supreme Court*,"—which was read a first time.
- Ordered to be printed, and read a second time on Tuesday next.
9. POSTPONEMENT :—The Order of the Day No. 3 of Government Business postponed, to follow after Order No. 4.
10. REDFERN TO HUNTER-STREET TRAMWAY BILL :—
- (1.) The Order of the Day having been read,—on motion of Mr. Lackey, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider the expediency of bringing in a Bill to enable the Government to construct a Tram-road from the Redfern Railway Station to Hunter-street, Sydney.
- Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
- Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.
- The Chairman then reported the Resolution, which was read a first time, as follows :—
- Resolved*,—That it is expedient to bring in a Bill to enable the Government to construct a Tram-road from the Redfern Railway Station to Hunter-street, Sydney.
- On motion of Mr. Lackey, the Resolution was read a second time, and agreed to.
- (2.) Mr. Lackey presented a Bill, intituled, "*A Bill for the construction of a Tram-road from the Redfern Railway Terminus to Hunter-street, Sydney*,"—which was read a first time.
- Ordered to be printed, and read a second time on Thursday next.
11. FELONS APPREHENSION ACT AMENDMENT BILL :—Mr. Speaker reported the following Message from the Legislative Council :—
- MR. SPEAKER,
- The Legislative Council having this day passed a Bill, intituled "*An Act to amend the 'Felons Apprehension Act of 1879'*,"—presents the same to the Legislative Assembly for its concurrence.
- Legislative Council Chamber,
Sydney, 13th March, 1879.
- JOHN HAY,
President.
- Bill, on motion of Sir Henry Parkes, read a first time.
- Ordered to be printed, and read a second time on Tuesday next.

12. CHINESE IMMIGRATION REGULATION BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
-

And the Committee continuing to sit till after Midnight,—

FRIDAY, 14 MARCH, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments. Ordered, that the adoption of the report stand an Order of the Day for Tuesday next.

The House adjourned at a quarter after Twelve o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 86.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 14 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Road from Dangar Bridge to the Narren River:—*Mr. Dangar*, for *Mr. Hungerford*, asked the Secretary for Mines,—Is it intended to direct the District Surveyor to mark a direct road from the Dangar Bridge over the Barwin River, near Walgett, to the Narren River *via* Cumborah Springs and the Grawin?

Mr. Baker answered,—A report has been asked for relative to this road, but has not yet been received. The Surveyor was reminded on 9th December, 1878, and upon receipt of his report it will be decided what further action shall be taken in the matter.

- (2.) Baratta Run:—*Mr. Barbour* asked the Secretary for Mines,—

(1.) What is the name of the appraiser who valued Baratta Run, Murrumbidgee District, on 8th June, 1878; was it the same person who valued North Baratta about the same time, and is he a Government officer?

(2.) Does he know of any reason for valuing Baratta at £1 5s. 7½d. per 640 acres,—possessing natural advantages of river frontage, and two creeks, and rich land, carrying a sheep to 1½ acre,—and valuing North Baratta at £2 13s. per section, without natural water?

(3.) Were these valuations made by the Government official by himself, acting in a double capacity as agent for the Crown lessee as well as for the Government, or was there another valuator for the lessee, and was it finally determined by a third squatter as umpire?

(4.) Was it the same appraiser who valued this run in 1874 or 1875, when £2 10s. per section was fixed as its value?

(5.) Has about one-half of the original area of this run been alienated at a cost of some 25s. an acre, and is he satisfied that the Crown Lands which adjoin and are of equal value can be truly appraised at one half-penny per acre?

(6.) Do the papers disclose that the appraiser made the declaration that he would faithfully and honestly act in making the appraisement, and is the Minister satisfied that he did so act, and will he authorize this appraiser to make any more valuations?

Mr. Baker answered,—

(1.) Colonel Blomfield, Commissioner for the District. Yes. Yes.

(2.) No. The Baratta Run has not been so valued. The rent of £65, which would be at the rate of £1 5s. 7½d. a section (of 640 acres) for the present area of Baratta, was fixed when the area of that run was estimated at 16,820 acres, which would be at the rate of £2 9s. 5½d. a section, but 13,338 acres have since reverted to the run under clause 19 of the Amendment Act. The lessee having applied for a fresh appraisement of his run under the 27th Regulation, the rent for 1879 was determined at £127, which is at the rate of £2 10s. 0½d. a section.

(3.) Yes. Government appraiser, with the concurrence of Crown lessee.

(4.) No.

(5.) The Officers of the Mining Department are unable to give the Honorable Member information respecting the cost at which part of the original area of this run has been alienated. Lands which adjoin the alienated land referred to have been appraised at the yearly rent of nearly one penny per acre.

(6.) The appraiser made the declaration in terms of the Act. Under the existing mode of valuation the appraisement does not seem to be unsatisfactory, and there does not appear to be any reason why the appraiser alluded to should not make more valuations.

(3.)

- (3.) Land Sale at Deniliquin :—Mr. Barbour asked the Secretary for Lands,—
- (1.) Referring to auction sale advertised for 2nd April next at Deniliquin, lot Q lapsed conditional purchase of James Holmes,—Why are the improvements not added to the upset price?
 - (2.) Lot R, conditional purchase of John Boyd,—Why are the improvements not added to upset price?
 - (3.) Sale 9th April, lot F, conditional purchase of David Caldwell,—Why are no improvements added to the upset price?
 - (4.) Sale 16th April, lot B, William Holmes; lot C, F. Hyde; lot E, John Klemm; lot F, Amy Tulk; lot G, Mary Klemm; all lapsed or forfeited conditional purchases,—Why are the valuations of improvements not added to upset price?
 - (5.) Will he re-advertise the land for auction sale, adding valuation for improvements to the upset price?

Mr. Hoskins answered,—From the Report of the Inspector of Conditional Purchases it appears that there are no traces of either habitations or improvements upon the lapsed conditional purchases of James Holmes, David Caldwell, William Holmes, Frederick Hyde, and Mary Klemm. There are improvements upon the lapsed conditional purchases of John Boyd, John Klemm, and Amy Tulk; and consequently the land has been withdrawn from sale, and will be offered at a future date with the price of the improvements added to the upset price of the land. The omission of the addition of the value of the improvements to the upset price of the land in the cases last mentioned was the result of an oversight in the Auction Branch of the Survey Office.

- (4.) Applications for Land in virtue of Improvements :—Mr. Barbour asked the Secretary for Lands,—
- (1.) Have any steps been taken by the Department of Lands, either before or since his accession to office, to direct the attention of the appraisers of land applied for in virtue of improvements to the fact that the minimum upset price of land at auction since the beginning of 1878 has been £1 5s. per acre, and that one of the regulations under the Land Act states that the valuation shall not be less than the auction price?
 - (2.) Have any reports of valuations been received by the Department since January, 1878, fixing the value below the auction price; how many of such reports have been returned with instructions to re-appraise the land on the new basis of value?

Mr. Hoskins answered,—

- (1.) No. The price of improved land is determined by appraisal, and the award is final. The minimum price is fixed by law at £1 per acre. The minimum upset price of land to be sold by auction has not been altered by any regulation.
 - (2.) No such reports have been received, and no new basis of value has been made.
- (5.) Railway Bridge over the Murray :—Mr. Barbour asked the Secretary for Public Works,—
- (1.) Is it true that the Victorian Government communicated with our Government on the 30th July, 1878, relative to the near approach of the completion of the bridge over the Murray, connecting Moama with Echuca; if so, was anything done by our Government in the way of framing Regulations, anticipating the opening, and when were these submitted to Victoria?
 - (2.) Is he aware that the Railway Trains did not run over the bridge until one month after our Government are said to have been communicated with, and that the reason why the train was permitted to cross before the complete finishing of the bridge for traffic was owing to the dangerous state of the temporary bridge?
 - (3.) Did the New South Wales Government inform Victorian Government on the 6th September last that the Engineer-in-Chief would examine bridge and prepare Regulations; if so, why was that not done during the four months that followed; and if done, would it not have prevented the forcing of the opening by the inhabitants, and so maintained law and order?

Mr. Lackey answered,—

- (1.) A communication to that effect was received prior to that date, and on the 4th December a Commission was appointed by the late Government to deal with the question.
 - (2.) The Government is aware that without authority from, or any intimation whatever to, the New South Wales Government, the Chief Engineer of the Victorian Railways opened the bridge for Railway traffic before its completion, and that the Minister for Victorian Railways confirmed the action taken. The letter advising the completion of bridge is dated Melbourne, 20th January, 1879.
 - (3.) In reply to a letter from Mr. Labertouche to the Commissioner for Railways, Sydney, intimating that the opening of a bridge for Railway traffic had been authorized by the Victorian Government, a telegram was sent by the Colonial Secretary, Sydney, to the Chief Secretary, Victoria, that he could not sanction the opening of the bridge until it had been inspected by the Engineer-in-Chief, and regulations for its use had been agreed upon by both Governments. The loss of time was quite unavoidable, in consequence of the pressing nature of the other duties of the Officers on the Commission, and of the routine delay in communicating with another Government.
- (6.) Baratta Run :—Mr. Barbour asked the Secretary for Lands,—
- (1.) What action has been taken in regard to a communication made to him more than a month ago setting forth that land applied for by Henry Ricketson, lessee of Baratta Run, under the improvement clause, was a forfeited conditional purchase of Wm. Chapman, and that he was not lessee of that particular land at the time the improvements were made?
 - (2.) As there are some forty or fifty of such cases on this run, will he give instructions to the officer in charge of the Improvement Branch that before any improvement applications on this run are entertained investigation be made; and if forfeited conditional purchases, to order that the improvements be valued and the land be put up to auction, with the valuations added to the upset price?

Mr. Hoskins answered,—

- (1.) The subject of the communication in question has been referred for the report of Inspector Street and Appraiser Keelc and Surveyors Finlay and Rigaut.
- (2.) All cases of this nature will be fully investigated and the necessary action taken.

(7.) Pension of Michael Fitzpatrick, Esq. :—*Mr. W. H. Suttor*, for Mr. Cohen, asked the Colonial Secretary,—

(1.) What is the amount of the pension paid to Michael Fitzpatrick, Esq., the Member for Yass Plains ?

(2.) For what period, and under what authority, is such pension payable to him ?

Sir Henry Parkes answered,—

(1.) I find that the amount of pension paid to Michael Fitzpatrick, Esq., Member for Yass Plains, is £426 13s. 4d. per annum.

(2.) I am informed that the pension is paid for life, by the authority of the Governor in Council, under the provisions of the Act 36 Victoria No. 39.

(8.) Police Buildings, Moree :—*Mr. Dangar* asked the Colonial Secretary,—

(1.) Is it the intention of the present Government to place a sum of money, sufficient for the purposes, on the Supplementary Estimates of 1879, in accordance with the promise of the late Government, for the erection of new Police Quarters, Lock-up, &c., at Moree, which are urgently required, and which sum, though promised, was omitted to be placed on 1878 Estimates ; or will a sum be granted out of the general vote for Public Buildings ?

(2.) If the latter, when will tenders be invited for this work ?

Sir Henry Parkes answered,—

(1.) The sum of £2,000 for erection of Lock-up and Keeper's Quarters at Moree is provided on printed Estimates now before Parliament.

(2.) Plans will be prepared and tenders invited for the work when the money is voted.

(9.) Messrs. Cropper and Carne, Inspectors of Conditional Purchases :—*Mr. W. C. Browne* asked the Secretary for Lands,—The number of reports on conditional purchases received from Inspectors Charles Cropper and T. B. Carne, respectively, during the present year ?

Mr. Hoskins answered,—109 reports received from Inspector Cropper ; 132 reports received from Inspector Carne.

(10.) Wahgunyah Bridge at Corowa :—*Mr. Day* asked the Secretary for Public Works,—

(1.) Has any communication taken place between this Government and the Government of Victoria respecting the purchase of the Wahgunyah Bridge at Corowa ?

(2.) Did the people of Corowa send in a Petition, signed by all sections of the community in that locality, respectfully requesting the Government to make provision on the Estimates for one-half the cost of the said bridge, and setting forth that the Victorian Government had promised to subscribe the other half ?

(3.) Under the circumstances, is it the intention of the Government to comply with the reasonable prayer of the Petitioners, to enter into negotiations with the Victorian Government for the purchase of the said bridge ?

Mr. Lackey answered,—

(1.) Yes ; the Chief Secretary of Victoria wrote on the 5th November, 1877, asking for the views of the Government of New South Wales on this question, and was informed in reply that it was not considered desirable to purchase the bridge, especially as tolls has been abolished in this Colony.

(2.) The people of Corowa petitioned that the bridge might be made free of toll, but there is no reference to any promise of the Victorian Government to pay half the purchase money.

(3.) The question having been decided by the late Government, has not again been brought forward for consideration.

(11.) Licenses for Punts on the Murray River :—*Mr. Day* asked the Secretary for Public Works,—

(1.) Does *Mr. Halburd* hold a license from the Treasurer giving the lessee the sole right to ply a punt on the River Murray at Mulwala ?

(2.) Did *Mr. James Coghill* lately apply for a license to ply a punt on the Murray at or near Mulwala ; if so, is it the intention of the Government to grant a license to the said *James Coghill* ?

Mr. Lackey answered,—

(1.) *Mr. Halburd* holds a license from the Customs Department, which can at any time be withdrawn. There are no conditions as to tariff or charges.

(2.) This is a matter belonging to the Department of Occupation of Crown Lands, by which I am informed that an application for a license was made by *Mr. Coghill*, and that his request has been complied with.

(12.) Reclamation of Land at Pymont by the A. S. N. Company :—*Mr. Cameron* asked the Secretary for Lands,—By whose authority are the A. S. N. Company reclaiming a portion of the Sydney Harbour at Jones's Bay, Pymont, to the injury of private property ?

Mr. Hoskins answered,—I cannot say ; but no authority has been given by the Lands Department.

(13.) Erection of Fence at Pymont by the A. S. N. Company :—*Mr. Cameron* asked the Secretary for Lands,—By whose authority have the A. S. N. Company recently erected a fence in Jones's Bay, Pymont, across the water frontage of private property ?

Mr. Hoskins answered,—No authority has been given.

(14.) Bridge across the Williams River, at Tellegra :—*Mr. Johnston* asked the Secretary for Public Works,—Has an application been made, or a Petition been presented, to the Minister asking for the erection of a bridge across the Williams River at Tellegra ; if so, is it the intention of the Government to place a sum of money on the Estimates for its construction ?

Mr. Lackey answered,—Yes ; and the application has been noted for consideration when the Estimates of next year are being prepared.

(15.) Uniforms for Railway Employés :—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) Is it a fact that up to four years ago the Signal-men, Gate-keepers, and Watchmen on Great Northern Railway were allowed 1s. per week to purchase uniforms, and that since then they were allowed uniforms by the Government up to the last year ?

(2.)

(2.) Will he cause immediate inquiries to be made into this matter, with a view of having the uniforms given to these men as they are supplied to Porters and others?

Mr. Lackey answered,—I will make inquiries as to the practice, and the reasons for its discontinuance. At the same time I may say that uniforms are granted to Railway employes in order that they may be distinguished by the passengers when their services are required by them, and while for this purpose it is proper that uniforms should be supplied to platform porters, guards, and others appearing immediately before the public, they are not necessary in the case of gate-keepers.

(16.) Conveyance of Mails between Gulgong and Mudgee:—Mr. McElhone asked the Colonial Secretary,—

(1.) How many tenders were received for the conveyance of the bi-weekly mail, by horse or light vehicle, now running between Gulgong and Mudgee on Sunday and Thursday evenings?

(2.) What are the names of tenderers, and the amount of each tender?

(3.) Was the contract for carrying the mail given to the lowest tender; if not, why not?

Sir Henry Parkes answered,—

(1.) No tenders were received, nor were any invited for the conveyance of this mail "by horse or light vehicle." In order to obviate a detention of mails from Coonamble and elsewhere at Gulgong, the Postmaster at the latter place was directed to obtain local offers to carry the Mudgee portion of these mails into Mudgee on Sunday and Thursday evenings, in terms of a suggestion of his own, that he should "open the Coonamble mails on their arrival, make up one bag containing Mudgee correspondence, and forward it at four p.m. on horseback."

(2.) John Randall, £2 a week; Benjamin Molloy, 35s. a week, or £85 per annum; John Powell, £80 per annum, or 32s. a week; John Randall, 30s. a week, or £80 per annum. These offers were merely for the conveyance, as before described, of one small bag to Mudgee.

(3.) No contract was taken for the above service, as it was ascertained that such would not be satisfactory, but an arrangement was made with Cobb & Company, as present contractors for the mail services between Mudgee and Coonamble, to take on to Mudgee by vehicle all mails and passengers immediately after their arrival at Gulgong. For this extra service Cobb & Company are allowed at the rate of £120 per annum, the arrangement to be terminable at a month's notice.

(17.) Barrack Wall and Toll-house, Paddington:—Mr. Greenwood asked the Colonial Secretary,—

(1.) Have the Government power, and is it their intention, to pull down the Barrack wall fronting the Old South Head Road, at Paddington, as soon as the palisading now being erected there is completed?

(2.) Do the Government intend to pull down the toll-house, and remove the toll-bar, on the said road; and if so, when?

Sir Henry Parkes answered,—

(1.) The Government do not intend, even if they had the power, to pull down the Barrack wall when the palisading fence is completed.

(2.) The toll-house referred to is the property of the Road Trustees, and will not be interfered with without their concurrence.

(18.) Railway Trial Survey, Goulburn to Bungendore:—Mr. Teece asked the Secretary for Public Works,—Do the Government intend to make a Trial Survey of a Railway Line from Goulburn *via* Tarago and Bungendore?

Mr. Lackey answered,—An exploration will shortly be made for a Railway Line from the Great Southern Railway, *via* Tarago, to the Monaro District.

(19.) Road from Terry-hie-hie to Warialda:—Mr. Dangar asked the Secretary for Mines,—Is it intended to have marked or measured or notified in the *Gazette* that the road from Terry-hie-hie to Warialda is a road open to the public use?

Mr. Baker answered,—It is considered that survey of the track is unnecessary; consequently proclamation of the road is not proposed. The lessees of Yaggaba Run in the Gwydir District have been informed that unless passage be afforded to traffic it may be necessary in the public interests to withdraw from lease an area sufficient to admit of an uninterrupted passage.

(20.) Bridge over the Namoi River:—Mr. Dangar asked the Secretary for Public Works,—

(1.) Name of Contractor for the bridge over the Namoi River at Cooma, Narrabri, and date fixed for completion thereof?

(2.) Has the bridge over Narrabri Creek been completed and handed over for public use; if not, when will it be?

Mr. Lackey answered,—

(1.) The contractor for this bridge is James Albert Jones, and the time for completion will expire on 3rd March, 1880.

(2.) The bridge was completed in December last, and is, I believe, now available for traffic.

(21.) Legalization of Conditional Purchases:—Mr. Dangar asked the Secretary for Lands,—

(1.) When is it intended to introduce the Bill for legalizing certain conditional purchases?

(2.) Will such be done this Session?

Mr. Hoskins answered,—If time, and the other important business which the Government has still to deal with will permit, the Bill will be introduced during the present Session. I may add that the Bill has reference to other purchases as well as conditional.

2. JAMES GARDNER:—Mr. Macintosh presented a Petition from James Gardner, of Wentworth Wharf, Darling Harbour, representing that he is the lessee of the said wharf, and that in consequence of the deepening of the channel by the Government dredge the wharf has been damaged by the foundation being undermined; and praying the House to take his case into favourable consideration.

Petition received.

3. **ADJOURNMENT**:—Mr. Hurley (*Hartley*) moved, That this House do now adjourn.
 Debate ensued.
 Question put and negatived.
4. **MEDICAL BILL**:—Mr. Greville presented a Petition from Land Proprietors and Residents of the City of Sydney and Suburbs, and the City of Bathurst, and West Maitland, &c., against the passing of this Bill.
 Petition received.
5. **POSTPONEMENTS**:—The following Orders of the Day postponed :—
 (1.) Medical Bill ; second reading ;—*until Friday next.*
 (2.) Bankers Books and Cheques Bill ; second reading ;—*until Friday, 11th April.*
 (3.) Contractors Debts Bill ; to be further considered in Committee ;—
 (4.) Transfer of Conditional Purchases Declaratory Bill ; second reading ;—
 (5.) Roads Bill ; resumption of the adjourned Debate, on the motion of Mr. Lucas, "That this Bill be now read a second time" ;—
 (6.) Mudgee Turf Club Bill ; to be further considered in Committee ;—
 (7.) Marsupials Destruction Bill ; to be further considered in Committee ;—
 (8.) Amendment of the Land Law ; resumption of Debate ;—
6. **BRIDGE ACROSS THE MACDONALD RIVER AT ST. ALBANS**:—The Order of the Day in reference to this subject read,—and, on motion of Mr. J. Davies, discharged.

The House adjourned at twenty minutes before Eight o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 87.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 18 MARCH, 1879.

1 The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Stock passing from New South Wales into Victoria:—Mr. Simson asked the Colonial Treasurer,—What proportion of the sheep, cattle, and horses, which passed from New South Wales into Victoria in 1878 came from the Colony of Queensland?

Mr. Watson answered,—There is no possibility of getting any data from which the information asked for could be obtained.

(2.) T. M. Cross's Conditional Purchase, Bokirah Creek:—Mr. Dangar asked the Secretary for Lands,—

(1.) Did T. M. Cross, of Finger-post, Currawillinghi, near Gadooga, take up on Bokirah Creek, about 27th February, 1877, in the Walgett District, county Narren, parish unnamed, 600 acres of land, and pay his deposit of £150 thereon, the pre-lease to which 1,920 acres appears in *Gazette* of 27th April, 1877?

(2.) Has this land been surveyed; if not, when is it likely to be, and the cause of delay in doing so?

Mr. Hoskins answered,—

(1.) Yes; but the correct date of the conditional purchase is the 26th February, 1877.

(2.) Yes; it was marked out on the ground in the month of October last, but the survey is under consideration as including part of Reserve 118.

(3.) Refund of Money to Mr. Michael Power:—Mr. W. C. Browne asked the Secretary for Lands,—When will the refund of £10 be forwarded to Mr. Michael Power, being a deposit for 40 acres of land in the county of Durham, parish of Howick, conditionally purchased by him at Singleton on the 31st May, 1877, which was found, after reference to the Charting Branch, to be unavailable?

Mr. Hoskins answered,—An order for refund was authorized some days since, and has this day been forwarded to the care of Mr. W. C. Browne, M.P.

(4.) Refund of Money to Mr. James Beck:—Mr. W. C. Browne asked the Secretary for Lands,—When will the refund of £15 be forwarded to Mr. James Beck, being a deposit for 60 acres of land in the county of Durham, parish of Howick, conditionally purchased by him at Singleton in June, 1878, which was found to have been previously conditionally purchased by Mr. J. Welsh?

Mr. Hoskins answered,—There does not appear to be any application, or any reason at present for a refund in the case referred to. A portion has been measured, pursuant to the application, and the plan received, and is now awaiting certain inquiries addressed to the surveyor relating to the measurement of this and the conditional purchases of Mr. J. Welsh.

(5.) Furniture for Telegraph Office, Singleton:—Mr. W. C. Browne asked the Secretary for Public Works,—When will the furniture for the Telegraph Office, Singleton, be supplied, a requisition for which was sent to the Colonial Architect in October, 1878.

Mr. Lackey answered,—All the furniture required for this building was supplied on the 1st November last, with the exception of the private letter-boxes, and these are ready for fixing when the necessary information as to where they are to be placed is obtained.

(6.) Road from Sofala to Mudjee Road:—Mr. Burns, for Mr. W. H. Suttor, asked the Secretary for Public Works,—Why has the road from Sofala to Mudjee Road been taken off the Schedule?

Mr. Lackey answered,—A portion of this road has been omitted from Schedule on the recommendation of the Local Road Officer, the designation being altered as from "Sofala to Ilford," which will be the road permanently required in the event of future Railway extension. A grant of money will be authorized for the portion of road omitted, viz., from Warrengunyah Hill to Tabrabucca. (7.)

- (7.) Post and Telegraph Office, Sofala :—*Mr. Burns*, for *Mr. W. H. Suttor*, asked the Secretary for Public Works,—Is it the intention of the Government, as recommended by the late Postmaster General, to place a sum of money upon the Additional Estimates for 1879 for the erection of a Post and Telegraph Office at Sofala ?

Mr. Lackey answered,—The sum of £950 for erection of this building was approved in January last, and will be provided on Additional Estimates.

- (8.) Railway Contracts :—*Mr. McElhone* asked the Secretary for Public Works,—Referring to my Question No. 6, of Thursday last,—What was the cost of putting in water-ways between Cootamundra and Wallendbeen, where the line was swept away through insufficient water-ways ?

Mr. Lackey answered,—After the floods of February, 1878, it was found that extra water-ways were required on various parts of the line between Goulburn and Cootamundra, the cost of the whole of which has been charged all together. Those from Wallendbeen to Cootamundra were not kept separate, but the cost, as near as can be ascertained, is £1,908.

- (9.) School, Wallerawang :—*Mr. Barbour*, for *Mr. Shepherd*, asked the Minister of Justice and Public Instruction,—

(1.) Have the Council decided to erect a school at Wallerawang ; if so, at whose instance or application ?

(2.) Have they secured a site ; if so, what is the price to be paid, and what is the area ; if a gift, who is it from ?

(3.) Are the Council aware that the rapid progress of the district requires at the present time a school four times larger than the building now in use ?

(4.) When will tenders be invited for the erection of the building ?

Mr. F. B. Suttor answered,—

(1.) The Council has not finally decided to erect a school at Wallerawang. The matter was first brought under the notice of the Council by *J. Hurley, Esq.*, Member for Hartley, and the erection of buildings was recommended by the District Inspector.

(2.) A site has been promised, containing 2 acres, a gift from *Mrs. Barton*.

(3.) The Council is not aware that a school four times larger than the building now in use is required, but in this, as in all similar cases, the necessary inquiries will be made before building operations are commenced.

(4.) When the necessary funds shall have been provided by Parliament.

- (10.) *Mr. Jeremiah Wilson*, Fish River Creek :—*Mr. Barbour*, for *Mr. Shepherd*, asked the Secretary for Lands,—Does *Jeremiah Wilson*, of Fish River Creek, rent or lease any portion of the 80 acres reserve on Deep Creek, or has he at any time held it under rent or lease ?

Mr. Hoskins answered,—*Mr. Jeremiah Wilson* does not lease any portion of the reserve alluded to, but he holds a special lease of 2 acres on Reserve No. 9, Fish River Caves, for the purpose of an accommodation house.

- (11.) Expirees from New Caledonia :—*Mr. Fitzpatrick* asked the Colonial Secretary,—When will the papers having reference to expirees from New Caledonia, and which were moved for on the 18th ultimo, be laid upon the Table ?

Sir Henry Parkes answered,—I shall be able to lay these Papers upon the Table to-morrow or the following day.

- (12.) Navigation of the Lachlan River :—*Mr. Barbour* asked the Secretary for Public Works,—Has he received a report from survey and exploration party sent to survey the Lachlan River with a view to its navigation, and will he lay such report upon the Table of the House ?

Mr. Lackey answered,—An officer has been sent to examine the Lachlan River. When his report and plans shall have been finally dealt with they, together with the Engineer-in-Chief's report, shall be laid upon the Table.

- (13.) Phillip Newman's Conditional Purchase :—*Mr. Dangar* asked the Secretary for Lands,—

(1.) What decision has been arrived at in the case of *Phillip Newman*, of Myall Creek, Bingera, conditional purchase No. 77-47, section 21, 13th September, 1877, situated between his original conditional purchase and *Warialda Road* ?

(2.) Will *Newman* be permitted to take 40 acres in lieu of 55 acres as applied for ?

(3.) If not granted as an additional conditional purchase, will same be put up to auction, or will *Newman* be allowed the ground upon which he has erected improvements ?

Mr. Hoskins answered,—

(1.) The report by the surveyor has only been a few days to hand, and has not yet been dealt with in the Charting Branch.

(2 and 3.) A decision will be arrived at without unnecessary delay, and the applicant advised thereof.

- (14.) Clerk of Petty Sessions, Walgett :—*Mr. Dangar* asked the Minister of Justice and Public Instruction,—Is it intended to make provision for and appoint a Clerk of Petty Sessions at Walgett, the Police Magistrate having to visit *Gadooga* and *Mogil Mogil* ; and if so, when ?

Mr. F. B. Suttor answered,—I cannot at present say whether it may be requisite to make provision for and appoint a Clerk of Petty Sessions at Walgett ; but inquiry is being made in reference to this subject, and when the necessary information shall have been obtained the subject will be at once fully considered and determined on its merits.

- (15.) Post and Telegraph Office, Narrabri :—*Mr. Dangar* asked the Secretary for Public Works,—

(1.) Have tenders been called for and one accepted for alterations and additions to *Narrabri* new Post and Telegraph Office ; if so, the particulars thereof ?

(2.) When will the new Post and Telegraph Office at *Narrabri* be opened for public use ?

Mr.

Mr. Lackey answered,—

(1.) A tender for the additions and alterations referred to was accepted on the 6th ultimo. They consist of alterations to office and erection of kitchen and stable.

(2.) The time for completion of the above work expires on the 6th June next, at which date the building will probably be ready for public use.

- (16.) Travelling Stock Reserve, Barraba and Gunnedah.—Mr. Dangar asked the Secretary for Lands,—Has a Travelling Stock Reserve been gazetted from Barraba to Gunnedah; if not, will such be done, and when—the opening of the Railway to Gunnedah in a short time rendering such necessary?

Mr. Hoskins answered,—No, but the question has been referred to the District Surveyor for an immediate report.

- (17.) Alexander Couper's Selection at Wagga Wagga.—Mr. Thompson asked the Secretary for Lands,—

(1.) Is it a fact that during December, 1877, Alexander Couper selected at Wagga Wagga, as an after auction selection, lot E of the sale of July 12th, 1876, which was shown by the plan in the Survey Office to be available for purchase under the 25th clause of the Alienation Act of 1861, and that, although a clear receipt for purchase money and deed fee was given him, he has since been informed that his purchase cannot stand?

(2.) Has the whole or a portion of the land been since conditionally purchased by J. E. Robe?

(3.) Will he give early consideration to Mr. Couper's prior claim to the land, and deal with the matter in dispute?

Mr. Hoskins answered,—

(1.) Yes; the selection was cancelled, and the purchase money refunded, because at the time it was applied for the land was not, in accordance with the decision of the late Secretary for Lands in that and similar cases, open to selection after auction.

(2.) Yes, a portion of it.

(3.) I have already considered the case, and see no reason for altering the decision of my predecessor, which appears to have been arrived at after full and careful consideration.

- (18.) Railway to Albury.—Mr. Burns, for Mr. W. H. Suttor, asked the Secretary for Public Works,—Is it the intention of the Government to make arrangements with the contractors, Messrs. Cornwell & Co., to complete the Line to Albury in time for the opening of the International Exhibition?

Mr. Lackey answered,—The Government has decided to re-open communication with the contractors on the matter of completing the Railway to Albury by September, and steps have already been taken to this end.

2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS—(*Wilton and others v. Rouse—Mudgee*) :—Mr. R. B. Smith, 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, relative to the Petition of William Wilton and others against the return of Richard Rouse as the Member for the Electoral District of Mudgee, which was referred to the said Committee on 11th February last.

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

“ The Committee of Elections and Qualifications duly appointed on the 11th September, 1878, to whom was referred, on the 11th February, 1879, a Petition from William Wilton and others against the return of Richard Rouse, Esquire, as the Member for the Electoral District of Mudgee, have determined, and do hereby accordingly declare,—

“ That Richard Rouse, Esquire, who was returned as elected by the Returning Officer, was not duly elected as a Member of the Legislative Assembly for the Electoral District of Mudgee.

“ That David Buchanan, Esquire, who was not returned by the Returning Officer, was duly elected as a Member of the Legislative Assembly for the Electoral District of Mudgee.

“ That the Petition is not frivolous or vexatious.

“ That the Committee make no award as to costs.

“ R. BURDETT SMITH,

“ Chairman.

“ No. 2 Committee Room,

“ Legislative Assembly,

“ Sydney, 18th March, 1879.”—

Ordered, on motion of Mr. R. B. Smith, that the Report, and Minutes of Proceedings and Evidence, be printed.

3. MEMBER SWORN :—David Buchanan, Esquire, having taken and subscribed the Oath, and signed the Roll of the House, took his Seat as Member for the Electoral District of Mudgee.

4. PAPERS :—

Mr. Hoskins laid upon the Table,—Copy of an application for twenty-two additional Clerks for the Conditional Sales Branch, Department of Lands.

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Answer to a Question put to the Colonial Secretary by Mr. Taylor in reference to certain moneys in the possession of Captain Byrnes, of the Parramatta Volunteers.

Ordered to be printed.

5. RAILWAY FROM GOULBURN TO MONARO :—Mr. Murphy presented a Petition from Residents in the District of Monaro, praying the House to sanction the construction of a Railway from Goulburn to Monaro.

Petition received.

6. **SPECIAL ADJOURNMENT** (*Formal Motion*):—Sir Henry Parkes moved, pursuant to Notice, That this House at its rising this day do adjourn until Seven o'clock p.m. To-morrow.
Question put and passed.
7. **ENDOWMENT OF MUNICIPALITIES** (*Formal Motion*):—Mr. Stuart moved, pursuant to Notice, That there be laid upon the Table of this House, a Return showing approximately,—
(1.) The average population of the City of Sydney during the last six years.
(2.) The amount of Municipal or other City Rates for the last six years, 1873-78.
(3.) The amount of money paid from the Consolidated Revenue during the same period,—
1. For endowing or otherwise assisting the Corporation of the City of Sydney.
2. For the formation or maintenance of Roads and Bridges (other than Railroads) within the said City.
3. For the erection of new public buildings within the said City.
(4.) The amount of Votes not yet expended for similar purposes.
(5.) Like Returns (as in 3 and 4) for the Suburban Municipalities grouped together.
(6.) Like Returns for the Country Municipalities grouped together.
(7.) Like Returns for Districts of the Colony not included in any Municipality grouped together.
Question put and passed.
8. **GRANT OF THE PEEL RIVER LAND AND MINERAL COMPANY** (*Formal Motion*):—Mr. Copeland moved, pursuant to Notice, That there be laid upon the Table of this House a copy of the original Crown Grant of the Peel River Land and Mineral Company.
Question put and passed.
9. **SEWAGE OF THE CITY AND SUBURBS**:—Mr. Lucas moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Governor, praying,—
(1.) That His Excellency will be pleased to cause the sum of £5,000 to be placed on the Additional Estimates for 1879, to provide for a Bonus to be offered to any person who may, within twelve months after the passing of these Resolutions, discover and make known to this Government a new and practicable system of treatment which will neutralize the offensive properties of the Sewage of this City and Suburbs, and render it unnecessary to pollute the water of our harbour or any bay or inlet of the sea with it.
(2.) That the above Resolution be telegraphed to the Agent General, with a request that he will cause it to be published in England, France, and America.
Debate ensued.
Question put and passed.
10. **SEAT OF MICHAEL FITZPATRICK, ESQUIRE**:—Mr. Garrett moved, pursuant to Notice, That the question whether Michael Fitzpatrick, Esquire, sitting as the Member for Yass Plains, being in the possession of a pension from the Crown, was legally elected, or is entitled to retain a Seat as a Member of this Assembly, be referred to the Committee of Elections and Qualifications for inquiry and determination, in accordance with the 72nd clause of the Electoral Law Amendment Act of 1858.
Debate ensued.
Mr. Dillon moved, That this Debate be now adjourned.
Debate ensued.
Question put and passed.
Ordered, that the resumption of the Debate stand an Order of the Day for a later hour of the day.

And it being Seven o'clock, Government Business was dealt with.

11. **POSTPONEMENTS**:—The Orders of the Day of Government Business Nos. 1 to 12 inclusive postponed, to follow after the Order of the Day for the resumption of the adjourned Debate in reference to the Seat of Michael Fitzpatrick, Esquire.
12. **SEAT OF MICHAEL FITZPATRICK, ESQUIRE**:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Garrett, "That the question whether Michael Fitzpatrick, Esquire, sitting as the Member for Yass Plains, being in the possession of a pension from the Crown, was legally elected, or is entitled to retain a Seat as a Member of this Assembly, be referred to the Committee of Elections and Qualifications for inquiry and determination, in accordance with the 72nd clause of the Electoral Law Amendment Act of 1858,"—
And the Question being again proposed,—
The House resumed the said adjourned Debate.
Question put.
The House divided.

Ayes, 23.

Sir Henry Parkes,	Mr. Terry,
Mr. Watson,	Mr. Thompson,
Mr. Windeyer,	Mr. Harris,
Mr. Hoskins,	Mr. Stuart,
Mr. F. B. Suttor,	Mr. McElhone,
Mr. Lackey,	Mr. Macintosh,
Mr. H. H. Brown,	Mr. Clarke,
Mr. Baker,	Mr. Dangar,
Mr. Cameron,	
Mr. Wisdom,	<i>Tellers.</i>
Mr. Kerr,	Mr. Barbour,
Mr. Teece,	Mr. W. Davies.
Mr. Garrett,	

Noes, 18.

Mr. Farnell,	Mr. Beyers,
Mr. Leary,	Mr. Driver,
Mr. W. H. Suttor,	Mr. Johnston,
Mr. Greville,	<i>Tellers.</i>
Mr. Burns,	
Mr. Cohen,	Mr. Shepherd,
Mr. O'Connor,	Mr. W. C. Browne.
Mr. Coonan,	
Mr. Murphy,	
Mr. Merriman,	
Mr. J. Davies,	
Mr. Stephen Brown,	
Mr. T. R. Smith,	

And so it was resolved in the affirmative.

13. **POSTPONEMENT**:—The Order of the Day for the second reading of the Patents Law Amendment Bill postponed until to-morrow.
14. **SUPREME COURT (ADDITIONAL JUDGE) BILL**:—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a second time.
Debate ensued.
Question put.
The House divided.

Ayes, 24.

Sir Henry Parkes,	Mr. Driver,
Mr. Watson,	Mr. Thompson,
Mr. Windeyer,	Mr. Dangar,
Mr. Lackey,	Mr. Harris,
Mr. F. B. Suttor,	Mr. Stuart,
Mr. Baker,	Mr. Simson,
Mr. Hoskins,	Mr. Merriman,
Mr. Cameron,	Mr. Beyers,
Mr. Macintosh,	Mr. Greville,
Mr. Kerr,	<i>Tellers.</i>
Mr. J. Davics,	Mr. R. B. Smith,
Mr. Copeland,	Mr. H. H. Brown.
Mr. Garrett,	

Noes, 14.

Mr. Farnell,	<i>Tellers.</i>
Mr. Cohen,	
Mr. W. H. Suttor,	Mr. Terry,
Mr. Stephen Brown,	Mr. Dillon.
Mr. Wisdom,	
Mr. Leary,	
Mr. Murphy,	
Mr. Day,	
Mr. McElhone,	
Mr. Jacob,	
Mr. Barbour,	
Mr. W. Davics,	

And so it was resolved in the affirmative.

Bill read a second time.

On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that a Point of Order had arisen in the Committee, and obtained leave to sit again so soon as Mr. Speaker's ruling thereon had been given.

The Chairman then reported the Point of Order, as follows:—

The Honorable Member for Newtown having proposed the following new clause,—“In case of any future vacancy in the office of a Judge of the said Supreme Court any Attorney of the said Court of not less than ten years standing shall be eligible for such office,”—objection was taken to its reception, on the ground that it did not come within the scope and title of the Bill; and on being appealed to he (the Chairman) gave his opinion that as the proposed clause was relevant to the subject matter of the Bill he considered that it was properly before the Committee. Whereupon, at the instance of the Honorable the Attorney General, the following Point of Order was referred to Mr. Speaker for his decision:—

“That the new clause proposed by the Honorable Member for Newtown is beyond the scope of the Bill, and cannot be entertained.”

Mr. Speaker said, that the clause was not within the title, and he was doubtful whether it was within the scope of the Bill; but he was clearly of opinion that it was relevant to the subject matter of the Bill, and was therefore admissible.

On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the Committee resumed.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 19 MARCH, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

On motion of Mr. Windeyer (*with the concurrence of the House*) the report was adopted.

Ordered, that the Bill be read a third time to-morrow.

The House adjourned at a quarter after Twelve o'clock a.m., until *Seven* o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 88.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 19 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

VALEDICTORY ADDRESS TO HIS EXCELLENCY SIR HERCULES ROBINSON:—Mr. Speaker reported that he had this day presented to the Governor the Valedictory Address adopted by the House on Thursday last, and that His Excellency had been pleased to give thereto the following reply:—

MR. SPEAKER AND GENTLEMEN
OF THE LEGISLATIVE ASSEMBLY,—

On my retirement from the Administration of the Government of New South Wales it is extremely gratifying to me to receive the Address you have presented to me.

The interest you are pleased to say you shall continue to feel in my career after I have left your shores will be reciprocated by my earnest desire to see the steady progress of your great Colony, the healthy development of all its rich resources, and the sound and successful working of its free institutions, in which the Legislative Assembly must ever take so large and influential a part.

With my best wishes for the high direction of your labours, and for the increasing prosperity of the people you represent, I thank you with deep feeling for your Address.

*Government House,
Sydney, 19th March, 1879.*

2. QUESTIONS:—

(1.) Road from Raymond Terrace to Clarence Town:—Mr. Jacob asked the Secretary for Mines,—

(1.) With reference to the intimation made to him (Mr. Jacob) by letter of 14th instant, from the Department of Mines, to the effect that the necessary steps will be taken for the opening of a road therein mentioned, if the persons desiring the establishment of it will pay the cost of fencing,—Is this condition in accordance with the usual practice in like cases?

(2.) If not, why is it imposed in this instance?

Mr. Baker answered,—Yes; the road sought to be established through private land would entail heavy cost of fencing. At the same time there is a good track in use which, though a mile longer, is through unfenced Crown land.

(2.) Additional Conditional Purchases:—Mr. Thompson asked the Secretary for Lands,—

(1.) Is it true that, according to a recent decision, conditional purchasers who have fulfilled the conditions of residence and improvement have the right to make additional conditional purchases without further residence as long as they continue to pay interest on the balances due, while by payment of the balances in full they are debarred from the exercise of that right without an additional term of residence of three years?

(2.) Should he be of opinion that the decision referred to is based upon a correct interpretation of the law, would it not be fair to conditional purchasers to publish that decision, lest in ignorance thereof they should deprive themselves of one of their most valuable privileges by paying their balances in full?

(3.) Will he, if it cannot be done otherwise, take steps to have the anomaly created by the decision referred to removed during the passage through Parliament of the Land Bill now on the Table of this House?

Mr. Hoskins answered,—

(1.) An opinion was given by the Attorney General of the late Administration to the effect that the holder of a freehold which had formerly been a conditional purchase was not exempted from the conditions of residence applicable to other freeholds when taking up additional land. The question involving important interests, and a change in the practice previously pursued, it has been thought advisable that it should be reconsidered by the present Attorney General, for whose opinion it has accordingly been re-submitted.

(2 and 3.) When a decision is obtained upon the legal point involved, all necessary steps will be taken without delay for making the result known, and for remedying any inconvenience that may be occasioned thereby.

(3.)

(3.) Timber for the Exhibition Building:—*Mr. Driver*, for *Mr. McElhone*, asked the Colonial Secretary,—

(1.) Is he aware that a *Mr. Jabez Brown* offered to supply a certain class of timber for the Exhibition Building at 20s. or 21s. per 100 feet, and that his offer was refused?

(2.) Is he aware that immediately after this offer was made a large quantity of timber of same sizes as offered by *Mr. Brown* was bought from *Mr. Alderman Taylor* at 25s. per 100 feet?

(3.) If he is not aware of this, will he cause inquiry to be made into it?

Sir Henry Parkes answered,—So far as I have been able to ascertain, no person of the name of *Jabez Brown* is known to the Government, or to the officers under the Government.

(4.) Peter Gett:—*Mr. W. C. Browne* asked the Secretary for Public Works,—

(1.) Has any representation been made by *Peter Gett* to the Commissioner for Roads that the Trustees of the road from Singleton to Goorangoola have refused to employ him on that road without alleging any reason, and also stipulated with every tenderer for works on that road that under no circumstances are they to engage *Gett*, or their contracts will become null and void?

(2.) Was this representation referred to the Trustees for report; and if so, with what result?

(3.) Has any inquiry been instituted by the Government, or is it their intention to do so with matters connected with this road?

Mr. Lackey answered,—

(1.) Yes; complaints were made on the 15th February last by *Gett* to the effect stated.

(2.) Yes; on the 20th February the Trustees were asked to report, and they stated in reply that their action in the matter had been decided on because *Gett* failed to complete a contract which was let to him, and for other reasons.

(3.) The papers in the case are now with the Local Road Superintendent for inquiry and report.

3. SUPREME COURT (ADDITIONAL JUDGE) BILL (*Formal Order of the Day*),—on motion of *Mr. Windeyer*, read a third time, and passed.

Mr. Windeyer then moved, That the Title of the Bill be "*An Act to provide for the appointment of an Additional Judge of the Supreme Court.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to provide for the appointment of an Additional Judge of the Supreme Court,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 19th March, 1879.*

4. CHINESE IMMIGRATION REGULATION BILL:—*Mr. Buchanan* presented a Petition from *G. R. Maclean*, Chairman of a Public Meeting held at the Haymarket, Sydney, praying that new clause 11 may be expunged from this Bill.
Petition received.

5. POSTPONEMENT:—The Order of the Day for the second reading of the Metropolitan Railway Extension Bill postponed until Wednesday next.

6. PATENTS LAW AMENDMENT BILL:—The Order of the Day having been read,—*Mr. Windeyer* moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of *Mr. Windeyer*, *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with an amendment.

On motion of *Mr. Windeyer* (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time to-morrow.

7. FELONS APPREHENSION ACT AMENDMENT BILL:—The Order of the Day having been read,—*Mr. Windeyer* moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 40.

<i>Sir Henry Parkes</i> ,	<i>Mr. Murphy</i> ,
<i>Mr. Watson</i> ,	<i>Mr. Clarke</i> ,
<i>Mr. Windeyer</i> ,	<i>Mr. Terry</i> ,
<i>Mr. F. B. Suttor</i> ,	<i>Mr. Macintosh</i> ,
<i>Mr. Baker</i> ,	<i>Mr. Eckford</i> ,
<i>Mr. Lackey</i> ,	<i>Mr. Teece</i> ,
<i>Mr. J. Davies</i> ,	<i>Mr. Harris</i> ,
<i>Mr. Webb</i> ,	<i>Mr. Driver</i> ,
<i>Mr. W. C. Browne</i> ,	<i>Mr. Copeland</i> ,
<i>Mr. O'Connor</i> ,	<i>Mr. Hoskins</i> ,
<i>Mr. Gray</i> ,	<i>Mr. Kerr</i> ,
<i>Mr. Garrett</i> ,	<i>Mr. Hurley (Hartley)</i> ,
<i>Mr. Burns</i> ,	<i>Mr. Greenwood</i> ,
<i>Mr. Cohen</i> ,	<i>Mr. H. H. Brown</i> ,
<i>Mr. Simson</i> ,	<i>Mr. Wisdom</i> ,
<i>Mr. W. Davies</i> ,	<i>Mr. Cameron</i> ,
<i>Mr. Jacob</i> ,	<i>Mr. Stuart</i> ,
<i>Mr. Beyers</i> ,	
<i>Mr. Greville</i> ,	<i>Tellers.</i>
<i>Mr. Barbour</i> ,	<i>Mr. Dillon</i> ,
<i>Mr. T. R. Smith</i> ,	<i>Mr. Moses.</i>

Noes, 2.

Tellers.

Mr. Buchanan,
Mr. W. H. Suttor.

And so it was resolved in the affirmative.
Bill read a second time.

On

On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Windeyer, the report was adopted.

Ordered, that the Bill be read a third time to-morrow.

8. CHINESE IMMIGRATION REGULATION BILL:—The Order of the day having been read,—Mr. Windeyer moved, "That" the report from the Committee of the Whole on this Bill be now adopted. Mr. Terry moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Bill be recommitted, for the purpose of considering a new clause to stand clause 14 of the Bill."

Question,—That the words proposed to be omitted stand part of the Question,—put and negatived. Question proposed,—That the words proposed to be inserted in place of the words omitted be there inserted.

Mr. O'Connor moved, That the proposed amendment be amended by the addition of the words "and for the reconsideration of clauses 10 and 11 of the Bill."

Debate ensued.

Question put, That the words proposed to be added to the proposed amendment be there added.

The House divided.

Ayes, 7.

Mr. J. Davies,
Mr. Driver,
Mr. Beyers,
Mr. McElhone,
Mr. Buchanan,

Tellers.

Mr. Harris,
Mr. O'Connor.

Noes, 37.

Sir Henry Parkes,	Mr. Eckford,
Mr. Watson,	Mr. Murphy,
Mr. F. B. Suttor,	Mr. Thompson,
Mr. Windeyer,	Mr. Gray,
Mr. Lackey,	Mr. Webb,
Mr. Cohen,	Mr. W. C. Browne,
Mr. Burns,	Mr. Kerr,
Mr. Greville,	Mr. Greenwood,
Mr. Hoskins,	Mr. Cameron,
Mr. W. H. Suttor,	Mr. Stuart,
Mr. Garrett,	Mr. Baker,
Mr. Jacob,	Mr. Lucas,
Mr. Simson,	Mr. R. B. Smith,
Mr. Terry,	Mr. Farnell,
Mr. Tecce,	Mr. Wisdom,
Mr. Dillon,	Tellers.
Mr. Macintosh,	
Mr. Barbour,	Mr. Shepherd,
Mr. T. R. Smith,	Mr. W. Davies.
Mr. Clarke,	

And so it passed in the negative.

Question,—That the words proposed to be inserted in the Original Question in place of the words omitted be there inserted,—put and passed.

Question then,—That the Bill be recommitted for the purpose of reconsidering a new clause to stand clause 14 of the Bill,—put and passed.

On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such reconsideration.

Mr. Speaker resumed the Chair, and the Chairman reported that a Point of Order had arisen in the Committee, and obtained leave to sit again so soon as the Point of Order had been decided in the House.

The Chairman then stated the Point of Order, as follows:—

The Honorable Member for New England having proposed the following new clause,—“No Chinese immigrant arriving in this Colony after the passing of this Act (other than a naturalized or British subject) shall acquire hold or enjoy real estate any law to the contrary notwithstanding,”—the Honorable Member for the Lower Hunter objected to its reception, on the ground that it did not come within the scope or title of the Bill, nor was it relevant to its subject matter; and that he (the Chairman) expressed his opinion that the clause was admissible, on the ground of relevancy; to this opinion the Honorable Member for the Lower Hunter dissented, and, at his instance, the following Point of Order was referred for Mr. Speaker's decision:—

“That the clause proposed by the Honorable Member, Mr. Terry, is not within the scope or title of the Bill, nor relevant to its subject matter.”

Mr. Speaker ruled in accordance with the opinion given by the Chairman.

On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the Committee resumed.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill 2^o with a further amendment.

Sir Henry Parkes moved (*with the concurrence of the House*), That the report be now adopted.

Debate ensued.

Question put and passed.

Ordered, that the Bill be read a third time to-morrow.

The House adjourned at twenty-two minutes after Eleven o'clock, until To-morrow, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 89.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 20 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MESSAGES FROM THE LIEUTENANT-GOVERNOR:—The following Messages from His Excellency the Lieutenant-Governor were delivered by the Members named, and read by Mr. Speaker:—

Delivered by Sir Henry Parkes,—

- (1.) Assumption of the Government of the Colony by Sir Alfred Stephen,—

ALFRED STEPHEN,

Message No. 1.

Lieutenant-Governor.

His Excellency Sir Hercules George Robert Robinson having taken his departure from the Colony on the 19th instant, Sir Alfred Stephen avails himself of the earliest opportunity to inform the Legislative Assembly that, as Lieutenant-Governor of New South Wales, he has assumed the Government of the Colony in virtue of the authority granted to him in that behalf in a Commission under Her Majesty's Royal Signet and Sign Manual, dated the 25th day of November, 1875.

Government House,

Sydney, 20th March, 1879.

Ordered to be printed.

Delivered by Mr. Lackey,—

- (2.) Redfern to Hunter-street Tramway Bill:—

ALFRED STEPHEN,

Message No. 2.

Lieutenant-Governor.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill for the construction of a Tram-road from the Redfern Railway Terminus to Hunter-street.

Government House,

Sydney, 20th March, 1879.

Ordered to be printed, and taken into consideration in Committee of the Whole on the Bill.

- (3.) Metropolitan Railway Extension Bill:—

ALFRED STEPHEN,

Message No. 3.

Lieutenant-Governor.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to enable the Government to construct a Railway from the present Railway Terminus at Redfern to the waters of Port Jackson, and to grant the necessary powers to resume land for the purposes thereof.

Government House,

Sydney, 20th March, 1879.

Ordered to be printed, and taken into consideration in Committee of the Whole on the Bill.

Delivered by Sir Henry Parkes,—

- (4.) City of Goulburn Gas and Coke Company's Incorporation Bill:—

ALFRED STEPHEN,

Message No. 4.

Lieutenant-Governor.

A Bill, intituled "An Act to incorporate the City of Goulburn Gas and Coke Company (Limited) and to enable the said City of Goulburn Gas and Coke Company (Limited) to construct Gas Works within the Municipal boundaries and Suburbs of the City of Goulburn,"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 20th March, 1879.

(5.)

(5.) Orange Town Hall Site Sale Bill :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 5.

A Bill, intituled "*An Act to enable the Municipal Council of Orange to sell the present and provide another Site for a Town Hall,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 20th March, 1879.*

(6.) Married Women's Relief Bill :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 6.

A Bill, intituled "*An Act to amend the Law relating to the Rights and Liabilities of Married Women,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 20th March, 1879.*

2. QUESTIONS :—

- (1.) Wollongong Volunteers :—*Mr. O'Connor*, for *Mr. McElhone*, asked the Colonial Secretary,—Is it true that £100, the property of the Wollongong Volunteers, is in the hands of Captain Owen ; if so, why is it not distributed among the members of the old Force entitled to it, as has been done in other cases, and will he give instructions to have it done ?

Sir Henry Parkes answered,—The sum of £101 11s. 9d. is placed in the Commercial Bank at Wollongong in trust for the Corps, and will be applied under the rules of the Corps.

- (2.) Public School, Aberglasslyn :—*Mr. Burns* asked the Minister of Justice and Public Instruction,—When it is probable tenders will be invited for the erection of the Public School at Aberglasslyn ? *Mr. F. B. Suttor* answered,—Tenders will be invited for the erection of the proposed Public School buildings at Aberglasslyn when the conveyance of the site in course of preparation has been completed, and other necessary steps shall have been taken for the purpose.

- (3.) Road through the Melville Estate :—*Mr. Burns* asked the Secretary for Mines,—Do the Government intend to dedicate to the public the road recently surveyed through the Melville Estate ; and if so, when ?

Mr. Baker answered,—Preliminary notification of this road appeared in *Government Gazette* of 26th February, 1879. The time provided by law for the receiving of objections has not expired. Should no valid objection be raised, the road will be established with as little delay as possible.

- (4.) Road from Gunnedah to Narrabri :—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Mines,—

(1.) Is it intended to survey and mark a road, as long since promised, on the north side of the Namoi River, from Gunnedah to Narrabri, and from there to Walgett ?

(2.) Have instructions been given to the District or any other Surveyor to do so ; and if so, the name of such Surveyor, and the date of such instructions, and has any progress been made ?

(3.) If not, what is the cause of delay in surveying and marking this road, and when is it likely the work will be proceeded with ?

Mr. Baker answered,—

(1.) Yes.

(2 and 3.) The District Surveyor reported on the 19th June, 1878, that instruction for the survey of the road was in the hands of *Mr. Surveyor M'Master*, who has lately suggested a modification of the survey, which suggestion is now under consideration.

- (5.) Mungindi and Goondiwindi Bridges :—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Public Works,—

(1.) Names of contractors for Mungindi and Goondiwindi Bridges, and dates fixed for completion of each ?

(2.) What progress has been made in these works ?

(3.) Have suitable approaches and other reserves been made on both sides of these bridges in this Colony and Queensland for the benefit of the travelling public, stock, teamsters, &c. ?

Mr. Lackey answered,—

(1.) *Scott Brothers* are contractors for the Mungindi Bridge, and the time for completion is 9th September next. The name of contractor for Goondiwindi Bridge is not known, as the Queensland Government are carrying out that work independently.

(2.) Iron-work and plant have been obtained, and timber is being cut for Mungindi. The contractors are now on the spot, and at work. I understand that fair progress is being made with Goondiwindi Bridge.

(3.) The necessary steps are about being taken to secure the reservation in this Colony of sufficient land for bridge and other purposes.

- (6.) Expenditure by the Mayor of Sydney on Municipal Works :—*Mr. O'Connor*, for *Mr. McElhone*, asked the Attorney General,—

(1.) Has the Mayor of Sydney any power under the City Corporation Act to spend large sums of money on City works by his sole authority, or in any other way than by the vote of the Mayor and Aldermen of said City Council ?

(2.)

(2.) It being a fact that the Mayor of Sydney spends many thousands per year on his sole authority, and without its being voted by the Mayor and Aldermen, is not the practice of spending money in this way illegal, and against the provisions of the City Corporation Act?

Mr. Windeyer answered,—As this question refers to matters upon which, as Attorney General, I am not called upon to pronounce any opinion, I must decline to answer it.

(7.) Volunteer Land Orders :—*Mr. O'Connor*, for Mr. McElhone, asked the Attorney General,—Has he decided on the legality of any person other than the Volunteer to whom Land Orders were issued taking up land in virtue of such Volunteer Land Orders; if so, what is his decision in the matter?

Mr. Windeyer answered,—I gave an opinion upon this matter last week, and I believe the opinion is in the possession of the Minister for Lands.

(8.) Electric Telegraph Department :—*Mr. O'Connor*, for Mr. McElhone, asked the Colonial Secretary,—

(1.) Was Mr. M'Cracken, who was dismissed from the Telegraph Department, paid his salary for the time he was suspended?

(2.) Is it not customary to pay the salaries of officials who have been suspended during the time of suspension?

(3.) If so, why has not Mr. Miles, late of the Telegraph Department, been paid his salary during the time he was suspended?

(4.) Sir Henry Parkes, when Colonial Secretary in a previous Government, having stated in the Assembly, in reference to one Rowling then suspended, that clerks under suspension were entitled to their salaries whilst they were suspended,—Will he give instructions to pay Mr. Miles the salary due whilst he was suspended and up to the time of his dismissal?

Sir Henry Parkes answered,—

(1.) No.

(2.) In cases where the accounts of officers who have been suspended are in proper order, and there is no deficiency, it has been customary to pay them for the time they have been under suspension.

(3.) Mr. Miles has not been paid, because the Treasury Inspector of Public Accounts has reported that his accounts were in a most unsatisfactory state, and that there is a considerable sum he has received belonging to the Government for which he has not accounted.

(9.) Fields' Conditional Purchases :—*Mr. O'Connor*, for Mr. McElhone, asked the Secretary for Lands,—

(1.) In reference to the conditional purchases (Mudgee or Cassilis) of Thomas and John Field, stated to be on purchased land of Mr. Edward Tindall,—Has a surveyor yet reported on this matter; if so, when is he likely to give his decision?

(2.) Is he aware that I applied to have this land surveyed many months since, so as to have the disputed claim settled; and what is the cause of the very great delay in settling this matter; and is it likely to be settled at an early date?

(3.) Is it likely that the Fields' conditional purchases will be cancelled; if so, will he have refund sent at an early date?

Mr. Hoskins answered,—

(1.) The report has been received, and it has been ascertained that the conditional purchases are in the village reserve of Barrigan.

(2.) Mr. McElhone has on more than one occasion called attention to the case which has now been settled.

(3.) The conditional purchases have this day been cancelled, and an order for refund of deposits forwarded to the applicants.

(10.) Hydraulic Survey—Deniliquin and Wagga Wagga :—*Mr. Leary* asked the Colonial Secretary,—Has Mr. Surveyor James completed the Hydraulic Survey at Deniliquin; if so, will the Government direct him to proceed to Wagga Wagga for a like purpose?

Sir Henry Parkes answered,—The Deniliquin survey is not yet finished; when it is Mr. James will be sent to Wagga Wagga.

3. CHINESE IMMIGRATION REGULATION BILL :—*Mr. Buchanan* presented a Petition, signed by J. M. O'Connell, in reference to this Bill,—

And Mr. Speaker calling the attention of the House to statements in the Petition reflecting on the conduct of certain Honorable Members in regard to the Bill,—

Mr. Buchanan moved, That the Petition be read by the Clerk.

Question put.

The House divided.

Ayes, 30.

Sir Henry Parkes,	Mr. Cohen,
Mr. Watson,	Mr. Thompson,
Mr. Lackey,	Mr. Lucas,
Mr. F. B. Suttor,	Mr. Johnson,
Mr. Baker,	Mr. Garrett,
Mr. Korr,	Mr. O'Connor,
Mr. Windeyer,	Mr. Hungerford,
Mr. J. Davies,	Mr. Greenwood,
Mr. Pilcher,	Mr. Teece,
Mr. Farnell,	Mr. Cameron,
Mr. Buchanan,	Mr. Macintosh,
Mr. Taylor,	Mr. Beyers,
Mr. Coonan,	
Mr. Terry,	Tellers.
Mr. Barbour,	Mr. Webb,
Mr. Hurley (<i>Hartley</i>),	Mr. W. C. Browne.

Noes, 3.

Mr. Hoskins,

Tellers.

Mr. W. H. Suttor,

Mr. W. Davies.

And so it was resolved in the affirmative.

By

By direction of Mr. Speaker, the Clerk read the Petition.
Mr. Buchanan then moved, That the Petition be received.
Debate ensued.
Question put.
The House divided.

Ayes, 15.

Mr. Leary,	
Mr. J. Davies,	<i>Tellers.</i>
Mr. Taylor,	Mr. Pilcher,
Mr. Hurley (<i>Hartley</i>),	Mr. Barbour.
Mr. Buchanan,	
Mr. Hurley (<i>Narellan</i>),	
Mr. W. H. Suttor,	
Mr. Coonan,	
Mr. Beyers,	
Mr. Sutherland,	
Mr. McElhone,	
Mr. Macintosh,	
Mr. Driver,	

Noes, 28.

Mr. Watson,	Mr. Dillon,
Mr. F. B. Suttor,	Mr. Cameron,
Mr. Baker,	Mr. Burns,
Mr. Farnell,	Mr. Kerr,
Mr. Windeyer,	Mr. O'Connor,
Sir Henry Parkes,	Dr. Bowker,
Mr. Lackey,	Mr. Greenwood,
Mr. Hoskins,	Mr. Hungerford,
Mr. Cohen,	Mr. W. C. Browne,
Mr. Jacob,	Mr. Murphy,
Mr. W. Davies,	Mr. Thompson,
Mr. Stuart,	
Mr. Garrett,	<i>Tellers.</i>
Mr. Teece,	Mr. Johnston,
Mr. Webb,	Mr. Simson.

And so it passed in the negative.

4. IMPOUNDING ACT AMENDMENT BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to amend the 'Impounding Act of 1865,'*"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 20th March, 1879.

JOHN HAY,
President.

IMPOUNDING ACT AMENDMENT BILL.

SCHEDULE of the amendments referred to in Message of 20th March, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

- Page 1, clause 1, line 11. *Omit "and increased trespass damages"*
 " " " " " " *Omit "to be charged"*
 " 2, " 3, " 28. *After "be" add "Provided that nothing in this Act contained shall be taken to give jurisdiction to any Justices in any matter where the title to land is in question."*
 " clause 4, line 34. *Omit "animal" insert "same"*
 " " 7. *Omit clause 7.*
 " " 8, line 57. *After "person" insert "unlawfully and"*
 " 3, " 8, line 3. *Omit "guilty of an offence" insert "liable to a penalty not exceeding five pounds"*
 " clause 9, line 6. *Omit "and"*
 " " 9, line 7. *After "it" insert "the amount of trespass and other charges claimed by him on such animal and the name and address if known to the impounder of the owner or supposed owner of such animal"*
 " " 9, line 8. *Omit "guilty of an offence" insert "liable to a penalty not exceeding five pounds"*
 " clause 10. *Omit clause 10.*
 " " 11, line 23. *Omit "guilty of an offence" insert "liable to a penalty not exceeding five pounds"*
 " clause 11, lines 23 to 27. *Omit "Provided that if any animals so seized shall belong to more than one person and are being taken together to a pound the right of release hereby given shall not apply unless all the said animals are offered to be released at the same time and in terms of this section"*
 " clause 12. *Omit clause 12, insert the following new clauses:—*
 " 10. *No charge for the sustenance of animals which shall have been impounded shall be demanded by the poundkeeper for the day on which the same are so impounded unless such animals shall have been impounded and sent out to pasture before three p.m. of that day nor shall such charge be payable for the day on which the animals are released if the same are released before nine a.m. of that day."*
 " 11. *The Governor may with the advice of the Executive Council appoint Inspectors of Pounds who shall subject to the provisions of this and the principal Act and under the instructions of the Minister have the supervision and control of such Pounds and Poundkeepers as may from time to time by notice in the Gazette be committed to their charge and such Inspector may enter at any time on any land to inspect any animals impounded or detained for the purpose of being impounded and any person refusing to allow an Inspector to enter as aforesaid or hindering or impeding him in the execution of his duty shall be liable to a penalty not exceeding ten pounds."*

Limiting charges
for sustenance.

Inspectors of
Pounds.

Examined,—

GEO. THORNTON,
Deputy Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Friday 28th March.

5. PAPER:—Sir Henry Parkes laid upon the Table,—Return to an Address, adopted on 18th February, 1879,—“Influx into New South Wales of Convicts from New Caledonia.”
Ordered to be printed.
6. PATENTS LAW AMENDMENT BILL (*Formal Order of the Day*),—on motion of Mr. Windeyer, read a third time, and *passed*.
Mr. Windeyer then moved, That the Title of the Bill be “*An Act to amend the Law relating to Patents for Inventions and Improvements in Arts or Manufactures.*”
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled “*An Act to amend the Law relating to Patents for Inventions and Improvements in Arts or Manufactures,*”—presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 20th March, 1879.
7. STANDARD WEIGHT OF MAIZE (*Formal Motion*):—Mr. Farnell, for Mr. T. R. Smith, moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to declare the standard weight of Maize.
Question put and passed.
8. CHIPPENDALE ROMAN CATHOLIC CHURCH LAND SALE BILL (*Formal Motion*):—Mr. O'Connor moved, pursuant to Notice, That leave be given to bring in a Bill to enable the Very Reverend Samuel John Austin Sheehy, the Reverend Michael John Dwyer, John James Curran, John Williamson, and Patrick Mulcahy, as Trustees of certain land on the Old Cook's River Road, in the parish of Petersham, to sell the said land, and to provide for the application of the proceeds thereof.
Question put and passed.
9. GOVERNMENT CONTRACTS (*Formal Motion*):—Mr. J. Davies, for Mr. McElhone, moved, pursuant to Notice, That there be laid upon the Table of this House a pamphlet copy of all accepted Government Contracts for the years 1877, 1878, and 1879.
Question put and passed.
10. CHIPPENDALE ROMAN CATHOLIC CHURCH LAND SALE BILL:—Mr. O'Connor having *presented* this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled “*A Bill to enable the Very Reverend Samuel John Austin Sheehy the Reverend Michael John Dwyer John James Curran John Williamson and Patrick Mulcahy as Trustees of certain land on the Old Cook's River Road in the Parish of Petersham to sell the said land and to provide for the application of the proceeds thereof,*”—which was read a first time.
11. POSTPONEMENT:—The Order of the Day for the second reading of the Redfern to Hunter-street Tramway Bill postponed until Thursday next.
12. FELONS APPREHENSION ACT AMENDMENT BILL:—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a third time.
Debate ensued.
Question put.
The House divided.

Ayes, 45.

Sir Henry Parkes,	Mr. Burns,
Mr. Watson,	Mr. Dillon,
Mr. F. B. Suttor,	Mr. Garrett,
Mr. Windeyer,	Mr. R. B. Smith,
Mr. Lackey,	Mr. Murphy,
Mr. Baker,	Mr. Greville,
Mr. Hoskins,	Mr. Farnell,
Mr. Jacob,	Mr. Day,
Mr. J. Davies,	Mr. Hurley (<i>Hartley</i>),
Mr. Stuart,	Mr. Leary,
Mr. Cameron,	Mr. Beyers,
Mr. Simson,	Mr. Bennett,
Mr. Kerr,	Mr. Teece,
Mr. Macintosh,	Mr. Thompson,
Mr. Taylor,	Mr. Dangar,
Mr. Greenwood,	Mr. H. H. Brown,
Mr. Hungerford,	Mr. Eckford,
Mr. Johnston,	Mr. Sutherland,
Mr. Driver,	Mr. Roseby,
Mr. Badgery,	<i>Tellers.</i>
Mr. Cohen,	
Mr. W. Davies,	Mr. W. C. Browne,
Mr. Webb,	Mr. O'Connor.
Mr. Pilcher,	

Noes, 4.

Mr. W. H. Suttor,
Mr. Hurley (<i>Narellan</i>),
<i>Tellers.</i>
Mr. Buchanan,
Mr. Coonan.

And so it was resolved in the affirmative.

Bill read a third time,—and, on motion of Mr. Windeyer, *passed*.

Mr. Windeyer then moved, That the Title of the Bill be “*An Act to amend the 'Felons Apprehension Act of 1879.'*”

Question put and passed.

Ordered, that the Bill be returned to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day agreed to the Bill, intituled “*An Act to amend the 'Felons Apprehension Act of 1879,'*”—returns the same to the Legislative Council without amendment.

Legislative Assembly Chamber,

Sydney, 20th March, 1879.

13. CHINESE IMMIGRATION REGULATION BILL :—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a third time.

Debate ensued.

Question put.

The House divided.

Ayes, 28.

Sir Henry Parkes,	Mr. Sutherland,
Mr. Watson,	Mr. Dangar,
Mr. Windeyer,	Mr. McElhone,
Mr. Lackey,	Mr. Murphy,
Mr. F. B. Suttor,	Mr. T. R. Smith,
Mr. Baker,	Mr. Beyers,
Mr. Hoskins,	Mr. Burns,
Mr. Johnston,	Mr. Garrett,
Mr. Hungerford,	Mr. Gray,
Mr. Cameron,	Mr. Clarke,
Mr. J. Davies,	Mr. Barbour,
Mr. Harris,	<i>Tellers.</i>
Mr. Teece,	
Mr. Groenwood,	Mr. Dillon,
Mr. Macintosh,	Mr. Thompson.

Noes, 15.

Mr. Driver,	<i>Tellers.</i>
Mr. Leary,	
Mr. W. H. Suttor,	Mr. Day,
Mr. Jacob,	Mr. W. Davies.
Mr. McCulloch,	
Mr. Webb,	
Mr. Moses,	
Mr. Badgery,	
Mr. W. C. Browne,	
Mr. O'Connor,	
Dr. Bowker,	
Mr. Buchanan,	
Mr. Stuart,	

And so it was resolved in the affirmative.

Bill read a third time.

Mr. Windeyer moved, That this Bill do now pass.

Debate ensued.

Question put.

The House divided.

Ayes, 25.

Sir Henry Parkes,	Mr. Barbour,
Mr. Watson,	Mr. McElhone,
Mr. Windeyer,	Mr. Dillon,
Mr. Lackey,	Mr. Garrett,
Mr. F. B. Suttor,	Mr. Murphy,
Mr. Baker,	Mr. Beyers,
Mr. Hoskins,	Mr. Burns,
Mr. J. Davies,	Mr. R. B. Smith,
Mr. Cameron,	Mr. Bennett,
Mr. Gray,	<i>Tellers.</i>
Mr. Hungerford,	
Mr. Macintosh,	Mr. Thompson,
Mr. Greenwood,	Mr. Harris.
Mr. Teece,	

Noes, 11.

Mr. Leary,
Mr. W. H. Suttor,
Mr. W. Davies,
Mr. Driver,
Mr. Badgery,
Mr. Day,
Mr. O'Connor,
Mr. Stuart,
Mr. Buchanan,
<i>Tellers.</i>
Mr. Webb,
Mr. Hurley (<i>Hartley</i>).

And so it was resolved in the affirmative.

Mr. Windeyer then moved, That the Title of the Bill be "*An Act to regulate and restrict Chinese Immigration.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to regulate and restrict Chinese Immigration,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20th March, 1879.

14. SUPPLY :—The Order of the Day for the resumption of the Committee of Supply having been read,—

Sir Henry Parkes moved, "That" Mr. Speaker do now leave the Chair.

Mr. W. H. Suttor moved, pursuant to *Contingent* Notice, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "in the opinion of this House it is desirable that a trial survey of a Railway Line be made from a point on the Western Railway Line at or near Raglan to Mudgee."

"(2.) That the above Resolution be communicated by Address to His Excellency the Governor."

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

Debate ensued.

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

Question,—That Mr. Speaker do now leave the Chair,—put and passed.

Whereupon Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply

And the Committee continuing to sit till after Midnight,—

FRIDAY, 21 MARCH, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at twenty-five minutes after One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 90.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 21 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Recreation Reserve, Crookhaven:—*Mr. Murphy*, for *Mr. Barbour*, asked the Secretary for Lands,—

(1.) Is it a fact that an area of land improved by Messrs. Berry, at Crookhaven, while under pre-emptive lease and applied for under the 2nd clause of the Act of 1875, has been dedicated as a Recreation Reserve?

(2.) Is it a fact that such land is utterly useless for such purpose, being separated from the nearest town by creeks, and almost if not quite inaccessible?

(3.) Is it also a fact that such dedication was made while the question of alienation was under reference to District Surveyor Arnheim, and without awaiting a return of his report?

(4.) If so, on whose authority was such dedication recommended?

Mr. Hoskins answered,—

(1.) An area held under pre-emptive lease by *Mr. Berry* was dedicated as a Reserve for Recreation. There appears to have been an application to purchase in virtue of improvements, but subsequently to the decision to grant the Reserve.

(2.) I am not aware. The application for the Reserve was numerously signed, and recommended by the local Surveyor for the purpose.

(3.) The decision to dedicate the Reserve was given before the application to purchase.

(4.) It was authorized by the late Minister for Lands.

(2.) *Mr. C. E. Phillips*:—*Mr. McElhone* asked the Secretary for Lands,—

(1.) When was *Mr. C. E. Phillips* appointed to the Civil Service?

(2.) What is the total length of time he has had leave of absence since he was appointed; on how many occasions has he received leave of absence, and the period of each?

(3.) What is the nature and quantity of the work he performed since he returned to work after his last leave of absence?

Mr. Hoskins answered,—

(1.) 10th January, 1859.

(2.) 17th February, 1868, a few days; 26th April, 1869, three weeks; 9th June, 1870, three weeks; 11th February, 1871, one week; 1st January, 1872, thirteen months, on half pay; 26th October, 1874, three weeks; 20th October, 1875, one month; 12th January, 1876, six weeks; 16th March, 1876, seven months, six months on half pay; 24th July, 1878, a few days; 15th August, 1878, one month; 13th September, 1878, a few weeks. The whole of this leave was granted on account of ill-health. As nearly as can be ascertained, two years and four months; one year and six months on half pay.

(3.) *Mr. Phillips* has recently been employed in writing explanatory reports and memoranda on cases, and as a corresponding clerk; he has performed a fair average quantity of work, and of a quality above the average.

(3.) Liverpool Asylum:—*Mr. Beyers*, for *Mr. McCulloch*, asked the Colonial Secretary,—What has been the death rate at the Liverpool Asylum for each year from 1872 to 1878?

Sir Henry Parkes answered,—The Manager of the Government Asylums reports as follows:—1872, 23·7 per cent.; 1873, 27·4 per cent.; 1874, 23·3 per cent.; 1875, 35·0 per cent.; 1876, 34·0 per cent.; 1877, 25·5 per cent.; 1878, 22·6 per cent.

(4.)

- (4.) Parramatta Volunteers :—Mr. Taylor asked the Colonial Secretary,—Is it true that Captain Byrnes of the Parramatta Volunteers holds in his hands a sum of money, the property of the above Volunteers ; if so, why is it not distributed among the members of the old Force entitled to it, as has been done in other cases, and will he give instructions to have it done ?

Sir Henry Parkes answered,—Captain Byrnes has a sum of money in his possession, the property of the Parramatta Corps of Volunteers, which sum will no doubt be applied under the rules of the Corps.

- (5.) Double Bay :—Mr. Macintosh asked the Secretary for Lands,—When will the several Documents and other Papers relative to Double Bay be laid upon the Table of this House, as ordered by Resolution on 26th November, 1878 ?

Mr. Hoskins answered,—The Return is complete with the exception of the plans, which will be prepared in the Survey Office without delay. I am informed that they will take about a fortnight to finish.

- (6.) Marine Parade, Double Bay :—Mr. Macintosh asked the Secretary for Lands,—What steps have been taken to define the "Marine Parade" at Double Bay, with the view of opening it to the public, as promised to be done by the Minister on 29th October, 1878 ?

Mr. Hoskins answered,—Mr. Licensed Surveyor Fariola, acting under the direction of Mr. District Surveyor Woolrych, is procuring and arranging information prior to marking the inner or southerly boundary of the "Marine Parade," as represented on the plan of the design for the Village of Double Bay, as approved in 1834. The survey will be commenced in a few days.

- (7.) Reserves at Paddington and Willoughby Falls :—Mr. Macintosh asked the Secretary for Lands,—

(1.) Has a survey been made of the reserves for public recreation at Paddington and Willoughby Falls, as promised by the Minister, 18th September, 1878 ?

(2.) Have any encroachments been made thereon ; if so, by whom ?

Mr. Hoskins answered,—

(1.) Not yet.

(2.) I have no official information on the subject, but inquiry will be at once made.

- (8.) Border Duties Convention :—Mr. Cohen asked the Colonial Secretary,—

(1.) Have the Government received any proposal from the Honorable Peter Lalor, on behalf of the Victorian Government, for the arrangement of a Border Duties Convention between the two Colonies ; and if so, will he state when such proposal was received, and also the nature of it ?

(2.) Have the Government yet considered and determined upon the proposal, and has any reply yet been given to Mr. Lalor or the Victorian Government ; if not, when is a reply likely to be given ?

Sir Henry Parkes answered,—In June last the Honorable Peter Lalor arrived here with a view of opening negotiations for the two Colonies of New South Wales and Victoria entering into some agreement which should effect the non-collection of Customs Duties on the River Murray. On the 31st December Mr. Lalor addressed a letter to the Colonial Secretary, with an enclosure, making some proposal, which, however, was in a very incomplete state. Soon after that Mr. Lalor suddenly left the Colony and returned to Melbourne on some urgent business. He returned to this Colony I think the beginning of this month, and on the 7th or 8th of March he supplemented this proposal by other explanations, some in writing and some in conversation,—and then for the first time this Government learned the sum of money proposed to be paid to New South Wales in consideration of the non-collection of Border Duties. The proposal, as gathered from these different communications, and as explained in conversation, has been under the consideration of the Government, and Mr. Lalor has been informed that a statement of the views formed by us upon his proposal will be communicated to him to-morrow.

- (9.) Bridge over Gulargumbong Creek :—Mr. Dangar, for Mr. Coonan, asked the Secretary for Public Works,—Is it the intention of the Government to place on the Supplementary Estimates for 1879 a sum of money for the construction of a Bridge over the Gulargumbong Creek, on the road from Dubbo to Coonamble, the same having been some time ago voted by Parliament, and lapsed ?

Mr. Lackey answered,—The question of making provision for this work is now under consideration.

- (10.) Road from Dubbo to Coonamble :—Mr. Dangar, for Mr. Coonan, asked the Secretary for Lands,—Is it the intention of the Government to place the road from Dubbo to Coonamble on the Schedule of Roads as a first-class road ?

Mr. Hoskins answered,—Before the Schedule of 1880 is prepared this matter will be inquired into.

- (11.) Road from Warren to Bourke :—Mr. Dangar, for Mr. Coonan, asked the Secretary for Public Works,—Is it the intention of the Government to proclaim the continuation of the Main Western Road from Warren to Bourke ?

Mr. Lackey answered,—The question of proclaiming a continuation of the Main Western Road from Warren will be duly considered before the next Estimates are prepared.

- (12.) Bridge over the Bogan River at Gongolgan :—Mr. Dangar, for Mr. Coonan, asked the Secretary for Public Works,—Is it the intention of the Government to place a sum of money on the Supplementary Estimates for 1879 for the construction of a Bridge over the Bogan River at Gongolgan, on the main mail road to Brewarrina ?

Mr. Lackey answered,—Inquiry will be made as to the desirability of making provision for this work.

- (13.) Police Quarters, Timbrabongie :—Mr. Dangar, for Mr. Coonan, asked the Colonial Secretary,—Is it the intention of the Government to establish Police Quarters at Timbrabongie, on the Macquarie River,—this being the place where the late Sergeant Wallings was shot, and being many miles from any Police Station ?

Sir Henry Parkes answered,—The matter will be considered so soon as a report which has been called for shall have been received.

- (14.) District Surveyor's Office, Dubbo:—*Mr. Dangar*, for *Mr. Coonan*, asked the Secretary for Lands,—Is it the intention of the Government to place a sum of money on the Supplementary Estimates for 1879 for a District Surveyor's Office at Dubbo?

Mr. Hoskins answered,—There is already a sum of money on the Estimates of the Public Works Department for a District Land and Survey Office at Dubbo.

- (15.) Land Agent, Coonamble:—*Mr. Dangar*, for *Mr. Coonan*, asked the Secretary for Lands,—When will the Land Agent lately appointed for Coonamble proceed to perform his duties?

Mr. Hoskins answered,—As soon as the Conditional Purchase Register has been returned by the Treasury, where it now is, to have noted against each purchase within the new district the amount of interest paid. The Register has only, however, quite recently been forwarded to that department, and as the press of work there at the present time of year is unusually heavy, it will, I understand, be some two or three weeks before the matter can be attended to.

- (16.) Steam-ship "Platypus":—*Mr. Roseby*, for *Mr. Hurley (Hartley)* asked the Colonial Treasurer,—

(1.) Have the Marine Board held an inquiry in regard to the stranding of the "Platypus"; if so, what is their decision?

(2.) Are they aware the warps used were only second-hand, and that signals of distress appeared from the ship, and also from the signal station for the Pilot, and that he refused to go out, assigning as a reason that there was no engineer?

(3.) Is Captain Fenwick an engineer?

(4.) Was S. B. Nicholl, Captain Jackson, or Edmund Ross, of Ballina, examined; if not, why were they not examined?

(5.) Is he aware that from quarter-past 1 p.m., on 14th February, 1879, till twenty minutes past 3 p.m., the ship was afloat between the inner and outer bar, and the Captain was making his utmost efforts to break through the inner bar to the river, and afterwards to break through the outer bar to get to sea again; meanwhile the tug, subsidized by the Government, was lying idly at the wharf with steam up, and could have reached the "Platypus"?

Mr. Watson answered,—

(1.) The matter of the stranding of the "Platypus" is under the consideration of the Marine Board, but they have not yet arrived at a decision.

(2.) The Board are not yet in full possession of all the facts bearing on the case, but they purpose visiting the Richmond River shortly, and will then make further inquiry.

(3.) Captain Fenwick holds a certificate of service as 3rd-class engineer.

(4.) None of these gentlemen have been officially examined, because it is considered unfair to receive ex parte evidence in the absence of other parties interested in the case.

(5.) Statements to the effect that the "Platypus" encountered great dangers in her attempt to enter the river on the occasion referred to in consequence of the heavy weather and sea on the bar have been received, but whether it was practicable for the tug to render her assistance or not cannot be decided until further information is derived on the subject.

- (17.) Travelling Stock Reserve, Miller's Creek:—*Mr. McElhone* asked the Secretary for Lands,—

(1.) Is he aware that *Mr. James Glass* has still got his fencing and other obstructions on the Water or Travelling Stock Reserve at Miller's Creek, and that the public are debarred from access to it?

(2.) Will he give immediate instructions to the proper officer to remove all *Glass's* fencing, &c., off this Reserve, and to prosecute him for trespass, as provided for in *Dangar's T. S. Act*?

Mr. Hoskins answered,—

(1.) Yes.

(2.) Instructions have been issued for the removal of the fencing, irrespective of the prosecution.

- (18.) Railway Extension:—*Mr. Buchanan* asked the Secretary for Public Works,—

(1.) Has the Government any specific Railway policy?

(2.) If so, will the Government lay it before the Members of this House?

(3.) Is the construction of a Line from Wallerawang to Mudgee included in it?

Mr. Lackey answered,—In reply to the Honorable Member's question, I beg to refer him to the Financial Statement of the Honorable the Colonial Treasurer of the 12th February last, in which he intimated to Parliament the action the Government propose taking in reference to future Railway Extension. It will be seen from that Statement that the Line to the District of Mudgee is included.

- (19.) Boats for Moree, Goangora, &c.:—*Mr. Dangar* asked the Secretary for Public Works,—

(1.) Have the boats for Moree, Goangora, Collarendabri, and Grawin Creek, Upper Barwin River, been forwarded to their destination?

(2.) If so, the dates so forwarded, and manner, and to whose care; if not, when will they be,—the same being required during winter months?

(3.) How is it proposed to do with these boats; in whose care are they to be placed at each place, and under what regulations?

Mr. Lackey answered,—

(1.) The iron boat for Moree is now in hand, that for Goangora is ready to be forwarded, and those for Collarendabri and Pockataroo were dispatched on the 17th ultimo.

(2.) The two last-mentioned boats were forwarded to the care of the local Road Officer at Tamworth. The others will be sent without loss of time.

(3.) The Road Officer will hand them over to the most eligible local authorities in each case, who will probably be most competent to make the best arrangements for management of the boats.

- (20.) Salter's Conditional Purchase, Bingera:—*Mr. Dangar* asked the Secretary for Lands,—

(1.) What decision has been arrived at in the case of *Salter's* conditional purchase (40 acres) at Bingera?

(2.) Will *Salter* be permitted to purchase the 3 acres upon which he has erected improvements to the value of £100, or will his case be included in the proposed Bill to legalize certain conditional purchases?

Mr.

Mr. Hoskins answered,—

- (1.) The conditional purchase was declared void on the 5th July, 1877, as being within a portion of the Bingera Gold-field not open to selection.
 - (2.) A representation was received from the applicant through Mr. Dangar, M.P., on the 13th instant, and has been referred to the Survey Branch for report, on receipt of which a decision will be arrived at and communicated to the applicant.
2. PAPER:—Mr. Hoskins laid upon the Table,—Copy of the Opinion of the Attorney General as to the validity of selections of land by transferees of Volunteer Efficiency Certificates.
Ordered to be printed.
 3. PATENT BILL:—The Order of the Day for the further consideration in Committee of this Bill read,—and, on motion of Mr. Macintosh, discharged.
Ordered, that the Bill be withdrawn.
 4. RESERVES FOR PUBLIC RECREATION:—The Order of the Day having been read,—on motion of Mr. Lucas Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider the following Resolutions:—
 - (1.) The health of the people should be one of the first objects of all good Governments, and to insure a healthy, and consequently a vigorous and intelligent community, it is necessary that all cities, towns, villages, and such other centres of population, should possess parks and pleasure grounds as places of public recreation.
 - (2.) That immediately after survey of any Crown Lands as the sites of future cities, towns, or villages, a sufficient number of blocks thereof should be reserved as sites for schools and other public buildings; also that every fifth section of such land, and at least 640 acres suburban thereto, should be dedicated as parks, pleasure grounds, and other like places of public recreation.
 - (3.) In those cities, towns, and villages already proclaimed, in and about which there is a sufficient quantity of Crown Lands (and if not a sufficient then any less quantity thereof as may be available), such reserves and dedications as mentioned in the previous clause should be made.
 - (4.) In the cases of those cities, towns, and villages in and around which there are no such Crown Lands, the Government should, as opportunities offer, purchase land for the purposes mentioned in the foregoing paragraphs, and the purchase money should be paid from the money received for Crown Lands sold by auction during the year in which any such purchase may be made.
 - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Lieutenant-Governor.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to certain Resolutions.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolutions, which were read a first time, as follows:—

Resolved,—

- (1.) That the health of the people should be one of the first objects of all good Government, and to insure a healthy community it is necessary that all cities, towns, villages, and such other centres of population, should possess places of public recreation.
 - (2.) That immediately after survey of any Crown Lands as the sites of future cities, towns, or villages, a sufficient number of blocks thereof should be reserved as sites for schools and other public buildings, and for places of public recreation.
 - (3.) In those cities, towns, and villages already proclaimed, in and about which there is a sufficient quantity of Crown Lands (and if not a sufficient then any less quantity thereof as may be available), such reserves and dedications as mentioned in the previous clause should be made.
 - (4.) In the cases of those cities, towns, and villages in and around which there are no such Crown Lands, the Government should, as opportunities offer, purchase land for the purposes mentioned in the foregoing paragraphs.
 - (5.) That the foregoing Resolutions be communicated by Address to His Excellency the Lieutenant-Governor.
- On motion of Mr. Lucas, the Resolutions were read a second time, and agreed to.
5. COPYRIGHT BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
On motion of Mr. Windeyer (*with the concurrence of the House*) the report was adopted.
Ordered, that the Bill be read a third time on Tuesday next.
 6. ADULTERATION OF FOOD PREVENTION BILL:—The Order of the Day having been read,—Mr. Driver moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
On motion of Mr. Driver, the report was adopted.
Ordered, that the Bill be read a third time on Tuesday next.
 7. MEDICAL BILL:—The Order of the Day for the second reading of this Bill read,—and, on motion of Dr. Bowker, discharged.
Ordered, that the Bill be withdrawn.
 8. ROADS BILL:—The Order of the Day in reference to this Bill read,—and, on motion of Mr. Lucas, discharged.
Ordered, that the Bill be withdrawn.

9. **MUDGEES TURF CLUB BILL**:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported that there was not a Quorum present in the Committee.
Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.
Mr. Speaker resumed the Chair; and the Chairman again reported that there was not a Quorum present in the Committee.
Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday next.
10. **POSTPONEMENTS**:—The following Orders of the Day postponed:—
(1.) Marsupials Destruction Bill; to be further considered in Committee;—*until Friday next.*
(2.) Amendment of the Land Law; resumption of Debate on Resolutions;—*until Friday, 4th April.*
(3.) Sewage of the City and Suburbs; consideration in Committee of an Address to the Lieutenant-Governor;—*until Friday, 18th April.*
(4.) Standard Weight of Maize; consideration in Committee of the Whole of the expediency of bringing in a Bill to declare the standard weight of Maize;—*until Friday next.*
11. **TENDERS FOR SUPPLIES FOR GOVERNMENT INSTITUTIONS**:—Mr. W. Davies moved, pursuant to Notice,—That there be laid upon the Table of this House, copies of the successful tenders for the supply of all articles for the Gaol at Darlinghurst, the Asylums at Gladesville and Parramatta, the Troops, the training-ship "Vernon," the Reformatory at Biloela, and the Hospital at Sydney, together with the quantities of each article so tendered for, for the years 1875, 1876, 1877, 1878, 1879; and the quantities of each article so tendered for actually supplied during the years 1875, 1876, 1877, 1878.
Question put and passed.
12. **CHIPPENDALE ROMAN CATHOLIC CHURCH LAND SALE BILL**:—*Mr. Driver*, for Mr. O'Connor, moved, pursuant to Notice,—
(1.) That the Chippendale Roman Catholic Church Land Sale Bill be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of Mr. Burns, Mr. Moses, Mr. Johnston, Mr. Barbour, Mr. Terry, Mr. W. H. Suttor, Mr. Day, Mr. Murphy, Mr. Thompson, and the Mover.
Question put and passed.

The House adjourned at seventeen minutes after Six o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No 91.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 25 MARCH, 1879.

I. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Nautical School Ship "Vernon":—*Mr. J. Davies*, for Mr. Copeland, asked the Colonial Secretary,—

(1.) Does not the Schedule to the Estimates-in-Chief for 1879 show, in reference to the Nautical School Ship "Vernon," that the Superintendent has quarters and rations, valued at £100, and that the Mate and Clerk and the Schoolmaster, respectively, have each quarters and rations valued at £60 per annum?

(2.) Does not the Schedule of Mr. Kidman's contract for 1878 show that these officers are each rationed at 6d. per day—an amount equal to £9 2s. 6d. per annum?

(3.) Is it not a fact that these officers are under the necessity of contributing a large proportion of their salaries to provide themselves with rations, on account of the meagre and inferior supplies allowed them under the contract alluded to?

(4.) Will the Government in future cause the "Vernon" to have a similar classification to the Industrial School for Girls?

Sir Henry Parkes answered,—

(1.) Yes.

(2.) Yes.

(3.) Some articles are provided by the officers at their own cost, in addition to their allowance, and occasionally they have purchased butcher's meat at their own cost.

(2.) Cooalongoolook:—*Mr. J. Davis*, for Mr. Copeland, asked the Secretary for Lands,—

(1.) Is he aware that nine distinct lines of auriferous quartz veins have been discovered at Cooalongoolook, near Forster, Cape Hawke, on which a large number of mining leases have been applied for?

(2.) Is he aware that the Mining Department applied to his department on the 8th of January last to proclaim a gold-field at the above-mentioned place, and on the 5th instant reminded them of the urgency of the case, but as yet without effect, with the result that the land which is known to be auriferous and the best site for a township has been free-selected?

(3.) Will he take the necessary steps to have a gold-field gazetted as soon as possible, and cause inquiry to be made, with a view to the cancellation of the said selections under section 11 of the Mining Act?

Mr. Hoskins answered,—

(1.) It is known that auriferous quartz veins have been discovered at Cooalongoolook, and that gold mining leases have been applied for, but the exact number of distinct lines of quartz veins discovered is not known.

(2.) Yes.

(3.) Proclamations of the Gold Field in question, and reservation of part of the area included therein, will appear in to-day's Supplement to the *Government Gazette*. Inquiry will be made with respect to the selections alluded to.

(3.) Contracts for Government Stores:—*Mr. McElhone* asked the Colonial Treasurer,—

(1.) Who were the contractors for the supply of general stores for the service of Government during the years 1876, 1877, 1878?

(2.) What were the several amounts paid to the contractors for the supply of general stores, per Schedule, as contracted for during the years 1876, 1877, 1878?

(3.) What were the several amounts paid to the several contractors, or now due to them, by the Government for the supply of general stores other than by contract during the years 1876, 1877, 1878?

Mr.

Mr. Watson answered,—

(1.) The information asked for under this question is embodied in a Return, which I will presently lay upon the Table.

(2 and 3.) It will take some time to collect the information asked for in these questions, but it will be supplied, as far as practicable, at the earliest possible dates.

- (4.) Bridge over the Namoi River, at Gunnedah :—Mr. Dangar asked the Secretary for Public Works,—Is it intended to provide funds out of the General Vote for a bridge over the Namoi River at Gunnedah, to enable people on the northern side and from Barraba to have access to the Railway; if so, when will tenders be called for such?

Mr. Lackey answered,—The question of making provision for this work has been already noted for consideration when the next Estimates are being prepared.

- (5.) Railway Bridge, Parramatta :—Mr. Taylor asked the Secretary for Public Works,—Is it the intention of the Government to cause the removal of the present unsightly and dangerous Railway Bridge crossing Church-street, and cause a Bridge of one span to be erected during the alterations at the Parramatta Railway Station?

Mr. Lackey answered,—The Engineer for Existing Lines reports that the trusses of this bridge were renewed about three years ago, and that he cannot recommend the erection of a new bridge of longer span, as the present span is the width of the road.

- (6.) Great Northern Railway :—Mr. Dillon asked the Secretary for Public Works,—Is the Government aware that the running of the Trains on the Great Northern Railway is characterized by the greatest irregularity; if so, will some steps be taken to put a stop to this state of things?

Mr. Lackey answered,—I have made inquiry into this matter, and though I find that there have been detentions between Singleton and Newcastle, caused by the necessity of attaching additional vehicles, it is clear that the irregularity in trains running is not so bad as has been represented. Between the 1st February and 22nd March, 644 passenger trains were run on the Northern Line, 551 of which were run precisely to time; forty-two were five minutes late, twenty-four ten minutes late, seven fifteen minutes late, ten twenty minutes late, and ten thirty minutes late. Of these delays the longer ones have been with the trains between Newcastle and Tamworth; and the timetable is now being revised with the view to see whether the time cannot be shortened. Passengers very often confound necessary with unnecessary delays. A train may be some time at a station because it has arrived before its time, and cannot be started till the time fixed by table has expired.

- (7.) Railway from the Clarence to New England :—Mr. Dillon asked the Secretary for Public Works,—Has Surveyor Francis made any report to the Government on his recent exploration of the country from the Clarence to New England; if so, is there any objection to lay such report upon the Table of the House?

Mr. Lackey answered,—This report has been made, and was laid on the Table of the House on the 12th instant.

- (8.) Bridge over the Gap Creek, at Currabubula :—Mr. Bennett asked the Secretary for Public Works,—Under what circumstances has the present Secretary for Works refused to carry out the erection of a Bridge over the Gap Creek at Currabubula, which was ordered to be done by his predecessor?

Mr. Lackey answered,—There has been no refusal to carry out this work, although there is no record on the papers of any promise having been made by my predecessor in this case. Instructions were given on the 4th instant for preparation of the necessary plan, &c., which will be completed to-day.

- (9.) Withdrawal of Reserves from Lease :—Mr. Bennett asked the Secretary for Lands,—

(1.) Has Reserve 181, 480 acres, and 181 Extension, 2,113 acres, been withdrawn from lease; if so, when, and on whose application, and for what purpose?

(2.) In what position, and in whose possession, are the said reserves, or any portion of them, at the present time?

Mr. Hoskins answered,—

(1.) Reserve No. 181, now 1,219, from sale, and 176 from lease, were withdrawn from lease on the 29th July, 1878, upon the report and recommendation of the District Surveyor, as a public watering-place, and to afford access thereto.

(2.) The land having been withdrawn from the lease for public purposes, the reserve referred to is open to public use.

- (10.) Road from Barraba to Gunnedah :—Mr. Bennett asked the Secretary for Mines,—Has any report been received from Mr. District Surveyor Dewhurst, Tamworth, and the Local Road Superintendent located at Warialda, or any other person connected with Lands Department, having reference to the impracticability or practicability of constructing a line of traffic from Barraba to Gunnedah; if so, when, and what is the nature of such report?

Mr. Baker answered,—No report has been received but that of the local surveyor, upon which the District Surveyor was requested in July last to have the road laid out through alienated land.

- (11.) Mr. Oliver, Inspector of Land Offices :—Mr. J. Davies, for Mr. Roseby, asked the Secretary for Lands,—Have any complaints been made by the Auditor General, or any other person, in reference to Mr. C. Oliver having charged the sum of £12, or any other sum, twice over, as expenses for the one trip in 1876, and will he lay any correspondence on the matter upon the Table of this House?

Mr. Hoskins answered,—No such complaints have been made.

- (12.) Land occupied by Mr. Smith for Sericultural purposes :—Mr. McElhone asked the Secretary for Lands,—

(1.) Has Mr. T. Smith, senr., made application to Mr. Farnell, or any other Minister for Lands, for leave to take up a purchase of 100 acres of land, or any greater or less quantity, at Lapstone Hill,

Hill, or any other place near Penrith, said to be for sericultural purposes; if so, is it a fact that Mr. Farnell has recommended that Mr. Smith may be allowed to buy the land, and at what price per acre?

(2.) Is he aware that it is reported that this land is worth £20 per acre, and that there are only a few mulberry trees planted on this land, and is it his intention to allow Mr. Smith to buy this land without its being put up to auction?

Mr. Hoskins answered,—

(1.) Mr. Smith applied to Mr. Garrett to purchase in virtue of improvements effected on a lease taken out some time previously for sericultural purposes. An appraisement was made in the mode prescribed by law, and the purchase was approved by the Executive Council.

(2.) There is no report as to the land being worth £20 per acre. The improvements are reported to be fencing, clearing, and planting of apple and mulberry trees, and to the value required by law. Under an opinion given by the late Attorney General, I have no power to refuse to complete the sale, the appraisement or award being final, and binding on all parties.

(13.) International Exhibition Building:—*Mr. McElthone*, for Mr. Badgery, asked the Colonial Secretary,—

(1.) Have the Government received or prepared any estimate of the probable cost of the buildings for the International Exhibition; if so, what is the amount?

(2.) How much has already been expended?

Sir Henry Parkes answered,—The original estimate made by the Colonial Architect for the Exhibition Building was £50,000, which has been several times stated to the House. At the close of last month I caused a memorandum to be sent to the Colonial Architect, requiring to be informed on several points relating to the Exhibition; and one of the heads upon which I desired information was in these words: "As to the amount of expenditure already incurred, and whether in view of the present state of things, and with the experience gained by the progress of the works so far, Mr. Barnett sees any reason for modifying his first estimate of the cost of the buildings, namely, £50,000." In reply to that, dated 28th February, Mr. Barnett, among other replies, made this statement: "The total amount actually expended to the present date is £20,547 16s. 10d., but in addition to this a tender has recently been accepted for about 70 tons galvanized iron, which will increase the amount probably about £1,650. As far as the work has gone, I do not see any reason for the cost of the building exceeding the original estimate, £50,000,—allowing for recoup by sale of materials when the Exhibition is over." Up to the present time Mr. Barnett informs me that owing to considerations arising out of the distribution of work, there has been much more brickwork than he calculated for. He also says that night work is much more costly than day work, and was not considered in his estimate; and there has been an addition to the building, sanctioned by the Government, consisting of verandahs in front. These verandahs will add about £1,500 to the cost. He further states: "The sum of £39,759 19s. 5d. has been expended to the present time by my Department. This amount, however, includes workshops, cooking and meal-sheds for workmen, offices, tools, machinery, tackling, scaffolding, movable stages, tramway, appliances for electric light, &c., which, together with road-making, sewerage, drainage, excavating for terraces, corrugated iron, and other fences, were never contemplated in framing my estimate of the building, which was for the structure only." The Colonial Architect still maintains that, with the recoup from the sale of material, his estimate will cover the cost of the structure.

(14.) Mr. Oliver, Inspector of Land Offices:—*Mr. Thompson* asked the Secretary for Lands,—

(1.) Has there been any correspondence lately between the Auditor General and the Under Secretary for Lands, respecting certain accounts for services performed during 1876 by Mr. C. Oliver, Inspector of Land Offices?

(2.) What is the nature of that correspondence?

(3.) Has the matter been submitted to him; and, if so, what is his decision thereon?

Mr. Hoskins answered,—

(1.) There has been no such correspondence in reference to Mr. Oliver, as Inspector of Land Offices.

(2.) There were some queries as to omissions in vouchers furnished in 1876.

(3.) The matter was submitted to me yesterday, but I have not had time to give a final decision on the case.

2. PAPERS:—

Sir Henry Parkes laid upon the Table,—

(1.) Detailed Statement of Expenditure for the Defences of the Colony, showing proposed Expenditure for 1879. (*To be substituted for the Statement laid upon the Table on 12th March, 1879.*)

(2.) Further Return to an Address adopted on 6th July, 1877,—“Immigration,”—Ship “Blair Athole.”

Ordered to be printed.

Mr. Watson laid upon the Table,—

(1.) A Return showing the names of the Contractors for the Supply of General Stores for the Service of the Government during the years 1876, 1877, and 1878.

(2.) Correspondence respecting complaints as to quality and quantity of supplies by Mr. James Kidman, under his contracts with the Government for 1878–9.

Ordered to be printed.

Mr. Hoskins laid upon the Table,—Return to an Order made on 5th February, 1878,—“Conditional Purchases on Gold Fields.”

Ordered to be printed.

3. BRIDGE OVER THE CASTLEREAGH RIVER AT COONAMBLE (*Formal Motion*):—*Mr. Coonan* moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence relative to the construction of a Bridge over the Castlereagh River at Coonamble.

Question put and passed.

4. COPYRIGHT BILL (*Formal Order of the Day*),—on motion of Mr. Windeyer, read a third time, and passed.

Mr. Windeyer then moved, That the Title of the Bill be "*An Act to secure to Proprietors of Works of Literature and Fine Art and to Proprietors of Designs for Articles and Works of Manufacture and Art the Copyright of such Works and Designs for a limited period.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to secure to Proprietors of Works of Literature and Fine Art and to Proprietors of Designs for Articles and Works of Manufacture and Art the Copyright of such Works and Designs for a limited period,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 25th March, 1879.*

5. ADULTERATION OF FOOD PREVENTION BILL (*Formal Order of the Day*),—on motion of Mr. Driver, read a third time, and passed.

Mr. Driver then moved, That the Title of the Bill be "*An Act to prevent the Adulteration of Articles of Food or Drink and the Sale of certain Liquors injurious to health.*"

Question put and passed.

Ordered, that the Bill be returned to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day agreed to the Bill, intituled "*An Act to prevent the Adulteration of Articles of Food or Drink and the Sale of certain Liquors injurious to health,*"—returns the same to the Legislative Council without amendment.

*Legislative Assembly Chamber,
Sydney, 25th March, 1879.*

6. MR. CHARLES KIDMAN:—Mr. Speaker read to the House a letter received by him from Mr. Charles Kidman, dated this day, expressing his deep regret for his conduct in the Legislative Assembly Chamber on the evening of Thursday, the 13th instant, and offering to Mr. Speaker, and through him to the House, an humble apology for what had occurred.

7. THE OFFICE OF COLONIAL TREASURER:—Mr. McElhone moved, pursuant to Notice, That in the opinion of this House it is not desirable that the Colonial Treasurer should be a Bank Director, or Manager of any private Bank, whilst holding the office of Colonial Treasurer.

Debate ensued.

Question put.

The House divided.

Ayes, 8.

Mr. Cohen,
Mr. McCulloch,
Mr. Sutherland,
Mr. Driver,
Mr. Bennett,
Mr. Greenwood,

Tellers.

Mr. O'Connor,
Mr. McElhone.

Noes, 23.

Sir Henry Parkes,	Mr. Lynch,
Mr. Baker,	Mr. Thompson,
Mr. Windeyer,	Mr. Coonan,
Mr. Hoskins,	Mr. Cameron,
Mr. F. B. Suttor,	Mr. Dangar,
Mr. R. B. Smith,	Mr. Beyers,
Mr. Eckford,	Mr. Lackey,
Mr. J. Davies,	Mr. Stuart,
Mr. Hungerford,	<i>Tellers.</i>
Mr. Merriman,	Mr. H. H. Brown,
Mr. Simson,	Mr. Clarke.
Mr. Roseby,	
Mr. Macintosh,	

And so it passed in the negative.

8. SUPPLY:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 26 MARCH, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at half-past One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 92.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 26 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Conditional Purchases at Yetman:—*Mr. Dillon*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Is the Minister aware that several selections of land have been taken up in the neighbourhood of Yetman, M'Intyre River, some five, some seven years ago, the improvements on which have all been completed; balance of purchase money and deed fees paid?

(2.) That though frequent applications have been made during the last three years to the Lands Department, the purchasers cannot obtain an Inspector to visit and report upon these selections, nor can they get their deeds?

(3.) Is it a fact that the Warialda Inspector of Stock was specially appointed, at the request of a Member of this House, to report upon certain selections in the same neighbourhood, and yet, he failed to report upon these?

(4.) When will an Inspector of Conditional Purchases be sent to report upon these selections?

(5.) Is it intended to make any change with a view to hastening reports upon conditional purchases, and enabling parties who purchase Crown lands to obtain their deeds more expeditiously?

(6.) Has (or will, and if so, when) an Inspector of Conditional Purchases been appointed for the Gwydir District, Bingera, Inverell, Warialda, Narrabri, Moree, &c.?

Mr. Hoskins answered,—

(1.) There are several selections in the district referred to declared upon and awaiting verification of the conditions having been fulfilled.

(2.) Arrangements were made for the inspection of these with other selections, but delayed in execution by the great extent of the duty to be performed. The Inspector of Conditional Purchases has been for some time employed in the Warialda District, and all his recent reports have been on cases within that district.

(3.) Certain cases represented as being of special urgency were referred to the Inspector of Stock, and dealt with under his report.

(4.) The Inspector has been sent, as already stated.

(5.) Special arrangements have recently been made for expediting the disposal of such claims through the agency of the Inquiry Courts.

(6.) There is already an Inspector appointed for the Warialda, Bingera, and Inverell Districts, and another for the Districts of Narrabri, Moree, &c.

(2.) District Courts and Quarter Sessions, Brewarrina:—*Mr. Dillon*, for Mr. Dangar, asked the Attorney General,—

(1.) Has Judge Murray's report been received as to the establishment of District Courts and Quarter Sessions at Brewarrina; if so, the nature thereof, favourable or otherwise?

(2.) If favourable, when will such Courts be established?

Mr. Windeyer answered,—The character of the reports received with reference to this matter is such that I cannot advise the establishment of these Courts at Brewarrina.

(3.) Rails for City Tramway:—*Mr. Cameron* asked the Secretary for Public Works,—

(1.) Whose offer has been accepted for the supply of rails for the proposed City Tram-road?

(2.) What price is being paid for the said rails?

(3.) Was any attempt made to ascertain whether the rails could have been supplied by any other firm; and if so, what was the result of such inquiry?

Mr. Lackey answered,—

(1.) The offer of *Mr. Daniel Williams*.

(2.) £11 per ton.

(3.)

- (3.) No attempt was made to ascertain whether they could have been supplied by any other person in the Colony, in fact it was not known that they could be made in the Colony, but on the eve of the order being sent to England, Mr. Williams submitted an offer to make them, and at a price which, according to information at hand, bore favourable comparison with the price at which they could have been imported. As the urgency of the case did not admit of any delay, Mr. Williams's offer was at once accepted.
- (4.) Railway to Ironbarks :—*Mr. McElhone*, for Mr. Coonan, asked the Secretary for Public Works,—Is it the intention of the Government to take the necessary steps to have the Western Railway opened as far as Ironbarks before the opening of the Exhibition ?
- Mr. Lackey* answered,—No provision has been made in the contract to open any portion of this extension before the 31st January, 1880, and without the consent of the contractor the line cannot be opened to Ironbarks. If this length be opened, the completion of the remaining distance to Wellington will be seriously retarded.
- (5.) Village Reserve at Gulargumbone :—*Mr. McElhone*, for Mr. Coonan, asked the Secretary for Lands,—Has a Petition been received, requesting that the Village Reserve at Gulargumbone, on the Castlereagh River, be measured in allotments and submitted to auction ; if so, when will the prayer of the Petition be complied with ?
- Mr. Hoskins* answered,—Instructions have been issued to the District Surveyor to measure allotments in the village.
- (6.) Wages of Labourers employed at the Exhibition Building :—*Mr. McElhone* asked the Colonial Secretary,—
- (1.) Is it true that Mr. John Young has cut down the wages of certain labourers employed at the Exhibition Building one shilling per day ?
 - (2.) If he is not aware of it will he make inquiries into the matter, and if found correct will he give instructions to have the wages restored to the same rate that was paid before the reduction was made ?
- Sir Henry Parkes* answered,—*Mr. Young* states that he pays the current rates of wages ; but he discriminates between good, bad, and indifferent, and acts accordingly.
- (7.) Thomas Love's Conditional Purchase, Bombala :—*Mr. Dillon* asked the Secretary for Lands,—
- (1.) Will the Secretary for Lands lay upon the Table of this House all Papers in connection with the transfer of a conditional purchase of 202 acres of land in the county of Wellesley, parish of Banger, district of Bombala, from Thomas Love to Alexander McDonald, Charles Smith, and Edward Knox, executors of the will of the late William Bradley, on or about 6th January, 1879 ?
 - (2.) Did the Minister receive a written protest against the transfer of the said land, on the ground of it having been levied on under an execution from the Bombala District Court, and advertised for sale under such execution ?
 - (3.) Did the Minister, on receipt of the notice, make any inquiry into the matter before accepting transfer of the said land ?
- Mr. Hoskins* answered,—
- (1.) There is no objection to the papers being laid upon the Table, if desired by the Honorable Member.
 - (2.) A protest was received against the transfer on the ground stated.
 - (3.) The notice of transfer had been lodged in the local office, and duly registered on the 6th January, 1879, and, in the absence of any similar notice in favour of any other party, the parties objecting were, after the usual inquiries, informed, under date 6th ultimo, that this Department is not empowered to deal with such questions between parties, and the law is sufficiently powerful to prevent fraudulent transfers.
- (8.) Road between Bowling-alley Point and Nundle :—*Mr. Bennett* asked the Secretary for Public Works,—
- (1.) What is the reason for the delay in clearing, cutting, and forming the line of road between Bowling-alley Point and Nundle ?
 - (2.) On whose authority and for what reason has the said work been discontinued ?
 - (3.) When will instructions be given to the contractors to resume the said work ?
- Mr. Lackey* answered,—
- (1.) Contracts have been let on this line, and the local officer, under date the 8th instant, reports that the work is making fair progress, and that further work will be laid out as soon as possible.
 - (2.) I am not aware of any stoppage in this work, but inquiry will be made.
 - (3.) See preceding answer.
- (9.) Benches for Court-house, Tamworth :—*Mr. Bennett* asked the Colonial Secretary,—What action has been taken, and with what result, with reference to my inquiry by letter, dated 24th of last month, why the benches lying in the carriage-shed, Tamworth, are not placed under the verandah of the Court-house, Tamworth, for the use of the persons attending the Court ?
- Sir Henry Parkes* answered,—The Honorable Member's letter, dated 24th February, was lately referred to the Police Magistrate at Tamworth, and subsequently transmitted, with report from that officer, to the Colonial Architect, who states that an officer from his Department is now at Tamworth, and will attend to the matter so far as may be practicable.
- (10.) Approaches to Bridge over Jacob and Joseph Creek :—*Mr. Bennett* asked the Secretary for Public Works,—
- (1.) What are the reasons why the approaches have not been made from George-street, Quirindi, across the Railway to the bridge recently erected over Jacob and Joseph Creek ?
 - (2.) Has the said work been inspected and reported upon by any officer of the Works Department ; if so, when and by whom, and what is the nature of such report ?
 - (3.) Has the contractor been paid for the erection of such bridge, &c., &c. ; if so, when ; if not, why not ?

Mr. Lackey answered,—

(1.) When the Railway Crossing is moved to Henry-street the approach to the new bridge will be raised to meet it.

(2.) A report has been made by the local road officer, whose report is to the above purport.

(3.) The contractor has been paid two advances on this account, viz. :—£243 on 6th December, 1878, and £275 on 25th January, 1879. The final payment will be made in the course of a few days.

(11.) Road between Quipolly and Breeza :—Mr. Bennett asked the Secretary for Public Works,—

(1.) Why has the present Secretary for Public Works refused to allow the forming and making trafficable the new line of road diverging from the main line of road between Quipolly and Breeza to run outside L. P. Doyle's conditional purchase blocks ?

(2.) Also, the non-completion of the approaches to the roadway recently made across Deadman's Swamp, which works were ordered to be done by the late Secretary for Works in October or November last ?

Mr. Lackey answered,—

(1.) I am not aware of any refusal on my part to allow these works to proceed.

(2.) Inquiry will be made as to the alleged non-completion of approaches in this case.

(12.) Municipal District of Lismore :—Mr. Roseby, for Mr. J. Davies, asked the Colonial Secretary,—

(1.) Is it a fact that Lismore has been proclaimed a Municipal District in the face of a large counter petition, signed by ninety-three persons, twenty-six of these being taken off the petition for ?

(2.) Did the Government hold a court of inquiry as to the statements made by petitioners in counter petition, that a number signed the petition for under a misapprehension ?

(3.) Will the Government stay all proceedings until the matter is thoroughly investigated ?

Sir Henry Parkes answered,—

(1.) Yes. The petition for incorporation was signed by 101 persons ; the counter petition by 93. Under the Municipalities Act of 1867, section 12, and 22 Victoria No. 12, section 8, a discretionary power is given to the Minister as to the expediency of causing an inquiry into any representation made in any counter petition.

(2.) No such inquiry was held.

(3.) The Municipality having been proclaimed in accordance with the Municipalities Act of 1867, the Government have no power to interfere.

(13.) Inquest on the body of Mrs. Brown :—Mr. Driver asked the Minister of Justice and Public Instruction,—

(1.) Has his attention been drawn to the remarks of the Coroner, as reported in the *Sydney Morning Herald*, upon the verdict of the jury on the inquest held upon the body of the late Mrs. Brown ?

(2.) Does he intend to take any action thereon ?

Mr. F. B. Suttor answered,—

(1.) Yes.

(2.) Inquiry has been made of the Coroner, and that officer has informed me that he expressed his concurrence generally in the verdict of the jury, but not in the terms employed in the *Sydney Morning Herald*, and that on Saturday morning last he drew the attention of the reporter of the *Herald* to the fact that he had incorrectly reported him on the point in question.

2. LANDS ACTS FURTHER AMENDMENT BILL :—Mr. Simson presented a Petition from Crown Tenants in the Upper Darling Districts, stating that they view with alarm certain provisions in the amending Land Bill now before the House ; and praying that the House will give its favourable consideration to the subject matter of their Petition.
Petition received.

3. PAPERS :—

Mr. Hoskins laid upon the Table,—Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Vic. No. 1.

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—

(1.) Further Correspondence concerning arrangements with the Imperial Government respecting Postal Communication between the United Kingdom and the Australasian Colonies.

(2.) Statement of Accounts of the Government Savings Bank from 1st January to 31st December, 1878.

Ordered to be printed.

4. SUSPENSION OF STANDING ORDERS (*Formal Motion*) :—Mr. Watson moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing of a Bill, intituled "A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879," through all its stages in one day, and would also preclude the Resolutions of the Committees of Supply and of Ways and Means, respectively, whereon the said Bill is proposed to be founded, being received on the same day on which they are come to by the said Committees respectively.
Question put and passed.

5. RAILS FOR CITY TRAMWAY (*Formal Motion*) :—Mr. Sutherland moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers having reference to the supply of Rails for the proposed Tramway from the Railway Station to Hunter-street.
Question put and passed.

6. ADJOURNMENT :—Mr. Pilcher moved, That this House do now adjourn,
Debate ensued.
Question put and negatived.

7. **PARLIAMENTARY POWERS AND PRIVILEGES BILL** :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having taken into consideration the Legislative Assembly's Message, dated 5th March, 1879, in reference to the Parliamentary Powers and Privileges Bill,—

Agrees to the Assembly's amendment upon the Council's amendments in clause 2.

Does not insist upon its amendments in clause 3, line 4, which propose the insertion of the word "and" after "that" and the omission of the words "and exercise."

But insists upon its other amendment in that clause, which proposes the insertion after the word "that" in line 9, of the words "no act done or word spoken written or published shall be dealt with as a contempt or breach of privilege by either House unless done spoken or published in the Chamber itself or within the precincts thereof and that"—

(1.) Because the Council does not deem it expedient to vest in the Legislature any powers to deal with offences alleged to be in contempt or breach of the privileges of Parliament other than those committed in the Chambers of either House or within the precincts thereof.

(2.) Because no necessity has been shown for the existence of any powers in excess of those which the Council has already sanctioned for securing the orderly and efficient conduct of public business.

(3.) Because the ordinary judicial tribunals of the Country are open to any Member of either House of Parliament who may feel himself aggrieved by any act done or word spoken, written, or published to his injury by any person outside the precincts of Parliament.

Insists upon its amendments which omit clauses 6 and 7,—

(1.) Because the Council does not deem it fair to a person accused of any offence against the privileges of Parliament, and who is afterwards to stand his trial for such offence, to have his case publicly discussed in one of the Chambers of the Legislature, his guilt affirmed, and the Attorney General directed by Resolution to prosecute such person.

(2.) Because the course prescribed would, in the judgment of the Council, seriously interfere with the discretion of the Attorney General, would be an invasion on the part of one Chamber of the Legislature of his constitutional functions, and would tend to impair the usefulness and weaken the independence of that officer.

(3.) Because any such affirmation on the part of Parliament of the guilt of any person charged with any such offence would be calculated to bring the Parliament into collision with the Courts of Law before which the guilt of such person would have to be established.

*Legislative Council Chamber,
Sydney, 26th March, 1879.*

JOHN HAY,
President.

Ordered, that this Message be taken into consideration in Committee of the Whole to-morrow.

8. **METROPOLITAN RAILWAY EXTENSION BILL** :—The Order of the Day having been read,—Mr. Lackey moved, That this Bill be now read a second time.
Debate ensued.
Mr. Sutherland moved, That this Debate be now adjourned.
Debate ensued.
Question put and passed.
Ordered, that the Debate be adjourned until Wednesday next.
9. **POSTPONEMENT** :—The Order of the Day for the adoption of the report on the Sydney Corporation Bill postponed until to-morrow.
10. **SUPPLY** :—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 27 MARCH, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 93.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 27 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

VOTE OF CREDIT:—The following Message from His Excellency the Lieutenant-Governor was delivered by Mr. Watson, and read by Mr. Speaker:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 7.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the Colony for the month of March, 1879; together with provision for other Services of an urgent nature.

*Government House,
Sydney, 27th March, 1879.*

Ordered to be printed, and referred to the Committee of Supply.

2. QUESTIONS:—

- (1.) Watch-house, Pyrmont:—Mr. Cameron asked the Colonial Secretary,—

(1.) Have the Government purchased a site for a Watch-house at Pyrmont; if so, how long is it since such purchase was completed?

(2.) When is it intended to proceed with the erection of the said Watch-house?

Sir Henry Parkes answered,—

(1.) Yes; the deed was executed in November last.

(2.) Plans of the building are prepared, and the work will be ready for advertising next week.

- (2.) British Duties on Australian Wines:—Mr. Burns asked the Colonial Secretary,—Whether any correspondence has been received from the Agent General since the 18th October, 1877, respecting the British Duties on Australian Wines; and, if so, will he cause a copy of the same to be laid upon the Table of the House?

Sir Henry Parkes answered,—No letter subsequent to that of 18th October, 1877, has been received from the Agent General on this subject.

- (3.) Coroners Inquests:—*Mr. Driver*, for Mr. McElhone, asked the Minister of Justice and Public Instruction,—

(1.) Is it the practice of a Coroner to permit medical men to remain in Court during the examination of witnesses concerning the death of a person previous to the medical man giving his own evidence; more particularly when any person is in custody on suspicion of being in some way concerned in causing the death of the person?

(2.) Is it not the practice in all other Courts to exclude witnesses from the Court whilst cases are being tried until after they have given their evidence?

Mr. F. B. Suttor answered,—

(1.) Yes.

(2.) Yes; but the practice does not apply to medical men when the evidence to be given by them is only of a professional nature.

- (4.) International Exhibition Building:—*Mr. Driver*, for Mr. McElhone, asked the Colonial Secretary,—What amount of money has been spent, or paid as wages, during the present month, up to 22nd of this month, on the Exhibition Building?

Sir Henry Parkes answered,—The Colonial Architect reports that the amount expended for wages during the present month to 22nd instant, inclusive, is as follows:—Wages for labour employed by Mr. Young, £7,186 8s. 2d.; wages for timekeepers, measuring clerks, &c., employed by Colonial Architect, £55 6s.; total, £7,241 14s. 2d.

(5.) Rails for City Tramway :—*Mr. Driver*, for *Mr. McElhone*, asked the Secretary for Public Works,—

(1.) Is it a fact that the Lithgow Iron Mining Company, of which the Honorable J. Sutherland is a large shareholder, has got the contract for the supply of Tramway rails from Railway Station to Hunter-street without competition, or contracts being called for the supply of the rails?

(2.) Did he give this order to the above Company, or was it given by the Commissioner for Railways; if on the authority of the latter, was he authorized to give this contract to above Company?

(3.) Is it a fact that the above Company, of which the Honorable J. Sutherland is a large shareholder, was allowed to purchase several hundred tons of old iron without competition, and privately, whilst other persons were anxious to buy this iron?

(4.) What was the price paid per ton to the Government by above Company for the iron referred to; did he give authority to any one or sanction the sale of this iron privately to above Company, or was the iron sold to the Company on the authority of any Government official; if so, who was the official, and had he the authority of the Minister to sell the iron privately?

(5.) Will he at once put a stop to the practice of allowing contracts without competition, and give instructions that except in cases of extreme urgency all articles required by the Government by purchase, or to be sold on their contract, shall be done by contract or tender in one case, or by tender or by public auction in the other?

Mr. Lackey answered,—

(1.) *Mr. Daniel Williams* is the contractor; it is not known to the Department whether the Lithgow Iron Mining Company is in any way concerned in it.

(2.) The contract was made with *Mr. Williams* upon my authority.

(3.) On the 12th November last there was a sale by auction in Sydney of old wrought and cast iron. *Mr. Daniel Williams* was the highest bidder, and he offered to take at the same price the old iron which was then lying at Newcastle. As the price was a good one, and the iron at Newcastle of an inferior description to that sold in Sydney, the Commissioner for Railways, on the recommendation of the auctioneer and the Railway storekeeper, approved of the 230 tons of iron at Newcastle being included in the sale.

(4.) The price realized at auction was £3 16s. per ton, and under the circumstances it cannot be said to have been sold privately. Some two months after the sale one firm applied to be allowed to purchase the iron at Newcastle, but it subsequently transpired that they would only take the cast iron, leaving the wrought iron and broken rails undisposed of.

(5.) Except in special cases, which the Honorable Member reserves, the practice of the Department is to sell old material either by tender or at auction. I am informed that at times difficulty is experienced in disposing of old Railway material. Tenders have been invited, and auctions held without effect, and as the space which the accumulated refuse occupies is wanted for other purposes, it is an advantage to the Department to effect a sale, if it can be done on fair terms.

(6.) Bridge at Myall Creek :—*Mr. Dangar* asked the Secretary for Public Works,—Is it a fact that the Bridge in course of erection at Myall Creek, near Bingera, has been washed away with the late rains; if so, what steps are intended to be taken in the matter?

Mr. Lackey answered,—The bridge has been reported as having been carried away. The full extent of damage has not yet been ascertained, and no steps can be taken until receipt of the local officer's report on flood damages generally in the district.

(7.) Approaches to Goondawindi Bridge :—*Mr. Dangar* asked the Secretary for Public Works,—

(1.) Is it a fact that the approaches to the Goondawindi Bridge, on the New South Wales side, are private property, and no getting from the reserve to the bridge unless by passing through such land?

(2.) Will or has any arrangement been made with the owner of such land to give the public a right of road to the bridge from such reserve, or a purchase made of the block of 40 acres, said to exclude the right of road to the bridge?

Mr. Lackey answered,—

(1.) It is believed that this is the case, but the Queensland Government have the entire charge of the works, and application has already been made for tracings of the land on either side of the river at the site chosen.

(2.) When the above information has been received the necessary steps will be taken.

(8.) Bridge over the Namoi River at Manilla Township :—*Mr. Bennett* asked the Secretary for Public Works,—

(1.) Is it the intention of the Government to make provision on the Additional Estimates for 1879 for the erection of a Bridge over the Namoi River at Manilla Township?

(2.) Also for the erection of Bridges over Moar, Attunga, and Greenhatch's Creeks, on the Main Northern Line of Road between Tamworth and the Manilla Township?

Mr. Lackey answered,—The matters are now under consideration.

(9.) Reserves within Town Boundary of Tamworth :—*Mr. Bennett* asked the Secretary for Lands,—What action has been taken, and what is the result, with reference to my letter of date the 25th of last month, applying that all reserves within the town boundary of the Town of Tamworth be placed under the control of the Borough Council of Tamworth?

Mr. Hoskins answered,—The vesting of these reserves (six in number) in the Borough Council of Tamworth has been approved by the Governor and the Executive Council, a notification to which effect will appear in to-morrow's *Government Gazette*. The Honorable Member will be officially apprised, as usual in such cases, as soon as the notice has appeared.

(10.) Water Supply to Parramatta Gaol :—*Mr. J. Davies*, for *Mr. Long*, asked the Colonial Secretary,—

(1.) From what source is the water supplied to Parramatta Gaol?

(2.) Have any complaints been recently made as to the quality of the water supplied to that Institution; if so, what is the nature of the complaints, and by whom have they been made?

Sir

Sir Henry Parkes answered,—

(1.) The building in question is supplied from the Parramatta River—the same source from which the town is supplied.

(2.) Complaints have been made by the Visiting Justice of the quality of the water supplied in connection with a drain that is being constructed for carrying off the surface water that falls adjacent to the temporary buildings now in course of erection. It has been in contemplation for some time past to obtain the water for this and other public buildings from the North Rocks, but permission of the Corporation will be required to enable this proposal to be carried out.

(11.) Reclamation of Land at Pyrmont by the A. S. N. Company :—Mr. Cameron asked the Secretary for Public Works,—Are the Government aware of the continued reclamation by the A. S. N. Company of a portion of Sydney Harbour at Jones's Bay, Pyrmont; if so, do the Government intend taking any steps in the matter?

Mr. Hoskins answered,—The Inspector of the Marine Board has this day reported to the Department of the Engineer for Harbours and Rivers that the A. S. N. Co. are reclaiming land at Jones's Bay, Pyrmont, and the matter has been referred to the Surveyor General, for the necessary action to be taken to prevent any unauthorized encroachment in the harbour at that place.

(12.) Post Office, Bulli :—Mr. Taylor asked the Colonial Secretary,—

(1.) Is he aware that the Post Office at Bulli is carried on at a store or shop in that Town?

(2.) Is he aware that the Telegraph Office is situated half-a-mile from that Post Office, and near the sea coast, and persons wishing to avail themselves of the Telegraph Office have to travel through private property, and through the tramway used by the Bulli Coal Company?

(3.) Is there a large population in the Town and District of Bulli; and if so, will the Minister cause inquiry to be made, and place a sum of money upon the Estimates for 1880 for the building of a Post and Telegraph Office?

Sir Henry Parkes answered,—

(1.) Yes.

(2.) The Telegraph Office is a private one, maintained by the Bulli Company, who both provide the premises and pay the operator's salary.

(3.) The postal business has increased of late, but the Postal Department has no knowledge of the population. It is not thought that the business is sufficient to justify the erection of a Post and Telegraph Office, but a Postal Inspector will be in the locality in the course of a few days, and report.

(13.) Mr. Holroyd, Master in Equity :—*Mr. Driver*, for Mr. McElhone, asked the Attorney General,—Is it intended to pay Mr. Holroyd a salary as Acting Judge exclusive of, or extra to, the pay he receives as Master in Equity?

Mr. Windeyer answered,—Yes.

(14.) Prospecting for Gold :—*Mr. Driver*, for Mr. McElhone, asked the Secretary for Mines,—Is it his intention to have a further sum of money placed on the Estimates with a view of assisting persons to prospect for gold?

Mr. Baker answered,—A further sum of £2,000 to assist persons to prospect for gold was placed on the Supplementary Estimates which were laid upon the Table of the Assembly on the 7th February last.

3. PAPERS :—

Mr. Hoskins laid upon the Table,—Return to an Order made on 18th March, 1879,—“Grant of the Peel River Land and Mineral Company.”

Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—Return to an Order made on 4th February, 1879,—“Newcastle School Board.”

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Return to an Order made on 27th February, 1879,—“Patents.”

Ordered to be printed.

4. SMALL DEBTS ACT FURTHER EXTENSION BILL :—*Mr. Speaker* reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having taken into consideration the Legislative Assembly's Message, date 11th March, 1879, in reference to the Small Debts Act further Extension Bill,—

Insists upon its amendment in clause 1,—

(1.) Because the same necessity does not exist in the metropolis for the extension of the jurisdiction of unpaid Justices, inasmuch as stipendiary Magistrates are provided for the performance of the duties to be discharged under the Act.

(2.) Because it may be reasonably supposed that a far larger amount of business in such Courts, involving it may be questions of some legal difficulty, will be brought before the Metropolitan Courts, and it is undesirable to have such cases heard before any other than stipendiary Magistrates.

Legislative Council Chamber,
Sydney, 27th March, 1879.

JOHN HAY,
President.

Ordered, that this Message be taken into consideration in Committee of the Whole on Friday, 4th April.

5. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

Mr.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again at a later hour of the day.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

(7.) *Resolved*,—That there be granted to Her Majesty for the Services of the year 1879, a sum not exceeding £372,000, being £305,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1879, at the rates which have been sanctioned for 1878, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1879; £60,000 for wages of Railway Employés for the month of April, 1879; and £7,000 for wages of Employés in the Department of Harbours and Rivers for the month of April, 1879.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

6. **WAYS AND MEANS**:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

(7.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Services of the year 1879, the sum of £372,000 be granted out of the Consolidated Revenue Fund of New South Wales to defray the expenses of the various Departments and Services of the Colony for the month of March, 1879; and for Wages of Railway Employés and Employés in the Department of Harbours and Rivers for the month of April, 1879.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

7. **CONSOLIDATED REVENUE FUND BILL (No. 4)**:—

(1.) Ordered, on motion of Mr. Watson, that a Bill be brought in, founded on Resolution of Ways and Means (No. 7), to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879.

(2.) Mr. Watson then presented a Bill, intituled "*A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*,"—which was read a first time.

Ordered to be printed, and now read a second time.

(3.) Bill read a second time.

On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Watson, the report was adopted.

Ordered, that the Bill be now read a third time.

(4.) Bill read a third time, and, on motion of Mr. Watson, *passed*.

Mr. Watson then moved, That the Title of the Bill be "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*."

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*,"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 27th March, 1879.

8. **SYDNEY CORPORATION BILL**:—The Order of the Day for the adoption of the Report from the Committee of the Whole on this Bill having been read,—Mr. Watson moved, "That" the Report be now adopted.

Sir Henry Parkes moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Bill be recommitted to a Committee of the Whole House for the reconsideration of clauses 1, 3, 16, 17, 33, 34, 35, 89, 96, 97, 98, 99, 100, 107, 108, 109, 110, 111, 112, 113, 116, 132, 133, 134, 137, 138, 140, 141, 143, 144, 180, 220, 221, 224, 231, and Schedule A, and for the consideration of a new clause."

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

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That the Bill be recommitted to a Committee of the Whole House for the reconsideration of clauses 1, 3, 16, 17, 33, 34, 35, 89, 96, 97, 98, 99, 100, 107, 108, 109, 110, 111, 112, 113, 116, 132, 133, 134, 137, 138, 140, 141, 143, 144, 180, 220, 221, 224, 231, and Schedule A, and for the consideration of a new clause,—put and passed.

On motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 28 MARCH, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill 2^o with further amendments. Mr. Windeyer moved, "That" the report be now adopted.

Sir Henry Parkes moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words, "the Bill be recommitted to a Committee of the Whole House for the reconsideration of clauses 36, 70, 151, 193, 223, 231, the head-line of Part 5, and Schedule G on page 53."

Question,—That the words proposed to be omitted stand part of the Question,—put and negatived. Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That the Bill be recommitted to a Committee of the Whole House for the reconsideration of clauses 36, 70, 151, 193, 223, 231, the head-line of Part 5, and Schedule G on page 53,—put and passed.

On motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill 3^o with further amendments.

On motion of Sir Henry Parkes (*with the concurrence of the House*) the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

9. CONSOLIDATED REVENUE FUND BILL (No. 4):—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*,"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 27th March, 1879.

JOHN HAY,
President.

The House adjourned at a quarter after Three o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 94.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 28 MARCH, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Additional Conditional Purchases:—Mr. Teece asked the Secretary for Lands,—Has any opinion been given by the present Attorney General with reference to the selection of additional conditional purchases by selectors or their legal alienees when the balances have been paid in full; if so, what is the nature of such opinion, and has the Minister any objection to lay the same upon the Table of the House?

Mr. Hoskins answered,—An opinion has been obtained to the effect that the payment of the balance and issue of the grant upon completed selections does not debar the holder from making additional selections without further residence. There will be no objection to the opinion being laid upon the Table.

- (2.) The Old Volunteer Force:—Mr. Macintosh asked the Colonial Secretary,—Have the old Force, Volunteers, been deprived of their rifles and accoutrements; if so, is it the intention of the Government to re-issue them, so that the Force may exercise as usual?

Sir Henry Parkes answered,—The rifles and accoutrements of the entire Volunteer Force were called in, the former being required for the conversion of the barrel to enable the Imperial Service ammunition to be used. The Commandant (except under special instructions) does not consider himself justified in re-issuing these valuable arms to corps nearly all of which are without officers, to be held as required by the Volunteer Act, not only responsible for the due preservation, &c., of Government property, but also for the exercise of proper control. The numbers on the roll of corps are also, as a rule, so small as to render useless any attempt at instruction and training.

- (3.) Non-registered Volunteer Land Orders:—Mr. Lynch asked the Secretary for Lands,—

(1.) Has the Attorney General given any opinion as to the validity of non-registered Volunteer Land Orders?

(2.) Is it true that notwithstanding the validity of non-registered Land Orders has been disputed, the Government has decided to issue a deed of grant to a certain Mr. Squires of certain land at Springwood, which was taken up by him with an unregistered Volunteer Land Order, although another person claims to be entitled to the same land?

Mr. Hoskins answered,—

(1.) No; but, as stated in reply to a question put by Mr. Barbour for the Honorable Member on 7th instant, the Attorney General upheld the opinion of the late Minister for Lands in one particular case where applicant had failed to register the Order.

(2.) The case of Mr. Squires is the one referred to in reply to the last query, and in which it has therefore been decided to issue the grant.

- (4.) Land Sale, Bingera:—Mr. Jacob, for Mr. Dangar, asked the Secretary for Lands,—Has an application been made for town lots in Bingera, sections 14, 24, 26, 55, to be submitted to auction; if so, will such be done, and when?

Mr. Hoskins answered,—Yes. The sections mentioned, with the exception of No. 25, which requires subdivision, will be offered at auction at an early date. No. 25, when subdivided, will be advertised for sale.

- (5.) Police Barracks and Quarters, Bingera:—*Mr. Jacob*, for *Mr. Dangar*, asked the Colonial Secretary,—Is it intended to make provision in the Supplementary Estimates for 1879, or out of the General Vote for Public Buildings, for new brick Police Barracks and Quarters at Bingera,—so much needed; and if so, when will tenders be called for the work?

Sir Henry Parkes answered,—Provision has been made in the General Vote for Police Buildings, 1879, for erection of brick Police Barrack and Quarters at this place. Plans will be prepared and tenders invited when the money is voted.

- (6.) Prisoners under committal at Wellington:—*Mr. Lynch*, for *Mr. Coonan*, asked the Attorney General,—

(1.) Is it a fact that prisoners now under committal at Wellington are to be sent to Mudgee Circuit Court for trial instead of to Dubbo Circuit, which is 30 miles nearer than Mudgee; if so, what is the reason for this course being pursued?

(2.) Will the Minister see that these prisoners shall be sent for trial to Dubbo?

Mr. Windeyer answered,—

(1.) It is a fact that prisoners now under committal at Wellington are to be sent to Mudgee Circuit Court for trial. The reason for this course is that they were committed to take their trial at that Court by the Magistrates before whom they appeared.

(2.) I have made arrangements which will in future secure the committal of persons at Wellington to take their trials at Dubbo.

- (7.) Temporary Bridge, Wagga Wagga:—*Mr. Terry* asked the Secretary for Public Works,—

(1.) At whose expense was the temporary bridge at Wagga Wagga (recently carried away by the flood) erected?

(2.) Was it erected at the cost of the Government, or of the contractor for the Railway?

Mr. Lackey answered,—The bridge was erected at the expense of the Government.

- (8.) Post and Telegraph Office, Molong:—*Mr. Cameron*, for *Mr. Lucas*, asked the Colonial Secretary,—When will the correspondence in reference to the Molong Post and Telegraph Office, ordered by this House on the motion of the Member for East Sydney (*Mr. J. Davies*), be laid upon the Table?

Sir Henry Parkes answered,—The copying of these papers is being proceeded with as quickly as possible; but they are very voluminous, and it will not be possible to have them completed in less than a fortnight from the present time.

2. CONSOLIDATED REVENUE FUND BILL (No. 4):—The following Message from His Excellency the Lieutenant-Governor was delivered by *Sir Henry Parkes*, and read by *Mr. Speaker*:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 8.

A Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 28th March, 1879.

3. PAPER:—*Mr. F. B. Suttor* laid upon the Table the Report from the Trustees of the Sydney Free Public Library for 1878.

Ordered to be printed.

4. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—

- (1.) *Seat of Michael Fitzpatrick, Esquire*:—*Mr. R. B. Smith*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Committee of Elections and Qualifications, to whom was referred, on the 18th March, 1879, the question whether *Michael Fitzpatrick, Esquire*, sitting as the Member for Yass Plains, being in the possession of a pension from the Crown, was legally elected, or is entitled to retain a Seat as a Member of this Assembly.

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

"The Committee of Elections and Qualifications, duly appointed on the 11th September, 1878, to whom was referred on the 18th March, 1879, the question whether *Michael Fitzpatrick, Esquire*, sitting as the Member for Yass Plains, being in the possession of a pension from the Crown, was legally elected, or is entitled to retain a Seat as a Member of this Assembly, have agreed to the following Report:—

"That the Elections and Qualifications Committee having heard evidence and considered the question submitted to them, determine that *Michael Fitzpatrick, Esquire*, sitting as the Member for Yass Plains, was legally elected, and is entitled to retain a Seat as a Member of the Assembly.

No. 2 Committee Room,

28th March, 1879.

"*R. BURDETT SMITH,*

"*Chairman.*"

Ordered, on motion of *Mr. Smith*, that the Report and Minutes of Proceedings and Evidence be printed.

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

5. ADJOURNMENT :—Mr. McElhone moved, That this House do now adjourn.
 Debate ensued.
 Question put.
 The House divided.

Ayes, 6.

Mr. Driver,
 Mr. Wisdom,
 Mr. Hurley (*Narellan*),
 Mr. Eckford,

Tellers.

Mr. McElhone,
 Mr. W. C. Browne.

Noes, 24.

Sir Henry Parkes,	Mr. Webb,
Mr. F. B. Suttor,	Mr. Buchanan,
Mr. Baker,	Mr. Teece,
Mr. Windeyer,	Mr. Gray,
Mr. Hoskins,	Mr. Garrett,
Mr. Lackey,	Mr. Dillon,
Mr. Charles,	Mr. Cameron,
Mr. Jacob,	Mr. Copeland,
Mr. W. Davies,	Mr. Bennett,
Mr. H. H. Brown,	<i>Tellers.</i>
Mr. Murphy,	Mr. T. R. Smith,
Mr. Thompson,	Mr. Roseby.
Mr. J. Davies,	

And so it passed in the negative.

6. POSTPONEMENT :—The Order of the Day for the resumption of the adjourned Debate in reference to Public Education postponed until Friday, 11th April.
7. PRESS BILL :—The Order of the Day having been read for the adjourned Debate on the motion of Mr. W. Davies, "That this Bill be now read a second time,"—
 And the Question being again proposed,—
 Debate ensued.

Notice was taken that there was not a Quorum present.

Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Buchanan, Mr. Cameron, Mr. Charles, Mr. W. Davies, Mr. Dillon, Mr. Gray, Mr. Hoskins, Mr. Hurley (*Narellan*), Mr. Lackey, Mr. Murphy, Sir Henry Parkes, Mr. Roseby, Mr. F. B. Suttor, Mr. Teece, Mr. Thompson, Mr. Webb, Mr. Windeyer, and Mr. Wisdom,—

Mr. Speaker adjourned the House at ten minutes after Nine o'clock, until Tuesday next at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 95.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 1 APRIL, 1879.

- 1 The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Water Supply between Narrabri and Moree:—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Public Works,—Considering that in the summer months there is no water for travelling stock, carriers, &c., between Narrabri and Moree, a distance of 70 miles,—Will any provision be made on the Supplementary Estimates of 1879 to construct a tank between these places, or a dam in the Ten-mile Creek, or some other suitable place?

Mr. Lackey answered,—There is already a vote available for this purpose, and the matter is now in train.

- (2.) Presbyterian Cemetery, Liverpool:—*Mr. Cameron*, for Mr. Taylor, asked the Secretary for Lands,—Has any application been made by the Moderator of the Presbyterian Synod, or any other party, for a piece of land within the Municipality of Liverpool, to be dedicated for the purpose of opening it as a Cemetery; if so, will the Minister postpone his decision in this matter until the Municipal Council of Liverpool communicates with him on the subject?

Mr. Hoskins answered,—Yes, a portion of land was so dedicated on the application of the agent of the Presbyterian Church, but on personal representation by the Borough Council that a protest against the dedication was in course of signature, I have deferred the appointment of trustees for the present.

- (3.) Great Northern Railway:—*Mr. W. C. Browne* asked the Secretary for Public Works,—Has any report been furnished to the Railway Department in reference to certain irregularities in connection with the running of the Train and delays at the Singleton Station, mentioned by a writer in the *Echo*, newspaper, of the 19th instant; if so, what is the nature of such report?

Mr. Lackey answered,—The Traffic Manager has furnished a Return, which shows that from the 1st February to the 22nd March, 644 passenger trains were run on the Northern Line, 551 of which kept correct time, forty-two were five minutes late, twenty-four ten minutes late, seven fifteen minutes late, ten twenty minutes late, and ten thirty minutes late. This running compares most favourably with the time kept on English Railway lines, as shown in the recent Report of the Royal Commission on Railway matters. To the statement that the train which is tabled to stop at Singleton fifteen minutes stops from thirty to forty minutes, the Traffic Manager gives a most unqualified denial, and challenges proof of a single instance in which this has occurred under the circumstances stated. It is admitted that the carriages are at times far from clean. This, however, does not arise from inattention, as they are cleaned and dusted twice a day, but from want of carriage-shed accommodation. A large shed has been ordered for Newcastle yard, where the carriages now stand unprotected from the fine coal dust, which, when the wind is in a certain quarter, penetrates everywhere, and the carriages cannot be kept free from it. The proposed shed will, however, greatly decrease this defect.

- (4.) House rented from Mr. Senior:—*Mr. McElhone* asked the Colonial Secretary,—

(1.) Is it a fact that the Government have rented a house from Mr. Senior at £500 a year; if not at above rent, what is the yearly rental?

(2.) When was the house rented, for what department, for what period of time, how many rooms are there in the house, and where is it situated?

Sir Henry Parkes answered,—I have not the faintest idea of any circumstance to which this question can allude. I have made inquiry in different departments of the Government, and can discover no shadow of any foundation that would seem to justify it.

(5.)

- (5.) Supply of Coal for Railway Purposes :—Mr. McElhone asked the Secretary for Public Works,—
- (1.) The number of tons of coal purchased by the Railway Department from each of the collieries in Lithgow Valley for the year 1877 ?
 - (2.) The number of tons carried by the Railway for each of the Companies in the Lithgow Valley for the same period ?
 - (3.) Are not the contracts for the supply of Western coal made annually ?
 - (4.) Who were the Contractors for the years 1876, 1877, and 1878, respectively, and from what Collieries did they stipulate to furnish supplies ?
 - (5.) What was the increase in the amount of Western coal taken for the use of the Railways in 1878 as compared with 1877 ?

Mr. Lackey answered,—

(1 and 2.)—	Purchased by the Railway.	Carried by the Railway.
Lithgow Valley Colliery	20,521 tons.	25,881 tons.
Vale of Clwydd Colliery	13 "	17,264 "
Esk Bank	1,675 "	16,890 "
Bowenfels Company	11 "	7,447 "

(3.) Yes.

(4.) For 1876, William Pitt, Esk Bank ; for 1877, Lithgow Valley Company ; for 1878, Vale of Clwydd Company.

(5.) Increase in 1878, 13,807 tons.

- (6.) Double Line of Railway from the Zigzag to Bowenfels :—Mr. McElhone asked the Secretary for Public works,—

(1.) Have any tenders been received for the construction of the proposed Double Line of Railway from the Lithgow Valley Zigzag to Bowenfels Station ?

(2.) If so, how many, and what are the names of the tenderers ?

(3.) Were tenders for the work called for publicly by advertisement ?

(4.) What is the estimated cost of the work ?

(5.) Will he lay any correspondence upon the Table of this House in reference to above ?

Mr. Lackey answered,—

(1.) Yes, tenders have been received.

(2.) Two tenders received. Names of tenderers, Daniel Williams and William Mason.

(3.) No. The Engineer for Existing Lines asked five contractors to tender ; two only responded.

(4.) £22,000.

(5.) There will be no objection to lay the papers upon the Table (if moved for in the usual way) when a contract has been accepted for the work, for which tenders have now publicly been invited.

2. PAPER :—Mr. Hoskins laid upon the Table,—A General Report on the present condition of the Botanic Gardens and Domains.

Ordered to be printed.

3. TEMPORARY COMMON AT ADELONG :—Mr. Baker presented a Petition from Gold Miners and others resident at Adelong, praying that the dedication of a portion of the Temporary Common at Adelong may be revoked, and provision be made enabling miners to take up the same for gold mining purposes and for residence.

Petition received.

4. SELECTIONS OF WOODS AND KELLY ON RESERVE ON THE BILLYBONGEVIL RUN (*Formal Motion*) :—Mr. Garrett moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers, Correspondence, and Letters in relation to the selection of Woods and of Kelly on Reserve No. 576, on the Billybongevil Run, in the Wellington District.

Question put and passed.

5. SELECTION OF THOMAS FORAN ON RESERVE ON BULDERUDGERA RUN (*Formal Motion*) :—Mr. Garrett moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers, Letters, and Correspondence in relation to the selection of Thomas Foran on a Reserve on the Bulderudgera Run, Wellington District, the Reserve being No. 140, and proclaimed in the *Government Gazette* of 21st January, 1876, No. 18, and re-gazetted 4th February, 1876, No. 38 ; also copies of all Letters, Papers, and Correspondence in relation to the action of the Honorable the Minister for Lands, causing portion No. 14, on the Bulderudgera Run, being withdrawn from lease for public purposes—the same being the selection of Thomas Foran before alluded to ; also the answer of the Honorable the Minister for Lands to a question put by the Honorable the Member for Hartley in relation to his (the Minister's) action herein.

Question put and passed.

6. CIVIL SERVICE PENSIONERS DISQUALIFICATION BILL (*Formal Motion*) :—Mr. Garrett moved, pursuant to Notice, for leave to bring in a Bill to remove doubts as to the qualification of persons in the receipt of Civil Service Pensions, Superannuation Allowances, or Gratuities, to sit in the Legislative Assembly.

Question put and passed.

7. MESSRS. H. T. EDWARDS AND HYAM JOSEPH (*Formal Motion*) :—Mr. J. Davies moved, pursuant to Notice, That there be laid upon the Table of this House copy of a Return from the Clerk of Petty Sessions of Bombala, showing the number of cases which Messrs. H. T. Edwards and Hyam Joseph, Justices of the Peace for the District of Bombala, have sat on during the years 1876 and 1878, and names and dates of cases and particulars of the offences.

Question put and passed.

8. SYDNEY CORPORATION BILL (*Formal Order of the Day*),—on motion of Sir Henry Parkes, read a third time, and passed.

Sir Henry Parkes then moved, That the Title of the Bill be "*An Act to consolidate and amend the Laws relating to the Corporation of the City of Sydney.*"

Question put and passed.

Ordered,

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—
MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to consolidate and amend the Law relating to the Corporation of the City of Sydney*,"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 1st April, 1879.*

9. CIVIL SERVICE PENSIONERS DISQUALIFICATION BILL:—Mr. Garrett presented a Bill, intituled "*A Bill to remove doubts as to the qualification of persons in the receipt of Civil Service Pensions Superannuation Allowances or Gratuities to sit in the Legislative Assembly*,"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 18th April.

10. GRANTS OF LAND HELD BY SIR DANIEL COOPER:—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House copies of all the deeds of grants of lands now held by Sir Daniel Cooper and his family in the suburbs of Sydney; also plans of the same.
Debate ensued.

Mr. Garrett moved, That the Question be amended by the addition at the end thereof of the words "and all correspondence as to the allotment of such grants to the original grantees."

Question proposed, That the words proposed to be added be there added.

Debate continued.

Question put, That the words proposed to be added be there added.

The House divided.

Ayes, 29.

Sir Henry Parkes,	Mr. Hurley (<i>Hartley</i>),
Mr. Watson,	Mr. J. Davies,
Mr. Windeyer,	Mr. Dangar,
Mr. Hoskins,	Mr. Thompson,
Mr. Baker,	Mr. H. H. Brown,
Mr. Lackey,	Mr. Teece,
Mr. Burns,	Mr. Garrett,
Mr. Cameron,	Mr. O'Connor,
Dr. Bowker,	Mr. T. R. Smith,
Mr. McElhone,	Mr. Macintosh,
Mr. Jacob,	Mr. Greenwood,
Mr. W. C. Browne,	<i>Tellers.</i>
Mr. Murphy,	
Mr. Hurley (<i>Narellan</i>),	Mr. Copeland,
Mr. Driver,	Mr. Shepherd.
Mr. Terry,	

Noes, 11.

Mr. Farnell,
Mr. Harris,
Mr. Charles,
Mr. Stuart,
Captain Onslow,
Mr. Lynch,
Mr. Hungerford,
Mr. Gray,
Mr. Leary,
<i>Tellers.</i>
Mr. McCulloch,
Mr. Badgery.

And so it was resolved in the affirmative.

Main Question put, That there be laid upon the Table of this House copies of all the deeds of grants of lands now held by Sir Daniel Cooper and his family in the suburbs of Sydney; also plans of the same; and all correspondence as to the allotment of such grants to the original grantees.

The House divided.

Ayes, 27.

Sir Henry Parkes,	Mr. Hurley (<i>Hartley</i>),
Mr. Watson,	Mr. J. Davies,
Mr. Windeyer,	Mr. Dangar,
Mr. Hoskins,	Mr. Thompson,
Mr. Baker,	Mr. H. H. Brown,
Mr. Lackey,	Mr. Teece,
Mr. Cameron,	Mr. Garrett,
Dr. Bowker,	Mr. T. R. Smith,
Mr. Shepherd,	Mr. Macintosh,
Mr. Jacob,	Mr. Greenwood,
Mr. W. C. Browne,	<i>Tellers.</i>
Mr. Copeland,	
Mr. Murphy,	Mr. O'Connor,
Mr. Driver,	Mr. McElhone.
Mr. Terry,	

Noes, 13.

Mr. Farnell,
Mr. Harris,
Mr. Stuart,
Mr. Leary,
Mr. Hungerford,
Mr. Lynch,
Mr. Burns,
Captain Onslow,
Mr. Badgery,
Mr. McCulloch,
Mr. Hurley (<i>Narellan</i>),
<i>Tellers.</i>
Mr. Gray,
Mr. Charles.

And so it was resolved in the affirmative.

11. COHEN'S ENABLING BILL:—Mr. Burns presented a Petition from Nathan Cohen, of Tamworth, auctioneer, praying for leave to bring in a Bill to validate and give effect to the sale of various portions of certain lands under the Real Property Act heretofore contracted to be sold by Nathan Cohen of Tamworth, in the Colony of New South Wales, auctioneer, and to enable the said Nathan Cohen to contract and effectuate sales of the residue of the said lands, and to make provision for the investment of the proceeds of the sale thereof.

And Mr. Burns having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Tamworth News*, newspapers, containing the Notices required by the 59th Standing Order,—
Petition received.

12. GRANTS OF LAND HELD BY SIR DANIEL COOPER:—Mr. McElhone moved, pursuant to Notice, That, in the opinion of this House, the Government should give early instructions to have all the grants of land now held by Sir D. Cooper and his family in the suburbs round Sydney re-surveyed, as it is generally believed that they hold a large quantity of land which of right belongs to the Crown.
Debate ensued.

Point

Point of Order :—Mr. Macintosh requested the opinion of Mr. Speaker whether this motion—involving an expenditure of public money—was properly before the House. Mr. Speaker said that if the motion involved a charge on the Consolidated Revenue Fund of the Colony, then the recommendation of the Crown was necessary. Whereupon Mr. McElhone withdrew the motion.

13. BARRINGTON GOLD FIELD :—*Mr. McElhone*, for Mr. Copeland, moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers in connection with the report of the discovery of the Barrington Gold Field, as well as applications for rewards for the discovery of the same.
Question put and passed.

And it being Seven o'clock, Government Business was proceeded with.

14. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 2 APRIL, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at twenty-five minutes before One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No 96.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 2 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MESSAGES FROM THE LIEUTENANT-GOVERNOR:—The following Messages from His Excellency the Lieutenant-Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker:—

- (1.) Felons Apprehension Act Amendment Bill:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 9.

A Bill, intituled "*An Act to amend the 'Felons Apprehension Act of 1879,'*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 2nd April, 1879.*

- (2.) Adulteration of Food Prevention Bill:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 10.

A Bill, intituled "*An Act to prevent the Adulteration of Articles of Food or Drink and the Sale of certain Liquors injurious to health,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 2nd April, 1879.*

2. QUESTIONS:—

- (1.) Sydney University:—Mr. Cameron asked the Minister of Justice and Public Instruction,—
- (1.) What was the total cost of building the Sydney University, and what the amount which has been expended upon subsequent alterations and repairs?
 - (2.) What is the value of the land set apart for the purposes of the University?
 - (3.) What is the total amount of money paid by Government until 31st December, 1878, as endowment to the Sydney University, or in support of that Institution?
 - (4.) What is the total number of students who have matriculated at the Sydney University to 31st December, 1878?
 - (5.) What is the total number of students who have graduated at the Sydney University to 31st December, 1878?
 - (6.) What was the total annual endowment from the Consolidated Revenue for the year 1878?
 - (7.) What was the total amount of fees paid by students at the University of Sydney during the year 1878?
 - (8.) What is the scale of fees which students at the Sydney University are required to pay?
- Sir Henry Parkes answered,—*
- (1.) The total cost of building the University, and amount expended upon subsequent alterations and repairs, was £84,160 10s. 1d.
 - (2.) I have no means of answering the query respecting the value of the University land.
 - (3.) The total amount paid by Government until 31st December, 1878, as endowment to the University, or in support of the Institution, was £141,000.
 - (4.) The total number of students who have matriculated at the University up to 31st December, 1878, is 423.
 - (5.) The number of those who have graduated as B.A. is 211.
 - (6.) The total annual endowment paid for 1878 was £5,000.
 - (7.)

- (7.) The total amount of fees for lectures paid by students at the University of Sydney during the year 1878 was £922 3s.
- (8.) Under-graduates during their first year pay £22 1s.; during their second year, £18 18s.; during their third year, £12 12s.; total, £54 12s. Bursars, according to the terms of their foundations, and students who give promise of improvement, are (in the event of their being unable to pay fees) allowed to attend the lectures free of charge.
- (2.) Sydney University:—Mr. W. C. Browne asked the Minister of Justice and Public Instruction,—What is the amount and value of the benefactions bestowed upon the University directly and in reversion by private persons?
- Sir Henry Parkes* answered,—I will in the course of the afternoon lay a Return on the Table giving this information.
- (3.) Tide Surveyor:—Mr. Jacob asked the Colonial Treasurer,—Is it his intention to appoint the 3rd Tide Surveyor for whom a salary was voted the other night; and if not, why not?
- Mr. Watson* answered,—Yes.
- (4.) Corporation Bill.—Animals Protection Bill:—Mr. Jacob asked the Attorney General,—Were the Corporation Bill, initiated in this House, and the Animals Protection Bill, introduced in the Legislative Council, drafted at the public expense; and if so, by whom; and does the draftsman receive a salary, or how was, or is he to be remunerated?
- Mr. Windeyer* answered,—It is understood that the original draft of the Corporation Bill was prepared by Mr. G. C. Davis, on the instructions and at the expense of the City Council; that such draft was subsequently altered, at the instance of a former Government, by Mr. George Milner Stephen, and again altered by Mr. Oliver, in certain particulars, according to the instructions of Sir Henry Parkes, (Mr. Oliver being then Examiner of Titles). The Bill was finally settled by the late Government. I am not aware whether Mr. Stephen received any fee for his work upon the Bill. Mr. Oliver has not yet been paid his fee for the work he did with reference to the Bill whilst Examiner of Titles. It is not known who drafted the Animals Protection Bill. The Parliamentary Draftsman informed me that he did not draw any part of it.
- (5.) The Master in Equity:—Mr. W. C. Browne asked the Minister of Justice and Public Instruction,—
- (1.) Has the Master in Equity made any recommendations respecting appointments of officers under the Lunacy Act?
 - (2.) What are the recommendations?
 - (3.) Will the Minister of Justice cause strict inquiry to be made into the alleged necessity for extra clerical assistance under the Lunacy Act, and see that the claims of Mr. Curtis, Chief Clerk, and Mr. Rainsford, Junior Clerk, are respected?
 - (4.) Who is attending to the Equity business during the Master's absence?
 - (5.) Who is attending to the Lunacy business in the Master's office, and by what authority?
- Sir Henry Parkes* answered,—
- (1 and 2.) Certain recommendations have been made to me, in whose department the matter lies; but at present they have not been acted upon or finally determined, and I can hardly give any information in that state of the business.
 - (4.) The Chief Clerk, with the assistance of other clerks, in the office of the Master in Equity.
 - (5.) Upon inquiry it has been ascertained that the second clerk received instructions from the Master in Equity to answer all communications during his short absence.
- (6.) Department of Lands:—Mr. Greenwood asked the Secretary for Lands,—
- (1.) What was the total number of Surveyors, Draftsmen, Commissioners, Inspectors, Crown Lands Agents, Clerks, Bailiffs, Messengers, and all other officers and servants of whatever grade, employed in connection with the Department of Lands during the year ending the 31st December, 1878?
 - (2.) What was the total amount of the salaries and fees paid to the officers and servants of the Department as above referred to during the year ending the 31st December, 1878?
- Mr. Hoskins* answered,—It is impossible almost, especially at such short notice, to give the detailed information required by the Honorable Member, in the shape of a reply to a question. I have, however, directed a Return to be prepared, giving the particulars desired, which will be laid upon the Table to-morrow or Friday.
- (7.) Hyde Park:—Mr. Roseby asked the Colonial Secretary,—
- (1.) Has any answer been given to the Deputation who waited upon him some time ago upon the subject of the regulations which prohibit the right of public meeting in Hyde Park?
 - (2.) Considering the importance of the principle involved, and the great interest felt in this matter by large numbers of the citizens of Sydney,—Will the Honorable the Colonial Secretary cause an answer to be sent at his earliest convenience?
- Sir Henry Parkes* answered,—No answer has been yet given. From various circumstances it has been found difficult to elicit the necessary information. The Trustees are not under any department of the Government, and owing to illness in one case, and to the elevation to a very distinguished office of another Trustee, and other circumstances of an accidental nature, the requisite information has not been obtained; but it is hoped it will be furnished in a few days.
- (8.) George-street, Richmond:—Mr. Driver asked the Secretary for Public Works,—
- (1.) Has any application been made to the Government by, or on behalf of, the Borough Council of Richmond for a sum of money to repair George-street; and if so, when?
 - (2.) Was such application replied to; and if so was any, and what promise made?
 - (3.) Is it the intention of the present Government to carry out the promise made?
- Mr. Lackey* answered,—
- (1.) Applications were received in 1878 for the repair of George-street, Windsor, and Windsor-street, Richmond.

(2.) Yes; on the 20th and 25th July, 1878, a promise was made that sums would be put on Estimates of 1879 for these purposes.

(3.) Items were accordingly submitted on the Draft Estimates, but appear to have been omitted by the late Cabinet. It is, however, the intention of the Government to make provision on future Estimates.

(9.) Land Titles Office:—Mr. J. Davies asked the Colonial Secretary,—

(1.) Is he aware that a month's leave of absence has been granted to Mr. Jones, one of the Examiners of Titles at the Land Titles Office, without provision being made for carrying on the work of the office which should fall to him in his absence?

(2.) Will he take into consideration the advisability of making a temporary appointment, so that the work of the department will not fall further into arrear during Mr. Jones's absence, and to continue until all arrears in Mr. Jones's and Mr. Burton's rooms are worked up?

Sir Henry Parkes answered,—Mr. Jones has been allowed a month's leave for the benefit of his health after a continuous service of nearly five years.

(10.) Australian Team of Cricketers:—Mr. Greenwood asked the Colonial Secretary,—Will he lay upon the Table of this House copies of any Application that may have been made by Civil Servants, who are members of the Australian Team of Cricketers, for payment of full salary during their recent visit to Europe and America, and all Papers connected therewith?

Sir Henry Parkes answered,—There can be no objection to the laying copies of this Paper on the Table.

3. CHIPPENDALE ROMAN CATHOLIC CHURCH LAND SALE BILL:—Mr. O'Connor, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 21st March, 1879; together with a copy of the Bill as agreed to in the Committee.

Ordered to be printed.

Mr. O'Connor then moved, That the Bill be read a second time on Friday, 25th April.

Question put and passed.

4. PAPERS:—Sir Henry Parkes laid upon the Table,—

(1.) A Return showing the Benefactions bestowed upon the University of Sydney.

(2.) Report on Vaccination for 1878.

(3.) Amended Regulations under the Volunteer Force Regulation Act of 1867.

Ordered to be printed.

5. LOAN FUNDS AMALGAMATION BILL (*Formal Motion*):—Mr. Watson moved, pursuant to Notice, for leave to bring in a Bill to provide for the amalgamation of certain Loan Funds raised under Special Loan Acts.

Question put and passed.

6. INCOMPLETE CONDITIONAL PURCHASES (*Formal Motion*):—Mr. Garrett moved, pursuant to Notice, That there be laid upon the Table of this House,

(1.) Copies of all recommendations made by the Officers of the Conditional Purchase Branch of the Lands Department, together with all Minutes or Memoranda made upon, or with reference thereto, by any Lands Minister, as to the forwarding direct to the Conditional Purchase Commissioners all or any incomplete or unverified conditional purchase cases before or without inspection or report by the Conditional Purchase Inspectors.

(2.) Copy of any Regulations or Instructions made or issued for the guidance of the Commissioners in dealing with the class of cases referred to in above section of this Resolution.

(3.) A Return showing the number of such cases so referred, if any.

Question put and passed.

7. FORFEITED CONDITIONAL PURCHASES (*Formal Motion*):—Mr. Garrett moved, pursuant to Notice, That there be laid upon the Table of this House, a Return showing the number of acres of land comprised in the conditional purchases forfeited after inspection, and Report by Conditional Purchase Inspectors, and after Inquiry by the Commissioners, in pursuance of the Lands Acts Amendment Act of 1875, during the years 1875, 1876, 1877, and 1878.

Question put and passed.

8. MR. JAMES GARDNER (*Formal Motion*):—Mr. Macintosh moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence, Reports, and Minutes thereon, that have taken place with Mr. Gardner, of Wentworth Wharf, Darling Harbour, and the Government, having reference to an alleged loss sustained by him by the dredging of the harbour adjacent to the wharf of which he was lessee.

Question put and passed.

9. MR. A. T. DARBY (*Formal Motion*):—Mr. W. C. Browne moved, pursuant to Notice, That there be laid upon the Table of this House a copy of the Information laid by John Flannigan, Senior-constable at Barraba, against Mr. A. T. Darby, for a breach of the Vagrant Act; also, of all proceedings taken thereon, and of the order of the Justices before whom the same was heard; also all letters written by Mr. Darby in reference to the same, and complaining of the conduct of the said John Flannigan; and all Letters and Reports written or sent by Mr. Superintendent Garland in reference to the same, and all Letters and Reports sent by the said John Flannigan in reference to the same.

Question put and passed.

10. COHEN'S ENABLING BILL (*Formal Motion*):—Mr. Burns moved, pursuant to Notice, for leave to bring in a Bill to validate and give effect to the sale of various portions of certain lands under the Real Property Act heretofore contracted to be sold by Nathan Cohen, of Tamworth, in the Colony of New South Wales, auctioneer, and to enable the said Nathan Cohen to contract and effectuate sales of the residue of the said lands, and to make provision for the investment of the proceeds of the sale thereof.

Question put and passed.

11. **GRANT OF THE AUSTRALIAN AGRICULTURAL COMPANY (Formal Motion):**—*Mr. Day*, for *Mr. Copeland*, moved, pursuant to Notice, That there be laid upon the Table of this House a copy of the original Crown Grant of the Australian Agricultural Company.
Question put and passed.
12. **LOAN FUNDS AMALGAMATION BILL:**—*Mr. Watson* presented a Bill, intituled "*A Bill to provide for the amalgamation of certain Loan Funds raised under Special Loan Acts,*"—which was read a first time.
Ordered to be printed, and read a second time to-morrow.
13. **COHEN'S ENABLING BILL:**—*Mr. Burns* having presented this Bill, and produced a certificate of the payment of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the Colony, Bill, intituled "*A Bill to validate and give effect to the sale of various portions of certain lands under the Real Property Act heretofore contracted to be sold by Nathan Cohen of Tamworth in the Colony of New South Wales auctioneer and to enable the said Nathan Cohen to contract and effectuate sales of the residue of the said lands and to make provision for the investment of the proceeds of the sale thereof,*"—read a first time.
14. **PRIVILEGE (The case of Mr. Kidman):**—*Sir Henry Parkes* moved, That the Honorable the Attorney General be discharged from the duty and obligation imposed upon him by the Resolution of this House of 18th March last.
Debate ensued.
Question put and passed.
15. **POSTPONEMENTS:**—The Orders of the Day of Government Business, Nos. 1 to 8 inclusive postponed, to follow after Order No. 9.
16. **LANDS ACTS FURTHER AMENDMENT BILL:**—The Order of the Day for the second reading of this Bill postponed until Wednesday next.
17. **METROPOLITAN RAILWAY EXTENSION BILL:**—The Order of the Day having been read for the resumption of the adjourned Debate on the motion of *Mr. Lackey*, "That this Bill be now read a second time,"—
And the Question being again proposed,—
The House resumed the said adjourned Debate.
Question put, That this Bill be now read a second time.
The House divided.

Ayes, 28.

Sir Henry Parkes,	Mr. Thompson,
Mr. Watson,	Mr. Dangar,
Mr. Windeyer,	Mr. Garrett,
Mr. Lackey,	Mr. Eckford,
Mr. Hoskins,	Mr. O'Connor,
Mr. Baker,	Mr. Greenwood,
Mr. Lucas,	Mr. Simson,
Mr. Stuart,	Mr. Kerr,
Mr. Gray,	Mr. Webb,
Mr. Beyers,	Mr. J. Davies,
Mr. Terry,	Mr. Cameron,
Mr. Lynch,	<i>Tellers.</i>
Mr. Greville,	
Mr. Macintosh,	Mr. McCulloch,
Mr. Copeland,	Mr. Roschy.

Noes, 15.

Mr. Fitzpatrick,	<i>Tellers.</i>
Mr. Farnell,	
Mr. Leary,	Mr. T. R. Smith,
Mr. Driver,	Mr. Harris.
Mr. Burns,	
Mr. McElhone,	
Mr. Jacob,	
Mr. Tecece,	
Mr. Dillon,	
Mr. Day,	
Mr. Charles,	
Mr. Murphy,	
Mr. W. C. Browne,	

And so it was resolved in the affirmative.

Bill read a second time.

On motion of *Mr. Lackey*, *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.*Mr. Speaker* resumed the Chair; and the Chairman reported progress, and obtained leave to sit again to-morrow.

18. **SUPREME COURT (ADDITIONAL JUDGE) BILL:**—*Mr. Speaker* reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to provide for the appointment of an Additional Judge of the Supreme Court,*"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 2nd April, 1879.

JOHN HAY,
President.

SUPREME COURT (ADDITIONAL JUDGE) BILL.

SCHEDULE of the amendments referred to in Message of 2nd April, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 1, lines 13 and 14. Omit "or an attorney of the Supreme Court of the said Colony of not less than ten years standing"

Page 2, clause 5, line 24. After "Court" insert "and for the purposes of any such trial and of the judgment to be given thereupon the judge so sitting shall have all the powers of the full Court and may pronounce or record sentence of death in cases of murder as in any other capital case and the same powers shall be deemed to have been vested in every Judge heretofore so sitting"

Page

Page 2, clause 5, line 26. *After* "Jurisdiction" *add* "Provided that nothing in this section shall prevent the reservation of any point or points of law arising on any such trial or affect the provisions of any Act respecting the statement of a case by any such Judge for the opinion and the decision of the Court"

Page 2, clause 6. *Omit* clause 6.

Examined,—

GEO. THORNTON,

Deputy Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration to-morrow.

The House adjourned at twenty-three minutes after Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 97.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 3 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Tolls on Roads, Bridges, and Ferries:—*Mr. Murphy*, for Mr. Jacob, asked the Secretary for Public Works,—Adverting to his answer of 29th January last, to the effect that the Government believed it would be its duty to invite the House to re-open the question of tolls on roads, bridges, and ferries, by asking the House to rescind the resolutions passed in the Session of 1876-7, abolishing such tolls,—Has the Government yet come to any determination on the subject, and if so, what?

Mr. Lackey answered,—It is the intention of the Government to ask the House on an early day to rescind the Resolution passed in the Session of 1876-7.

- (2.) Mr. District Court Judge Meymott:—*Mr. Murphy*, for Mr. Jacob, asked the Attorney General,—
(1.) Has he taken, or if not will he take, action to ascertain the truth of the statement recently made in the Press (and to which attention was drawn in the House), that Mr. District Court Judge Meymott was the guest of a litigant in his Court, in whose favour he gave five verdicts?
(2.) Should the facts be as alleged, will he do a little more than he did the other night (simply expressing regret, and trusting that nothing of the kind would recur in the future),—and not only unmistakably apprise His Honor of his displeasure, but take such steps as will prevent the possibility of any Judge acting so again?

Mr. Windeyer answered,—The Government will take such steps as appear open to them to prevent a similar occurrence.

- (3.) Powers of Police and Stipendiary Magistrates:—*Mr. Murphy*, for Mr. Jacob, asked the Minister of Justice and Public Instruction,—

(1.) With reference to notices which appear from time to time in the *Gazette*, empowering Police Magistrates to exercise in certain cases the powers of two Magistrates, under the "Clerk of Petty Sessions Act of 1857,"—Has his attention been drawn to the decision of the Supreme Court, on 3rd December, 1875, to the effect that all Police and Stipendiary Magistrates have those powers by Statute?

(2.) If he is aware of that judgment, and accords with it, what necessity is there for issuing the notices adverted to, which clash with it, and have a tendency to raise doubts and to deceive?

(3.) If he, on the other hand, does not agree with the decision (as is to be assumed by his notices), would he not rather ask the House to legislate on the subject to remove existing uncertainty?

Sir Henry Parkes answered,—I am advised by the Attorney General that, as doubts have arisen whether the Act 17 Vic. No. 39 has not been repealed by implication by the Act 20 Vic. No. 32, the notices referred to have been issued under the provisions of that Act, and as the issue of such notices leaves no doubt as to the power of Stipendiary Magistrates there is no necessity for legislation on the subject.

- (4.) Road from Barraba to Gunnedah:—*Mr. O'Connor* asked the Secretary for Public Works,—In reference to the sum of £375 on the Estimates-in-Chief for 1879, proposed to be expended on road from Gunnedah towards Barraba (25 miles), and the sum of £1,125, proposed to be expended on road from Barraba to Gunnedah (45 miles),—

(1.) Have the roads referred to been marked and proclaimed under the "Parish Roads Act"?

(2.) Has any report been obtained from an officer of the Roads and Bridges Department relative to their practicability, character, cost of formation, and making?

(3.) Have the Roads and Bridges Department any knowledge or information as to whether the roads referred to exist; if so, how long have they been in use, and what amount has been previously expended on them?

Mr.

Mr. Lackey answered,—

(1.) No.

(2.) Yes.

(3.) The local road officer has been twice through, taking a different route each time, and he recommends road Barraba to Tamworth for through traffic. It is proposed, however, to expend the vote on the part of this road close to Gunnedah, in bridging the Namoi, to admit of access to the Railway there.

(5.) Government Land Agents and Appraisers :—Mr. O'Connor asked the Secretary for Lands,—

(1.) On what dates and years were Mr. Keele, Mr. Smith, Mr. Lord, Mr. Wild, and Mr. Franks appointed Land Agents?

(2.) On what date and years were Mr. Evans and Mr. Oliver appointed Land Agents at Hay, and Mr. M. Asher appointed Appraiser?

(3.) Under what Government were they appointed, and who was the Minister for Lands at the time they were appointed?

Mr. Hoskins answered,—

(1.) The gentlemen referred to were not appointed Land Agents, as apparently supposed by the Honorable Member, but were appointed as Inspectors of Conditional Purchases on the following dates :—Mr. D. Keele, 1st September, 1875 (since removed from that position); Mr. E. C. Smith, 1st September, 1876 (dismissed); Mr. R. C. Lord, 1st September, 1875 (deceased); Mr. J. Wild, 17th September, 1875 (resigned); Mr. R. C. Franks, 9th March, 1875.

(2.) Mr. L. H. L. Evans was appointed Land Agent at Hay 22nd September, 1876; Mr. H. T. J. Oliver was appointed Assistant Land Agent there 1st November, 1875; Mr. M. Asher was appointed Appraiser 11th October, 1876; none of whom are now in the Government service.

(3.) Under the Robertson Government, on the recommendation of Mr. Garrett, then Minister for Lands.

(6.) Electric Telegraph Poles :—Mr. Coonan, for Mr. McElhone, asked the Secretary for Public Works,—

(1.) What was the contract price for iron electric telegraph poles for the years 1874, 1875, 1876, 1877, 1878, and 1879?

(2.) Is he aware that the English price of these iron electric telegraph poles is under 20s. each?

(3.) Did W. S. Friend & Co. offer to supply 10,000 of these poles at 18s. each; if not, at what price, and on condition that the pattern was not changed?

(4.) Is he aware that these iron poles are condemned in England, and wooden poles are now used in preference to them?

Mr. Lackey answered,—

(1.) The contract prices for galvanized iron telegraph poles were as follows :—For the year 1874, nil; 1875, 34s.; 1876, 34s.; 1877, nil; 1878, 26s. 6d.; 1879, nil. These prices include two malleable iron foot plates, two bridges, two wrought-iron strap bolts and nuts, and one top pin.

(2.) No.

(3.) I am not aware of any offer having been received from Messrs. Friend & Co. for the supply of these poles.

(4.) No.

(7.) Ring-barking Trees :—Mr. Coonan, for Mr. McElhone, asked the Attorney General,—In reference to ring-barking trees, and the prohibition lately granted by the Supreme Court against certain Magistrates who had decided that a certain selector was to pay a sum of money for improvements on land taken up by him as a conditional purchase under the 13th clause of the Lands Acts, and which improvements consisted of ring-barking, or sapping trees,—Is it his opinion that ring-barking, or sapping trees, is an improvement to land within the meaning of the Lands Acts of 1861 and 1875, for which a lessee of Crown Lands can claim compensation?

Mr. Windeyer answered,—Whether ring-barking trees is an improvement to land within the meaning of the Lands Acts of 1861 and 1875 will depend upon circumstances, and any opinion given upon the abstract point would be only calculated to mislead.

(8.) Mr. David H. Armstrong :—Mr. Coonan, for Mr. McElhone, asked the Secretary for Public Works,—

(1.) When was David H. Armstrong appointed a clerk in his department, and when was he appointed Record Clerk in the office of the Engineer for Existing Lines?

(2.) Is it a fact that he has been absent from office over seven months on sick leave, and otherwise, during the short time he has held office, and has drawn his salary for the full time he has been in office, and that his work is greatly in arrear?

Mr. Lackey answered,—

(1.) Mr. Armstrong was appointed clerk in the office of Engineer for Existing Lines on the 16th November, 1876, and promoted to be Record Clerk on 1st December, 1877?

(2.) Mr. Armstrong has never been absent from the office on sick leave, or otherwise, since his appointment; his work is not in arrear nor has it ever been in arrear.

(9.) Robert Edwards's Conditional Purchase :—Mr. Thompson asked the Secretary for Lands,—Has he decided upon the dispute between Robert Edwards and Wm. McCrystal, as to a conditional purchase in the parish of Nclanglo, county of King, made at Yass about two years ago?

Mr. Hoskins answered,—The case has not yet been decided. A report on the subject, which presents some difficulties, has recently been received from the District Surveyor, but has not yet been dealt with by the Survey Department.

(10.) Commissioners of Land Courts :—Mr. Thompson asked the Secretary for Lands,—In view of the probable early consideration of the Estimates of the Lands Department,—When will the Return respecting the Commissioners of the Land Courts, promised on the 14th of last month, be laid upon the Table of this House?

Mr.

Mr. Hoskins answered,—With reference to the above Return (which was not promised on the 14th of last month, but was moved for by the Honorable Member in the ordinary way on the 14th February last), each of the Commissioners was instructed to furnish the particulars specified in the Resolution with the least possible delay. No replies have been received, and they will at once be reminded.

(11.) International Exhibition in Sydney :—Mr. Copeland asked the Colonial Secretary,—

(1.) How many, and what States and Governments outside the Colonies, have intimated their intention of sending exhibits to the International Exhibition?

(2.) How many, and which of such States or Governments, are expected to send Representative Commissioners to the Exhibition?

(3.) Have the Government taken into consideration the necessary amount of hotel accommodation which these gentlemen will require, and the great injury that will be done to the reputation of the Colony if these gentlemen cannot obtain accommodation suitable to their dignity and representative position?

(4.) What objections are there in the way of fitting up the Colonial Secretary's new offices as a temporary hotel or club-house for the purpose above-mentioned?

Sir Henry Parkes answered,—

(1.) In February, 1878, the Secretary of State for the Colonies was requested to inform the various Courts and States represented at the Paris Exhibition, or others, if any not so represented, with which the Imperial Government have diplomatic or Consular intercourse—also India, and all the British Colonies other than the Australian Colonies—of the fact that an International Exhibition, under the auspices of the Agricultural Society of New South Wales, would be held in Sydney in 1879. In July, 1878, a telegram was received by Sir Hercules Robinson, then Governor of the Colony, from the Secretary of State, as follows :—“ Programme Sydney Exhibition of 1879 “ distributed as requested, except India, whose participation under consideration.” Since then the amended programme and regulations, superseding those originally circulated, have been similarly distributed. The European Countries sending exhibits, and to which space has been allotted by the London Commission, are,—

	Sq. feet.
Great Britain ...	120,000
France ...	64,000
Germany ...	45,000
Austro-Hungary ...	22,000
Italy ...	10,000
Belgium ...	12,000
Switzerland ...	5,000
Holland ...	5,000

(2.) It is expected that some, if not all, of these Countries will send Commissioners to the Exhibition, but it has not yet been officially announced. I may say it is rather too soon to expect any definite determination on that subject. It is also expected that there will be a Commission sent from the United States, from Japan, and from New Caledonia. The Countries which have announced that they are unable to participate officially, are,—Russia, Brazil, Turkey, the Spanish Colonies, the Dominion of Canada, the Colonies of Mauritius, Natal, and Western Australia.

(12.) Drift Timber in the Murrumbidgee River :—Mr. Fitzpatrick, for Mr. Leary, asked the Secretary Public Works,—When will the drift timber from the recent freshes in the Murrumbidgee River be removed from the temporary bridge at Wagga Wagga, erected by the Government?

Mr. Lackey answered,—From inquiries I have made, I have reason to believe that the drift timber will be removed during the present week from the temporary bridge over the Murrumbidgee River at Wagga Wagga.

(13.) Telegraph Stations at Werris Creek and Breeza :—Mr. Dangar asked the Colonial Secretary,—Is it intended (and, if so, when) to open Telegraph Stations at Werris Creek and Breeza; when will such be available to the public use?

Sir Henry Parkes answered,—Yes; the line will be finished in about six weeks.

(14.) Bradley's Head :—Mr. J. Davies asked the Secretary for Lands,—

(1.) When was Bradley's Head proclaimed a Quarantine Reserve for Imported Stock?

(2.) Under what authority is the land being cleared, trees cut down, and huts and sheds erected?

(3.) Are the public now excluded from landing at and using this point of the harbour for recreation purposes?

(4.) What quantity of land has been withdrawn from the public on this headland for Quarantine purposes?

(5.) Is it not the fact that the only portion of the land available for recreation purposes has been taken?

(6.) Will the Government take steps to revoke the Quarantine Reserve, have all buildings removed, and issue orders to prevent the further destruction of the trees and shrubs, before the point is disfigured?

Mr. Baker answered,—

(1.) On the 18th December, 1878.

(2.) The work there has been done under the authority of the Minister for Mines. Only three or four small trees have been cut down.

(3.) The public are in no way excluded or impeded from landing at Bradley's Point for recreation purposes.

(4.) Two pieces of land have been withdrawn from the public measuring together something under 1 acre.

(5.) It is not a fact, as the previous answers show. Only a small quantity of the land is occupied by the quarantine, and some of that, when taken, was in a very rough state.

(6.) No more trees or shrubs will be cut down; but it is not the intention of the Government to remove the buildings, as they are necessary for quarantine of valuable imported stock which are found on arrival to be free from infection.

(15.) Gertrude Smith's Conditional Purchase:—Mr. Coonan asked the Secretary for Lands,—Has any action been taken in reference to the selection of Gertrude R. Smith—the same having been referred to Mr. Commissioner Johnston for inquiry, which inquiry was held at Molong on the 3rd October, 1878; if so, what has been done?

Mr. Hoskins answered,—The selection was recommended for forfeiture, but has in the meantime been declared lapsed, owing to the non-receipt of the final declaration.

(16.) Mr. York, Government Appraiser:—Mr. McElhone asked the Secretary for Lands,—

(1.) Has Mr. Appraiser York applied for and obtained twelve months leave of absence; if so, upon what terms?

(2.) The period of Mr. York's official service?

(3.) The amount of salary and other allowances provided for the office?

(4.) The total amount received by Mr. York as salary and allowance during the period he has held his said office?

Mr. Hoskins answered,—

(1.) Yes, without salary, and under special circumstances.

(2.) He was appointed Appraiser on the 18th June, 1878, for the Darling District.

(3.) £150 a year salary, £150 a year for travelling expenses, and a fee of 10s. 6d. for each case disposed of.

(4.) £118 3s. 4d. for salary, £118 3s. 4d. for travelling expenses, and £100 5s. 6d. for fees: total, £336 12s. 2d.

(17.) Police Paddock at Young:—*Mr. J. Davies*, for Mr. Macintosh, asked the Secretary for Mines,—Is he aware that two men are at present gold mining within the Police Paddock at Young, while others are prohibited; and if so, to state by whose authority this privilege was granted, and why?

Mr. Baker answered,—As far back as July, 1873, Messrs. McGowan and Robinson made an application to mine on portion of the land at Young, known as the Police Paddock, but, in consequence of objections, those applications have not yet been finally dealt with. In order to satisfy these applicants, and other persons who desire to mine upon the land, and who assert that it contains valuable auriferous deposits, and to enable the Government to arrive at a decision as to whether the deposits are sufficiently rich to justify them in throwing the land open to the miners, I authorized Messrs. McGowan and Robinson to enter upon the land which they had applied to mine upon for the purpose of testing its value. If the land prove to be valueless, Messrs. McGowan and Robinson will probably abandon their application, and there will be no desire on the part of other persons to mine within the paddock. If, on the other hand, they discover rich deposits, the Government will consider the expediency of throwing the reserve open to the operation of miners rights.

2. EMPLOYMENT OF MEMBERS OF PARLIAMENT BY THE GOVERNMENT:—Sir Henry Parkes moved, pursuant to Notice, That the Resolution passed by this House on the 21st December, 1875, which prohibited the employment by the Government of any Member of the Legislative Council and Legislative Assembly in any office or temporary employment to which remuneration is attached, be rescinded.

Debate ensued.

Question put and negatived.

3. SUPREME COURT (ADDITIONAL JUDGE) BILL:—The Order of the Day having being read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had disagreed to some and agreed to others of the Council's amendments.

On motion of Mr. Windeyer, the report was adopted.

4. LOAN FUNDS AMALGAMATION BILL:—The Order of the Day having been read,—Mr. Watson moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 4 APRIL, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Watson, the report was adopted.

Ordered, that the Bill be read a third time This Day.

5. POSTPONEMENTS:—The Orders of the Day of Government Business Nos. 3 and 4 postponed until Wednesday next.

6. PARLIAMENTARY POWERS AND PRIVILEGES BILL:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Legislative Council's Message of 26th March, 1879, relative to the amendments made in this Bill.

Mr.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee insists upon its disagreement from the Council's amendment in clause 3, which proposes to insert the words "no act done or word spoken written or published shall be dealt with as a contempt or breach of privilege by either House unless done spoken or published in the Chamber itself or within the precincts thereof and that"; and also insists upon its disagreements from the Council's amendments omitting clauses 6 and 7.

On motion of Sir Henry Parkes, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 26th March, 1879, in reference to the Parliamentary Powers and Privileges Bill,—

Insists upon its disagreement from the Council's amendment in clause 3, which proposes to insert the words "no act done or word spoken written or published shall be dealt with as a contempt or breach of privilege by either House unless done spoken or published in the Chamber itself or within the precincts thereof and that"; and upon its disagreement from the omission of the sixth and seventh clauses.

And requests a Free Conference with the Legislative Council on the subject of the said disagreements, and has appointed the following of its Members to be managers of such Conference in its behalf :—Mr. Stephen Brown, Mr. Burns, Mr. Cameron, Mr. Driver, Mr. Greenwood, Mr. Lucas, Sir Henry Parkes, Mr. R. B. Smith, Mr. Windeyer, and Mr. Wisdom.

Legislative Assembly Chamber,

Sydney, 4th April, 1879, a.m.

The House adjourned at a quarter before One o'clock, a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 98.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 4 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Police, Jerry's Plains:—Mr. W. C. Browne asked the Colonial Secretary,—
- (1.) Is he aware that the Constable recently stationed at Jerry's Plains, who is also acting Clerk of Petty Sessions, has been removed to another place?
 - (2.) If it is intended to abolish the Police Station there, what provision will be made for inspecting the brands of the thousands of cattle that pass that place every month for Sydney and Maitland markets?

Sir Henry Parkes answered,—

- (1.) Yes; temporarily only, during the absence of a special party of Police sent from the district for duty on the Victorian Border.
 - (2.) The Police at adjacent Stations will perform the duty. The Police Magistrate has undertaken that no inconvenience shall arise from temporary absence.
- (2.) Post and Telegraph Office, Jerry's Plains:—Mr. W. C. Browne asked the Secretary for Public Works,—Referring to *Gazette* notice, stating that plans and specifications for the proposed Post and Telegraph Office at Jerry's Plains might be seen at the Court-house, Jerry's Plains,—
- (1.) Is he aware that several persons who intend to tender have visited the Court-house at that place, and no plans or specifications are to be seen?
 - (2.) To whom were they sent, and where are they now to be seen?

Mr. Lackey answered,—

- (1.) I am not aware that such is the case. The plans and specification were forwarded to the Bench on 21st ultimo, and I have been informed by Mr. Saunders, resident Magistrate, that they were duly received.
 - (2.) The plans and specification referred to were sent to the Bench of Magistrates, and are now to be seen, I presume, at the Court-house?
- (3.) Oyster-beds:—*Mr. McElhone*, for Dr. Bowker, asked the Secretary for Lands,—
- (1.) Is he aware that the Manning River was one of the most, if not the most, prolific oyster-bearing rivers in the Colony prior to its occupation by the lessee?
 - (2.) Is it a fact that the lessee of the natural oyster-beds in this river has neglected to pay the rent for the present year, having, in the comparatively short space of four years, completely bared the beds of oysters?
 - (3.) What rent did the lessee pay for this river?
 - (4.) Is it not true that the oyster-beds in the Colony generally, except those on closed rivers, are being destroyed by over working?
 - (5.) Are the present leases of natural oyster-beds granted according to law; if not, will he cancel the said leases?
 - (6.) In view of the importance which attaches to oyster culture in other countries (England, France, and America, for instance)—both as a source of revenue and as a large industry,—Will the Government at once devise legislation to develop this industry?

Mr. Hoskins answered,—

- (1.) Yes.
- (2.) Yes.
- (3.) £1,150.
- (4.) Yes.
- (5.) There are no leases granted; only promises of lease.
- (6.) The matter will receive the consideration of the Government at an early date.

(4.)

(4.) Travelling Stock Road from Coonamble to Wellington :—Mr. Dangar asked the Secretary for Mines,—Considering the difficulty and loss stockholders and various other producers from the north and north-west country, covering the largest and most productive districts in the Colony of New South Wales, who are now isolated from Railway approach to the Metropolis, and the difficulties of driving stock to the Sydney market,—Does he intend to make provision for travelling stock roads (other than at present open for these districts) to reach the rail to Wellington, when the producers would have a chance of trucking their fat stock to market, and specially to open a main practicable travelling stock road from Coonamble to Wellington?

Mr. Baker answered,—Yes, provision has been made for a travelling stock route and reserves from Coonamble to Eringinerin, and a further and more direct communication will shortly be made to Wellington from there *via* Talbragar and Mitchell's Creek.

(5.) Holidays to Railway Station-masters :—Mr. W. C. Browne asked the Secretary for Public Works,—

(1.) How many holidays are allowed to Railway Station-masters during the year?

(2.) How many Station-masters have availed themselves of this privilege during 1878?

Mr. Lackey answered,—

(1.) Station-masters and the clerical staff, if they can be conveniently spared, are allowed two weeks leave of absence in each year. Any such leave not taken when due will, however, only be cumulative to four weeks.

(2.) Forty-nine; thirty have availed themselves of the full time allowed, and five have been granted seven days, one six days, one four days, five three days, five two days, and two one day's leave of absence.

(6.) Sale of Crown Lands :—Mr. Farnell asked the Secretary for Lands,—What is the area of land sold at auction, conditionally purchased, purchased in virtue of improvements, purchased under the 31st section of the Lands Acts Amendment Act of 1875, and purchased under the 9th, 10th, and 11th sections of the Crown Lands Alienation Act of 1861, respectively, from the 12th November, 1878, to the 31st December, 1878?

Mr. Hoskins answered,—The total area of land sold, and purchased in the manner, and during the period described by the Honorable Member, is as follows :—Sold at Auction, 106,405 acres 2 roods; conditionally purchased, 117,283 acres; purchased in virtue of improvements, 21,803 acres 1 rood 20½ perches. Under the 31st section of Lands Act Amendment Act 1875, 400 acres applied for, 2,010 acres 3 roods gazetted as approved of, and balances paid. Under clauses 9, 10, 11, and 12 of the Crown Lands Alienation Act of 1861, 4 acres 1 rood 9½ perches.

(7.) Bridges over the Big River and Bingera Creek :—Mr. Dangar asked the Secretary for Public Works.—Considering the growing importance of Bingera (consequent upon its mining and other capabilities), that it has been decided not to take the Railway this route—that several persons have been drowned at Bingera in crossing the Big River there (it being the main road from Tamworth to Inverell, and in rainy seasons impossible to convey goods over this stream),—Is it intended to place sums on 1879 Supplementary Estimates for Bridges over the Big River at Bingera, and over Bingera Creek, near Bingera, on the road to Bundarra?

Mr. Lackey answered,—These matters, with others of equal importance, are under consideration. No determination has been yet arrived at.

(8.) Court-house and Lock-up at Jerry's Plains :—Mr. McElhone asked the Colonial Secretary,—

(1.) When is it likely that the Government will build the Court-house and Lock-up at Jerry's Plains?

(2.) Will they be built in the Government or private township?

Sir Henry Parkes answered,—

(1.) A plan for a Lock-up at Jerry's Plains has been prepared, for which tenders will be invited as soon as the site is decided on.

(2.) All Government buildings are to be erected in the Government township.

(9.) Mr. John Garsed :—Mr. Thompson asked the Secretary for Lands,—Will he cause to be laid upon the Table of this House (in accordance with a motion of the Honorable Member for Hartley on 27th November, 1878), a copy of a Letter bearing date 25th October, 1878, addressed to the Honorable J. S. Farnell, Secretary for Lands; also a copy of a letter addressed to the Honorable J. S. Farnell having reference to the letter of the above date?

Mr. Hoskins answered,—Yes, on Tuesday next.

(10.) Bulahdelah Gold-field :—Mr. Copeland asked the Secretary for Lands,—Has he caused any inquiry to be made in reference to selections taken up in the Bulahdelah Gold-field, with a view of cancelling the same; if not, will he do so without delay, particularly with reference to Mr. French's selection?

Mr. Hoskins answered,—A portion of the Gloucester Gold-field, including the vicinity of Bulahdelah, containing 400 square miles, was reserved from conditional purchase on 25th March, 1879. The conditional purchase applications of Messrs. Michael, Henry, and George French, prior to notification of reservation, have been forwarded to surveyors.

(11.) School at Back Creek :—Mr. Copeland asked the Secretary for Lands,—

(1.) Has the grant of land for school purposes at Back Creek, Barrington, been completed; if not, what is the cause of delay?

(2.) Is he aware there are between two and three hundred children completely deprived of all education through the delay in issuing this grant?

Mr. Hoskins answered,—

(1.) No. The plan has just been received in the Survey Office. So soon as it has been dealt with there the land will be dedicated.

(2.) Beyond the application for the land, I am not aware of any circumstances in connection with the case.

- (12.) Bridge across the Shoalhaven River :—Mr. Garrett asked the Secretary for Public Works,—
- (1.) Where is it intended to erect the Bridge across the Shoalhaven River, for which provision has already been made?
 - (2.) Is it intended to so construct the Bridge that it may suit Railway as well as ordinary traffic?
 - (3.) When will the erection of the Bridge be commenced?

Mr. Lackey answered,—

- (1.) The intended site of bridge is about a third of a mile above the present Bomaderry Ferry.
 - (2.) Yes.
 - (3.) The contract for the superstructure has been let in America; that for cylinders in Sydney. An officer will be despatched almost immediately to commence sinking same.
- (13.) Disposal of Offal :—Mr. McElhone asked the Colonial Treasurer,—Is he aware that the offal thrown just outside the Heads floats in with the tide, and large quantities float up North Harbour, and is creating a great stench and nuisance there, and will he give instructions to put a stop to it?
- Mr. Watson answered,—I am not aware of such a condition of things as that represented by the Honorable Member's question. I understand that there are occasions when strong easterly gales prevent the towage of the punt containing the offal the required distance outside the Heads. Exceptional occurrences of this kind probably form the ground-work of the general allegation. The removal of the offal from the Abbatoirs by punt is an experiment which the Government will proceed with until satisfied whether it is beneficial, or until the erection of machinery, by which it is intended the blood and offal will be disposed of in a different manner.

- (14.) Suburban Railway Time-table :—Mr. Taylor asked the Secretary for Public Works,—When will the new Suburban Time-table come into operation, and will he comply with the very reasonable request of a large number of Railway travellers at Parramatta, by having a train to leave that town between the present 8.5 a.m. and 8.48 a.m., and in substitution of the latter train?

Mr. Lackey answered,—It is proposed to bring the new Time-table into operation on the 21st inst., under which the present train, which leaves Parramatta at 8.48, will leave at 8.43 and arrive in Sydney at 9.16 instead of 9.25, as at present. This train starts from Penrith and takes on at Blacktown the Richmond Line Passengers, and could not therefore be made to leave Parramatta at an earlier hour than 8.43 without serious inconvenience to the traffic from the more distant Stations.

- (15.) Manly Beach Wharf :—Mr. Taylor asked the Secretary for Mines,—Upon what conditions, and for what length of time, have the Port Jackson Steam Company the exclusive use of the Manly Beach Wharf?

Mr. Baker answered,—The Port Jackson Steam Company have a five years special lease of the Manly Beach Wharf, terminating 30th November, 1881, the conditions being that they pay a rental of £25 per annum.

- (16.) Parramatta Lunatic Asylum :—Mr. Taylor asked the Colonial Secretary,—Has any communication been received from the Medical Superintendent of the Parramatta Lunatic Asylum with reference to statements made by the Honorable Member for the Upper Hunter against him, and asking for thorough examination into the truth of such statements; if so, will the Colonial Secretary cause an inquiry to be made as early as possible?

Sir Henry Parkes answered,—The Superintendent of the Hospital for the Insane at Parramatta did address a letter to the Colonial Secretary on the 26th March, in these terms :—" Certain statements having been made by Mr. McElhone in the Legislative Assembly on the 25th instant, which reflect most injuriously on my character and integrity as a public officer, I do myself the honor to request that you will cause such immediate inquiry to be made as shall either confirm or refute the statements made." No reply was written to that letter, but Dr. Taylor called upon me, and I stated to him that the Government could not in any way control the statements made in the Legislative Assembly, but that, so far as I was concerned, I had entire confidence in the Superintendent's character and integrity, and did not deem any inquiry necessary.

- (17.) Post Office, Forbes :—Mr. Coonan asked the Secretary for Public Works,—What is the cause of the delay in not sending some officer to inspect the foundations of the new Post Office at Forbes; and will the Minister see that some person is sent without delay, in order that work may proceed?

Mr. Lackey answered,—There has been no delay in this matter, as I only received a telegram from the contractor yesterday, stating the foundations were finished, and asking that they might be inspected this week. I have, therefore, instructed an officer accordingly to inspect the work.

- (18.) Land Office, Condobolin :—Mr. Coonan asked the Secretary for Lands,—Is it the intention of the Government to establish a Land Office at Condobolin; and if so, when?

Mr. Hoskins answered,—The matter has been under consideration, but not finally decided upon. Should a new Land District be created there is a probability, from reports obtained in the matter, that the Land Office will be at Euabalong instead of Condobolin.

- (19.) Bridge over Gap Creek—Dwelling-houses for Railway Employés, Tamworth :—Mr. Bennett asked the Secretary for Public Works,—

- (1.) When will tenders be invited for the erection of a Bridge over Gap Creek, Currabubula, which was ordered to be erected in October last by the late Secretary for Public Works?
- (2.) Also, for the erection of dwelling-houses for the Railway employés at the Station, Tamworth, and Platform at Breafield, or at the Gate-house, where the Railway line crosses the Main Northern Road at Costelloe's conditional purchase, Doughboy Hollow Creek?

Mr. Lackey answered,—

- (1.) Tenders will be invited in the next issue of the *Gazette*.
- (2.) Instructions were given on the 17th ultimo to erect dwelling-houses at Tamworth for the Railway employés. The question of the Platform at Breafield, at the place indicated, is now under consideration.

- (20.) Postal Communication with Watson's Bay :—Mr. Bennett asked the Postmaster General,—
- (1.) How many Mails are transmitted from the General Post Office, Sydney, to Watson's Bay daily; time and arrival of the same at Sydney and Watson's Bay daily?
 - (2.) Why is 1s. charged for a telegram of ten words from Sydney to Watson's Bay, while to every other suburb 6d. is only charged for same number of words?
- Sir Henry Parkes answered,—
- (1.) Two,—

Leave Sydney.....	Mon.	Tue.	Wed.	Thu.	Fri.	10:15 a.m. and 5 p.m.,	Sat.	10:15 a.m. and 2:30 p.m.
Arrive Watson's Bay do do do do do do						11:15 do and 6 do,	do	11:15 do and 3:30 do.
Leave Do ... do do do do do						Sat. 8 a.m. and noon.		
Arrive Sydney	do	do	do	do	do	do	do	8:45 a.m. and 12:45 p.m.
 - (2.) The sixpenny (6d.) rate for telegraphic messages has not been extended to stations beyond five (5) miles from the head office.
- (21.) Peter Nowland's Conditional Purchase :—Mr. Bennett asked the Secretary for Lands,—Has any report been received from Licensed Surveyor Kelly, or District Surveyor Dewhurst, Tamworth, since the 21st of February last, with reference to Peter Nowland's conditional purchase of 50 acres, taken up at Murrurundi on the 6th December, 1877, at the Land Office, Murrurundi; if not, will the Minister call on Licensed Surveyor Kelly to forward to the Department his report in this case without delay?
- Mr. Hoskins answered,—The further report called for in this matter has not yet been received. The surveyor has already been called upon to expedite his report, as intimated to Mr. Hanley Bennett on 20th February last.
- (22.) Sale of Iron at Newcastle :—Mr. McElhone asked the Secretary for Public Works.—
- (1.) In reference to the sale of old iron at Newcastle to D. Williams,—Did any agent or auctioneer recommend D. Williams's offer to be accepted; if so, who was the agent or auctioneer who advised it?
 - (2.) Has Mr. Williams, who bought the above old iron, the right to take the Lowmoor tires with the other iron?
- Mr. Lackey answered,—
- (1.) Yes; the auctioneer who sold the old iron in Sydney recommended that the offer of Mr. Williams, the highest bidder, should be accepted at the same price for the old iron at Newcastle, to be delivered in Sydney. Mr. W. Pritchard was the auctioneer who made the recommendation.
 - (2.) No.
- (23.) Double Line of Railway from the Zigzag to Bowenfels.—Sale of Iron at Newcastle :—Mr. McElhone asked the Secretary for Public Works,—
- (1.) In reference to tenders of Mason and Williams for laying second line of rails from the Zigzag to Bowenfels, a distance of nearly 5 miles,—What was the amount of Mason's tender, also of D. Williams's?
 - (2.) In reference to sale of old iron at Newcastle to D. Williams at £3 16s. per ton,—Was that price given for it delivered in Sydney; and did not Mr. Rogers offer £4 5s. per ton for it delivered at Newcastle?
- Mr. Lackey answered,—
- (1.) Mr. Mason's tender, £20,147 11s.; Mr. Williams's tender, £22,390 3s.
 - (2.) Yes, delivered in Sydney; the estimated quantity being as under:—156 tons wrought iron, including rails, and 70 tons cast iron. In September last Mr. Rogers offered to purchase 5 tons only of cast iron at £4 5s. per ton. Some time before, when tenders were invited, he offered £4 7s. 6d. for the cast iron, but only £2 2s. 6d. for the wrought iron, and when his offer was accepted the other day at £3 17s. 6d. per ton he declined to take the wrought iron at that price, and would take only the cast iron.
- (24.) International Exhibition in Sydney :—Mr. Copeland asked the Colonial Secretary,—
- (1.) Have the Government taken into consideration the necessary amount of hotel accommodation which the visiting Commissioners to the Exhibition will require, and the great injury that will be done to the reputation of the Colony if these gentlemen cannot obtain accommodation suitable to their dignity and representative position?
 - (2.) What objections are there in the way of fitting up the Colonial Secretary's new offices as a temporary hotel or club-house for the purpose above-mentioned?
- Sir Henry Parkes answered,—
- (1.) The Government do not consider it any part of their duty to provide accommodation for visitors to the International Exhibition.
 - (2.) As soon as the Colonial Secretary's new offices are completed the Government departments will occupy them.
- (25.) Steam-ship "Platypus":—Mr. Cameron, for Mr. Hurley (*Hartley*), asked the Colonial Treasurer,—
- (1.) If he will cause to be taken the evidence given at the forthcoming inquiry to be held at Ballina by the Marine Board respecting the alleged inaction of the steam tug "Francis Hixson" at the stranding of the steam-ship "Platypus" on the 14th February last?
 - (2.) Will he lay upon the Table of this House a copy of the contract existing between the Government and the owner of the steam tug "Francis Hixson."
- Mr. Watson answered,—
- (1.) Yes.
 - (2.) Yes.
- (26.) Watches for Railway Engine-drivers :—Mr. W. C. Browne asked the Secretary for Public Works,—
- (1.) Has any answer yet been given to a Memorial, dated December, 1878, to the Locomotive Engineer from the engine-drivers employed on the Great Northern Railway, asking to be supplied with reliable watches by the department?
 - (2.) Will the request of the Memorialists be acceded to; and if so, when?
- Mr.

Mr. Lackey answered,—

(1.) The Locomotive Engineer states that he has not yet replied to the Memorial the men addressed to him on the subject. Arrangements have, however, been made to supply the engine-drivers with watches.

(2.) Watches have been issued to some of the drivers, and the remainder will be supplied as early as possible.

2. NET FISHING IN LAKE MACQUARIE:—Mr. Hungerford presented a Petition from Residents at or near Lake Macquarie, engaged in fishing, alleging that fish are now more plentiful than formerly in Lake Macquarie; and praying that the House will refuse to legislate in such a manner as would deprive them of their livelihood.
Petition received.

3. PAPERS:—Sir Henry Parkes laid upon the Table,—

(1.) Correspondence respecting Border Customs.

(2.) Australian Team of Cricketers.—Correspondence respecting an Application from Members of, holding Government Situations, for full salary while on leave of absence.
Ordered to be printed.

4. THE RICHMOND RIVER:—Mr. Driver presented a Petition from Electors of the District of Richmond River, representing the necessity for an examination of the entrance to this river, with a view to its improvement; and praying the House to take the matter into favourable consideration.
Petition received.

5. APPLICATIONS OF MESSRS. GILMOUR, BEARD, AND SMITH FOR VACANT COUNTRY IN THE DISTRICT OF WELLINGTON (*Formal Motion*):—Mr. Coonan moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Tenders, Letters, and Reports in reference to the applications by Messrs. Gilmour, Beard, and Smith for vacant country in the District of Wellington.
Question put and passed.

6. COHEN'S ENABLING BILL (*Formal Motion*):—Mr. Fitzpatrick, for Mr. Burns, moved, pursuant to Notice,—

(1.) That Cohen's Enabling Bill be referred to a Select Committee for inquiry and report.

(2.) That such Committee consist of Mr. Farnell, Mr. Jacob, Mr. Hungerford, Mr. Terry, Mr. Johnston, Mr. Charles, Mr. Moses, Mr. Copeland, and the Mover.

Question put and passed.

7. AUSTRALIAN CRICKETERS (*Formal Motion*):—Mr. Driver moved, pursuant to Notice, That this House will, on Friday the 25th April, resolve itself into a Committee of the Whole, to consider the following Resolution, viz.:—That His Excellency the Lieutenant-Governor will be pleased to cause to be placed on the Supplementary Estimates for the current year a sum sufficient to pay the salaries and wages of those persons in the Civil Service, and in the employ of the Government, who were members of the Australian Team of Cricketers who recently visited Great Britain and America, for the period during which they obtained leave of absence.
Question put and passed.

8. UNREGISTERED VOLUNTEER LAND ORDERS (*Formal Motion*):—Mr. Coonan, for Mr. Lynch, moved, pursuant to Notice, That in the opinion of this House it is expedient that the Government should at once obtain and lay upon the Table of this House the opinion of the Honorable the Attorney General as to the validity or non-validity of unregistered Volunteer Land Orders.
Question put and passed.

9. LOAN FUNDS AMALGAMATION BILL (*Formal Order of the Day*),—on motion of Mr. Watson, read a third time, and *passed*.

Mr. Watson then moved, That the Title of the Bill be "*An Act to provide for the amalgamation of certain Loan Funds raised under Special Loan Acts.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to provide for the amalgamation of certain Loan Funds raised under Special Loan Acts,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 4th April, 1879.*

10. CONTRACTORS DEBTS BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. W. H. Suttor, the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

11. TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL:—The Order of the Day having been read,—Mr. Driver moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with an amendment.

On motion of Mr. Driver (*with the concurrence of the House*) the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

12. POSTPONEMENT:—The Order of the Day No. 3 of General Business postponed, to follow after Order No. 4. 13.

13. **SMALL DEBTS ACT FURTHER EXTENSION BILL**:—The Order of the Day having been read,—on motion of Mr. O'Connor, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Legislative Council's Message of 27th March, relative to the amendments made in this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee did not insist upon its disagreement from the Council's amendment in clause 1.

On motion of Mr. O'Connor, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 27th March, 1879, in reference to the Small Debts Act further Extension Bill,—
Does not insist upon its disagreement from the Council's amendment in clause 1.

*Legislative Assembly Chamber,
Sydney, 4th April, 1879.*

14. **POSTPONEMENT**:—The Order of the Day No. 3 of General Business further postponed, to follow after Order No. 5.

15. **IMPOUNDING ACT AMENDMENT BILL**:—The Order of the Day having been read for the consideration in Committee of the Whole of Legislative Council's amendments,—Mr. Jacob moved, That Mr. Speaker do now leave the Chair.

Point of Order.—Mr. Speaker directed the attention of the House to the nature of the amendment made by the Legislative Council in this Bill by the insertion of the new clause 11, which involved a charge upon the public revenue, and said that such a clause could not have been initiated in this House except in a Committee of the Whole, and accompanied by the recommendation of the Crown.

Whereupon Sir Henry Parkes moved, That the Bill be laid aside, in consequence of the nature of the new clause 11 inserted by the Legislative Council.

Debate ensued.

Question put and passed.

16. **POSTPONEMENTS**:—The following Orders of the day postponed:—

(1.) Amendment of the Land Law; resumption of adjourned Debate;—*until Friday, 2nd May.*

(2.) Mudgee Turf Club Bill; to be further considered in Committee.

(3.) Marsupials Destruction Bill; to be further considered in Committee. } *until Friday, 18th April.*

17. **STANDARD WEIGHT FOR MAIZE BILL**:—

(1.) The Order of the Day having been read—on motion of Mr. T. R. Smith, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to declare the standard weight of Maize.

Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read, as follows:—

Resolved,—That it is expedient to bring in a Bill to declare the Standard Weight of Maize.

On motion of Mr. Smith, the Resolution was read a second time, and agreed to.

(2.) Mr. Smith *presented* a Bill, intituled "*A Bill to declare the Standard Weight of a Bushel of Maize*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday, 18th April.

18. **GOLD MINING LEASES**:—Mr. Copeland moved, pursuant to Notice, That, in the opinion of this House, His Excellency the Lieutenant-Governor, with the advice of the Executive Council, should without loss of time so amend the Regulations relating to Gold Mining Leases as to have the following effect:—

(1.) To reduce the time allowed for making application for a lease from ten days to five days after taking possession thereof.

(2.) That the applicant for a lease shall commence to work the land applied for within fourteen days after the time shall have elapsed for lodging objections to the granting of such lease, provided that no such objections shall have been lodged in the prescribed manner; and in the event of any objection having been so lodged the applicant shall commence to work the said land within fourteen days after notification in the *Government Gazette* of the intention of the Governor to grant such lease. And thereafter all land so applied for shall continue to be worked by not less than one man for every 2 acres comprised within such application until a lease for such land shall have been issued and registered when the covenants and conditions thereof shall take effect, or until such application shall have been refused.

(3.) If the land applied for shall on survey be found to include within its boundaries any portion of land exempted from occupation under the Mining Act, 1874, or any portion of land in the legal occupation of some other person, the Surveyor shall excise such portions of land from the tenement so applied for; and such survey shall provide a right-of-way through such surveyed tenement to the portions of land so exempted or pre-occupied; and the application for the unexempted or unoccupied portions of Crown Land shall not be deemed invalid by virtue of such excisions.

(4.) That in the event of collusive objections being lodged against the granting of any lease for the purpose of delaying the time of commencing work on the land applied for, or for any other purpose, the Governor with the advice aforesaid may, on receipt of proof of such collusion, refuse to grant such lease; and the sum of five pounds, as prescribed by the Regulations to be deposited at the time of lodging any objection or any balance thereof, shall be forfeited to the Crown.

(5.) Upon any person lodging a complaint with the Warden that the labour conditions as herein provided, or in the event of a lease having been issued for such land, that the labour conditions contained in such lease are being systematically evaded, or that a collusive objection has been lodged against the granting of any lease, the Warden shall appoint a place and time for holding an inquiry in open Court into the truth of such complaint; but no such inquiry shall be held until fourteen days notice shall have been given to the applicant or lessee, as the case may be, and to the

the person lodging such complaint, of his intention to hold such inquiry; nor shall such inquiry be held unless such person shall at the time of lodging such complaint have deposited the sum of five pounds for the purpose of defraying all expenses so far as the same will extend, which in the opinion of the Secretary for Mines the applicant or the lessee shall incur by reason of such complaint; and if there be no such expenses incurred, or if after payment thereof there shall remain a balance, the Clerk with whom such money shall have been deposited shall refund the whole of such sum or the balance thereof to the said depositor; and for all the purposes of such inquiry the procedure shall be the same as one appertaining to an objection to the granting of a lease.

(6.) If the Governor shall, after due consideration of the evidence transmitted by the Warden, decide to refuse such application, or to cancel such lease, as the case may be, then in either such case the person having lodged such complaint shall be entitled to be considered the first applicant for a lease of such land, and for the purposes of such application shall be considered to have been in possession of the said land from the time such notification of refusal to grant such application, or the cancellation of such lease, shall have appeared in the *Government Gazette*: Provided such person shall, within fourteen days thereafter, comply with section 7 of the Regulations relating thereto.

Debate ensued.

Notice was taken that there was not a Quorum present.

Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Bennett, Mr. Beyers, Mr. Cameron, Mr. Copeland, Mr. J. Davies, Mr. W. Davies, Mr. Day, Mr. Fitzpatrick, Mr. Garrett, Mr. Gray, Mr. Greenwood, Mr. Hoskins, Mr. Macintosh, Mr. Murphy, Sir Henry Parkes, Mr. T. R. Smith, Mr. W. H. Suttor, and Mr. Watson,—

Mr. Speaker adjourned the House at ten minutes after Nine o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 99.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 8 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Grant of Land to the Agricultural Society:—*Mr. Lynch*, for *Mr. Greville*, asked the Colonial Secretary,—Is it the intention of the Government to comply, without consulting Parliament, with the request of the Agricultural Society of New South Wales for a grant of 80 acres of land at Randwick?

Sir Henry Parkes answered,—No decision has been arrived at in the matter to which the question refers.

(2.) Votes for Public Works and Buildings:—*Mr. Lucas* asked the Secretary for Public Works,—
(1.) Has any money been voted for any of the works mentioned on pages 108, 109, 111, and 112 of the Estimates now before the Committee; if so, for which of these works have votes been obtained, and the amounts voted?
(2.) Are the amounts set opposite the several works on the above-mentioned pages sufficient to complete them; if not, which of these works will require further sums, and what will be the total amount (including sums already voted, sums now asked for, and any further sums which may be asked for) required to complete each work?

Mr. Lackey answered,—As the information sought by the Honorable Member can be more easily set forth in the form of a Return, I shall take the opportunity of laying it upon the Table in that shape in the course of a few days.

(3.) Margaret Emily Bennett's Conditional Purchase:—*Mr. Dangar*, for *Mr. Thompson*, asked the Secretary for Lands,—

(1.) Has he decided the dispute between James Bloomfield and Margaret Emily Bennett, as to a conditional purchase in the parish of Toual, county of Murray, made at Queanbeyan about two years ago?

(2.) Is he aware that Margaret Emily Bennett abandoned the selection twelve months back, and that Bloomfield has been continuously residing thereon?

Mr. Hoskins answered,—

(1.) It appears that the land occupied by Bloomfield was different from that described by him in his application, and that it was selected subsequently by Margaret Emily Bennett. The case has not yet been finally reported upon, and consequently no decision has been arrived at.

(2.) Margaret Bennett was resident at the date of the Inspector's report in June last.

(4.) Rouchel Brook Road:—*Mr. Taylor*, for *Mr. McElhone*, asked the Secretary for Public Works,—In reference to his application for a sum of money (£150) to be granted or placed on the Estimates for the repairs of the Rouchel Brook Road,—Is the money placed on the Estimates; if not, will he place the sum of £150 on the Supplementary Estimates for this road?

Mr. Lackey answered,—The papers in this case have, it is feared, miscarried through the post. Further inquiry will be made, and a sum will be provided for the repair of the road referred to.

(5.) Road from Scone to Dartbrook Creek:—*Mr. Taylor*, for *Mr. McElhone*, asked the Secretary for Mines:—In reference to the road from Scone, surveyed some four months since, up the Dartbrook Creek,—What is the cause of the great delay in proclaiming and opening this road, and will he give instructions to have it proclaimed and opened at once?

Mr. Baker answered,—The preliminary notification for the opening of this road is now before the Executive Council for its approval.

(6.) Court-houses, Bingera and Warialda:—*Mr. Dangar* asked the Minister of Justice and Public Instruction,—Has all the furniture and fittings for Bingera and Warialda Court Houses, &c., been forwarded, as per applications made; if so, the date or dates such were forwarded, and does any portion of the requisitions remain unsatisfied; and if so, when will such be sent?

Mr.

Mr. F. B. Suttor answered,—No; the furniture and fittings for the Court-house at Bingera have not yet been forwarded, but are being made, and will be ready about the end of the month. All the furniture and fittings applied for in respect of the Court-house at Warialda were forwarded on the 22nd May last.

(7.) Appraisement Case between Messrs. Clark and Guest:—Mr. Dangar asked the Secretary for Lands,—

(1.) Is it a fact that in the appraisement or arbitration case lately held at Boggabri before Mr. Edwards, between Messrs. Clark and Guest, that the umpire was not present, one of the appointed appraisers did not make the required declaration, and that one of the interested parties had not sufficient time given him to produce his witnesses?

(2.) For these reasons, is it intended to re-open this case and order a fresh Court of Inquiry to be held; and if so, when?

Mr. Hoskins answered,—The appraisement already made I have held to be void, and intend to institute a fresh appraisement.

(8.) Telegraph Line from Gunnedah to Quirindi:—Mr. Dangar asked the Colonial Secretary,—In consequence of the difficulty of getting telegraph messages through at Tamworth, caused by the rapid increase of business, is it intended to construct a direct line from Gunnedah to Quirindi or Murrurundi?

Sir Henry Parkes answered,—A line is being constructed from Werris Creek to Gunnedah along the line of Railway?

(9.) Rushcutters Bay:—Mr. Taylor, for Mr. McElhone, asked the Secretary for Public Works,—

(1.) Have the men been discharged from the reclamation works at Rushcutters Bay?

(2.) Has it been reported to the Government that the men-carters were being paid for a large number of loads that never were carted, and in consequence of this that the Government discharged all the men connected with the works?

Mr. Lackey answered,—

(1.) No, they have themselves struck for a higher rate of pay.

(2.) It has been reported that two or three of the carters have been entered on the time-sheets for more loads than they are entitled to be paid for, but the payment of the money is withholden, pending the result of investigation. It is not true, however, that the men have been discharged in consequence of this. (See answer to the first question.)

(10.) Buildings at Blue Mountain Railway Station:—Mr. Taylor, for Mr. McElhone, asked the Secretary for Public Works,—

(1.) Were tenders called for the erection of the new buildings at the Blue Mountain Station, on the Western Line of Railway; if not, were the buildings constructed by day work?

(2.) When were the buildings commenced, and when are they likely to be finished?

(3.) What has been the cost so far, and what will be the total cost on completion?

(4.) Under what department of the Railway is this work being carried out?

Mr. Lackey answered,—

(1.) The buildings were constructed by day work.

(2.) The work was commenced in June last, and is now completed.

(3.) The total cost is £881 3s. 3d.

(4.) Under the Engineer for Existing Lines.

(11.) Supply of Iron to the Government:—Mr. Taylor, for Mr. McElhone, asked the Secretary for Public Works,—

(1.) How much bar iron has been supplied to the Exhibition Building by the Lithgow Valley Iron Mining Company from their Lithgow works; also the quantity supplied by other colonial manufacturers?

(2.) What is the quality (or has it been tested) of the iron supplied by the Lithgow Valley Iron Mining Company; is it equal to other known brands used in the Colony?

(3.) Why is the preference given to Messrs. Williams, Sutherland, and Co., and other colonial firms excluded?

(4.) Why were not tenders called for the supply of bar iron to be used in the Exhibition Building, the same as was done for galvanized iron?

(5.) How is it that separate tenders are called for supplying the fish-plates, fastenings, &c., for the Hunter-street tram-rails, when they should be supplied with the rails?

(6.) Who were the accepted tenderers for the foot-bridge over Parramatta River, called for some months since?

Mr. Lackey answered,—

(1.) The Lithgow Iron Works have supplied between 30 and 40 tons of iron of special lengths and sizes. Messrs. Drysdale and Roberts, Triggs and Marr, Macintosh, Lassetter, Brown, Fletcher, Montefiore, Joseph and Co., Hudson Bros., Holdsworth and Gardyne, Friend and Sons, T. Chapman, J. R. Bubb, John Keep, and others, have supplied upwards of 500 tons of iron in various shapes and kinds.

(2.) I have tested the iron supplied by the Lithgow Valley Iron Mining Company, and it is quite equal to other known brands used in the Colony.

(3.) No preference is given to any one.

(4.) Because it was deemed more advantageous to the Government to obtain verbal tenders in this case.

(5.) It is not usual to combine rails and fastenings in one contract; they are invariably let separately. Manufacturers of rails are not necessarily manufacturers of fastenings, fish-plates, &c.; and in this Colony many firms can tender for the latter, while it was understood that one party only had the necessary machinery for rolling rails.

(6.) The tender of D. Williams was accepted, but he subsequently requested to be relieved of the contract. Fresh tenders have therefore been invited.

(12.) Whaling Road, St. Leonards :—Mr. Farnell asked the Secretary for Mines,—Is it his intention to introduce a Bill for the purpose of obtaining power to open Whaling Road at St. Leonards, North Shore, or will he take such steps as may be found necessary for opening the said road as speedily as possible ?

Mr. Baker answered,—Some time since instructions were given to prepare a Bill for the purpose indicated ; but it is now considered that before submitting it to Parliament it is advisable to obtain the opinion of the Crown Law Officers as to whether the Road has ever been alienated by the Crown.

(13.) Exchange of Land at Narrabri :—Mr. Dangar asked the Secretary for Lands,—Will there be any objection to grant to the Roman Catholic community at Narrabri an exchange of the piece of land granted to them for a Church (1 acre, in section 9—which is inaccessible in wet weather), for half-an-acre on the Reserve in section 2, adjoining the hospital ground, and on the same section as that given to the Church of England for the Post and Telegraph Office site ?

Mr. Hoskins answered,—There would be no objection, as far as is known at present in this Department, to the exchange proposed. No application has, however, been yet made for such exchange ; and, in fact, no grant has ever been issued for any portion of section 9.

(14.) Timber Regulations :—Mr. Dangar asked the Secretary for Mines,—

(1.) Is the Minister aware that the new Timber Regulations published in the *Government Gazette* of 24th September, 1878, are of a very oppressive nature to contractors, splitters, sawyers, fencers, and others interested ?

(2.) Is it intended to revise such, with a view to make them of a more liberal and workable character ?

Mr. Baker answered,—

(1.) The Timber Regulations of September, 1878, which were made in accordance with a Resolution of the Assembly passed in April, 1878, are not, it is considered, oppressive, though some interested persons who desire to obtain timber from the Crown lands of the country at a merely nominal rate, and without proper restrictions, complain of the charges made and supervision exercised.

(2.) The question of revising the Timber Regulations, with a view to amend them in regard to certain minor details, so as to afford greater facilities for sawyers and others interested in carrying on their occupations, will be considered.

(15.) Police or Stipendiary Magistrates :—Mr. Jacob asked the Minister of Justice and Public Instruction,—

(1.) How many Police or Stipendiary Magistrates are there in the Colony ?

(2.) How many of these have up to date the double power (unexpired) conferred on them under the "Clerk of Petty Sessions Act of 1857" by the usual proclamation ?

Mr. F. B. Suttor answered,—

(1.) There are sixty-nine Police or Stipendiary Magistrates in the Colony.

(2.) Of this number sixty are at present empowered to exercise the special powers under the "Clerks of Petty Sessions Act of 1857."

(16.) Clerks of Petty Sessions sitting on the Bench :—Mr. Murphy asked the Minister of Justice and Public Instruction,—Were any instructions issued from the present or previous Ministers of Justice to the Clerks of Petty Sessions who are in the Commission of the Peace, directing them not to sit on the Bench when a sufficient number of Magistrates are present to adjudicate without their assistance ?

Mr. F. B. Suttor answered,—No general instructions appear to have been issued in the form of a circular letter to Clerks of Petty Sessions upon the subject in question ; but having given this matter some consideration, I am of opinion that it is not desirable that Clerks of Petty Sessions who are in the Commission of the Peace should sit on the Bench unless upon occasions when further inconvenience might arise by their not doing so.

(17.) Post and Telegraph Office, Cootamundra :—Mr. Burns, for Mr. Leary, asked the Secretary for Public Works,—When will tenders be called for the erection of the Post and Telegraph Office at Cootamundra ?

Mr. Lackey answered,—Tenders for this work will be invited as soon as the money shall have been re-voted.

2. PAPERS :—Mr. Hoskins laid upon the Table,—

(1.) Copy of a Letter, dated 25th October, 1878, from Mr. John Garsed, to the Honorable J. S. Farnell, Secretary for Lands ; also a copy of a Letter addressed to the Honorable J. S. Farnell having reference to that Letter.

(2.) Return to an Order, dated 12th March, 1879,—“Appointments made by Mr. Garrett in the Department of Lands.”

Ordered to be printed.

3. RAILWAY TRIAL SURVEYS (*Formal Motion*) :—Mr. Teece moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Instructions given by the Government, or the Secretary for Public Works, to the Engineer-in-Chief for Railways, or to any other person ; also copies of all Papers, Letters, Minutes, and Reports having reference to Trial Surveys for Railways throughout the Colony, which have not already been laid upon the Table of this House ; also a Report of the progress made, and the amount of money expended on each line.
Question put and passed.

4. POLICE OR STIPENDIARY MAGISTRATES (*Formal Motion*) :—Mr. Jacob moved, pursuant to Notice, That an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return showing those Stipendiary or Police Magistrates of the Colony (if any), who, during 1878, and up to 31st March of this year, exercised the powers of two Magistrates, without having the same specially conferred upon them under the "Clerks of Petty Sessions Act of 1857."

Question put and passed.

5. **WHARFAGE AND TONNAGE RATES** (*Formal Motion*) :—Mr. Watson moved, pursuant to Notice, That this House will to-morrow resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for the collection of Wharfage and Tonnage Rates. Question put and passed.
6. **ADJOURNMENT** :—Mr. Gray moved, That this House do now adjourn. Debate ensued.

And it being Seven o'clock, Government Business was proceeded with.

7. **SUPREME COURT (ADDITIONAL JUDGE) BILL** :—Ordered, on motion of Mr. Windeyer, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 2nd April, 1879, requesting its concurrence in certain amendments made by the Council in the Supreme Court (Additional Judge) Bill,—

Disagrees from the Council's amendment in the first clause, which omits the words "or an Attorney of the Supreme Court of the said Colony of not less than ten years standing,"—

(1.) Because the same would limit the choice of the Government in filling up the office of Additional Judge to only one branch of the legal profession.

(2.) Because it would conduce to the advantage of the public if the Government were enabled to choose such Additional Judge from either branch of the profession.

(3.) Because neither the education nor the attainments of an Attorney unfit him for the position of a Judge of the Supreme Court, as the amendment seems to assume.

Disagrees from the Council's amendment which proposes to omit the sixth clause,—

Because, having affirmed the principle by the first clause that the Government can select a fit and proper person for the office of Additional Judge from either branch of the profession, it is for the interest and benefit of the public that such principle should be extended to the case of any future vacancy in the office of Judge of the Supreme Court.

And agrees to the other amendments made by the Council in the Bill.

Legislative Assembly Chamber,

Sydney, 8th April, 1879.

8. **SUPPLY** :—The Order of the Day for the resumption of the Committee of Supply having been read,—Mr. Watson moved, "That" Mr. Speaker do now leave the Chair.
- Mr. Buchanan moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "in the opinion of this House the reward of £4,000 offered by the Government for the apprehension of the Kelly gang should be immediately withdrawn."
- Question proposed, That the words proposed to be omitted stand part of the Question. Debate ensued.
- Question put, That the words proposed to be omitted stand part of the Question. The House divided.

Ayes, 35.

Sir Henry Parke,	Mr. Harris,
Mr. F. B. Suttor,	Mr. Murphy,
Mr. Watson,	Mr. Eckford,
Mr. Lackey,	Mr. Thompson,
Mr. Baker,	Mr. Johnston,
Mr. Windeyer,	Mr. McElhone,
Mr. Hungerford,	Mr. Lucas,
Mr. J. Davies,	Mr. O'Connor,
Mr. Garrett,	Mr. Badgery,
Mr. Jacob,	Mr. Driver,
Mr. Terry,	Mr. Greenwood,
Mr. Merriman,	Mr. Kerr,
Mr. W. C. Brown,	Mr. Stephen Brown,
Mr. Day,	Mr. Cameron,
Mr. H. H. Brown,	<i>Tellers.</i>
Mr. R. B. Smith,	
Mr. Barbour,	Mr. Dangar,
Mr. Bennett,	Mr. Macintosh.
Mr. Beyers,	

Noes, 4.

Mr. Fitzpatrick,
Mr. Lynch,
<i>Tellers.</i>
Mr. Buchanan,
Mr. Coonan.

And so it was resolved in the affirmative.

Question,—That Mr. Speaker do now leave the Chair,—put and passed.

Whereupon Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 9 APRIL, 1879, A.M.,

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at twenty-two minutes before One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 100.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 9 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Post and Telegraph Offices, Moree :—Mr. Dangar asked the Secretary for Public Works,—
 (1.) Is it a fact that the erection of the new Post and Telegraph Offices at Moree has been stopped; and if so, for what reason?
 (2.) Has the work been resumed, and on what site are these buildings being erected?
 (3.) Has any change been made in the site; and if so, in what respect?

Mr. Lackey answered,—

- (1.) Yes, the work has been recently stopped pending further consideration of the site; the one selected being so near to a natural water-course, and the late heavy rains in the locality having carried away large portions of the soil, the building will be endangered unless a large outlay is incurred in making the ground secure.
 (2.) The work has not yet been resumed—pending consideration of a report from the Colonial Architect on the matter. The building was being erected on site selected for the purpose adjoining Court-house fronting Frome-street.
 (3.) No change has as yet been made in the site; but there is a much better one on the Government Reserve, corner of Heber and Auburn Streets.
- (2.) Advances to Loan Funds :—Mr. Greenwood asked the Colonial Treasurer,—
 (1.) Was the sum of £6,188 repaid to the Consolidated Revenue during the last quarter as part of an advance previously made to Loan Fund 89 Vic. No. 18; if so, under what head has this receipt been placed in the Quarterly Statement, published in the *Gazette* of 1st April?
 (2.) Is it the intention of the Government in reclaiming the advances to Loan Funds (now amounting to £2,193,812), to throw them into the current account, or will they set such sum aside for investment in permanent works reproductive to the Revenue?

Mr. Watson answered,—

- (1.) Yes. The amount received has been duly placed to the credit of "Advances Repaid." (See page 1510 of *Gazette* of the 1st April.)
 (2.) The Government have not given this matter consideration.
- (3.) Proposed Loan :—Mr. Day, for Mr. Copeland, asked the Colonial Treasurer,—Is the Government taking advantage of the present easy state of the English money market to arrange for floating a Loan; and if so, what is the amount of Loan they propose to float?

Mr. Watson answered,—I think the Honorable Member will see that it is undesirable at present to supply the information he asks for.

- (4.) Manly Beach Wharf :—Mr. Taylor asked the Secretary for Mines,—Referring to his question, and answer thereto, of Friday last, respecting the special lease granted to the Port Jackson Steam Company for the exclusive use of the Manly Beach Wharf,—Will the Government, at the termination of the present lease, throw open such wharf for the use of the public?

Mr. Baker answered,—I am unable to say at the present time what course the Government may be disposed to take on the expiry of the lease referred to as to a renewal or otherwise.

- (5.) Additional Constable for Brewarrina :—Mr. Barbour, for Mr. Coonan, asked the Colonial Secretary,—

- (1.) Is he aware that the late Government promised an additional Constable for Brewarrina?
 (2.) When do the Government intend carrying out this promise?

Sir Henry Parkes answered,—

- (1.) Yes.
 (2.) As early as practicable.

(6.)

(6.) Prisoners committed from Wellington to Mudgee:—*Mr. Barbour*, for *Mr. Coonan*, asked the Attorney General,—

(1.) Is it a fact that a letter was received by the Attorney General, calling his attention to the fact that prisoners were committed from Wellington to Mudgee instead of to Dubbo; if so, when was such letter received?

(2.) Was not such letter received in time to alter the venue in all the cases so sent to Mudgee; if so, what was the cause of the venue not being changed to Dubbo?

Mr. Windeyer answered,—A letter was received about the 7th ultimo, incidentally mentioning the fact alluded to, but it did not then seem expedient to change the venue of all the Wellington cases to Dubbo.

(7.) Endowment to Dubbo Municipality:—*Mr. Barbour*, for *Mr. Coonan*, asked the Colonial Treasurer,—What is the cause of the delay in paying the subsidy to the Dubbo Municipality, and will the Minister see that the same be paid without delay?

Mr. Watson answered,—Owing to the negligence, or to the mismanagement of the Municipality, the claims for endowment, as a rule, are not submitted at the proper time, and in some cases not at all. For instance, no applications have been received for the half-years ended 3rd August, 1874, and 2nd August, 1875. The applications for the two half-years ended 4th February, 1878, and 5th August, 1878, only reached this office on 25th ultimo, and have already been passed for payment. The application for the special endowment for the year ended 4th February, 1878, was not received until the 20th ultimo, and from the exhaustion of the vote cannot be paid until a further vote is taken. I may add that the application for the half-year ended 4th February last has not yet reached the Treasury.

(8.) Post Office at Angledool:—*Mr. Bennett* asked the Colonial Secretary,—

(1.) Did he receive a Petition some five months past from the Residents of Angledool, requesting that a Post Office be established at that place; if so, when?

(2.) Is it the intention of the Postmaster General to accede to the prayer of the Petitioners; if so, when will the accommodation asked for be granted?

Sir Henry Parkes answered,—

(1.) Yes, on the 15th October last.

(2.) It was found impossible to decide this matter without a report from the Postal Inspector, to whom the Petition was referred, and whose report is expected in a few days.

(9.) Road for use of Residents on Quirindi Creek:—*Mr. Bennett* asked the Secretary for Mines,—

(1.) When was *Mr. District Surveyor Dewhurst* instructed to lay out the road, applied for by me, for the use of the farmers resident on Quirindi Creek, situated about 5 miles east of the town of Wallabadah?

(2.) If no such instructions have been issued, as referred to above, will the Minister cause the same to be given without delay?

Mr. Baker answered,—*Mr. District Surveyor Dewhurst* was instructed to cause the road to be surveyed on the 10th January, 1879.

(10.) Road between Croppyendy and Tugganboo:—*Mr. Bennett* asked the Secretary for Mines,—When will the road recently laid out by *Licensed Surveyor Arthur* between Croppyendy and Tugganboo, Collyblue, be proclaimed and opened for general traffic?

Mr. Baker answered,—This road is ready for proclamation, but action has been delayed in consequence of a petition asking for more extended survey having been referred to the District Surveyor for report.

(11.) Log Roadway at *W. Jones's* Conditional Purchase:—*Mr. Bennett* asked the Secretary for Public Works,—What action (if any) has been taken, and with what result, with reference to my letter of the 20th ultimo, addressed to the Commissioner for Roads and Bridges?

Mr. Lackey answered,—The only communication bearing the above date which can be traced has reference to the "erection of a log roadway over a water-course in a lane at *W. Jones's* conditional purchase." This letter was forwarded to the local road officer on the following day for report, but has not yet been returned. A reminder has, however, been sent to him this day.

2. IMPOUNDING ACT AMENDMENT BILL (No. 2):—The leave originally granted to bring in this Bill having been read by the Clerk, by direction of *Mr. Speaker*, from the Votes and Proceedings of 13th September, 1878,—*Mr. Jacob* presented Impounding Act Amendment Bill (No. 2), and moved that it be now read a first time.

Question put and passed.

Bill, intituled "*A Bill to amend the Impounding Act of 1865*," read a first time accordingly.

Ordered to be printed, and read a second time on Friday, 25th April.

3. SITE FOR RAILWAY STATION, LITHGOW VALLEY (*Formal Motion*):—*Mr. Sutherland* moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Reports, Petitions, Minutes, and other Documents not already printed, having reference to the site of a Railway Station in Lithgow Valley.

Question put and passed.

4. SALE OF OLD IRON (*Formal Motion*):—*Mr. Sutherland* moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers having reference to the sale of old iron by the Railway Department to *D. Williams, Esq.*

Question put and passed.

5. TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL (*Formal Order of the Day*),—on motion of *Mr. Driver*, read a third time, and passed.

Mr. Driver then moved; That the Title of the Bill be "*An Act to declare the law as to the effect of Transfers before grant of Lands conditionally purchased under the Acts regulating the alienation of Crown Lands.*"

Question put and passed.

Ordered,

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to declare the law as to the effect of Transfers before grant of Lands conditionally purchased under the Acts regulating the alienation of Crown Lands,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 9th April, 1879.*

6. PAPERS :—Sir Henry Parkes laid upon the Table,—

(1.) Statement of moneys expended in 1878 under the Volunteer Force Regulation Act of 1867.

(2.) Return to an Order made on 6th March, 1879,—“Paris Exhibition.”

Ordered to be printed.

7. ADJOURNMENT :—Dr. Bowker moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

8. PARLIAMENTARY POWERS AND PRIVILEGES BILL :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council agrees to the Free Conference requested by the Legislative Assembly in its Message, dated 4th April instant, on the subject of the Council's amendments in the Parliamentary Powers and Privileges Bill, disagreed to by the Assembly and insisted on by the Council, and appoints that the same be held in the back Library, at the hour of a quarter before Five o'clock in the afternoon of to-morrow, the 10th instant, and that the Honorable Joseph Docker, the Honorable W. J. Foster, the Honorable Thomas Holt, the Honorable Sir George Innes, the Honorable John Marks, the Honorable Sir John Robertson, K.C.M.G., the Honorable Saul Samuel, C.M.G., the Honorable John Smith, M.D., C.M.G., the Honorable George Thornton, and the Honorable James White, be the Managers thereof on its behalf.

*Legislative Council Chamber,
Sydney, 9th April, 1879.*

JOHN HAY,
President.

9. SPECIAL ADJOURNMENT :—Sir Henry Parkes moved, pursuant to Notice, That this House adjourn at 7 p.m. on Thursday until “Tuesday the 15th April.”

Mr. Driver moved, That the Question be amended by the omission of the words “Tuesday, the 15th April,” with a view to the insertion in their place of the words, “Wednesday, the 16th April, “at 7 o'clock.”

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

Debate ensued.

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

The House divided.

Ayes, 18.

Sir Henry Parkes,	Mr. Barbour,
Mr. Watson,	Mr. Shepherd,
Mr. Lackey,	<i>Tellers.</i>
Mr. Windeyer,	
Mr. F. B. Suttor,	Mr. Copeland,
Mr. H. H. Brown,	Mr. Roseby.
Mr. Baker,	
Mr. Garrett,	
Mr. Murphy,	
Mr. Beyers,	
Mr. R. B. Smith,	
Mr. McCulloch,	
Mr. Harris,	
Mr. Stuart,	

Noes, 25.

Mr. Driver,	Mr. Johnston,
Mr. Fitzpatrick,	Mr. Greenwood,
Mr. Leary,	Dr. Bowker,
Mr. W. C. Browne,	Mr. Bennett,
Mr. Coonan,	Mr. Farnell,
Mr. Thompson,	Mr. Sutherland,
Mr. Kerr,	Mr. Cameron,
Mr. Macintosh,	Mr. Cohen,
Mr. Hurley (<i>Narellan</i>),	Mr. McElhone,
Mr. Jacob,	<i>Tellers.</i>
Mr. Burns,	
Mr. J. Davies,	Mr. Hungerford,
Mr. Merriman,	Mr. Dangar.
Mr. O'Connor,	

And so it passed in the negative.

Main Question,—That this House adjourn at 7 p.m. on Thursday, until Wednesday, the 16th April, at 7 o'clock,—put and passed.

10. POSTPONEMENTS :—The following Orders of the Day postponed :—

(1.) Lands Acts further Amendment Bill; second reading;—*until Wednesday next.*

(2.) Orders 2, 3, and 4, to follow after Order No. 5.

11. WHARFAGE AND TONNAGE RATES :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for the collection of Wharfage and Tonnage Rates.

Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read as follows :—

Resolved,—That it is expedient to bring in a Bill to make better provision for the collection of Wharfage and Tonnage Rates.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

12. REDFERN TO HUNTER-STREET TRAMWAY BILL :—The Order of the Day having been read,—Mr. Lackey moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Lackey, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Lackey the report was adopted.

Ordered, that the Bill be read a third time to-morrow.

13. SUPPLY:—The Order of the Day having been read,—on motion of Mr. F. B. Suttor, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
-

And the Committee continuing to sit till after Midnight,—

THURSDAY, 10 APRIL, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at twenty-two minutes before Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 101.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 10 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Encroachments on Reserves:—*Mr. Cameron*, for *Mr. McElhone*, asked the Secretary for Mines,—(1.) Is he aware that *Mr. McCrae*, lessee of Gotta Rock Station, is fencing in the Reserve of 10,000 acres on western side of Coolah Creek, from Coolah to Denison Town?(2.) Is he aware that *Mr. McMaster* has got a Travelling Stock Reserve between Oakey Creek and Coolah fenced in?(3.) Is he aware that *Mr. John Clark* has got a Travelling Stock Reserve near Mitchingowrie, on the Namoi, fenced in?

(4.) Will he issue imperative orders to the proper officers to remove all fences and obstructions off these Reserves at once?

(5.) Is he aware that *Mr. Glass* has still got his fences on the Water Reserve at Miller's Creek, and will he order their removal at once?(6.) Is it true that Messrs. *H. Bennett* and *H. H. Brown*, M.L.A.'s, are acting as agents for *Mr. Glass* in this matter, and have applied for him to be allowed to purchase part of this Reserve; if so, how much?(7.) Is he aware that *Mr. Hobden* is constantly running a lot of sheep on the Reserve near *Mrs. Tudor's* and *Isaac Frith's* conditional purchases, near Jerry's Plains, and destroying all the grass?(8.) Will he give instructions to the Police to prosecute *Hobden* for trespass, it being no use to instruct *Mr. Alford*, Stock Inspector, to do so, he constantly having sheep on the Reserves himself?*Mr. Baker* answered,—(1.) No. *Ingham* (not *McCrae*), lessee of Gotta Rock Run, has erected some fencing in the locality; but the Inspector of Sheep is not prepared to say whether it is on the Reserve until he has made special inspection, which he has been ordered to attend to.

(2.) I am not aware; but the Sheep Inspector thinks that a portion has been fenced in; and will make further inquiry.

(3.) About half of this Reserve is fenced. The boundary fence between Mitchingowrie and Melville runs down the centre of the Reserve, and from the boundary there is a fence running along the main road to the Boggabri Town Reserve?

(4.) If upon inspection it be found that fences or other obstructions have been erected on the Reserves referred to, steps will be taken to remove them.

(5.) Instructions had been given for the removal of the fences, but action is stayed for one week, pending inquiry into the whole circumstances of the case.

(6.) Neither *Mr. Bennett* nor *Mr. Brown* is known in this department as the agent for *Mr. Glass*, but some letters have been received from *Mr. Bennett* respecting application to purchase for *Mr. Glass*.(7.) Yes; but *Hobden* has had the Reserve near *Mrs. Tudor's* and *Isaac Frith's* conditional purchases near Jerry's Plains under lease for some time.(8.) It will be recommended that this Reserve be withdrawn from lease. *Mr. Alford*, Inspector of Stock, is not an owner of sheep.(2.) Gunnedah School of Arts:—*Mr. Dangar* asked the Secretary for Lands,—Is the deed of grant from the Crown to the gazetted Trustees of Gunnedah School of Arts (names in full submitted) ready for delivery; if not, when is it likely to be?*Sir Henry Parkes* answered,—The deed of grant was about being prepared, when a letter was received announcing the resignation of *Mr. T. K. Abbott*, one of the Trustees, and nominating *Mr. R. J. Nowlan* in his stead. The grant will now be issued without delay. (3.)

- (3.) Police Paddock, Bingera:—Mr. Dangar asked the Colonial Secretary,—Has the Police Paddock at Bingera been fenced in, or what progress made; or has any provision been made for such, or when likely to be completed?

Sir Henry Parkes answered,—The Police Paddock has been fenced at Bingera.

- (4.) Bridge at Musclebrook:—*Mr. Kerr*, for Mr. Hungerford, asked the Secretary for Public Works,—
- (1.) What progress has been made in the erection of the bridge at Musclebrook?
 - (2.) Who has the contract for this bridge?
 - (3.) Has this Contractor before held Government contracts?
 - (4.) Has the Contractor thrown up the contract?
 - (5.) How long since the money was granted for this bridge?
 - (6.) How long since the iron for this bridge was laid down at Musclebrook?

Mr. Lackey answered,—

- (1.) No progress has been made towards the erection of this bridge beyond the delivery of some timber for staging and approaches, and of the ironwork for piers.
- (2.) Messrs. Head, Wrightson & Co., in England, for the supply of ironwork; and Mr. John Musson for its erection.
- (3.) Yes.
- (4.) He has made no intimation to that effect.
- (5.) Since August, 1876.
- (6.) Since the beginning of last month.

- (5.) Prisoners under Sentence:—*Mr. Cameron*, for Mr. Taylor, asked the Colonial Secretary,—How long is the case of the prisoners, known as the Bargo Brush men, been under the consideration of the Government, and have they been informed more than twice that their case is being taken into consideration; if so, when is it likely that a decision will be arrived at,—seeing that they have been imprisoned for sixteen years, and during that period their conduct has been reported good?

Sir Henry Parkes answered,—Several Petitions, praying for a remission of the sentences passed upon some of the prisoners referred to by the Honorable Member, have been received during the last two years, but none of them have as yet been finally dealt with. The matter is now under the consideration of the Government, and an early decision will be arrived at respecting all these prisoners.

- (6.) Travelling Stock Road from Coonamble to Dubbo:—Mr. Dangar asked the Secretary for Mines,—In view of the opening of the Railway to Dubbo, is it intended to mark and proclaim a direct Travelling Stock Road from Coonamble to Dubbo, reserving half a mile on each side thereof?

Mr. Baker answered,—A direct Travelling Stock Road, twenty (20) chains wide, from Coonamble to Dubbo, with an alternative driftway, one (1) mile wide, from Coonamble to Dubbo, by the Marthaguy Creek, was notified in 1874; and it is considered that these routes will afford ample accommodation for the traffic referred to, even when the Railway is open to Dubbo.

- (7.) Pay of Gaol Warders:—Mr. Terry asked the Colonial Secretary,—Is it the intention of the Government to increase the pay by 1s. per day of the warders in the different gaols of the Colony where they have to pay house-rent?

Sir Henry Parkes answered,—The question of increasing the pay of warders has not come under the notice of Government.

- (8.) The Volunteer Force:—Mr. Macintosh asked the Colonial Secretary,—Have all the Volunteers who were efficient for the year 1877 had the capitation allowance paid to them; if not, when will it be paid?

Sir Henry Parkes answered,—The disposal of this fund rests entirely with officers commanding corps, and committee of same, subject to no control. Information could not be furnished without reference to each individual corps.

- (9.) Grant of Land to the Agricultural Society:—Mr. Greville asked the Colonial Secretary,—When will the Government take into its consideration the question of whether Parliament shall be consulted prior to a grant of 80 acres of valuable land at Randwick being made to the Agricultural Society of New South Wales?

Sir Henry Parkes answered,—I am really not able to state when this matter will be considered, and it does not appear to be one pressing for immediate consideration.

- (10.) Railway to Cooma:—Mr. Greville asked the Secretary for Public Works,—In reference to the Petition of the Inhabitants of Braidwood, that the proposed Railway to connect Cooma with the Southern Line should pass through Braidwood,—Will he cause a report to be made to him on the subject?

Mr. Lackey answered,—A line is now being explored from near Goulburn to Tarago, and instructions will be sent to the Surveyor to continue the exploration through Braidwood to Cooma.

- (11.) The Volunteer Force:—Mr. Greville asked the Colonial Secretary,—

- (1.) Will the Volunteers who have been enrolled under the new Regulations be entitled to receive pay for the first three months service of the year, or will they be only paid for one month?
- (2.) What number of officers, non-commissioned officers, and privates of all Volunteer branches, have signified their intention of being present at the forthcoming Easter encampment?
- (3.) Do the Government intend to deprive officers of the old force—enrolled under the old Volunteer Act, and having commissions issued by Sir Hercules Robinson, not yet cancelled—of their monthly pay, which was accorded them under the old Regulations?
- (4.) What pay will a private be entitled to under the new Regulations if he is efficient for the first quarter?
- (5.) Are the Government aware that the new Volunteer Regulations are impracticable, and interfere with the efficiency of the force?

Sir

Sir Henry Parkes answered,—

- (1.) They will be paid for every attendance at drill during the three months.
- (2.) From the reports of officers commanding corps, the following numbers will probably attend :—
Officers, 78 ; non-commissioned officers and privates, 889.
- (3.) These officers received no monthly pay under the old Regulations.
- (4.) 5s. for each attendance at drill.
- (5.) I am not aware of any portion of the Volunteer Regulations being impracticable.

2. PAPERS :—

Mr. F. B. Suttor laid upon the Table,—Letter from the Curator of Intestate Estates respecting the Estate of the late Robert Hancock.

Ordered to be printed.

Mr. Baker laid upon the Table,—Regulations to amend Regulations previously issued under the Imported Stock Act of 1871.

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Return to an Order made on 26th November, 1878,—“Double Bay.”

Ordered to be printed.

3. PARLIAMENTARY POWERS AND PRIVILEGES BILL (*Free Conference*):—The time having arrived for holding the Free Conference with the Legislative Council on the subject of certain amendments made by the Council in the Parliamentary Powers and Privileges Bill, disagreed to by the Assembly, and insisted on by the Council,—the Clerk, by direction of Mr. Speaker, called over the names of the Managers appointed on behalf of the Assembly.

And Mr. Wisdom not answering,—on motion of Sir Henry Parkes, Mr. Terry was appointed in his place.

The Managers then proceeded to the Conference, attended by the Sergeant-at-Arms,—the business of the House being suspended during their absence.

The Managers having returned,—Sir Henry Parkes, on their behalf, reported as follows :—

That the Managers appointed by the Legislative Assembly proceeded to the place appointed for the Conference of the two Houses of Parliament, and that the matters in dispute were fully discussed with the Managers of the Legislative Council ; that some modification of opinion was expressed by some of the Members of the other House, and that if the Bill should again be returned there was reason to hope that the amendments would be so far modified as to be acceptable to the Assembly ; that it had been unanimously stated by the Managers of the latter House that no amendments in the Bill would be assented to which would restrict the privileges conferred upon the two Houses of Parliament, to the two Chambers and precincts thereof, but must extend to the whole public of this country.

4. WHARFAGE AND TONNAGE RATES BILL :—Mr. Watson presented a Bill, intituled “*A Bill to make better provision for the collection of Wharfage and Tonnage Rates,*”—which was read a first time.

Ordered to be printed, and read a second time on Wednesday next.

5. REDFERN TO HUNTER-STREET TRAMWAY BILL (*Formal Order of the Day*),—on motion of Mr. Lackey, read a third time, and passed.

Mr. Lackey then moved, That the Title of the Bill be “*An Act for the construction of a Tram-road from the Redfern Railway Terminus to Hunter-street Sydney.*”

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled “*An Act for the construction of a Tram-road from the Redfern Railway Terminus to Hunter-street Sydney,*”—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 10th April, 1879.

The House adjourned at Seven o'clock, until *Wednesday next at Seven o'clock P.M.*

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 102.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 16 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Railway Extension—Goulburn to Wagga Wagga:—Mr. J. Davies asked the Secretary for Public Works,—

(1.) Has Contract No. 2 of the Extension from Goulburn to Wagga, namely, the part from Yass to Cootamundra, been completed; and if so, on what date was the extension handed over to, and accepted by, the Government?

(2.) On what date was the Railway opened for traffic to Cootamundra?

(3.) Have the Contractors been fully paid for the work done by them under this Contract; and if not, what is the reason?

(4.) Does the Contract stipulate that the Contractors shall obtain a certificate from the Engineer-in-Chief that the work has been satisfactorily completed before they shall be entitled to payment?

(5.) Has such a certificate been applied for by the Contractors, or on their behalf; and have such letters been answered?

(6.) Has the Engineer-in-Chief offered to give his certificate if the Contractors will first forego certain claims made by them for extra work, and settle the amount to be paid to them; or if not, on what terms has he offered to grant such certificate?

(7.) Has the certificate asked for anything to do with the time occupied in the completion of the Contract, or the amount to be paid under such Contract; is it not merely a certificate that the work has been properly done?

(8.) Does the Commissioner for Railways approve of, and adopt the action of his Chief Engineer, in refusing the certificate asked for under the circumstances?

(9.) What was the estimated cost of this extension, what amount has already been paid to the Contractors, and what amount do the Contractors still claim as due to them?

Mr. Lackey answered,—

(1.) I am not at present prepared to say whether the works on this Contract have been finally completed.

(2.) The 1st November, 1877.

(3.) There are disputed accounts in connection with the Contract.

(4.) Yes.

(5, 6, 7, 8 and 9.) The certificate has been applied for, and the letters provisionally answered, to the effect that the Crown Law Officers have been asked to advise on the questions raised by the Contractor, and, without in any way desiring to withhold information on the points to which questions Nos. 6, 7, 8 and 9 are directed, I think it will be well that the questions should be postponed till the Department is in possession of the legal advice it has sought, and is consequently in a better position to reply to them.

(2.) Printing Paper:—Mr. Barbour asked the Colonial Treasurer,—

(1.) Is it true that the accepted tender for printing paper for the year 1878 was for imported paper, and amounted to nearly £6,000, whilst the tender of the colonial manufacturer was within £40 thereof?

(2.) Is it true that if the largest portion of the tender for the colonial made paper had been accepted, without being mixed with articles not made by them, that the colonial would have showed a saving of £25 5s. 10d. over the imported paper?

(3.) Is there any reason why the tenders in such cases should not be divided, giving to each tenderer the items for which he is the lowest tenderer?

(4.) In deciding upon the next tenders for the supply of paper for the Government printing paper and other purposes, will a preference be given to colonial manufacture when the quality offered is equal to requirements; and will he issue instructions to the Tender Board to submit the tenders to the Government before deciding upon the acceptance of any tender for paper?

Mr.

Mr. Watson answered,—

(1.) I am aware that the accepted tender of Mr. D. Nichol for printing paper for the Service of 1878, aggregating £4,315 9s. 2d., was lower than the tender of Mr. G. Murray by the sum of £43 18s. 4d.

(2.) I am not in a position to say whether the statement contained in this question is true or otherwise. Mr. Murray, equally with Mr. Nichol, tendered for the whole supply called for under the head of "Printing Paper," and there is nothing on the face of Mr. Murray's tender to show what portions were made by him, and what required to be imported.

(3.) The question of dividing the tenders in the way proposed will be considered when the occasion arises, but no fixed rule can be laid down in this respect.

(4.) In deciding upon the next tenders for the supply of printing papers, the whole circumstances of the case must be taken into account, with a due regard for the public interests. No decision is ever made by the Tender Board, who merely recommend. I may add, for the information of the Honorable Gentleman, that in the advertisement in to-day's *Gazette* for contracts, I have inserted the following clause:—"The Government do not bind themselves to accept any tender, as a whole, but reserve the right to accept or reject, in the case of each tender, any article or articles contained in the schedule attached thereto."

(3.) Railway Uniforms:—*Mr. Eckford*, for Dr. Bowker, asked the Secretary for Public Works,—

(1.) Why is it that the signal-men, gate-keepers, watchmen, and others employed permanently on the Great Northern Railway, have been deprived this year of their uniform clothing?

(2.) Is it the intention of the Minister for Works to allow an equivalent in cash, as was formerly done?

Mr. Lackey answered,—Uniforms are not granted for the benefit of employes, but in order that they may be distinguished by passengers when their services are required. The question, however, as to which of the classes of employes uniforms are to be supplied is now under consideration.

(4.) Public Tanks in the Gwydir Electorate:—*Mr. Dangar* asked the Secretary for Lands,—When will the Correspondence relative to the construction of Public Tanks in the Gwydir Electorate, ordered to be laid upon the Table of this House on 31st January last, be ready?

Mr. Hoskins answered,—This is a Return for preparation in the Public Works Department, which was communicated with on the subject a day or two after the Order of the Assembly.

(5.) Township of Bokhara:—*Mr. Dangar* asked the Secretary for Lands,—

(1.) Is he aware a number of people are waiting to purchase allotments in the new township of Bokhara (Dumble), near Gadooga, which has been surveyed some time?

(2.) What is the cause of delay in submitting allotments in this township for sale, and when will they be offered for sale?

Mr. Hoskins answered,—

(1.) Yes; but the surveys cannot be accepted in their present form.

(2.) The design for the village was not prepared with sufficient care in the first instance; the allotments measured could not therefore be offered for sale. A further survey has been made, and an amended design suitable to the features of the country is in course of preparation. Immediately the proclamation of the boundaries appears in the *Government Gazette* the allotments can be advertised.

(6.) Fencing Runs:—*Mr. Dangar* asked the Secretary for Mines,—

(1.) Is he aware that great sums of money have been expended in fencing runs throughout the Colony, thereby enhancing the value of such to the State?

(2.) Is it intended to afford to those who have expended capital in this way any protection, by regulation or otherwise, in the way of gates or lanes on the main proclaimed lines of road in the Colony?

(3.) Will any power be given to erect suitable gates or lanes, adapted to the convenience of the public, on sufferance or by law, the same to be kept in suitable order by the lessee?

(4.) Will the law be modified to allow of such gates or lanes being constructed and maintained, instead of gaps 3 chains wide, as now required, thus destroying the benefits of fencing, and rendering it an impossibility and expense to keep stock safe and separated?

Mr. Baker answered,—

(1.) I am aware that great sums of money have been expended in fencing runs, and that the value of the runs in many instances has been thereby increased.

(2.) As far as the law permits gates are allowed on proclaimed roads, provided no great public inconvenience arises therefrom.

(3.) Answered by reply to No. 2.

(4.) I cannot at present inform the Honorable Gentleman what modifications of the law relating to public gates will be made.

(7.) Reserves, Darling River:—*Mr. McElhone*, for Mr. Coonan, asked the Secretary for Lands,—

(1.) Has he received any application with reference to the opening up of the Reserves on the left side of the Darling River?

(2.) Is he aware that numbers of people are waiting to select as soon as the restriction is taken off?

(3.) Would he kindly refer to his letter of 8th December, 1877, on this subject?

(4.) When does he intend taking steps to remedy the evil complained of?

Mr. Hoskins answered,—Such an application has been received, and the matter is being inquired into with a view to its speedy settlement.

(8.) Land Agent, Coonamble:—*Mr. McElhone*, for Mr. Coonan, asked the Secretary for Lands,—When will the Land Agent for Coonamble commence to perform his duties?

Mr. Hoskins answered,—It depends upon the completion of the Conditional Purchase Registers at the Treasury, where there has been too great a press of business recently to attend to the matter hitherto. They will, I am informed, be completed and sent to the Lands Department with the least possible delay.

(9.) Post and Telegraph Office, Gadooga :—Mr. Dangar asked the Colonial Secretary,—

- (1.) Is he aware that the present Post and Telegraph Office at Gadooga is private property, and a mile and quarter from the proposed new Bokhara township (Dumble)?
- (2.) Will any provision be made out of the General Vote for Public Buildings for the erection of a new Post and Telegraph Office at the new proposed township; and if so, when will tenders be called for the work?

Sir Henry Parkes answered,—

- (1.) The present Post and Telegraph Office at Gadooga is a rented building, and on inquiry it is found to be a mile and three quarters from a proposed new township named Bokhara.
- (2.) There is no such intention at present, as the Postmaster General is not aware that there is any population at Bokhara, and no Post Office has been applied for.

(10.) Sites for Cemeteries in the Gwydir Electorate :—Mr. Dangar asked the Secretary for Lands,—

- (1.) Have sites been dedicated for Cemeteries or General Burial Grounds at Narrabri, Moree, Walgett, Bingera, Warialda, Wee Waa, and Baradine, in the Gwydir Electorate?
- (2.) The extent and particulars of such land dedicated in each case, and the date of such dedication?
- (3.) The names of the Trustees appointed for each place, and the date of their appointment?
- (4.) Names of places no dedication for such purpose has taken place (if any) or Trustees not appointed; and when will such be done?

Mr. Hoskins answered,—

- (1.) Yes.
- (2.) $7\frac{1}{2}$ acres in each instance. Dates of dedication :—12th March, 1869; 18th February, 1870; 27th July, 1868; 12th March, 1869; 6th December, 1867; 16th July, 1863; 28th June, 1878, respectively.
- (3.) None have been appointed, the nomination in each case being as yet incomplete.

(11.) Warbreccan Run :—Mr. Barbour asked the Secretary for Mines,—

- (1.) What is the original estimated area of Warbreccan Run, Murrumbidgee District?
- (2.) To what extent was that Run reduced at the end of the year 1875?
- (3.) Upon what area was rental under Crown lease paid for the year 1876?

Mr. Baker answered,—

- (1.) Originally estimated by lessees in 1848 at 50,000 acres. Estimated when first appraised in October, 1865, at 89,920 acres.
- (2.) By 62,000 acres.
- (3.) Upon 27,920 acres.

(12.) John Byron :—Mr. Macintosh asked the Colonial Secretary,—

- (1.) Have the Government had under consideration the Petition of John Byron, presented to this House March 11th.
- (2.) Is it the intention of the Government to grant the relief prayed for in such Petition?

Sir Henry Parkes answered,—This matter has not come under the consideration of Government. I promise that when other matters of public business will permit I will consider the question, but I fear I can hold out little hope of the prayer of the Petition being entertained.

(13.) Crown Lands sold by Auction :—Mr. Cohen asked the Secretary for Lands,—The number of acres of Crown Lands sold by auction at the upset price of 25s. per acre during the first quarter of the present year?

Mr. Hoskins answered,—One hundred and fifty thousand nine hundred and thirty-three acres three roods (150,933a. 3r. Op.)

(14.) Joseph Ayres's Conditional Purchase :—Mr. Dangar asked the Secretary for Lands,—

- (1.) Did Joseph Ayres select about eight months ago at Narrabri 640 acres at Galathera, and reside on it ever since, but unable to improve it, awaiting Surveyor Clements to survey it?
- (2.) Did Ayres and one Charters, on adjoining conditional purchase, fix a peg as a starting point between their selections?
- (3.) Did Surveyor Clements refuse to start from such peg, and surveyed land not required by either party, running Charters's selection in an entirely different direction to that required, and also Ayres's, depriving him of what available road frontage there was?
- (4.) Will a special report be called for in this matter?

Mr. Hoskins answered,—

- (1.) A selection was made by Joseph Ayres on the 4th July last.
- (2.) Representations have been received from Joseph Ayres, which have been referred to Mr. Licensed Surveyor Clements, respectively, on the 18th February and 4th ultimo, and also a letter from Mr. Dangar, M.P., to the effect stated.
- (3.) No report has yet been received from the Surveyor on the representations referred to.
- (4.) The attention of the Survey Department will be again called to the case.

(15.) Mr. Cameron, Interpreter of Oriental Languages :—Mr. W. C. Browne asked the Minister of Justice and Public Instruction,—

- (1.) Is he aware that in the case of Samuel Barron, a native of Madras, who was tried at the Water Police Court on the 31st ultimo, for inflicting grievous bodily harm on the person of Emma Ryan,—Mr. Cameron, the Interpreter of Oriental Languages, stated to the Bench his inability to translate the evidence of the witnesses who gave evidence for the prosecution into the language spoken by the prisoner; and in consequence a native of India, named "John," had to be employed to perform the duty?
- (2.) Is he aware that the Bench had several times to request Mr. Cameron, during the hearing of the case, not to leave the Court, as he desired to do, stating that he had other business to perform elsewhere?
- (3.) In how many cases has Mr. Cameron been employed in during 1878, and the first quarter of 1879?
- (4.) Will he cause an inquiry to be made into the above case?

Mr.

Mr. F. B. Suttor answered,—

(1.) Yes.

(2.) Yes.

(3.) I am not in a position to furnish this information at once, as it would be necessary to examine the whole of the proceedings from January, 1878, to March, 1879, which could not be done in sufficient time to answer this question.

(4.) Yes.

(16.) The Benevolent Asylum:—Mr. O'Connor asked the Colonial Secretary,—

(1.) Is it true that the Directors of the Benevolent Asylum have determined to have all the Foundling Children in the said Asylum christened and brought up as Protestants?

(2.) If so, what Protestant Church has been selected for the children to be christened in; has it not been the invariable practice up to the present time to christen the children in the said Institution in the proportion of two Protestants to one Roman Catholic?

(3.) If it is true that the Directors have made this unfair change, do the Government intend to take any steps in this matter?

Sir Henry Parkes answered,—

(1 and 2.) I find, on inquiry, that the Directors of the Benevolent Asylum have determined to have all foundling children christened and brought up as Protestants. I find also that it has been decided that these children shall be christened according to the rites of the Church of England. I believe it is the fact that hitherto, as stated in the question, it has been the practice to christen foundling children in the manner and proportion referred to, namely, two Protestants to one Roman Catholic.

(3.) It seems extremely difficult to say what steps the Government can take in reference to a Board constituted as this Board is; and it seems still more difficult to lay down any arbitrary rule by which foundling children, of whom no knowledge can be obtained, should be christened either as Protestants or as Roman Catholics.

2. SMALL DEBTS ACT FURTHER EXTENSION BILL:—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 11.

A Bill, intituled "*An Act to further extend the provisions of the Small Debts Act 10 Victoria No. 10,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 16th April, 1879.

3. PAPERS:—

Mr. Hoskins laid upon the Table,—

(1.) Abstract of Crown Lands reserved from Sale until Surveyed for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Victoria, No. 1.

(2.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Victoria, No. 1.

Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—Return to an Order made on 14th February, 1879,—
"Remuneration to Jurors."

Ordered to be printed.

4. DUTY ON GOLD ABOLITION BILL (*Formal Motion*):—Mr. Baker moved, pursuant to Notice, for leave to bring in a Bill to abolish the duty on Gold?
Question put and passed.

5. CONDITIONAL PURCHASES OF HUGH WALLACE AND HENRY M. WALLACE (*Formal Motion*):—
Mr. Burns moved, pursuant to Notice, That there be laid upon the Table of this House,—

(1.) Copies of all Papers relating to the selection by Mr. Hugh Wallace, on the 16th May, 1872, of 200 acres of land in the county of Beresford, parish of Palmerston, inclusive of the Minutes of the Chief Commissioner of Crown Lands and the Minister for Lands, in reference thereto.

(2.) The like in relation to the selection of Mr. Henry M. Wallace of the same date.

Question put and passed.

6. LAND OFFICE AT CONDOBOLIN (*Formal Motion*):—Mr. Lynch, for Mr. Coonan, moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Petitions Letters, Reports, and Memoranda sent to and received by the Minister for Lands relative to the establishment of a Land Office at Condobolin.
Question put and passed.

7. MR. ALEXANDER ROGERS, OF ATTUNGA (*Formal Motion*):—Mr. Jacob moved, pursuant to Notice, That an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) A Return showing the number of actions in which Mr. Alexander Rogers, of Attunga, near Tamworth, has been either plaintiff or defendant in the District Courts holden at Tamworth during the past six years.

(2.) The names of the parties to such actions, the amounts sought to be recovered, and the verdicts given therein, together with the name of the Judge who presided when such verdicts were given.

(3.) A like Return in respect of the District Courts held at Glen Innes during the same period.

(4.)

(4.) The number of cases tried at Quarter Sessions at Tamworth and at Glen Innes during the same period in which Mr. Alexander Rogers was the prosecutor.

(5.) The names of the prisoners prosecuted by Mr. Rogers, and of the Judge who tried them, with the result of the trial in each case.

Question put and passed.

8. SUPPLIES FOR GOVERNMENT INSTITUTIONS (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing,—

(1.) The quantities of each sort of provisions used in Darlinghurst and Parramatta Gaols, the "Vernon," Biloela, Parramatta and Tarban Creek Asylums, the Protestant and Catholic Orphan Schools, Parramatta, and the Liverpool Asylum, during the year 1878.

(2.) The quantities of leather and grindery of all sorts used, and machinery, in above contract, during the year 1878.

(3.) The quantities of all goods in the ironmongery contract, during the year 1878.

Question put and passed.

9. APPOINTMENTS IN THE DEPARTMENT OF LANDS (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing,—

(1.) The names of all persons appointed by Mr. Garrett's predecessor (Mr. Farnell) whilst Secretary for Lands, or by the Governor and Executive Council during his administration of the Lands Department; and whether such were temporary or permanent.

(2.) The number of such persons who have been dismissed, and for what cause, and by what Minister or Government.

(3.) The rate of pay each of such persons received upon being appointed.

(4.) The present status of those of such who now remain in the Public Service.

(5.) By what Minister or Government they have been promoted.

(6.) The like returns in regard to any appointments made by Mr. Driver, Mr. Baker, Mr. Farnell, and Mr. Hoskins, who have occupied the office of Secretary for Lands since Mr. Garrett retired from office.

Question put and passed.

10. DUTY ON GOLD ABOLITION BILL:—Mr. Baker presented a Bill, intituled "*A Bill for the abolition of the Duty on Gold*,"—which was read a first time.

Ordered to be printed, and read a second time on Wednesday next.

11. ADJOURNMENT:—Mr. O'Connor moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

12. LANDS ACTS FURTHER AMENDMENT BILL:—The Order of the Day having been read,—Mr. Hoskins moved, That this Bill be now read a second time.

Mr. McElhone moved, That this Debate be now adjourned.

Question put and passed.

Ordered, that the Debate be adjourned until To-morrow.

The House adjourned at a quarter before Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 103.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 17 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Narrabri Timber Reserve:—*Mr. Thompson*, for *Mr. Dangar*, asked the Secretary for Mines,—
 (1.) Upon whose recommendation was the Narrabri Timber Reserve, No. 1,264, county of Nandewar, parish of Narrabri, area 8,000 acres, granted?
 (2.) Is it a fact that this Reserve contains little or no valuable timber, and is a great bar to conditional purchase and the settlement of the district,—containing fine agricultural and pastoral land?
 (3.) Will a speedy report be called for in this matter, with a view (if these representations are correct) of this Timber Reserve being cancelled wholly or in part?

Mr. Hoskins answered,—

- (1.) Reserve No. 1,264 was notified upon the recommendation of the District Surveyor.
 (2.) The Reserve is stated to contain pine, box, belar, and ironbark; the pine very good, other timber fair.
- (2.) Abattoirs, Glebe Island:—*Mr. J. Davies* asked the Colonial Treasurer,—Has the attention of the Government been called to a series of articles in the daily Press with reference to the Abattoirs, Glebe Island; has he received any reports from the officers in charge with reference to the allegations contained in the letters in the *Herald*; has he any objection to lay them upon the Table?

Mr. Watson answered,—My attention was called to the articles alluded to, and I at once forwarded them to the Inspector of the Abattoirs, with directions for an immediate report. When this is obtained it will be laid upon the Table.

- (3.) Stockton and Raymond Terrace Road to Saltash:—*Mr. Jacob* asked the Secretary for Mines,—What is the cause of delay in the issuing of the second proclamation relative to the extension of the road "Stockton and Raymond Terrace Road to Saltash," the first notification regarding which was gazetted in January last—an extension which was applied for in December, 1873, and about which there has had to be several reminders by letter and personally, as well as being the subject of many questions in this House?

Mr. Baker answered,—The notice of the confirmation of this road appeared in the *Government Gazette* of the 16th April, 1879, and further action will be taken on the expiration of the time allowed by law for the receipt of claims for compensation.

- (4.) Land Office, Brewarrina:—*Mr. Coonan* asked the Secretary for Lands,—
 (1.) Has a Land Office been established at Brewarrina, and if so, when will same be opened?
 (2.) Is the Minister aware that great inconvenience exists at the present time through same not being open to the public?

Mr. Hoskins answered,—

- (1.) No. The necessary steps will, however, be taken to open an office there so soon as the business of the Department will permit.
 (2.) The Department is unaware of any inconvenience having arisen in consequence of a Land Office not having been opened at Brewarrina.

- (5.) Blaxland's Grant, Parramatta River:—*Mr. McElhone* asked the Secretary for Lands,—
 (1.) In reference to the grant of land known as Blaxland's Grant, Newington, Parramatta River,—Was not 1 chain wide reserved fronting the above river, Duck River, and Haslem's Creek; if so, have the present proprietors, of which *Mr. John Sutherland, M.L.A.*, is one, been allowed to purchase this Reserve, made for public purposes?
 (2.) When were they allowed to purchase it, at what price per acre, how many acres were they allowed to purchase, and on what grounds were they allowed to purchase it—such Reserve being very valuable to the public for recreation?

Mr.

Mr. Hoskins answered,—Permission was granted to Mr. John Wetherill to purchase 39 acres of the land referred to under the 12th clause of the Crown Lands Alienation Act of 1861, by *Gazette* notice of the 1st November last, at the rate of £5 per acre, conditionally upon his dedicating to the use of the public about 240 acres of streets (as shown on plan), and re-conveying to the Crown the land embraced by sections 107 and 108, containing about 23 acres of the present subdivision of the Newington Estate. The land alienated to Mr. Wetherill is mostly swampy, and unsuitable for recreation purposes.

- (6.) Temporary Inspectors of Conditional Purchases:—Mr. McElhone asked the Secretary for Lands,—Will he give instructions to have the Temporary Inspectors of Conditional Purchases paid the moneys due to them without delay for their reports and travelling expenses?

Mr. Hoskins answered,—The vouchers for inspections remaining on hand have now been checked and passed for payment. No delay has occurred in passing accounts for travelling expenses, except such as may have been occasioned by the necessity for references or explanations.

- (7.) Mount Mooby and Rouchel Roads:—Mr. McElhone asked the Secretary for Public Works,—What is the cause of the great delay in answering my letters applying to place the Mount Mooby and Road to Rouchel, and other roads, on the Schedule of Minor Roads, or to grant sums of money to repair them; and when is it likely I will receive the answers?

Mr. Lackey answered,—The delay in some of the cases has arisen from the necessity of reference to other Departments. In the cases of Mount Mooby and Rouchel Roads grants have been recommended, and the Honorable Member will be formally advised when action is complete—in a few days. The only other case which can be traced is that of a road to Camberwell Station, the papers of which were forwarded to the Lands Department in September last.

- (8.) Water and Sewerage Bill:—*Mr. Burns*, for Mr. Cohen, asked the Colonial Secretary,—Is it the intention of the Government to further proceed in Committee with the Water and Sewerage Bill; and if so, when?

Sir Henry Parkes answered,—I intend, either to-morrow or on Tuesday next, to make a statement explanatory of the course which the Government proposes taking in dealing with all the business before Parliament, with a view to bringing the business of this Session to a close.

- (9.) Revenue Receipts:—*Mr. Burns*, for Mr. Cohen, asked the Colonial Treasurer,—Referring to the £328,815 8s. 10d., shown in the Revenue Receipts for last quarter as having been received for Auction Sales,—Will the Honorable Gentleman state the number of acres of land upon which the deposit was paid, and the total amount thereof, and also the total number of acres upon which balances were paid, and the total amount thereof, distinguishing in each case town, suburban, and country lands?

Mr. Watson answered,—The information asked for by the Honorable Member cannot be supplied by the books at the Treasury. The question has been referred to the Department of Lands, where alone the required details are obtainable, and I am informed that an answer will be ready to-morrow.

- (10.) Deeds for Land at Walgett:—*Mr. Thompson*, for Mr. Dangar, asked the Secretary for Lands,—When will the grants (Deeds) of Town Lots sold at Walgett some fourteen months ago be ready for delivery?

Mr. Hoskins answered,—The Deeds of Grant of sale at Walgett, 27th February, 1878, and which I assume to be those referred to by the Honorable Member, were, on the 24th February last, forwarded to the Registrar General for delivery. The number of Deeds in question is 100.

2. PAPERS:—

Mr. Hoskins laid upon the Table,—

(1.) Return showing the total number of Officers and Servants employed in connection with the Department of Lands during the year ending 31st December, 1878.

(2.) Return to an Order made on 2nd April, 1879,—“Incomplete Conditional Purchases.”
Ordered to be printed.

Mr. Lackey laid upon the Table,—Return showing the amounts previously voted for works mentioned on pages 108, 109, 111, and 112, on the Estimates for 1879.

Ordered to be printed.

3. TRAVELLING STOCK RESERVES (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice,—

(1.) That there be laid upon the Table of this House Plans or Sketches of all Travelling Stock or Public Water Reserves between Narrabri and Merriwa *via* Breeza and Warrah, dedicated to the use of the public for travelling stock purposes.

(2.) The like in regard to all similar Reserves from Boggabri to Denison Town *via* Coolah, *via* Gullendaddy, Bando, Oakey Creek, Bennia Plains, &c.

(3.) The like in regard to all similar Reserves between Denison Town and Wallerawang *via* Mudgee and Rylstone, and the main road from Mudgee to Wallerawang.

Question put and passed.

4. LOAN FUNDS AMALGAMATION BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled “*An Act to provide for the amalgamation of certain Loan Funds raised under Special Loan Acts*,”—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 17th April, 1879.

JOHN HAY,
President.

- 5 **LANDS ACTS FURTHER AMENDMENT BILL**:—The Order of the Day having been read for the adjourned Debate on the motion of Mr. Hoskins, "That this Bill be now read a second time,"—
And the Question being again proposed,—
Debate ensued.
Mr. Greenwood moved, That this Debate be now adjourned.
Debate ensued.
Question put and passed.
Ordered, that the Debate be adjourned until to-morrow.
- 6 **POSTPONEMENT**:—The Order of the Day for the second reading of the Wharfage and Tonnage Rates Bill postponed until Tuesday next.
- 7 **SUPPLY**:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 18 APRIL, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at ten minutes after Two o'clock, a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 104.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 18 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Railway from Gunnedah to Narrabri:—*Mr. Thompson*, for Mr. Dangar, asked the Secretary for Public Works,—

(1.) Has a trial survey been made and completed for the extension of the Railway from Gunnedah to Narrabri; if so, will there be any objection to state the nature of such, the distance, number of bridges required, and where, and probable cost per mile for construction of this proposed Railway?

(2.) Is it intended to make any further trial surveys between these two places?

(3.) Will this extension be included in the Railway policy of the Government to be submitted to Parliament this Session or the next, and a Vote for this extension solicited?

(4.) Has a trial survey been made or completed; if not, what progress made for an extension of the Railway from Narrabri to the Queensland border; and if so, the route taken, distance, and probable expense?

(5.) Is it a fact that this line will pass through a great deal of flooded country at or about the M'Intyre River, and will evade the principal towns on its way; and will inquiry be made on these points?

(6.) Considering much of our produce now goes to, and is received from Adelaide by steamer to Walgett and the adjoining districts, will directions be given for a trial Railway survey from Narrabri to Walgett, and from Narrabri to Moree?

Mr. Lackey answered,—

(1.) A trial survey has been completed between Gunnedah and Narrabri, making the distance 57 miles. The only bridge of importance would be over Cox's Creek at Boggabri, about 1,000 feet in length. Probable cost per mile from Gunnedah to the south side of the Namoi River, opposite to Narrabri, would be £6,166.

(2.) The trial survey will require to be amended in a few places between Gunnedah and Narrabri, but this can be done when the line is being permanently staked.

(4.) A trial survey has been completed from Narrabri to the Queensland Border at Mungindi, and the distance is 105 miles. The route surveyed is a perfectly straight line from Narrabri to Mungindi, passing about 30 miles west of Moree. The section of this line is not yet in the office; but the country is very level, and numerous flood openings will, no doubt, be required. Probable cost per mile cannot be given until the section has been carefully examined.

(5.) The section not having been received, the distance from the banks of the M'Intyre River to which the country is liable to flood cannot be stated—but most probably for several miles. Should this line be adopted, the River Namoi will have to be crossed 5 miles above Narrabri, necessitating a viaduct 1 mile and a quarter in length. The cost of this will be included in the estimate for the extension to Mungindi. The only town evaded on the route surveyed is Moree, and to have passed through it would have lengthened the line at least 20 miles.

- (2.) Road from Coonabarabran to Gunnedah:—*Mr. Thompson*, for Mr. Dangar, asked the Secretary for Mines,—

(1.) Have any instructions been given to open up and mark the road from Coonabarabran to Gunnedah, for which money has been voted by Parliament, and now rendered the more necessary on account of the contemplated opening of the Railway to Gunnedah, the distance being some 60 miles?

(2.) If such instructions issued, the date of such, and the name of the Surveyor so instructed?

(3.)

- (3.) Has the work been commenced; if so, what progress has been made, and when likely to be completed; if not, when will it be commenced, and the cause of delay in doing so?
 (4.) Has any action been taken by the Survey Department in this matter; if not, when is it likely that Department will do so?

Mr. Baker answered,—

- (1.) Yes.
 (2.) Date of instructions, 4th January, 1879; name of Surveyor, Goodwin.
 (3.) Yes. I am unable to learn when the survey will be completed.
 (4.) Mr. Surveyor Dewhurst has been asked for a further report.

- (3.) Sale of old Iron at Newcastle :—Mr. Coonan, for Mr. McElhone, asked the Secretary for Public Works,—

(1.) In reference to my question respecting the sale of old iron at Newcastle, in which it is stated that the purchaser, Mr. Williams, had no right to take the Lowmoor tires with the old iron,—Is it not a fact that he was allowed to take the Lowmoor tires, and also a quantity of spring steel with it; and will he cause inquiry to be made into the reply given to my question on 4th April?

(2.) Is he aware that Mr. Mason, Engineer for Existing Lines, met Mr. Higgins in the street and asked him to tender for the double line from the Zigzag to Bowenfels; and is it a usual thing for an officer of the department to ask a person in the street to tender for over £20,000 worth of work?

(3.) Will he give instructions that all public works must be submitted to public tender in future?

Mr. Lackey answered,—

(1.) Mr. Williams was not allowed to take, nor has he taken, the Lowmoor tires. Before the previous question was replied to, special inquiry was made whether any Lowmoor iron tires were included with the old iron; and the Storekeeper at the North, who sent the iron from Newcastle, and the Railway Storekeeper for the South and West Lines, who received it in Sydney, asserted that no Lowmoor tires were included. At the time that Mr. Williams purchased the old iron he purchased also the steel scrap and steel tires. For the latter he paid £2 per ton; and the department has always experienced the greatest difficulty in selling them at any price. For the scrap steel Mr. Williams paid £2 9s. per ton. At the previous sale the price realized was only £1 17s. 6d. per ton. No doubt the larger portion of scrap steel consists of old broken springs.

(2.) It is not the usual course; but I understand it was in the way stated that Mr. Mason communicated with Mr. Higgins on this subject. It was done in this instance to save time.

(3.) As far as possible the public works will be carried out by contracts obtained by public tendering.

- (4.) Inspector of Distilleries, &c., Tamworth :—Mr. Bennett asked the Colonial Secretary,—

(1.) The names of the Inspectors of Distilleries, Slaughter-houses, and Weights and Measures, Tamworth?

(2.) Date of appointment to the above positions; and when will the said Inspectors commence their duties?

Sir Henry Parkes answered,—Inspector of Distilleries—Mr. James Garland, Superintendent of Police, appointed in January, 1866. Inspector of Slaughter-houses—Senior-Sergeant Luther, appointed in September, 1862; Sergeant Meagher, appointed in October, 1877; and Constable Willis, for Tamworth South, appointed in February last. Inspector of Weights and Measures—Sergeant Meagher, appointed in September last. All the above officers have performed duty since their appointment.

- (5.) John Molloy's Conditional Purchase :—Mr. Coonan asked the Secretary for Lands,—

(1.) Did a person named John Molloy select 40 acres of land at Young on 22nd June, 1876?

(2.) Was such selection declared void on 2nd August, 1878?

(3.) Was the selection measured by a Government Surveyor prior to same being declared void?

(4.) Is it a fact that between date of survey and cancellation of selection Molloy made improvements to the extent of £30?

(5.) What action does the Minister intend taking with reference to this selection?

Mr. Hoskins answered,—

(1.) Yes.

(2.) Yes; the land not being available at date of purchase.

(3.) Yes.

(4.) The applicant has alleged that the land was improved by him.

(5.) The land was directed, by the late Minister, to be allotted to another applicant (John Brown), who had applied for it after its becoming available. Certain representations have since been received from Molloy, and are under inquiry.

- (6.) Forbes Gaol :—Mr. Coonan asked the Colonial Secretary,—In view of the inadequate accommodation for prisoners in the Forbes Gaol, is it the intention of the Minister to authorize the enlargement of the same?

Sir Henry Parkes answered,—A report was called for as soon as the telegram appeared in one of the papers; and I find that the number of prisoners in the Forbes Gaol on the date mentioned was fourteen persons—twelve adults and two children; and on the three previous days sixteen—fourteen adults and two children. The lock-up is estimated for fifteen prisoners, but considering the importance of the district, and the probability of increased accommodation being required, steps will be taken to add to the accommodation of the lock-up.

2. CHURCH AND SCHOOL LANDS (*Formal Motion*) :—Mr. Coonan, for Mr. Bowman, moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing the number of acres alienated from the Church and School Estate by auction and selection after auction, in the different counties and parishes in which the Church and School Lands are situated, giving the allotments, sections, and portions, name, and area, held by each individual purchaser since the passing of the Land Act of 1861; also the area of same estate remaining for alienation, or otherwise, to be disposed of up to the present date.

Question put and passed.

3. **SEWAGE OF THE CITY AND SUBURBS**.—The Order of the Day having been read,—on motion of Mr. Lucas, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider an Address to the Lieutenant-Governor, praying,—
- (1.) That His Excellency will be pleased to cause the sum of £5,000 to be placed on the Additional Estimates for 1879, to provide for a Bonus to be offered to any person who may, within twelve months after the passing of these Resolutions, discover and make known to this Government a new and practicable system of treatment which will neutralize the offensive properties of the Sewage of this City and Suburbs, and render it unnecessary to pollute the water of our harbour or any bay or inlet of the sea with it.
- (2.) That the above Resolution be telegraphed to the Agent General, with a request that he will cause it to be published in England, France, and America.

Mr. Speaker resumed the Chair.

4. **POSTPONEMENT**.—The Order of the Day for the second reading of the Civil Service Pensioners Disqualification Bill postponed until Friday, 2nd May.
5. **MUDGE TURF CLUB BILL**.—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
- Mr. Speaker resumed the Chair ; and the Chairman reported that there was not a Quorum present in the Committee.
- Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.
- Mr. Speaker resumed the Chair ; and the Chairman again reported that there was not a Quorum present in the Committee.
- Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.
- Mr. Speaker resumed the Chair ; and the Chairman again reported that there was not a Quorum present in the Committee.
- Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.
- Mr. Speaker resumed the Chair ; and the Chairman again reported that there was not a Quorum present in the Committee.
- Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.

And the Committee continuing to sit till after Midnight,—

SATURDAY, 19 APRIL, 1879, A.M.

- Mr. Speaker resumed the Chair ; and the Chairman again reported that there was not a Quorum present in the Committee.
- Mr. Speaker counted the House ; and there being a Quorum present, the Committee resumed.
- Mr. Speaker resumed the Chair ; and the Chairman again reported that there was not a Quorum present in the Committee.
- Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Badgery, Mr. Baker, Mr. Barbour, Mr. Beyers, Mr. Bowman, Mr. W. C. Browne, Mr. Cameron, Mr. J. Davies, Mr. Driver, Mr. Fitzpatrick, Mr. Lackey, Sir Henry Parkes, Mr. Shepherd, Mr. T. R. Smith, Mr. F. B. Suttor, Mr. W. H. Suttor, Mr. Terry, Mr. Thompson, and Mr. Watson,—
- Mr. Speaker adjourned the House at twenty minutes before Two o'clock a.m., until Tuesday next at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 105.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 22 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Volunteer Land Orders:—Mr. Garrett asked the Colonial Secretary,—

- (1.) The number of Volunteer Land Orders issued since the Volunteer Act of 1867 was passed?
- (2.) Whether any others are to be issued under the Act, and the number?
- (3.) The number of Volunteer Land Orders received in payment of land since the passing of the said Act?

Sir Henry Parkes answered,—

- (1.) 3,389.
- (2.) 50.
- (3.) The answer to question No. 1 applies to No. 3.

- (2.) Government Printing Office:—Captain Onslow asked the Colonial Treasurer,—

- (1.) Are there any books (not official), or for which a sum of money has not been expressly voted, being now published at the Government Printing Office?
- (2.) If so, for what persons, on what terms, and on what grounds?
- (3.) Will the Treasurer state what books have been published for private individuals at the Government Printing Office, and the sum received in each case for such publication?

Mr. Watson answered,—

- (1.) The only book of the character indicated in this question is Heaton's "Men of the Time."
- (2.) For Mr. J. Henniker Heaton. The terms and grounds for the publication of this work at the Government Printing Office will be best shown by the correspondence with the Treasury Department, which I will presently lay upon the Table.
- (3.) The answer to this question I will also lay upon the Table in the shape of a Return.

- (3.) Suburban Railway:—Mr. Burns asked the Secretary for Public Works,—Is it the intention of the Government to obtain the authority of Parliament for the construction of Suburban Lines of Railway; and if so, when?

Mr. Lackey answered,—It is the intention of Government to submit to Parliament a proposal for the construction of Suburban Lines of Railway as soon as the necessary surveys, &c., have been completed—probably in the next Session.

- (4.) Parramatta and Iron Cove River Bridges:—Mr. Cameron asked the Secretary for Public Works,—

- (1.) How many men are employed in the construction of the Parramatta and Iron Cove River Bridges?
- (2.) How long has the work been in hand?
- (3.) How many men have been taken on, and dismissed, since the work began?

Mr. Lackey answered,—

- (1.) The number employed by department, 44; by contractors, 18; total, 62.
- (2.) The works were commenced on the 5th August, 1878.
- (3.) The total number of men taken on, 254; total number of men dismissed, 94; total number of men who left the works of their own accord, 116.

- (5.) Pay of Railway Employés:—Mr. Cameron asked the Secretary for Public Works,—

- (1.) Is it true that the men employed in the Goods Sheds on the Railway Line have had their pay stopped for Good Friday, for the first time for many years?
- (2.) Is it intended to deduct the pay for Good Friday from the Civil Servants in the various Government Departments?
- (3.) Will the Honorable the Minister say whether he will order these men to get their money, as their pay only amounts to some six or seven shillings per day?

Mr.

Mr. Lackey answered,—

(1.) The conditions of Railway employment for workmen provide that men paid at a daily rate are only to be paid when actually at work. The wages have been regulated on this basis, and provision made for payment for overtime work, so as to bring the practice in conformity with the rule observed in private workshops. In 1874 it was decided that the men should be paid for all proclaimed holidays, on the ground that it was not fair to the workmen to close the workshops on public holidays without giving them pay, when in private establishments the workmen would not be obliged to recognize the holidays, and would be earning wages. Good Fridays and Christmas Days, however, not being considered holidays in the ordinary sense, were treated as Sundays, and it was decided that the men could not be paid for those days. This rule has been observed in the Locomotive and Permanent Way Branches, but in the Traffic Branch it has not been observed, and the oversight was discovered recently only on the appointment of a Wages Clerk for all the branches; directions were at once given that no exception was to be made, but the workmen in all the branches were to be treated alike.

(2.) No deduction will be made in the case of those paid at a yearly rate, either in the Railway or any other of the Public Departments.

(3.) The question whether the workmen are to be paid for Good Fridays and Christmas Days will be considered, but if this concession be approved it must be made to extend to all the workmen, and not confined to those employed in the Traffic Branch only.

- (6.) Road on Bank of Manilla River :—*Mr. McElhone*, for *Mr. Bennett*, asked the Secretary for Mines,—When will the road measured on the higher land, in lieu of the original road on the lower and flat land, left bank of the Manilla River, be proclaimed for general traffic (Manilla and Glenriddle Run) ?

Mr. Baker answered,—So far as the Department is at present aware, there has been no plan sent in of the road referred to as having been measured; but the information contained in the question is too indefinite to allow of a precise identification of the road alluded to.

- (7.) Encroachments on Reserves :—*Mr. McElhone* asked the Secretary for Mines,—

(1.) In reference to his replies on the 10th instant as to reserve of 10,000 acres on Gotta Rock Run, late Robertson's, now Ingham's, on western side of Coolah Creek, being fenced in by the lessee, and the reserve near Mitchingowrie Run, on the Namoi, fenced in by *Mr. John Clark*, and reserve on Minnia Run, of *Mr. M'Master*, near to and on road to Coolah,—Has he given instructions to have fences and other obstructions removed off these reserves; will he do so at once if he has not already done so ?

(2.) Will he give immediate instructions to cancel lease of reserve near Jerry's Plains, said to be leased to *Mr. Hobden*, and proclaim it a Travelling Stock Reserve ?

(3.) In reference to my letters as to trespass on the reserve of 2,700 acres at Kelve Creek, near Merriwa, by *Mr. Clive's* sheep,—Has he given instructions to have *Mr. Clive* prosecuted for the trespass; if not, will he give immediate instructions to have *Mr. Clive* prosecuted, and instruct the Inspector to warn *Mr. Clive* to keep his sheep off this Travelling Stock Reserve ?

(4.) Will he issue immediate instructions to have the road proclaimed and opened which was surveyed and marked by District Surveyor *Evans* from the Travelling Stock Reserve at *Ogilvie's Hill*, near *Denman*, to the *Jerry's Plains Road*, through Crown Lands and some land of *Mr. Henry White*—this road being badly wanted for fat stock, to save several miles of travel over a rough stony mountain ?

Mr. Baker answered,—

(1.) Inquiry is now being made with respect to obstructions on these reserves, and if they exist, immediate steps will be taken for their removal.

(2.) *Mr. Hobden's* lease of reserve at *Jerry's Plains* has been cancelled. It has already been proclaimed a Travelling Stock Reserve.

(3.) Instructions were given to prosecute *Mr. Clive* for allowing his sheep to trespass on the reserve at *Kelve Creek*, but it was found that a portion of the reserve was included in his lease. This has been withdrawn, and his stock will now be kept from trespassing upon it.

(4.) This road was confirmed by *Gazette* notice, 31st October, 1876, and formally opened 12th July, 1878.

- (8.) Road from Wybong Creek through Hall and Cox's Land :—*Mr. McElhone* asked the Secretary for Mines,—

(1.) In reference to Petition from *S. Ireland*, *T. Bray*, and others, for a road from Wybong Creek through *Hall's* 640, and *Wm. Cox's* 930 acres, and measured by Surveyor *Allworth* some time ago,—What is the cause of the very great delay in proclaiming and opening this road ?

(2.) When is it likely that this road will be proclaimed and opened ?

(3.) Is he aware that I have made many written applications for this road for the last three years, and that this road is very much required by a large number of persons ?

Mr. Baker answered,—This road was proclaimed in *Government Gazette* of 10th December, 1878, folio 4945, and confirmed in *Government Gazette* of 21st February, 1879, folio 833. Instruction to open this road has been issued to the District Surveyor, who will carry it out in due course.

- (9.) Messrs. Elliott and Co., Cowper Wharf :—*Mr. Greenwood* asked the Secretary for Mines,—

(1.) By whose authority do Messrs. Elliott & Co. hold possession of a part of Cowper Wharf as a coal yard ?

(2.) Is it true that they were warned some months ago to remove all obstructions from the wharf by the 31st March of the present year ?

(3.) Why have these orders not been obeyed ?

(4.) Is it true that Messrs. Elliott & Co. are also obstructing a street ?

(5.) Will the Government take steps immediately to cause all these obstructions to be removed ?

Mr. Baker answered,—

(1.) By no authority from the Government.

(2.) Yes.

(3.)

(3.) Messrs. Elliott and Co. made an urgent request, through the Treasury, that proceedings against them should be stayed, and proceedings were stayed, pending a reference to the Mining Department.

(4.) Yes.

(5.) Peremptory orders were issued upon 18th instant that all obstructions should be removed within six weeks.

(10.) Government Printing Office :—*Mr. Dangar*, for *Mr. Thompson*, asked the Colonial Treasurer,—

(1.) Is it true that certain works, entitled "Men of the Time" and a "Dictionary of Dates," compiled by *Mr. J. H. Heaton*, are being composed and printed at the Government Printing Office; and if so, by whose authority?

(2.) Is it true that *H. N. Montague* is employed at the Government Printing Office at a large weekly salary in reading proofs of the above-mentioned works?

(3.) Is it true that the printing required by the International Exhibition Commission has been declined by the Government Printer, on the ground that the staff of his department is fully occupied, and that the printing required for the Commission has in consequence been entrusted to a private firm or private firms?

Mr. Watson answered,—

(1.) The literary composition of the work referred to is not being done at the Government Printing Office, but it is being printed there by the authority of the Government.

(2.) *Mr. H. N. Montague* and his son are temporarily employed as proof-readers, at the request and at the expense of *Mr. J. H. Heaton*.

(3.) Whilst the printing of the Electoral Lists was in progress (a work which has to be done within a limited period of time prescribed by law) some extremely urgent printing required for the Exhibition Commissioners could not be done at the Government Printing Office, and was therefore given to private firms; but as soon as the Lists were disposed of the work for the Commissioners was taken up, and will continue to be done at the Government Printing Office; and during the printing of these Lists the publication of *Mr. Heaton's* work was suspended.

(11.) Railway from Werris Creek to Gunnedah :—*Mr. Dangar* asked the Secretary for Public Works,—

(1.) Was any extra time given to the Contractor for the North-Western Railway from Werris Creek to Gunnedah, on account of the opening of the same to Breeza; if so, what extra time, or has any additional time been afforded to the Contractor on any other grounds?

(2.) When does the contract time expire for completion to Gunnedah, either without or with any such extension of time, if granted?

Mr. Lackey answered,—

(1.) Yes; three months extension of time was granted on account of the opening to Breeza before the contract time, and for additional works in raising the line to provide for the escape of storm waters.

(2.) The extended contract time will expire on 30th September next.

(12.) Site for Hospital, Walgett :—*Mr. Dangar* asked the Secretary for Lands,—

(1.) Have portions 21, 22, and part of 20 (suburban land) at Walgett been dedicated, as promised, for the site of an Hospital at that place; if so, the date of such dedication; if not dedicated, when will it be?

(2.) Has the site been surveyed; if not, will instructions be issued to do so, so that the Hospital Committee may fence the land in; and have any such instructions for measurement been issued?

(3.) Have any trustees been appointed or nominated for this land?

Mr. Hoskins answered,—

(1.) Yes; 7th January last.

(2 and 3.) No; but *Mr. District Surveyor Dewhurst* has been instructed to make the survey. I am not aware of any such nomination.

(13.) Bridges over Bobbula and Cobbygar Creeks :—*Mr. Dangar* asked the Secretary for Public Works,—Is it intended to make any provision for bridges over Bobbula and Cobbygar Creeks, near Werrabilla, Upper Barwin River, on the main road from Millie, down Thalaba Creek to the Narren River,—in wet and flood seasons all traffic being entirely suspended for the want of such?

Mr. Lackey answered,—The question of making provision for these bridges, in conjunction with applications for numerous other bridges in the Gwydir Electorate, will be considered before the preparation of next year's Estimates.

2. VOTE OF CREDIT :—The following Message from His Excellency the Lieutenant-Governor was delivered by *Mr. Watson*, and read by *Mr. Speaker* :—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 12.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the Colony for the month of April, 1879; together with provision for other Services of an urgent nature.

Government House,

Sydney, 22nd April, 1879.

Ordered to be printed, and referred to the Committee of Supply.

3. PAPERS :—

Mr. Watson laid upon the Table,—Return to an Order made on 18th February, 1879,—“Payments out of the Church and School Land Fund to Roman Catholic Bishops.”

Ordered to be printed.

Mr.

Mr. Hoskins laid upon the Table,—Abstract of Sites for Cities, Towns, and Villages, declared under the 4th section of the Act 25 Victoria, No. 1.
Ordered to be printed.

Mr. Lackey laid upon the Table,—Statement showing approximately the value of the Fitz Roy Docking Establishment, Cockatoo Island, based on the operations carried on there during the year 1878.

4. PATENTS LAW AMENDMENT BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to amend the law relating to Patents for Inventions and Improvements in Arts or Manufactures*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 22nd April, 1879.

JOHN HAY,
President.

PATENTS LAW AMENDMENT BILL.

SCHEDULE of the amendments referred to in Message of 22nd April, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

- Page 2, Preamble, lines 4 to 7. *Omit* "And whereas it is also desirable that provision should be made to give provisional protection for a limited period to the authors or designers of any such inventions and improvements in manner hereinafter declared"
" clause 3, lines 34 to 36. *Omit* "or a certificate of provisional registration thereof under this Act within six months from the time of opening of such exhibition"
" clause 3, line 37. *Omit* "or certificate of registration"
" " line 38. *Omit* "or this Act"
" clause 4. *Omit* clause 4.
Page 3, clause 5. *Omit* clause 5.
" Schedule. *Omit* Schedule.

Examined,—

J. GRO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration to-morrow.

5. MR. HENRY BAYLISS, POLICE MAGISTRATE, WAGGA WAGGA (*Formal Motion*):—Captain Onslow moved, pursuant to Notice, That there be laid upon the Table of this House a copy of the Petition of Mr. Henry Bayliss, Police Magistrate at Wagga Wagga, to the Governor and Executive Council, with the report of Mr. Fosbery thereon, and all other documents relating to the same.
Question put and passed.
6. PITFALL AT WALLSEND COLLIERY (*Formal Motion*):—Mr. Cameron moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers, Minutes, and Reports from the Examiner of Coal Fields, or the Inspector of Coal Mines, relative to the recent pitfall at the Wallsend Colliery.
Question put and passed.
7. ALLOWANCE FOR HOUSE RENT TO DENOMINATIONAL SCHOOL TEACHERS (*Formal Motion*):—Mr. Greenwood moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence between Denominational School Teachers and the Council of Education in reference to an allowance for House Rent.
Question put and passed.
8. MEDICAL BILL:—Dr. Bowker moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Law respecting the qualifications of Medical Practitioners.
Debate ensued.
Question put and passed.
9. GOVERNOR'S SIGNATURE TO CROWN GRANTS:—Captain Onslow moved, pursuant to Notice, for leave to bring in a Bill to render valid all Crown Grants and other Documents to which His Excellency the Governor has affixed a stamp instead of his Sign Manual.
Debate ensued.
Question put and passed.
10. MR. HENRY JAMES GREVILLE:—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House,—
(1.) Copies of all Correspondence, Minutes, &c., between the Minister of Justice, the Chief Commissioner in Insolvency, and the Public Accountant who inspected the Fee and other Account Books in the Insolvency Department, in reference to a deficiency in the moneys received by the Chief Clerk, Henry James Greville.
(2.) Also copies of all Correspondence on the same subject by any other official.
Debate ensued.
Question put and passed.

11. **WAGGA WAGGA COMMON**:—Mr. McElhone moved, pursuant to Notice, That, in the opinion of this House, the decision of various Ministers for Lands allowing Mr. Donnelly to purchase 490 acres out of the reserve, or common, at Wagga Wagga (dedicated as a common, and vested in trustees) is wrong, and that such decision allowing Mr. Donnelly to purchase the said land should be revoked, as such decision is injurious to the interests of the people of Wagga Wagga and the people of the Colony, as it forms a bad precedent for other Ministers.
Mr. Hoskins moved, That this Debate be now adjourned.
Question put and passed.
Ordered, that the Debate be adjourned until Friday, 2nd May.
12. **RAILWAY FROM YASS TO WAGGA WAGGA**:—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House,—
(1.) A list of culverts and bridges and their water-ways between Yass and Wagga Wagga, as shown on the original plans from which Contractors tendered.
(2.) A list of all culverts and bridges and their water-ways, as executed by the Constructing Branch of the Railway Department.
(3.) A list of all culverts subsequently altered by the Maintenance Branch.
(4.) A table showing the original cost of all culverts and bridges, and also the present cost; also showing what saving would have been effected if done before the permanent way was laid.
(5.) Also showing how many 2-ft. pipe culverts were substituted for 2-ft. barrel culverts in cement, and at what rate.
(6.) Also showing how many 2-ft. drain pipes were taken over by the Government from the Contractor, and for what reason, and at what price, and the use they were put to.
(7.) Also a list showing the number of 16-in. drain pipes taken over from the Contractor by the Government, for what reason, and what use they will be.
(8.) The additional cost of the timber viaduct over the Murrumbidgee.
(9.) The additional cost of the timber substituted for the embankments.
(10.) The whole cost of the Station at North Wagga.
(11.) The width of the roadway left on each side of the Railway through free selected land, and which was surveyed during the construction of said Railway.
(12.) The number of times during the last twelve months the District Engineers have gone on the works under supervision.
(13.) The number of Inspectors who have been employed on each contract, and their duties.
(14.) The names of the parties who were to blame when the Traffic near Murrumburrah, in September, 1878, was interfered with, and the cause of the same.
Motion, by leave, withdrawn.

And it being Seven o'clock, Government Business was proceeded with.

13. **POSTPONEMENTS**:—The Orders of the Day Nos. 1 and 2 of Government Business postponed, to follow after Order No. 3.
14. **LANDS ACTS FURTHER AMENDMENT BILL**:—The Order of the Day having been read for the resumption of the adjourned Debate on the motion of Mr. Hoskins, "That this Bill be now read a second time,"—
And the Question being again proposed,—“That” this Bill be now read a second time,—the House resumed the said adjourned Debate.
Mr. Greenwood moved, That the Question be amended by the omission of all the words after the word “That,” with a view to the insertion in their place of the words “this House, while willing to redress any grievances that may have arisen under existing Acts, declines to legislate further in regard to the alienation and occupation of the Crown lands of the Colony until it is put in possession of authentic information respecting the original disposition and the names of the present holders of the twenty-nine million acres of Crown lands already reported as alienated and the hundred and fifty million acres reported as being under various forms of lease.”
Question proposed,—That the words proposed to be omitted stand part of Question.
Debate continued.
Mr. Murphy moved, That this Debate be now adjourned.
Debate ensued.
Question put and passed.
Ordered, that the Debate be adjourned until to-morrow.
15. **POSTPONEMENT**:—The Order of the Day for the second reading of the Wharfage and Tonnage Rates Bill postponed until to-morrow.
16. **SUPPLY**:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 23 APRIL, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at twenty minutes after Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 106.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 23 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Road from Barraba to Gunnedah:—*Mr. Cameron*, for *Mr. Dangar*, asked the Secretary for Mines,—

(1.) In view of the speedy opening of the Railway to Gunnedah, which is 20 miles nearer Barraba than Tamworth, and money having been voted to expend on this road,—Have any instructions been issued, and if so when, and to what Surveyor, and the date of such, for marking and surveying a road from Barraba to Gunnedah?

(2.) Has the work been commenced; if so, what progress has been made; if not, when will it be?

Mr. Baker answered,—

(1.) Yes; to *Mr. Licensed Surveyor Loder*, in October, 1878.

(2.) Yes; the road has been laid out through measured portions in the county of Nandewar.

(2.) Collision in Harbour of Newcastle:—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) In reference to the late collision in Newcastle Harbour between the Government steamer "Ajax" and a ship,—What is likely to be the amount of damages the Government will have to pay?

(2.) Has the Captain of the "Ajax" been appointed to the Government steamer "Thetis"?

Mr. Lackey answered,—

(1.) As-nearly as can be estimated at present, about £700.

(2.) No.

(3.) Customs Seizure:—*Mr. Taylor* asked the Colonial Treasurer,—

(1.) Is it true that a case containing 100 boxes of perfumed spirits, passed at the Custom-house on 29th March last as gloves, clothing, and blankets, was seized?

(2.) Is it true that the said goods were given up on payment of duty?

(3.) Upon what grounds were the said goods given up, and upon whose authority?

(4.) Was the said seizure reported to the Treasurer before given up?

Mr. Watson answered,—

(1.) Yes.

(2.) Yes, on payment of duty and expenses.

(3.) I am informed by the Acting Collector of Customs that, after full inquiry into the circumstances of this case, and having found that the difficulty had arisen from clerical carelessness at the port of shipment, and not from any attempt at fraud on the part of the importers, he, (the Acting Collector) in the ordinary execution of his duty, directed the seizure to be released, upon his own authority.

(4.) No. I will lay all the Papers in the case upon the Table in a day or two.

(4.) Railway Crossing, head of Darling Harbour:—*Mr. Taylor*, for *Mr. O'Connor*, asked the Secretary for Public Works,—

(1.) Has he received a Memorial from the residents of Darling Harbour and others interested in the traffic between the present Goods-shed at Darling Harbour, Ultimo, Glebe, Pyrmont, Balmain, and places adjoining, praying for a crossing-place for vehicles over the Railway Line at the head of Darling Harbour, in continuation of William-Henry-street?

(2.) If so, what is the intention of the Government?

(3.) Will the Government lay upon the Table of the House a copy of the above-mentioned Memorial?

(4.) When will the necessary instructions for survey be given, as requested?

Mr.

Mr. Lackey answered,—

- (1.) Yes, the Petition referred to has been received.
 - (2.) Reference has been made to the Crown Solicitor to ascertain whether the Railway Department is legally bound to afford a crossing over this portion of the Line for vehicle traffic.
 - (3.) There will be no objection to lay a copy of the Petition on the Table of the House.
 - (4.) This question will be determined upon receipt of the Crown Law Officer's advice in the matter; but I may state that it would not be prudent, on account of the great number of train movements on the Darling Harbour Line, to give a level crossing for vehicles at this place.
- (5.) The Volunteer Force :—*Mr. Taylor*, for Mr. O'Connor, asked the Colonial Secretary,—

- (1.) Are the members of the Volunteer Force who were efficient in the year 1877, and who have since been either struck off, or have proved themselves non-efficient, or have since resigned from the Volunteer Force, entitled to a share of the capitation allowance granted by Government for 1877?
- (2.) Are those members who were non-efficient in 1878 entitled to share of the same?

Sir Henry Parkes answered,—Not necessarily, unless the Officer Commanding Corps and Financial Committee of Corps decide so to apportion the fund.

- (6.) Port Darwin Telegraph Cable :—*Mr. Burns* asked the Colonial Secretary,—

- (1.) Is it true that this Government has given its assent to the Cable which has been manufactured by the Eastern Extension Company for the duplicate line between Penang, Singapore, and Port Darwin, being taken for the Aden and Cape of Good Hope line?
- (2.) If so, has any (and if any, what) new stipulation been made with the Company as to when the duplication is to be completed?

Sir Henry Parkes answered,—I may say that the whole of the contracting Colonies have consented to give up this Cable to the Imperial Government, in consequence of the urgent demand arising out of the war in Africa. I have not to hand the particulars as to the other part of the question, but I think the delay caused will be about six months, and in the meantime Press and Government messages will come at the rates agreed upon with the Cable now in existence.

- (7.) Point Piper and Glenmore Roads :—*Mr. Cameron*, for Mr. Greenwood, asked the Colonial Secretary,—When is the money voted by Parliament to be spent on repairing the Point Piper Road and the Glenmore Road?

Mr. Lackey answered,—No decision has yet been arrived at with regard to the Point Piper Road; but tenders for the repair of that portion of the Glenmore Road injured by the sand traffic to Rushcutters Bay will be invited in the course of a few days.

- (8.) Bands in Hyde Park :—*Mr. Hurley (Hartley)* asked the Colonial Secretary,—When do the Government intend to cause the Bands to perform in Hyde Park, in accordance with a Resolution passed by this House?

Sir Henry Parkes answered,—Instructions shall be given to the Band of the Permanent Force to play in the Domain very soon—in a week or so. Provision will have to be made to remunerate the Band of the Volunteers.

- (9.) Road from Mount Rankin to Little Forest Road :—*Mr. Taylor*, for Mr. W. H. Suttor, asked the Secretary for Mines,—What steps have been taken towards the opening of the newly surveyed road from Mount Rankin to the road to Little Forest?

Mr. Baker answered,—Instruction to measure was issued in June, 1878; the survey has been made, but the plan has not been received in the Surveyor General's Office.

- (10.) Public Tanks in the Gwydir Electorate :—*Mr. Thompson*, for Mr. Dangar, asked the Secretary for Public Works,—When will the Correspondence relative to the construction of Public Tanks in the Gwydir Electorate, ordered on 31st January last, be laid upon the Table of this House?

Mr. Baker answered,—The Correspondence referred to is now being copied, and will be laid upon the Table in the course of a few days.

- (11.) Bernard Bogan's Application for removal of a Publican's License :—*Mr. Jacob* asked the Colonial Treasurer,—

(1.) Was the opinion of the Attorney General obtained in the matter of Mr. Bernard Bogan's application for the removal to another house of his publican's license, the memorandum to authorize which was signed by two Justices in January last?

(2.) If so, has he any objection to lay a copy upon the Table of this House?

Mr. Watson answered,—

(1.) Yes.

(2.) No objection. A copy will presently be laid upon the Table.

- (12.) Road from Seaham and Clarence Town Road to Road from Clarence Town towards the Half-way House :—*Mr. Jacob* asked the Secretary for Mines,—

(1.) When may he expect an answer to his letter of 18th March last, asking that the Survey Department should be moved to mark out the road from the Seaham and Clarence Town Road to the road from Clarence Town, towards the Half-way House?

(2.) Has the request made in that letter been complied with?

Mr. Baker answered,—A report from the Surveyor has just been received, but has not yet been dealt with. It will be dealt with at once, and the result communicated to the Honorable Member.

- (13.) Inquiry into Lands and Survey Departments :—*Mr. Bennett* asked the Secretary for Lands,—What action (if any) does he intend to take with reference to the Report of the late Lands Commission?

Mr. Hoskins answered,—I cannot say that it is intended to take any special action in reference to the Report alluded to. There are, however, I may state, one or two matters relating to the general supervision of the business of the Department, and which have been alluded to in the Report, to which I propose to give my consideration during the Parliamentary recess.

(14.) The case of John M'Fay :—Mr. Bennett asked the Secretary for Lands,—

(1.) Has any report been received from the District or Local Surveyor, Armidale, in the case of John M'Fay, referred to in my letters to the Secretary for Lands, dated respectively 27th January last and 24th February last; if so, when, and what is the nature of such report?

(2.) If no report has yet been received, will the Minister call upon the District or Local Surveyor to forward a report in the said case without delay?

Mr. Hoskins answered,—

(1.) A report was received from Mr. Licensed Surveyor Manning, under which a decision was arrived at and communicated to the holder of the selections on the 23rd October, 1878. No further report has been received or called for; but Mr. Hanley Bennett's letters for John M'Fay have been referred to the Charting Branch of the Survey Department for investigation.

(2.) The selections of John M'Fay have been transferred to James Glass, and it does not appear that he has now any interest in the case.

(15.) Road from Muswellbrook to the Wybong :—Mr. McElhone asked the Secretary for Mines,—

(1.) In reference to the proposed deviation of the road from Muswellbrook to the Wybong,—What are the names of the parties who asked for this deviation; and is it not a fact that if it is made it will take the road out of a large quantity of land owned by one Mr. Boorer, and originally granted to Pike and others?

(2.) How many persons signed the petition presented by me against this deviation, and what are their names; and is he aware that Mr. Boorer always opposed the deviation of this road until after he bought the sections of land originally granted to Pike and others?

(3.) Who reported in favour of this deviation; and is he aware that if it is made it will go through a number of selectors land, who are opposed to the deviation of this road?

(4.) Will it not cost more to put this deviation of the road in repair, and to keep it in repair, than it will do to keep the old road used for so many years?

(5.) Will he give immediate instructions to stay the proclaiming and opening of this road, and send from Sydney an unbiassed officer to report as to the advisability of keeping to the old road, or opening the new one?

Mr. Baker answered,—

(1.) The deviation was asked for by a petition numerously signed, and was made on a report obtained of the District Surveyor, in consequence of the objections of Mr. James Nowland, the then owner of Pike's two sections of 640 acres each, through which the road ran.

(2.) Sixty persons signed the petition, dated 19th July, 1878, which was presented by Mr. McElhone, M.P.

(3.) Mr. District Surveyor Evans. The road will go through the land of a few selectors, but no formal objection has reached this Office since the date of proclamation.

(4.) No. The Surveyor who laid out the deviation was accompanied by an officer of the Works Department, and by their joint efforts the site of the road has been much improved; as a whole, it will traverse sounder ground, following gravelly ridges, which afford many facilities for formation and maintenance, advantages the flat nature of the country over which the old road passes does not possess.

(5.) No further action will be taken until the objections have been considered.

(16.) The Collector of Customs :—Mr. W. C. Browne asked the Colonial Treasurer,—When will the Return ordered by this House relating to the leave of absence of the Collector of Customs, and the appointment of an Acting Collector, be laid upon the Table?

Mr. Watson answered,—In the course of the week.

(17.) Stock Route through Baratta and Marago Stations :—Mr. Barbour asked the Secretary for Mines,—Has he decided which of the stock routes shall be adopted out of the two routes that were temporarily reserved on the Deniliquin and Moulamein Road, passing through Barratta and Marago Stations; if not, will he give the matter his immediate attention, and throw one of them open for selection at once?

Mr. Baker answered,—A small portion of Travelling Stock Reserve 1,032, lying between Baratta and Water Reserve 285, will shortly be cancelled; but there is no present intention to cancel either the winter or summer stock routes.

(18.) Land sold at Warialda :—Mr. W. C. Browne asked the Secretary for Lands,—

(1.) What area of land has been sold by auction at Warialda from the 1st January to 31st March, 1879?

(2.) The quantity for the same period in 1878?

Mr. Hoskins answered,—

(1.) One thousand one hundred and nine acres one rood (1,109a. 1r.)

(2.) Seven thousand three hundred and forty-seven acres (7,347a.)

2. LOAN FUNDS AMALGAMATION BILL :—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker :—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 13.

A Bill, intituled "*An Act to provide for the amalgamation of certain Loan Funds raised under special Loan Acts*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 23rd April, 1879.

3. PAPERS :—

Mr. Watson laid upon the Table,—Copy of the Opinion of the Attorney General in the case Mr. Bernard Bogan, on his application for removal of his Publican's License to another house.
Ordered to be printed.

Mr. Lackey laid upon the Table,—Return to an Order made on 25th March, 1879,—“ Bridge over the Castlereagh River, at Coonamble.”
Ordered to be printed.

4. SUSPENSION OF STANDING ORDERS (*Formal Motion*):—Mr. Watson moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing of a Bill, intituled “ A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,” through all its stages in one day, and would also preclude the Resolutions of the Committees of Supply and of Ways and Means, respectively, whereon the Bill is proposed to be founded, being received on the same day on which they are come to by the said Committees respectively.
Question put and passed.

5. ADJOURNMENT :—Mr. Fitzpatrick moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.

6. LANDS ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read for the resumption of the adjourned Debate on the motion of Mr. Hoskins, “ That this Bill be now read a second time,” upon which Mr. Greenwood had moved by way of amendment, That the Question be amended by the omission of all the words after the word “ That,” with a view to the insertion in their place of the words “ this House, while willing to redress any grievances that may have arisen under existing Acts, declines to legislate further in regard to the alienation and occupation of the Crown lands of the Colony until it is put in possession of authentic information respecting the original disposition and the names of the present holders of the twenty-nine million acres of Crown lands already reported as alienated and the hundred and fifty million acres reported as being under various forms of lease,—”
And the Question being again proposed, That the words proposed to be omitted stand part of the Question,—the House resumed the said adjourned Debate.
Question,—That the words proposed to be omitted stand part of the Question,—put and passed.
Question,—That this Bill be now read a second time,—put and passed.
Bill read a second time.

On motion of Mr. Hoskins, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again to-morrow.

7. POSTPONEMENTS :—The Orders of the Day of Government Business Nos. 2, 3, and 4 postponed, to follow after Order No. 6.
8. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit, till after Midnight,—

THURSDAY, 24 APRIL, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

(8.) *Resolved*,—That there be granted to Her Majesty for the Services of the year 1879, a sum not exceeding £422,000, being £305,000 to defray the expenses of the various Departments and Services of the Colony for the month of April, 1879, at the rates which have been sanctioned for 1878, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1879; £60,000 for wages of Railway Employés for the month of May, 1879; £7,000 for wages of Employés in the Department of Harbours and Rivers for the month of May, 1879; and £50,000 towards meeting the expenses connected with the International Exhibition to be held in Sydney in 1879, further sum.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

9. WAYS AND MEANS :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

(8.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Services of the year 1879, the sum of £422,000 be granted out of the Consolidated Revenue Fund of New South Wales to defray the expenses of the various Departments and Services of the Colony for the month of April, 1879; and for Wages of Railway Employés and Employés in the Department of Harbours and Rivers for the month of May, 1879; and towards meeting the expenses connected with the International Exhibition to be held in Sydney in 1879, further sum.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

10. CONSOLIDATED REVENUE FUND BILL (No. 5):—

(1.) Ordered, on motion of Mr. Watson, that a Bill be brought in, founded on Resolution of Ways and Means (No. 8), to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879.

(2.) Mr. Watson then *presented* a Bill, intituled "*A Bill to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—which was read a first time.

Ordered to be printed, and now read a second time.

(3.) Bill read a second time.

On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Watson, the report was adopted.

Ordered, that the Bill be now read a third time.

(4.) Bill read a third time, and, on motion of Mr. Watson, *passed*.

Mr. Watson then moved, That the Title of the Bill be "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 24th April, 1879, A.M.

The House adjourned at a quarter after Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 107.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 24 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Export of Australian Wine from New South Wales to English Ports:—Mr. Burns asked the Colonial Treasurer,—

(1.) The quantity of Australian Wine exported from New South Wales to English ports during the year 1878?

(2.) The like information for the period from the 1st January to the 31st March, 1879?

Mr. Watson answered,—

(1.) United Kingdom, 1,121 gallons; other British ports, 6,160 gallons.

(2.) United Kingdom, 446 gallons; other British ports, 436 gallons.

- (2.) Export of Australian Wine from New South Wales to New Zealand:—Mr. Burns asked the Colonial Treasurer,—

(1.) The quantity of Australian Wine exported from New South Wales to New Zealand during the year 1878?

(2.) The like information for the period from the 1st January to the 31st March, 1879?

Mr. Watson answered,—

(1.) 2,345 gallons.

(2.) 1,694 gallons.

- (3.) Bridge over the Gwydir River at Bundarra:—Mr. Terry asked the Secretary for Public Works,—Have the Government received tenders for the erection of a Bridge over the Gwydir River at Bundarra; if so, what conclusion have they come to in reference to such tenders?

Mr. Lackey answered,—Tenders have been received, and are now under consideration.

- (4.) Dangar Bridge:—Mr. J. Davies, for Mr. Dangar, asked the Secretary for Public Works,—

(1.) Is he aware that the Dangar Bridge over the Barwin River, near Walgett, is rendered useless in flood time, when most needed, by the fact that two Warambools on the north side of the river need bridges over them?

(2.) Will provision be at once made for providing and constructing such?

Mr. Lackey answered,—I am aware that a great part of the country in this vicinity is submerged at flood times; but further inquiry will be made, and whatever works are found to be necessary (at a reasonable cost) to render the main bridge accessible will be undertaken.

- (5.) John Capel's Conditional Purchase:—Mr. J. Davies, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Has the report of the Inspector been received in the case of John Capel, who selected on 23rd April, 1873, at Warialda, 160 acres on Anderson's Creek, county of Murchison?

(2.) If not, will such report be expedited?

(3.) When will the deeds of this land be ready for delivery?

Mr. Hoskins answered,—No. No conditional purchase by John Capel at Warialda on the 23rd April, 1873, can be traced in the Registers of this Department, nor was that date a Land Office day.

(6.)

(6.) Messrs. Day and Oliver, Department of Mines :—Mr. McElhone asked the Secretary for Mines,—

(1.) Is a person named Day employed in the office of which he is the head ?

(2.) Is a person named Oliver employed in the same department ; if so, is he aware that these two persons are to be seen about the streets of Sydney at all hours of the day and during office hours, and will he take the same steps as the Minister for Lands has done to compel all clerks in the department of which he is head to remain in office during office hours, and perform the work for which they are so highly paid by the public ?

Mr. Baker answered,—

(1.) Mr. Day resigned his appointment on 26th April, 1878, and has not since been employed in the service of the Government.

(2.) Mr. Oliver is employed in the Occupation Branch ; he has not, I am informed, absented himself during office hours without leave since I have been in office. He was absent on leave on Friday afternoon last. Steps have been taken to enforce the regular attendance of the clerks and officers in the Mining Department, and they are, I am informed, regular in their attendance.

(7.) Central and Water Police Courts :—Mr. W. C. Browne asked the Minister of Justice and Public Instruction,—What number of cases were tried at the Central and Water Police Courts from the 1st January to 31st March, 1879, respectively ?

Mr. F. B. Suttor answered,—During the period named 4,241 cases were tried at the Central Police Office, and 3,062 cases at the Water Police Court.

(8.) Timber Reserves :—Mr. Dangar asked the Secretary for Lands,—When will copies of the Reports from Surveyors and others relative to the Namoi-Narrabri, and other Timber Reserves on the Namoi River, as promised by Mr. Farnell on 8th October, 1878, be laid upon the Table of the House ?

Mr. Hoskins answered,—The Return is completed, with the exception of a plan required from the Survey Office, and which, I am told, will be ready in the course of a week. As soon as it is received the correspondence will be laid upon the Table.

(9.) Supplies for Government Institutions :—Mr. McElhone asked the Colonial Secretary,—When will the Report of the Commissioners regarding the supply of food to the Lunatic Asylum, Parramatta, and the "Vernon," be printed ?

Sir Henry Parkes answered,—As yet I have heard nothing from the Board appointed to make these inquiries ; but I understand privately that the Report is in course of being printed, and as soon as it reaches me I shall lay it upon the Table of the House ?

(10.) Exhibition Building :—Mr. McElhone asked the Colonial Secretary,—What sum of money has been spent on the Exhibition Building for material, wages, &c., up to the 19th of this month ?

Sir Henry Parkes answered,—The amount expended to the date named was £65,365 3s. 5d., which includes making terraces, embankments, roads, sewers, and erecting galvanized iron fences, also scaffolding, &c.

2. PAPERS :—

Mr. Watson laid upon the Table,—Correspondence relating to the Printing and Publication at the Government Printing Office of "The Australian Dictionary of Dates and Men of the Time."
Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Further Return to an Address adopted on 6th July, 1877,—
"Immigration"—Ship "Clyde."
Ordered to be printed.

3. PARLIAMENTARY POWERS AND PRIVILEGES BILL :—Sir Henry Parkes moved, pursuant to Notice, That this House do now resolve itself into a Committee of the Whole to consider what steps should be taken in respect to recent proceedings upon the Bill to provide for the Privileges of Parliament.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

Mr. Speaker resumed the Chair ; and the Chairman reported from the Committee a Resolution, which was read, as follows :—

Resolved,—That it is expedient that this House should communicate with the Legislative Council in order to be informed of the steps taken by the Council on the report of its Managers of the Free Conference on the subject of the Assembly's disagreements to the Council's amendments in the Parliamentary Powers and Privileges Bill.

On motion of Sir Henry Parkes, the Resolution was read a second time, and agreed to.

Ordered, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having, by Message dated the 4th of April a.m., insisted upon its disagreements from the Legislative Council's amendments in the Parliamentary Powers and Privileges Bill, and having requested a Free Conference with the Council on the subject of its disagreements, and having at the same time appointed ten of its Members to be Managers of such Conference ; and the Legislative Council having, by Message dated the 9th of April, agreed to the Free Conference requested by the Assembly, and having at the same time appointed ten of its Members to be Managers thereof, the said Conference took place on the 10th of April.

The Legislative Assembly now communicates with the Legislative Council, with whom originated the amendments in the Parliamentary Powers and Privileges Bill, which led to the Assembly's disagreements, and desires to be informed of the steps taken by the Council on the Report of its Managers of the said Conference.

*Legislative Assembly Chamber,
Sydney, 24th April, 1879.*

4. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

(1.) Consolidated Revenue Fund Bill (No. 5):—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 24th April, 1879.*

JOHN HAY,
President.

(2.) Redfern to Hunter-street Tramway Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act for the construction of a Tramroad from the Redfern Railway Terminus to Hunter-street Sydney,*"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

*Legislative Council Chamber,
Sydney, 24th April, 1879.*

JOHN HAY,
President.

REDFERN TO HUNTER-STREET TRAMWAY BILL.

SCHEDULE of the amendments referred to in Message of 24th April, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 1, line 9. Omit "and"
" " " After "eighty-fourth" insert "and eighty-fifth"

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Tuesday next.

(3.) Supreme Court (Additional Judge) Bill:—

MR. SPEAKER,

The Legislative Council having taken into consideration the Legislative Assembly's Message, dated 8th April, 1879, in reference to the Supreme Court (Additional Judge) Bill,—

Insists upon its amendments disagreed to by the Legislative Assembly,—

(1.) Because it will not conduce to the public interests that the Government should have the power of appointing a gentleman to the important office of a Judge of the Supreme Court who does not possess the right of audience in the Court over which he may be called upon to preside.

(2.) Because Attorneys not having the right of audience in the Supreme Court neither the Government nor the public have the means of testing their qualifications for the office of a Judge.

(3.) Because the public interests do not at present require so radical a change as that which is sought to be brought about by the portion of the Bill now rejected.

(4.) Because this principle should, if introduced at all, be embodied in a Bill by itself, or in a Bill for the amalgamation of the two branches of the legal profession, and thus receive full consideration upon its merits, and should not be tacked on to this Bill, which is brought in to meet a grave emergency, and to supply a want in the administration of Justice in this Colony.

*Legislative Council Chamber,
Sydney, 24th April, 1879.*

JOHN HAY,
President.

Mr. Windeyer moved, That this Message be taken into consideration in Committee of the Whole on Wednesday next.

Debate ensued.

Question put and passed.

The House adjourned at five minutes before Twelve o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 108.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 25 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Lands selected with Unregistered Volunteer Land Orders:—*Mr. W. C. Browne*, for *Mr. Coonan*, asked the Secretary for Lands,—Do the Government intend issuing Deeds for Lands selected with unregistered Volunteer Land Orders, pending the opinion of the Attorney General, ordered to be laid upon the Table of this House?

Mr. Hoskins answered,—No Deeds for Lands taken up under unregistered Volunteer Land Orders will be issued, pending receipt of the opinion referred to.

(2.) Road from Peat's Ferry Road to Berowra Creek:—*Mr. J. Davies*, for *Mr. Driver*, asked the Secretary for Public Works,—

(1.) Has any application been made to the Works Department to repair the road from the Peat's Ferry Road to Berowra Creek; if so, was such application considered and replied to, and what was the nature of such reply?

(2.) Is he aware that the road is at present almost impassable, and that the residents in the immediate neighbourhood are thereby put to considerable inconvenience?

(3.) Will he cause the road in question to be repaired at once?

Mr. Lackey answered,—

(1.) No such application can be traced.

(2 and 3.) Inquiry will be made, and a report obtained from the local road officer.

(3.) Pay of Government Workmen:—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) Will he give instructions to have the Government workmen paid the pay stopped from them for Christmas Day and Good Friday?

(2.) Is he aware that all private firms pay their men wages on the above days?

Mr. Lackey answered,—

(1.) As stated in my reply to similar question asked on the 22nd instant, this matter will receive prompt consideration.

(2.) I am not aware that this is the case; on the contrary, from inquiries made to day, it appears that the men paid at a daily rate in private establishments are not paid for Christmas Day and Good Friday. The following are the establishments from which this information has been obtained:—*Mort & Co.*, *John Frazer & Co.*, *Hudson Brothers*, *John Young*, *Mr. Chester* (stevedore), *the Atlas Company*, *Chapman & Co.*, *John Robertson* (coach builder), *Alderson & Sons*, *Bubb & Son*, *A. S. N. Company*, and *the Hunter River Steam Navigation Company*.

(4.) Double Line of Railway from the Zigzag to Bowenfels:—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) How many persons tendered for the Double Line of Railway from the Zigzag to Bowenfels?

(2.) The names and amounts of each person's tender?

(3.) The name of the successful tenderer, and the amount of his tender, and the length of line tendered for?

Mr. Lackey answered,—

(1.) Four tenders received.

(2.) *Daniel Williams*, £19,397; *W. Mason*, £20,376; *J. Wallace*, £22,744; *W. H. Bogie*, £26,780.

(3.) *Mr. Daniel Williams's* tender has been accepted for £19,397. The length of line is 4 miles 60 chains.

(5.)

(5.) Acting Judges:—Mr. Dillon asked the Attorney General,—What Members of the Bar were offered appointments as Acting Judges at the recent Circuit Courts?

Mr. Windeyer answered,—Mr. M. H. Stephen, Q.C., Mr. Davis, and Mr. Simpson.

(6.) Reserve No. 125, County of Arawatta:—Mr. Dillon asked the Secretary for Lands,—Has a Petition been presented to him asking to have Reserve No. 125, county of Arawatta, District of Inverell, gazetted as a Public Reserve, on the ground that there is no permanent water between this Reserve and Inverell, a distance of 10 miles; if so, will he cause the Reserve to be gazetted with as little delay as possible?

Mr. Hoskins answered,—Yes; a Petition was presented in 1877, but the Reserve had been previously withdrawn from lease, pending surveyor's report, by *Gazette* notice of 22nd August, 1877. The required report has lately been received, in accordance with which it has been decided that the reserve from sale and lease is to remain intact.

(7.) Mr. John Laing, Master of Steam Dredge "Samson":—Mr. O'Connor asked the Secretary for Public Works,—

(1.) What are the amounts received by John Laing, the Master of the Dredge, for 1876, 1877, and 1878?

(2.) What night-work had he to perform during the above-mentioned years?

(3.) What amount of money did he receive besides his salary for travelling, victualling, and other expenses since his appointment to the Dredge?

Mr. Lackey answered,—This information can better be given in the shape of a Return, which I will have prepared, and will lay upon the Table in the course of next week.

2. PAPERS:—

Mr. Watson laid upon the Table,—

(1.) Return to an Order made on 12th March, 1879,—“Mr. W. A. Duncan, Collector of Customs.”

(2.) Report of the Inspector of Glebe Island Abattoirs on certain Newspaper Statements.

(3.) Return showing the area of Land sold at Auction from the 1st January to 31st March, 1879, and the Deposits and Balances paid during the same period.

Ordered to be printed.

Mr. Baker laid upon the Table,—Return to an Order made on 1st April, 1879,—“Barrington Gold Field.”

Ordered to be printed.

3. MR. DUNSHEA, TIDE-WAITER (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House a copy of all Correspondence between Mr. Berney, Acting Collector of Customs, and the Inspector General of Police, respecting an alleged outrage on Mr. Tide-waiter Dunshea, together with the report of the Police thereon. Question put and passed.

4. CONSOLIDATED REVENUE FUND BILL (No. 5):—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 14.

A Bill, intituled “*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*”—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 25th April, 1879.

5. CHIPPENDALE ROMAN CATHOLIC CHURCH LAND SALE BILL:—The Order of the Day having been read,—Mr. O'Connor moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. O'Connor, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. O'Connor, the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

6. POSTPONEMENT:—The Order of the Day in reference to the Australian Cricketers postponed until Friday next.

7. IMPOUNDING ACT AMENDMENT BILL (No. 2):—The Order of the Day having been read,—Mr. Jacob moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Jacob, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with an amendment.

On motion of Mr. Jacob (*with the concurrence of the House*) the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

8. MEDICAL BILL (No. 2):—

(1.) The Order of the Day having been read,—on motion of Dr. Bowker, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Law respecting the Qualification of Medical Practitioners.

Mr.

Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read a first time, as follows :—

Resolved,—That it is expedient to bring in a Bill to amend the law respecting the Qualification of Medical Practitioners.

On motion of Dr. Bowker, the Resolution was read a second time, and agreed to.

(2.) Dr. Bowker *presented* a Bill, intituled "*A Bill to amend the Law respecting the Qualification of Medical Practitioners*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday next.

9. MARSUPIALS DESTRUCTION BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair; and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that there was not a Quorum present in the Committee.

Mr. Speaker counted the House, and there being a Quorum present the Committee resumed.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Friday, 9th May.

Notice was taken that there was not a Quorum present.

Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Beyers, Mr. Cameron, Mr. Copeland, Mr. Day, Mr. Dillon, Mr. Farnell, Mr. Fitzpatrick, Mr. Hoskins, Mr. Hungerford, Mr. Jacob, Mr. Lackey, Mr. Macintosh, Sir Henry Parkes, Mr. F. B. Suttor, Mr. Watson, Mr. Webb, and Mr. Windeyer,—

Mr. Speaker adjourned the House at seven minutes after Five o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 109.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 29 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

(1.) Bridge over Jacob and Joseph Creek :—*Mr. McElhone*, for Mr. Bennett, asked the Secretary for Public Works,—

(1.) When will the approaches to the Bridge recently erected over Jacob and Joseph Creek from George-street, Quirindi, be completed and opened for general traffic ?

(2.) Why has not the above-mentioned work been carried out by the Department ?

Mr. Lackey answered,—The approaches have been made as far as they can be until Railway crossing is opened at Henry-street, as stated in reply to a question on 26th ultimo. If extended now they would block the present access to the Bridge by George-street.

(2.) Mudgee Turf Club Bill :—*Mr. Macintosh* asked the Colonial Secretary,—

(1.) How many persons attached their signatures to the Petition presented to this House in favour of passing the Mudgee Turf Club Bill into law ?

(2.) How many persons whose signatures were so attached are residents of Mudgee ?

(3.) How many persons who signed the Petition gave no residence ?

(4.) How many persons who signed the Petition gave their address as residents of Log Paddock and of Gulgong ?

(5.) About how far distant from the town of Mudgee is Log Paddock and Gulgong situated ?

Sir Henry Parkes answered,—

(1.) Two hundred.

(2.) Sixty-three have given their address as Mudgee.

(3.) Eighty-two.

(4.) Log Paddock, two ; Gulgong, fifty-three.

(5.) About 24 miles.

(3.) Township of Millie :—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—When will the Papers, &c., connected with the survey of Millie Township, between Narrabri and Moree, surveyors tracings, showing old and new sites, alienated land, and reserves in the locality, be laid upon the Table of the House ?

Mr. Hoskins answered,—As the Papers were not moved for in the ordinary way, nor even promised to be laid upon the Table of the House (an answer to a previous question being merely to the effect that there would be no objection to lay copies of the Papers upon the Table), no action has been taken in the matter. The Papers are now to hand, and I have given instructions to lay out the Village on the site recommended by the District Surveyor.

(4.) Post Office, Glen Alice :—*Mr. Farnell* asked the Colonial Secretary,—

(1.) Have any complaints reached the Postmaster General relative to the manner in which the Post Office at Glen Alice is conducted ?

(2.) Has any complaint been made to the Postmaster General that an important telegram, addressed to a lady from her husband, was opened at the said Post Office by the officials ?

(3.) Has the Postmaster General caused any inquiry to be made into the matter ; if not, will he cause inquiry to be made ?

Sir Henry Parkes answered,—

(1.) Complaints have been made that the Glen Alice Post Office is not conducted in a manner satisfactory to some of the residents. The Inspector for the district has been directed to inquire into these complaints and report to the Postmaster General.

(2.)

- (2.) Such a complaint has been made, and the Postmaster offers the following explanation:—"I beg to report in this matter that my assistant, Miss McLean, who has taken the declaration, being in the Post Office at the time the telegram in question arrived, and reading the address as Mrs. McLean instead of Mrs. McLeod, thought it was for her mother and opened it, but, immediately perceiving her mistake, closed it again, with the explanatory 'Opened by mistake.' I beg to assure you, Sir, that my assistant has not ceased to regret the error, which, although certainly the result of carelessness, yet was one, which, from the similarity of the names, might be easily committed; and furthermore, she was in expectation of a telegram, as even then her nephew lay at the point of death in a distant town."
- (5.) Volunteer Land Orders:—Mr. Garrett asked the Secretary for Lands,—The number of Volunteer Land Orders received in payment for land by the Government to date?
Mr. Hoskins answered,—Two thousand seven hundred.
- (6.) Railway Extension to Hay:—Mr. Barbour asked the Secretary for Public Works,—
(1.) Has any Commission been appointed or any investigation been made as to the two routes of extension of the Southern Railway to Hay?
(2.) Have any reports been received; and if so, will he lay a copy of such upon the Table of the House?
Mr. Lackey answered,—
(1.) Yes, by the Commissioner and Engineer-in-Chief for Roads and the Surveyor General.
(2.) Yes; the Report will be laid upon the Table of the House to-morrow.
- (7.) Mr. T. B. Carne, Inspector of Conditional Purchases:—Mr. Barbour asked the Secretary for Lands,—What number of conditional purchases did T. B. Carne, of Deniliquin, inspect during the first three months of his temporary appointment as Inspector of Conditional Purchases, and how much was he paid for each inspection?
Mr. Hoskins answered,—127 reports, at 10s. 6d. each inspection.
2. MAJOR BLACK, KIAMA VOLUNTEERS (*Formal Motion*):—Mr. J. Davies, for Mr. Charles, moved, pursuant to Notice, That an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House copies of all correspondence, &c., between Major Black and the Brigade Office, together with all Minutes and other Documents in reference thereto, including a Minute of the Commandant to His Excellency the late Governor, and the reply of His Excellency thereto, commencing with the Brigade Order of 23rd October, 1878, No. 130, to the present date.
Question put and passed.
3. INTERNATIONAL EXHIBITION BUILDING (*Formal Motion*):—Mr. Fitzpatrick moved, pursuant to Notice, That there be laid upon the Table of this House a copy of the Letter of the Colonial Architect to the Colonial Secretary submitting a plan or sketch of the proposed Building for the International Exhibition.
Question put and passed.
4. CHIPPENDALE ROMAN CATHOLIC CHURCH LAND SALE BILL (*Formal Order of the Day*),—on motion of Mr. O'Connor, read a third time, and passed.
Mr. O'Connor then moved, That the Title of the Bill be "*An Act to enable the Very Reverend Samuel John Austin Sheehy the Reverend Michael John Dwyer John James Curran John Williamson and Patrick Mulcahy as Trustees of certain land on the Old Cook's River Road in the Parish of Petersham to sell the said land and to provide for the application of the proceeds thereof.*"
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council, with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled "*An Act to enable the Very Reverend Samuel John Austin Sheehy the Reverend Michael John Dwyer John James Curran John Williamson and Patrick Mulcahy as Trustees of certain land on the Old Cook's River Road in the Parish of Petersham to sell the said land and to provide for the application of the proceeds thereof,*"—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with an attested copy of the Deed of Grant referred to in the Preamble.
*Legislative Assembly Chamber,
Sydney, 29th April, 1879.*
5. IMPOUNDING ACT AMENDMENT BILL (No. 2) (*Formal Order of the Day*),—on motion of Mr. Jacob, read a third time, and passed.
Mr. Jacob then moved, That the Title of the Bill be "*An Act to amend the 'Impounding Act of 1865.'*"
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council, with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend the 'Impounding Act of 1865,'*"—presents the same to the Legislative Council for its concurrence.
*Legislative Assembly Chamber,
Sydney, 29th April, 1879.*
6. GOVERNOR'S SIGNATURE BILL:—Captain Onslow presented a Bill, intituled "*A Bill to render valid all Crown Grants and other Documents to which His Excellency the Governor has affixed a Stamp instead of his Sign Manual,*"—which was read a first time.
Ordered to be printed, and read a second time on Friday, 16th May.
7. PAPER:—Sir Henry Parkes laid upon the Table,—Return to an Order made on 29th April, 1879,—"*International Exhibition Building.*"
Ordered to be printed.

S. BARRINGTON GOLD FIELD:—Mr. Copeland moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Lieutenant-Governor, praying that his Excellency will be pleased to cause the sum of £500 to be placed on the Additional Estimates for 1879, from which to pay a reward to the discoverer of the Barrington Gold Field.

Debate ensued.

Question put.

The House divided.

Ayes, 32.

Sir Henry Parkes,	Mr. Terry,
Mr. F. B. Suttor,	Mr. W. C. Browne,
Mr. Watson,	Mr. Murphy,
Mr. Windeyer,	Mr. Beyers,
Mr. Lackey,	Mr. Garrett,
Mr. Baker,	Mr. Stuart,
Mr. Cohen,	Mr. Badgery,
Mr. Fitzpatrick,	Mr. Sutherland,
Mr. O'Connor,	Mr. Macintosh,
Dr. Bowker,	Mr. Lucas,
Mr. Stephen Brown,	Mr. Farnell,
Mr. Day,	Mr. T. R. Smith,
Mr. H. H. Brown,	Mr. Hoskins,
Mr. Merriman,	<i>Tellers.</i>
Mr. Jacob,	
Mr. Barbour,	Mr. Copeland,
Mr. Burns,	Mr. Johnston.

Noes, 12.

Mr. Cameron,
Mr. Greenwood,
Mr. J. Davies,
Mr. McElhone,
Mr. Lynch,
Mr. Tecce,
Mr. Eckford,
Captain Onslow,
Mr. Driver,
Mr. Hungerford,

Tellers.

Mr. Moses,
Mr. Roseby.

And so it was resolved in the affirmative.

9. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

(1.) Bank Liabilities and Assets Publication Act Extension Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales and the Registration of the names of the Proprietors thereof*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 29th April, 1879.

JOHN HAY,
President.

BANK LIABILITIES AND ASSETS PUBLICATION ACT EXTENSION BILL.

SCHEDULE of the Amendments referred to in Message of 29th April, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 1, lines 7 and 8. Omit "individual within the Colony carrying on the business of
"Banking" insert "association receiving money on deposit within the Colony of New
"South Wales and trading under limited liability."
" clause 1, line 8. Omit "individual" insert "association"
" " 2. Omit clause 2.

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Friday, 9th May.

(2.) Customs Regulation Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to amend and consolidate the Laws for the regulation of the Customs*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 29th April, 1879.

JOHN HAY,
President.

CUSTOMS REGULATION BILL.

SCHEDULE of the Amendments referred to in Message of 29th April, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 1. Omit clause 1 insert the following new clause:—

"1. After the commencement of this Act the whole of the unrepealed sections of the several Acts repealed.
"Acts set forth in the First Schedule hereto shall be and are hereby repealed except as to any-
"thing previously done under the authority of any of the said Acts and except so far as relates
"to any arrears of duty or to any drawback which shall be or become due or payable And except
"so far as may be necessary for the purpose of supporting or continuing any proceeding already
"taken or to be taken after the commencement of this Act And except as to the recovery or
"application of any penalty for any offence committed or any forfeiture incurred before the com-
"mencement of this Act And all orders and regulations and appointments duly made and all
"bonds or other securities taken or licenses granted shall nevertheless be valid and effectual."

Pages

Pages 2 and 3, clause 2. *Omit* clause 2 *insert* the following new clause:—

" 2. In the construction of this Act the following words within inverted commas shall have the meanings and include the persons or things set against them respectively unless inconsistent with the context"—

" Boat"—Any vessel employed in removing goods or passengers in port.

" Bonded Goods"—All dutiable goods placed in a warehouse under the control of the Customs pending the payment of duties.

" Cargo"—All articles of merchandise not being ships' stores passengers' luggage or ballast.

" Coaster" or " Coasting-ship"—Any ship employed in the coasting trade.

" Coasting Trade"—Trade by ships from port to port within the Colony.

" Collector"—The Collector of Customs or the principal officer of Customs at any port or place or any person duly appointed to act for either.

" Commissioners"—The Board called "The Commissioners of Customs."

" Customs"—The Department of Customs.

" Dray"—Any wheeled carriage for the conveyance of goods.

" Drawback"—The lawful return of duty previously paid on the exportation of goods.

" Dutiable Goods"—All goods subject to the payment of duty and on which duty has not yet been paid.

" Entry"—The Customs document required for the landing or discharge of goods from any importing ship or warehouse.

" Foreign" or " Abroad"—Out of the Colony of New South Wales.

" Goods"—Any description of merchandise or chattels.

" Governor"—The Governor with the advice of the Executive Council.

" Hatchway"—Any entrance whatever to the hold of a vessel.

" Importer"—The owner consignee or other person then possessed of or beneficially interested in any goods imported until duly discharged by the Customs.

" Justice"—Any Justice of the Peace.

" Landing Waiter"—Any officer authorized to superintend the landing or examination of goods on their importation or exportation.

" Legal Wharf"—Any public wharf quay railway shed or other place duly appointed for the lading or unlading of goods.

" Master"—The person in command or charge of any ship.

" Month"—Calendar month.

" Office"—Any office or employment in the Department of Customs.

" Officer" " Proper Officer" or " Officer of Customs"—Any person duly employed or appointed to act in the performance of any duty in the Customs or under this Act and who shall be deemed the proper officer or other officer named in any Act for the collection of Customs duties.

" Owner of Goods"—Any person entitled whether as owner or agent for the owner to the possession of the goods subject to any lawful lien subsisting.

" Package"—Cask case bundle or parcel of any kind or description.

" Port"—Any anchorage for shipping proclaimed to be a port.

" Queen's Warehouse"—Any place duly appointed for lodging goods therein under the order of the Collector.

" Ship"—Any kind of vessel used in navigation.

" Shipowner"—or " Owner of a Ship"—The owner master or any person authorized to act as agent for the owner or to receive freight or other charges payable in respect of any ship.

" Ship's Stores"—All stores *bona fide* shipped for consumption on board and not forming part of the cargo.

" Seamen"—Any mate mariner or other person being one of the crew of any ship.

" Sufferance Wharf"—Any private wharf duly authorized for the lading and unlading of goods.

" Transire"—A permit or warrant for the passage of goods coastwise.

" Uncustomed Goods"—Any goods which have not been duly passed by the Customs.

" Warehouse" or " Bonded Warehouse"—Any licensed building or premises in which goods when landed from ships may be lawfully placed until cleared by the Customs.

" Warehouse-keeper"—The officer in charge of any Queen's Warehouse or the owner or other person lawfully in charge of any licensed warehouse.

" Wharfinger"—The owner or other person lawfully in charge of any wharf."

Page	4,	clause	9,	line	12.	<i>Omit</i> "localities" <i>insert</i> "places"		
"	"	"	15,	line	53.	<i>Omit</i> "liable to confiscation" <i>insert</i> "forfeited"		
"	"	"	15,	line	54.	<i>Omit</i> "be liable to a penalty not exceeding" <i>insert</i> "forfeit a sum of"		
"	"	"	15,	lines	54, 55.	<i>Omit</i> "nor less than five pounds"		
"	5,	"	20,	line	40.	<i>Omit</i> "a Court of competent jurisdiction" <i>insert</i> "the Supreme Court"		
"	6,	"	22,	line	17.	At end of clause <i>add</i> "so adjudged"		
"	"	"	25,	line	47.	<i>Omit</i> "disallowed as hereinbefore provided for" <i>insert</i> "by the Governor remitted within seven days after such adjudication"		
"	7,	"	27,	line	19.	<i>Omit</i> "in Council"		
"	"	"	29.	At	end	of	clause	<i>add</i> "Provided also that any of such Commissioners may by writing under his hand addressed to the Governor resign his office in which case or in case of the death or removal from office of any such Commissioner the Governor may appoint a Commissioner in his place"
"	"	"	30,	line	46.	<i>Omit</i> "minor"		
"	"	"	30,	line	46.	<i>After</i> "sum" <i>insert</i> "of money"		
"	"	"	30,	line	46.	<i>After</i> "in lieu of" <i>insert</i> "and less than the value of"		
"	"	"	31,	line	53.	<i>Omit</i> "may" <i>insert</i> "shall"		
"	8,	"	51,	line	22.	<i>Omit</i> "in Council"		

Page 8, clause	31, line 23.	Omit "distemper" insert "disease"	
"	"	32, line 30. Omit "in Council"	
"	"	33, line 40. After "the" insert "141st meridian of east longitude being the"	
"	"	33, line 41. Omit "parallel" insert "or boundary line"	
Page 9, "	"	35, line 7. Omit "liable to forfeiture" insert "forfeited"	
"	"	36, line 9. After "any" insert "hatchway"	
"	"	36, line 15. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	36, line 15. After "pounds" insert "nor less than ten pounds"	
"	"	36, line 16. Omit "any" insert "shall forfeit a"	
"	"	37, line 30. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	39, line 41. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	39, line 44. Omit "liable to forfeiture" insert "forfeited"	
Page 10, "	"	40, lines 4, 5. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	42, line 17. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	43. At end of clause add "and may by Proclamation to be published in the Gazette exempt any ports or places on the said river or on any boundary line or Border of the Colony from the operation of this Act or any specified part thereof"	
"	"	46, line 36. Omit "in the case of steamers"	
"	"	46, lines 54, 55. Omit "may be seized and shall be liable to forfeiture" insert "shall be forfeited"	
Page 11, "	"	49, line 25. Omit "six" insert "seven"	
"	"	49, line 56. Omit "of Customs"	
Page 12, "	"	50, line 6. Omit "three" insert "six"	
"	"	55, line 58. Omit "ninety days" insert "six months"	
Page 13, "	"	57, line 24. Omit "customary"	
"	"	57, line 24. After "rates" insert "which may be fixed by the Colonial Treasurer as provided by section 13"	
"	clause	59, lines 38, 39. Omit "Commissioners of Customs" insert "the Colonial Treasurer"	
Page 14, "	"	64, line 29. Omit "liable to forfeiture" insert "forfeited"	
Page 15, "	"	68, line 5. Omit "liable to forfeiture" insert "forfeited"	
"	"	68, line 7. Omit "liable to forfeiture" insert "forfeited"	
"	"	68, line 13. Omit "liable to forfeiture" insert "forfeited"	
"	"	70. Omit clause 70.	
"	"	71. Omit clause 71.	
Pages 15, 16, "	"	72. Omit clause 72.	
Page 16, "	"	73. Omit clause 73.	
Page 17, after clause 79		insert the following new clause:—	
"	"	76. Any wine spirit cordial or compound or any other liquor whatsoever imported into the Colony which shall contain a greater proportion than forty-one per centum of alcohol of a specific gravity of 92 at the temperature of 60 degrees according to Fahrenheit's thermometer shall be deemed to be spirits so as to render the same liable to the payment of duty thereon at the highest rate which now is or shall hereafter be fixed by law as chargeable on any spirit whatever."	Duty on Imported liquor containing over forty-one per cent. of alcohol.
Page 17, clause	81, line 22.	Omit "liable to forfeiture" insert "forfeited"	
"	"	84, line 48. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	85, line 51. Omit "or" insert "and"	
"	"	85, lines 53, 54. Omit "be liable to a penalty" insert "forfeit a sum"	
Page 18, "	"	86, line 3. Omit "liable to forfeiture" insert "forfeited"	
"	"	87, line 5. Omit "with the authority" insert "in the presence"	
"	"	87, lines 7, 8. Omit "be guilty of a misdemeanor and be punished accordingly" insert "for every such offence forfeit the sum of one hundred pounds"	
"	clause	88, line 11. Omit "or payable"	
"	"	88, line 12. Omit "such goods" insert "any goods from any warehouse"	
"	"	90, line 31. Omit "be liable to a penalty" insert "forfeit a sum"	
Page 21, clause	101, line 3.	After "entry" insert "and under the care of the proper officers"	
"	"	105, line 41. Omit "be liable to a penalty" insert "for every such offence forfeit a sum"	
"	clause	106, line 52. Omit "liable to forfeiture" insert "forfeited"	
Page 23, "	"	111, lines 27, 28. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	113, line 43. Omit "otherwise"	
"	"	115, lines 56, 57. Omit "be liable to a penalty" insert "forfeit the sum"	
Page 24, clause	118, line 29.	Omit "liable to forfeiture" insert "forfeited"	
"	"	120, line 53. Omit "the same shall" insert "if such copy be found to correspond with the goods so remaining on board the proper officer shall sign the same to"	
"	clause	120, line 54. Omit "account of the ship's stores" insert "victualling bill of the ship"	
Page 25, clause	123, line 26.	Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	123, line 30. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	125, line 38. Omit "in Council"	
"	"	125, lines 43, 44. Omit "liable to forfeiture" insert "forfeited"	
"	"	126, line 53. Omit "liable to forfeiture" insert "forfeited"	
"	"	126, lines 53, 54. Omit "be liable to a penalty" insert "forfeit a sum"	
Page 26, clause	127, line 3.	Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	129, line 23. Omit "liable to forfeiture" insert "forfeited"	
"	"	129, line 25. Omit "liable to forfeiture" insert "forfeited"	
"	"	129, line 27. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	130, line 34. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	131, lines 40, 41. Omit "be liable to a penalty" insert "forfeit a sum"	
"	"	132, line 50. Omit "be liable to a penalty" insert "forfeit a sum"	
Page 27, clause	134, lines 20 to 22.	Omit paragraph (2).	
"	"	134, lines 27 to 33. Omit paragraph (4).	

- Page 27, clause 134, line 34. *Omit* "Provided that all" *insert* "And all such"
- " " 134, line 34. *Omit* "so made are thereupon" *insert* "shall be forthwith"
- " " 134, line 35. *Omit* "that"
- " " 134, lines 35 and 36. *Omit* "without unnecessary delay" *insert* "within fourteen days after such publication"
- " clause 134, line 37. *Omit* "one month" *insert* "fourteen days"
- Page 28, clause 137, line 16. *After* "be" *insert* "forfeited or"
- " " 137, line 21. *Omit* "thereof" *insert* "of the thing forfeited"
- " " 138, line 23. *After* "in" *insert* "this or"
- " " 140, line 36. *Omit* "be liable to a penalty" *insert* "forfeit a sum"
- " " 140, line 36. *After* "pounds" *insert* "and such goods shall be liable to forfeiture"
- Page 29, clause 143, line 9. *Omit* "be liable"
- " " 143, line 10. *Omit* "to a penalty" *insert* "forfeit a sum"
- " " 143, line 20. *Omit* "be guilty of a misdemeanour" *insert* "for every such offence forfeit the sum of one hundred pounds"
- " clause 145, line 33. *Omit* "liable to forfeiture" *insert* "forfeited"
- " " 145, line 34. *Omit* "be liable to a penalty" *insert* "forfeit a sum"
- " " 147, line 43. *After* "goods" *insert* "the same shall be forfeited and"
- " " 147, lines 43, 44. *Omit* "be liable to a penalty not exceeding one hundred pounds and such ship or boat shall be forfeited" *insert* "forfeit a sum equal to the value of such vessel or boat not in any case exceeding five hundred pounds"
- " clause 148, lines 49 to 51. *Omit* "And whenever any such boat not so marked shall be found the master shall be liable to a penalty not exceeding ten pounds" *insert* "on pain of the forfeiture of every boat not so marked wherever the same shall be found."
- Page 30, clause 149, line 2. *Omit* "liable to forfeiture" *insert* "forfeited"
- " " 149, lines 2, 3. *Omit* "be liable to a penalty" *insert* "forfeit a sum"
- " " 150, line 9. *Omit* "liable to forfeiture" *insert* "forfeited"
- " " 151, line 19. *Omit* "liable to forfeiture" *insert* "forfeited"
- " " 152, line 28. *Omit* "liable to forfeiture" *insert* "forfeited"
- " " 152, line 29. *After* "boat" *insert* "during chase"
- " " 153, line 40. *Omit* "liable to forfeiture" *insert* "forfeited"
- " " 154, line 59. *Omit* "liable to forfeiture" *insert* "forfeited"
- Page 31, clause 156, lines 10, 11. *Omit* "be liable to a penalty" *insert* "forfeit a sum"
- " " 158, lines 38, 39. *Omit* "be liable to a penalty of" *insert* "forfeit a sum of not less than twenty nor more than"
- Page 32, clause 165, lines 36, 37. *Omit* "be liable to a penalty of" *insert* "forfeit a sum not exceeding"
- " clause 166, line 51. *After* "seized" *insert* "and as soon as the party so claiming shall have entered into the security required by law for prosecuting such claim the ship boat or goods seized shall if required be delivered up to the claimant on his entering into a bond in double the value thereof with two or more sufficient sureties to be approved of by the Collector or other principal officer of Customs at the port where or nearest to where the seizure was made with a condition that in the event of the said ship boat or goods being condemned the single penalty of the bond shall be forthwith paid to the aforesaid Collector or other principal officer."
- Page 33, clause 167, lines 7, 8. *Omit* "be liable for every such offence to a penalty of" *insert* "forfeit a sum not exceeding"
- " clause 168, lines 32, 33. *Omit* "be liable to a penalty of" *insert* "forfeit"
- " " 169, line 42. *Omit* "be liable"
- " " 169, lines 42, 43. *Omit* "to a penalty equal to" *insert* "forfeit"
- " " 170, line 48. *Omit* "be liable"
- " " 170, lines 48, 49. *Omit* "to a penalty equal to" *insert* "forfeit"
- Page 34, clause 172, line 4. *After* "seized" *insert* "or shall rescue any person apprehended for any offence punishable by fine or imprisonment under any such Act or prevent or attempt to prevent his apprehension"
- " clause 172, line 8. *Omit* "be liable to a penalty" *insert* "forfeit a sum"
- " " 173, line 16. *Omit* "kept in penal servitude" *insert* "sentenced to hard labour on the roads or other public works of the Colony"
- " clause 174, line 23. *Omit* "be liable to a penalty equal to" *insert* "forfeit"
- Page 35, clause 181, line 41. *After* "convictions" *insert* "may be in such forms respectively as the Commissioners of Customs shall with the approval of the Colonial Treasurer from time to time frame in that behalf but until such forms shall be so framed and approved all such proceedings"
- " clause 181, lines 43 to 45. *Omit* "with such words added as are applicable to the offence or forfeiture and with the number in figures of the section creating the offence or forfeiture" *insert* "and the counts therein or in any such approved forms contained with reference to any offences created by or punishable under the several sections of this Act to which the same or any of them relate"
- " clause 181, line 51. *Before* "form" *omit* "the" *insert* "any such"
- " " 181, line 51. *Omit* "in the said Third Schedule."
- Page 36, clause 186, line 55. *Omit* "complaints or other legal"
- " " 186, line 55. *After* "Justices" *insert* "against any person for non-compliance with or any breach of this Act or any regulations made under its authority."
- " clause 186, line 56. *Omit* "of Customs."
- " " clause 186, lines 57 to 59. *Omit* "against any person for non-compliance with or any breach of this Act or any regulations made under its authority."
- Page 37. *After* clause 187 *insert* the following new clauses:—
- " 185. No action shall be commenced against any officer of the army navy or marines on full pay or of the Customs or against any person acting under the direction of the Commissioners or the

"the Collector for anything done in the execution of or by reason of his office until one month next after notice in writing shall have been delivered to him or left at his usual place of abode by the plaintiff his attorney or agent in which notice shall be clearly stated the cause of action and the Court in which the same is intended to be brought the name and place of abode of the plaintiff and the name and place of business of such attorney or agent and if any action shall be commenced against any such officer or person and no such notice shall have been given such officer or person may call upon the plaintiff to establish to the satisfaction of the Court or a Judge on affidavit that such action is brought for some act matter or thing not done in the execution of or by reason of his office and if the plaintiff shall fail so to satisfy the Court or Judge such action shall be stayed Provided always that if the plaintiff shall so satisfy the Court or Judge he shall not be allowed on the trial of such action to give evidence of any cause of action other than such as shall have been disclosed in such affidavit."

"186. Upon the trial of any action brought in pursuance of such notice the plaintiff shall not be entitled to a verdict without proving on the trial that such notice had been duly served and in default of such proof the defendant in such action shall receive a verdict nor shall any such plaintiff be at liberty to produce any evidence of any cause of action except such as has been distinctly stated in such notice." Evidence limited to subject in notice.

"187. It shall be lawful for any officer or person to whom such notice shall be given at any time within one month after service of such notice as aforesaid to tender amends to the plaintiff his attorney or agent and in case such amends be not accepted to plead such tender in bar of the action together with the plea of 'not guilty' and other pleas with leave of the Court where such leave is or shall be by law required or necessary and if upon the trial of such action the jury shall find the amends so tendered sufficient they shall give a verdict for the defendant." Tender of amends.

"188. Every such action against any such officer or person as aforesaid shall be commenced within two months after the cause of action shall have arisen and if such action be brought in respect of any seizure made by such officer or person such cause of action shall not be deemed to have arisen until the day after the trial of the information with respect to such seizure and the venue in such action shall be local and the defendant may plead the general issue and give the special matter in evidence on the trial thereof." Limitation of actions and general issue.

Page 37, clause 192, line 52. *Omit* "of Customs."

Page 38. After clause 192 *insert* the following new clauses:—

"194. If any officer of the Customs or other person duly authorized to act as such shall make any collusive seizure or deliver up or make any agreement to deliver up or not to seize any vessel boat or goods liable to forfeiture or take any bribe or gratuity for the neglect or non-performance of his duty every such officer or other person shall forfeit for every such offence a sum not exceeding *five* hundred pounds nor less than *ten* pounds." Officers making collusive seizures to forfeit £500.

"195. Every person who shall give or offer or promise to give any bribe recompense or reward or shall make any collusive agreement with any such officer as aforesaid to induce him in any way to neglect his duty or to do or conceal or connive at any act whereby any of the provisions of any Act of the Imperial Parliament or any law rule order or regulation in force within the said Colony may be evaded every such person shall whether the offer be accepted or performed or not forfeit a sum not exceeding *two* hundred pounds nor less than *ten* pounds." Persons offering a bribe to forfeit £200.

Page 38, clause 195. At end of clause *add* "and it shall come into force on the first day of July in the year 1879."

Page 39. Third Schedule, lines 41, 42. *Omit* "[here insert in figures the number of the section creating the offence.]"

Page 40. Third Schedule, lines 1 to 6. *Omit* "paragraph under the heading of "Count for Contumacy."

Examined—

J. GEO. LONG LYNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Tuesday next.

10. HOSPITAL IN MACQUARIE-STREET:—Mr. Day moved, pursuant to Notice,—

(1.) That, in the opinion of this House, no further steps should be taken by the Directors of the Sydney Infirmary for the erection of the proposed new Hospital in Macquarie-street, either by approving of the plans or accepting tenders for the erection of the buildings, until after the Bill for incorporating the Society, which is now under the consideration of the Legislative Council, shall have finally passed through all its stages, and the Government are fairly represented in accordance with the provisions of the said Bill at the Board Meetings of the said Directors.

(2.) That the above Resolution be communicated by Address to His Excellency the Lieutenant-Governor.

Debate ensued.

Question put.

The House divided.

Ayes, 16.

Mr. Cameron,	Mr. Hungerford,
Mr. Wisdom,	<i>Tellers.</i>
Mr. Roseby,	Dr. Bowker,
Mr. Lucas,	Mr. Day.
Mr. O'Connor,	
Mr. Moses,	
Mr. Burns,	
Mr. Teece,	
Mr. Leary,	
Mr. Johnston,	
Mr. Barbour,	
Mr. K. B. Smith,	
Mr. Murphy,	

Noes, 24.

Sir Henry Parkes,	Mr. Jacob,
Mr. Fitzpatrick,	Mr. Driver,
Mr. F. B. Suttor,	Mr. Badgery,
Mr. Baker,	Mr. Copeland,
Mr. Watson,	Mr. Greenwood,
Mr. Windeyer,	Mr. Lackey,
Mr. Cohen,	Mr. Hoskins,
Mr. J. Davies,	Mr. Sutherland,
Mr. Garrett,	Mr. Terry,
Mr. McElhone,	<i>Tellers.</i>
Mr. Macintosh,	Mr. Clarke,
Mr. Stephen Brown,	Mr. W. C. Browne.
Mr. Beyers,	

And so it passed in the negative.

11.

11. COHEN'S ENABLING BILL :—Mr. Burns, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before; the Select Committee for whose consideration and report this Bill was referred on 4th April, 1879; together with a copy of the Bill as amended and agreed to in the Committee.
 Ordered to be printed.
 Mr. Burns then moved, That the Bill be read a second time on Friday, 9th May.
 Question put and passed.

And it being Seven o'clock, Government Business was proceeded with.

12. REDFERN TO HUNTER-STREET TRAMWAY BILL :—The Order of the Day having been read,—on motion of Mr. Lackey, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill. Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.
 On motion of Mr. Lackey, the report was adopted.
 Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled "*An Act for the construction of a Tramroad from the Redfern Railway Terminus to Hunter-street Sydney.*"

*Legislative Assembly Chamber,
 Sydney, 29th April, 1879.*

13. LANDS ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 30 APRIL, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at twenty minutes before Three o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 110.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 30 APRIL, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Mr. Thomas Andrew Johnston, J.P.:—Mr. Buchanan asked the Attorney General,—

(1.) Has the Attorney General noticed a case tried at the Police Court, Gunnedah, before Mr. T. K. Abbott, wherein Mr. Thomas Johnston, Justice of the Peace, was charged with having committed a violent assault upon a teamster named John Davies with a loaded whip, knocking him down senseless, and continuing to maltreat him while in that state?

(2.) Is it true that Mr. Abbott inflicted a fine of five shillings on Mr. Johnston (his brother Justice) for this offence?

(3.) Is it true that Mr. Abbott also, at the same Court, tried a cross case against John Davies, Robert Graham, Thomas Brown, and Thomas Keegan, for assaulting Mr. Thomas Johnston, J.P., and that Mr. Abbott committed them to take their trial at the next Assizes to be holden at Tamworth?

(4.) Is it the intention of the Attorney General to prosecute those men; and is it the intention of the Attorney General to deal in any way with Mr. Johnston, in his character of Justice of the Peace, and with Mr. Abbott, as Police Magistrate?

Mr. F. B. Suttor answered,—

(1.) On the 4th of April Mr. Thomas Andrew Johnston was charged before the Police Magistrate at Gunnedah with having, on the 20th of March previous, assaulted one John Davies. There was no evidence of Mr. Johnston having used a loaded whip, nor of Davies being knocked insensible. The charge was one of common assault.

(2.) Mr. Abbott ordered defendant to pay £5 (the utmost penalty that could be inflicted under the law), divided as follows:—Witnesses, £4; costs returnable, 14s.; and fine, 6s.; in default, to be imprisoned for fourteen days.

(3.) On the same day John Davies, Robert Graham, Thomas Brown, and Thomas Keegan were charged with having unlawfully and maliciously inflicted upon Thomas Andrew Johnston grievous bodily harm. The evidence proved that complainant had been knocked down, struck, and kicked, and had one of his ribs broken by the defendants. They were committed to take their trial at the Gunnedah Quarter Sessions on the 15th of May, and admitted to bail in their own recognizances.

(4.) Yes, I understand that it is the intention of the Attorney General to prosecute these men; and as regards Mr. Johnston, the steps which it may be proper to take will be determined in due course; and with reference to Mr. Abbott, so far as I am in a position to form an opinion at the present time, no further action would appear to be necessary.

(2.) Obstructions to Roads by Messrs. Brown and Richardson:—Mr. Buchanan asked the Secretary for Mines,—

(1.) Is he aware that Messrs. Brown and Richardson are obstructing and preventing the passage of stock and the public generally from access along the road 3 chains wide, reserved out of the measurement of the portions on the east side of the Bogan, and also obstructing the road by Cannonbar to the Bogan *via* Moonangee, after the roads have been in use for nearly thirty years, by the erection of fences and other barriers?

(2.) Will he cause the obstructions to be removed, or take the necessary steps to do so?

Mr. Baker answered,—

(1.) I am not aware that any obstruction exists on the roads referred to.

(2.) I will cause inquiry to be made into the matter, and if there are any obstructions, I will cause them to be removed.

(3.)

(3.) Stock Road from Tamworth to Gunnedah :—*Mr. Cameron*, for *Mr. Dangar*, asked the Secretary for Mines,—

(1.) Is it intended to open up (or take any steps towards doing so) a Stock Road from Tamworth to Gunnedah through Goonoo Goonoo ?

(2.) Will inquiry be made with a view of making arrangements with the Peel River Mineral and Land Company for the opening of such road ?

Mr. Baker answered,—Inquiries are being made with a view to ascertain whether a Stock Road from Tamworth to Gunnedah through Goonoo Goonoo is necessary, and upon the receipt of the reports the question shall receive prompt attention.

(4.) Railway Station Buildings, Wagga Wagga South :—*Mr. Barbour* asked the Secretary for Public Works,—As the Southern Line will shortly be opened to Wagga Wagga South, when will the tenders be called for erection of the permanent Station Buildings there ?

Mr. Lackey answered,—A temporary Station at South Wagga Wagga has been erected for the traffic over the temporary line, and as the permanent works to South Wagga Wagga will most probably not be completed before the latter end of 1880, it is not considered desirable to call for tenders for the permanent Station Buildings before the end of the present year.

(5.) Sale of Roads, County of Hume :—*Mr. Barbour* asked the Secretary for Lands,—

(1.) Is it his intention, as notified in *Gazette* No. 142, of 25th April, 1879, folio 1,885, to sell to the owners of a run in the county of Hume about 25 miles of roads ?

(2.) What is the average price that Crown Lands sold in this way are appraised at ?

(3.) Is it the practice of the Department to allow such wholesale alienations of roads as 25 miles in one run, and is it not rather to apply the provisions of the 10th clause of the Alienation Act to exceptional occasional cases, and to roads that lead to nowhere and are never likely to be wanted as roads ?

(4.) Will the expenses of survey, preparation of tracings, *Gazette* notices, appraisers salaries, and official labour connected with the selling of these roads not amount to as much (if not more) money than will be obtained by the sale ; and has it not been the experience of the Department that when roads of access through private lands have been demanded by the public that enormous prices have had to be paid for land ?

(5.) Will he withdraw the roads from sale, and leave them still available to the public, more especially as they are intersected by the Southern Line of Railway, and situated about midway between Wagga Wagga and Albury ?

Mr. Hoskins answered,—

(1.) A notice has appeared in the *Government Gazette* inviting objections to the proposed alienation of certain roads applied for to be purchased by Messrs. Henty and Balfour under the 10th section as unnecessary, amounting to about 30 miles, but it by no means follows that the roads will be alienated. The object of gazetting the proposal to sell is to obtain objections (if there be any) to their alienation. Any objection that might be made will be fully considered, and, if found to be valid, the road or roads desired to be retained will not be alienated.

(2.) To ascertain precisely the average price of lands so sold would involve a great deal of labour, but it may be stated as not greatly exceeding the upset price of country lands.

(3.) Applications for so large an area of roads are very rare, and in this case, as in all others, the report of the District Surveyor was obtained prior to the *Gazette* notice being made as to the advisableness of alienating any of the roads applied for. Under his report several of them, amounting to 100 miles, were withheld from *Gazette* notice, as it was thought they might be required in the public interests—the only ones gazetted being those which in the opinion of the District Surveyor are not likely ever to be required by the public.

(4.) The expenses connected with alienation of unnecessary roads under the 10th section no doubt amount to fully the sum which the sales realize. No ; there are few grants in which the right to take way, or ways, through the land has not been reserved to the Crown, and therefore the land through freeholds taken for roads is not paid for.

(5.) As the time allowed by law for the lodging of objections has not expired, it cannot be stated what road will be alienated or which retained ; but in finally dealing with the case care will be taken not to alienate any road that might be required by the public to afford access to the Railway.

(6.) Damage by Flood to property in Darling Harbour :—*Mr. Cameron*, for *Mr. Macintosh*, asked the Secretary for Public Works,—When will he be pleased to lay upon the Table of this House the Papers relating to certain claims made by Messrs. Zollner and others for an alleged loss sustained by them, caused by the reclaimed land, Darling Harbour, being flooded by rain water ?

Mr. Lackey answered,—They are now being copied, and will be laid upon the Table in a few days.

(7.) Police Magistrates, Sydney :—*Mr. Jacob* asked the Minister of Justice and Public Instruction,—Have the Police Magistrates of Sydney the powers of two Justices conferred upon them under the Clerks of Petty Sessions Act 20 Vic. No. 32 ; if not, will he take the Attorney General's opinion whether Police Magistrates can adjudicate singly in cases above £5 under the Small Debts Act, as recently extended to Sydney ?

Mr. F. B. Suttor answered,—The special powers have not been conferred upon the Police Magistrates of Sydney under the Act 20 Vic. No. 32, but the Attorney General is of opinion that the Act 42 Vic. No. 15 confers jurisdiction upon the Police Magistrates of Sydney.

(8.) Bridge across the Williams River.—Approaches to Hexham Punt :—*Mr. Jacob* asked the Secretary for Public Works,—

(1.) When may I expect to be favoured with an answer to my letters of 20th and 26th July of last year—the former relating to, and the latter forwarding, a largely signed Petition concerning a Bridge across the Williams River, for which a sum of money has been voted ?

(2.) Adverting to my letter of 26th December last, complaining of the disgraceful and dangerous state of the approaches to the Hexham Punt, and of the insecure condition of the causeway on the Gloucester side leading thereto,—What “due attention” has been paid to my communications, as promised by the letter from his Department of 28th of the month mentioned ?

Mr.

Mr. Lackey answered,—

(1.) The late Government having decided, according to the intention of Parliament, that the Bridge should be proceeded with at Clarence Town, pending a decision whether another bridge should be built at Seaham, the Honorable Member's letters have not been replied to.

(2.) The letter embraced two subjects—the Punt and the approaches to same. A new Punt is now being constructed. The approaches are on a road in charge of trustees, who, owing to delay in furnishing their accounts of 1877 money until the close of last year, did not receive the vote of 1878 until January last, when it was presumed attention would have been given to these approaches, which were represented as being so bad. When the vote of 1879 is made available, which will be done when satisfactory accounts are received, their attention will, if necessary, be directed to the state of these approaches.

- (9.) Police Paddock, Young:—*Mr. Cameron*, for *Mr. Macintosh*, asked the Secretary for Mines,—Has a Petition been received by him from the Burrangong Miners Protection Association, signed by 250 miners and others, resident in the District of Young, praying that the Police Paddock might be thrown open for the purposes of gold mining; if so, is it the intention of the Government to accede to the prayer of the Petitioners?

Mr. Baker answered,—A Petition has been received from the Association, and certain officers of the Police and Mining Departments, respectively, have been instructed to inspect the Police Paddock, and to report upon the matter. Upon receipt of the report, the question as to whether the reserve shall be thrown open, and upon what conditions, shall be promptly dealt with.

- (10.) Exhibition Building:—*Mr. Cameron* asked the Secretary for Public Works,—Have tenders been invited for the Painters work required at the Exhibition Building; if so, who were the tenderers, and the amount of their respective tenders; if not, to whom has the work been given, and the price to be paid?

Mr. Lackey answered,—Tenders have been called for certain portions of outside painting, principally that which is absolutely necessary to be done as the work proceeds. *Mr. T. Chapman* and *Mr. E. Dyer* are the painters. The main work of painting is not yet decided upon, therefore no tenders have as yet been invited for it. The prices are:—*T. Chapman*, painting three coats outside of sashes and frames of bays on roof, £1 10s. per bay: also *E. Dyer* at same price. *T. Chapman*, for knotting and graining principals of nave and transept roof, £2 10s. each: *E. Dyer*, for ditto, at same price. It is necessary to accept tenders from reliable men, to be done in a given time as required. For the internal painting and decorative work not many are competent to undertake the work, and none singly. It will, however, be done by tender as far as practicable.

- (11.) Barrington Gold Field:—*Mr. Johnston* asked the Secretary for Mines,—Will he inform the House, so far as he is aware, how much gold has been sent from the Barrington Gold Field?

Mr. Baker answered,—In consequence of there having been no escort from the Barrington Gold Field I am unable to furnish complete information; but I have ascertained that 4,718 ounces, said to be from the Barrington, and 592 ounces said to be from Stroud, have reached the Royal Mint.

2. PAPERS:—

Mr. Hoskins laid upon the Table,—Return to an Order made on 16th April, 1878,—“Conditional Purchases of Layfield, Gray, and others.”
Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Copy of a Letter from *Mr. Edward Combes* respecting his Seat in the Legislative Assembly being declared vacant.

And the Letter having been read by the Clerk, by direction of *Mr. Speaker*,—
Ordered to be printed.

Mr. Lackey laid upon the Table,—Papers respecting the Extension of the Railway to Narrandera and Hay.

Ordered to be printed.

3. DISTRICT COURT, LISMORE.—COURT OF QUARTER SESSIONS, RICHMOND RIVER (*Formal Motion*):—

Mr. Cameron, for *Mr. Driver*, moved, pursuant to Notice, That an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House copies of all Petitions, Letters, Minutes, Reports, and other Papers, relative to the establishment of a District Court at Lismore, and a Court of Quarter Sessions for the Richmond River.

Question put and passed.

4. MINISTERIAL STATEMENT:—

Sir Henry Parkes acquainted the House with the intentions of the Government in dealing with the Public Business, in view of the closing of the present Session.

5. ADJOURNMENT:—

Mr. McElhone moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

6. SUPREME COURT (ADDITIONAL JUDGE) BILL:—

The Order of the Day having been read,—on motion of *Sir Henry Parkes*, *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Legislative Council's Message of 24th April, relative to the amendments made in this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read as follows:—

Resolved,—That the Assembly still insists upon its disagreement from the Council's amendment which omits from clause 1 the words “or an Attorney of the Supreme Court of the said Colony of not less than ten years standing”; and also upon its disagreement from the Council's amendment which omits clause 6.

On motion of *Sir Henry Parkes*, the Resolution was read a second time, and agreed to.

Sir

Sir Henry Parkes then moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly in respect to the "Bill to provide for the appointment of an Additional Judge of the Supreme Court," still insists upon its disagreements from the Council's amendment in the first clause, which omits the words "or an Attorney of the Supreme Court of the said Colony of not less than ten years standing," and from the Council's amendment omitting the sixth clause, for the reasons stated in its Message of the 8th of "April."

The Legislative Assembly regrets that the Council's Message of the 24th of April should have been couched in terms not usually employed in communications between the two Houses; and it desires to point out that the word "tack," which has an express Parliamentary meaning, can have no application to any of the provisions of the Bill as presented to the Legislative Council for its concurrence.

Debate ensued.

Mr. Fitzpatrick moved, That the Message be amended by the omission of all the words after the word "April," at the end of the first paragraph.

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

Debate continued.

And the House continuing to sit till after Midnight,—

THURSDAY, 1 MAY, 1879, A.M.

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

The House divided.

Ayes, 40.

Sir Henry Parkes,	Mr. Sutherland,
Mr. Windeyer,	Mr. Terry,
Mr. Watson,	Mr. Eckford,
Mr. Lackey,	Mr. Lynch,
Mr. Lucas,	Mr. Harris,
Mr. Hoskins,	Mr. Coonan,
Mr. W. C. Browne,	Mr. Badgery,
Mr. Baker,	Mr. McElhone,
Mr. Driver,	Mr. Gray,
Mr. H. H. Brown,	Mr. R. B. Smith,
Mr. Macintosh,	Mr. Greenwood,
Mr. W. Davies,	Mr. Wisdom,
Mr. Burns,	Mr. F. B. Suttor,
Mr. Hurley (<i>Hartley</i>),	Mr. Clarke,
Mr. Thompson,	Mr. Stephen Brown,
Mr. Murphy,	Mr. J. Davies,
Mr. Kerr,	Mr. Cameron,
Mr. Jacob,	<i>Tellers.</i>
Mr. Barbour,	
Mr. Merriman,	Mr. Shepherd,
Mr. Beyers,	Mr. T. R. Smith.

Noes, 13.

Mr. Fitzpatrick,
Mr. Cohen,
Mr. Leary,
Mr. W. H. Suttor,
Mr. O'Connor,
Mr. McCulloch,
Mr. Stuart,
Mr. Bowman,
Captain Onslow,
Mr. Copeland,
Mr. Farnell,
<i>Tellers.</i>
Mr. Webb,
Mr. Greville.

And so it was resolved in the affirmative.

Question,—That the Message as read be carried to the Legislative Council,—put and passed.

The House adjourned at a quarter after Twelve o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 111.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 1 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Encroachment on Foot-path, King and Pitt Streets:—Mr. McElhone asked the Attorney General,—Has he received all the papers from the City Solicitor in the case of the City Corporation *v.* Meares, in reference to the encroachments on or beneath the foot-path in King and Pitt Streets; and will he take steps to have the encroachments removed, and the foot-way put in its original state?

Mr. Windeyer answered,—All the proceedings in this case have hitherto been conducted by the City Council, though the name of the Attorney General has been used, with the consent of one of my predecessors, and there will be no objection to the City Council again making use of the name of the Attorney General in any proceeding which they may think it desirable should be instituted in the interests of the City.

(2.) Road up Turee Creek:—Mr. Bennett, for Mr. McElhone, asked the Secretary for Mines,—

(1.) In reference to the road up Turee Creek, in reference to which I sent a Petition from Mr. Donald M'Donald and a number of persons some months since, praying that it might be opened, and also made several applications by letter,—What steps (if any) have been taken to open this road?

(2.) What is the cause of the great delay in opening this road, and when is it likely that it will be opened to the public,—as it is reported that Messrs. E. and A. Bowman have closed this road by fencing it, and by this means debar a number of selectors from using it and getting access to Crown Lands to obtain timber to erect their improvements on their selections?

(3.) Will he issue instructions to have this road proclaimed and opened at once, to give a number of selectors access to their selections, which, it is stated, they cannot get without it?

Mr. Baker answered,—

(1.) Instruction to survey was issued to the District Surveyor on 23rd November, 1878.

(2.) The delay has been occasioned through the Licensed Surveyor who was instructed to survey this road having returned the instruction without having made the survey. The instruction to survey is now in the hands of the District Surveyor.

(3.) The proclamation, &c., of the road will be dealt with as soon as possible after survey.

(3.) Road from Ogilvie's Hill to Jerry's Plains Road:—Mr. McElhone asked the Secretary for Mines,—

(1.) In reference to road from the Travelling Stock Reserve at Ogilvie's Hill, near Denman, to the Jerry's Plains Road,—Did District Surveyor Evans survey and mark the road from the Village Reserve, on the Hunter River, joining the Travelling Stock Reserve at Ogilvie's Hill, near Denman, in front of or near T. Neally's conditional purchase to the Jerry's Plains Road?

(2.) Has this road been proclaimed and opened; if not, will he take immediate steps to proclaim and open this road, which is very much required for travelling stock from the River to the Jerry's Plains Road?

Mr. Baker answered,—

(1.) Yes; a road has been marked near Ogilvie's Hill, connecting Travelling Stock Reserve No. 19 with Travelling Stock Reserve No. 61, and running through the land of Mr. E. White, and near Thomas Neally's conditional purchase of 640 acres.

(2.) The above road has been proclaimed, confirmed, and opened.

(4.) Road from Muswellbrook to the Wybong:—Mr. McElhone asked the Secretary for Mines,—

(1.) What are the names of the persons who signed the Petition in favour of the deviation of the Road from Muswellbrook to the Wybong?

(2.) He having stated, on 23rd April, that no formal objections to this Road had reached the Office since the date of proclamation, is it not a fact that at different times a number of persons by petition, and otherwise, have objected to, and protested against, the deviation of the above Road?

Mr.

Mr. Baker answered,—

- (1.) There does not appear to have been any Petition in support of the deviation now being dealt with; the Petition referred to in my answer on the 23rd ultimo had reference to another deviation on the same line of road.
 - (2.) No formal objections had reached this office at the date of my answer, but since the 23rd ultimo a Petition and some letters objecting to the deviation have been received.
- (5.) Court-house, Rylstone :—Mr. O'Connor asked the Secretary for Public Works :—
- (1.) Was the tender of George Guile, contractor for the erection of the Court-house at Rylstone, in 1871, accepted?
 - (2.) Were the specifications of the said tender that the Court-house should be built with the best stone obtainable in that district?
 - (3.) After the said George Guile had procured what he declared the best stone in that district, did the clerk of the works, and subsequently the Colonial Architect, condemn the stone procured by Guile on its merits, without going into the question of, and ascertaining, whether any better could be procured in the district at all?
 - (4.) Did the Works Department, or their representative, in addition to condemning the stone, also confiscate all the slates, cement, galvanized iron air-grates, and other materials necessary for the building, procured by Guile, and refuse to allow him to take them from the ground?
 - (5.) Did the Works Department call for fresh tenders, and after subsequently finding that Guile had procured the best stone in the district, and that no other could be got, hand over to or permit the use (by the fresh successful tenderer) of the stone that had already been condemned in Guile's case?
 - (6.) Is it a fact that the Rylstone Court-house as it now stands is built with the same condemned stone, the property of Mr. Guile that he brought on the ground, but was not allowed to proceed with?
 - (7.) Have the Works Department ever paid Guile for the stone they confiscated, and which, though their representatives condemned, they subsequently permitted the use of by another tenderer?
 - (8.) Have the Works Department ever paid Guile for the slates, cement, &c., they confiscated, even though uncondemned?

Mr. Lackey answered,—

- (1.) Yes.
 - (2.) The specification provided that the stone should be of the best, sound, hard, approved description obtainable in the neighbourhood, and also provided for 12-inch courses.
 - (3.) The stone procured by Mr. Guile was condemned, because it would not admit of the work being carried out in 12-inch courses, as specified. The Foreman of Works (Mr. Pattison), having ascertained, on visiting the locality, that good freestone, to allow of 12-inch courses, as specified, could be obtained within 5 miles of the site, which was considered a reasonable distance, and any deviation from the specification to allow of an inferior class of work would have been unfair to the other tenderers.
 - (4.) I am not aware of any other materials but the stone referred to being brought upon the ground, which Guile asked to be allowed to remove, and for which, when a fresh contract was taken, the contractor (W. Wadsworth, now deceased) gave him £6, and exhibited receipt for same to the Colonial Architect.
 - (5.) Yes, fresh tenders were called for, but the specification was modified in order to reduce the cost of the work, as it appeared evident the price asked by Guile was too low; rubble work, instead of 12-inch courses, was therefore provided for, and the stone on the ground, which was condemned only because it would not make 12-inch courses, as provided for by the specification in the first instance, from which Guile tendered, was allowed to be used for rubble work.
 - (6.) It is a fact that the stone for which Guile was paid £6, and which was condemned, not for its quality, but because it would not make 12-inch courses, as stated above, was used in the present Court-house for rubble work.
 - (7.) Guile was paid £6 for the stone referred to by the contractor who erected the building, as before stated.
 - (8.) I am not aware of any materials, except the stone referred to, having been brought upon the ground.
- (6.) Wharfage and Tonnage Rates :—Mr. Cohen asked the Colonial Treasurer,—
- (1.) The total amount of Wharfage and Tonnage Rates, respectively, received since the passing of the Tonnage Rates and Public Wharfs Amendment Act of 1878?
 - (2.) The like information for an equal period immediately prior to the passing of such Act?

Mr. Watson answered,—

- (1.) Wharfage rates, £1,490 19s. 5d.; Tonnage rates, £1,839 16s. 7d.
 - (2.) Wharfage rates, £740 16s.; Tonnage rates, £467 1s. 2d.
- (7.) Gunsmiths employed at Fitzroy Dock :—Mr. Cameron asked the Colonial Treasurer,—Is it true that the Gunsmiths employed at the Fitzroy Dock have their wages stopped for all public holidays, while all other workmen there employed are paid for the same; if so, will he place them on the same footing as the other men alluded to?
- Mr. Watson answered,—The Gunsmiths employed at the Fitzroy Dock, converting rifles, are only temporary workmen, and were engaged for a temporary service at 1s. 4d. per hour by Mr. Burns, the Armourer, and are paid for the number of hours they work. They receive a higher rate of pay than the workmen alluded to.
- (8.) Railway from Wallerawang to Mudgee :—Mr. Buchanan asked the Secretary for Public Works,—
- (1.) Is it the intention of the Government to take any immediate steps to make a commencement with the Railway from Wallerawang to Mudgee?
 - (2.) Will he inform the House when the Government intend to proceed with this important national work?

Mr.

Mr. Lackey answered,—

(1.) The Government cannot proceed with any Railway Line till the plans, &c., have been approved by Parliament?

(2.) The Government propose to include in their general Railway Policy (which will be submitted to the House early next Session) a project for the extension of the Railway to the District of Mudgee

(9.) Free Passes to Railway Workmen :—Mr. Cameron asked the Secretary for Public Works,—Is it true that the men employed on the Railway Line between Sydney and Windsor, Penrith and Picton, have had the free passes hitherto allowed to them for the purpose of visiting their homes once a fortnight stopped by order of the officer in charge; if so, will the Minister inquire into the matter with a view to their restoration?

Mr. Lackey answered,—The Engineer for Existing Lines informs me that the practice of issuing free passes to the workmen, under the circumstances stated, has not been stopped.

(10.) Check on Railway Travellers :—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Public Works,—

(1.) What mode is adopted on the Suburban Line of Railway to check the tickets of passengers who travel under first class season and other tickets from those of second class?

(2.) How is it ascertained by which carriages those holding first or second class tickets travel?

(3.) What is to prevent second class season, and other second class ticket-holders from travelling in first class carriages, either in leaving Redfern Station or coming to it; or how can the ticket collectors ascertain which carriages people leave, or which they travel by?

Mr. Lackey answered,—The examination of tickets on the platforms instead of in the carriages, as heretofore, which change was adopted for the purpose of giving quicker transit to the suburban passengers, has certainly afforded the means to dishonest people of travelling in a higher class carriage than that for which they have paid; but this difficulty was foreseen, and it was decided that to meet it the abandoned plan of examining tickets in the carriages should occasionally be resorted to, and any passengers found travelling in a carriage of a higher class than that for which they have paid will be prosecuted, without distinction of persons, under the by-laws, which impose a penalty of £10 for such an offence.

(11.) Road from Katoomba to Springwood :—*Mr. Hurley (Hartley)* asked the Secretary for Public Works,—

(1.) The date when the Main Western Road was last repaired from Katoomba to Springwood?

(2.) When will this section be repaired?

Mr. Lackey answered,—Until lately this Road has fallen into disuse; it was partially repaired some months ago. Inquiry will be made, and further repairs to the extent of available funds will be made without delay.

2. LANDS ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read,—*Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 2 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again on Tuesday next.

The House adjourned at twelve minutes after Three o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 112.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 2 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Conditional Purchases on Oregon Run:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Lands,—Have any instructions been issued (and if so, when, and the name of the Inspector of Conditional Purchases to whom so issued) to inspect and report upon the Oregon Run Selections, near Warialda?

Mr. Hoskins answered,—The Oregon Run Selections do not admit of identification without further particulars; but the Inspector (*Mr. Rogers*) is now employed in the Warialda District.

- (2.) Court Rooms at Mogil Mogil and Baradine.—Courts of Petty Sessions at Kunopia, &c.—Furniture for Court-house, Mogil Mogil:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Colonial Secretary,—

(1.) Has any progress been made (and if so, what) towards the erection of Court Rooms at Mogil Mogil and Baradine, plans of which have long since been approved of?

(2.) Have any steps been taken towards the establishment of Courts of Petty Sessions at Kunopia, Boggabilla, and Engonia?

(3.) When will furniture be supplied to the Court-house, Mogil Mogil—such Court having been established twelve months, and no accommodation provided for the Magistrates or the Public?

Mr. F. B. Suttor answered,—

(1.) No progress has been made with respect to erection of these buildings; but the Inspector General of Police has been asked to submit local tenders for the work.

(2.) Yes; inquiries have been made, and, in view of the reports to hand, the establishment of Courts of Petty Sessions at these places would appear to be premature. I will, however, cause further inquiry to be made upon the subject.

(3.) The attention of the Police Magistrate at Walgett, who visits this place, has been repeatedly called to the necessity of forwarding a requisition, specifying the articles of furniture required. The Bench of Magistrates at Mogil Mogil have also been communicated with upon the subject, and when the requisite information shall have come to hand the matter will receive immediate attention.

- (3.) *Mr. Edward Combes*:—*Mr. Lucas* asked the Colonial Treasurer,—

(1.) How much money has been paid to *Mr. Edward Combes* since he was appointed Executive Commissioner?

(2.) Is he still receiving money from the Colonial Treasury?

(3.) Has he been recalled?

(4.) Will he receive money from the Treasury until he returns?

Mr. Watson answered,—

(1.) £1,625.

(2.) No.

(3.) *Mr. Combes* has been informed that his services have terminated.

(4.) No.

- (4.) *Mr. A. Munro's Improvement Purchase*:—*Mr. W. C. Browne* asked the Secretary for Lands,—When is it likely that *Mr. A. Munro's* improvement purchase application for 40 acres, in the county of Jamieson, parish of Dobikin, applied for more than fifteen years ago, will be finally dealt with?

Mr. Hoskins answered,—The plan of measurement was received in the Survey Office on the 21st April, and sent on to Lands Department this day, when instructions for the appraisement of the land were at once issued.

(5.)

- (5.) The McIntyre River:—Mr. W. C. Browne asked the Colonial Secretary—Are telegraphic messages forwarded from Inverell to Yetman, Goondiwindi, and other Stations on the McIntyre, respecting the state of that river during times of flood; and if not, will he cause this to be done in future?

Sir Henry Parkes answered,—Telegraph messages are not forwarded from Inverell respecting the state of the river in flood time; but if it is considered desirable the information can be supplied.

- (6.) Devory's Conditional Purchase:—Mr. McElhone asked the Secretary for Lands,—

- (1.) Did a person named Devory select at Mudgee, or Cassilis, 80 acres of land on the 3rd of April, 1873?
- (2.) Did he in July, 1876, pay up the balance due on such selection, and apply for his deeds for the said 80 acres; if so, what is the cause of the very great delay in sending him the deeds?
- (3.) Is the case of the above person sent on for report to the Commissioner, and also the conditional purchase of 40 acres taken up by Christopher Campbell at Cassilis, or Mudgee, on 31st July, 1873, and transferred to J. Devory in October, 1876, for which Devory has paid interest and balance due to the Government, and the deeds applied for?
- (4.) The Government having taken interest on the above conditional purchases, and also the balance due, have they the power to cancel such selections?
- (5.) If he has any doubt on the subject, will he take the opinion of the Attorney General, and make such opinion known to the public, or lay it upon the Table of this House at an early date?

Mr. Hoskins answered,—

- (1.) Yes.
- (2.) The balance of purchase money was paid on the date mentioned, but the deeds have not been issued, pending verification of the conditions.
- (3.) Yes.
- (4.) No intention of cancelling the selection or interfering with the holding has been entertained or expressed, but the holder has been offered the opportunity of an inquiry on the spot of exhibiting the fulfilment of conditions, and obtaining his deeds without further delay. If the conditions were not fulfilled the receipt of the balance pending inquiry and decision will not affect the case.
- (5.) No doubt is entertained on the subject, and no case has arisen to ask for a legal opinion being taken.

- (7.) Waterloo Grant:—Mr. McElhone asked the Secretary for Lands,—Have any steps been taken to resume the 10 acres of land out of the Waterloo Grant since I last asked questions about it; if so, what has been done in the matter, and will he take early steps to resume these 10 acres of land, which are much required for public parks for recreation?

Mr. Hoskins answered,—Mr. District Surveyor Woolrych suggested a site for resumption, but in consequence of the Mayor of Alexandria having recommended another site, a further report has been called for, which will be dealt with as soon as received.

- (8.) Registrar of District Court, Goulburn:—Mr. McElhone asked the Minister of Justice and Public Instruction,—

- (1.) What are the office hours of the Registrar of the District Court, Goulburn?
- (2.) By whose authority is the Registrar now absent?
- (3.) By whose authority is Mr. Burgiss, one of the clerks in the Goulburn Post Office, doing Mr. Rossi's duty?

Mr. F. B. Suttor answered,—

- (1.) The office hours are from 9 a.m. to 4 p.m.
- (2 and 3.) Mr. Rossi was granted two weeks leave of absence by myself from the 14th of April last, with the understanding that due provision would be made for the performance of his duties in the meantime.

- (9.) Unregistered Volunteer Land Orders:—Mr. McElhone, for Mr. Macintosh, asked the Secretary for Lands,—When will the opinion of the Attorney General on the validity, or otherwise, of unregistered Volunteer Land Orders be laid upon the Table, as ordered by this House?

Mr. Hoskins answered,—The opinion has only just been received. A copy will be laid upon the Table on Tuesday.

2. PAPERS:—

Mr. Hoskins laid upon the Table,—Return to an Order made on 14th February, 1879,—“Commissioners of Inquiry under Lands Acts Amendment Act.”

Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—Return to an Order made on 1st April, 1879,—“Messrs. H. T. Edwards and Hyam Joseph.”

Ordered to be printed.

3. POSTPONEMENTS:—The following Orders of the Day postponed:—

- (1.) Amendment of the Land Law; resumption of Debate in reference to Resolutions;—*until Friday, 16th May.*
- (2.) Civil Service Pensioners Disqualification Bill; second reading;—*until Friday next.*

4. WAGGA WAGGA COMMON:—The Order of the Day having been read for the adjourned Debate, on the motion of Mr. McElhone, “That,” in the opinion of this House, the decision of various “Ministers for Lands allowing Mr. Donnelly to purchase 490 acres out of the reserve, or common, at Wagga Wagga (dedicated as a common, and vested in trustees) is wrong, and that such decision allowing Mr. Donnelly to purchase the said land should be revoked, as such decision is “injurious to the interests of the people of Wagga Wagga and the people of the Colony, as it forms a bad precedent for other Ministers,”—

Debate ensued.

Mr.

Mr. Lucas moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the decision of various Ministers for Lands allowing Mr. Donnelly to purchase 490 acres out of the reserve, or common, at Wagga Wagga, dedicated as a common, and vested in trustees, be referred to a Select Committee for consideration and report, with power to send for persons and papers.

"(2.) That such Committee consist of Mr. Garrett, Mr. McElhone, Mr. Driver, Mr. Baker, Mr. Wisdom, Mr. Barbour, Mr. Farnell, Mr. Murphy, and the Mover."

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

Debate continued.

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

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That the decision of various Ministers for Lands allowing Mr. Donnelly to purchase 490 acres out of the reserve; or common, at Wagga Wagga, dedicated as a common, and vested in trustees, be referred to a Select Committee for consideration and report, with power to send for persons and papers.

(2.) That such Committee consist of Mr. Garrett, Mr. McElhone, Mr. Driver, Mr. Baker, Mr. Wisdom, Mr. Barbour, Mr. Farnell, Mr. Murphy, and the Mover,—put and passed.

The House adjourned at a quarter after Six o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 113.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 6 MAY, 1879.

1. The House met pursuant to adjournment : Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Obstruction on Ross-street :—*Mr. Bennett*, for *Mr. Sutherland*, asked the Secretary for Public Works,—

(1.) Is he aware that the Transit Commissioners have placed a box at the corner of Ross-street, on the Pyrmont Bridge Road, obstructing the foot-path?

(2.) Is he aware that such box is used as a urinal, thereby causing a nuisance highly detrimental to private property?

(3.) Will he take the necessary steps to cause the removal of the obstruction and nuisance?

Mr. Lackey answered,—

(1.) I learn upon inquiry from the Transit Commissioners that a box has been placed at the corner of Ross-street and the Pyrmont Bridge Road, which they state is no obstruction to the foot-path.

(2.) The box in question, I am informed on the same authority, is not used for the purpose indicated by the Honorable Member, but is occupied by the timekeeper for vehicles under the Transit Commissioners, and as a waiting-room by the public.

(3.) I will cause further inquiry to be made, and if I find it is an obstruction, as stated by the Honorable Member, I will have it removed. I may mention that the box was erected without reference to the Public Works Department.

- (2.) Land purchased at Lang's Point for Military Purposes :—*Mr. Barbour*, for *Mr. McElhone*, asked the Colonial Secretary,—

(1.) Did the Government purchase any quantity of land from any person at or near Lang's Point for military purposes ; if so, who was the owner of this land, the area of it, and the price paid for it ?

(2.) Was the value of it fixed by appraisement ; if so, who was the Government appraiser, and the appraiser on the part of the owner ?

(3.) Is he aware that a short time before the Government bought this land that it was offered by auction, and that £975 was the highest bid for it ?

Sir Henry Parkes answered,—

(1 and 2.) I find that a portion of land, 2 acres more or less, was taken in this locality the beginning of last year, under the sanction of the late Administration. The owner was G. W. Allen, and the price was eventually paid upon appraisement. The appraiser for the Government was G. R. Dibbs ; the appraiser for the owner of the land was J. O. Gilchrist. The sum paid was £2,400.

(3.) I have no knowledge of any facts by which I can answer the third section of this question.

- (3.) Roads in Electorate of Queanbeyan :—*Mr. Murphy*, for *Mr. Thompson*, asked the Secretary for Mines,—What action has been taken, on the applications of the person interested, for the survey and proclamation of the following roads :—From Weetangera to the Village Reserve at the junction of Gininderra Creek with the Murrumbidgee River ; from Hoskingtown, *via* Ballalaba, towards Braidwood ; and from Majura towards Queanbeyan ?

Mr. Baker answered,—The local surveyor has been instructed to report upon the first road here mentioned, and his report will be forwarded to the Surveyor General in a few days ; he also holds instructions to report upon the second road mentioned, but has not yet been enabled to visit the locality in order to make such report ; and he has surveyed and marked upon the ground a road from Majura towards Queanbeyan, but has not yet forwarded the plan.

- (4.) *Mr. Berney*, Acting Collector of Customs :—*Mr. W. C. Browne* asked the Colonial Treasurer,—Did *Mr. A. Berney* make any application for the position of Acting Collector of Customs during the absence on leave of *Mr. W. A. Duncan* ; and if so, why does it not appear with papers on the subject recently laid upon the Table of this House ?

Mr.

Mr. Watson answered,—Mr. A. Berney made no application for the position of Acting Collector of Customs during the absence on leave of Mr. W. A. Duncan.

- (5.) Steam Launch "Fawn":—Mr. J. Davies asked the Colonial Secretary,—
 (1.) Is it true that the Government have purchased the steam launch "Fawn"; if so, what was the amount paid?
 (2.) Were tenders called for supplying the Government with a steam launch?

Sir Henry Parkes answered,—

- (1.) It is not true that the Government have purchased the steam launch "Fawn."
 (2.) No.

- (6.) Railway Central Office, George-street:—Mr. J. Davies asked the Secretary for Public Works,—
 (1.) What is the total number of Railway Tickets issued at the Central Office, George-street, since it has been opened?
 (2.) What is the amount received for parcels during the same period?
 (3.) What is the total cost of management since the Office was opened up to present date?

Mr. Lackey answered,—

- (1.) Number of tickets, 6,738; amount, £3,318.
 (2.) Number of parcels, 19,967; amount, £1,118.
 (3.) Cost of management, £446, including interest on capital and 15 per cent. per annum for depreciation of building. This sum also includes the cost of management of Inquiry Office, from which, though affording a convenience to the public, no revenue is derived.

- (7.) Wharf at Chowder Bay:—Mr. J. Davies, for Mr. Roseby, asked the Colonial Secretary,—
 (1.) What is the amount paid for the use of Wharf at Chowder Bay for Military purposes?
 (2.) Is he aware that the Wharf is built on Government land (part of the Military Reserve)?
 (3.) Is it the intention of the Government to carry out the promise of the late Government to erect a Wharf for Military purposes?

Sir Henry Parkes answered,—

- (1.) £30 a year.
 (2.) The Surveyor General reports that it may possibly overlap a part of the Government Reserve.
 (3.) No determination has been arrived at in the matter.

2. PAPERS:—

Mr. Hoskins laid upon the Table,—Return to an Order made on 4th April, 1879,—“Unregistered Volunteer Land Orders.”
 Ordered to be printed.

Sir Henry Parkes laid upon the Table,—

- (1.) Further Return to an Address adopted on 6th July, 1877,—“Immigration.”—Ship “Ellora.”
 (2.) Returns under the Real Property Act for 1878.
 (3.) Report of the Board appointed to inquire into the quality of the Food supplied to the Lunatic Asylum and Gaol at Parramatta, and to the Nautical School Ship “Vernon.”
 Ordered to be printed.

Mr. Lackey laid upon the Table,—Return showing the amounts received by Mr. John Laing, Master of the Steam Dredge “Samson,” from the date of his appointment to 31st December, 1878.
 Ordered to be printed.

3. WAGGA WAGGA COMMON:—Mr. Lucas (*with the concurrence of the House*) moved, without Notice, That the Return to Order laid upon the Table of this House on the 28th February, 1879, and the Petition presented on the 5th March, 1879, in reference to the Wagga Wagga Common, be referred to the Select Committee now sitting on that subject.
 Question put and passed.

4. MR. DUNSHEA, TIDE-WAITER (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Letters or Correspondence, &c., that has taken place between the Tide Surveyors, Landing Waiters, and other officers and stewards of ships or other persons, and the Acting Collector of Customs, respecting Tide-waiter Dunshea, since September, 1877, together with all Memoranda in reference to, or applications for appointments of, or by the said Mr. Dunshea, to various positions by the Acting Collector of Customs.
 Question put and passed.

5. ARMIDALE LAND DISTRICT.—LAND OFFICE AT URALLA (*Formal Motion*):—Mr. Copeland moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers and Correspondence having reference to the Subdivision of the Armidale Land District, and the appointment of a Land Office at Uralla.
 Question put and passed.

6. ROAD FROM BARRABA TO GUNNEDAH (*Formal Motion*):—Mr. Cameron, for Mr. Dangar, moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence (with tracings, if any) that has taken place between the Government, the District or any other Surveyors, or any other person, including Surveyor M'Master's Report, respecting the opening up of the road from Barraba to Gunnedah, including both the one *via* Weetalibah to Rangira and Borah, and the one *via* Carroll and the Peel and Namoi Crossings.
 Question put and passed.

7. GOLD MINING LEASES:—Mr. Copeland moved, pursuant to Notice (*as amended by consent*), That, in the opinion of this House, His Excellency the Lieutenant-Governor, with the advice of the Executive Council, should without loss of time amend the Regulations relating to Gold Mining Leases, having in view the following principles:—

- (1.) To reduce the time allowed for making application for a lease from ten days to five days after taking possession thereof.
 (2.) That the applicant for a lease shall commence to work the land applied for within fourteen days after the time shall have elapsed for lodging objections to the granting of such lease, provided that

no such objection shall have been lodged in the prescribed manner; and in the event of any objection having been so lodged the applicant shall commence to work the said land within fourteen days after notification in the *Government Gazette* of the intention of the Governor to grant such lease. And thereafter all land so applied for shall continue to be worked by not less than one man for every 2 acres comprised within such application until a lease for such land shall have been issued and registered when the covenants and conditions thereof shall take effect, or until such application shall have been refused.

(3.) If the land applied for shall on survey be found to include within its boundaries any portion of land exempted from occupation under the Mining Act, 1874, or any portion of land in the legal occupation of some other person, the Surveyor shall excise such portions of land from the tenement so applied for; and such survey shall provide a right-of-way through such surveyed tenement to the portions of land so exempted or pre-occupied; and the application for the unexempted or unoccupied portions of Crown Land shall not be deemed invalid by virtue of such excisions.

(4.) That in the event of collusive objections being lodged against the granting of any lease for the purpose of delaying the time of commencing work on the land applied for, or for any other purpose, the Governor with the advice aforesaid may, on receipt of proof of such collusion, refuse to grant such lease; and the sum of five pounds, as prescribed by the Regulations to be deposited at the time of lodging any objection or any balance thereof, shall be forfeited to the Crown.

(5.) Upon any person lodging a complaint with the Warden that the labour conditions as herein provided, or in the event of a lease having been issued for such land, that the labour conditions contained in such lease are being systematically evaded, or that a collusive objection has been lodged against the granting of any lease, the Warden shall appoint a place and time for holding an inquiry in open Court into the truth of such complaint; but no such inquiry shall be held until fourteen days notice shall have been given to the applicant or lessee, as the case may be, and to the person lodging such complaint, of his intention to hold such inquiry; nor shall such inquiry be held unless such person shall at the time of lodging such complaint have deposited the sum of five pounds for the purpose of defraying all expenses so far as the same will extend, which in the opinion of the Secretary for Mines the applicant or the lessee shall incur by reason of such complaint; and if there be no such expenses incurred, or if after payment thereof there shall remain a balance, the Clerk with whom such money shall have been deposited shall refund the whole of such sum or the balance thereof to the said depositor; and for all the purposes of such inquiry the procedure shall be the same as the one appertaining to an objection to the granting of a lease.

(6.) If the Governor shall, after due consideration of the evidence transmitted by the Warden, decide to refuse such application, or to cancel such lease, as the case may be, then in either such case the person having lodged such complaint shall be entitled to be considered the first applicant for a lease of such land, and for the purposes of such application shall be considered to have been in possession of the said land from the time such notification of refusal to grant such application, or the cancellation of such lease, shall have appeared in the *Government Gazette*. Provided such person shall, within fourteen days thereafter, comply with section 7 of the Regulations relating thereto.

Debate ensued.

Question put.

The House divided.

Ayes, 15.

Mr. Fitzpatrick,	<i>Tellers.</i>
Mr. Barbour,	
Mr. Murphy,	Mr. Copeland,
Mr. Merriman,	Mr. O'Connor.
Mr. Beyers,	
Mr. McElhone,	
Mr. Terry,	
Mr. Bennett,	
Mr. Sutherland,	
Captain Onslow,	
Mr. Badgery,	
Mr. Greenwood,	
Mr. Farnell,	

Noes, 25.

Sir Henry Parkes,	Mr. Clarke,
Mr. Watson,	Mr. Roseby,
Mr. Baker,	Mr. Teece,
Mr. Windeyer,	Mr. Garrett,
Mr. F. B. Suttor,	Mr. Stuart,
Mr. Lackey,	Mr. Burns,
Mr. Hoskins,	Mr. R. B. Smith,
Mr. J. Davies,	Mr. Macintosh,
Mr. Hungerford,	Mr. H. H. Brown,
Mr. Cohen,	<i>Tellers.</i>
Mr. Cameron,	
Mr. Wisdom,	Mr. Shepherd,
Mr. Day,	Mr. Moses.
Mr. Jacob,	

And so it passed in the negative.

8. LANDS ACTS FURTHER AMENDMENT BILL:—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 15.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the Legislative Assembly to make provision for the expenses in connection with the Bill further to amend the Land Acts of 1861 and the Act of 1875.

Government House,

Sydney, 6th May, 1879.

Ordered to be printed, and referred to the Committee of the Whole on the Bill.

9. SEAT OF JOHN SUTHERLAND, ESQUIRE:—Mr. McElhone moved, pursuant to Notice, That it be referred to the Committee of Elections and Qualifications to consider and determine whether Mr. John Sutherland, the Member for Paddington, is entitled to retain his Seat as a Member of the Legislative Assembly, he being a partner in the Lithgow Valley Iron Mining Company, which has a contract with the Government at the present time for the supply of tramway rails and other iron-works, also for the supply of iron to the Exhibition Building.

Debate ensued.

Question put and passed.

10. PRINTING FOR MR. HEATON AT THE GOVERNMENT PRINTING OFFICE :—Mr. McElhone moved, pursuant to Notice, That, in the opinion of this House, the Book about to be printed for Mr. J. H. Heaton at the Government Printing Office should not be printed there.
Debate ensued.

And it being Seven o'clock, Government Business was proceeded with.

11. CUSTOMS REGULATION BILL :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.
On motion of Mr. Watson the report was adopted.
Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled "*An Act to amend and consolidate the Laws for the Regulation of the Customs.*"

*Legislative Assembly Chamber,
Sydney, 6th May, 1879.*

12. ADJOURNMENT :—Mr. Fitzpatrick moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
13. LANDS ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 7 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

14. THE EQUITY BILL :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to amend the Law respecting the Procedure and Practice of the Supreme Court in its Equitable Jurisdiction,*"—presents the same to the Legislative Assembly for its concurrence.

*Legislative Council Chamber,
Sydney, 6th May, 1879.*

JOHN HAY,
President.

Bill, on motion of Mr. Windeyer, read a first time.
Ordered to be printed, and read a second time on Tuesday next.

The House adjourned at twenty-five minutes after Two o'clock, a.m., until Four o'clock, p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 114.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 7 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Trimming Coal at Newcastle:—Mr. Hungerford asked the Secretary for Public Works,—
- (1.) Are vessels loading coal at Newcastle compelled to employ an agent appointed by the Government to stow or trim the coal?
 - (2.) Has the Government entered into a contract for the performance of this—of trimming; and what is the contract price?
 - (3.) If there is such a contract entered into, is it a fact that the contractor is charging, in nearly all instances, an extra rate, and under what circumstances is he authorized to do so?

Mr. Lackey answered,—

- (1.) The contractor for shipping the coal is also the contractor for trimming it in the vessels, at prices agreed upon.
- (2.) Yes. The contract price is 2½d. per ton for trimming the coal in intercolonial vessels, and 3½d. per ton for foreign-going vessels.
- (3.) Inquiry has been made, and it appears that in no instance have the rates fixed for this service been exceeded. In some cases the contractor has not charged the full rates, and in numerous other cases he has made an allowance to the ship.

- (2.) William Pearse's Conditional Purchase, Deniliquin:—Mr. Barbour asked the Secretary for Lands,—Did William Pearse apply for appraisal of improvements (alleged to bar his selection made 30th August, 1877, at Deniliquin) on 8th April, 1878; if so, what is the reason of the delay in effecting such appraisal?

Mr. Hoskins answered,—Yes. The question as to the value of the improvements was referred to the appraiser on the 2nd January last, who has been requested to state why the matter has not been decided.

- (3.) Barrington Gold Field:—*Mr. Day*, for Mr. Johnston, asked the Secretary for Mines,—Has he received any further information as to the quantity of gold obtained from the Barrington Gold Field; if so, will he furnish it to the House?

Mr. Baker answered,—A schedule has been received from Mr. Warden Sharpe showing approximately the quantity of gold won from the mines on the Barrington Gold Field, namely, 11,768 ozs. The Warden states that he is informed that the actual yield is roughly estimated at 2,000 ozs. more than the quantity given by him.

- (4.) Erection of a Lamp on Telegraph Post, Tamworth:—Mr. Bennett asked the Colonial Secretary,—
- (1.) Has any application been received from the Council Clerk or other officer of the Borough Council, Tamworth, for permission to erect a Bracket Lamp on the telegraph post at the intersection of Jewry-street with Peel-street, Tamworth?
 - (2.) If such application is made, will permission be granted to erect such Lamp?

Sir Henry Parkes answered,—

- (1.) No.
 - (2.) It is not desirable to allow a Bracket Lamp to be erected on the telegraph post at the intersection of Jewry-street with Peel-street, Tamworth.
- (5.) Inquests in the Maitland District:—Mr. Hungerford asked the Colonial Secretary:—Do the Government intend to take any action in the matter complained of by Dr. Morson in letter of 23rd April; in reference to the holding of unnecessary inquests in the Maitland District?

Mr. F. B. Suttor answered,—Yes. The requisite inquiry will be made in reference to the subject in question.

(6.)

(6.) Bridge across the Williams River :—Mr. Jacob asked the Secretary for Public Works,—With reference to the answer given to his questions on 30th April last, as recorded in the Votes and Proceedings of that day,—How was it ascertained that the “intention of Parliament” was that a bridge should be erected at Clarence Town, as alleged in the reply adverted to?

Mr. Lackey answered,—Because there is no record of a bridge at any other site having been asked for or proposed, and all the papers and information given to the House up to the time of passing the Vote referred to bridge at Clarence Town.

2. REDFERN TO HUNTER-STREET TRAMWAY BILL :—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 16.

A Bill, intituled “*An Act for the construction of a Tramroad from the Redfern Railway Terminus to Hunter-street Sydney,*”—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 7th May, 1879.*

3. PAPERS :—

Mr. Hoskins laid upon the Table,—Reports from Surveyors and others relative to the Namoi-Narrabri Timber Reserve, together with a Plan of the Reserve.
Ordered to be printed.

Mr. Watson laid upon the Table,—Return to an Order made on 20th March, 1879,—“Government Contracts.”
Ordered to be printed.

4. LAND SOLD NEAR JERILDERIE (*Formal Motion*) :—Mr. Barbour moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing the quantity of land sold by conditional purchase, and other ways than by conditional purchase, within a radius of 50 miles from the town of Jerilderie during the last seven years.
Question put and passed.

5. LANDS ACTS: FURTHER AMENDMENT BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 8 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

6. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) Chippendale Roman Catholic Church Land Sale Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled “*An Act to enable the Very Reverend Samuel John Austin Sheehy the Reverend Michael John Dwyer John James Curran John Williamson and Patrick Mulcahy as Trustees of certain Land on the Old Cook's River Road in the Parish of Petersham to sell the said Land and to provide for the application of the proceeds thereof,*”—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 7th May, 1879.*

JOHN HAY,
President.

(2.) Copyright Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled “*An Act to secure to Proprietors of Works of Literature and Fine Art and to Proprietors of Designs for Articles and Works of Manufacture and Art the Copyright of such Works and Designs for a limited period,*”—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 7th May, 1879.*

JOHN HAY,
President.

The House adjourned at a quarter before One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 115.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 8 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Court-house, Braidwood :—*Mr. Day*, for *Mr. Leary*, asked the Secretary for Public Works,—
 (1.) Was *Mr. Kershaw* the contractor for the recent repairs to the Court-house at Braidwood?
 (2.) Did *Mr. Vider* offer to do the same work for a lower price; and if so, were there any special circumstances for the refusal of the lowest tender?

Mr. Lackey answered,—

(1.) Yes.

(2.) *Mr. Vider* forwarded an offer for £3 lower, but it was not received until after *Mr. Kershaw's* tender had been dealt with.

- (2.) Government Contracts :—*Mr. McElhone* asked the Colonial Treasurer,—

(1.) When will the pamphlets showing the contract prices of all goods supplied to the Government in 1878 be laid upon the Table of this House?

(2.) The like in regard to 1879, with information of prices for each article tendered for?

Mr. Watson answered,—I laid these papers upon the Table of the House yesterday.

- (3.) Land leased for Railway Purposes at the Weatherboard :—*Mr. McElhone* asked the Secretary for Public Works,—

(1.) Has the Railway Department leased 97 acres of land, known as a portion of *W. Boyle's* 100 acre grant, at the Weatherboard, Great Western Railway, for twenty-one years from the 1st June, 1877, at £10 per annum, payable in advance?

(2.) Has the rent due thereon been paid; if not, when will it be?

Mr. Lackey answered,—

(1.) The area mentioned has been leased at £10 per annum.

(2.) The rent has not been paid, as the lease has not been executed. Arrangements, however, will shortly be completed.

- (4.) Road through *R. Gall's* Conditional Purchase :—*Mr. McElhone* asked the Secretary for Mines,—

(1.) Did *Mr. Francis Abberton* and others petition to have a road opened through *R. Gall's* selection of 40 acres, No. 94, parish of *Ellis*, county of *Brisbane*?

(2.) Did Surveyor *Allworth* survey this road and send in his report, No. 78/37, dated 15th June, 1878?

(3.) On what date did I first apply by letter to have this road surveyed, proclaimed, and opened?

(4.) What is the cause of the great delay in opening this road, and when is it likely it will be opened?

Mr. Baker answered,—

(1.) Yes.

(2.) Yes.

(3.) 22nd December, 1877.

(4.) Delay has been caused by referring *Mr. McElhone's* objection to the road, on behalf of *Gall*, to the Surveyor for report, and further delay has been occasioned by a Petition, asking for an alteration in the road, having been received and transmitted to the District Surveyor for his consideration and report.

(5.)

(5.) Medical Officer to the Railway Department:—Mr. McElhone asked the Secretary for Public Works,—

- (1.) Has a person named Dr. De Vine been appointed Medical Officer to the Railway Department; if so, when, and by whom, was he so appointed, and for what purpose, and at what salary?
- (2.) Does he hold a medical diploma; if so, from what College or Institute did he get it?
- (3.) Does a Dr. Neild hold a similar office to the above person, and when, and by whom, was he appointed?
- (4.) Did Dr. Renwick hold a similar position to the above persons prior to their appointment; if so, at what salary, and what did he receive (total sum) whilst he held the office?

Mr. Lackey answered,—

- (1.) Dr. De Vine has been appointed a Member of the Railway Medical Board; he was so appointed in November last by the Governor, with the advice of the Executive Council. The duties comprise the examining of candidates for employment in the Railway Department, and of Railway servants applying for sick leave, as well as the examination of persons who have received injuries from accidents on the Railway lines, and attendance in cases of Railway accidents, and the supply of necessary papers, certificates, and reports which may be required. The fixed salary is £150 a year.
- (2.) Dr. De Vine holds diplomas as Doctor in Medicine, Master and Doctor in Surgery of the Universities of Louisville, San Fernando, and St. Marcus of Lima, and is a duly qualified medical practitioner, registered by the Medical Board of New South Wales.
- (3.) Dr. Neild holds a similar appointment; he was appointed by the Governor, with the advice of the Executive Council, in November last.
- (4.) Dr. Renwick did not hold a similar position previous to the appointment of Dr. De Vine and Dr. Neild.

(6.) Pay of Railway Workmen:—Mr. McElhone asked the Secretary for Public Works,—

- (1.) Has he decided as yet if the Railway men whose pay was stopped for Good Friday and Christmas Day are to have the money stopped paid to them or not; if so, what is the result of his decision?
- (2.) Did not the men in the Locomotive Department get paid for Good Friday and following day, although they did not work on those days?
- (3.) Are not a number of the workmen in the Railway Department receiving less pay than they are entitled to for length of service?
- (4.) Is it not a fact that the Railway men do not get their fortnightly pay for often seven and eight days after it is due, and was it not the practice to pay these men every alternate fortnight; if so, will he issue instructions to revert to this practice?

Mr. Lackey answered,—

- (1.) As the men in the other branches of the Railway Department were not paid for Good Friday and Christmas Day, and as, upon inquiry, it was found that in all the large establishments of the City the workmen are not paid on these days, it was not considered desirable to alter the practice which has been in existence since 1874.
- (2.) The men in the Locomotive Department were not paid for Good Friday; they were paid for the following day, and all the men will be paid for that day. Those that worked will be allowed a day in lieu thereof.
- (3.) I am not aware that this is the case; but inquiry will be made.
- (4.) The men are paid twice a month. There is, always has been, and necessarily must be, an interval of from six to eight days between the day the pay-sheets are made up to and the day of payment; the required work in compiling and adjusting the pay-sheets will not admit of the interval being curtailed. At one time the men were paid every alternate Friday; but a week's wages were necessarily in hand. There are difficulties in the way of reverting to that practice, which was found to be inconvenient; but further inquiry is now being made in the matter.

(7.) Deeds issued to Lillyman and Malone:—Mr. J. Davies asked the Secretary for Lands,—Do the Government intend to call upon Lillyman and Malone, purchasers of town land at Narrabri, previously sold to another party, and for which compensation has been granted by this House, to surrender their deeds; failing so, will the Government take steps to cancel such Crown Grants—the original purchaser holding prior deeds from the Crown?

Mr. Hoskins answered,—

- (1.) Lillyman has surrendered the deed for the land conveyed to him, and has executed a transfer to the Crown, and has been paid the amount of compensation voted by Parliament.
- (2.) Malone refuses to surrender the deed of grant for the land purchased by him, being dissatisfied with the compensation (£50) voted. This case will receive further consideration.

(8.) Land purchased by James Sevil on Miller's Creek:—Mr. Bennett asked the Secretary for Lands,—

- (1.) Was James Sevil, formerly the lessee of Crown Lands situated on Miller's Creek, county of Buckland, allowed to purchase 19½ acres in virtue of improvements; if so, when, and of what character were such improvements?
- (2.) Did the then Secretary for Lands direct that the said improvements should be appraised; if so, when, and name of the appraiser, and the value of the improvements so appraised?
- (3.) If such appraisal was not carried out by the Government, when will it be?

Mr. Hoskins answered,—

- (1.) Yes; 15th February, 1878; woolshed, hut, and yards.
 - (2.) No.
 - (3.) It is not intended to appraise the land.
- (9.) Land purchased by James Sevil on Miller's Creek:—Mr. Bennett asked the Secretary for Lands,—
- (1.) Did Mr. Garrett, when Secretary for Lands, recommend that Mr. James Sevil should be allowed to purchase in virtue of certain improvements made on Crown Lands situated on Miller's Creek, county Buckland; if so, when, and what area, and under what circumstances was the said purchase allowed?

(2.)

(2.) Was Mr. District Surveyor Dewhurst instructed to measure a certain area in virtue of improvements made by Mr. J. Sevil, or any one else, on Crown Land situated on Miller's Creek; if so, when, and what number of acres?

(3.) Did Mr. District Surveyor Dewhurst carry out the above-mentioned survey, or did he forward the same to Mr. Licensed Surveyor Higgins; if so, when?

(4.) Was the said survey carried out by Licensed Surveyor Higgins?

(5.) On whose recommendation were the above-mentioned instructions withdrawn, and when, and for what reason?

(6.) What was the area of the Reserve on which the above-mentioned improvements were made at the date when Mr. J. Sevil applied to purchase the 250 acres in virtue of improvements made?

Mr. Hoskins answered,—

(1.) Yes; on the 8th September, 1877, 19 acres 3 roods 12 perches, on the plea that he had effected improvements previously to the land having been proclaimed a Reserve.

(2.) Yes; on the 11th September, 1877; about 25 acres.

(3 and 4.) No, the survey was made by Mr. Licensed Surveyor Darby.

(5.) The Secretary for Lands.

(6.) 640 acres.

(10.) Mr. Bruce, Chief Inspector of Stock:—Mr. McElhone asked the Colonial Treasurer,—

(1.) Is he aware that Mr. Bruce, Chief Inspector of Stock, who was lately appointed to act on a Commission to inquire into the management of the Abattoirs, Glebe Island, has taken an active and leading part in the formation of a meat company, and is said to be largely interested as a shareholder or an applicant for shares in above company?

(2.) Is he aware that it is believed by numbers of persons that certain articles lately written in the daily Press were written at the instance of persons interested in the proposed new meat company?

(3.) Under these circumstances does he consider it advisable to allow Mr. Bruce to act as a Commissioner, and will he strike his name off and appoint some other competent person in his place?

Mr. Watson answered,—

(1.) No.

(2.) No.

(3.) I am not aware of any valid reason for superseding Mr. Bruce in his appointment to the Board referred to.

(11.) Telegraphic Communication between Sydney and Parramatta:—Mr. Bennett, for Mr. Taylor, asked the Colonial Secretary,—Is it a fact that no telegrams are despatched from Sydney to Parramatta between the hours of one and two o'clock p.m.; if not, how is it that a telegram left at the head office a few minutes past one o'clock on Tuesday last was not delivered at Parramatta until past two o'clock?

Sir Henry Parkes answered,—The Parramatta Office is open to the public from nine a.m. until ten p.m. daily, without intermission. There is no record of any telegram as that referred to; but one was lodged at the Head Office on Tuesday last at twenty-eight minutes past twelve, and was delivered in Parramatta at a quarter to one. The telegram was from Mr. James Taylor to Mr. Hugh Taylor, M.P., Parramatta.

(12.) Slaughtering Cattle on Lines of Railway:—Captain Onslow asked the Secretary for Public Works,—Is it the intention of the Government to take any steps by which persons slaughtering animals on the lines of Railway may be enabled to bring the carcasses to Sydney for disposal?

Mr. Lackey answered,—Yes, the Department is prepared to provide the required conveniences at any time they may be called upon to do so.

(13.) Promotions in the Volunteer Force:—Mr. Tecco, for Mr. W. Davies, asked the Colonial Secretary,—Have the promotions of the several Officers of the Infantry (Western Regiment), and Engineer Corps of the Volunteer Forces, been made in accordance with the establishment as settled by the new Regulations issued on 9th September, 1878, by the Governor and Council?

Sir Henry Parkes answered,—These promotions are now under consideration.

2. PAPER:—Mr. Hoskins laid upon the Table,—Return (*in part*) to an Order made on 25th January, 1878,—“Conditional Purchases of Thomas Kerr, Robert Barbour, and others, near Deniliquin.” Ordered to be printed.

3. ADJOURNMENT:—Captain Onslow moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.

4. LANDS ACTS FURTHER AMENDMENT BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 9 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at six minutes before One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 116.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 9 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) John Macintosh, Esq., M.L.A.:—Mr. Cohen asked the Colonial Secretary,—

(1.) Is the Mr. Macintosh, stated in answer to series of Questions No. 11 on the Votes and Proceedings of this House of April 8th last, as having supplied iron to the Exhibition Building, the Honorable Member for East Sydney; and what was the quantity and price thereof?

(2.) If such iron has been paid for, was it paid for by the Government; and if not, are the Government liable to Mr. Macintosh for the amount?

Sir Henry Parkes answered,—

(1.) Iron-work has been supplied for the Exhibition Building by John Macintosh & Son, Pitt-street. The quantity and price are specified in a Return which I will lay upon the Table.

(2.) The iron-work charged for has been paid by the Government.

(2.) Printing for Mr. Heaton at the Government Printing Office:—*Mr. Barbour*, for Mr. Hurley (*Hartley*), asked the Colonial Treasurer,—

(1.) Is the printing of the work still being continued at the Government Printing Office referred to in previous questions as the "Men of the Time"; if so, by whom are the proofs read, or are they read?

(2.) By whom was the person appointed who acted as censor up to the end of last month, and by whom discharged?

(3.) Was he not competent for the position; if so, why was he peremptorily dismissed?

(4.) Is it true that his dismissal was brought about through complaints of a personal character from persons in public positions in this Colony?

(5.) Has the salary of the person who acted as censor up to the end of last month been paid out of Government funds?

Mr. Watson answered,—

(1.) The printing is nearly completed, and the proofs are being read by the reading staff.

(2, 3, 4, and 5.) No person was appointed as "censor." A Mr. Montagu was employed as a temporary reader for the work referred to, at Mr. Heaton's expense, and with his concurrence. He was not peremptorily dismissed, having had more than a week's intimation of the intended discontinuance of his services; nor was such discontinuance brought about by reason of personal complaints against him. Mr. Montagu's wages have been paid in the usual way, and charged to Mr. Heaton.

(3.) Chandos-street, Gunnedah:—*Mr. Cameron*, for Mr. Dangar, asked the Secretary for Public Works,—Is it intended to make and metal Chandos-street, in the town of Gunnedah, and will any provision be made for doing so?

Mr. Lackey answered,—It is intended to metal, when required, the lower portion of Chandos-street, from Conadilly-street to the River, as an approach to the bridge over the Namoi.

(4.) Site for Public School, Pokolbin:—*Mr. Burns* asked the Secretary for Lands,—When will the site granted by the Government for the Public School at Pokolbin be vested in the Council of Education?

Mr. Hoskins answered,—The survey has been received, and the land will be dedicated so soon as the formalities prescribed by the 5th section of the "Crown Lands Alienation Act" can be completed?

(5.) Water Works, Hunter River District:—*Mr. Burns*, for Dr. Bowker, asked the Colonial Secretary,—What progress has been made towards the execution of the Water Works for the Hunter River District?

Sir Henry Parkes answered,—The surveys are now sufficiently advanced to admit of the necessary machinery and iron-work being ordered, and this will be done as soon as Parliament sanctions the expenditure.

2. PAPERS :—

Sir Henry Parkes laid upon the Table,—Statement respecting Iron supplied by Mr. Macintosh for the International Exhibition Building.
Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—Return to an Address adopted on 16th April, 1879,—“Mr. Alexander Rogers, of Attunga.”
Ordered to be printed.

Mr. Lackey laid upon the Table,—Return to an Order made on 2nd April, 1879,—“Mr. James Gardner.”
Ordered to be printed.

3. INTERNATIONAL EXHIBITION BUILDING (*Formal Motion*) :—Mr. Farnell moved, pursuant to Notice, That there be laid upon the Table of this House copies of any Agreement, or Contract, and other Papers or Documents, in reference to the arrangement made with Mr. John Young to supervise the erection of the Exhibition Buildings.
Question put and passed.

4. POSTPONEMENT :—The Order of the Day for the further consideration in Committee of the Marsupials Destruction Bill postponed until Friday next.

5. BANK LIABILITIES AND ASSETS PUBLICATION ACT EXTENSION BILL :—The Order of the Day having been read,—on motion of Mr. Cameron, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.

On motion of Mr. Driver, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled “*An Act to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales and the Registration of the names of the Proprietors thereof.*”

Legislative Assembly Chamber,

Sydney, 9th May, 1879.

6. COHEN'S ENABLING BILL :—The Order of the Day having been read,—Mr. Burns moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Burns, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Burns, the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

7. CIVIL SERVICE PENSIONERS DISQUALIFICATION BILL :—The Order of the Day for the second reading of this Bill read,—and, on motion of Mr. Garrett, discharged.

Ordered, that the Bill be withdrawn.

8. PRINTING FOR MR. HEATON AT THE GOVERNMENT PRINTING OFFICE :—The Order of the Day having been read for the resumption of the adjourned Debate on the motion of Mr. McElhone, “That, in the opinion of this House, the Book about to be printed for Mr. J. H. Heaton at the Government Printing Office should not be printed there,”—

And the Question being again proposed,—the House resumed the said adjourned Debate.

Mr. Garrett moved the Previous Question.

Debate continued.

Previous Question, by leave, withdrawn.

Sir Henry Parkes moved, That the Original Question be amended by the omission of the last two words, with a view to the insertion in their place of the words “published by Government, but should be handed over to Mr. Heaton, on payment being made for the work done.”

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

Debate continued.

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

The House divided.

Ayes, 8.

Mr. Cohen,
Mr. W. H. Suttor,
Mr. Burns,
Mr. Fitzpatrick,
Mr. Greenwood,
Mr. Bennett,

Tellers.

Mr. McElhone,
Mr. McCulloch.

Noes, 28.

Sir Henry Parkes,
Mr. Baker,
Mr. Watson,
Mr. F. B. Suttor,
Mr. Windeyer,
Mr. Lucas,
Mr. Jacob,
Mr. J. Davies,
Mr. W. Davies,
Mr. Copeland,
Mr. Merriman,
Mr. Long,
Mr. W. C. Browne,
Mr. Beyers,
Mr. Terry,

Mr. Garrett,
Mr. Teeco,
Mr. T. R. Smith,
Mr. Thompson,
Mr. Cameron,
Mr. Roseby,
Mr. Hoskins,
Mr. Day,
Mr. Driver,
Mr. Wisdom,
Mr. Lackey,

Tellers.

Mr. B. B. Smith,
Mr. Shepherd.

And so it passed in the negative.

Question,

Question, That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That, in the opinion of this House, the Book about to be printed for Mr. J. H. Heaton at the Government Printing Office should not be published by Government, but should be handed over to Mr. Heaton, on payment being made for the work done,—put and passed.

9. AUSTRALIAN CRICKETERS:—The Order of the Day in reference to this subject read,—and, on motion of Mr. Cameron, discharged.
10. POSTPONEMENTS:—The following Orders of the Day postponed:—
 (1.) Medical Bill (No. 2); second reading;—*until Friday next.*
 (2.) Barrington Gold Field; consideration in Committee of an Address to the Lieutenant-Governor;—*until Friday next.*
 (3.) Standard Weight for Maize Bill; second reading;—*until Friday, 30th May.*
11. CONTRACTORS DEBTS BILL:—The Order of the Day having been read,—Mr. W. H. Suttor moved, That this Bill be now read a third time.
 Debate ensued.
 Question put and passed.
 Bill read a third time,—and, on motion of Mr. Suttor, *passed.*
 Mr. Suttor then moved, That the Title of the Bill be "*An Act for better securing the payment of Debts due to Workmen.*"
 Question put and passed.
 Ordered, that the Bill be carried to the Legislative Council, with the following Message:—
 MR. PRESIDENT,
 The Legislative Assembly having this day passed a Bill, intituled, "*An Act for better securing the payment of Debts due to Workmen,*"—presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 9th May, 1879.
12. BANKERS BOOKS AND CHEQUES BILL:—The Order of the Day having been read, and Mr. Terry proceeding to move the second reading of this Bill,—
 Notice was taken that there was not a Quorum present.
 Mr. Speaker counted the House, and there being only eighteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Beyers, Mr. Cameron, Mr. W. Davies, Mr. Day, Mr. Fitzpatrick, Mr. Hoskins, Mr. Jacob, Mr. Lackey, Mr. McCulloch, Mr. Murphy, Mr. Shepherd, Mr. T. R. Smith, Mr. F. B. Suttor, Mr. W. H. Suttor, Mr. Terry, Mr. Watson, and Mr. Windeyer,—
 Mr. Speaker adjourned the House at eight minutes before Eight o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 117.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 13 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Men employed on Steam Dredges:—*Mr. Barbour*, for *Mr. Thompson*, asked the Secretary for Public Works,—

(1.) How many men have been discharged from each of the Dredges since August 1st, 1868, together with the masters names?

(2.) Also the number of men in each Dredge who received sick pay since January 1st, 1874, together with their names, and names of masters?

(3.) Also the number of men who have not been paid during sickness, together with their names, and names of masters?

(4.) Also the reasons for non-payment of men, giving their names, together with the names of the respective masters?

Mr. Hoskins answered,—As it will be more convenient to give the information required in the shape of a Return, I have directed that such be prepared, which will be done, and laid upon the Table as quickly as possible. I would point out, however, to the Honorable Member that, as his Question embraces a period of over ten years, and relates to a number of men, the preparation of the Return will necessarily occupy some little time.(2.) *Mr. Blackman*, Department of Lands:—*Mr. Bowman* asked the Secretary for Lands,—(1.) Is he aware *Mr. Blackman*, of the Conditional Sales Branch of his Department, received last year nearly £100 for over-time work?(2.) Will he make strict inquiries from those officers who were working after office hours during the time specified in *Mr. Blackman's* vouchers whether that gentleman attended the office during the hours charged for?*Mr. Hoskins* answered,—(1.) The amount paid to *Mr. Blackman* during last year for over-time work was £85 12s.(2.) There is no doubt that *Mr. Blackman* attended the office during the hours charged for, and also for a long period subsequently without remuneration. The accounts were duly verified at the time, and the amount of duty performed under *Mr. Blackman's* supervision under the arrangement as to over-time was carefully checked as it proceeded.(3.) Church and School Lands:—*Mr. Bowman* asked the Secretary for Lands,—The name of the Clerk in his Department who signed a telegram, and had it sent to the Crown Lands Agent at Dungog, informing him that Church and School Lands could be conditionally purchased?*Mr. Hoskins* answered,—No telegram was ever sent to the Land Agent at Dungog stating that Church and School Lands could be conditionally purchased.(4.) Road down Dartbrook Creek to Merriwa Road:—*Mr. McElhone* asked the Secretary for Mines,—

(1.) When will the road down the Dartbrook Creek to the Merriwa Road, which was surveyed by Surveyor Allworth some seven months ago, be opened for traffic?

(2.) What is the cause of the delay in opening this road?

Mr. Baker answered,—

(1.) A time cannot be positively stated, but if no difficulties arise, and no applications for deviations be made, the road may be formally opened in about three months hence.

(2.) There has been no delay in dealing with this case since the plan of road was received in the Surveyor General's Office—on the 14th February, 1879. Since that date the survey has been examined and the road preliminarily notified in the *Government Gazette* of 2nd May. Further action cannot be taken until the expiration of the time provided by law for persons who may be interested to make objections. (5.)

- (5.) Mr. E. L. Scott :—Mr. McElhone asked the Minister of Justice and Public Instruction,—
- (1.) Who appointed Mr. E. L. Scott to the office of Clerk to the Parliamentary Draftsman?
 - (2.) How long was he employed as a Temporary Clerk in the Sheriff's Office?
 - (3.) Is it a fact that when he was acting as Temporary Clerk in the Sheriff's Office he so neglected his work as to leave about three months arrears of work for his successor to make up?
 - (4.) Will he inquire if above statement is true as to his neglect of duties?

Mr. F. B. Suttor answered,—

- (1.) The Governor, with the advice of the Executive Council.
- (2.) Fifteen and one-half months.
- (3.) No; but Mr. Scott appears to have been three weeks in arrear with the indexing of the Record Register.
- (4.) Answered by No. 3.

- (6.) Mr. F. Adams's Conditional Purchase at Scone :—Mr. McElhone asked the Secretary for Lands,—

- (1.) Did Mr. F. Adams, of the Rouchel, conditionally purchase 80 acres of land at Scone on the 20th May, 1875?
- (2.) Did he apply for a refund of deposit, paid on his conditional purchase on 27th April, 1878, on the ground of non-survey within twelve months of taking it up?
- (3.) Has the refund voucher been sent to Mr. Adams; if not, why not, and what is the cause of the delay in sending it, and will he give instructions to have the refund voucher sent at once?

Mr. Hoskins answered,—

- (1.) Mr. Adams conditionally purchased 40 acres on the 20th May, 1875, and 40 acres on 8th July, 1875.
- (2.) Application was received for refund of deposit on the 20th May, 1878.
- (3.) The refund has not been given, because the land was measured prior to application for refund, viz., in October, 1877; and the purchase has since become lapsed.

- (7.) Printing for Mr. Heaton at the Government Printing Office :—Mr. McElhone asked the Colonial Treasurer,—

- (1.) What is Mr. Heaton to pay for the work done in the Government Printing Office, and has he given a guarantee for payment?
- (2.) What would the same work have cost him if done in a private printing office?

Mr. Watson answered,—

- (1.) Mr. Heaton has agreed (*vide* his letter dated 24th January, 1879) to pay all expenses of printing; but the amount cannot be stated until the printing is completed. Mr. Heaton has already paid £250 for the purchase of paper.
- (2.) I am unable to say.

- (8.) Government Printing Office :—Mr. McElhone asked the Colonial Treasurer,—What work (if any) has been done at the Government Printing Office for the proprietors of the *Evening News* and *Town and Country Journal* during the last two years in the shape of printing, or lithographing, or publishing the likenesses of Members of this or past Parliaments, or of the different Members of various Governments?

Mr. Watson answered,—No work of the character indicated has been done for the proprietors of the *Evening News* and *Town and Country Journal* during the last two years; but the type of the Land Bill of the late Government was lent to them by the authority of Mr. Farnell, from which they made a stereotype, and printed the Bill as a supplement to their paper. A photo-lithograph of the Royal Family was also supplied to Mr. Sands, who printed about 30,000 copies of it, which were issued as a supplement to the *Town and Country Journal*. Mr. Sands paid the cost of this photo-lithograph.

- (9.) Rushcutters Bay :—Mr. McElhone asked the Secretary for Public Works,—

- (1.) Were the Reclamation Works at Rushcutters Bay stopped for any time; if so, what were they stopped for?
- (2.) Who was the person appointed to look after the depositing of stuff in the Bay; who appointed him, and at what rate of pay?
- (3.) Is he suspended at present; if so, what for?
- (4.) Has it been reported to the Department that a large number of loads of stuff were charged for which were not carted, and that the men who were paid for carting did not exist?

Mr. Hoskins answered,—

- (1.) The works have not at any time been stopped by the Government.
- (2, 3, and 4.) For a short time but little work was done, owing to the men having struck for higher pay; this, however, I do not see my way clear to grant, as the Government are taking steps to repair the roads in the vicinity of Rushcutters Bay, which, when done, will enable the carters to earn a fair profit. The Government were prepared, as the most economical course to pursue under the circumstances, to accept the stoppage of the Reclamation Works by carts, pending the road repairs, but the carters themselves, after a short interval, elected to continue working at the old rates; as, however, the repairs in question will be pushed forward, the men will soon be able to make better wages. With regard to the other questions, I think the Honorable Member will agree with me that it is not desirable, pending the result of investigations not yet closed, to make public the information asked; but I shall be happy to show the papers to him, or any other Honorable Member who may desire to see them. I may state generally, however, that it has been reported that three or four carts were entered in the sheets which were not actually being worked; but the report was made almost immediately after the alleged fraud was attempted.

2. PAPERS :—

Mr. Baker laid upon the Table,—Return to an Order made on 22nd April, 1879,—“ Pitfall at Wallsend Colliery.”

Ordered to be printed.

Mr.

Mr. Hoskins laid upon the Table,—Return (*in part*) to an Order made on 5th February, 1878,—
“Crown Lands under Pastoral Lease and Conditional Purchase.”
Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—

(1.) Report of the Council of Education upon the condition of the Public Schools, for 1878.
(8 *Maps accompanying.*)

(2.) Report of the Council of Education upon the condition of the Certified Denominational Schools for 1878.

Ordered to be printed.

3. WAGGA WAGGA COMMON:—Mr. Lucas (*by consent*) moved, without Notice, That the name of Mr. Teece be added to the Select Committee on the “Wagga Wagga Common.”
Question put and passed.

4. ADJOURNMENT:—Mr. Copeland moved, That this House do now adjourn.
Debate ensued.

And it being Seven o'clock, Government Business was proceeded with.

5. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

(1.) City of Sydney Improvement Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled “*An Act to make better provision for the construction of Buildings and for the safety and health of the Inhabitants within the City of Sydney,*”—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 13th May, 1879.

JOHN HAY,
President.

CITY OF SYDNEY IMPROVEMENT BILL.

SCHEDULE of the Amendments referred to in Message of 13th May, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

- Page 1, clause 1, lines 8, 9. Omit “first day of March next” insert “sixtieth day after the
“passing thereof”
“ clause 1, line 10. Omit “ of 1878”
Page 1, clause 2, line 11. Omit “said first day of March next” insert “commencement of this
“ Act”
“ clause 2, line 12. After “six” insert “the”
“ “ line 13. Omit “third Victoria number fourteen”
“ “ line 14. Omit “twenty-five” insert “five”
“ “ line 16. Omit “first day of March next” insert “commencement”
Page 2, clause 3, line 4. Omit “respective”
“ “ line 4. After “them” insert “respectively”
“ “ line 28. After “any” insert “proclaimed”
“ “ line 35. After “external wall” omit “every outer wall of buildings already
“ built or hereafter to be built which (except the footways thereof on one side) shall
“ stand wholly upon ground of the owner of such buildings and shall not be used or
“ intended to be used as a party wall under the definitions hereinafter contained whether
“ the same shall adjoin or not to the other outer or party wall” insert “shall apply to every
“ outer wall or vertical enclosure of any building not being a party wall”
Page 2, clause 3, line 43. Omit “to include”
“ “ line 48. Omit “to be built or”
“ “ lines 48, 49. Omit “the date of”
“ “ line 49. Omit “being” insert “if”
“ “ line 49. After “commenced” insert “before this Act coming into operation”
“ “ line 55. Omit “include the agent for any owner and” insert “apply to”
“ “ line 56. After “in” insert “the receipt or entitled to the”
“ “ line 57. Omit “or in possession”
Page 3, clause 3, lines 1, 2. Omit “Occupant or occupier”—To include any person employed for
“ daily labour or otherwise upon any building or premises”
“ clause 3, lines 4 to 10. After “Party-wall” omit remainder of paragraph insert “shall
“ apply to every wall used or built in order to be used as a separation of any building
“ from any other building with a view to the same being occupied by different persons”
“ clause 3, line 18. After “or” insert “if there be no floor above it then to the top of the
“ side-walls and”
“ clause 3, line 18. After “no floor” insert “below”
“ “ line 20. At end of paragraph add “or the top of the side walls as the case
“ may be”
“ clause 3, line 27. Omit “as”
Page 3, clause 4, line 33. After “Colony” insert “upon the receipt of a petition from any such
“ municipality praying for such extension”
“ clause 4, line 34. Omit “privileges” insert “duties”
“ “ line 34. After “in” insert “or to be performed by”
“ “ 5, lines 39, 40. After “by-laws” insert “and may from time to time repeal or
“ alter any such by-law by a new by-law so made and published” Page

Page 3, clause 5, line 40. *Omit* "full force and"
 line 41. *Omit* "intention and"
 " " lines 41, 42. *Omit* "the gazette containing" *insert* "a gazette purporting to
 " " "contain"
 " clause 5, line 42. *Omit* "s" from "by-laws"
 " " line 42. *Omit* "*primâ facie*"
 " " line 43. *Omit* "s" from "by-laws"
 " " line 44. *After* "Provided" *insert* "that no such by-law shall be made until
 " the expiration of two months after a copy of the same as proposed to be so made
 " has been published once at least in two or more newspapers circulating in Sydney and
 " been delivered at the office of the City of Sydney Improvement Board to be appointed
 " under this Act and any person affected by any such by-law may forward notice of his
 " objection to such Board and to the City Council which shall take the same into con-
 " sideration Provided also"
After clause 5 *insert* the following new clauses:—

Appointment of
Improvement
Board.

" 6. Within one month after the commencement of this Act the Governor with the advice of
 " the Executive Council shall appoint a Board to be called the City of Sydney Improvement Board
 " which Board shall consist of five members of whom one at least shall be a professional architect
 " one a practical builder and one a medical practitioner which Board shall have power to determine
 " any questions concerning the execution of this Act which may be brought before them by
 " complaint report or otherwise and such Board may in any particular case in which they think it
 " expedient dispense with the observance of any by-law subject to such conditions if any as they
 " may think proper which conditions may be enforced in like manner as if the same had been
 " enacted by a by-law duly made and published as aforesaid. Provided also"

Complaints to
Board.

" 7. Any person dissatisfied with the conduct proceedings or decision of any officer empowered
 " by this Act to carry out its provisions may prefer a complaint to the Board having first given
 " twenty-four hours written notice of such complaint to the person or persons complained of and
 " the Board shall fix a time for the hearing of such complaint shall examine such witnesses as may
 " be called and shall have full power to adjudicate upon the question or questions submitted for
 " settlement.

Provision for
appeals.

" 8. If any doubt difference or dissatisfaction in respect of any matter within the provisions
 " of this Act shall arise between any parties concerned or between any party and any surveyor or
 " between any two surveyors as to any act done or to be done in pursuance of this Act or as to the
 " effect of the provisions thereof in any case or as to the mode in which the provisions of this Act
 " ought to be carried into effect then any such person may require the said Board on appeal to
 " determine such matter.

Mode of
appealing.

" 9. Any such requisition must be made in writing and must set forth generally the matters
 " in respect of which the determination of the Board is required and the decision of such Board as
 " to all or any of the points in difference in which such Board shall decide and as to all costs
 " charges and expenses shall be binding on all parties to such appeal.

Quorum of
Board.

" 10. In every case where any act is required directed or permitted to be done by such
 " Board the same may be done by any three members thereof at any meeting to which all the
 " members have been duly summoned and when so done shall be as valid and effectual as if done
 " by all and any one of them may be appointed by the others to make any inquiry or any survey
 " which shall appear expedient in order to enable them to determine any matter referred to them.

As to members
interested.

" 11. It shall not be lawful for any member of the Board to act thereon with respect to any
 " building of which he is the owner architect or builder or in which he is in any manner personally
 " interested.

Fees to Board.

" 12. The members of such Board shall receive for their own use a fee of one guinea each
 " on every reference or appeal made to them under the provisions of this Act (and if occupied
 " more than one hour on the same shall receive a fee of two guineas each) and such first-mentioned
 " fee shall be deposited in the first instance by the party making such reference or appeal before
 " the same is entered upon.

Licenses as to
drainage and
sewerage.

" 13. The City Council shall from time to time license persons to perform all work in
 " connection with drainage and sewerage and no person shall be permitted to do or commence any
 " work in connection with the construction enlargement or repair of any drain leading from any
 " building water-closet office or stable to any common sewer or other outlet unless so licensed or
 " under the immediate control of a person so licensed and any unlicensed person not under such
 " control who shall perform or commence such work and any person knowingly employing such
 " unlicensed person to perform such work except under such control shall be liable to a penalty of
 " not less than forty shillings nor more than five pounds for every day during which such unlicensed
 " person is employed and the City Council may direct all work done by such unlicensed person
 " to be removed.

Penalty.

Page 3, clause 6, line 50. *Omit* "full plans and particulars of the same" *insert* "a plan showing
 " the proposed disposition of such land and setting forth the width and direction of such
 " road street lane or alley and a sketch showing the proposed drainage of such land"

" clause 6, line 51. *After* "Council" *insert* "subject to appeal from their decision under
 " the provisions of the eighth section of this Act"

" clause 6, lines 52, 53. *Omit* "be guilty of a misdemeanour and"

" " lines 53, 54. *Omit* "imprisonment for any term not exceeding two years"
 " *insert* "a penalty not exceeding fifty pounds Provided that if no disapproval be
 " expressed in writing by the City Council within seven days after such plan shall have
 " been submitted the intended disposition of the land may be proceeded with"

" clause 7, lines 55, 56. *Omit* "(nor shall any building be converted into or used as a
 " dwelling-house)"

" clause 7, line 57. *Omit* "or approached by"

- Page 3, clause 7, lines 58, 59. *Omit* "building so erected or used" *insert* "person acting"
 " " line 60. *Omit* "treated as a common nuisance" *insert* "liable to a fine of not
 " " " less than forty shillings nor more than ten pounds for each day of the continuance of
 " " " such offence after notice from the surveyor"
- Page 4, clause 8, line 1. *Omit* "From and"
 " " line 1. *Omit* "said first day of March next" *insert* "commencement of this
 " " " Act"
 " " clause 8, line 5. *Omit* "first day of March next" *insert* "commencement of this " Act"
 " " " 9, line 27. *Omit* "to the Surveyor"
 " " " 10, line 32. *Omit* "date" *insert* "death"
 " " " 12, line 47. *Omit* "therefore" *insert* "thereupon"
- Page 5, clause 14, line 18. *After* "receive" *insert* "on behalf of the City Council"
 " " " line 20. *Omit* "that"
 " " " 15, line 24. *Omit* "to the surveyor"
 " " " line 31. *Omit* "to any such surveyor"
 " " " 16, line 35. *Omit* "Three clear days"
 " " " line 42. *After* "surveyor" *insert* "three clear days"
 " " " line 44. *Omit* "plans and particulars" *insert* "a general plan"
 " " " line 45. *After* "surveyor" *insert* "who shall return the said plan within seven
 " " " days with his decision endorsed thereon"
 " " " line 49. *Omit* "and particulars"
- Page 6, clause 16, line 4. *Omit* "s and particulars"
 " " " 17, line 17. *Omit* "full plans and particulars" *insert* "a general plan"
 " " " line 19. *Omit* "and"
 " " " line 19. *After* "ventilation" *insert* "and drainage"
 " " " line 21. *Omit* "and particulars"
 " " " lines 21, 22. *Omit* "make any alteration therein" *insert* "otherwise"
 " " " line 22. *After* "hands" *insert* "and return the same within seven days"
 " " " 19, line 43. *After* "the" *insert* "architect or if there be no known architect then
 " " " to the"
 " " " clause 19, line 52. *After* "the" *insert* "architect"
 " " " line 54. *After* "such" *insert* "architect"
 " " " lines 57, 58. *Omit* "some Justice of the Peace and thereupon a Stipendiary
 " " " Magistrate or two or more Justices of the Peace" *insert* "the City of Sydney Improve-
 " " " ment Board which"
- Page 7, clause 19, line 1. *Omit* "be found" *insert* "appear"
 " " " line 2. *Omit* "Magistrate or Justices" *insert* "Board"
 " " " line 7. *Omit* "or other demands"
 " " " line 8. *Omit* "to the surveyor"
 " " " line 10. *After* "such" *insert* "architect"
 " " " line 11. *After* "aforesaid" *add* "and if it shall be found that such building or
 " " " work has been done in conformity with this Act the said Board may award compensation
 " " " together with any costs charges and expenses as aforesaid to be paid by the Corporation
 " " " for such injury as may have been done in laying open pulling down or otherwise dealing
 " " " with such work"
 " " " clause 20, line 12. *Omit* "time" *insert* "hour of the day from nine in the morning to five
 " " " in the afternoon"
 " " " clause 20, lines 14, 15. *Omit* "(either with or without previous notice)"
 " " " line 16. *After* "any" *insert* "such"
 " " " 21, lines 31, 32. *Omit* "a Stipendiary Magistrate or any two Justices" *insert* "the
 " " " Board"
 " " " clause 21, lines 34, 35. *Omit* "immediately"
 " " " line 36. *Omit* "Magistrate or Justices" *insert* "Board"
 " " " line 39. *Omit* "the" *insert* "all"
 " " " line 40. *Omit* "of the said surveyor" *insert* "payable under the provisions of
 " " " this Act"
 " " " clause 21, line 43. *Omit* "Magistrate or Justices" *insert* "Board"
 " " " clause 22, line 51. *Omit* "or in default thereof" *insert* "and any building not so
 " " " drained"
- Page 8, clause 23, line 8. *At* end of clause, *add* "Provided always that if the expenses and fees
 " " " aforesaid be paid by the occupier being a tenant he shall be entitled to recover the same
 " " " from the landlord or owner as money paid at his request"
 " " " clause 24, line 12. *Omit* "fixed upon" *insert* "approved"
 " " " 28, line 52. *Omit* "either with or without notice" *insert* "between the hours of
 " " " nine a.m. and five p.m."
- Page 9, clause 29, lines 7, 8. *Omit* "and shall not be taken down or removed without the sanction
 " " " of the Mayor"
 " " " clause 31, line 22. *Omit* "such"
 " " " " line 22. *After* "materials" *insert* "of such a character"
 " " " 32, line 28. *Omit* "occupier" *insert* "agent of such owner"
 " " " line 33. *Omit* "occupier" *insert* "agent of such owner"
 " " " line 45. *After* "and" *insert* "if neither the owner nor the agent of the owner
 " " " can be found the City Surveyor shall apply to a Stipendiary Magistrate or any two
 " " " Justices and"
 " " " clause 32, line 45. *Omit* "any two"
 " " " " line 55. *After* "owner" *omit* remainder of clause.
- Page 10, clause 33, lines 4, 5. *Omit* "after the first day of March next"
 " " " lines 6 to 8. *Omit* "at a less distance than forty feet from any public way or
 " " " than fifty feet from any other building or any vacant land belonging to any other person
 " " " than the landlord"

Page 10, clause 33, line 9. *Omit* "powder" *insert* "substances"
 " " line 11. *After* "explosion" *omit* remainder of clause.
After clause 33 *insert* new clause—

"It shall not be lawful for any person to establish or to carry on either in any building
 " or vault or in the open air at a less distance than forty feet from any public way or than fifty feet
 " from any other building or any vacant land belonging to any other person than the landlord any
 " business for the manufacture of vitriol or turpentine or naphtha or varnish or fireworks or oil or
 " oilcloth or other things dangerous on account of the liability of materials or substances employed
 " therein to cause sudden fire or explosion and if any person shall establish or carry on any such
 " business contrary to this Act he shall be liable for every day during which such business shall be
 " so carried on to a penalty of a sum not exceeding twenty pounds nor less than ten pounds and the
 " prosecutor shall be entitled also to such costs as shall be deemed reasonable"

Page 10, clause 36, lines 47 to 53. *Omit* "in the form set forth in Schedule H No. 5 or to
 " the like effect require such thickness or dimensions to be increased then the building
 " owner may proceed to erect the said party wall in accordance with his said notice but
 " not so as to extend more than seven inches on the land of the adjoining owner and may
 " recover from the adjoining owner or occupier a fair proportion of the expense of
 " building such party wall" *insert* "agree to have any such party wall then the building
 " owner shall not erect his wall so as to extend upon the land of the adjoining owner
 " except so much of the footings as are below the surface of the adjoining owners land"
 " clause 36, line 53. *After* "if" *insert* "within one month"

" " line 53. *After* "notice" *insert* "in writing by such adjoining owner agreeing
 " to the proposed thickness and dimensions or"

" clause 36, line 53. *After* "requiring" *insert* "by notice in writing in the form set forth
 " in Schedule H No. 5 or to the like effect"

" clause 36, line 54. *Omit* "as aforesaid"

" " line 57. *After* "occupier" *insert* "a fair proportion of the expense of building
 " such party wall or"

" clause 36, line 58. At end of clause *add* "as the case may be"

Page 12, clause 41, line 49. *Omit* "first day of March next" *insert* "commencement of this Act"

Page 13, clause 43, lines 25, 26. *Omit* "first day of March next" *insert* "commencement of this
 " Act"

Page 15, clause 50, line 26. *Omit* "and" *insert* "or"

" " line 30. *Omit* "month" *insert* "week"

" " line 36. At end of clause *add* "the said building owner using reasonable care
 " but at the cost and risk of the adjoining owner"

" clause 51. *Omit* clause 51, *insert* the following new clause:—

"If the adjoining owner shall before the expiration of such notice as last aforesaid
 " give notice in writing to the building owner that he desires to cut away such footings chimney
 " breasts or other projections he shall be entitled to do so at his own costs. Provided that if such
 " work shall not be completed by him within one month after such expiration as aforesaid the
 " building owner may proceed to do or complete the same as in the last section enacted."

Page 16, clause 54, line 34. *After* "surveyor" *insert* "or architect"

" " line 36. *After* "surveyor" *insert* "or architect"

Page 17, clause 57, line 10. *Omit* "regularly" *insert* "sufficiently"

" clause 58. *Omit* clause 58.

" clause 61, line 43. *Omit* "In any proceeding which shall be taken" *insert* "If any action
 " be brought"

" clause 61, line 44. *Omit* "Act or"

" " line 44. *Omit* "to be" *insert* "and believed by him to have been"

" " line 45. *Omit* "the powers by"

" " lines 45, 46. *Omit* "in answer to such action"

" " line 47. *Omit* "this Act and"

" " line 48. *Omit* "Provided that" *insert* "And"

" " line 49. *Omit* "such action be"

" " line 50. *Omit* "And" *insert* "nor"

" " line 52. *Omit* "so"

" clause 62, line 55. *Omit* "made"

" " line 55. *Omit* "in a summary way" *insert* "under this Act shall be recovered"

" " lines 56, 57. *Omit* "(when no other provision for the recovery or prosecution
 " thereof is in that behalf provided)"

Page 19, Schedule A, line 17. *After* "manufactory" *insert* "or"

" " line 17. *Omit* "or stable cowshed or privy"

" " line 43. *Omit* "area"

" " lines 47, 48. *Omit* "surface of the pavement ground or way before either
 " of the fronts thereof" *insert* "top of the footings thereof"

" Schedule A, lines 49 to 55. *Omit* paragraph under the heading of—"Rule for ascer-
 " taining areas and rates"

" " line 59. *Omit* "four" *insert* "six"

" " lines 63 to 66. *Omit* paragraph under the heading of—"Rule for ascer-
 " taining thickness of wall and footing"

Page 20, Schedule B, Part 1. *Omit* Schedule B, Part 1, *insert* the following new Schedule—

" SCHEDULE B.

" PART I.

" CONDITIONS for determining the rates to which Buildings of the first or Dwelling-house Class
 " are to be deemed to belong and the thickness of the external walls and of the party walls
 " thereof.

" Thickness

Thickness of Walls of Dwelling Houses.

" The external and party walls of dwelling houses shall be made throughout the different stories of the thickness shown in the following table arranged according to the heights and lengths of the walls and calculated for walls up to one hundred feet in height and supposed to be built solid of bricks not less than eight and a half inches and not more than nine and a half inches in length the heights of the stories being subject to the condition hereinafter given.

" Table (referred to under Part I.)

Explanation of Tables.

" In using the above table the height of the wall is to be reckoned on the first vertical column on the left hand of the table and the length of the wall on the corresponding horizontal column. The thickness of the wall in each story is given in inches and begins with the wall from the base upwards.

Qualification in case of certain Walls.

" If any external or party wall measured from centre to centre is not more than twenty-five feet distant from any other external or party wall to which it is tied by the beams of any floor or floors other than the ground floor or the floor of any story formed in the roof the length of such wall is not to be taken into consideration and the thickness of the wall will be found in the second vertical column in the above table.

Condition in respect of Stories exceeding a certain height.

" If any story exceeds in height sixteen times the thickness prescribed for the walls of such story in the above table the thickness of each external and party wall throughout such story shall be increased to one-sixteenth part of the height of the story but any such additional thickness may be confined to piers properly distributed of which the collective widths amount to one-fourth part of the length of the wall.

Restriction in case of certain Stories.

" No story enclosed with walls less than thirteen inches in thickness shall be more than 10 feet in height.

Thickness of Walls built of Materials other than such Bricks as aforesaid.

" The thickness of any wall of a dwelling-house if built of materials other than such bricks as aforesaid shall be deemed to be sufficient if made of the thickness required by the above tables or of such less thickness as may be approved by the City of Sydney Improvement Board with this exception that in the case of walls built of stone in which the beds of the masonry are not laid horizontally no diminution shall be allowed in the thickness required by the foregoing rules for such last-mentioned walls.

Rule as to Buildings not being of the Public Buildings or Buildings of the Warehouse Class.

" All buildings excepting public buildings and such buildings as are hereinafter defined to be buildings of the warehouse class shall as respects the thickness of their walls be subject to the rules given for dwelling houses.

Table referred to under Part 1.

" Height up to 100 feet.	Length up to 45 feet.			Length exceeding 45 feet.		
	One story	26 in.	Wall to be increased in thickness in each of the stories below the uppermost two stories by $4\frac{1}{2}$ in. (subject to provisions respecting distribution in piers.)			
	Two stories	22 "				
	Three stories	18 "				
	Remainder	$13\frac{1}{2}$ "				
" Height up to 90 feet.	Length up to 45 feet.			Length exceeding 45 feet.		
	One story	26 in.	Same as above.			
	One story	22 "				
	Three stories	18 "				
	Remainder	$13\frac{1}{2}$ "				
" Height up to 80 feet.	Length up to 45 feet.			Length exceeding 45 feet.		
	One story	22 in.	Same as above.			
	Three stories	18 "				
	Remainder	$13\frac{1}{2}$ "				
" Height up to 70 feet.	Length up to 45 feet.			Length exceeding 45 feet.		
	One story	22 in.	Same as above.			
	Two stories	18 "				
	Remainder	$13\frac{1}{2}$ "				
" Height up to 60 feet.	Length up to 45 feet.			Length exceeding 45 feet.		
	Two stories	18 in.	One story 22 in. Two stories 18 " Remainder $13\frac{1}{2}$ "			
	Remainder	$13\frac{1}{2}$ "				

Table

Table referred to under Part 2—continued.

" Height up to 50 feet.	Length up to 30 feet.	Length exceeding 45 feet.
	One story 18 in. To below topmost story ... 13½ " Remainder 9 "	One story 22 in. One story 18 " Remainder 13½ "
	Length up to 45 feet.	
	Two stories... .. 18 in. Remainder 13½ "	
" Height up to 40 feet.	Length up to 35 feet.	Length exceeding 35 feet.
"	To below topmost story ... 13½ in. Remainder 9 "	One story 18 in. To below topmost story ... 13½ " Remainder 9 "
" Height up to 30 feet.	To below topmost story ... 13½ in. Remainder 9 "	
" Height up to 25 feet.	Length up to 30 feet.	Length exceeding 30 feet.
	If two stories 9 in. If more than two stories to below topmost story ... 13½ " Remainder 9 "	To below topmost story ... 13½ in. Remainder 9 "

Page 21, Schedule B, Part 2. Omit Schedule B, Part 2, insert the following new Schedule—

" SCHEDULE B.

" PART II.

" Rules for the Walls of the Public Building and Warehouse Class.

" Definition of Warehouse Class.*

" The warehouse class shall comprise all warehouses manufactories breweries and distilleries.

" Thickness at Base.

" The external and party walls of buildings of the warehouse class shall at the base be made of the thickness shown in the adjoining table (Part II) calculated for walls up to one hundred feet in height and supposed to be built solid of bricks not less than eight and a half inches and not more than nine and a half inches in length.

" Table (referred to under Part II).

" Explanation of Table.

" The above table is to be used in the same manner as the table previously given for the walls of dwelling houses and is subject to the same qualifications and conditions respecting walls not more than twenty-five feet distant from each other.

" Thickness at top of Walls and through intermediate space.

" The thickness of the walls of buildings of the warehouse class at the top and for sixteen feet below the top shall be thirteen inches and the intermediate parts of the wall between the base and such sixteen feet below the top shall be built solid throughout the space between straight lines drawn on each side of the wall and joining the thickness at the base to the thickness at sixteen feet below the top as above determined nevertheless in walls not exceeding thirty feet in height the walls of the topmost story may be eight inches and a half thick.

" Condition in respect of Stories exceeding a certain height.

" If in any story of a building of the warehouse class the thickness of the wall as determined by the rules hereinbefore given is less than one-fourteenth part of the height of such story the thickness of the wall shall be increased to one-fourteenth part of the height of the story but any such additional thickness may be confined to piers properly distributed of which the collective widths amount to one-fourth part of the length of the wall.

" Thickness of Walls built of Materials other than such Bricks as aforesaid.

" The thickness of any wall of a building of the warehouse class if built of materials other than such bricks as aforesaid shall be deemed to be sufficient if made of the thickness required by the above tables or of such less thickness as may be approved by the City of Sydney Improvement Board with this exception that in the case of walls built of stone in which the beds of the masonry are not laid horizontally no diminution shall be allowed in the thickness required by the foregoing rules for such last-mentioned walls.

" MISCELLANEOUS.

" Cross Walls.

" The thickness of a cross wall shall be two-thirds of the thickness hereinbefore required for an external or party wall of the same dimensions and belonging to the same class of buildings but never less than eight and a half inches and no wall subdividing any building shall be deemed to be a cross wall unless it is carried up two-thirds of the height of the external or party walls and unless the recesses and openings therein do not exceed one-half of the vertical surface of the wall in each story.

" Extra

*This class includes all buildings which are not dwelling houses.

Extra thickness of certain Stone Walls.

"The thickness of every stone wall in which the beds of the masonry are not laid horizontally shall be one-third greater than the thickness prescribed in the rules aforesaid.

Table referred to under Part 2.

" Height up to 100 feet.	Length up to 45 feet.	Length exceeding 45 feet.
	Base 26½ in.	Wall to be increased in thickness from base to within 16 feet of the top by 4½ in. subject to provision respecting piers.
" Height up to 90 feet.	Length up to 45 feet.	Length exceeding 45 feet.
	Base 26 in.	Same as above.
" Height up to 80 feet.	Length up to 45 feet.	Length exceeding 45 feet.
	Base 22 in.	Same as above.
" Height up to 70 feet.	Length up to 45 feet.	Length exceeding 45 feet.
	Base 22 in.	Same as above.
" Height up to 60 feet.	Length up to 45 feet.	Length exceeding 45 feet.
	Base 22 in.	Base 26 in.
" Height up to 50 feet.	Length up to 30 feet.	Length exceeding 45 feet.
	Base 18 in.		Base ... .. 26 in.
	Length up to 45 feet.	
" Height up to 40 feet.	Length up to 35 feet.	Length exceeding 45 feet.
	Base 13½ in.	
	Length up to 45 feet.	
" Height up to 30 feet.	Length up to 45 feet.	Length exceeding 45 feet.
	Base 13½ in.	Base 18 in.
" Height up to 25 feet.		Length unlimited.
		Base 13½ in.

Page 22, Schedule B, Part 3. *Omit* Schedule B, Part 3.

Page 23, " Part 4, line 15. *Omit* "stone" insert "brick"

" " " line 16. *After* "iron" insert "on each side of the wall"

" " " line 21. *After* "iron" insert "on each side of the wall"

" " Part 5, line 25. *After* "within" insert "Fifty"

" Schedule C, line 51. *After* "work" add "or of concrete of such quality as shall be approved by the surveyor"

" Schedule C, lines 58 to 60. *Omit* "of the first rate must be at the least twelve inches high and the footing of every external and party wall of the third fourth and fifth rate must be at least nine inches high and all footings"

" Schedule C, lines 61, 62. *Omit* "and the footing of every party fence wall must be at the least six inches high"

Page 26, Schedule C, lines 5 to 7. *Omit* "and shall be corbelled out to the extent of two inches at the least beyond the external face of any projecting eave if such projecting eave is constructed of wood or other inflammable material"

Page 27, Schedule D, paragraph (5). *Omit* paragraph (5)

" Schedule E, line 60. *Omit* "with"

* Page 28, " line 25. *After* "trimmers" insert "or upon iron bars of size and strength to the satisfaction of the builder surveyor"

" Schedule E, line 57. *Omit* "place" insert "face"

Page 29, Schedule F, line 15. *Omit* "or hardwood shingles the produce of this Colony"

" " lines 22 to 24. *Omit* "no leaden pipe shall be used to convey water intended to be used for domestic purposes to any premises building or land"

" Schedule F, paragraph (3). *Omit* paragraph (3)

" " lines 40, 41. *Omit* "shall contain a fire-place and shall have a glazed window of at least nine superficial feet in area clear of the frame and"

" Schedule F, line 42. *Omit* "in the ceiling of such room and"

" " line 43. *Omit* "through a ventilator built in the external wall of such room"

Page 29, Schedule F, lines 44 to 46. *Omit* "every room in which gas is burnt for lighting same
" shall be ventilated by means of an improved metal tube connected with the external
" air"

" Schedule F, line 46. *Omit* "fanlights &c."

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Friday, 23rd May.

(2.) Sydney Corporation Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to consolidate and amend the Laws relating to the Corporation of the City of Sydney*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 13th. May, 1879.

JOHN HAY,
President.

SYDNEY CORPORATION BILL.

SCHEDULE of the Amendments referred to in Message of 13th May, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

- Page 1, preamble, line 2. *After* "Sydney" *insert* "and to make provision in other respects for the
" better government thereof as well as for other purposes"
- " clause 1, line 10. *Insert* "August" in the blank
- " " line 16. *Omit* "and Corruption"
- Page 2, " line 12. *Omit* "Grant in Aid"
- " " line 12. *After* "Endowment" *insert* "cancellation of certain Debts"
- " " 2, line 17. *Omit* "or"
- " " line 17. *After* "done" *insert* "or commenced"
- Page 3, " 3, line 6. *After* "wards" *insert* "duly certified as hereinafter provided"
- " " 4, line 26. *After* "decrees" *insert* "injunctions"
- " " 4, line 36. *After* "contracts" *insert* "appointments"
- Page 4, " 8, line 8. *Omit* "roll" *insert* "list"
- " " line 11. *Omit* "roll" *insert* "list"
- " " line 18. *Omit* "roll" *insert* "list"
- " " 9, line 22. *Omit* "roll" *insert* "list"
- " " line 30. *Omit* "roll" *insert* "list"
- " " line 33. *Omit* "roll" *insert* "list"
- " " 10, line 40. *Omit* "roll" *insert* "list"
- " " line 41. *Before* "receivable" *insert* "deemed to be the roll of citizens for the
" ward for which the same has been made out and shall be"
- " clause 11, line 44. *Omit* "roll" *insert* "list"
- " " 12, line 49. *Omit* "the Mayor or"
- Page 5, " 12. At the end of clause *add* "and no citizen shall be entitled to more than
" four votes in any one ward or to vote otherwise than in respect of the aggregate or
" collective value at which his property in any one ward is assessed"
- " clause 13, line 15. At the end of clause *add* "Provided that in the case of insolvency
" such insolvent shall have obtained his certificate"
- " Part III, line 29. *Omit* "and Corruption"
- Page 7, clause 30, line 33. *After* "all" *insert* "such"
- " line 33. *Omit* "at the election"
- Page 8, clause 37. *Transpose* to follow immediately after clause 50.
- Page 9, clause 41. At the end of clause *add* "And in order to provide for the interval during
" which the lists shall not be duly compiled and perfected into rolls under the provisions herein-
" before contained all elections of Aldermen and Auditors whether to fill extraordinary or other
" vacancies shall up to and including the first day of November one thousand eight hundred and
" eighty be conducted in accordance with the provisions of the several Acts hereby repealed and
" the citizens lists prepared in pursuance of the said Acts shall be in force for the purpose of all
" such elections but no longer"
- Page 9, clause 43. *Omit* clause 43
- " " 44. *Omit* clause 44
- " " 45, lines 57, 58. *Omit* "but shall in the case of such absence be liable to the like
" fine as if for his refusal to accept such office"
- Page 11, clause 51, line 6. *Omit* "the Mayor or"
- " *After*, transposed clause 37 *insert* the following new clause :—

" 52. If it shall appear upon affidavit that any person declared elected to be Mayor or
" an Alderman or Auditor has been unduly elected or that any person has been elected to or holds
" or exercises such office of Mayor Alderman or Auditor and is incapable under the provisions
" hereof of being or continuing such Mayor Alderman or Auditor it shall be lawful for the
" Supreme Court or any Judge thereof to grant a rule or order calling upon such person to show
" cause to the Court why he should not be by the said Court ousted of the said office and upon the
" return of such rule or order if it shall appear to the Court that such person so elected or holding
" or

" or exercising such office respectively was unduly elected or was at the time of his election or while holding or exercising such office incapable under the provisions hereof of being or continuing such Mayor Alderman or Auditor as the case may be the Court may make such rule or order absolute or may discharge such rule or order and in either case with or without the payment of costs to or by either party as the Court shall deem meet And the person against whom any rule shall be made absolute as aforesaid shall be deemed thereby to be ousted of such office accordingly Provided that no such order or rule shall in any case be granted if at the time of the application for such rule or order more than one month has elapsed after the election or the time when the person against whom such application shall be made shall have been disqualified."

- Page 12, clause 59, line 47. *Omit "fifteenth" insert "ninth"*
- Page 13, " 65, line 20. *Omit "five" insert "eight"*
 " " line 23. *Omit "three" insert "five"*
 " " 68, line 40. *Omit "deviate" insert "divert"*
 " " 69, line 51. *After "shall" insert "within the boundaries of the city"*
- Page 15, " 77, line 27. *Omit "occupier" insert "tenant"*
 " " 79, line 56. *Omit "thirty" insert "seven"*
 " " line 56. *Omit "of" insert "thereof"*
 " " line 57. *Omit "ninety" insert "thirty"*
- Page 17, " 86, line 25. *After "building" omit "or" insert "in"*
- Page 18, " 92, line 39. *Omit "aforesaid"*
 " " line 41. *Omit "landlord or"*
- Pages 18, 19, clause 94, line 59. *After "umpire" omit remainder of clause.*
- Page 19, clause 100, line 45. *Omit "except with" insert "without having"*
 " " 101, line 55. *Omit "cesspools" insert "cesspits"*
- Page 20, " 102, line 7. *After "any" insert "room"*
 " " line 8. *Omit "any opening door or window" insert "passage"*
 " " 103, line 29. *Omit "notwithstanding and"*
 " " line 30. *Omit "the" insert "any"*
 " " line 30. *Omit "by" insert "under"*
 " Part VI, line 32. *Omit "The"*
 " " line 32. *Omit "and the"*
- Page 21, clause 108, line 24. *At end of clause add "not merely with regard to the amount but also upon the principle on which such assessment has been made"*
- Page 25, clause 130, line 27. *After "Sydney" insert "together with any other amounts borrowed and expended upon such buildings"*
 " clause 131, line 37. *Omit "cease and determine" insert "be deemed to be in abeyance"*
 " " 133, lines 55 and 56. *Omit "their Corporate revenues from whatever source arising" insert "the City Fund"*
 " clause 133, line 58. *At end of clause add "Provided further that upon the establishment* Provide as to compensation to persons having vested interests.
 " by the Council of any such buildings yards or premises for the sale of cattle as hereinbefore provided the Council shall be liable to pay by way of compensation to the proprietor of any yards or premises situated within the aforesaid limits which shall before the commencement of this Act have been established and used for the *bona fide* purpose of holding sales of cattle thereat such a sum of money as shall be ascertained by arbitration to be conducted in pursuance of the provisions hereinafter contained for the arbitration of disputes or as shall be determined (in default of agreement to refer) by the Supreme Court by action for damages as is in that behalf provided."
- Page 26, clause 134, line 7. *Omit "nine" insert "eight"*
 " " 139, line 52. *Before "to" insert "notwithstanding anything to the contrary contained in the Act 14 Victoria No. 36 or any other Act"*
 " clause 139, line 53. *After "places" insert "within the said city or limits"*
- Page 28, clause 150, line 12. *Omit "part of the same" insert "any part of such public way"*
- Page 30, " 160. *At the end of clause add "Provided always that if the Council of any Municipality upon being served with notice as aforesaid shall deny the existence of any such alleged nuisance such Municipal Council shall be at liberty to give written notice of such denial to the City Council within seven days after the receipt by such Municipality of such first-named notice And thereupon the question of such alleged nuisance shall be referred to the decision of two arbitrators one to be appointed by each Council And such reference and arbitration shall be held under and proceed according to the provisions of the Act 31 Victoria No. 15 intituled 'An Act to make Arbitration more effectual'"*
- Page 30, clause 161, line 25. *Omit "the Council thereof" insert "or after the arbitrators shall have adjudged the existence of any nuisance in case of such reference as aforesaid the Council of such Municipality"*
- Page 30, clause 162, line 38. *Omit "first"*
 " " line 39. *Omit "out of" insert "upon"*
 " " line 40. *After "action" insert "but subject to any mortgage or debentures then existing or outstanding"*
- Page 31, clause 167, line 45. *Omit "cesspools" insert "cesspits"*
- Page 33, " 179, lines 31, 32. *Omit "the time mentioned in section one hundred and eighty-three" insert "three days after the service of such notice"*
 " clause 179, line 37. *Omit "to his use" insert "at his request"*
- Page 34, " 183, line 11. *Omit "occupant" insert "tenant"*
 " " 187. *Omit clause 187.*
 " " 188. *Omit clause 188.*
- Page 35, " 189, lines 1, 2. *Omit "in the manner provided for" insert "for the purpose of carrying into effect the provisions of this Part of the Act and particularly in respect of"*
 " clause 189, line 3. *Omit "The"*
 " " line 17. *After "away" insert "for"*

- Page 35, clause 189, line 18. *After* "of" *omit* "the"
 " lines 21, 22. *Omit* "respectively intended to be constructed varying or not
 " "according to" *insert* "in accordance with"
 " clause 189, line 27. *Omit* "To frame any other regulation" *insert* "And generally"
 " line 28. *After* "this" *insert* "part of the"
 Page 36, " 194, line 3. *Omit* "cesspool" *insert* "cesspit"
 " " line 5. *Omit* "cesspool" *insert* "cesspit"
 " " line 10. *Omit* "cesspool" *insert* "cesspit"
 Page 37, " 199, lines 9, 10. *Omit* "Provided that nothing herein shall affect any existing law
 " "or legal proceedings touching nuisances"
 " clause 200, line 12. *Omit* "blown pricked or stuffed butchers"
 " " line 13. *After* "intended" *insert* "but unfit"
 Page 38, " 208, line 38. *Omit* "and" *insert* "or"
 " " line 44. *Omit* "and" *insert* "or"
 Page 40, Part XI, line 6. *Omit* "Indebtedness" *insert* "certain Debts"
 Pages 40, 41, Part XI, clause 217. *Omit* clause 217.
 Page 43, clause 227, line 19. *After* "city" *add* "also for regulating porters and barrowmen"
 Page 45, " 238, line 27. *After* "may" *insert* "unless hereinbefore otherwise provided"
 " " 240. *To follow after* clause 227 as printed.
 " " 241. *Omit* clause 241.
 Page 46, " 244. At end of clause *add* "and nothing in any such Act contained shall be
 " construed to impair or abridge any power contained in this Act of framing by-laws for the
 " regulation of any of the matters specified in the two hundred and twenty-fourth section hereof.
 Page 46, clause 245, line 16. *After* "Act" *insert* "amending the same"
 " " line 17. *Omit* "amending the same"
 " " 246, line 23. *After* "arbitration" *insert* "and in every case where any matter is
 " required by this Act to be made the subject of a reference to arbitrators or is directed to be
 " settled by arbitration"
 Page 46, clause 246, line 30. *Omit* "for damages" *insert* "to recover such compensation"
 Page 47. *After* clause 248, as printed, *add* the following new clause:—
 " Whenever any matter or thing shall by this Act be directed to be performed on a certain
 " day and that day happen to be Sunday Good Friday Christmas Day or other public holiday the
 " said matter or thing shall be performed on the next succeeding day."
 Page 51, Schedule D, line 31. *Omit* "Roll" *insert* "List"
 Page 52, " I, line 40. *Omit* "held" *insert* "to be holden"
 Page 53, " J, *Omit* columns "Lighting Rate" and "Date of Payment"

Examined,—

J. GEO. LONG INNES,
 Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Thursday, 15th May.

6. LANDS ACTS FURTHER AMENDMENT BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 14 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at half-past Twelve o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
 Speaker

New South Wales.

No. 118.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 14 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Trimming Coal at Newcastle:—Mr. Hungerford asked the Secretary for Public Works,—
- (1.) Is the price now paid to the contractor for trimming coal at Newcastle at the same rate as he tendered for—which tender was accepted?
 - (2.) If any higher rates are paid for foreign-going ships than the original tender accepted, will the Minister explain under what circumstances the contractor has been authorized to make a higher charge?
 - (3.) Does the Government or the ship-owner pay the contractor?
 - (4.) Are the ship-owners compelled to employ the contractor?

Mr. Lackey answered,—

- (1.) No; a modification of the terms, and consequently of the prices, was made.
 - (2.) The original price was 2½d. for all vessels, but it was subsequently determined that steam colliers specially adapted for receiving coal should be exempted from the trimming charges. The contractor represented that this would result in a loss to him, as he had based his price upon the average cost of trimming all vessels, and if those most easily trimmed were exempted, and he was left with only the difficult ones, viz., the foreign-going vessels, the average price would not pay him.
 - (3.) The ship-owner.
 - (4.) Yes; but the contract prices are lower than the charges made previous to the adoption of the contract system.
- (2.) The Hatfield Bushrangers:—Mr. Buchanan asked the Colonial Secretary,—
- (1.) Has he any objection to state the reason, or reasons, why the sentence of death passed upon the Hatfield bushrangers was not carried into effect?
 - (2.) Did the Judge recommend that the capital sentence should not be inflicted on any of the prisoners?
 - (3.) If asked, what was the advice of the Judge?

Sir Henry Parkes answered,—I am half inclined to think that this question rather invades the Parliamentary rule which says that questions should not ask for reasons; but without taking that objection, I hardly think I should be asked for the reasons for the decision of the Executive Council in this case; indeed it would be rather difficult to give them. I am inclined to think it would be hardly consistent with the oath of office taken by the Members of the Executive Council to do so. Upon the whole, therefore, I regret to say I cannot afford the information sought. I might mention that the Judge's report is of that nature that I could not answer the question either in the negative or affirmative. It is easy to conceive it might be so.

- (3.) Colonel Scratchley:—Mr. W. C. Browne asked the Colonial Secretary,—What amount has been paid to Colonel Scratchley, R.E., irrespective of the £706 now on the Estimates, for services rendered in connection with the Defences of the Colony?

Sir Henry Parkes answered,—£1,112 16s. 4d., a portion of which is recoverable from the Governments of Queensland and Victoria. This is irrespective of the £706 now on the Estimates. The amount already recouped is £377 7s. 11d., but the total sum cannot be correctly stated until the termination of Colonel Scratchley's engagement.

- (4.) Railway Guards:—Mr. Taylor asked the Secretary for Public Works,—Is it a fact that the hours of duty of one of the Suburban Railway Guards are sixteen hours daily, with pay at 7s. per diem; if so, will he reduce the hours of duty to twelve hours, or increase his pay?

Mr. Lackey answered,—No Railway Guard is continuously on duty for sixteen hours, nor is any Guard on the Suburban Line paid at so low a rate as 7s. per diem. The new arrangements for the Guards hours, and duties necessitated by the new time-table, have not yet been finally determined.

- (5.) Telegraphic Communication between Sydney and Parramatta :—Mr. Taylor asked the Colonial Secretary,—What is the reason that a telegram lodged at the Head Office on Tuesday, the 29th ultimo, a few minutes past one o'clock, was not delivered at Parramatta until past two o'clock ?

Sir Henry Parkes answered,—The message referred to cannot be traced, but if the necessary particulars are furnished to the Postmaster General, or the Superintendent of Telegraphs, the matter will be fully inquired into.

- (6.) Parramatta District Hospital :—Mr. Taylor asked the Colonial Secretary,—Will the Government carry out the proposed necessary work to complete alterations and improvements to the Parramatta District Hospital ?

Sir Henry Parkes answered,—An Officer of the Colonial Architect's Department will meet the Committee of Management of the Parramatta Hospital to-morrow, with a view of ascertaining the works required, and a report and estimate will then be furnished for the consideration of the Government.

- (7.) Business of the Supreme Court :—Mr. Burns, for Mr. Cohen, asked the Attorney General,—Whether, in view of the serious public inconvenience, and the delay of justice to suitors, arising from the absence of two of the Supreme Court Judges from judicial duty, it is the intention of the Government to take any immediate steps to provide for the due despatch of business in that Court ?

Mr. Windeyer answered,—A Bill for the appointment of an additional Judge having been passed through this House, the Government hope it will yet become law.

- (8.) Railway Block System :—Mr. Hurley (*Hartley*) asked the Secretary for Public Works,—

(1.) Is he aware that since the introduction of the Block System of signalling upon the Suburban Line of Railway the Signal-men in charge of block-houses have to perform twelve hours duty out of every twenty-four hours without intermission ?

(2.) Is it a fact that the Signal-men at Parramatta Junction and Sydney work but eight hours per day each man, and are paid from 2s. to 4s. per day more than those on Suburban Stations, who have the same responsibility ?

(3.) Is it the intention of the Minister to have the platforms of block-houses covered in, so as to protect the men on duty from the inclemency of the weather ?

Mr. Lackey answered,—

(1.) The Commissioner for Railways has recently had the question of the services and remuneration of the Block Signal-men under attention. It is a fact that these men work as stated. The nature of the service requires a continuous duty of twelve hours ; the work, however, is not laborious, and to compensate for the long hours the men are to be allowed one day's leave every fortnight, and higher rate of wages.

(2.) Yes ; but the work at Sydney and at the Junction cannot be compared with the work required at Block Signal Stations.

(3.) Yes, it has been decided to place verandahs to the block-houses, which will afford the required shelter.

- (9.) Survey of Land under Pre-lease :—Mr. Greenwood asked the Secretary for Lands,—

(1.) Have instructions been issued by the Minister for Lands to the effect that no land under pre-lease is to be surveyed for auction sale ?

(2.) Has the Minister in any case refused to allow such land to be surveyed ; or if surveyed, to be sold ?

(3.) Upon what authority does the Minister determine such cases ?

(4.) Are Crown Lands not reserved from sale dealt with by him as liable to be sold at auction ?

Mr. Hoskins answered,—

(1.) No.

(2.) No instructions have ever been given not to survey pre-leased land ; but in some instances the Minister has refused to sell the land at auction after it had been surveyed.

(3.) Upon my own authority.

(4.) Certainly.

- (10.) Government Stores Department :—Mr. McElhone asked the Colonial Treasurer,—Are Messrs. Eagar, Maclean, and Hixson to be paid for the work done as a Commission of Inquiry into the Stores Department ; if so, at what rate are they to be paid ?

Mr. Watson answered,—No ; Messrs. Maclean and Hixson will be paid the usual fees at the rate of one guinea and a half for each sitting ; but Mr. Eagar will not be paid any fees, having undertaken the duties of Chairman of the Board on that understanding.

- (11.) Glebe Island Abattoirs :—Mr. McElhone asked the Colonial Treasurer,—Is Mr. Bruce to be paid as one of a Commission of Inquiry into management of Glebe Island ; if so, at what rate ?

Mr. Watson answered,—Mr. Bruce will be paid the usual fee at the rate of one guinea and a half for each sitting.

- (12.) Inverell Land District :—Mr. Jacob, for Mr. Dillon, asked the Secretary for Lands,—

(1.) Was a Petition, signed by a large number of people, presented to him last year, asking for a revision of the boundaries of the Land District of Inverell ?

(2.) Is it not a fact that, owing to the character of these boundaries, people living within 5 or 6 miles of Inverell are compelled to go for the transaction of business to land offices 40 miles off ?

(3.) If nothing has yet been done in this matter, will the Minister cause steps to be taken as soon as possible to remedy the inconvenience ?

Mr. Hoskins answered,—

(1.) Yes.

(2.) It is the case that residents in the vicinity of Inverell have to travel considerable distances to take up land.

(3.) Steps have already been taken with a view to an alteration of the boundaries of the district, which will remedy the evil complained of.

(13.) The Benevolent Asylum :—Mr. O'Connor asked the Colonial Secretary,—

(1.) Has the Government taken any (and if any, what) action in reference to the complaints recently made against the Committee of the Benevolent Asylum for rescinding the long-established rule as to the denominations to which children received in that Institution shall be assigned ?

(2.) If no action has already been taken, what course do the Government intend pursuing in this matter ?

Sir Henry Parkes answered,—This matter has received some consideration from the Government, and it is intended to make some representation to the Committee of the Benevolent Asylum. This would have been done before now if it had not been for other matters engaging the attention of the Government. Some step will be taken in the matter within a few days, and I shall then be quite ready to tell the Honorable Member and the House what that step is.

(14.) The Military Forces :—Mr. Cameron, for Mr. J. Davies, asked the Colonial Secretary,—

(1.) How many men have been dismissed or struck off the roll of the 1st and 2nd Regiments of Infantry, each Battery of Artillery, Engineers, and Torpedo Corps at Head Quarters, under the new Regulations, since the late Encampment ?

(2.) How many of the men dismissed or struck off the roll in each of the above Regiments, Batteries of Artillery, Engineers, and Torpedo Corps, have received the sum of four pounds sterling for efficiency for the year 1878 ?

(3.) What is the total number enrolled in the 1st and 2nd Regiments of Infantry, each Battery of Artillery, Engineers, and Torpedo Corps at Head Quarters, on 30th April (not including recruits) ?

(4.) How many are wanting to complete the 1st and 2nd Regiments, each Battery of Artillery, Engineers, and Torpedo Corps on 30th April ?

Sir Henry Parkes answered,—

(1.) Of the 1st Regiment, 42 (of which 24 should have been struck off the roll prior to the Encampment) ; 2nd Regiment, 20 ; No. 1 Battery, 5 ; No. 2 Battery, 6 ; No. 3 Battery, 3 ; No. 4 Battery, 4 ; Engineers, 6 ; Torpedo Corps, nil.

(2.) 1st Regiment, 3 ; 2nd Regiment, 1 ; No. 1 Battery, 1 ; No. 2 Battery, 4 ; No. 3 Battery, nil ; No. 4 Battery, nil ; Engineers, nil ; Torpedo Corps, nil.

(3.) 1st Regiment, 150 ; 2nd Regiment, 122 ; No. 1 Battery, 30 ; No. 2 Battery, 20 ; No. 3 Battery, 16 ; No. 4 Battery, 22 ; Engineers, 49 ; Torpedo Corps, 92.

(4.) 1st Regiment, 96 ; 2nd Regiment, 186 ; No. 1 Battery, 10 ; No. 2 Battery, 17 ; No. 3 Battery, 21 ; No. 4 Battery, 17 ; Engineers, 2 ; Torpedo Corps, 8.

Note.—Except some resignations, and two dismissed for misconduct, the men struck off the roll were so dealt with under paragraph 119 of the Regulations, by reason of absence from recruit drill for a period of three months, or for absenting themselves without leave from the period of continuous training.

(15.) Mr. Siegfried Franck :—Mr. Thompson, for Mr. H. H. Brown, asked the Attorney General,—

(1.) At whose instance have the informations been filed against Siegfried Franck, in connection with the Totalisator ?

(2.) If at the instance of the Government, how much does the Attorney for the prosecution receive in each case ?

(3.) How many more informations are at present laid against Mr. Franck ?

(4.) Is it his intention to take proceedings against any other persons who have infringed the provisions of the Betting Act ?

Mr. Windeyer answered,—

(1.) The Police prosecute after taking the opinion of the Attorney General.

(2.) The Prosecuting Attorney is paid the customary fee, but has not yet sent in his account.

(3.) The cases were withdrawn to-day.

(4.) The Police will prosecute any person against whom evidence can be adduced as infringing the Betting Act.

(16.) General Grant :—Mr. Buchanan asked the Colonial Secretary,—

(1.) Has any communication been received from the Imperial Government to the effect that no Salute be given to General Grant, late President of the United States of America, in the event of his visiting this country ?

(2.) If any communication of the kind above referred to has been received, is it the intention of the Government of New South Wales to be a party to it, and to withhold from the very distinguished man in question any honors usually awarded to ex-Presidents of the United States in their own country ?

Sir Henry Parkes answered,—

(1.) I think this question must have been placed upon the Paper under some misapprehension. Nothing whatever has been done that by any possible interpretation could imply a slight to General Grant. A Circular Despatch has been received, I believe, by all the Governments of the Australian Colonies, and, I apprehend, by all the Colonies and Settlements in the East Indies ; but, so far from implying the least intention of slight to General Grant, the Despatch expressly says that he should receive all such courtesies as are proper in the case of distinguished foreigners. It actually invites the Government to pay those courtesies.

(2.) I hardly know what is meant by this portion of the inquiry. The Government in receiving a Despatch from the Secretary of State must be a "party to it." I think I may say that it is the intention, the desire, and purpose of the Government to be a party to any communication of the kind, so far as they possibly can, in keeping up the most cordial understanding with the Mother Country. The question goes on to ask whether it is the intention of the Government (that is in consequence of being a party to the receipt of a Despatch) "to withhold from the very distinguished man in question any honors usually awarded to ex-Presidents of the United States in their own country." Now "ex-Presidents of the United States in their own country" are entitled to no honors whatever, they simply subside into the position of private citizens, and if the Honorable

Member

Member for a moment supposes that the forts and ships of war of the United States salute their appearance in any place he is under a strange misapprehension. It is hoped, and it is certainly the wish of the Government, that every possible attention should be paid to General Grant if he should arrive in this Colony, such as would be befitting the visit of so illustrious a citizen of the United States.

2. MESSAGES FROM THE LIEUTENANT-GOVERNOR:—The following Messages from His Excellency the Lieutenant-Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker:—

- (1.) Chippendale Roman Catholic Church Land Sale Bill:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 17.

A Bill, intituled "*An Act to enable the Very Reverend Samuel John Austin Sheehy the Reverend Michael John Dwyer John James Curran John Williamson and Patrick Mulcahy as Trustees of certain Land on the Old Cook's River Road in the Parish of Petersham to sell the said Land and to provide for the application of the proceeds thereof,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 14th May, 1879.*

- (2.) Customs Regulation Bill:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 18.

A Bill, intituled "*An Act to amend and consolidate the Laws for the regulation of the Customs,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 14th May, 1879.*

- (3.) Copyright Bill:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 19.

A Bill, intituled "*An Act to secure to Proprietors of Works of Literature and Fine Art and to Proprietors of Designs for Articles and Works of Manufacture and Art the Copyright of such Works and Designs for a limited period,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 14th May, 1879.*

3. PAPERS:—Mr. Hoskins laid upon the Table,—

- (1.) Abstract of Crown Lands reserved from sale until surveyed for the preservation of Water Supply or other Public Purposes, in accordance with the 4th section of the Act 25 Victoria No. 1.
- (2.) Abstract of Sites for Cities, Towns, and Villages, declared under the 4th section of the Act 25 Victoria No. 1.
- (3.) Return (*in part*) to an Order made on 1st May, 1877,—“Reserves near Western Railway.”
Ordered to be printed.

4. GLENMORE AND POINT PIPER ROADS:—Mr. Farnell, for Mr. Sutherland, presented a Petition from Owners of Property and Residents of the Municipalities of Paddington and Woollahra, representing that these Roads are in a dangerous and nearly impassable state; and praying the House to take the matter into consideration.
Petition received.

5. VESSELS CLEARED AT PORTS OF SYDNEY AND NEWCASTLE (*Formal Motion*):—Mr. Cameron moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing the names and tonnage of all vessels that have cleared at the ports of Sydney and Newcastle, respectively, for ports coming under the agreement between this Colony and Victoria for the maintenance of certain Light Houses at the joint expense of both Colonies from the 1st January, 1871, to the 31st December, 1878, inclusive.
Question put and passed.

6. POST OFFICE, GLEN ALICE (*Formal Motion*):—Mr. Hurley (*Hartley*) moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers, Letters, or Reports, having reference to any alleged misconduct on the part of the persons in charge of the Post Office at Glen Alice, and to which reference was made in answer to a Question put by the Member for St. Leonards, J. S. Farnell.
Question put and passed.

7. PUBLIC LOAN (*Formal Motion*):—Mr. Greenwood moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence, by telegram or otherwise, between the Government and its Agents and Advisers in London, respecting the Loan recently placed on the market at the minimum price of 97 per cent.
Question put and passed.

8. LEAVE OF ABSENCE (*Formal Motion*):—Mr. Hurley (*Hartley*), for Mr. J. Davics, moved, pursuant to Notice, That leave of absence for one month be granted to the Honorable Member for The Gwydir (Mr. Dangar) on account of urgent business.
Question put and passed.
9. COHEN'S ENABLING BILL (*Formal Order of the Day*),—on motion of Mr. Burns, read a third time, and passed.
Mr. Burns then moved, That the Title of the Bill be "*An Act to validate and give effect to the sale of various portions of certain lands under the Real Property Act heretofore contracted to be sold by Nathan Cohen of Tamworth in the Colony of New South Wales auctioneer and to enable the said Nathan Cohen and Henry Emanuel Cohen of Sydney Barrister-at-Law to contract and effectuate sales of the residue of the said lands and to make provision for the investment of the proceeds of the sale thereof.*"
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled "*An Act to validate and give effect to the sale of various portions of certain lands under the Real Property Act heretofore contracted to be sold by Nathan Cohen of Tamworth in the Colony of New South Wales auctioneer and to enable the said Nathan Cohen and Henry Emanuel Cohen of Sydney Barrister-at-Law to contract and effectuate sales of the residue of the said lands and to make provision for the investment of the proceeds of the sale thereof,*"—presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with a copy of the Deed of Grant.
*Legislative Assembly Chamber,
Sydney, 14th May, 1879.*
10. ADJOURNMENT:—Mr. McElhone moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
11. LANDS ACTS FURTHER AMENDMENT BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again at a later hour of the day.
12. PARLIAMENTARY POWERS AND PRIVILEGES BILL:—Mr. Speaker reported and read a Message from the Legislative Council in reference to this Bill:—

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Sir Henry Parkes moved, That this House directs that the Message received from the Legislative Council, informing this House of the course adopted by the Council in not considering the Report of its own Managers of the Free Conference on the disagreements between the two Houses on the Parliamentary Powers and Privileges Bill, be removed from its records after it has been entered upon its Journals in accordance with its Standing Orders, inasmuch as the said Message not only manifests a disregard of the rights and privileges contended for by the representatives of the people, but surrenders the privileges with which the Council is separately invested, by accounting to this House how the Members of the Council in their individual capacity have recorded their votes, a course not sanctioned by any precedent, and never desired by this branch of the Legislature, and one which, if acknowledged, would form a precedent dangerous to the independence of the Council itself.

Debate ensued.

And the House continuing to sit till after Midnight,—

THURSDAY, 15 MAY, 1879, A.M.

Mr. Farnell moved, That this Debate be now adjourned.
Debate continued.

Question

Question put,—That this Debate be now adjourned.
The House divided.

Ayes, 8.

Mr. Farnell,
Mr. Fitzpatrick,
Mr. W. H. Suttor,
Mr. Murphy,
Mr. Greenwood,
Mr. Kerr,

Tellers.

Mr. Copeland,
Mr. O'Connor.

Noes, 28.

Sir Henry Parkes, Mr. Windeyer, Mr. Baker, Mr. Watson, Mr. H. H. Brown, Mr. Lackey, Mr. Hoskins, Mr. J. Davies, Mr. Hungerford, Mr. Driver, Mr. McElhone, Mr. Cameron, Mr. W. C. Browne, Mr. R. B. Smith, Mr. Jacob,	Mr. Wisdom, Mr. Thompson, Mr. Gray, Mr. Harris, Mr. Terry, Mr. Garrett, Mr. Stuart, Mr. Simson, Mr. Clarke, Mr. Stephen Brown, Mr. Burns, <i>Tellers.</i> Mr. Roseby, Mr. Shepherd.
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And so it passed in the negative.

Original Question put.
The House divided.

Ayes, 24.

Sir Henry Parkes, Mr. Windeyer, Mr. Watson, Mr. Hoskins, Mr. Lackey, Mr. Baker, Mr. Roseby, Mr. Hungerford, Mr. Driver, Mr. Cameron, Mr. J. Davies, Mr. Gray, Mr. W. C. Browne,	Mr. Harris, Mr. Thompson, Mr. Terry, Mr. Burns, Mr. Clarke, Mr. Wisdom, Mr. Shepherd, Mr. Stephen Brown, Mr. Jacob, <i>Tellers.</i> Mr. H. H. Brown, Mr. R. B. Smith.
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Noes, 12.

Mr. Fitzpatrick, Mr. Farnell, Mr. W. H. Suttor, Mr. Greenwood, Mr. Murphy, Mr. Copeland, Mr. Stuart, Mr. Garrett, Mr. O'Connor, Mr. McElhone,	<i>Tellers.</i> Mr. Simson, Mr. Kerr.
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And so it was resolved in the affirmative.

13. SUPREME COURT (ADDITIONAL JUDGE) BILL :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having taken into consideration the Legislative Assembly's Message of 1st May, a.m., 1879, with respect to the "*Bill to provide for the appointment of an additional Judge of the Supreme Court,*" adheres to its amendment in the first clause, which proposes to omit the words "or an Attorney of the Supreme Court of the said Colony of not less than ten years standing," and to its amendment proposing to omit the sixth clause.

*Legislative Council Chamber,
Sydney, 14th May, 1879.*

JOHN HAY,
President.

Sir Henry Parkes moved, That the Bill referred to by the Message just read to provide for the appointment of an additional Judge of the Supreme Court be now laid aside, in consequence of the Legislative Council's adherence to its amendments.

Debate ensued.

Question put and passed.

The House adjourned at twelve minutes before Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 119.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 15 MAY, 1879.

1. The House met pursuant to adjournment : Mr. Speaker took the Chair.

QUESTIONS :—

(1.) Bank Agreement :—Mr. Cohen asked the Colonial Treasurer,—Is it his intention to take the opinion of Parliament during this Session upon the advisableness of renewing or modifying the present Bank Agreement?

Mr. Watson answered,—The Agreement with the Bank of New South Wales has been renewed for a further period, and the Papers will be laid upon the Table.

(2.) Conditional Purchases Forfeited, and liable to Forfeiture :—Mr. Greenwood asked the Secretary for Lands,—

(1.) What is the number and area of free selections forfeited on account of insufficient improvements up to the 31st March, 1879?

(2.) What is the number and the area of free selections liable to forfeiture for the same reason and up to the same date?

Mr. Hoskins answered,—

(1.) The forfeitures that have taken place have been for non-fulfilment of the various conditions, and no special record has been made of those which have been forfeited for insufficient improvements only. The proportion of such cases is limited.

(2.) It is impossible to answer this question, as the reply would anticipate the decision upon all pending cases, as well as those in respect of which liability to forfeiture has been incurred but not ascertained.

(3.) Rodgers's Conditional Purchases, Trialba :—Mr. McElhone asked the Secretary for Lands,—

(1.) Did William and Joseph Rodgers take up selections at or near Trialba, in Newcastle or Maitland?

(2.) Have any persons reported that their conditional purchases, or additional conditional purchases cross a road ; if so, what are the names of the persons who so reported?

(3.) If their conditional purchases cross the road, is it not a fact that the conditional purchases of Messrs. Cherry, Ashman, Ridley and Griffiths cross the same road?

(4.) If so, will Cherry, Ashman, Ridley and Griffiths be allowed to hold their conditional purchases which cross this road, and will the Messrs. Rodgers conditional purchases be cancelled?

(5.) Will he order a re-survey of this conditional purchase, to see if it crosses the road mentioned?

(6.) Have any persons recommended that the Rodgers's conditional purchases should be made a Public School Reserve ; if so, what are the names of the persons who recommended it?

Mr. Hoskins answered,—

(1.) Yes, at Newcastle.

(2.) The additional conditional purchases made on 31st October and 12th December, 1878, have been declared void, on the report of the Survey Department that they were separated from the original conditional purchase by the frontage road from Cooranbong to Wallsend ; but a further report has since been made, and is now under consideration, recommending that such cancellation should be revoked, consequent upon the road referred to having been modified by an amended survey.

(3 and 4.) It has not been considered necessary in these circumstances to examine the other cases referred to by the Honorable Member.

(5.) Inquiry has already been made, with the result stated.

(6.) I am not aware of any such recommendation having been made.

(4.)

- (4.) Court-house, Bombala :—Mr. Murphy asked the Secretary for Public Works,—Are the plans and specifications ready for the Court-house, Bombala ; if so, when will tenders be invited for same—the money having been voted for the erection of the building on the last Estimates ?

Mr. Lackey answered,—The plan and specification are in hand, and the work will be ready for advertising in a few weeks.

- (5.) Port Darwin Telegraph Cable :—Mr. Burns asked the Colonial Secretary,—From what period, in lieu of that fixed by the 5th clause of the Agreement for the Duplication of the Cable, the rebate on the charges for the exchange of Messages between Port Darwin and England is to take effect as one of the conditions for the extension of time allowed the Eastern Extension Company for the execution of its part of the agreement, in consequence of the Cable first manufactured for the Duplication being required for the Aden and Natal Line ?

Sir Henry Parkes answered,—From the date of the signing of the contract ; and a telegram has just been received from the Agent General, stating that the contract was executed on the 9th instant.

- (6.) Mineral Conditional Purchases of Messrs. Parkes and Sutherland :—Mr. McElhone asked the Secretary for Lands,—In regard to the mineral conditional purchases of Messrs. Parkes and Sutherland of 3,760 acres near Jervis Bay, on which the time for erecting improvements of £2 an acre expired on the 23rd of March last,—Has he received any report as to whether the improvements have been erected on the said conditional purchases according to law ; if not, will he at once send a competent person to report as to whether the improvements have been erected to the extent of £2 an acre in three years and three months from the time of taking them up, as required by law ; and if not, will he cause the said mineral conditional purchases to be forfeited for non-fulfilment of the law ?

Mr. Hoskins answered,—No report upon the selections referred to has been received, nor (the time for the receipt of the final declaration having but recently expired) has any been called for. The declarations have not been received into this office, and if found not to have been duly made when the list of lapsed selections for the period is published, the selections will be dealt with therein in the ordinary course. The last list published embraces selections on which declarations should have been made prior to 31st December, 1878.

- (7.) Government Stores Department.—Glebe Island Abattoirs :—Mr. McElhone asked the Colonial Treasurer,—

(1.) On what hours of the day do Messrs. Maclean and Hixson sit on the Commission at the Stores Department Inquiry, for which they are to be paid 31s. 6d. per day ?

(2.) Do they not sit in office hours—between 9 and 4 o'clock ?

(3.) The like in regard to Mr. Bruce ?

Mr. Watson answered,—

(1.) In the forenoon and afternoon, and occasionally during the whole day.

(2.) Yes.

(3.) I am not at present aware of Mr. Bruce's hours of sitting.

- (8.) International Exhibition Building :—Mr. Greenwood, for Mr. Buchanan, asked the Colonial Secretary,—

(1.) What is the cost of the Exhibition Building up to this date ?

(2.) What is the estimated cost of completing it ?

(3.) Is it the intention of the Government to discard all unnecessary ornament and useless towers, and so reduce the cost as much as possible ?

(4.) How much would be saved by doing away with all mere ornament ?

(5.) Is it the intention of the Government to cut down the expense of this temporary building, in spite of architects, builders, or contractors ?

Sir Henry Parkes answered,—

(1.) £85,000.

(2.) It is estimated that the cost of completion will not exceed £36,000.

(3.) It is intended to carry out the building as originally designed.

(4.) By omitting the upper portions of towers, consisting of ornamental woodwork, and some of the interior decorations that could be dispensed with, a saving of about £10,000 might be effected.

(5.) The expense of the building will be curtailed as much as possible without interfering with the original design.

- (9.) Margaret Emily Bennett's Conditional Purchase :—Mr. Thompson asked the Secretary for Lands,—Has the District Surveyor's Report upon a dispute between James Bloomfield and Margaret Emily Bennett as to a conditional purchase in the parish of Toual, county of Murray, been received ; and if so, what is his decision thereon ?

Mr. Hoskins answered,—The case has been very recently reported upon for decision, and is now under consideration. A decision will be arrived at and communicated without loss of time.

- (10.) Robert Edwards's Conditional Purchase :—Mr. Thompson asked the Secretary for Lands,—Has any decision been arrived at with regard to the dispute between Robert Edwards and Wm. McCrystal as to a conditional purchase in the parish of Nelanglo, county of King, and upon which the District Surveyor has recently reported ?

Mr. Hoskins answered,—The case has been very recently reported upon for decision, and is now under consideration. A decision will be arrived at and communicated without loss of time.

- (11.) Prospecting for Gold :—Mr. Beyers asked the Secretary for Mines,—Will he lay upon the Table of this House a Return showing how the money voted for prospecting purposes has been expended ?

Mr. Baker answered,—Yes ; there has been £547 1s. 11d. expended, and £4,452 13s. 1d. unexpended.

(12.) Hill End Water Supply :—Mr. Beyers asked the Secretary for Public Works,—Has the District Surveyor of Bathurst sent in his Report respecting the Hill End Water Supply ; if not, what is the cause of the delay ?

Mr. Lackey answered,—This matter is in the hands of Mr. District Surveyor Fisher, who has been instructed to give it his immediate attention. I may state that Mr. Fisher has applied to the Lands Department for some additional particulars, which will be sent to him to-morrow ; he will then be enabled to forward a full report.

(13.) Site for Public School at Jerrawa :—Mr. Fitzpatrick asked the Secretary for Lands,—

(1.) Has any application been made for the site for a Public School at Jerrawa ?

(2.) What has been the result of the application ?

Mr. Hoskins answered,—Yes, and the land was dedicated in 1870. An additional area has recently been measured, and will shortly be dedicated.

(14.) Conditional Purchases of the Messrs. Wallace :—Mr. Burns asked the Secretary for Lands,—When will the Papers relating to the selections of the Messrs. Wallace, in the county of Beresford, be laid upon the Table of this House ?

Mr. Hoskins answered,—As soon as practicable, having regard to the Returns, forty-five in number, previously ordered by the House.

2. PAPER :—Mr. Baker laid upon the Table,—A Statement showing the expenditure on account of Prospecting for Gold.

3. LAND SOLD TO MR. DINES (*Formal Motion*) :—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence, Minutes, &c., in reference to land sold to Mr. Dines, and previous to sale selected by Robert David Gordon and David Powell, referred to in Mr. Bennett's Question No. 3 in Votes and Proceedings of Thursday, 13th July, 1876. Question put and passed.

4. WIRE AND TELEGRAPH MATERIAL (*Formal Motion*) :—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Tenders, Correspondence, Minutes, &c., in reference to the latest supply of Wire and Telegraph Material to the Government. Question put and passed.

5. LANDS ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 16 MAY, 1879, A.M.

Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again on Tuesday next.

6. POSTPONEMENT :—The Order of the Day for the consideration in Committee of the Whole of the Legislative Council's amendments in the Sydney Corporation Bill postponed until Tuesday next.

The House adjourned at twenty minutes after Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 120.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 16 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Grant of Land to Mr. Potter Macqueen:—Mr. McElhone asked the Secretary for Lands,—
 (1.) Did Mr. Potter Macqueen get a grant of land on the Hunter, now held by the Messrs. White, and known as Segenhoe?
 (2.) If so, in what year was the grant of land made, and what was the area of it?
 (3.) Was there a reserve of 10,000 acres, or any less quantity of land, attached to this grant; if so, will he give immediate instructions to have it thrown open to the public for selection?

Mr. Hoskins answered,—

- (1.) Yes; I am not, however, aware whether the land is now held by the Messrs. White.
 (2.) In August, 1837; area, 20,000 acres.
 (3.) There is no record in the Lands Department of any such reserve being attached to the grant.
 (2.) Conditional Purchases on Reserve No. 41:—Mr. McElhone asked the Secretary for Lands,—
 (1.) What selections have been taken up on Reserve No. 41, county of Buckland, parish of Borambil, and names of selectors?
 (2.) Did Messrs. Borron & Co. take up any selections on above Reserve on 4th October and 21st November, 1873?
 (3.) Will he cancel all selections made on this Reserve?

Mr. Hoskins answered,—

- (1.) No selections have been taken up on this Reserve.
 (2.) No; Messrs. Borron & Co. applied to take up some portions of the Reserve under Volunteer Land Orders, but their applications were refused.
 (3.) As above stated, no selections have been made, neither, of course, will any be made so long as the Reserve is in existence.
 (3.) International Exhibition Building:—Mr. Teece, for Mr. Lucas, asked the Colonial Treasurer,—
 (1.) How much money has been paid up to Monday last on account of the Exhibition Building in the Inner Domain?
 (2.) How much is still due for materials supplied for the same service up to the same date?

Mr. Watson answered,—

- (1.) £84,525 18s. 4d.
 (2.) About £8,000.
 (4.) Use of a Stamp by Government Officials:—Captain Onslow asked the Colonial Secretary,—
 (1.) Are any Government officials in the habit of using a stamp, instead of signing documents with their own hand?
 (2.) Has the sanction of the Government been given to this practice?
 (3.) Have any Government officials made application to be allowed to use a stamp, instead of signing in their usual manner with their own hand?
 (4.) Have such applications been considered; if so, has permission been given or refused?

Sir Henry Parkes answered,—

- (1.) I find, upon inquiry, that stamps are used in the Lands Department, in the Department of the Postmaster General, and in the Sheriff's Office; and I am informed that without the use of these stamps it would be almost impossible to perform the business—certainly impossible without very large additional assistance.

(2.)

(2.) I believe, with the exception of the case of the late Governor, where, after careful consideration and taking the opinion of the Attorney General, authority was given for the use of a stamp. With that exception, I believe these stamps are in every instance used on the responsibility of the Minister at the head of the Department.

(3 and 4.) I find that one or two applications have been made from subordinate officers in the Post Office to use the stamp, but they have been refused; and that no applications appear to have been made or refused in any other Department.

(5.) Railway to Albury:—*Mr. Day*, for *Mr. Bowman*, asked the Secretary for Public Works,—

(1.) When it is expected that the extension of the Railway to Albury will be completed?

(2.) Upon the completion of such extension, what distance will intervene between the Victorian Terminus at Wodonga and the New South Wales Terminus at Albury?

(3.) Have any steps been taken or negotiations entered into with the Victorian Government to connect these two Termini during the time that the present extension to Albury is proceeding, so that when the Line to Albury is ready to be opened the Railways (Victoria and New South Wales) may at the same time form a junction?

(4.) If no such steps have yet been taken, what is the intention of the Government with respect to joining the Victorian Line?

Mr. Lackey answered,—

(1.) The contract time for the completion of the Railway to Albury is the 31st December, 1880, and there are grounds for apprehension that the contract will not be completed at an earlier date.

(2.) The distance between the proposed Terminus at Albury and the Terminus at Wodonga is 3½ miles.

(3 and 4.) Nothing has taken place between the two Governments of a definite character, but negotiations with a view to an agreement on the subject will be opened without delay.

(6.) Animals Protection Bill:—*Mr. Jacob* asked the Attorney General,—

(1.) Referring to the latter portion of his answer, recorded in Votes and Proceedings of 2nd April last, Question No. 4, that "it is not known who drafted the 'Animals Protection Bill,'"—has his attention been drawn to a letter in the *Sydney Morning Herald* of 1st instant, signed "G. Milner Stephen," wherein the writer says that he was "the acting Parliamentary Draftsman" when the Bill was introduced into the Legislative Council, and as much as alleges that he drafted that measure while in the employ of the Government?

(2.) Now that he has learnt the fact indicated in the foregoing question, will he state if *Mr. Stephen* was remunerated, directly or indirectly, for the preparation of that Bill?

(3.) If a Parliamentary Draftsman, whether acting or permanent, prepares Bills at the instance of private Members of either House, without direct Government sanction, is he still held responsible for their being properly framed?

(4.) In view of the manifold errors the Bill in question contained, as evidenced by the manner in which Parliament amended, altered, and corrected the same, is it the intention of the Government to employ *Mr. Stephen* in a like capacity (temporary or permanent) again?

Mr. Windeyer answered,—

(1.) Ycs.

(2.) All this having taken place a long time before I entered office, I cannot now be supposed to know anything beyond what the reports in the Department of the Attorney General show, and there is no record that I can find in the Department showing whether *Mr. Stephen* was remunerated either directly or indirectly.

(3.) In respect to an acting Parliamentary Draftsman, the question of responsibility will depend upon the terms of his appointment. With respect to a permanent officer, although not part of his duty, yet if he undertakes the drafting of private bills it is his duty to take all care in their preparation.

(4.) As a permanent Parliamentary Draftsman is now appointed, it is not the intention of the Government to employ any one in the position of temporary Draftsman.

(7.) Land purchased at Laing's Point for Military Purposes:—*Mr. Hurley (Hartley)* asked the Secretary for Lands,—

(1.) When, or upon what date, was the land referred to in Votes and Proceedings No. 113, of the 6th instant, sold by the Government to the person who re-sold it back to the Crown?

(2.) What was the price paid by him for the said land, and was it sold privately or by auction?

(3.) What was the value placed on it by the owner, and the sum named by the appraiser who acted on behalf of such owner?

Mr. Hoskins answered,—

(1.) The land alluded to forms part of a very old grant of 20 acres to *E. Laing*.

(2.) I am not aware.

(3.) *Sir G. W. Allen*, the last owner of the land, offered to accept £2,000; but an appraisement having been directed by the late Colonial Secretary the joint appraisers determined the value at £2,400. The appraiser for the Government was *Mr. G. R. Dibbs*; for the owner, *Mr. J. O. Gilchrist*.

(8.) Appraisement of Land at Circular Quay:—*Mr. Hurley (Hartley)* asked the Secretary for Lands,—

(1.) Was an appraisement made some time since of certain land at Circular Quay upon which a person appointed by the Government sent in his report, and placed the value of the land at five thousand pounds (£5,000), and the person who appraised for the owner valued it at one hundred pounds (£100), and the owner only placed four hundred pounds (£400) upon it?

(2.) Who was the person appointed appraiser by the Government, what Minister appointed him, and has he served in a like capacity since, or does he act on behalf of the Government in any capacity; if so, what?

Mr.

Mr. Hoskins answered,—

(1.) Yes; the Government appraiser valued the land at £5,000, and the appraiser for the applicant (Mr. James Scroggie) at £365. The umpire, who had then, under the law, to be called in, viz., Mr. Henry Gorman, valued the land at £100.

(2.) Mr. Marshall Bayley, who, as Government appraiser for the county of Cumberland, was appointed by Mr. Farnell to appraise the land in question. He still holds the appointment of appraiser, and acts in that capacity whenever required. I may mention that Mr. Bayley still maintains that his appraisal is a just one, and requested, in the interests of the Government, that this case might be re-opened. The late Attorney General, however, to whom all the papers were referred, held that the Government were bound by the umpire's award.

- (9.) Conditional Purchases of Thomas Foran, and of Kelly and Woods:—Mr. Garrett asked the Secretary for Lands,—Having reference to the Returns moved for by me on the 1st April last, for all Correspondence, &c., as to the conditional purchases made by Thomas Foran at Molong, on Reserve No. 140, on the Bulderudgera Run, and by Kelly and Woods at Forbes, on Reserve 576, on the Billabong East Run, and which Correspondence has not yet been laid upon the Table of this House, and as to which conditional purchases it is intended to move for the appointment of a Select Committee to inquire into the circumstances under which they were made,—Is it the intention of the Minister for Lands to suspend further official action in regard to the said conditional purchases until the Correspondence is produced, and the result of the intended inquiry is made known?

Mr. Hoskins answered,—The cases referred to have been proposed to be dealt with in connection with a special Bill for legalizing selections, and with the exception of that first-mentioned, on which the applicant has requested that his deposit may be refunded to him, no final official action can be taken pending legislation. There will, therefore, be abundant time for the circumstances to be inquired into by a Select Committee, should such be the pleasure of this Honorable House.

- (10.) Mr. J. B. Richards, late Land Agent at Bathurst:—*Mr. Cohen*, for Mr. W. H. Suttor, asked the Secretary for Lands,—

(1.) Upon what grounds was Mr. J. B. Richards, lately Land Agent at Bathurst, relieved from the duties of his office?

(2.) Has his case been considered by the Government; and is it their intention to place a sum of money upon the Estimates to compensate him for the loss of his office?

Mr. Hoskins answered,—

(1.) Mr. Richards was relieved from office under a decision of Mr. Secretary Garrett. The exact grounds on which that decision was based can hardly be given in the form of a reply to a question; but all the Papers will be laid upon the Table if the Honorable Member wishes.

(2.) The question of granting compensation to Mr. Richards is about to be brought under the consideration of the Cabinet.

- (11.) Charles and Thomas Love:—*Mr. W. C. Browne*, for Mr. Badgery, asked the Attorney General,—

(1.) Were two persons, named Charles and Thomas Love, charged with arson at Bombala in December last, and discharged?

(2.) Were they again charged with the same offence and committed for trial in February last, and did the Honorable the Attorney General decline to file a bill?

(3.) Did the Honorable the Attorney General send the Police Magistrate of Cooma to conduct the second inquiry?

(4.) Did the Honorable the Attorney General receive any representations to the effect that no other Magistrates at Bombala, except those who discharged in the first case, were prepared to sit in the second; if so, by whom were these representations made?

Mr. Windeyer answered,—

(1.) Yes.

(2.) Yes.

(3 and 4.) The Police Magistrate of Cooma did attend, at the instance of the Government, as representations were made by the Police upon the case being called on the second time, that no other gentlemen appeared prepared to attend to the case except the gentlemen who heard it in the first instance.

- (12.) Railway to connect the Northern Line with Sydney:—*Mr. W. C. Browne*, for Mr. Badgery asked the Secretary for Public Works,—

(1.) Is a survey of the proposed Line of Railway to connect the Northern Line with Sydney, *via* Brisbane Water, being proceeded with?

(2.) When will it be completed?

(3.) Is the survey being made to connect about Wallsend or about East Maitland?

Mr. Lackey answered,—

(1.) Yes.

(2.) In about two months.

(3.) About Wallsend.

- (13.) Floods in the Hunter River:—Mr. Jacob asked the Colonial Secretary,—With reference to questions asked by him from time to time (the last occasion being on 27th September last), relative to Mr. Clark, the Hydraulic Engineer's recommendation for surveys between Raymond Terrace and Tilligherry Creek, when he was informed that the survey had been finally undertaken,—Will he, the Colonial Secretary, state what has been done in the matter, and if a report has yet been received?

Sir Henry Parkes answered,—The surveys in question have now been completed, but the estimates and reports have not yet been made.

2. SEAT OF JOHN SUTHERLAND, ESQUIRE:—Mr. McElhone (*by consent*) moved, without Notice, That the Resolution adopted by this House on Tuesday, 6th May instant, in reference to the Seat of John Sutherland, Esquire, Member for Paddington, be amended by substituting the word "Eskbank" for the words "Lithgow Valley."
Question put and passed.
3. ADJOURNMENT:—Sir Henry Parkes moved, That this House do now adjourn.
Debate ensued.
Question put.
The House divided.

Ayes, 13.

Mr. O'Connor,	Mr. Tece,
Mr. Fitzpatrick,	Mr. McCulloch,
Mr. J. Davies,	Mr. Bennett,
Mr. R. B. Smith,	<i>Tellers.</i>
Mr. Greenwood,	Mr. Copeland,
Mr. Driver,	Mr. W. C. Browne.
Mr. Jacob,	
Mr. Greville,	

Noes, 18.

Sir Henry Parkes,	Mr. McElhone,
Mr. Watson,	Mr. Beyers,
Mr. F. B. Suttor,	Mr. Barbour,
Mr. Lackey,	Mr. Wisdom,
Mr. Baker,	Mr. Terry,
Mr. Windeyer,	Mr. Thompson,
Mr. Hoskins,	<i>Tellers.</i>
Mr. Farnell,	Captain Onslow,
Mr. Cameron,	Mr. W. Davies.
Mr. Hungerford,	

And so it passed in the negative.

4. IMMIGRATION:—Mr. Terry presented a Petition from the Working Men's Defence Association, in Public Meeting assembled, in reference to the expenditure of the Vote for Immigration, and praying the House to take the matter into consideration.
Petition received.
5. PAPERS:—
Mr. Hoskins laid upon the Table,—Return (*in part*) to an Order made on 30th January, 1878 a.m.,—
"Applications for Lands by Messrs. Armstrong and Lakeman and Alexander Couper."
Ordered to be printed.
Mr. F. B. Suttor laid upon the Table,—
(1.) By-law of the University of Sydney.
(2.) Return to an Order made on 22nd April, 1879,—"Allowance for House Rent to Denominational School Teachers."
Ordered to be printed.
6. TENDERS FOR SUPPLY OF BLANKETS (*Formal Motion*):—Mr. Greenwood moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Tenders received for the supply of Blankets for 1879 and 1880, together with copies of Letters, Minutes, Reports, Memos., and other Papers in connection therewith.
Question put and passed.
7. GOVERNOR'S SIGNATURE BILL:—The Order of the Day having been read,—Captain Onslow moved, That this Bill be now read a second time.
Debate ensued.
Notice was taken that there was not a Quorum present,—
Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Beyers, Mr. W. C. Browne, Mr. Cameron, Mr. W. Davies, Mr. Day, Mr. Farnell, Mr. Fitzpatrick, Mr. Hoskins, Mr. Lackey, Mr. McCulloch, Mr. McElhone, Captain Onslow, Sir Henry Parkes, Mr. Terry, Mr. Watson, Mr. Windeyer, and Mr. Wisdom,—
Mr. Speaker adjourned the House at eighteen minutes before Eight o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 121.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 20 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Court-house, Gunnedah :—*Mr. J. Davies*, for Mr. Dangar, asked the Minister of Justice and Public Instruction,—

(1.) Is it a fact that the Court-house at Gunnedah is ready for occupation, and no furniture or fittings been sent, and that Quarter Sessions are to be held there on the 15th instant?

(2.) When will such be forwarded?

Mr. F. B. Suttor answered,—

(1.) The building referred to is not yet ready for occupation; the furniture has not been sent.

(2.) Furniture and fittings will be forwarded in about a fortnight.

- (2.) Chief Clerk, and Bailiff, Insolvent Court :—*Mr. McElhone* asked the Minister of Justice and Public Instruction,—

(1.) When will the Papers in the case of Mr. Greville, Chief Clerk in Insolvency, be laid upon the Table and printed?

(2.) Also, what salary does the Bailiff and Messenger in Insolvent Court receive?

(3.) Is he, and other Bailiffs to Insolvent Court, allowed to charge fees to Insolvents and Official Assignees?

(4.) If not, is he aware that the Bailiff has been in the habit of charging fees to Insolvents and the Official Assignees; if not aware, will he make inquiries in this matter from the Official Assignees?

Mr. F. B. Suttor answered,—

(1.) In the course of a few days.

(2.) £180 per annum.

(3.) The fees chargeable by Messengers are prescribed by the Schedule to Act 7 Vict. No. 19, and nothing therein refers to fees to be paid by Insolvents; but it is stated Official Assignees frequently do employ the Messenger upon their own retainer in lieu of employing a stranger, and they pay him for his services on such retainer. I will cause inquiries to be made as to the truth of this statement.

(4.) Except as aforesaid, I am unaware of fees being charged by the Messenger in Insolvency.

- (3.) Court-house, Branxton :—*Mr. Burns* asked the Secretary for Public Works,—When will tenders be invited for the erection of the Court-house at Branxton?

Mr. Lackey answered,—Plans are being prepared, and the work will be advertised probably next week.

- (4.) Sale of Impounded Horses at Murrurundi :—*Mr. Bennett* asked the Colonial Secretary,—

(1.) Was there a notification in the *Government Gazette* dated the 1st May, 1879, that a sale of horses impounded at Murrurundi on the 5th of April, 1879, would take place?

(2.) Did such sale come off at the pound-yard, Murrurundi, on the 1st of May instant; if not, when did such sale take place?

(3.) Was the poundkeeper the salesman when such sale took place?

Sir Henry Parkes answered,—

(1.) There was a Notice in *Gazette* No. 135 of the 18th April, 1879, that a sale of horses, impounded at Murrurundi on the 5th April, 1879, would take place on the 1st May, 1879, if not released.

(2.) As the Return for May is not due till June, the Treasury is not in a position to say whether the sale took place on the day appointed, or at any other time.

(3.) The Treasury cannot say whether the poundkeeper was the salesman.

(5.)

- (5.) Government Stores Department.—Glebe Island Abattoirs:—Mr. McElhone asked the Colonial Treasurer,—Does he intend to pay Messrs. Hixson, Maclean, and Bruce the fees of 31s. 6d. per day for inquiries held by them as Commissioners into the Stores Department, and the Abattoirs Glebe Island?

Mr. Watson answered,—The gentlemen named have not applied for any fees, but as they were appointed on the understanding that such fees would be paid, I do not think I would be justified in refusing payment.

- (6.) Mr. John Young:—Mr. McElhone asked the Colonial Secretary,—
 (1.) Is he aware that Mr. John Young, who has the supervision of the Exhibition Building, and who receives 5 per cent. on the amount spent, is a partner in the Annandale Land and Building Company, which contracted to supply one million bricks?
 (2.) What price is the said Company to receive per thousand for the bricks supplied to above building?
 (3.) Is it usual for persons occupying the position of Clerks of Works, similar to that which Mr. Young occupies at the Exhibition Building, and who has to fix the price of material supplied to the building, to supply material of which he fixes the price?

Sir Henry Parkes answered,—Mr. Young states:—

- (1.) That he is a shareholder in the North Annandale Freehold Land Company, with hundreds of others, and that he has no contract with the Annandale Land or any other Company for either one million or any other number of bricks.
 (2.) The North Annandale Land Company have received £2 10s. per thousand for bricks supplied.
 (3.) He is Contractor, and not Clerk of Works, for the Exhibition Building, and does not fix any prices, but pays the lowest current rates obtainable.

I wish to correct this last answer, which I have read to the House without having had an opportunity of looking over it previously, and to say that Mr. Young is certainly not Contractor.

- (7.) Postal Communication with Watson's Bay:—Mr. Bennett asked the Colonial Secretary,—
 (1.) At what time are the Mails made up at Watson's Bay daily?
 (2.) At what time are they delivered in Sydney by the letter carriers, respectively?
 (3.) At what time would a letter be delivered in Sydney by a letter carrier if posted at Watson's Bay at 1 o'clock p.m.?

Sir Henry Parkes answered,—

- (1.) Mails for Sydney close at Watson's Bay at 7:30 a.m. and 11:30 a.m.
 (2.) Both delivered at 1 p.m.
 (3.) A letter posted at 1 p.m., being too late for that day's Mail, would not be delivered in Sydney till 1 p.m. the following day.

- (8.) Steam-dredge "Samson":—Mr. Bennett asked the Secretary for Public Works,—
 (1.) How many days was the dredge "Samson" laid up for repairs and from other causes during the years 1876, 1877, and 1878?
 (2.) Did the master of the steam-dredge "Samson" receive full pay and extra allowance money during the period the "Samson" was undergoing repairs; if so, what amount?
 (3.) Did the officers and the crews of the steam-dredge "Samson" and steamer "Thetis" receive full pay and the usual extra allowance money during the time the said vessels were undergoing repairs in the years 1876, 1877, and 1878; if so, what were the amounts separately?
 (4.) Did the master of the dredge "Samson" receive his night-pay and extra allowance money in addition to the travelling expenses while away at the Clarence River?
 (5.) What is the name of the person who had charge of the dredge "Samson" during the absence of Mr. Laing at the Clarence River?
 (6.) Did such person receive an additional pay to his usual salary for such service, as acting master of the dredge, during the absence of Mr. Laing; if so, what amount?
 (7.) Have the Government, or do they intend, to call on Mr. Laing to refund the amount of night-pay he received while absent from the dredge "Samson" at the Clarence River, and extra allowance money?

Mr. Lackey answered,—I beg to state, in reply to the Honorable Member's Questions, that the information sought will be better answered in the form of a Return, which I shall lay upon the Table of the House in the course of a few days.

- (9.) Mr. Siegfried Franck:—Mr. Copeland asked the Attorney General,—How many informations were laid against Mr. Franck in connection with the Totalisator?

Mr. Windeyer answered,—Six.

2. JURY LIST, DENILIQUIN:—Mr. Hurley (*Hartley*), as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this subject was referred on 22nd October, 1878; together with Appendix.
 Ordered to be printed.
3. PAPERS:—Mr. F. B. Suttor laid upon the Table,—
 (1.) Report from the Trustees of the Australian Museum for 1878.
 (2.) Return to an Order made on 22nd April, 1879,—“Mr. Henry Bayliss, Police Magistrate, Wagga Wagga.”
 Ordered to be printed.
4. ADJOURNMENT:—Mr. Cameron moved, That this House do now adjourn.
 Debate ensued.
 Question put and negatived.
5. INQUESTS IN THE MAITLAND DISTRICT (*Formal Motion*):—Mr. Eckford moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence between the Government and Dr. Morson with reference to holding Inquests unnecessarily in the Maitland District.
 Question put and passed.

6. POSTAGES ON OUTWARD AUSTRALIAN AND NEW ZEALAND MAILS (*Formal Motion*):—Mr. Burns moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence respecting the proposed or actual change in the amount payable to the English Postal Authorities out of the Postages on Outward Australian and New Zealand Mails.
Question put and passed.
7. FORMS OF CROWN GRANTS (*Formal Motion*):—Mr. Copeland moved, pursuant to Notice, That there be laid upon the Table of this House a copy of each of the various forms of Crown Grants issued since the passing of the Crown Lands Alienation Act of 1861.
Question put and passed.
8. MR. P. BROUGHAM, POLICE MAGISTRATE, BINGERA:—Mr. McElhone moved, pursuant to Notice, That, in the opinion of this House, Mr. P. Brougham, the Police Magistrate, Bingera, is an unfit person to occupy the position of Police Magistrate, and should be dismissed from the Public Service.
Debate ensued.

And it being Seven o'clock, Government Business was proceeded with.

9. LANDS ACTS FURTHER AMENDMENT BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again to-morrow.
10. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to some, disagreed to others, and amended one of the Council's amendments.
On motion of Sir Henry Parkes, the report was adopted.
11. SUPPLY:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 21 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 122.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 21 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

ADJOURNMENT:—Mr. Lucas moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

2. BANK LIABILITIES AND ASSETS PUBLICATION ACT EXTENSION BILL:—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 20.

A Bill, intituled "*An Act to extend the operation of an Act to provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales and the Registration of the names of the Proprietors thereof*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 21st May, 1879.

3. QUESTIONS:—

(1.) Transfer of a Publican's License:—Mr. Jacob asked the Colonial Treasurer,—Has he any objection to lay upon the Table of this House a copy of the case submitted to the Honorable the Attorney General for his opinion on the power of two Justices to grant a transfer of a publican's license under the 27th section of 25 Vic. No. 15, a copy of which opinion was lately tabled by him and printed by order of this House?

Mr. Watson answered,—The opinion of the Attorney General (laid upon the Table) was the only Paper called for. There is no objection to lay upon the Table the other Papers in the case.

(2.) Transfer of a Publican's License:—Mr. Jacob asked the Attorney General,—

(1.) Has he, since his present incumbency of office, given an opinion on the 27th section of the Licensed Publicans Act contrary to the opinion on the same section lately tabled by the Honorable the Colonial Treasurer, and printed by order of this House?

(2.) If so, has he any objection to lay a copy thereof upon the Table of this House?

Mr. Windeyer answered,—No.

(3.) Animals Protection Bill:—Mr. Jacob asked the Attorney General,—

(1.) Adverting to his answers to Questions in Votes and Proceedings of 16th instant, No. 6,—If Mr. G. M. Stephen was remunerated in any way out of public moneys for drafting the Animals Protection Bill,—Would not the necessary vouchers authorizing payment have had to be certified in his office, or have passed through it in some way?

(2.) If so, can he not state, as a simple fact, whether Mr. Stephen was, or was not, paid out of the Consolidated Revenue for the production referred to, or whether vouchers passed through his office sanctioning payment?

(3.) When Mr. Stephen was "acting Parliamentary Draftsman" was he paid for time or quantity, or how was he remunerated, and had he not to sign vouchers?

Mr. Windeyer answered,—

(1.) Not necessarily; they did not in the case referred to.

(2.) This question is inferentially answered by the answer to No. 1.

(3.) I understand that when Mr. Stephen was employed in the capacity referred to he was employed by the Department that had the Bill in charge; was paid fees by the Department in which he was engaged, and I presume he had to sign vouchers. There are none in my Department.

(4.)

(4.) Additional Judge for Supreme Court:—Mr. Cohen asked the Attorney General,—Whether the Government have yet arrived at any determination as to providing an additional Judge, or additional Judges, for the Supreme Court?

Mr. Windeyer answered,—The Government have not arrived as yet at any determination in this matter. I think my Honorable Friend must see that there are great difficulties surrounding the question.

(5.) The Acting Collector of Customs:—Mr. O'Connor asked the Colonial Treasurer,—Has the Acting Collector of Customs applied for six months leave of absence; if so, upon what conditions?

Mr. Watson answered,—The Acting Collector of Customs has made no such application.

4. LANDS ACTS FURTHER AMENDMENT BILL:—Mr. Macintosh presented a Petition from Henry Brown, Chairman of a Public Meeting of Citizens of Sydney, praying the House to reject this Bill. Petition received.

5. PAPER:—Mr. F. B. Suttor laid upon the Table,—A Statement showing the distribution of the Church and School Estates Revenue for 1877 on account of Education. Ordered to be printed.

6. BRIDGE OVER THE NAMOI RIVER AT MANILLA:—Mr. J. Davies, for Mr. Dangar, presented a Petition from Residents of Manilla and surrounding Districts, praying the House to authorize the construction of a Bridge over the Namoi River at Manilla. Petition received.

7. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

(1.) Contractors Debts Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act for better securing the payment of Debts due to Workmen*,"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 21st May, 1879.

JOHN HAY,
President.

(2.) Transfer of Conditional Purchases Declaratory Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to declare the Law as to the effect of Transfers before Grant of Lands conditionally purchased under the Acts regulating the alienation of Crown Lands*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 21st May, 1879.

JOHN HAY,
President.

TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL.

SCHEDULE of the Amendments referred to in Message of 21st May, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 2, lines 16 and 17. Omit "before grant of land conditionally purchased under the "said Acts"

„ clause 2, line 17. After "made" insert "and communicated to the Land Agent"

„ 2, „ line 1. After "under" omit remainder of clause, insert "the Crown Lands "Alienation Acts"

„ clause 3, line 26. Omit "and"

„ „ line 26. After "lodged" insert "and recorded"

„ „ line 32. Omit "nothing in this Act" insert "no such transfer"

„ „ line 35. After "been" insert "previously"

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Friday next.

8. POSTPONEMENT:—The Order of the Day for the further consideration in Committee of the Lands Acts further Amendment Bill postponed until to-morrow.

9. SUPPLY:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 22 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported that there was not a Quorum present in the Committee.

Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

10. SYDNEY CORPORATION BILL:—Ordered, on motion of Sir Henry Parkes, that the following Message be carried to the Legislative Council.

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message dated 13th May, 1879, in reference to the Sydney Corporation Bill,—

Agrees to the Council's amendments in the Preamble and in clauses 1 to 131 inclusive.

Agrees to the Council's amendment in clause 133, which omits the words "their corporate revenues from whatever source arising" and inserts the words "the City Fund,"—but

Disagrees from the other amendment in the clause which proposes to insert a new proviso,—Because, in carrying out public improvements of the character provided for by this clause no injury can result to private interests which would justify any claims to compensation, and because any such provision might be taken advantage of to vexatiously interfere with the Council's proceedings in the general interests of the City.

Agrees to the Council's amendments in clauses 134 to 216 inclusive.

Disagrees from the Council's amendment which omits clause 217,—Because the retention of this clause is necessary for carrying out the objects of the Bill; but proposes to amend the clause, so as more effectively to carry out those objects, by omitting the last proviso, and inserting in place thereof the following proviso,—“And provided also that in the event of the existing sewerage and water-works being hereafter transferred to any other authority by Act of Parliament the Council shall only be entitled in respect to their liability in connection with such works (amounting on the twenty-eighth February one thousand eight hundred and seventy-nine to the sum of three hundred and ninety-eight thousand six hundred and thirty-four pounds seventeen shillings and five pence) to claim exemption from such liability according to the provisions hereinbefore contained with respect to the debts incurred under the said vested Acts And such exemption shall not exceed the said sum together with the interest accrued due thereon at the time of such transfer Provided however that any further sums which shall be proved to the satisfaction of the Governor and Executive Council to have been expended on such works during the interval between the said twenty-eighth day of February one thousand eight hundred and seventy-nine and the date of the transfer of such works shall upon such transfer be a charge upon the Consolidated Revenue Fund and all obligations in respect of such sum of three hundred and ninety-eight thousand six hundred and thirty-four pounds seventeen shillings and five pence and the interest thereon or in respect of such further sum as may be so expended during the said interval shall upon such transfer being effected cease to be a charge upon the revenues of the said Council.”

In which amendment the Assembly requests the concurrence of the Legislative Council.

Agrees to the remaining amendments made by the Council in the Bill.

Legislative Assembly Chamber,

Sydney, 22nd May, 1879, A.M.

The House adjourned at eighteen minutes after Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 123.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 22 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Mr. Gray's Conditional Purchase at Hay :—Mr. McElhone asked the Secretary for Lands,—
- (1.) In regard to Mr. Gray's conditional purchase taken up at Hay, and about which I have written him,—Is it a fact, as reported by Mr. Gray, that, according to the vague description given by Mr. Frew, the lessee of the runs, description was so vague that it would apply to any part of the creek on which Gray selected?
- (2.) If this statement is true, will he dismiss the surveyor from the Public Service for surveying Frew's conditional purchase on such a vague description, and by this means taking the land which should belong to Gray?

Sir Henry Parkes answered,—I have received the following answers from the Lands Department:—

- (1.) The description is vague, and, apart from the residence and improvements of the applicant, might be made to apply to any 640 acres of land on Euabalong Run fronting Bookeroy Creek; but the application was referred to a surveyor, as in other instances, in view of the provision of the law, which enacts that no error or uncertainty of description should vitiate an application on its being made to appear that the land resided upon is that intended. The reasons given by the surveyor for measurement are, that the applicant was resident, and had made improvements to the value of £92 10s., and that an explicit notice was found on the corner tree accurately describing the land, and of a date prior to the original selection of the subsequent applicant—which was, at his own instance, cancelled as interfering with a reserve.
- (2.) The allegations brought forward by Mr. McElhone and Mr. Gray—more particularly as to other land having been previously claimed for his selection by Mr. Frew—will be inquired into by the District Surveyor, and no further action will be taken pending the result.
- (2.) Pilot Service, Port Jackson :—Mr. Bennett asked the Colonial Treasurer,—
- (1.) On what day of the month are the wages of the men in the Pilot Service at South Head paid, and to whom?
- (2.) On what day of the month do the men actually receive their wages?
- (3.) Where is the money kept in the meantime?
- (4.) How is it that they are paid by private cheques signed "J. Creer"?

Mr. Watson answered,—

- (1.) On or about the first of each month into the Bank of New South Wales, to the public credit of J. Creer, the Master of the Pilot Steamer.
- (2.) Generally on the second of the month, but always immediately after notice is received that the money is available in the Bank.
- (3.) In the Bank.
- (4.) They are not so paid. J. Creer has no private account at the Bank of New South Wales.
- (3.) George Millgate's Conditional Purchase at Orange :—Mr. McElhone asked the Secretary for Lands,—
- (1.) In reference to George Millgate's conditional purchase taken up at Orange or Molong, in reference to which I wrote him fully two months ago, and Mr. S. Freeman Martin wrote several letters asking for a decision in reference to Millgate's conditional purchase,—What is the cause of the great delay in giving a decision in this case?
- (2.) When is it likely that he will give his decision in Millgate's case?

Sir Henry Parkes answered,—

- (1.) A decision has already been arrived at in the case, but as the question of the value of certain improvements is involved, which is required to be determined by appraisalment, the final action must depend upon the issue of such appraisalment.
- (2.) Instructions have been given for the appraisalment to be proceeded with without delay.

(4.)

(4.) Mr. Hans Frank's Conditional Purchase at Tamworth :—Mr. McElhone asked the Secretary for Lands,—

(1.) Did Mr. Hans Frank select certain land on the Line, or near the Line, of the Great Northern Railway at Tamworth ?

(2.) Was he summoned by Mr. John Gill for trespass on Crown Lands ?

(3.) Did he apply about three weeks since to the Lands Department, Sydney, for a lease of 2 acres for the purpose of erecting a public-house or accommodation house; if so, will the lease of 2 acres be granted to him for the purpose specified, and when is he likely to receive an answer to his application for a lease ?

Sir Henry Parkes answered,—No selection has been made by Hans Frank at Tamworth.

(5.) Benjamin Barnfield Dyer :—Mr. McElhone asked the Colonial Secretary,—

(1.) Was a person named Benjamin Barnfield Dyer lately received into the Gladesville Asylum as a pauper; if so, at whose instance was he placed there, and what is the name of the Doctor who certified to his insanity, and the names of the persons who applied to have him placed there ?

(2.) Is he aware that Dyer is possessed of considerable property, and has the means of paying for his keep, whilst one of his sons has taken possession of all his property ?

(3.) Is he aware that his other sons were not aware of his being placed in Gladesville, and are opposed to his being put there; and will he inquire into this, and also to his ability to pay for his maintenance at Gladesville ?

Sir Henry Parkes answered,—

(1.) A person named Benjamin Barnfield Dyer was received into Gladesville on the 28th March, through Central Police Court—Messrs. W. Crane and J. Graham signing the order, on medical certificates granted by Drs. Dansey and Egan. A son named Enos Dyer gave evidence as to his insanity.

(2.) I am not aware of Benjamin Barnfield Dyer (who died on the 13th instant) being possessed of property, or of one of his sons taking possession of it. If this be the case, there is of course a legal remedy, the man now being dead.

(3.) Another son went to Gladesville during his father's life, and complained about his father having been sent there.

(6.) Water Reserve, Back Creek :—*Mr. Day*, for Mr. Copeland, asked the Secretary for Lands,—Has the Water Reserve for Back Creek, which was applied for and promised some months ago, been surveyed yet; if not, what is the cause of the delay ?

Sir Henry Parkes answered,—A Reserve, No. 41, at Duffer's Creek, in the immediate neighbourhood of Back Creek, was notified on the 9th of April, 1879; an application to have the Reserve surveyed was received on the 19th of May, 1879, and forwarded to the District Surveyor.

(7.) Court-house, Back Creek :—*Mr. Day*, for Mr. Copeland, asked the Secretary for Public Works,—

(1.) Is he aware that the Bench of Magistrates at Back Creek refuse to sit in the shanty used at that place as a Court-house, which is neither wind nor water tight, notwithstanding it is the only receptacle of many exceedingly valuable titles ?

(2.) What steps (if any) have been taken towards the erection of a new Court-house ?

Mr. F. B. Suttor answered,—

(1.) The Magistrates have not refused to sit, but have remonstrated about having to sit in the only structure which was then available. The Police Magistrate at Back Creek has now been authorized to hire certain premises under offer to the Government for the purposes of a Court-house.

(2.) Plans had been prepared for the erection of a new Court-house, but certain modifications have been suggested in reference to the same, with a view to providing a building more suitable for the requirements of a gold field. In the meantime steps have been taken to provide the requisite accommodation for Petty Sessions and other purposes.

(8.) Court-house at Barraba :—Mr. Bennett asked the Secretary for Public Works,—

(1.) What amount was voted in last year's Estimates for the erection of a new Court-house at Barraba, in the District of Liverpool Plains ?

(2.) Has such vote been expended on the works for which it was voted; if not, what has been the cause for not expending the same ?

(3.) If tenders have not as yet been invited for the erection of a new Court-house at Barraba, when will such be invited ?

Mr. Lackey answered,—

(1.) No amount was voted on last year's Estimates for this work.

(2.) There was no vote to expend.

(3.) A plan for this building has been approved of, and the estimated cost will be provided as soon as practicable.

(9.) Residences for Denominational School Teachers :—Mr. O'Connor asked the Minister of Justice and Public Instruction,—

(1.) Are the Teachers of Public Schools and the Teachers of Denominational Schools on the same footing, according to the Council's classification ?

(2.) Is it a fact that School Teachers under the Council of Education, when ordered to take charge of Denominational Schools, do not have residences provided for them, or receive sums equivalent to the rents thereof; if so, will the Minister take the necessary steps to remedy this ?

Mr. F. B. Suttor answered,—

(1.) I have ascertained that all Teachers holding the same classification from the Council are on the same footing so far as regards classification.

(2.) The promoters of Denominational Schools are supposed to provide all necessary buildings, including Teachers residences, and in most instances it is believed that residences are so provided, or an equivalent allowance as rent; but the Council makes no inquiry on these points.

(10.) Road from Tamworth to Gunnedah :—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Mines,—

(1.) Has it been determined to widen the Road from Tamworth to Gunnedah 2 chains wide, or what ?

(2.) Is it true that only 1 chain wide has been taken off, and through some alienated land, and from others 2 chains ; and if so, the particulars and cause of this difference ?

(3.) Is not the lane through Nowland's land half metalled, and a reserve for stock on each side of it ?

Mr. Baker answered,—

(1.) Yes ; the widening of the Road was confirmed by *Gazette* Notice of 14th March, 1879.

(2.) The Road has been widened by 50 links in some places, and by 2 chains in others. The variation in width is believed to have depended principally on the nature of the ground ; but the original report of the Surveyor has been lost, and without reference to him positive information cannot be given.

(3.) It is not known whether the road through Nowland's land is metalled or not. There is no travelling stock reserve on either side of the road through Nowland's portion, No. 57, parish of Cooridon, county of Buckland.

2. PAPER :—*Sir Henry Parkes* laid upon the Table,—Return (*in part*) to an Order made on 3rd May, 1878,—“ Land Sales at Armidale, Walcha, &c.”
Ordered to be printed.

3. MR. DUNSHEA, TIDE-WAITER (*Formal Motion*) :—*Mr. McElhone* moved, pursuant to Notice, That there be laid upon the Table of this House,—

(1.) A copy of *Mr. Baxter's* letter, dated June, 1878, in reference to clearing the steam-ship “Boomerang,” and charging *Mr. Dunshea* with neglect of duty, and Acting Collector of Customs, *Mr. Berney's*, minutes thereon (if any.)

(2.) Copy of the Acting Collector's recommendation to the late Treasurer, *Mr. Cohen*, suggesting to, or requesting him to appoint *Mr. Dunshea* to the position of 3rd Tide-Surveyor, with *Mr. Cohen's* decision and minute thereon (if any.)

(3.) Copy of the Acting Collector of Customs letter to *Mr. Cohen*, of April, 1878, recommending that *Mr. Dunshea* be appointed to board and attend to all intercolonial steamers in the place of the officer who performed that duty for several years.

(4.) Copy of any minute written by *Mr. Cohen* on the foregoing letter of April, 1878, together with any report thereon from any officer of the Customs Department, charging *Dunshea* with violating with impunity *Mr. Duncan's* orders and imperative instructions.

(5.) Copies of all letters and reports submitted to the Acting Collector of Customs by Messrs. *Eames* and *Smyth*, Tide Surveyors, charging *Dunshea* with neglect of duty ; also copies of the Acting Collector's minute and decision thereon (if any.)

(6.) Copy of a letter or memorandum written by *Mr. Brown*, Chief Steward of the steam-ship “*Tasman*,” complaining that *Dunshea* borrowed money, and requesting that the same be deducted from his salary.

(7.) Also particulars of all letters and information that came to the knowledge of the Acting Collector of Customs, Tide Surveyors, or other superior officers of Customs, respecting *Dunshea's* expulsion from the “*Paragon Hotel*.”

(8.) Copies of any minutes or proceedings taken by the Acting Collector of Customs, Tide Surveyors, or other superior officers of Customs, respecting *Dunshea's* conduct at the “*Paragon Hotel*.”

(9.) Also copies of all memoranda written from time to time by the Landing Waiters, and others, to the Acting Collector of Customs and Tide Surveyors, complaining of the manner in which *Dunshea* discharged his duties in connection with intercolonial steamers, and the Acting Collector's decision thereon.

Question put and passed.

4. IMPOUNDING ACT AMENDMENT BILL (No 2) :—*Mr. Speaker* reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled “*An Act to amend the 'Impounding Act of 1865,'*”—returns the same to the Legislative Assembly without amendment.
Legislative Council Chamber,

Sydney, 22nd May, 1879.

JOHN HAY,

President.

5. ADJOURNMENT :—*Mr. McElhone* moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

6. POSTPONEMENT :—The Order of the Day for the further consideration in Committee of the Lands Acts further Amendment Bill postponed until Tuesday next.

7. SUPPLY :—The Order of the Day having been read,—on motion of *Mr. Watson*, *Mr. Speaker* left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 23 MAY, 1879, A.M.

Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at seven minutes after Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,

Speaker.

New South Wales.

No. 124

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 23 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Police Paddock, Young:—Mr. Beyers asked the Secretary for Mines,—

(1.) Is it the intention of the Government to throw open the Police Paddock at Young for Mining purposes; and if so, when?

(2.) When will the Government grant the leases for which the money has been paid?

Mr. Baker answered,—

(1.) Yes, notice of which is in the *Government Gazette* of this date.

(2.) The Government does not intend to grant leases of land in this Reserve.

- (2.) Court-house, Cowra:—Mr. Lynch asked the Secretary for Public Works,—Is he aware that no progress has been made with the building of the Court-house at Cowra, although the contract was taken nearly twelve months since; if so, will he cause immediate action to be taken, so as to compel the contractor to commence the work without delay?

Mr. Lackey answered,—A tender for this work was accepted in October last, but in consequence of the failure of the Contractor and his sureties to execute the necessary bond for the due performance of the work, the contract has been cancelled, and fresh tenders have been invited.

- (3.) James South's Additional Conditional Purchase on Gunyerwaraldi Run:—Mr. J. Davies, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Did James South make an additional conditional purchase at Warialda on 7th March, 1878, 320 acres, county Burnett, parish of Abererombie, on Gunyerwaraldi Run, portion 76?

(2.) Did Surveyor Russell survey this block and leave a road 3 chains wide through it?

(3.) Is it usual to leave roads through selections 3 chains wide, or what is the usual width allowed; and why was any alteration made in the regulations in this case?

(4.) Where does this road lead to, and from, and what object had the surveyor in reserving it; is the road straight or crooked, and does it in consequence of not being straight destroy the only natural place on this selection of storing water or making a dam, the selection being a dry one, and salt water procured from wells?

(5.) Is it a fact that all the adjoining blocks, which are auction blocks, and supposed to belong to the lessee of the run, have no roads marked through them, and that on one side of South's selection a road has been left?

(6.) Was South's selection gazetted a reserve on 11th November, 1878, eight months after South had selected; and if so, for what reason, and will so much of this reserve as relates to South's selection be cancelled?

(7.) What steps does the Minister propose taking in this case, and will the road through South's selection be dispensed with?

Sir Henry Parkes answered,—

(1 to 5.) James South made a conditional purchase at Warialda on the date named; and the issues raised in these questions were referred to Mr. District Surveyor Greaves for report on the 25th of March last.

(6.) A reserve was notified embracing the land conditionally purchased, but being subsequent to the date of that purchase, will not affect it.

(7.) The matter will be decided upon receipt of the Surveyor's report.

(4.)

(4.) District Survey Offices:—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Lands,—

(1.) Having in view the rapid increase of business and settlement of the country in the Gwydir, Inverell, Narrabri, Bingera, Warialda, and Walgett Districts, is it intended to grant or form a separate District Surveyor's Land Office in some more convenient and central place than Tamworth, which is at the very extreme end of the district and highly inconvenient?

(2.) Is the Minister aware the extent and importance of these Districts demand such an addition and separation, as from the extent of work the District Surveyor can seldom visit the distant portions thereof, and must entrust such work to deputies, lessening the exercise of proper supervision?

Sir Henry Parkes answered,—At present it is not intended to increase the number of District Survey Offices. There is a sub-office at Inverell; and a Land Office, with suitable maps, is about to be established at Moree, where there is also a local Surveyor. Moree and Narrabri are well situated geographically, but the climate in both places is such that office-work cannot be carried on economically.

2. PAPER:—*Sir Henry Parkes* laid upon the Table,—Return to an Order made on 29th January, 1878,—“Military and Civil Cricket Ground.”
Ordered to be printed.

3. CITY OF SYDNEY IMPROVEMENT BILL:—The Order of the Day having been read,—on motion of *Mr. Driver*, *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill. *Mr. Speaker* resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments with an amendment.
On motion of *Mr. Driver*, the report was adopted.

4. TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL:—The Order of the Day having been read,—on motion of *Mr. Driver*, *Mr. Speaker* left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill. *Mr. Speaker* resumed the Chair; and the Chairman reported that the Committee had agreed to some, and disagreed to others, of the Council's amendments.
On motion of *Mr. Driver*, the report was adopted.

5. MR. P. BROUGHAM, POLICE MAGISTRATE, BINGERA:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of *Mr. McElhone*, “That, in the opinion of this House, *Mr. P. Brougham*, the Police Magistrate, Bingera, is an unfit person to occupy the position of Police Magistrate, and should be dismissed from the Public Service,”—

And the Question being again proposed,—the House resumed the said adjourned Debate.

Question put.

The House divided.

Ayes, 10.

Mr. W. C. Browne,
Dr. Bowker,
Mr. Day,
Mr. Terry,
Mr. Barbour,
Mr. Bennett,
Mr. Cameron,
Mr. Driver,

Tellers.

Mr. Murphy,
Mr. McElhone.

Noes, 21.

Sir Henry Parkes,
Mr. Beyers,
Mr. F. B. Suttor,
Mr. Fitzpatrick,
Mr. Watson,
Mr. Windeyer,
Mr. Jacob,
Mr. Farnell,
Mr. J. Davies,
Mr. Thompson,
Mr. Lackey,
Mr. Baker,

Mr. Greenwood,
Mr. Macintosh,
Mr. Johnston,
Mr. Teece,
Mr. Garrett,
Mr. Webb,
Mr. W. Davies,

Tellers.

Mr. Harris,
Mr. McCulloch.

And so it passed in the negative.

6. AMENDMENT OF THE LAND LAW:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of *Mr. McElhone*, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions,—

(1.) That, in the opinion of this House, in any Land Bill introduced into this House it would be advisable to divide the Colony into Agricultural and Pastoral Districts.

(2.) That no land should be sold by auction in the Agricultural Districts, or by any other way than by free selection.

(3.) That in the Squatting Districts the squatters should have a lease of their runs for (say) fourteen years, to enable them to recoup themselves for outlay in effecting improvements, but that they should not have the power to purchase any land leased to them by auction or otherwise, and that no free selection should be allowed in the Pastoral Districts.

(4.) That the Government shall have the right to resume any quantity of the lands leased to the squatters which shall be required for public purposes, and that for any land so resumed the Government shall pay the lessees compensation, to be fixed by arbitration; and to provide funds for this purpose they shall be empowered to levy a tax on stock, similar to the tax levied under the Scab in Sheep Act, which shall be used for the purpose of paying the Crown lessees for any leased lands taken from them during the currency of their leases.

(5.) That in consideration of the Crown lessees being given a definite lease of their runs in the Squatting Districts, they should be compelled to pay a fair additional rent for their runs in consideration for the security of tenure given to them.

(6.) That the following rates should be paid as a fair rental, viz., 2s. 6d. per head on all horned cattle, 2s. 6d. per head on horses, and 4d. per head on sheep, per annum,—on each horned beast, horse, or sheep carried on each run leased to them,—

And the Question being again proposed,—the House resumed the said adjourned Debate.

Question

Question put.

The House divided.

Ayes, 4.

Mr. Moses,
Dr. Bowker,

Tellers.

Mr. McCulloch,
Mr. McElhone.

Noes, 27.

Sir Henry Parkes,
Mr. Lackey,
Mr. F. B. Suttor,
Mr. Fitzpatrick,
Mr. Watson,
Mr. Windeyer,
Mr. J. Davies,
Mr. Lucas,
Mr. Wisdom,
Mr. Beyers,
Mr. Driver,
Mr. Greville,
Mr. Thompson,
Mr. Baker,
Mr. Cameron,

Mr. Day,
Mr. Johnston,
Mr. Murphy,
Mr. R. B. Smith,
Mr. Harris,
Mr. Bennett,
Mr. Teece,
Mr. Webb,
Mr. Garrett,
Mr. Jacob,
Tellers.
Mr. Terry,
Mr. Barbour.

And so it passed in the negative.

7. **POSTPONEMENTS** :—The following Orders of the Day postponed :—
 (1.) Marsupials Destruction Bill; to be further considered in Committee ;—*until Friday next.*
 (2.) Medical Bill (No. 2) ; second reading ;—*until Tuesday, 3rd June.*
8. **BARRINGTON GOLD FIELD** :—The Order of the Day in reference to a reward to the discoverer of the Barrington Gold Field read, and, on motion of Mr. Copeland, discharged.
9. **POSTPONEMENT** :—The Order of the Day in reference to Public Education postponed until Friday next.
10. **BANKERS BOOKS AND CHEQUES BILL** :—The Order of the Day for the second reading of this Bill read, and, on motion of Mr. Terry, discharged.
 Ordered, that the Bill be withdrawn.
11. **POSTPONEMENT** :—The Order of the Day for the second reading of the Equity Bill postponed until Friday, 6th June.
12. **ABOLITION OF CAPITAL PUNISHMENT FOR RAPE** :—Mr. McCulloch moved, pursuant to Notice (*as amended by consent*), That leave be given to bring in a Bill to abolish capital punishment for the crime of Rape.
 Debate ensued.
 Motion, by leave, withdrawn.
13. **MR. BOOTY, BAILIFF IN INSOLVENT COURT** :—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing,—
 (1.) The amount of all fees charged by, and received by, Mr. Booty, Bailiff in the Insolvent Court, from Official Assignees, and all other persons, since the 1st of January, 1870, to the present time, and amount of same.
 (2.) The amount of rebate commission received by Booty from Auctioneers.
 (3.) Also a copy of all Correspondence, Minutes, &c., by the Commissioner in Insolvency, and all other persons, in respect of the fees charged by, and received by, Booty, as Bailiff in Insolvent Court.
 (4.) Also a Return showing under what rule, or rules, of the Insolvent Court Booty was allowed to receive or charge such fees, and under what Act of Parliament he has claimed and charged such fees to Official Assignees and insolvent persons.
 Question put and passed.
14. **CANCELLATION OF CONDITIONAL PURCHASES** :—Mr. McElhone moved, pursuant to Notice, That, in the opinion of this House, the Attorney General should give his opinion as follows,—
 (1.) In the case of a person who has performed his three years residence on a conditional purchase, under the 13th section of the Lands Act, and who has made his declaration as to residence and improvements at the expiration of three years, as required by law, and who has paid interest on his conditional purchase, or who has paid the balance of 15s. an acre on such conditional purchase to the Government, whether the Government have the legal power to cancel such conditional purchase under the Lands Acts of 1861 or 1875, after having received the interest or balance due from such conditional purchase.
 (2.) That in cases similar to the above, where the conditional purchaser has paid the interest due for several years, or paid the balance of 15s. an acre on his conditional purchase, (and such cases are being sent before the Commissioners Courts for inquiry) it is advisable that the Attorney General should give his opinion at an early date, to decide if the Government have the power to cancel such selections, and that such opinion should be made public.
 Debate ensued.
 Motion, by leave, withdrawn.
15. **TECHNICAL, OR WORKING MEN'S COLLEGES** :—Mr. Teece moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1879 a sum not exceeding £10,000, for the purpose of forming Technical, or Working Men's Colleges, in connection with the various Mechanics Institutes throughout the Colony.
 Debate ensued.

Notice

Notice was taken that there was not a Quorum present.

Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Beyers, Mr. W. C. Browne, Mr. Cameron, Mr. Charles, Mr. Day, Mr. Fitzpatrick, Mr. Greenwood, Mr. Lackey, Mr. McCulloch, Sir Henry Parkes, Mr. R. B. Smith, Mr. F. B. Suttor, Mr. Teece, Mr. Terry, Mr. Watson, Mr. Windeyer, and Mr. Wisdom,—

Mr. Speaker adjourned the House at five minutes before Seven o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 125.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 27 MAY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Capitation Allowance to Members of the Volunteer Force:—Mr. Taylor asked the Colonial Secretary,—

- (1.) How many officers in charge of Companies under the old Volunteer Regulations have paid over to members the capitation allowance earned by them?
 (2.) How many, and who are the officers, who have not so paid away the said capitation allowance earned by the members of their Companies?
 (3.) Will the Colonial Secretary cause instructions to be at once issued to those officers who have money in their possession which has been earned by the members of their Companies to at once pay to each member the amount which shall be found to be due, after making provision to meet any liabilities that may be owing by the said Company?

Sir Henry Parkes answered,—

- (1.) Twenty (20).
 (2.) Twenty-five (25). Volunteer Artillery—No. 2 Battery, Lieut. Wigram; No. 4, Captain W. Cooper; No. 5, Captain Beverley; No. 6, Captain Deane; No. 7, Captain Boake; No. 9, Captain Bradley. 1st Regiment—No. 1 Company, Captain J. Cooper; No. 4, Captain Davey. 2nd Regiment—Glebe Company, Lieut. Mulholland; Paddington and Surry Hills, Lieut. Gough; St. Leonards, Captain Guise; South Sydney, Lieut. Burnet; No. 2 Highlanders, Captain Chisholm. 3rd Regiment—Parramatta, Captain Byrnes; Richmond, Major Holborow; Goulburn, Captain Dignam; Mudgee, Captain Davidson; Penrith, Captain Thomas. 4th Regiment—Singleton, Captain Loder; Newcastle, Captain Brown; West Maitland, Captain Wilkinson. 5th Regiment—Kiama, Major Black; Jamberoo, Captain Dymock; Wollongong, Captain Owen; Ulladulla, Captain Sheaffe.
 (3.) The Government has no control over these funds, the management and disposal of which are vested in the Commanding Officers and Financial Committees of Corps under rules of Corps, which themselves exist under authority of Volunteer Act and old Volunteer Regulations.

- (2.) Road from Cohen's Conditional Purchase to Uarbry Creek:—Mr. McElhone asked the Secretary for Mines,—Is there a road down the Talbragar River from John Cohen's selection on Norfolk Creek, a tributary of the Talbragar, to Uarbry; if so, is this road open to the public?

Mr. Baker answered,—There is no proclaimed road. There may be a track in use; but inquiry shall be made as to whether there be a road open to the public.

- (3.) Residences for Teachers of Denominational Schools:—Mr. O'Connor asked the Minister of Justice and Public Instruction,—

- (1.) How many Certified Denominational Schools in the Colony are unprovided with Teachers residences?
 (2.) How have the Council of Education distributed the £2,338 5s. 8d. which the Government handed over to them from the Church and School Lands?
 (3.) Is it true that the 48th article of the Council of Education's Regulations, which came into operation on the 1st of January, 1878, granting rent instead of residence to Teachers in Public Schools,

Schools, while withholding same from Teachers in Denominational Schools, was at least two years antedated, viz., 29th November, 1875, instead of same month, 1877 ?

Mr. F. B. Suttor answered,—

- (1.) To obtain this information it has been necessary to communicate with the Teachers of 170 Denominational Schools. When the requisite particulars shall have been supplied, I will lay them upon the Table of the House.
- (2.) A statement giving this information was laid by me upon the Table of the House on Wednesday last, and ordered to be printed.
- (3.) It is not true.

(4.) Queensland Border Duties :—*Mr. J. Davies*, for Mr. Dangar, asked the Colonial Secretary,—

- (1.) Has any arrangement been arrived at with the Queensland Government as to the abolition of the Border Duties on the boundaries of the two Colonies in the neighbourhood of the Upper Barwin and Moonie Rivers ?
 - (2.) Will any steps be taken with the Government of Queensland with a view of abolishing such ?
- Sir Henry Parkes answered,—This question has not been under the consideration of the Government, and there is no immediate intention of opening negotiations on the subject.

(5.) Road Contractors :—*Mr. Thompson* asked the Secretary for Public Works,—

- (1.) What is the cause of the delay that it is said takes place in paying all Contractors under Road Superintendent Allman ?
- (2.) Are Contractors not entitled to receive 80 per cent. for work done every month ?

Mr. Lackey answered,—

- (1.) There is not more than the usual delay in paying men under Mr. Allman, who is a most punctual and prompt officer.
- (2.) Yes, and advances are paid them as quickly as the necessary routine will admit.

(6.) Road from Gunning to Queanbeyan :—*Mr. Thompson* asked the Secretary for Public Works,—

- (1.) When will the contracts for the Road from Gunning to Queanbeyan for the present year be let ?
- (2.) When will tenders for works on this Road be called for ?

Mr. Lackey answered,—

- (1.) Probably in three weeks time.
- (2.) Tenders will be at once invited locally.

(7.) Rape :—*Mr. Lucas* asked the Minister of Justice and Public Instruction,—Will he lay upon the Table of this House a Return showing,—

- (1.) The number of persons tried for Rape from 1840 to 1845 ?
- (2.) The number of such persons who were acquitted ?
- (3.) The number of such persons whose sentences were commuted ?
- (4.) Of the number convicted how many were hanged ?
- (5.) In the cases where the sentence was commuted, what was the period each convict (specifying the case by number) was confined in prison for the offence ?
- (6.) The like information for the periods from 1845 to 1850, 1850 to 1855, 1855 to 1860, 1860 to 1865, 1865 to 1870, 1870 to 1875, and for the three years ending 31st December, 1878 ?

Mr. F. B. Suttor answered,—I am endeavouring to obtain the information asked in these questions, with a view to its being laid upon the Table of this House in the shape of a Return as soon as it can be prepared.

(8.) Rape :—*Mr. Lucas* asked the Minister of Justice and Public Instruction,—The number of persons tried for Rape in England during the five years previous to the abolition of capital punishment for that offence ; also the number of persons tried for that offence in England during the five years succeeding the abolition of capital punishment for that offence ?

Mr. F. B. Suttor answered,—I will endeavour to obtain the information in question, with a view to its being laid upon the Table of this House as soon as it may be possible to do so.

(9.) The Curator of Intestate Estates :—*Mr. McElhone* asked the Minister of Justice and Public Instruction,—Under what authority does the Curator of Intestate Estates appoint Agents, and pay them commission out of proceeds of Intestate Estates ?

Mr. F. B. Suttor answered,—Under the Intestate Estates Act 11 Vic. No. 24.

2. WAGGA WAGGA COMMON :—

(1.) *Mr. McElhone* presented a Petition from John Donnelly, Lessee of the Gumly Gumly Run, praying to be allowed to be represented at the meetings of the Select Committee on the Wagga Wagga Common by his Attorney or Counsel, and that his Attorney or Counsel may be allowed to address the Committee on his behalf.

Petition received.

(2.) *Mr. McElhone* then (*by consent*) moved, without notice, That leave be given to *Mr. John Donnelly* to be heard by his Attorney or Counsel before the Select Committee on the Wagga Wagga Common.

Question put and passed.

3. PAPERS :—

Sir Henry Parkes laid upon the Table,—

- (1.) Twenty-fourth Annual Report of the Postmaster General on the Departments under his Ministerial control, being that for the year 1878.
 - (2.) By-laws of the Municipal District of Tenterfield.
- Ordered to be printed.

Mr. Lackey laid upon the Table,—A Return respecting the Steam-dredge "Samson."

Ordered to be printed.

4. CITY OF SYDNEY IMPROVEMENT BILL :—Ordered, on motion of Mr. Driver, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 13th May, 1879, in reference to the City of Sydney Improvement Bill,—

Agrees to the amendments made by the Council in the Bill, but amends the amendment in clause 32, line 45, which proposes to insert the words "if neither the owner nor the agent of the owner can be found the City Surveyor shall apply to a Stipendiary Magistrate or any two Justices and," by omitting the word "City,"—

In which amendment the Assembly requests the concurrence of the Legislative Council.

*Legislative Assembly Chamber,
Sydney, 27th May, 1879.*

5. ADJOURNMENT :—Mr. O'Connor moved, That this House do now adjourn.
Debate ensued.

And it being Seven o'clock, Government Business was proceeded with.

6. CITY OF SYDNEY IMPROVEMENT BILL :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's Message, dated the 27th May, 1879, in reference to the City of Sydney Improvement Bill, agrees to the Assembly's amendment upon the Council's amendments in the said Bill.

*Legislative Council Chamber,
Sydney, 27th May, 1879.*

JOHN HAY,
President.

7. TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL :—Ordered, on motion of Mr. Garrett, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 21st May, 1879, in reference to the Transfer of Conditional Purchases Declaratory Bill,—

Agrees to the Council's amendments in clauses 1 and 2.
Disagrees from the Council's amendments in clause 3, sub-section (2.), line 27,—Because, with regard to conditional purchases heretofore made, it would impose a condition not hitherto required; and, further, it would make the validity of a transfer depend upon the action or inaction of a third person (a public official), over whom neither the transferrer nor transferee has, or can have, any control or cognizance of his conduct with regard to their transactions.

Agrees to the remaining amendments made by the Council in the Bill.

*Legislative Assembly Chamber,
Sydney, 27th May, 1879.*

8. LANDS ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 28 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at ten minutes after Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 126.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 28 MAY, 1879.

1. The House met pursuant to adjournment : Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Stock Route, Coonamble to Dubbo :—*Mr. Cameron*, for Mr. Dangar, asked the Secretary for Mines,—Is it intended to open up a Stock Route, or set out a Road for the benefit of stock owners and others, on the Castlereagh, Namoi, Barwon, and Queensland Border to Dubbo, *via* Yullundry, considerably lessening the distance between Dubbo and Coonamble, or from Cannonbar to Dubbo, *via* Yullundry, and making suitable Stock Reserves along this route ?

Mr. Baker answered,—There is a Stock Route from the Barwon and Namoi to Coonamble ; and if the Yullundry, here referred to, be the Station on the Castlereagh belonging to Mr. Buchanan, about 20 miles south from Coonamble (properly termed Yolandre), then there is a Stock Route running through that Station direct from Coonamble to Dubbo. It would appear that the term Cannonbar, here used, is a mistake for Coonamble, as stock intended to be taken to Dubbo from Cannonbar would never be sent by Yolandre—that is by Coonamble.

- (2.) Mr. Bruce, Chief Inspector of Stock :—*Mr. Thompson*, for Mr. McElhone, asked the Secretary for Mines,—

(1.) Is the £50 a year allowed to Mr. Bruce, the Chief Inspector of Stock, as forage allowance, allowed for the purpose of keeping a horse ?

(2.) If so, is he aware that Mr. Bruce does not, and has not, kept a horse ; and will he make inquiry into this matter, with a view of stopping this £50 a year allowed for forage ?

Mr. Baker answered,—

(1.) Yes.

(2.) Mr. Bruce has for years kept horses, and at present has three, one of which he requires for the performance of his official duties.

- (3.) Land occupied by Mr. Smith for Sericulture :—*Mr. Thompson*, for Mr. McElhone, asked the Secretary for Lands,—When will the Papers in reference to land taken up for sericultural purposes by Mr. Smith, at or near Lapstone Hill, be printed ?

Mr. Hoskins answered,—I am not aware of any such Return having been ordered by the House.

2. VOTE OF CREDIT :—The following Message from His Excellency the Lieutenant-Governor was delivered by Mr. Watson, and read by Mr. Speaker :—

ALFRED STEPHEN,

*Lieutenant-Governor.**Message No. 21.*

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the Colony for the month of May, 1879 ; together with provision for other Services of an urgent nature.

*Government House,**Sydney, 28th May, 1879.*

Ordered to be printed, and referred to the Committee of Supply.

3. PAPERS :—Mr. Hoskins laid upon the Table,—

(1.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Victoria No. 1.

(2.) Additional Correspondence relating to the Colorado Beetle.

(3.) Return to an Order made on 20th May, 1879,—“Forms of Crown Grants.”

Ordered to be printed.

4. MESSAGES FROM THE LIEUTENANT-GOVERNOR :—The following Messages from His Excellency the Lieutenant-Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker :—

(1.) Contractors Debts Bill :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 22.

A Bill, intituled "*An Act for better securing the payment of Debts due to Workmen*,—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 28th May, 1879.*

(2.) Impounding Act Amendment Bill (No. 2) :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 23.

A Bill, intituled "*An Act to amend the 'Impounding Act of 1865'*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 28th May, 1879.*

5. PUBLICANS LICENSING ACT :—Mr. W. H. Suttor presented a Petition from the Clergy and Laity of the Church of England in the Diocese of Bathurst, in Synod assembled, alleging that the existing Publicans Licensing Act is unsatisfactory and demoralizing; and praying the House to take the matter into consideration, with a view to an amendment of the law.
And the same having been read at length by the Clerk, by direction of Mr. Speaker,—
Petition received.
6. SUSPENSION OF STANDING ORDERS :—Mr. Watson moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing of a Bill, intituled "A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879," through all its stages in one day, and would also preclude the Resolutions of the Committees of Supply and of Ways and Means, respectively, whereon the Bill is proposed to be founded, being received on the same day on which they are come to by the said Committees respectively.
Debate ensued.
Question put and passed.
7. LANDS ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 29 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

8. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

(9.) *Resolved*.—That there be granted to Her Majesty for the Services of the year 1879, a sum not exceeding £426,000, being £305,000 to defray the expenses of the various Departments and Services of the Colony for the month of May, 1879, at the rates which have been sanctioned for 1878, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1879; £60,000 for wages of Railway Employés for the month of June, 1879; £14,000 for the construction of a Tramway from Redfern to Hunter-street, including Rolling Stock; £7,000 for wages of Employés in the Department of Harbours and Rivers for the month of June, 1879, and for other services of an urgent nature; and £40,000 to enable the Treasurer to make advances to Public Officers and on account of other Governments, and to pay expenses of an unforeseen nature, the amount to be adjusted not later than 31st December, 1880, further sum.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

9. WAYS AND MEANS :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

(9.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Services of the year 1879, the sum of £426,000 be granted out of the Consolidated Revenue Fund of New South Wales to defray the expenses of the various Departments and Services of the Colony for the month of May, 1879; for Wages of Railway Employés and Employés in the Department of Harbours and Rivers for the month of June, 1879; for the construction of a Tramway from Redfern to Hunter-street; and for a further advance to enable the Treasurer to make advances to Public Officers.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

10. CONSOLIDATED REVENUE FUND BILL (No. 6):—

(1.) Ordered, on motion of Mr. Watson, that a Bill be brought in, founded on Resolution of Ways and Means (No. 9), to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879.

(2.) Mr. Watson then presented a Bill, intituled "*A Bill to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*,"—which was read a first time.

Ordered to be printed, and now read a second time.

(3.) Bill read a second time.

On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Watson, the report was adopted.

Ordered, that the Bill be now read a third time.

(4.) Bill read a third time, and, on motion of Mr. Watson, *passed*.

Mr. Watson then moved, That the Title of the Bill be "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*."

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*,"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 29th May, 1879, A.M.

The House adjourned at One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 127.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 29 MAY, 1879.

1. The House met pursuant to adjournment : Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Mineral Conditional Purchases of Messrs. Parkes and Sutherland :—Mr. McElhone asked the Secretary for Lands,—

(1.) Has he ordered any inquiry to be made into the value and nature of the improvements on Messrs. Parkes and Sutherland's mineral conditional purchases of over 3,000 acres at or near Jervis Bay, and on which they were required by law to spend the sum of £2 per acre on the 23rd March last ?

(2.) If he has not ordered an inquiry to be made into the value of improvements on the above land, will he do so at once, and forfeit the said mineral conditional purchases if it is found that they are not improved to the value of £2 an acre, as required by law ?

Mr. Hoskins answered,—

(1.) No inquiry has been ordered, for the reasons explained in my answer to the Honorable Member's question in the same matter of the 15th of the present month.

(2.) If any claims under the selections referred to should be made, they will be the subject of due inquiry, as in any other case. At present, as I have stated on a previous occasion, no claim has been made, and the selections are noted for disposal in connection with the lapsed list for the period, which will be issued at the usual time.

- (2.) Railway Locomotives :—Mr. Cameron asked the Secretary for Public Works,—

(1.) How many Locomotives are being constructed for the Government by persons in the Colony ?

(2.) Their names, and the number each person or firm has to construct ?

Mr. Lackey answered,—On the 10th December, 1878, the following tenders for the construction of Locomotives in the Colony were accepted :—Mort's Dock and Engineering Company, 12 engines ; Henry Vale, 18 engines ; Atlas Company, 48 engines. On the 17th December Mort's Dock and Engineering Company wrote to say they were unable to accept a less order than for 34 engines. On the 21st February, Mr. Vale declined to proceed, as he considered the specification was too restrictive and binding. On the 6th April, the Atlas Company intimated that they had been reluctantly compelled to abandon the contract. There are, therefore, no engines now being constructed in the Colony. The Department was anxious to meet the views of the Contractors as far as possible to prevent their relinquishing the contract, and as nothing has yet been done towards importing these engines, the Government is still prepared to make any reasonable concession to admit of their being made in the Colony.

2. PAPERS :—Sir Henry Parkes laid upon the Table,—

(1.) Correspondence respecting Immigration.

(2.) By-law of the Borough of Wollongong.
Ordered to be printed.

3. MICHAEL REED'S CONDITIONAL PURCHASE AT SPRINGWOOD (*Formal Motion*) :—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers, Correspondence, Minutes, &c., in reference to Michael Reed's conditional purchase at Springwood, taken up at Penrith.

Question put and passed.

4. LEAVE OF ABSENCE (*Formal Motion*) :—Mr. Cohen moved, pursuant to Notice, That leave of absence for one fortnight be granted to Joseph Leary, Esquire, the Honorable Member for The Murrumbidgee, on account of ill-health.

Question put and passed.

5. LAND TAKEN UP BY MR. SMITH FOR SERICULTURE (*Formal Motion*):—Mr. McElhone moved pursuant to Notice, That there be laid upon the Table of this House copies of all Papers Correspondence, Minutes, &c., in reference to the 100 acres of land taken up for sericultural purposes by Thomas Smith, senior.
Question put and passed.
6. LANDS ACTS FURTHER AMENDMENT BILL:—The Order of the Day having been read,—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 30 MAY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
Ordered, that the adoption of the report stand an Order of the Day for Tuesday next.

7. CONSOLIDATED REVENUE FUND BILL (No. 6):—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*,"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 29th May, 1879.

JOHN HAY,
President.

The House adjourned at twenty-two minutes after Twelve o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 128.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 30 MAY, 1879.

There being only eighteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Bennett, Mr. Beyers, Dr. Bowker, Mr. Cameron, Mr. Cohen, Mr. Day, Mr. Greenwood, Mr. Hoskins, Mr. Lackey, Mr. Lucas, Mr. Murphy, Sir Henry Parkes, Mr. F. B. Suttor, Mr. Watson, Mr. Windeyer, and Mr. Wisdom,—

Mr. Speaker adjourned the House at half-past Four o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 129.

VOTES AND PROCEEDINGS.

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 3 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) William Rae's Conditional Purchase :—*Mr. J. Davies*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Did William Rae, of Edgeroi, Narrabri District, select 320 acres of land about November, 1877, which has since been surveyed by application for improvements for the lessee of the station, but which is asserted to be more than half a mile from any improvements?

(2.) Did the Surveyor fail to take the frontage from the main creek, as he should have done, and cross the same and take another watercourse as a frontage, half the improvements being on each side?

(3.) Was this land applied for before Rae took it up; if so, the date of such application?

(4.) What decision has been arrived at in the matter; and is the Minister aware, until decided, Rae cannot improve, build on, or fence it?

Mr. Hoskins answered,—

(1.) William Rae made a selection at the period mentioned.

(2 and 3.) The case involves a question between the claim of the selector and that of the owner of certain improvements, as to which a Report has been made by Mr. Clements, Licensed Surveyor, but not yet been finally dealt with by the Survey Department.

(4.) The case has not yet been brought before me for decision, but attention has been called to it, with a view to the matter being speedily disposed of.

- (2.) "Marine Parade" and "Steyne," Double Bay :—*Mr. J. Davies*, for Mr. Macintosh, asked the Secretary for Lands,—What steps have been taken by the Government with the view to restore to the public the "Marine Parade" and "Steyne" at Double Bay, as originally dedicated to their use, and the allotments sold thereby?

Mr. Hoskins answered,—Mr. Licensed Surveyor Fariola is now engaged defining the Marine Parade where it is encroached upon.

2. PAPERS :—

Mr. Watson laid upon the Table,—Despatch respecting re-measurement of Danish Ships.
Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—

(1.) Return to an Order made on 22nd April, 1879,—"*Mr. Henry James Greville*."

(2.) By-laws of the Borough of St. Peter's, respecting Free Library.

Ordered to be printed.

3. COHEN'S ENABLING BILL :—*Mr. Speaker* reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to validate and give effect to the sale of various portions of certain lands under the Real Property Act heretofore contracted to be sold by Nathan Cohen of Tamworth in the Colony of New South Wales auctioneer and to enable the said Nathan Cohen and Henry Emanuel Cohen of Sydney Barrister-at-Law to contract and effectuate sales of the residue of the said lands and to make provision for the investment of the proceeds of the sale thereof*;"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 3rd June, 1879.

JOHN HAY,
President.

COHEN'S

COHEN'S ENABLING BILL.

SCHEDULE of the Amendments referred to in Message of 3rd June, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 2, clause 3, lines 30 and 31. *Omit* "or in any joint stock companies"
 " " line 35. *After* "nature" *insert* "with the consent of the Master in Equity"
 " " line 35. *After* "or" *insert* "with the like consent"

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendments made by the Legislative Council in this Bill be taken into consideration on Friday next.

4. MESSAGES FROM THE LIEUTENANT-GOVERNOR :—The following Messages from His Excellency the Lieutenant-Governor were delivered by Mr. Watson, and read by Mr. Speaker :—

- (1.) Consolidated Revenue Fund Bill (No. 6) :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 24.

A Bill, intituled "*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 30th May, 1879.

- (2.) City of Sydney Improvement Bill :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 25.

A Bill, intituled "*An Act to make better provision for the construction of buildings and for the safety and health of the inhabitants within the City of Sydney,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,
Sydney, 3rd June, 1879.

5. SPECIAL ADJOURNMENT :—Mr. McElhone (*by consent*) moved, without Notice, That this House at its rising this day do adjourn until Seven o'clock to-morrow.

Debate ensued.

Motion, by leave, withdrawn.

6. TRAVELLING STOCK RESERVES :—Mr. McElhone moved, pursuant to Notice, That, in the opinion of this House, all fences and obstructions should be removed off all Travelling Stock Reserves, as many of them are fenced in and the public denied access to them.

Debate ensued.

Question put and passed.

7. CLAIMS OF MR. JAMES GLASS TO LAND AT MILLER'S CREEK :—Mr. Bennett moved, pursuant to Notice,—

(1.) That a Select Committee be appointed, with power to send for Persons and Papers, to inquire into and report upon the claims of Mr. James Glass to certain lands situated at Miller's Creek, in the Police District of Murrurundi.

(2.) That such Committee consist of Mr. Hoskins, Mr. Barbour, Mr. Terry, Mr. Lynch, Mr. Murphy, Mr. Beyers, Mr. Day, Mr. Thompson, and the Mover.

Debate ensued.

Motion, by leave, withdrawn.

8. GOLD MINING LEASES :—Mr. Beyers moved, pursuant to Notice,—

(1.) That, in the opinion of this House, the Regulations relating to Gold Mining Leases should at once be amended, so as to reduce the maximum area to be included in any one lease to 5 acres.

(2.) That steps should be taken by the Government forthwith to render the labour conditions provided for in the Regulations compulsory upon leaseholders.

Debate ensued.

And it being Seven o'clock Government Business was proceeded with.

9. LANDS ACTS FURTHER AMENDMENT BILL :—The Order of the Day having been read,—Mr. Baker moved, "That" the report from the Committee of the Whole on this Bill be now adopted.

Mr. Hoskins moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words "the Bill be recommitted for the purpose of reconsidering clauses 1, 2, 5, 9, 11, and 23, and for the consideration of six new clauses."

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

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question

Question then,—That the Bill be recommitted for the purpose of reconsidering clauses 1, 2, 5, 9, 11, and 23, and for the consideration of six new clauses,—put and passed.
On motion of Mr. Hoskins, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such reconsideration.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 4 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

10. ADJOURNMENT :—Sir Henry Parkes moved, That this House do now adjourn.
Debate ensued.
Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned at four minutes before Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 130.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 4 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Travelling Stock Reserves :—Mr. Buchanan asked the Secretary for Mines,—

(1.) Is he aware that the Travelling Stock Reserves all over the country are continually invaded by the stock of local owners to the ruin of the reserves for travelling stock?

(2.) If this is the case, will he put in force some effective means to prevent in future so serious an evil?

Mr. Baker answered,—

(1.) I am aware that the Travelling Stock Reserves are, to a great extent, invaded by the stock of local owners.

(2.) I am considering a plan of dealing with these Reserves, which will probably remedy the evils complained of.

- (2.) Rock Salt :—Mr. J. Davies, for Mr. Dangar, asked the Colonial Treasurer,—Is it intended to abolish the duty on Rock Salt?

Mr. Watson answered,—The Government have not yet given this question any consideration.

- (3.) Agricultural Societies :—Mr. J. Davies, for Mr. Dangar, asked the Colonial Secretary,—

(1.) Is he aware that in Victoria the Agricultural Societies get a sum of £9,000 from the Government to divide amongst them, whereas in this Colony only £5,000 is granted, though New South Wales possesses a greater number of Societies?

(2.) Is it intended to enlarge the grant for Pastoral and Agricultural Societies; and if so, to what extent?

Sir Henry Parkes answered,—

(1.) I find that the sum appropriated by the Colony of Victoria was £9,000.

(2.) The question of increasing the sum devoted to this object in this Colony has not been considered.

- (4.) International Exhibition Building :—Mr. Cameron asked the Colonial Secretary,—

(1.) Is it true that the carrying out of the works for the out-buildings for the International Exhibition has been entrusted to a Mr. Wardell, an architect who has lately arrived in this Colony from Victoria?

(2.) Is it true that a large number of builders and contractors of Sydney refuse to tender under Mr. Wardell, and will thereby be precluded from offering their services to the public in this matter?

(3.) Were designs asked from, or any offer made in connection with this matter to any of the architects who have been for years resident in Sydney, or was the Colonial Architect deemed incapable of carrying on the work on account of his late estimates for the Exhibition Building?

Sir Henry Parkes answered,—After a good deal of consideration, it was deemed advisable to ask the Commissioners to undertake the erection of these temporary buildings. A number of considerations led to this result. After some consultation, it was finally decided to leave them to the adoption of their own plans, and the employment of any architect they might determine upon, if they required the services of one, provided they limited the expense to a certain figure.

(5.)

(5.) Railway Locomotives :—Mr. Cameron asked the Secretary for Public Works,—Referring to my question of Thursday last, as to the contracts for Railway Engines being made in the Colony,—Has the Minister had under his consideration the making of any further advances to the contractors, with a view to the work being done here ; and if so, will he kindly inform the House what they are ?

Mr. Lackey answered,—I am unable to make advances until I know what the difficulties are which induced the manufacturers to abandon the contracts. Mr. Vale stated that the specification was too restrictive, but he did not say in what respect ; and the Atlas Company afforded no reason whatever for withdrawing. I have directed letters to be addressed to the contractors on the subject.

(6.) Land alienated during the year 1878 :—*Mr. J. Davies*, for Mr. Greenwood, asked the Secretary for Lands,—

(1.) What was the total area of land sold during the year 1878 at auction, by selection after auction, by purchase under improvements, and under conditional purchase, respectively ?

(2.) What was the total price paid, or payable, under each head ?

(3.) What was the number of selections transferred, and the number and area of lapsed and forfeited selections during the same year ?

Mr. Hoskins answered,—I will presently lay upon the Table the information required by the Honorable Member in the shape of a Return.

(7.) City Rates on places of Public Worship :—Mr. Johnston asked the Colonial Secretary,—Do places of worship in the City of Sydney pay city rates, as other properties under the Municipalities Act ?

Sir Henry Parkes answered,—All places used exclusively for public worship are exempt from, and do not pay, city rates.

(8.) Police Barracks, Singleton :—Mr. W. C. Browne asked the Secretary for Public Works,—Why is the erection of the Police Barracks at Singleton not being proceeded with ?

Mr. Lackey answered,—The Contractor, James Sherwood, having stated his inability, through ill-health, to carry out his contract fresh tenders will have to be obtained ; but as the vote has now lapsed this cannot be done until the money is re-voted.

(9.) Post and Telegraph Office, Jerry's Plains :—Mr. W. C. Browne asked the Secretary for Public Works,—When will fresh tenders be invited for the erection of a Post and Telegraph Office at Jerry's Plains ?

Mr. Lackey answered,—The tender of Mr. Parkhill for erection of this building was accepted on the 29th ultimo.

(10.) Residences for Denominational School Teachers :—Mr. Cameron asked the Minister of Justice and Public Instruction,—Is it his intention to take any action with reference to the Petition of the Denominational School Teachers, asking to be placed on the same footing as Public School Teachers by receiving an allowance from the Government in lieu of house-rent ; if so, will he kindly inform the House what it is ?

Mr. F. B. Suttor answered,—The Council of Education, while recognising the hardship to which some of the Teachers of Denominational Schools are subjected in the matter of residences, is nevertheless of opinion,—

(1.) That it is precluded by law from granting rent allowances to such Teachers ; and

(2.) That it is the province of all Denominational School Boards to provide dwelling-houses for their Teachers, or an equivalent in rent, as is done in the case of the majority of such Schools.

(11.) Inspector of Land Offices :—Mr. Thompson asked the Secretary for Lands,—Is there an officer holding the appointment of Inspector of Land Offices ; if so, what are the dates of the inspections made by him during the present year ?

Mr. Hoskins answered,—Yes ; Mr. Oliver is Inspector of Land Offices. He has made no inspections this year, having been employed under my special instructions on important duties at head quarters, including the inspection of the Deeds, Auction, and Record Branches, with a view to their reorganization.

(12.) Appraisement of Land :—Mr. Barbour asked the Secretary for Lands,—

(1.) What is the name of the appraiser who valued the lands applied for by W. O. Windeyer under the 2nd clause of the Amending Land Act of 1875, notified in *Gazette*, page 2317 of 1879 ?

(2.) The name of the appraiser who valued the land referred to in *Gazette* of 8th April, 1879, applied for by Wm. Officer, and Woolsey, Gibbs & Co. ?

(3.) Is he aware that those of No. 1 have been valued at about 25s. an acre, and those in question 2 at 20s. an acre ; and the last-mentioned are the best quality of the two ?

(4.) Will he draw the attention of the appraiser of the land referred to in question 2, in order that some uniformity may be exhibited in the valuation by Government appraisers, and that the money value will bear some proportion to auction prices ?

Mr. Hoskins answered,—

(1.) Mr. Dudley Keele.

(2.) Mr. Joseph Rebello.

(3.) I am aware that the lands were appraised at those prices, but not of their respective qualities.

(4.) The law does not give the Minister any power to interfere in the matter of valuations by Government appraisers. Provision is, however, made in the Amended Land Bill, now before Parliament, by which the Minister can increase the minimum value.

2. PAPERS :—

Mr. Hoskins laid upon the Table,—A Return showing the total area of Land alienated during the year 1878, and the number of Conditional Purchases transferred, lapsed, and forfeited during the same year.

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—

- (1.) Return to an Address adopted on 29th April, 1879,—“Major Black, Kiama Volunteers.”
- (2.) Return (*in continuation*) to an Address adopted on 10th May, 1861, a.m.—“Letters of Registration of Inventions.”
- (3.) Return to an Order made on 9th May, 1879,—“International Exhibition Building.”
- (4.) Memorial of Attendants of Parramatta Lunatic Asylum regarding Evidence on Inquiry as to the quality of the Food supplied.
Ordered to be printed.

3. LANDS ACTS FURTHER AMENDMENT BILL, *recommitted*:—The Order of the Day having been read,—
Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of this Bill.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 5 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill 2^o with further amendments.
Ordered, that the adoption of the report stand an Order of the Day for to-morrow.

The House adjourned at three minutes before One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 131.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 5 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) International Exhibition Building:—Mr. Copeland asked the Colonial Secretary,—Is it true that the whole of the interior decorations of the International Exhibition have been given to one firm, and that tenders were not called for the work, or otherwise given out in portions to people in the trade equally capable of doing the work?

Sir Henry Parkes answered,—Mr. Young reports: "It is not true that the whole of the interior decorations have been given to one firm. Tenders have been called for the work where thought advisable."

(2.) John Blanchfield's Conditional Purchase:—Mr. McElhone asked the Secretary for Lands,—

(1.) In reference to John Blanchfield's conditional purchase taken up at Bingera, part of which (some 10 acres) is on a reserve,—Has he given his decision in reference to it; if so, what is the decision?

(2.) Is the reserve yet cancelled, on part of which Blanchfield selected?

Mr. Hoskins answered,—

(1.) Yes.

(2.) Yes, and the applicant's agent was advised to that effect on 12th ultimo.

(3.) Reserve on Bellevue Hill, Waverley:—Mr. J. Davies, for Mr. Macintosh, asked the Secretary for Lands,—

(1.) Was an area of 2 acres of land, with a road leading to said land, on Bellevue Hill, Waverley, fenced around and set apart as a place of public recreation?

(2.) Will the Government be pleased to place a small sum on the Additional Estimates for the present year for fencing, improving, and planting the said reserve, it being the nearest to the Metropolis, and the best public reserve from which to view the Pacific?

Mr. Hoskins answered,—

(1.) An area of 2 acres 2 roods and 30 perches was conveyed by the Cooper Estate in 1853 to the Government, but there is no evidence of such roadway and area on Bellevue Hill having been fenced.

(2.) I will consider the matter in the final preparation of the Additional Estimates.

(4.) Road from Narrandera to Merool Creek:—Mr. McElhone asked the Secretary for Mines,—

(1.) Is there a surveyed road by lots 4 and 96, parish of Narrandera, and lot 19, parish of Cudgel, and also by lots 1, 2, 3, 4, parish of Beremahere, on road from Narrandera to the Merool Creek?

(2.) If so, is he aware that Mr. Edward Flood, or his manager (Mr. J. Roberts) has closed this road by fences and other obstructions, and will he take steps to have this road opened at once by the proper officer, and remove obstructions which cause the public to go 10 miles out of their way?

Mr. Baker answered,—

(1.) There is no through surveyed road from Narrandera to the Merool Creek, but roads have been reserved through portion No. 19, and along the boundary of the other portions mentioned; the remainder of the track in question passes through Crown Land under lease, and through travelling stock and water reserves.

(2.) Complaint has been received that the track has been obstructed by fences, and steps have been taken to cause the same to be removed.

(5.)

(5.) Marine Parade at Double Bay:—*Mr. Barbour*, for *Mr. McCulloch*, asked the Secretary for Lands,—

(1.) Referring to the proposed Marine Parade at Double Bay, is it not a fact that a large portion of the land asked for such Parade has been alienated by a Crown Grant, dated 7th April, 1853, having for its northern boundary the waters of Double Bay?

(2.) Did not the Minister recently receive a written protest from property holders at Double Bay, objecting to the said Marine Parade on the ground that the said Crown Grant, from which they derived their title, gave them the waters of Double Bay as their northern boundary?

(3.) Will the Minister cause such protest, and a copy of the said grant, to be laid upon the Table of the House and printed, and attached to the correspondence affecting Double Bay, ordered to be printed on 18th April, 1879?

(4.) By what means is it intended to create a Marine Parade in dereliction of the said Crown Grant, and considering that valuable buildings and improvements have been made by various persons at Double Bay under title of the said grant?

Mr. Hoskins answered,—

(1.) In the Crown Grant to *Daniel Cooper* of 7th April, 1853, the 9 acres 2 roods 9 perches are described as being bounded on the north by the waters of Double Bay.

(2.) Yes.

(3.) Yes.

(4.) It is not proposed to formally open the Marine Parade to the public until the question as to the legality of the grant to *Sir Daniel Cooper*, and the proposed formal opening of the said Marine Parade shall have been decided by the Crown Law Officers—the grant having been made in contravention of the approved design of the Village of Double Bay, in accordance with which the public were invited to lodge applications to purchase allotments, and upon which several allotments were sold.

(6.) Post and Telegraph Offices, and Police Buildings, Gulgong:—*Mr. Buchanan* asked the Secretary for Public Works,—

(1.) When will tenders be called for to fence in the Post and Telegraph Offices, Gulgong, which work different Ministers have promised to see done months ago?

(2.) When will tenders be called for to erect new Police Buildings, Gulgong?

Mr. Lackey answered,—

(1.) Tenders for this fence will be invited in a few days.

(2.) Plans will be prepared as soon as possible. Tenders, however, cannot be invited until the money on the Estimates is available.

(7.) Guntawang Road:—*Mr. Buchanan* asked the Secretary for Public Works,—

(1.) Is he aware that the Guntawang Road, from the Menindie Road, all the way to Green Swamp, is almost impassable?

(2.) If this is true, will the Minister do something to improve this state of matters?

Mr. Lackey answered,—I am not aware that the road is in the state described; but inquiry will be made.

(8.) Fire Engine for Hospital for Insane, Parramatta:—*Mr. Fitzpatrick*, for *Mr. Taylor*, asked the Colonial Secretary,—Is it his intention to place upon the Additional Estimates a sum of money to provide a Fire Engine and its appliances, and also a Shed, for the Hospital for the Insane at Parramatta?

Sir Henry Parkes answered,—The expediency of making provision for this object is now under consideration. It will probably be placed on the Estimates.

(9.) Capitation Allowance to Volunteers:—*Mr. J. Davies* asked the Colonial Secretary,—

(1.) Was a Volunteer Regulation published on the 5th June, 1878, providing that upon the disbandment of Corps any balances standing to the credit of their funds, arising from capitation allowances, after payment of all expenses sanctioned by that Regulation, shall become the property of the Government?

(2.) Has that Regulation been repealed, and has the money been distributed?

Sir Henry Parkes answered,—

(1.) Yes.

(2.) No; only money earned prior to 1878 has been so distributed.

(10.) Temporary Clerks in Lands Department:—*Mr. Murphy*, for *Mr. Thompson*, asked the Secretary for Lands,—

(1.) What is the rule adopted in the various branches of the Lands Department for the appointment of temporary clerks?

(2.) How are the salaries of such clerks determined?

(3.) When temporary clerks are appointed on the permanent staff, is their status determined by the amount of salary they were in receipt of before such permanent appointment?

Mr. Hoskins answered,—

(1.) They are appointed by the Minister, and always on probation.

(2.) By the relative positions they take up in the Department and the attainments they are found to possess. As a general rule they begin at 7s. 6d. a day, in some cases 10s., but they are only paid for the six working days in the week.

(3.) No. As a matter of fact, they have sometimes been placed on the permanent staff at a less salary than they received as temporary clerks. The latter, I may explain, are liable at any time to removal or dismissal by the Minister, should he think necessary.

2. LANDS ACTS FURTHER AMENDMENT BILL:—The Order of the Day having been read,—*Mr. Hoskins* moved, "That" the report from the Committee of the Whole on this Bill be now adopted.

Mr. Copeland moved, That the Question be amended, by the omission of all the words after the word "That," with a view to the insertion in their place of the words, "the Bill be recommitted for the purpose of considering a new clause to stand clause 25 of the Bill."

Question

Question proposed,—That the words proposed to be omitted stand part of the Question.
Debate ensued.

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

Ayes, 17.		Noes, 21.	
Sir Henry Parkes,	Mr. Harris,	Mr. Fitzpatrick,	Mr. Johnston,
Mr. Hoskins,	Mr. Roseby,	Mr. Greenwood,	Mr. Greville,
Mr. F. B. Suttor,	Mr. Teece,	Mr. O'Connor,	Mr. Coonan,
Mr. Watson,		Mr. Lucas,	Mr. Bowman,
Mr. Lackey,	<i>Tellers.</i>	Mr. Garrett,	Mr. Murphy,
Mr. Baker,	Mr. Charles,	Mr. Wisdom,	Mr. Buchanan,
Mr. Windeyer,	Mr. McElhone.	Mr. Beyers,	Mr. W. C. Browne,
Dr. Bowker,		Mr. Barbour,	<i>Tellers.</i>
Mr. J. Davies,		Mr. Hurley (<i>Hartley</i>),	Mr. Copeland,
Mr. Lynch,		Mr. Cameron,	Mr. Pilcher.
Mr. Webb,		Mr. Bennett,	
Mr. Eckford,		Mr. Thompson,	

And so it passed in the negative.

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That the Bill be recommitted for the purpose of considering a new clause to stand clause 25 of the Bill,—put and passed.

On motion of Mr. Hoskins, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the purpose of considering the new clause.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill 3^o with a further amendment.

On motion of Mr. Lackey (*with the concurrence of the House*) the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

3. SUPPLY:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 6 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

4. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

- (1.) Transfer of Conditional Purchases Declaratory Bill:—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's Message, dated the 27th May, 1879, in reference to the Transfer of Conditional Purchases Declaratory Bill, does not insist upon its amendments disagreed to by the Assembly in the said Bill.

*Legislative Council Chamber,
Sydney, 5th June, 1879.*

JOHN HAY,
President.

- (2.) Sydney Corporation Bill:—

MR. SPEAKER,

The Legislative Council having taken into consideration the Legislative Assembly's Message, dated the 22nd May, 1879, a.m., in reference to the Sydney Corporation Bill,—

Does not insist upon its amendment in clause 133, disagreed to by the Assembly; but proposes the insertion in lieu thereof of the following words,—“ Provided further that nothing in this or any succeeding section contained shall deprive the proprietor of any yards or premises situated within the aforesaid limits which shall before the commencement of this Act have been established and which are now being used for the *bonâ fide* purpose of holding sales of cattle thereat of his right to continue to hold such sales at such yards or premises nor shall anything in any such section contained operate to prohibit under the penalty therein prescribed the sale of cattle at any such yards. But the privilege and exemption hereby provided shall not in any case continue for a period longer than ten years from the passing of this Act and shall not extend to any such proprietor unless he shall within fourteen days after the date of the proclamation mentioned in the next following section have given notice to the Town Clerk by writing under his hand that he claims to continue the right of using such yards or premises whereupon such proprietor shall be entitled to the benefit of the said privilege and exemption but such benefit shall absolutely cease and determine for all purposes if at any time after the date of such proclamation no sale of cattle yarded at such yards or premises shall for a continuous period of six calendar months have taken place thereat.”—

Saving of existing rights

In which amendment the Council requests the concurrence of the Legislative Assembly,—and Agrees to the Assembly's amendment upon the Council's amendment in clause 217 of the Bill.

*Legislative Council Chamber,
Sydney, 5th June, 1879.*

JOHN HAY,
President.

Ordered, that this Message be taken into consideration in Committee of the Whole on Tuesday next.

The House adjourned at twenty-four minutes after One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 132.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 6 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Robert Rae's Conditional Purchases:—*Mr. Cameron*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Has any decision been arrived at (and if so, what) in the case of Robert Rae's conditional purchases, 320 and 100 acres, Edgeroi, Narrabri District, which were surveyed by Mr. Surveyor Clements, and Rae's improvements cut off by said measurement, said to be in a travelling stock reserve?

(2.) Will Robert Rae be allowed the land containing such improvements?

Mr. Hoskins answered,—

(1.) No decision has yet been arrived at. The case has been prepared for decision by the Charting Branch of the Survey Office, but the Report has not yet been signed or placed before me.

(2.) I am not yet in a position to state.

- (2.) John Capel's Conditional Purchase:—*Mr. Cameron*, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Has the Report of the Inspector been received in the case of John Capel, who selected at Warialda on 23rd January, 1873, 160 acres on Anderson's Creek, county of Murchison; if not, will such report be expedited?

(2.) When will (if report received) the deeds of this land be ready for delivery?

Mr. Hoskins answered,—

(1.) Yes.

(2.) In the course of two or three weeks.

- (3.) Manning River Oyster Beds:—*Dr. Bowker* asked the Secretary for Lands,—

(1.) Is he aware that the Manning River oyster beds are being stripped of oysters, notwithstanding that the river is legally closed?

(2.) Is any rent paid on account of the oyster fishery for the Manning River?

(3.) What was the amount of that previously paid?

(4.) What steps do the Government intend taking in this matter?

(5.) Has the Inspector of Oyster Fisheries reported as to the present state of the Manning River?

(6.) If so, will the Minister lay a copy of the Report upon the Table of this House with as little delay as possible?

Mr. Hoskins answered,—

(1.) Yes; a Report has been received to that effect from the Inspector of Oyster Beds.

(2.) No.

(3.) £1,150.

(4.) The matter shall receive attention as early as possible.

(5.) Yes.

(6.) There will be no objection to lay a copy upon the Table. I will probably be able to do so this afternoon.

- (4.) Dry Creek Road:—*Mr. McElhone* asked the Secretary for Public Works,—Has any money been voted on this year's Estimates for repairs to the Dry Creek Road, near Scone; if not, will he provide a sum of money out of the Roads Vote to repair this road?

Mr. Lackey answered,—The road from the Main North Road, south of Cliffdale to Dynamigan, or Dry Creek, is on the Trustee Schedule for the present year, and £35 have been voted as usual for its repair.

(5.)

(5.) Charles Raeuber's Pre-lease :—Mr. Barbour asked the Secretary for Lands,—Is it true, in consequence of representations made to the Department of Lands, that the pre-lease of Charles Raeuber was to be sold at Urana on 27th December last as lot K, and that withdrawal from sale was approved and never carried into effect; if so, will he ascertain the reason why the Minister's decision was not carried into effect, and whether the auction sale can be cancelled under the circumstances?

Mr. Hoskins answered,—It appears that instructions were issued to the Land Agent by telegram, on the 10th December, to withdraw the land, but that the lot was sold notwithstanding. The Land Agent will be called upon for an immediate explanation. I doubt whether the Minister has any authority to cancel this sale; but the matter will be at once fully inquired into.

2. PAPERS :—

Sir Henry Parkes laid upon the Table,—Correspondence respecting the refusal to admit Christina Ogilvie into the Sydney Infirmary.

Ordered to be printed.

Mr. Hoskins laid upon the Table,—

(1.) Return to an Order made on 5th February, 1878,—“Thomas Rose's Conditional Purchase, Deniliquin.”

(2.) Inspector's Reports on Manning River Oyster Beds.

Ordered to be printed.

3. ADJOURNMENT :—Mr. McElhone moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

4. POSTPONEMENT :—The Order of the Day for the second reading of the Equity Bill postponed until Friday, 4th July.

5. COHEN'S ENABLING BILL :—The Order of the Day having been read,—on motion of Mr. Farnell, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.

On motion of Mr. Farnell, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled “*An Act to validate and give effect to the sale of various portions of certain lands under the Real Property Act heretofore contracted to be sold by Nathan Cohen of Tamworth in the Colony of New South Wales auctioneer and to enable the said Nathan Cohen and Henry Emanuel Cohen of Sydney Barrister-at-Law to contract and effectuate sales of the residue of the said lands and to make provision for the investment of the proceeds of the sale thereof.*”

Legislative Assembly Chamber,

Sydney, 6th June, 1879.

The House adjourned at nine minutes before Ten o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 133.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 10 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Road from Gunning to Gundaroo:—*Mr. J. Davies*, for *Mr. Thompson*, asked the Secretary for Public Works,—Will he state, with regard to each Road Contract under the Vote for 1878, on the road from Gunning to Gundaroo,—

1. The contractor's name?
2. Amount of tender?
3. Time allowed for performance of work?
4. Date and amount of each payment to each contractor?
5. Date of completion of work, and of payment of final instalment?
6. Has final payment been made or not?

Mr. Lackey answered,—The information sought by the Honorable Member's questions will be laid upon the Table of this House in the course of a few days in the form of a Return.

(2.) Land applied for by Sarah Wilson at Fish River Creek:—*Mr. Hurley (Hartley)* asked the Secretary for Lands,—Is the land applied for by Sarah Wilson at Fish River Creek to be granted to her, or when will a decision be likely arrived at?

Mr. Hoskins answered,—No such application can be traced in the Lands Department.

(3.) Boat for Moree, Big River:—*Mr. Bowman* asked the Colonial Treasurer,—Will he cause a Boat to be at once placed at Moree, on the Big River—several lives having been lost there lately?

Mr. Watson answered,—An iron boat for use at Moree was forwarded some time ago by the Works Department to Tamworth, and has been awaiting carriage at Moree, to which place it is now en route.

(4.) Circular respecting Reserves on Runs:—*Mr. McElhone* asked the Secretary for Mines,—Was a Circular issued in or about the year 1864 inviting Crown Lessees to state what reserves they wanted made on their runs; if so, will he lay a copy of the Circular upon the Table?

Mr. Baker answered,—A Memorandum, explaining the conditions under which Reserves would be made, was printed 29th August, 1865, and was distributed upon application, but was not addressed as a Circular to Lessees. I have no objection to lay a copy of the Memorandum upon the Table.

(5.) Benjamin Walters's Conditional Purchase:—*Mr. Cohen* asked the Secretary for Lands,—

- (1.) Did *Mr. John Delaney* inspect a conditional purchase at present held by *Mr. Benjamin Walters*, Goonoo Goonoo, Tamworth, and when?
- (2.) How long after such inspection was notice sent to *Mr. Walters* that his conditional purchase (originally taken up by *F. Mason*) would be forfeited?
- (3.) Has the Minister for Lands, or the Under Secretary, received any communications from any one in reference to this matter; if so, when, and have replies been sent?
- (4.) If replies have not been sent, will he say what is the cause of the delay?
- (5.) Has the Minister for Lands decided what steps (if any) he intends taking in reference to this matter?

Mr. Hoskins answered,—

- (1.) An inquiry was held by *Mr. Delaney*, commencing in August, 1877.
- (2.) Notice of forfeiture was sent on 10th February last.
- (3.) Two communications have been received from *Mr. F. S. Cohen*, dated 26th February and 28th ultimo.
- (4.) Reply was sent to the writer on 7th instant.
- (5.) The forfeiture of the selection has been decided upon, as intimated to the holder. I have also instituted inquiries as to the cause of delay in transmission of the Commissioner's report.

(6.)

- (6.) Davis's Conditional Purchase at Cullengoin:—Mr. Cohen asked the Secretary for Lands,—
 (1.) On what date did Joseph Davis pay to the Treasury the balance of purchase money of 40 acres, in the Dubbo District, at Cullengoin—being land selected by William Davis on the 8th May, 1873, and transferred by him to Joseph Davis?
 (2.) Will he say what is the reason of the delay in the issuing of the Crown Grant of the aforesaid land to Joseph Davis?

Mr. Hoskins answered,—

- (1.) At the expiration of three years from the date of purchase, viz., 12th August, 1876.
 (2.) The issue of the Grant has been deferred pending the fulfilment of the conditions of purchase being verified in this as in all other cases. The selection has, however, been inspected and reported on, and the case is now in the Diagram Branch of the Survey Department for speedy issue of the deed.
- (7.) Lands withdrawn from Auction Selection:—Mr. Fitzpatrick asked the Secretary for Lands,—
 (1.) Does the intimation in the *Government Gazette* of the 9th April, 1878, that "all Crown Lands throughout the Colony which have at any time been offered at auction sale and not sold, and which have hitherto been open for sale at the upset price, are now withdrawn from auction selection," apply to lands put up to auction since the date of that notice?
 (2.) Have any after auction selections made after that date been approved?
 (3.) By whom were such selections made?
 (4.) Have any after auction selections made since that date been refused?
 (5.) Will the Minister lay upon the Table the opinion (if any) of the Attorney General on this subject?

Mr. Hoskins answered,—

- (1.) Yes, it has been regarded as so applying.
 (2.) Yes; by the late Minister, Mr. Farnell, under special circumstances. None have been passed since I took office.
 (3.) Messrs. Gray and Neale, F. Lassetter, Messrs. White Brothers, and a few others.
 (4.) Yes.
 (5.) I will lay upon the Table directly a copy of an opinion obtained by me from the Attorney General on the case of an after auction selection made by Hew Blackwood Patterson, and who protested against its being refused. This is the only opinion which has been given on the subject.

- (8.) Connection of Northern Railway with Sydney:—Mr. J. Davies, for Mr. Badgery, asked the Secretary for Public Works,—

- (1.) Will he say why the survey of the Northern Railway Connection was made to Wallsend, and not to East Maitland, as promised to a Deputation from that place?
 (2.) Will he cause a survey to be made to connect at East Maitland?

Mr. Lackey answered,—It appears from the Records that a promise was made by the late Minister for Works to a Deputation that waited upon him on the subject that the trial survey should be made to East Maitland. The survey that has been made terminates in the neighbourhood of Waratah. There will be no objection, directly the surveyors can be spared, to survey a trial line to East Maitland.

- (9.) Report on Public Charities:—Mr. J. Davies, for Mr. Stuart, asked the Colonial Secretary,—Whether any Report for the year 1878 has been received from the Inspector of Public Charities; if so, will he cause it to be laid upon the Table, so that it may be in the hands of Members before the Debate which stands on the Business Paper in relation to the management of the Charitable Institutions?

Sir Henry Parkes answered,—The Annual Report from the Inspector of Public Charities has been received, and I will lay a copy of it upon the Table this afternoon, or to-morrow.

2. AMENDED ESTIMATE FOR PUBLIC INSTRUCTION:—The following Message from His Excellency the Lieutenant-Governor was delivered by Mr. Watson, and read by Mr. Speaker:—

ALFRED STEPHEN,

Message, No. 26.

Lieutenant-Governor.

The Lieutenant-Governor requests the return to him of that portion of the Estimates-in-Chief, 1879, having reference to the provisions for Public Instruction under the Act 30 Victoria, No. 22, with a view to the substitution of an Amended Estimate in lieu thereof.

Government House,

Sydney, 10th June, 1879.

Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.

3. PAPERS:—

Mr. F. B. Suttor laid upon the Table,—

- (1.) Return to an Order made on 20th May, 1879,—“Inquests in the Maitland District.”

- (2.) Return to an Order made on 2nd April, 1879,—“Mr. A. T. Darby.”

Ordered to be printed.

Mr. Hoskins laid upon the Table,—Copy of the Opinion of the Attorney General on a protest by Hew Blackwood Patterson against the present practice in dealing with applications to select land under the 25th section of the Crown Lands Alienation Act of 1861.

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—

- (1.) By-laws under the Public Vehicles Regulation Act of 1873.

- (2.) By-laws of the Borough of Ashfield.

- (3.) Further Return to an Address adopted on 6th July, 1877,—“Immigration,”—Ship “Peterborough.”

- (4.) Report of Inspector of Public Charities for 1878.

Ordered to be printed.

4. **ESTATE OF THE LATE ROBERT HANCOCK**:—Mr. McElhone moved, pursuant to Notice, That the Crown Law Officers give their opinion as to whether Mr. Slattery, the Curator of Intestate Estates, was legally entitled to receive the sum of £800 from the estate of the late Robert Hancock, being commission at 5 per cent. on the sum of £16,000 deposited in a bank as a fixed deposit by the late Robert "Hancock," he never being possessed of the above sum of money, and he having found the will of the late Robert Hancock at or about the time he was buried and immediately after his death.

Debate ensued.

Mr. Windeyer moved, That the Question be amended by the omission of all the words after the name "Hancock," in the fifth line.

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

Main Question,—That the Crown Law Officers give their opinion as to whether Mr. Slattery, the Curator of Intestate Estates, was legally entitled to receive the sum of £800 from the estate of the late Robert Hancock, being commission at 5 per cent. on the sum of £16,000 deposited in a bank as a fixed deposit by the late Robert Hancock,—put and passed.

5. **POLICE AT RAYMOND TERRACE**:—Mr. Jacob moved, pursuant to Notice, That an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) Copies of all Correspondence, Minutes, Reports, and other documents of whatsoever kind, relating in any way to complaints, or charges, made recently against the Police at Raymond Terrace by one Macpherson, of that place.

(2.) Like documents passing from, or between, the Inspector General of Police, Superintendent Morisset, Sub-Inspector Thorpe, and other persons, bearing upon the same subject; together with copies of the proceedings at an inquiry held by Sub-Inspector Thorpe at Raymond Terrace concerning the said Police.

(3.) Copies of all informations, or complaints, made or laid by the said Sub-Inspector against the said Police, and of the depositions taken in connection therewith before the Bench of Magistrates at Raymond Terrace; together with any Minutes or Reports thereupon.

(4.) Copies of all Correspondence with, and from, the Inspector General of Police, and any person or persons at Raymond Terrace, consequent on proceedings taken at a Public Meeting held there regarding the proposed removal of one of the Police at Raymond Terrace.

Question put and passed.

6. **GOVERNMENT OFFICERS AS MEMBERS OF COMMISSIONS OR BOARDS OF INQUIRY**:—Mr. McElhone moved, pursuant to Notice (*as amended by consent*), That, in the opinion of this House, no Government Officer should be paid any fees for duties performed as a Member of any Commission or Board of Inquiry connected with the Government Service, when the Meetings of such Commission or Board of Inquiry are held during office hours.

Debate ensued.

Question put and passed.

7. **PETITION OF PATRICK AND MICHAEL GRIFFIN**:—Mr. Greville moved, pursuant to Notice, That the Report of the Select Committee on "Petition of Patrick and Michael Griffin," brought up on the 7th March, 1879, be now adopted.

Debate ensued.

Question put.

The House divided.

Ayes, 21.

Sir Henry Parkes,	Captain Onslow,
Mr. F. B. Suttor,	Mr. Simson,
Mr. Baker,	Mr. Hungerford,
Mr. Hoskins,	Mr. Greenwood,
Mr. Watson,	Mr. Wisdom,
Mr. Windeyer,	Mr. Lackey,
Mr. Cohen,	Mr. Hurley (<i>Hartley</i>),
Mr. Fitzpatrick,	
Mr. Stuart,	<i>Tellers.</i>
Mr. Kerr,	Mr. Greville,
Mr. Lynch,	Mr. Copeland.
Mr. Moses,	

Noes, 18.

Mr. Pilcher,	Mr. Driver,
Mr. Badgery,	Mr. W. C. Browne,
Mr. Garrett,	Mr. Bennett,
Mr. Beyers,	Mr. O'Connor,
Mr. J. Davies,	<i>Tellers.</i>
Mr. McCulloch,	
Mr. Stephen Brown,	Mr. McElhone,
Mr. Hurley (<i>Narellan</i>),	Mr. Coonan.
Mr. Macintosh,	
Mr. Cameron,	
Mr. Terry,	
Mr. Burns,	

And so it was resolved in the affirmative.

8. **GOVERNOR'S SIGNATURE BILL (No. 2)**:—Captain Onslow moved, pursuant to Notice, for leave to bring in a Bill to remove doubts as to the validity of certain Grants and other Instruments bearing the stamped or printed signature of the Governor, and to regulate in future the mode of attaching the Governor's signature to Grants and other Official Instruments.

Question put and passed.

9. **ABATTOIRS AT GLEBE ISLAND**:—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing,—

(1.) What sums of money have been annually expended in providing suitable accommodation for slaughtering cattle, sheep, pigs, &c., at Glebe Island.

(2.) The nature of the work upon which money has been expended upon Glebe Island, or in connection therewith, since the Abattoirs were opened for use, and the cost of each work.

(3.) The total expenditure for work.

(4.) The total expenditure for land.

(5.) The working expenses yearly since the Abattoirs were opened, and the total working expenses.

(6.) The revenue derived each year from the Abattoirs since they were opened, and the total revenue derived from the Abattoirs since they were opened.

Debate ensued.

Question put and passed.

10. **CONTRACTS FOR ROAD-WORK BY MESSRS. BLOMFIELD AND MUNFORD**:—Mr. Badgery moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Contracts, Agreements, Specifications, Conditions, Tenders, Reports, Petitions, Surveys, Plans, Letters, Vouchers, List of Payments, Accounts, Correspondence, Minutes, and Memoranda, relating to certain Contracts for Road-work at Tambaroora, Hill End, Monkey Hill, and Sally's Flat, entered into by Matthew Blomfield and Edward Merigold Munford with the Government of New South Wales, in the months of July and August, 1872; together with all copies of the Evidence of Messrs. Blomfield and Munford, and all other persons, taken before a Select Committee of this Honorable House in April, 1875, in relation to such Contracts; also copies of all Reports, Petitions, Letters, Vouchers, List of Payments, Accounts, Correspondence, Minutes, and Memoranda, relating to certain extra work in connection with the above Contracts, performed by Messrs. Blomfield and Munford, on behalf of, and at the instance of, the Government.
Debate ensued.
Question put and passed.
11. **MESSRS. HUDSON BROTHERS**:—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing,—
(1.) The amount of money paid to Hudson Brothers for work done for the Government without being let to them by contract or tender during the years 1875, 1876, 1877, and 1878.
(2.) The like in regard to work done by them without being let to them without contract or tender during the time that Mr. Sutherland was Minister for Works in the late Government of Mr. Farnell.
(3.) The amount of work done by all other persons for the Government without contract or tender during the years 1875, 1876, 1877, and 1878, with the names of the persons who performed the work in each case.
(4.) The like in regard to work done by any person without contract or tender during the time Mr. Sutherland was Minister for Works in the late Government of Mr. Farnell, and the names of the persons in each case who performed the work.
Debate ensued.
Question put and passed.

And it being Seven o'clock, Government Business was proceeded with.

12. **SUPREME COURT TEMPORARY JUDGE BILL**:—Mr. Windeyer moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to authorize the appointment of a Judge of the Supreme Court for a limited period.
Debate ensued.
Question put and passed.
13. **ADJOURNMENT**:—Dr. Bowker moved, That this House do now adjourn.
Debate ensued.

And the House continuing to sit till after Midnight,—

WEDNESDAY, 11 JUNE, 1879, A.M.

- Question,—That this House do now adjourn,—put and negatived.
14. **INFLUX OF FOREIGN CRIMINALS INTO THE COLONY**:—Sir Henry Parkes moved, pursuant to amended Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make provision against the influx of certain foreign criminals into New South Wales.
Question put and passed.

The House adjourned at twenty minutes after Twelve o'clock a.m., until Four o'clock p.m., This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 134.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 11 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Public School at Jerry's Plains:—Mr. W. C. Browne asked the Minister of Justice and Public Instruction,—What is the cause of the delay in calling for tenders for the erection of a Public School at Jerry's Plains?

Mr. F. B. Suttor answered,—Tenders have already been received, but there is a difficulty in deciding upon which tender to accept. On this subject the Council of Education is in communication with the Local Board.

(2.) John Murray's Pre-emptive Leases on Ranger's Valley and Dundee Runs:—Mr. McElhone asked the Secretary for Lands,—

(1.) Has Mr. Bloxson, the lessee of Ranger's Valley and Dundee Runs, in the New England or Tenterfield District, applied to have the pre-leases of John Murray and other conditional purchasers on these runs measured for auction sale?

(2.) If so, will he give immediate instructions to withdraw these lands from auction sale?

(3.) Is he not aware that it is the custom of the Crown Lessees to have selectors pre-leases measured for auction with the view of buying such lands?

(4.) Will he cause instructions to be issued to all surveyors not to measure any selectors pre-leased land for auction sale without special instructions from the Minister for Lands?

Mr. Hoskins answered,—

(1.) He has applied for portion of John Murray's pre-emptive lease.

(2.) All measurements within pre-emptive leases are specially submitted to me before the land is advertised for sale by auction, and if I consider that the alienation of such land would prejudicially affect the interest of the holder of the pre-emptive lease I direct that the land be not offered.

(3.) I have reason to believe so.

(4.) I have given instructions that all measurements for auction within pre-emptive leases are to be specially submitted to me, and I deal with them as indicated in reply to question No. 2.

(3.) The Condemned Criminals Wilkinson and Medcalf:—Mr. Pilcher asked the Colonial Secretary,—Has the Executive Council tendered any advice to His Excellency the Lieutenant-Governor in the case of Wilkinson and Metcalfe, now lying under sentence of death in Bathurst Gaol for rape; if so, what was the advice tendered?

Sir Henry Parkes answered,—I have read this question, and, with every respect to the House, I am not in a position to give any answer.

(4.) Damage by Flood to Property in Darling Harbour:—Mr. Day, for Mr. Macintosh, asked the Secretary for Public Works,—When will he be pleased to lay upon the Table of this House the Documents relating to the claims made by Messrs. Zollner and others in reference to their property being damaged by the flood waters on the reclaimed land, Darling Harbour?

Mr. Lackey answered,—The Return of Correspondence relating to this subject will be laid upon the Table in the course of the evening.

(5.) Water Supply to Gulgong:—Mr. Buchanan asked the Secretary for Public Works,—When will the work be commenced for supplying Gulgong with Water?

Mr. Lackey answered,—The Water Supply of Gulgong, and of Towns similarly situated, is now under the consideration of the Government, and will be dealt with when the sum of £250,000 on the Estimates at present before the House is voted.

(6.)

- (6.) Road to Tallewang Crossing :—Mr. Buchanan asked the Secretary for Public Works,—
- (1.) Is he aware that the Road at the Tallewang Crossing, *via* the mail line of road from Coonabarabran, Coonamble, Mundooran, Dubbo, and Cobbora, through Gulgong to Mudgee, is in a very dangerous state?
 - (2.) If this is the case, will the Minister see that some steps are taken with a view to its repair?
- Mr. Lackey answered,—
- (1.) The Road to Tallewang Crossing is partly within the municipal boundary of Gulgong, and has suffered from the wet weather, like all other roads, but is not dangerous.
 - (2.) It has been determined not to repair this road, which will be superseded by road to the new bridge over Reedy Creek, now nearly completed.
2. SUPREME COURT TEMPORARY JUDGE BILL:—The following Message from His Excellency the Lieutenant-Governor was delivered by Mr. Windcyer, and read by Mr. Speaker:—
- ALFRED STEPHEN, Message No. 27.
Lieutenant-Governor.
- In accordance with the provision contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the Legislative Assembly to make provision for the salaries of two Additional Judges of the Supreme Court for a limited period.
- Government House,*
Sydney, 11th June, 1879.
- Ordered to be printed, and taken into consideration in Committee of the Whole.
3. GOVERNOR'S SIGNATURE BILL (No. 2):—Captain Onslow presented a Bill, intituled "*A Bill to remove doubts as to the validity of certain Grants and other Instruments bearing the stamped or printed Signature of the Governor and to regulate in future the mode of attaching the Governor's Signature to Grants and other Official Instruments,*"—which was read a first time.
- Ordered to be printed, and read a second time on Friday, 27th June.
4. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—
- (1.) *Seat of John Sutherland, Esquire*:—Mr. R. B. Smith, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Committee of Elections and Qualifications, to whom was referred on the 6th May, 1879, the question whether Mr. John Sutherland, the Member for Paddington, is entitled to retain his Seat as a Member of the Legislative Assembly, he being a partner in the Eskbank Iron Mining Company, which has a contract with the Government at the present time for the supply of tramway rails and other iron works, also for the supply of iron to the Exhibition Building; together with Appendix.
- And the said Report having been read at length by the Clerk, by direction of Mr. Speaker, as follows:—
- "The Committee of Elections and Qualifications duly appointed on the 11th September, 1878, to whom was referred on the 6th May, 1879, the question whether Mr. John Sutherland, the Member for Paddington, is entitled to retain his Seat, he being a partner in the Eskbank Iron Mining Company, which has a contract with the Government for the supply of tramway rails and other iron works, also for the supply of iron to the Exhibition Building, have determined, and do hereby accordingly declare,—
- "That no sufficient evidence has been adduced to the Committee in support of the allegations contained in the Resolution referred to them, and therefore that John Sutherland, Esquire, is entitled to retain his Seat as the Member for Paddington."
- "No. 2 Committee Room, "R. BURDETT SMITH,
"Chairman.
"11th June, 1879,"—
- Ordered, on motion of Mr. R. B. Smith, that the Report and Minutes of Proceedings and Evidence, together with Appendix, be printed.
- (2.) *Adjournment of the Committee*:—Mr. R. B. Smith moved, That the Committee of Elections and Qualifications have leave to adjourn *sine die*, the matters referred to them having been disposed of.
- Question put and passed.
5. PAPERS:—
- Mr. Lackey laid upon the Table,—Return to an Order made on 11th February, 1879,—"*Damage by Flood to Property in Darling Harbour.*"
- Ordered to be printed.
- Mr. F. B. Suttor laid upon the Table,—
- (1.) Report of the University of Sydney for 1878.
 - (2.) Return respecting Residences for Teachers of Denominational Schools.
- Ordered to be printed.
6. "DICTIONARY OF DATES" (*Formal Motion*):—Mr. Fitzpatrick moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence between the Government or its officers and Mr. Heaton with respect to the printing and publication of the book called "*The Dictionary of Dates.*"
- Question put and passed.
7. LAND PURCHASED BY J. SEVIL AND J. GLASS ON MILLER'S CREEK (*Formal Motion*):—Mr. Bennett moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers, Letters, and other Documents from Messrs. J. Sevil and J. Glass with reference to the purchase of certain land in virtue of improvements, situated on Miller's Creek, Liverpool Plains.
- Question put and passed.
8. PUBLIC VEHICLES REGULATION ACT OF 1873 AMENDMENT BILL (*Formal Motion*):—
- (1.) Mr. Driver moved, pursuant to Notice, for leave to bring in a Bill to amend the Public Vehicles Regulation Act of 1873.
- Question put and passed.

(2.) Mr. Driver presented a Bill, intituled "*A Bill to amend the Public Vehicles Regulation Act of 1873*,"—which was read a first time.

Ordered to be printed, and read a second time on Friday next.

9. LANDS ACTS FURTHER AMENDMENT BILL:—The Order of the Day having been read,—Mr. Lackey moved, That this Bill be now read a third time.

Debate ensued.

Question put.

The House divided.

Ayes, 38.

Sir Henry Parkes,	Mr. Eckford,
Mr. Watson,	Mr. Clarke,
Mr. Hoskins,	Mr. T. R. Smith,
Mr. Baker,	Mr. Badgery,
Mr. Shepherd,	Mr. Webb,
Mr. Fitzpatrick,	Mr. Hurriss,
Mr. Day,	Mr. Lucas,
Mr. Lynch,	Mr. R. B. Smith,
Mr. Macintosh,	Mr. Kerr,
Mr. Charles,	Mr. Buchanan,
Mr. Murphy,	Mr. Wisdom,
Mr. Burne,	Mr. Cameron,
Mr. Merriman,	Mr. J. Davies,
Mr. McElhone,	Mr. Coonan,
Mr. Garrett,	Mr. Windeyer,
Mr. Jacob,	Mr. Lackey,
Mr. Hungerford,	Tellers.
Mr. Beyers,	
Mr. Bennett,	Mr. W. C. Browne,
Mr. Thompson,	Mr. Roseby.

Noes, 3.

Mr. O'Connor,
Tellers.
Mr. Copeland,
Mr. Greenwood.

And so it was resolved in the affirmative.

Mr. Greenwood challenged the votes of several Members who had voted with the *Ayes*, on the ground of personal pecuniary interest, and moved,—

That the vote of the Honorable Sir Henry Parkes, a Member for Canterbury, on the third reading of the Lands Acts further Amendment Bill be disallowed, because the Honorable Member has a direct personal pecuniary advantage in the passing of that Bill.

And Sir Henry Parkes having made an explanation to the House, withdrew.

Debate ensued on Mr. Greenwood's motion.

Question put.

The House divided.

Ayes, 4.

Mr. Fitzpatrick,
Mr. Greenwood,
Tellers.
Mr. Charles,
Mr. O'Connor.

Noes, 31.

Mr. Watson,	Mr. Thompson,
Mr. J. Davies,	Mr. Eckford,
Mr. Windeyer,	Mr. Bennett,
Mr. Hoskins,	Mr. Beyers,
Mr. Baker,	Mr. Garrett,
Mr. Burne,	Mr. Clarke,
Mr. Roseby,	Mr. Merriman,
Mr. Hungerford,	Mr. Macintosh,
Mr. Wisdom,	Mr. W. C. Browne,
Mr. Buchanan,	Mr. Coonan,
Mr. T. R. Smith,	Mr. Copeland,
Mr. Farnell,	Mr. Cameron,
Mr. Kerr,	Tellers.
Mr. Murphy,	
Mr. Badgery,	Mr. Harris,
Mr. Lynch,	Mr. Day.
Mr. Lackey,	

And so it passed in the negative.

Mr. Greenwood then moved,—That the vote of the Honorable Ezekiel Alexander Baker, Member for Gold Fields South, on the third reading of the Lands Acts further Amendment Bill be disallowed, because the Honorable Member has a direct personal pecuniary advantage in the passing of that Bill.

And Mr. Baker having made a statement withdrew from the Chamber.

Debate ensued on Mr. Greenwood's motion.

Question put and negatived.

The Bill was then read a third time,—and, on motion of Mr. Hoskins, *passed*.

Mr. Hoskins moved, That the title of the Bill be "*An Act further to amend the Lands Acts of 1861 and the Act of 1875*."

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act further to amend the Lands Acts of 1861 and the Act of 1875*,"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 11th June, 1879.

10. SUPREME COURT TEMPORARY JUDGE BILL:—

(1.) The Order of the Day having been read (*as amended by consent*),—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider the expediency of bringing in a Bill to authorize the appointment of one or more Judges of the Supreme Court for a limited period.

Mr.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be *now* received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to authorize the appointment of one or more Judges of the Supreme Court for a limited period.

On motion of Mr. Windeyer, the Resolution was read a second time, and agreed to.

(2.) Mr. Windeyer presented a Bill, intituled "*A Bill to authorize the appointment of one or more Judges of the Supreme Court for a limited period*,"—which was read a first time.

Ordered to be printed, and read a second time to-morrow.

11. FOREIGN CRIMINALS INFLUX PREVENTION BILL:—

(1.) The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make provision against the influx of certain Foreign Criminals into New South Wales.

Mr. Speaker resumed the Chair; and the Chairman reported from the Committee a Resolution, which was read as follows:—

Resolved,—That it is expedient to bring in a Bill to make provision against the influx of certain Foreign Criminals into New South Wales.

On motion of Sir Henry Parkes, the Resolution was read a second time, and agreed to.

(2.) Sir Henry Parkes presented a Bill, intituled "*A Bill to make provision against the influx of certain Foreign Criminals into New South Wales*,"—which was read a first time.

Ordered to be printed, and read a second time on Wednesday next.

12. POSTPONEMENTS:—The Orders of the Day, Nos. 4 and 5 of Government Business postponed, to follow after Order No. 6.

13. SYDNEY CORPORATION BILL:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Legislative Council's Message of 5th June, relative to the amendments made in this Bill.

Mr. Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council's amendment last proposed in clause 133, with amendments.

On motion of Sir Henry Parkes the report was adopted.

14. SUPPLY:—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 12 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

15. SYDNEY CORPORATION BILL:—Ordered, on motion of Sir Henry Parkes, that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 5th June, 1879, in reference to the Sydney Corporation Bill,—

Agrees to the amendment last proposed by the Council in clause 133, which inserts a new proviso,—but proposes to amend the said amendment by omitting therefrom the word "ten" and inserting the word "five," and by adding at the end thereof the words "Provided further that the Council shall have the power to levy the same rates and charges for the use of any such sale-yards as apply to the yards that may hereafter be erected by the Corporation,"—

In which amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Sydney, 12th June, 1879, A.M.

The House adjourned at twenty-seven minutes before One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 135.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 12 JUNE, 1879.

1. The House met pursuant to adjournment : Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Post and Telegraph Office, Merriwa :—Mr. McElhone asked the Secretary for Public Works,—
 (1.) Is he aware that the erection of the Post and Telegraph Office at Merriwa is not yet commenced ?
 (2.) What is the cause of the delay, and will he give instructions to have the work commenced at once ?

Mr. Lackey answered,—

- (1.) I was not aware that such was the case.
 (2.) Some delay has been caused in consequence of it being found that a large quantity of additional foundations would be required, a tender for which has been accepted. The contractors have been instructed to push on the work as quickly as possible.
- (2.) District Court at Merriwa or Cassilis :—Mr. McElhone asked the Attorney General,—
 (1.) Is he aware that the people of Cassilis have to go 75 miles to the nearest District Court, and the people of Merriwa 45 miles, and in consequence of this that they are put to great loss and inconvenience ?
 (2.) Will he cause a sum of money to be placed on next years Estimates for the erection of a District Court at Merriwa, or Cassilis, and cause a District Court to be held at one of the above towns.

Mr. Windeyer answered,—I will cause inquiries to be made as to the amount of business arising in the districts referred to by the Honorable Member, with the view of determining upon the expediency of establishing a District Court at one of the places named.

- (3.) Bridges at Merriwa, Collaroy, and Cassilis :—Mr. McElhone asked the Secretary for Public Works,—
 (1.) Who is the successful tenderer for the Bridge over the Merriwa River, and what was the amount of his tender ?
 (2.) The like in regard to Bridge over the river at Collaroy ?
 (3.) What was the cost of the Bridge over the river at Cassilis ?
 (4.) If any of the above Bridges cost more money than was voted for their construction, was the money over and above the sum voted for their erection taken out of the Road Vote ; if so, how much, and will he cause the money so taken out of the Road Vote to be placed on the Additional Estimates ?

Mr. Lackey answered,—

- (1.) William Burnett, £1,385.
 (2.) William Burnett, £1,380.
 (3.) £1,704 11s. 9d.
 (4.) The two first-named bridges are still unfinished, and no moneys from Road Votes have been paid on those accounts. In the case of the Cassilis Bridge, £504 11s. 9d. was paid from Road Vote ; but I do not think it advisable to take an Additional Vote, as the amount already voted for Road is sufficient for the present.
- (4.) Captain Wilson :—Mr. McElhone asked the Colonial Secretary,—
 (1.) Was the Major Wilson to whom I referred on Thursday night a Warder in Darlinghurst Gaol in or about the year 1868 ?
 (2.) Was he appointed Schoolmaster in above Gaol in or about July, 1868 ?
 (3.) What military training has he had to qualify him for the position of Major, which he now occupies ?

Sir

Sir Henry Parkes answered,—

(1.) Captain Wilson was appointed a Warder on 1st of May, 1868. He holds the rank of Captain, not Major.

(2.) He was appointed Schoolmaster on the 1st of July, 1868.

(3.) He served with Her Majesty's 81st Regiment from August, 1863, to January, 1867, and in the New South Wales Infantry from August, 1871, to December, 1872; passed the educational and professional examinations on entry into the Imperial Service, and qualifying examination in the Colonial Service; has served as Adjutant of 2nd Regiment since April, 1873.

- (5.) William Oscar Cooper's application for a Pre-emptive Lease:—Mr. McElhone asked the Secretary for Lands,—Did William Oscar Cooper, of Collector, apply for, and pay for, a pre-lease in February last, out of a 1,100 acre pre-lease forfeited by James Chisholm; if so, will the pre-lease applied for be granted to him?

Mr. Hoskins answered,—An application was made by W. O. Cooper, and rent paid by him to the Land Agent at Yass on 7th February, 1879, for a pre-emptive lease of 720 acres out of James Chisholm's pre-lease (1-13-51) of 1,100 acres, alleged to have been forfeited. The lease has, however, been duly renewed, and there is no available land to satisfy Mr. Cooper's claim. His application will therefore not be granted.

- (6.) Mr. T. H. Purvis's Conditional Purchase:—Mr. McElhone asked the Secretary for Lands,—

(1.) Did Mr. Thos. H. Purvis select at Dubbo 70 acres of land on 19th September, 1872, being lot OO, offered at Dubbo on 29th November, 1869?

(2.) Did he, on 9th December, 1875, make the necessary declarations as to residence, &c., and on the 16th May, 1877, pay balance due and deed fee?

(3.) Have the deeds been sent to Mr. Purvis; if not, what is the cause of the great delay in sending the deeds, and will he give instructions to have the deeds prepared at once?

Mr. Hoskins answered,—

(1.) T. H. Purvis selected 79 acres at Dubbo on 19th September, 1872.

(2.) Yes.

(3.) I presume the deed has not been sent to Mr. Purvis, but it was forwarded to the Registrar General for delivery in February last, and if not already issued can be obtained on application.

- (7.) Church and School Lands near Liverpool:—Mr. Beyers, for Mr. McCulloch, asked the Secretary for Lands,—

(1.) Was the upset price of certain Church and School Lands near Liverpool sold on the 30th October last increased at the instance and for the protection of the lessees of those lands who have erected improvements thereon?

(2.) Did the lessees become the purchasers of the lands at the upset price?

(3.) Is it the intention of the Government to refund to those purchasers the amount put on for the protection of their improvements?

Mr. Hoskins answered,—

(1.) An application to that effect was made, but Mr. Farnell decided that the value of the improvements should be added to the upset price of the land for the benefit of the Church and School Estate, and not for the purpose of being refunded to the improver.

(2.) In the majority of instances.

(3.) I see no reason to disturb the decision of my predecessor, the sale having been effected upon the distinct understanding that no refund would under any circumstances be made.

- (8.) Railway Premises, Darling Harbour:—Mr. Cameron asked the Secretary for Public Works,—Is it intended to have turnstiles or gates inserted in the galvanized iron fencing now being erected around the Darling Harbour Railway Premises, in order to obviate inconvenience to the residents in the adjacent districts?

Mr. Lackey answered,—It is not intended to erect turnstiles or gates; the fence is being put up to prevent trespass, and if gates or turnstiles were erected trespassing would be encouraged.

- (9.) Telegrams to the *Evening News* and *Town and Country Journal*:—Mr. Lynch asked the Colonial Secretary,—

(1.) What number of words was telegraphed to the *Evening News* and *Town and Country Journal* from Mudgee on Monday night and Tuesday morning last?

(2.) What number of words was telegraphed from London for the *Evening News* and *Town and Country Journal* from Saturday until Monday last, inclusive?

Sir Henry Parkes answered,—It is contrary to the Regulations of the Telegraph Department to supply information concerning Telegrams, unless at the request of the sender or addressee.

- (10.) Foot-bridge over Cope's Creek:—Mr. Dillon asked the Secretary for Public Works,—Are the Government aware of the urgent necessity of at least a Foot-bridge over Cope's Creek at Tingha; and if so, will steps be taken to supply the want?

Mr. Lackey answered,—From a report on this subject it appears there is nothing to justify the erection of a Foot-bridge here, as the creek is seldom impassable, and then only for a few hours, and the traffic is not great.

2. **THE CONDEMNED CRIMINALS WILKINSON AND MEDCALF**:—Mr. Stuart presented a Petition from J. Bowie Wilson, as Chairman of a Public Meeting of Citizens of Sydney, praying the House to pass a Bill to abolish capital punishment for the crime of rape, and to make such Bill retrospective as regards the two prisoners Wilkinson and Medcalf now under sentence of death for that crime. And the same having been read by the Clerk, by direction of Mr. Speaker,—
Petition received.

3. **PAPER**:—Mr. Baker laid upon the Table,—Memorandum prepared by the Surveyor General explaining the conditions under which Reserves on Runs would be made.
Ordered to be printed.

4. RAILWAY FROM JUNEE TO NARRANDERA:—Mr. Lackey moved, pursuant to Notice, That this House approves of the Plans, Sections, and Book of Reference of a proposed Railway from Junee to Narrandera, laid before the House on the 20th November last, in accordance with the 9th section of the Government Railways Act 22 Victoria, No. 19.
Debate ensued.
Question put and passed.
5. POSTPONEMENT:—The Order of the Day No. 1 of Government Business postponed, to follow after Order No. 5.
6. SUPREME COURT TEMPORARY JUDGE BILL:—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.
On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
On motion of Mr. Windeyer (*with the concurrence of the House*), the report was adopted.
Ordered, that the Bill be read a third time to-morrow.
7. POSTPONEMENTS:—The Orders of the Day Nos. 3 and 4 of Government Business postponed, to follow after the Order of the Day for the resumption of the Committee of Supply.
8. PATENTS LAW AMENDMENT BILL:—The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this Bill.
Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendments.
On motion of Mr. Windeyer, the report was adopted.
Ordered that the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the Bill, intituled "*An Act to amend the Law relating to Patents for Inventions and Improvements in Arts or Manufactures.*"

*Legislative Assembly Chamber,
Sydney, 12th June, 1879.*

The House adjourned at a quarter after Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 136.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 13 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL:—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

ALFRED STEPHEN,

*Lieutenant-Governor.**Message No. 28.*

A Bill, intituled "*An Act to declare the Law as to the effect of Transfers before grant of Lands conditionally purchased under the Acts regulating the Alienation of Crown Lands,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,**Sydney, 12th June, 1879.*

2. QUESTIONS:—

(1.) Export of Coal from Newcastle:—Mr. Hurley (*Hartley*) asked the Colonial Treasurer,—What was the export of Coal from Newcastle for the years 1876, 1877, 1878, and from such export what number of tons were shipped for eastern and northern ports, and the value of same?

Mr. Watson answered,—As the answer to this question is very long, I will lay it upon the Table in the shape of a Return, and move that it be printed.

(2.) Cope's Creek District:—Mr. Dillon asked the Secretary for Mines,—How much money have the Government received in the way of mineral lease deposits, rent, mineral licenses, and mineral conditional purchases, from Cope's Creek District, including the parishes of Swinton, Darby, Cope's Creek, Clive, Herbert, Mayo, Single, and Elsmore, either through the Land or Mining Departments, since 1st January, 1872, to 1st January, 1879?

Mr. Baker answered,—Part of the information asked for has to be obtained from the Treasury and Lands Departments. As soon as full particulars can be procured the information will be supplied.

(3.) "Dictionary of Dates":—Mr. Fitzpatrick asked the Colonial Treasurer,—

(1.) When was the printing completed of the "Dictionary of Dates"?

(2.) Did the Government pay any overtime allowances in respect of this work?

(3.) When was the last payment made for overtime?

Mr. Watson answered,—

(1.) On 3rd instant.

(2.) Yes, about £7.

(3.) On 2nd instant.

(4.) Foot-bridge, Parramatta Park:—Mr. Taylor asked the Secretary for Public Works,—When is it likely the Foot-passenger Bridge in Parramatta Park will be completed?

Mr. Lackey answered,—No date can be fixed; but as soon as the ironwork is received from England the erection will be proceeded with.

(5.) The Volunteer Force:—Mr. Roseby asked the Colonial Secretary,—

(1.) What is the present position of the old Volunteer Force: Is it true they have not been disbanded or dismissed, but are still invited to attend parades though their arms and accoutrements have been taken from them?

(2.) Do the Government intend to recognise in any way, or grant any recompense to those Volunteers who have served an additional five years and upwards beyond the time when they received their Land Orders?

(3.)

(3.) Is it true that there are several officers of the old Volunteer Companies who have joined the new Force and are still retaining the funds they hold belonging to those Companies, and though repeatedly asked have never yet distributed the amounts in their hands;—Will the Colonial Secretary cause inquiry to be made, and give the reason why such money is still retained?

Sir Henry Parkes answered,—The following answer to this question has been supplied to me:—

(1.) Many of the old Volunteer Corps exist but in name, and the majority are without any officers to control them. Nearly all the Corps are mere skeletons as regards numbers. They have not been disbanded or dismissed, but some few call parades. No provision has been made on the Estimates for the maintenance of the old Force.

(2.) The matter of compensation for these Volunteers has not been under consideration.

(3.) Yes; but neither the Government nor Brigade Authorities can exercise any control over moneys that have passed to the General Fund of Corps.

(6.) Furniture for Court-house, Baradine:—*Mr. Cameron*, for *Mr. Dangar*, asked the Minister of Justice and Public Instruction,—Has any furniture been sent for the Court-room, Baradine, and if so, when; if not, is it intended to forward any?

Mr. F. B. Suttor answered,—Yes, the furniture for this Court-house was forwarded from Sydney on 9th April last.

(7.) Court-house and Lock-up, Brewarrina:—*Mr. Cameron*, for *Mr. Dangar*, asked the Minister of Justice and Public Instruction,—Is it intended to make additions to the Brewarrina Court-house, Lock-up, &c., so as to make them suitable for the holding of District Courts and Quarter Sessions at that place?

Mr. F. B. Suttor answered,—Inquiries are now being made upon the subject of providing suitable Court-house and Lock-up accommodation at Brewarrina, and when the requisite information shall have been received a decision will be arrived at without delay.

(8.) Road from Gunning to Queanbeyan:—*Mr. Thompson* asked the Secretary for Public Works,—When tenders have been called for for works on the Road from Gunning to Queanbeyan has it been the practice to exhibit specifications at the Court-house, Gundaroo, and has that practice been departed from when tenders were recently called for?

Mr. Lackey answered,—There is no rule in force to exhibit specifications at Gundaroo. The practice is to lodge specifications where there is the most probability of obtaining contractors.

(9.) Sites for Pounds, Glen Innes:—*Mr. McElhone* asked the Secretary for Mines,—

(1.) When will he gazette the sites for Pounds, recommended by the Bench of Magistrates at Glen Innes?

(2.) Has he any objection to lay upon the Table of this House the Correspondence in reference to above matter between the Bench of Magistrates at Glen Innes and the officers of his department and himself?

Mr. Baker answered,—

(1.) The matter has been delayed pending the passing of the Impounding Act Amendment Act of 1879, but will now be dealt with at once.

(2.) No.

3. PAPERS:—

Mr. Watson laid upon the Table,—

(1.) Return showing the Export of Coal from the Port of Newcastle during the years 1876, 1877, and 1878.

(2.) Report, with Minutes of Evidence of the Board appointed to inquire into charges preferred by *Mr. J. F. Nash* against the Government Stores Department (*Part 1*).

Ordered to be printed.

Mr. Hoskins laid upon the Table,—

(1.) Abstract of Crown Lands reserved from Sale until Surveyed for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Victoria, No. 1.

(2.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Victoria No. 1.

(3.) Abstract of Sites for Cities, Towns, and Villages, declared under the 4th section of the Act 25 Victoria No. 1.

Ordered to be printed.

Mr. Lackey laid upon the Table,—Return showing particulars of Road Contracts on the Road Gunning to Gundaroo.

Ordered to be printed.

4. ADJOURNMENT:—*Mr. McElhone* moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

5. SUPREME COURT TEMPORARY JUDGE BILL (*Formal Order of the Day*),—on motion of *Mr. Watson*, read a third time, and passed.

Mr. Watson then moved, That the Title of the Bill be "*An Act to authorize the appointment of one or more Judges of the Supreme Court for a limited period.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to authorize the appointment of one or more Judges of the Supreme Court for a limited period,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 13th June, 1879.

G. PUBLIC VEHICLES REGULATION ACT AMENDMENT BILL:—The Order of the Day having been read,—
Mr. Driver moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Driver, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that there was not a Quorum present in the Committee.

Mr. Speaker counted the House, and there being only eighteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Beyers, Mr. Cameron, Mr. J. Davies, Mr. Day, Mr. Driver, Mr. Farnell, Mr. Harris, Mr. Hoskins, Mr. Lackey, Mr. McCulloch, Mr. McElhone, Mr. Merriman, Mr. Murphy, Mr. O'Connor, Mr. Roseby, Mr. F. B. Suttor, and Mr. Watson,—

Mr. Speaker adjourned the House at fourteen minutes after Eight o'clock, until Tuesday next, at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 137.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 17 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Mr. N. P. Bayly:—Mr. Beyers asked the Secretary for Lands,—How much land has Mr. Nicholas Paget Bayly taken up on the Pipeclay Gold Fields under the 13th section of the Crown Lands Alienation Act, and how much by Volunteer Land Orders, since the opening of that field?

Mr. Hoskins answered,—No selections have been taken up by Mr. Bayly under the 13th clause since 31st August, 1865. It cannot be definitely stated by the Survey Office at present how much of the land applied for by him under Volunteer Land Orders falls within the Pipeclay Gold Field.

(2.) Court-house, and Post and Telegraph Office, Moss Vale:—Mr. Garrett asked the Colonial Secretary,—

(1.) Is the Government going to build a Court-house in the private township of Moss Vale, 4 miles from Berrima?

(2.) If so, is it a fact that a certain proprietor of land at Moss Vale is trying to sell his land there as a site for said Court-house, and at what price?

(3.) Have not the Government land of their own near the Railway Station in a better position than any private lands for said Court-house under offer to them?

(4.) Is it a fact that the Government are paying £60 per annum for a temporary Court-house, and have laid out £120 in improvement on said house and land?

(5.) Is it true that the Government have also leased certain premises from this same person for a Post and Telegraph Office at Moss Vale at a rental of £80 per annum?

(6.) Is the Government about to take the Post Office from Mr. Taylor at Moss Vale, and place it in these said premises, without any application or express wish from the inhabitants to make the said change?

(7.) Who is the proprietor of the whole of these lands and premises in question?

(8.) Is it true that an expenditure of about £200 has been authorized to form a macadamized road in a back street in the private village of Moss Vale, running parallel with the main road?

(9.) Will the Government object to furnish the names of the persons applying for this private street expenditure, also the names of the proprietors of the land fronting said street?

(10.) Will the Government object to place before the House all Correspondence that has taken place to date on the foregoing subjects between the Government and the parties concerned?

Sir Henry Parkes answered,—

(1.) Plans have been prepared for a Court-house and Lock-up at Moss Vale, for which £1,700 has been voted on Estimates for this year.

(2.) A piece of land has been offered by the Honorable Alexander Campbell in exchange for the site on the Railway Reserve, allotted some years since as a site for a Court-house, which offer has been declined, as the land in question is now required for Railway purposes.

(3.) I am not aware of any, except that on the Railway Reserve before alluded to.

(4.) I am not aware what rent is paid for the temporary Court-house, but £122 has been expended on it for repairs, painting, &c.

(5.) The premises of the Honorable Alexander Campbell have been leased for a period of three years at £80 per annum.

(6.) The Post Office is to be amalgamated with the Telegraph and placed under the charge of the Telegraph Operator, in accordance with the rule of the Department to do so whenever practicable.

(7.) The Honorable Alexander Campbell is, I believe, the proprietor of the temporary Court-house, but I am unable to say who is the proprietor of the other lands and premises.

(8.)

- (8.) A grant of £200 has been authorized to be expended by the local officer in the repair of Railway-street at Moss Vale, as an approach road to the Railway Station from the Shoalhaven Road, and to save a detour which is necessary to reach the main road.
- (9.) The expenditure was asked for by Petition, signed by sixty-seven residents of Moss Vale. Names of proprietors not known in Road's Office.
- (10.) I do not see any objection to the laying of these Papers upon the Table if asked for.
- (3.) Dundee and Ranger's Valley Runs:—Mr. McElhone asked the Secretary for Mines,—
- (1.) What is the area of the Dundee Run and Ranger's Valley in the District of New England or Tenterfield?
- (2.) What rent does the lessee, Mr. Bloxson, pay yearly for them?
- Mr. Baker answered,—
- (1.) The estimated area of the Dundee Run under pastoral lease at the date of the last appraisalment (on the 15th September, 1875) was 11,074 acres. The estimated area of the Ranger's Valley Run under pastoral lease at the date of the last appraisalment (on the 17th October, 1878) was 35,113 acres.
- (2.) The rent of Dundee Run is £10 per annum; of Ranger's Valley Run, £48 13s. per annum.
- (4.) Post Offices, Gundaroo:—Mr. J. Davies, for Mr. Thompson, asked the Colonial Secretary,—
- (1.) What is the number of Letters and Newspapers conveyed between Lower Gundaroo and the Gunning and Travelling Post Offices during the months of April and May last?
- (2.) What is the number of Letters and Newspapers posted at the Lower and Upper Gundaroo Post Offices, respectively, during the months of March, June, September, and December of last year?
- Sir Henry Parkes answered,—
- (1.) Letters, 2,115; newspapers, 2,329.
- (2.) At Lower Gundaroo—March, 520 letters, 45 newspapers; June, 456 letters, 54 newspapers; September, 486 letters, 67 newspapers; December, 517 letters, 57 newspapers. At Upper Gundaroo—March, 641 letters, 28 newspapers; June, 666 letters, 21 newspapers; September, 657 letters, 27 newspapers; December, 670 letters, 18 newspapers.
- (5.) Mineral Selections:—Mr. Copeland asked the Secretary for Lands,—
- (1.) In how many cases have the same persons made more than one selection of Mineral Lands on the same day?
- (2.) In how many cases have such selections on the same day amounted to over 640 acres, giving the total number and extent of such selections?
- (3.) In how many cases have additional areas been selected before the declaration of expenditure required by the Act had been made in reference to the first of such conditional purchases, giving the total number of selections and the areas in each case?
- (4.) Will he give the above information, without stating the names of the selectors or the district in which such selections are made?
- Mr. Hoskins answered,—A numerical return, embodying the information desired, is in preparation, and will be laid upon the Table immediately.
- (6.) Government Advertisements in Newspapers:—Mr. McElhone asked the Colonial Treasurer,—
- (1.) What is the total amount of money paid by the Government for all advertisements for all purposes to the proprietors of the *Town and Country Journal* and the *Evening News* from the 1st day of January, 1878, to the 1st of June, 1879?
- (2.) The like in regard to the *Sydney Morning Herald*?
- (3.) The like in regard to the *Echo*?
- (4.) The like in regard to the *Sydney Mail*?
- Mr. Watson answered,—
- (1.) £1,732 15s. 6d.; *Town and Country Journal*, £466 15s. 10d.; *Evening News*, £1,265 19s. 8d.
- (2.) £1,319 16s. 11d.
- (3.) £19 13s. 2d.
- (4.) £81 17s. 4d.
- (7.) Captain Wilson:—Mr. McElhone asked the Colonial Secretary,—Was Captain Wilson at one time employed in escorting Lunatics from Darlinghurst to Gladsville?
- Sir Henry Parkes answered,—Captain Wilson never was so employed.
- (8.) Messrs. Hudson Brothers:—Mr. McElhone asked the Colonial Treasurer,—
- (1.) What amount did Hudson Brothers render account for, or claim, for building the Telegraph Station at La Perouse, Botany?
- (2.) What amount did Mr. Stuart arrange to pay them for this work when he was Treasurer?
- (3.) Has any money since been paid to Hudson Brothers for above work, and what Treasurer sanctioned it?
- (4.) Was not the sum paid to them when Mr. Stuart was Treasurer paid them in full settlement for building the above Telegraph Station?
- (5.) If any further sum has been paid them for above work since Mr. Stuart left office, on what grounds was it so paid to them, and on whose recommendation?
- Mr. Watson answered,—
- (1.) £983 5s. 3d.
- (2.) £300.
- (3.) Yes; the balance of their claim.
- (4.) No.
- (5.) The balance was paid—part on the authority of Mr. Burns, the late Postmaster General, on the 7th September, 1876, and payment of the remainder was authorized by Mr. Samuel, when Postmaster General, on the 27th April, 1877, on the certificate and recommendation of the Superintendent of Telegraphs.

(9.) Immigration:—Mr. Cameron asked the Colonial Secretary,—Taking into consideration the fact that between eight and nine hundred immigrants are shortly expected to arrive in this Colony from Great Britain,—Have any steps been taken to ascertain from employers throughout the Colony where they can be employed; if so, have any replies been received to such inquiries, and how many up to the present time?

Sir Henry Parkes answered,—I find that steps of the character indicated have been taken, and that replies have been received, but the information supplied me is too voluminous to be embodied in an answer to a question to be placed on the Votes and Proceedings. I propose to lay it upon the Table in the form of a statement either this afternoon or to-morrow.

(10.) Officers Quarters, Victoria Barracks:—Mr. McElhone asked the Colonial Secretary,—

- (1.) How many rooms are there in that part of the Victoria Barracks which is devoted to officers quarters?
- (2.) What are the names of the officers who occupy these quarters, the positions they hold in the Service, and the number of rooms occupied by each of them?
- (3.) Could not more officers be accommodated in these quarters than are living there at present?
- (4.) What are the names of the officers in the Permanent Military or Volunteer Force who are allowed a sum of money per year for rent instead of quarters, their names, and the position they occupy in the Service?
- (5.) Is it a fact that there is accommodation for thirty officers at Victoria Barracks, Dawes Point, Middle Head, and Watson's Bay, besides quarters at Newcastle?
- (6.) How many officers are entitled to quarters?
- (7.) Is it a fact that only fifteen officers are entitled to quarters?

Sir Henry Parkes answered,—

- (1.) Fifty (50.)
 - (2.) Major Baynes, Brigade Pay and Quarter-master, eight rooms, two of which are practically unfit for habitation by reason of damp and exposure to wet quarter; Major Murphy, N.S.W. Artillery, four rooms; Major Airey, N.S.W. Artillery, seven rooms; Captain Compton, Instructor of Musketry, four rooms; Captain Mackenzie, N.S.W. Artillery, six rooms; Captain Murray, N.S.W. Artillery, six rooms; Lieutenant H. Le Patourel, N.S.W. Artillery, four rooms; Lieutenant Baynes, N.S.W. Artillery, two rooms; Lieutenant Nathan, N.S.W. Artillery, two rooms; Lieutenant Savage, N.S.W. Artillery, one room; Surgeon Bedford, Staff, six rooms.
 - (3.) Not unless they were unmarried.
 - (4.) Colonel Richardson, Commandant; Colonel Roberts, Commanding Artillery Forces; Major Christie, Brigade Major; Lieutenant H. P. Airey, N.S.W. Artillery; Captain Wilson, Adjutant, 2nd Regiment Volunteer Infantry; Captain Norris, Adjutant, 3rd Regiment Volunteer Infantry; Captain Taunton, Adjutant, Volunteer Artillery; Lieutenant Hill, Adjutant, 1st Regiment Volunteer Infantry.
 - (5.) In addition to quarters at Victoria Barracks, quarters are provided at Dawes Point, containing eleven rooms, exclusive of kitchen and servant's room. At Middle Head there is at present no accommodation for officers, but quarters are in course of erection. At Watson's Bay quarters containing six rooms are rented.
 - (6.) Staff, five; Artillery, thirteen; Volunteer Staff, four.
 - (7.) No.
- (11.) Mr. G. R. Maclean:—Mr. McElhone asked the Colonial Secretary,—
- (1.) Is the G. R. Maclean whose name figures at public meetings lately on the Commission of the Peace?
 - (2.) Did this G. R. Maclean at any time seek to gain an appointment as a Police Magistrate?

Sir Henry Parkes answered,—

- (1.) I find that Mr. G. R. Maclean is on the Commission of the Peace.
 - (2.) I find also, by records in the Government Offices, that Mr. G. R. Maclean was an applicant in July, last year, for the office of Police Magistrate.
2. EXPORT DUTY ON GOLD:—The undermentioned Petitions in favour of the abolition of the Export Duty on Gold were presented by the Members named:—
- (1.) From Gold Miners resident on the Barrington Gold Field.—By Mr. Copeland. And the same having been read at length by the Clerk, by direction of Mr. Speaker,—Petition received.
 - (2.) From Gold Miners resident on the Adelong Gold Field.—By Mr. Baker.
 - (3.) From Gold Miners resident on the Peel River Gold Field.—By Mr. Copeland. Petitions received.
3. PAPER:—Mr. Hoskins laid upon the Table,—Return to an Order made on 11th March, 1879,—“C. A. Goodchap's Conditional Purchase at Springwood.”
Ordered to be printed.
4. MINERAL CONDITIONAL PURCHASES (*Formal Motion*):—Mr. Copeland moved, pursuant to Notice, for leave to bring in a Bill to validate certain Mineral Conditional Purchases.
Question put and passed.
5. HENRY SCHMUCK, *alias* WARNER (*Formal Motion*):—Mr. Cameron, for Mr. Hungerford, moved, pursuant to Notice, That there be laid upon the Table of this House:—
- (1.) Copies of all Letters, Telegrams, and Minutes, between any Department of the Government and the Secretary of the Murrurundi Hospital, the Coroner for the Murrurundi District, and any other persons, having reference to the death of one Henry Schmuck, *alias* Henry Warner, which took place in said Hospital on the 9th June, 1878.
 - (2.) A copy of Mr. Garrett's report on the inquiry held by him in July of the same year, at Murrurundi, touching the death of the said Henry Schmuck, or Warner, together with the report of the Medical Adviser of the Government on the same.
 - (3.) A copy of the decision come to by the Minister for Justice on the whole matter, with all subsequent Correspondence with the Coroner at Murrurundi, or any other person.
- Question put and passed.

6. DISTRICT COURTS AND QUARTER SESSIONS AT BREWARRINA (*Formal Motion*):—*Mr. J. Davies*, for *Mr. Dangar*, moved, pursuant to Notice, That an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a copy of *Mr. District Court Judge Murray's Report* respecting the holding of District Courts and Quarter Sessions at Brewarrina?
Question put and passed.
7. MINIMUM PRICE OF COUNTRY LANDS PURCHASED BY VIRTUE OF IMPROVEMENTS:—*Mr. Copeland* moved, pursuant to Notice (*as amended by consent*), That, in the opinion of this House, the Minister for Lands should, unless in exceptional cases, fix the minimum price of country lands purchased by virtue of improvements at not less than 25s. per acre, contingent upon the Lands Acts further Amendment Bill being passed into law.
Debate ensued.
Question put and negatived.
8. CIVIL SERVANTS AS DIRECTORS OF COMPANIES:—*Mr. McElhone* moved, pursuant to Notice,—
(1.) That, in the opinion of this House, no person employed in the Civil Service should be allowed to act as a Director or Auditor of any Bank or Company except the Civil Service Co-operative Society.
(2.) That the above Resolution be communicated by Address to His Excellency the Lieutenant-Governor.
Debate ensued.
Question put and passed.
9. MR. SLATTERY, CURATOR OF INTESTATE ESTATES:—*Mr. McElhone* moved, pursuant to Notice,—
(1.) That the Crown Law Officers give their opinion as to whether *Mr. Slattery* is legally entitled to appoint any person as the agent to an intestate estate.
(2.) Also, if he is legally entitled to charge the sum of 5 per cent. on the estates of deceased persons, and to pay the agents he appoints the sum of 3 per cent., and 2 per cent. to the Government, as is now the practice.
Question put and passed.
10. VEGETABLE GARDEN ATTACHED TO BOTANICAL GARDENS:—*Mr. R. B. Smith* moved, pursuant to Notice, That this House is of opinion that the enclosed land adjoining the International Exhibition Grounds, and now used as a vegetable garden by the Director of the Botanical Gardens, should be forthwith improved and thrown open to the public.
Debate ensued.
Question put.
And Division called for,—
But there being no Tellers on the part of the *Ayes* no Division could be had, and *Mr. Speaker* declared the Question to have passed in the *negative*.

And it being Seven o'clock, Government Business was proceeded with.

11. SUPPLY:—The Order of the Day for the resumption of the Committee of Supply having been read,—
Mr. Hoskins moved, "That" *Mr. Speaker* do now leave the Chair.
Mr. Buchanan moved, That the Question be amended by the omission of all the words after the word "That," with a view to the insertion in their place of the words "an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House all Petitions, Letters, Papers, Judges Reports, and Minutes of the Executive Council in the cases of the Hatfield Bushrangers, condemned to death and reprieved, *Medcalf* and *Wilkinson*, condemned to death and reprieved, and *Alfred*, an aboriginal, condemned to death and "executed."
Question proposed,—That the words proposed to be omitted stand part of the Question.
Debate ensued.
Proposed amendment, by leave, withdrawn.
Question,—That *Mr. Speaker* do now leave the Chair,—put and passed.
Whereupon *Mr. Speaker* left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 18 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at a quarter before Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 138.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 18 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTION:—Sewerage and Water Supply for Sydney and Suburbs:—*Mr. Cameron*, for *Mr. Macintosh*, asked the Colonial Secretary,—Is it the intention of the Government to make provision on the Loan Estimates for the present year for the carrying out of the Sewerage and Water Supply Scheme for the Metropolitan District, as approved of by *Mr. Clark*, the Hydraulic Engineer?

Sir Henry Parkes answered,—This question, as a whole, is under the consideration of the Government, and some provision will be made on the Loan Estimates for the introduction of the work—such provision as may be deemed necessary until Parliament has the opportunity of dealing with the matter.

2. PAPERS:—

Mr. Baker laid upon the Table,—Correspondence between the Bench of Magistrates at Glen Innes and the Officers of the Department of Mines, and the Minister, respecting Sites for Pounds.
Ordered to be printed.

Sir Henry Parkes laid upon the Table,—

- (1.) Report of the Agent for Immigration on Immigrant Vessels recently arrived and to arrive in Port Jackson.
- (2.) Blue Book for the year 1878.
- (3.) Further Papers respecting duplication of the Telegraph Lines between Australasia and Europe.
- (4.) Correspondence respecting Colonial Museum in London.

Ordered to be printed.

3. PUBLICANS LICENSING ACT:—*Mr. Kerr* presented a Petition from *James A. Nolan*, Chairman of a Public Meeting held in the School of Arts, Orange, praying that measures may be taken to ensure the passing of an Act transferring the power of licensing Public Houses from the Magistracy to the people.
Petition received.
4. MEDICAL BILL:—*Mr. Stephen Brown* presented a Petition from the President and Members of the Pharmaceutical Council, representing the Pharmaceutical Society of New South Wales, praying that certain amendments may be made in the Medical Bill now before Parliament.
Petition received.
5. WARATAH COUNCIL CHAMBERS RESUMPTION BILL (*Formal Motion*):—*Mr. Hoskins* moved, pursuant to Notice, for leave to bring in a Bill to authorize the acquisition by Her Majesty of certain buildings in the Borough of Waratah for the purposes of a Court-house.
Question put and passed.
6. STATION-HOUSE AT LA PEROUSE FOR THE NEW ZEALAND CABLE SERVICE (*Formal Motion*):—*Mr. Burns* moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers relating to the erection of the Temporary Station-house at La Perouse for the New Zealand Cable Service.
Question put and passed.
7. WARATAH COUNCIL CHAMBERS RESUMPTION BILL:—*Mr. Hoskins* presented a Bill, intituled "*A Bill to authorize the acquisition by Her Majesty of certain Buildings in the Borough of Waratah for the purposes of a Court-house*,"—which was read a first time.
Ordered to be printed, and read a second time on Wednesday next.
8. POSTPONEMENT:—The Order of the Day for the second reading of the Foreign Criminals Influx Prevention Bill postponed until to-morrow.

9. SUPPLY (*Condemned Criminals*) :—The Order of the Day for the resumption of the Committee of Supply having been read,—Sir Henry Parkes moved, “That” Mr. Speaker do now leave the Chair. Mr. Buchanan moved, That the Question be amended by the omission of all the words after the word “That,” with a view to the insertion in their place of the words “an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House all Petitions, Letters, Papers, Judges Reports, and Minutes of the Executive Council in the cases of the Hatfield Bushrangers, condemned to death and reprieved, Medcalf and Wilkinson, condemned to death and reprieved, and Alfred, an aboriginal, condemned to death and executed.”

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

Question,—That the words proposed to be inserted in place of the words omitted be there inserted,—put and passed.

Question then,—That an Address be presented to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House all Petitions, Letters, Papers, Judges Reports, and Minutes of the Executive Council in the cases of the Hatfield Bushrangers, condemned to death and reprieved, Medcalf and Wilkinson, condemned to death and reprieved, and Alfred, an aboriginal, condemned to death and executed,—put and passed.

Mr. Watson moved, That Mr. Speaker do immediately leave the Chair.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 19 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The House adjourned at half-past Twelve o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 139.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 19 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) John Mulhearn's Conditional Purchase:—Mr. R. B. Smith asked the Secretary for Lands,—
- (1.) Did a person named John Mulhearn, jun., alleged to be a minor, take up 320 acres land, county of Beresford, parish of Palmerston, District of Cooma, on the 2nd July, 1874, under the 13th section of the Crown Lands Act of 1861?
 - (2.) Has the declaration for residence and improvements been made on his behalf, and by whom; also date of same?
 - (3.) Have the Papers relating to this selection been forwarded to the Local Inspector for his report; and if so, when?
 - (4.) Has the Local Inspector reported on this selection; if not, what has caused the delay?
 - (5.) Will the Minister call upon the Inspector to report on the value and nature of the improvements, and have the report laid upon the Table of the House?
 - (6.) Does the selection still stand in the name of John Mulhearn, jun.; or if transferred, to whom has it been transferred?

Mr. Hoskins answered,—

- (1.) Yes.
 - (2.) Yes, by John Mulhearn, the selector's father.
 - (3.) Yes, on 4th May, 1878.
 - (4.) No; the delay has probably been caused by the great number of reports on similar cases required from the Inspectors.
 - (5.) The report has already been called for, as before stated. It would not in the ordinary course be laid upon the Table, but there will be no objection to its production, if moved for in the usual way.
 - (6.) The selection still stands in the name of the applicant.
- (2.) Bridge over the Big River at Bingera:—Mr. W. C. Browne asked the Secretary for Public Works,—Is it the intention of the Government to make provision on the Supplementary Estimates for 1879 for the erection of a Bridge over the Big River at Bingera?

Mr. Lackey answered,—This matter has been already noted for consideration when Estimates are being prepared.

- (3.) Town Common, Rylstone:—Mr. McElhone asked the Secretary for Mines,—
- (1.) Will he say whether travelling stock have the right to stop and graze on the Town Common at Rylstone; if so, for how long?
 - (2.) Is he aware that the Common Ranger at Rylstone will not allow travelling stock to stay and feed on the above Common?
 - (3.) Is the Reserve at Dungaree, on the road from Mudgee to Rylstone, leased to Mr. Cox; if so, will he cancel the lease?
 - (4.) Is he aware that Mr. Cox has got the Reserve fenced in, so that travelling stock cannot get feed or water on it, and will he give instructions to have the fences removed off this Reserve, so that the public can have access to it?
 - (5.) What is the area of the Town Common at Rylstone: Is he aware that Mr. Fitzgerald has got a large quantity of it fenced in, and will he give instructions to have fences removed off it, as there are only 60 to 70 acres of it left open for the public use?

Mr. Baker answered,—

- (1.) The right of travelling stock as regards the Common at Rylstone has never been decided, but allowance was made in gazettement the Common for the fact that travelling stock passing through would depasture thereon.
- (2.) No.
- (3.) Reserve No. 23 is not under lease.
- (4.)

(4.) No ; inquiry will be made, and steps taken, with a view to the removal of any fences that may obstruct access to the Reserve.

(5.) 1. The area of the Permanent Common is 130 acres ; the Temporary Common contains 5,300 acres. 2. No ; inquiry will be made, and steps taken, with a view to the removal of any fences that may obstruct access to the Common.

(4.) Removing Gravel from the Domain :—Mr. McElhone asked the Secretary for Lands,—Is it a fact that a number of loads of gravel were taken out of the Domain on Tuesday the 10th of June, of this year, for the Mayor of Sydney ; if so, by whose authority were they so taken ; and has the Curator of the Gardens the authority to do this ; if not, will he put a stop to it ?

Mr. Hoskins answered,—Five or six loads were so taken by the authority of Mr. Moore, Director of the Botanic Gardens. Mr. Moore explains that he could scarcely have refused this very small concession, since the Mayor, at his request, has caused thousands of loads of street sweepings to be deposited in the Exhibition Grounds, free of cost, to fill up where required. If soil had had to be purchased for the purposes for which these sweepings were and are now being used the expense would have been enormous. Mr. Moore further explains that wherever gravel is excavated for public purposes in the Domain the Mayor authorizes the space to be filled up at once.

(5.) Temporary Common at Warren :—Mr. McElhone asked the Secretary for Mines,—

(1.) Has the Temporary Common at Warren been excised from the lease of the lessees, runs Warren and Gimagaldery ?

(2.) If not, will he at once take steps to excise the above Temporary Common from the lease of the runs of which it formed part ?

(3.) Have trustees been yet appointed for the above Common ; if not, will he take immediate steps to have trustees appointed for it ?

(4.) Have the late lessees the right to fence this Common or part of it in, to the exclusion of the town people, travelling stock, and teamsters stock ; if not, is he aware that the lessees have a great portion of it fenced in, and will he issue instructions to the proper officer to remove all fences, &c., off the above Common at once ?

(5.) Is he aware that the late lessees have got many thousand sheep lambing on above Common, and will he issue immediate instructions to the proper officer to have these sheep removed off the Common ?

(6.) Have the boundaries of the above Common been surveyed yet ; if not, will he give early instructions to have it surveyed ?

Mr. Baker answered,—

(1.) The Warren Temporary Common, being situated within the Population Reserve, is not under lease.

(2.) See answer to No. 1.

(3.) The names of the trustees were gazetted 30th August, 1872.

(4.) The lessees of the adjoining runs have no authority for making use of land outside their lease. I am not aware of the trespass referred to, but inquiry will be made, with a view to the removal, if such should be found to exist.

(5.) I am not aware, but the attention of the trustees will be drawn to the statement.

(6.) Yes, excepting parts of the northern and eastern boundaries, the marking of which will be completed when the amended boundaries of the Common are notified, which will be in a few days.

(6.) Public Charities :—Mr. W. C. Browne asked the Colonial Secretary,—Respecting the following paragraphs contained in the Report of the Inspector of Charities recently laid upon the Table of this House,—What action (if any) does he intend to take in the matter, viz. :—

“The Government interests and that of our private Societies (charitable) are often in direct opposition, and require a responsible officer to protect the former. In support of these opinions, I would refer to the treasurer's balance sheets of the Benevolent and Randwick Societies, by which it will be seen that larger demands than are necessary have been made on the public revenue, while the Societies themselves scarcely fulfil their engagements to the Government.

“Both Societies are in effect Government supported Institutions managed by independent Boards ; the yearly subscriptions from the public to the former Institution are insignificant, and to the latter only equal in amount to cover the charge of repairs and improvements ; yet the first has year by year been adding large sums to its reserve fund—this year, £2,085 17s. 9d.—and the Randwick Society, which last year had to make special application to Parliament for a considerable sum to pay off its bank overdraft, has this year begun to form a reserve fund.”

Sir Henry Parkes answered,—The Report of the Inspector of Charities has not been under the consideration of the Government.

(7.) Fees to Resident Medical Officers, Sydney Infirmary :—Dr. Bowker asked the Colonial Secretary,—

(1.) Whether he has communicated with the Coroner and other legal authorities to obtain their opinion on the expediency, in the interest of justice, of the action of the Directors of the Sydney Infirmary in attempting to appropriate fees only legally payable to the Resident Medical Officers of that Institution for giving medical evidence in criminal cases ?

(2.) Is he aware that the Directors still persist in the endeavour, and have taken the extreme measures of dismissing the Resident Medical Staff, and withholding their salaries, in consequence of their refusal to surrender the Court fees ?

(3.) If he has not communicated with the authorities, would he do so at the earliest opportunity ?

Sir Henry Parkes answered,—The facts of the case, as stated by the Infirmary authorities, are as follows :—Under a by-law recently passed by the Board of Directors to obviate certain difficulties resulting from the frequent absence of the Resident Medical Officers at inquests, &c., the number of Resident Medical Officers was increased from two to three, whereby, while the duties of those Officers were lightened, the institution was put to greater expense ; and it was therefore thought right that the fees for public services should be reserved. To this stipulation the two Medical Officers

Officers already in office gave their formal assent, but they have up to the present time disregarded the requisitions made upon them to account for the fees presumed to be in their hands. To meet this and other difficulties, and to obtain a more formal and binding engagement of service, the Board has decided to dismiss the gentlemen now in office, and to make fresh appointments—the present occupants being eligible for election. The salaries, which were detained only for one week, have now been paid.

- (8.) **Erection of an Hospital in Sydney:**—Dr. Bowker asked the Colonial Secretary,—In view of the hospital accommodation soon to be available at Prince Alfred Hospital,—Is an Hospital of any considerable size (say above eighty or one hundred beds) about to be built within the precincts of the City of Sydney?

Sir Henry Parkes answered,—The Honorary Secretary (Mr. Ross) states:—The Prince Alfred Hospital will accommodate between 160 and 170 beds. An Hospital is to be erected within the precincts of the City of Sydney, but of what size is at present undetermined; but the plans and estimates will be submitted for approval to the Government.

- (9.) **Mr. Combes:**—Mr. McElhone asked the Colonial Secretary,—
 (1.) Is Mr. Combes receiving pay at the present time; if so, for what purpose is he being paid, and what is the total amount paid to or drawn by him to date?
 (2.) Did he not state some time ago that Mr. Combes's pay had been stopped, and no further sum would be paid to him?

Sir Henry Parkes answered,—

(1.) I do not find it very easy to answer this question. In the beginning of January the position of Mr. Combes came under my notice, amongst the things I attended to soon after taking office. Finding that the Paris Exhibition was closed, I caused a letter to be written to the Treasury, directing no more moneys to be paid to Mr. Combes until I was informed further. Looking through the papers I found a letter dated 4th of May, last year, from the Honorable Member for Newcastle (Dr. Bowker), suggesting that Mr. Combes should be employed while in Europe to make inquiries as to the space allotted to children in the public schools of the Continent (as far as I recollect), and I found a minute by my predecessor in office directing that Mr. Combes should be instructed to make these inquiries. As far as I can learn from then until now, Mr. Combes has laid hold of this instruction to continue in some way in connection with the Public Service. I do not know what he has done, nor can I find out where he is now. No formal report has been made to the Government, but short letters have been sent, stating that he is in different countries making inquiries. What these inquiries are I do not know. I think some time in May a telegram was sent of a more peremptory character than would have been sent if we could have learned anything about Mr. Combes. To-day I received from the Agent General a letter, acknowledging the receipt of this telegram. I will read the letter:—

“ Sir, “ 9th May, 1879.
 “ I have the honor to inform you that on the 2nd instant I received your following

“ telegram, dated the 1st instant:—

“ ‘ Inform Mr. Edward Combes that he is not employed by this Government, and that

“ ‘ his position as Executive Commissioner ceased with the closing of the Paris Exhibition.’

“ I was unable to comply with the instructions contained in your above-quoted

“ telegram, as Mr. Combes left England on the 10th ultimo.”

Since then I have no knowledge whatever of Mr. Combes's movements, but I have a suspicion that he will turn up some of these days and lay claim to payment for services under the letter of instructions to which I have alluded.

(2.) With regard to the money paid to Mr. Combes, altogether the sum is £1,625, but no money has been paid by the present Administration.

- (10.) **Prison Labour, Mudgee Gaol:**—Mr. Buchanan asked the Colonial Secretary,—Has he arrived at any conclusion in reference to the Petition of the Residents of Mudgee against the prison labour of the jail competing with the townspeople in the supply of the town with firewood?

Sir Henry Parkes answered,—This Petition was presented only the other day, and alludes merely to the supply of wood from the gaol. It opens up the very large question of how far prisoners in gaol can be made to support themselves by industry without coming in contact with other callings outside. It has not yet come under consideration.

- (11.) **Suburban Railway Traffic:**—Mr. Day asked the Secretary for Public Works,—
 (1.) How many passengers were carried on the Suburban Railway between Sydney and Parramatta Junction, including all intermediate stations, during the year 1873, and what were the receipts?
 (2.) How many passengers were carried on the same line during 1878, and what were the receipts?
 (3.) Is it the intention of the Government to make a separate line for the Western and Southern Railway, so as not to interfere with the suburban traffic; if so, will the stations now in course of building on both sides of the line have to be pulled down to make the desired alterations?

Mr. Lackey answered,—

(1 and 2.) Year, 1873; passengers, 598,218; amount, £11,190. Year, 1878; passengers, 2,423,704; amount, £32,078.

(3.) The Government have no present intention to make a separate line for the through traffic, but if required hereafter the existing station buildings on the suburban line would not necessarily have to be pulled down for that purpose.

2. **ADJOURNMENT:**—Dr. Bowker moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

3. **PAPERS:**—

Mr. Hoskins laid upon the Table,—Numerical Return respecting Mineral Conditional Purchases.

Ordered to be printed.

Sir

Sir Henry Parkes laid upon the Table,—

(1.) Return to an Order made on 15th May, 1879,—“Wire and Telegraph Material.”

(2.) Return to an Order made on 20th May, 1879,—“Postages on Outward Australian and New Zealand Mails.”

Ordered to be printed.

4. MESSAGES FROM THE LIEUTENANT-GOVERNOR:—The following Messages from His Excellency the Lieutenant-Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker:—

(1.) Patents Law Amendment Bill:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 29.

A Bill, intituled “*An Act to amend the Law relating to Patents for Inventions and Improvements in Arts or Manufactures,*”—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 19th June, 1879.*

(2.) Cohen’s Enabling Bill:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 30.

A Bill, intituled “*An Act to validate and give effect to the sale of various portions of certain lands under the Real Property Act heretofore contracted to be sold by Nathan Cohen of Tamworth in the Colony of New South Wales auctioneer and to enable the said Nathan Cohen and Henry Emanuel Cohen of Sydney Barrister-at-Law to contract and effectuate sales of the residue of the said lands and to make provision for the investment of the proceeds of the sale thereof,*”—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper officer for enrolment, in the manner required by law.

*Government House,
Sydney, 19th June, 1879.*

5. SYDNEY CORPORATION BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having taken into consideration the Legislative Assembly’s Message, dated the 12th June, 1879, a.m., in reference to the Sydney Corporation Bill,—

Disagrees from the Assembly’s amendment upon the Council’s amendment in clause 133, which proposes the insertion of the word “five” in lieu of the word “ten,”—

(1.) Because it is highly expedient that the Legislature should guard against any unnecessary injury to private interests in carrying out any Legislative reforms.

(2.) Because the period fixed by the Council for the continuance of the exemption appears to be a reasonable one, and has been already sanctioned in cases where injury to private interests has been occasioned by the necessity of carrying out public improvements.

Agrees to the Assembly’s amendment upon the Council’s amendment, which proposes the addition of a further proviso at the end of clause 133, but proposes to amend the said amendment by the insertion in the said proviso after the word “Council” of the words “from and after the establishment of the Metropolitan Sale-yards” and after the word “levy” of the words “one half,”—

In which amendments the Council requests the concurrence of the Legislative Assembly.

*Legislative Council Chamber,
Sydney, 19th June, 1879.*

JOHN HAY,
President.

Ordered, that this Message be taken into consideration in Committee of the Whole on Tuesday next.

6. MESSAGES FROM THE LIEUTENANT-GOVERNOR:—The following Messages from His Excellency the Lieutenant-Governor were delivered by Mr. Watson, and read by Mr. Speaker:—

(1.) Additional Estimates of Expenditure for the year 1879, and Further Supplementary Estimates for 1878 and previous years:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 31.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the consideration of the Legislative Assembly the accompanying Additional Estimates of the Expenditure of the Government of New South Wales for the year 1879; and Further Supplementary Estimates for 1878 and previous years.

*Government House,
Sydney, 19th June, 1879.*

Ordered to be printed, together with the accompanying Estimates, and referred to the Committee of Supply.

(2.) Further Estimate of Expenditure on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund:—

ALFRED STEPHEN,

Message No. 32.

Lieutenant-Governor.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the consideration of the Legislative Assembly the accompanying Further Estimate of the Expenditure of the Government of New South Wales on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund.

Government House,

Sydney, 19th June, 1879.

Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.

7. RESUMPTION OF LAND BETWEEN MACQUARIE-STREET AND THE DOMAIN (*Formal Motion*):—Sir Henry Parkes moved, pursuant to Notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to enable the Government to resume certain lands between Macquarie-street and the Outer Domain.
Question put and passed.
8. LAND CLAIMED BY MR. JAMES COCHRAN (*Formal Motion*):—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence, Minutes, Telegrams, Documents, &c., relating to the land claimed by Mr. Jas. Cochran, lessee of Nidgawa Run, as an improvement purchase of 60 acres out of the conditional purchase of Chas. H. White, taken up at Urana in or about 1876, with the copy of the Minister's decision in favour of Mr. Cochran.
Question put and passed.
9. POSTPONEMENT:—The Order of the Day No. 1 of Government Business postponed, to follow after Order No. 2.
10. SUPPLY:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
Mr. Speaker resumed the Chair; and the Chairman reported that there was not a Quorum present in the Committee.
Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 20 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again This Day.

The House adjourned at ten minutes before One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No 140

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 20 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Wiseman's Ferry Punt:—Mr. Thompson asked the Secretary for Public Works,—

- (1.) In whose charge is the Wiseman's Ferry punt at present?
- (2.) Is this punt let by tender?

Mr. Lackey answered,—

- (1.) G. P. Black is the ferryman in charge.
- (2.) The punt is not let, as no ferry dues are collected.

(2.) Department of Lands:—*Mr. Cameron*, for Mr. Stephen Brown, asked the Secretary for Lands,—Has he written any minute, or given any instructions, to the effect that no persons or person are or is to be allowed to see public documents in the Lands Office affecting their or his interests; and if he has, will he have any objection to lay upon the Table of the House a copy of such minute or instructions?

Mr. Hoskins answered,—I have not written any minute or given any general instructions to the effect indicated. The usual practice is to submit applications for the perusal of Papers to the Under Secretary.

(3.) Road from Barraba to Gunnedah:—*Mr. Cameron*, for Mr. Dangar, asked the Secretary for Mines,—

- (1.) Has any progress been made in the survey of the Road from Barraba to Gunnedah; if so what, and the name of the surveyor who has charge of the work?
- (2.) By which route is this road at present being surveyed?
- (3.) Is it a fact that it goes mostly through alienated land, and therefore cannot be availed as a stock route—the distance by the proposed route being 55 miles, and the first and only water after leaving Gunnedah being at Borah, 35 miles, and this a tank belonging to the lessee of the run, which he intends to close, and no other available water on this line,—the distance being as follows: Gunnedah to Weetalibah, 3 miles; Weetalibah to Rangari, 22 miles; Rangari to Borah, 10 miles; Borah to Barraba, 20 miles; total, 55 miles; and that in heavy floods it will be impossible to approach the Gunnedah Bridge?
- (4.) Is the Minister aware that the better route would be from Gunnedah to Burburgate, thence to Wean, Mihi Creek, Connor's Gap, to Barraba—the distance being only 45 miles, and all the way after leaving Burburgate, 8 miles from Gunnedah, through Crown Lands, well watered, and in flood time approachable to the bridge, shorter, preferable, and smoother country—the road being surveyed useless except to horsemen?
- (5.) Will the Minister, before the survey of this road is proceeded with any further, cause a special report to be obtained as to which is the better route, and act accordingly?

Mr. Baker answered,—

(1 and 2.) Survey of parts of a Road from Gunnedah to Barraba has recently been made by Mr. Licensed Surveyor Loder through a few measured portions where a road had not previously been provided.

(3 and 4.) The District Surveyor reports that residents of Barraba and county of Darling generally will take their stock and loading along the well watered reserve that leads to the Tamworth Terminus, from which the Railway freight will be considerably less than at Gunnedah.

(5.) A copy of Mr. Dangar's questions will be sent to the District Surveyor for a further report on the Road in question.

(4.) Road from Dulwich to Singleton:—Mr. W. C. Browne asked the Secretary for Mines,—Will he say what is the reason of the delay in confirming by *Gazette* Notice the Road from Dulwich to Singleton?

Mr. Baker answered,—Further action than that already taken in this matter is awaiting the report of the District Surveyor, who has been instructed to expedite report. (5.)

- (5.) **Black Trackers**:—Mr. Buchanan asked the Colonial Secretary,—Were the black police or trackers who came from Queensland for the purpose of hunting down the Kelly gang employed by the Government of New South Wales; if so, how many of them were employed, where did they go, what have they done, and where are they now?

Sir Henry Parkes answered,—No black trackers from Queensland have been employed by this Government at any time. Black trackers, as I understand, under engagement to the Government of Victoria passed through this Colony some months ago. I do not know how many of them were employed, I do not know where they went, I do not know what they have done, and I do not know where they are now.

- (6.) **Messrs. Hudson Brothers**:—Mr. Cameron asked the Secretary for Public Works,—When will the Return ordered by this House on the 29th of January last, relative to work given without competition to Hudson Brothers, be laid upon the Table?

Mr. Lackey answered,—The Return in question is being prepared, and will be laid upon the Table in the course of a few days.

- (7.) **Registers of Births, Marriages, and Deaths**:—Mr. Greenwood asked the Colonial Secretary,—Relative to the Register of Births, Deaths, and Marriages, in the custody or possession of Henry Kerrison James, by Act of Parliament ordered to be delivered to the Government or Registrar General,—Has any action been taken to carry into effect clause 1 of the Clergy Returns Transfer Act; if so, what has been the result?

Sir Henry Parkes answered,—The Government in February last took the necessary steps to carry out this Act, and a day was appointed for the delivery of these Registers to the Government of the Country. On that day the Registrar General applied to the Bishop's Secretary, who told him he knew nothing about it. He then applied to the Bishop's Registrar, who told him he knew nothing about it.

- (8.) **Public Loan**:—Mr. Greenwood asked the Colonial Treasurer,—When will he lay upon the Table of this House the Papers respecting the Loan recently floated in London, and which were ordered by the House on the 14th of May?

Mr. Watson answered,—The Papers referred to will be laid upon the Table next week.

- (9.) **Government Stores Department**:—Mr. Greenwood asked the Colonial Treasurer,—

(1.) When will he lay upon the Table of this House the remaining Part, or Parts, of the Report of the Board of Inquiry respecting the Stores Department?

(2.) Is the Board of Inquiry limited in its investigation to the charges made against the Stores Department by Mr. J. F. Nash?

(3.) Is the Chairman of the Board, who addresses Part I of the Report to the Under Secretary for Finance and Trade, the same person as the Under Secretary for Finance and Trade?

(4.) Was the inquiry held during office hours?

(5.) Are the Members of the Board paid any remuneration; and if so, how much?

Mr. Watson answered,—

(1.) The Second Part of the Inquiry will be commenced on the 25th instant.

(2.) No.

(3.) Yes.

(4.) Partly during and partly after office hours.

(5.) The Members of the Board have not been paid any remuneration.

2. PAPERS:—

Sir Henry Parkes laid upon the Table,—Returns of Live Stock and Agriculture for the year ended 31st March, 1879.

Ordered to be printed.

Mr. Hoskins laid upon the Table,—Return (*in completion*) showing the total area of land selected, and number of selections made, from 1st March, 1877, to 1st March, 1878, at each of the following Land Offices, viz.:—Armidale, Walcha, Glen Innes, Inverell, Bingera, and Warialda.

Ordered to be printed.

3. **ESTIMATES PREPARED BY THE COLONIAL ARCHITECT (*Formal Motion*)**:—Mr. Cameron moved, pursuant to Notice, That there be laid upon the Table of this House a Return showing the number of Estimates prepared during the last three years by the Colonial Architect for which further sums have had to be voted by Parliament, showing the original amount and the further sums so required in each case.

Question put and passed.

4. **GOLD MINING LEASES**:—The Order of the Day having been read for the resumption of the adjourned Debate on the motion of Mr. Beyers,—

“ (1.) That, in the opinion of this House, the Regulations relating to Gold Mining Leases should at once be amended, so as to reduce the maximum area to be included in any one lease to 5 acres.

“ (2.) That steps should be taken by the Government forthwith to render the labour conditions provided for in the Regulations compulsory upon leaseholders”,—

And the Question being again proposed,—the House resumed the said adjourned Debate.

Question put.

The House divided.

Ayes, 8.

Mr. Day,
Mr. Garrett,
Mr. McCulloch,
Mr. Cameron,
Mr. Thompson,
Mr. Taylor,

Tellers.

Mr. Beyers,
Mr. O'Connor.

Noes, 18.

Mr. Watson,
Mr. Windeyer,
Mr. F. B. Suttor,
Mr. Baker,
Mr. Lackey,
Mr. W. C. Browne,
Mr. Johnston,

Tellers.

Mr. Dillon,
Sir Henry Parkes,
Mr. Moses,
Mr. Eckford,
Mr. J. Davies,
Mr. Teece,
Mr. Greenwood,
Mr. Hoskins,
Mr. Bowman,

Mr. Shepherd,
Mr. Copeland.

And so it passed in the negative.

5. **MEDICAL BILL (No. 2)** :—The Order of the Day for the second reading of this Bill read,—and, on motion of Dr. Bowker, discharged.
Ordered, that the Bill be withdrawn.
6. **POSTPONEMENT** :—The Order of the Day for the second reading of the Standard Weight for Maize Bill postponed until Friday next.
7. **MARSUPIALS DESTRUCTION BILL** :—The Order of the Day for the further consideration in Committee of this Bill read,—and, on motion of Mr. Dillon, discharged.
Ordered, that the Bill be withdrawn.
8. **POSTPONEMENT** :—The Order of the Day for the resumption of the adjourned Debate in reference to Public Education postponed until Friday next.
9. **AUSTRALIAN CRICKETERS** :—Mr. Farnell moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider of an Address to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for this year a sum of money in recognition of the services rendered by those members of the Australian Cricket Team belonging to this Colony who recently visited Great Britain and America.
Debate ensued.
Notice was taken that there was not a Quorum present.
Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Bennett, Mr. Bowman, Mr. W. C. Browne, Mr. Cameron, Mr. Coonan, Mr. Day, Mr. Farnell, Mr. Fitzpatrick, Mr. Garrett, Mr. Greenwood, Mr. Hoskins, Mr. Jacob, Mr. Johnston, Mr. O'Connor, Sir Henry Parkes, Mr. F. B. Suttor, Mr. Watson, and Mr. Windeyer,—

Mr. Speaker adjourned the House at twenty-five minutes before Six o'clock, until Tuesday next at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 141.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 24 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) Schools of Medicine and Law:—Mr. Burns asked the Minister of Justice and Public Instruction,—What steps have the Government taken, or do they intend taking, for the establishment of Schools of Medicine and Law at the Sydney University?

Mr. F. B. Suttor answered,—The Government have had under consideration the subject of making provision for the further endowment of the University, with a view to the establishment of Schools of Medicine and Law, and for other branches of instruction which it may be desirable that the Sydney University should undertake; but considering the state of the public business it has been deemed necessary to postpone the introduction of the requisite measure till the next Session of Parliament.

(2.) Public Nuisance near Darlington:—Mr. McElhone asked the Colonial Secretary,—Has he received a report from the Mayor of Sydney in regard to a serious nuisance created in a paddock near Darlington by a person named William Miley depositing large quantities of night-soil there; if so, will he instruct the proper officer to institute criminal proceedings against him for creating a public nuisance by depositing large quantities of night-soil on the land between the Newtown Road and Railway, and near Dr. Sly's school?

Sir Henry Parkes answered,—I have received a copy of the Inspector of Nuisances Report. Attention has been given to the subject, and investigation will take place almost immediately.

(3.) International Exhibition Building:—Mr. McElhone asked the Colonial Secretary,—

(1.) Is it a fact that the principal nave of the Exhibition Building facing the Cricket Ground, which was erected mostly at night time, has been built so weak and faulty that it had to be pulled together by ropes and tackle, and then strapped together with iron straps to strengthen and hold it together?

(2.) Will he cause inquiry to be made into this matter with the view of having the work properly strengthened?

Sir Henry Parkes answered,—I find that there is some truth in the allegation contained in this question. A portion of the south nave facing the Cricket Ground did give way for want of a sufficient number of temporary struts, but this omission was rectified immediately, and the building is perfectly safe.

(4.) International Exhibition Building:—Mr. McElhone asked the Colonial Secretary,—

(1.) What is the total sum of money paid for all purposes in connection with the Exhibition Building up to the 14th of June inclusive?

(2.) What is likely to be the cost of the above building, and all buildings in connection with it, when completed?

Sir Henry Parkes answered,—In this case I purpose answering the first question, and I shall be glad if the Honorable Member will give notice of the second for Thursday. The total sum of money paid for all purposes in connection with the Exhibition Building up to the 14th June inclusive was £112,886 12s. 10d.

(5.) Sydney Infirmary:—Mr. J. Davies, for Mr. Macintosh, asked the Colonial Secretary,—

(1.) Was a man named Marsden admitted into the Sydney Infirmary on the evening of 27th May with an injured ankle, necessitating amputation?

(2.) Was the Operating Surgeon then in attendance in an unfit state to perform the operation?

(3.) Have other surgical operations been performed at the Infirmary by one or other of the Honorary Staff while in an unfit state?

(4.) If the foregoing queries are admitted to be true, are any or all of the Directors aware of the fact?

Sir,

Sir Henry Parkes answered,—In answering this question I feel bound to express my strong disapproval of any such questions being asked at all. I am quite sure that the Honorable Member for East Sydney did not notice the substance of this question, and I feel certain that he will see the propriety of letting the Government know the name of his informant. Coming to the question, and taking it in sections, the first section asks: "Was a man named Marsden admitted into the Infirmary on the evening of 27th May, with an injured ankle, necessitating amputation?" The answer is: Yes. The next question is: "Was the Operating Surgeon then in attendance in an unfit state to perform the operation?" The answer supplied from the Infirmary is: "At the operation performed on the patient by Dr. Cecil Morgan there were present Drs. Cox, MacLaurin, and Marshall, who have signed the accompanying document, at the request of the House Committee, denying in toto the insinuation contained in this question." This is the certificate signed by the well-known professional men, Drs. James C. Cox, H. MacLaurin, and Geo. Marshall:—"We, the undersigned, were present on the 27th May, and saw Mr. Morgan operate on Marsden. He was not in an unfit state to perform the operation, and we are astonished beyond measure at such a vile insinuation being made." I hardly think higher authority could be adduced than that of these three names; but independently of this evidence, I may state that the man Marsden was in the employ of a well-known citizen (Mr. John Alger), and Mr. Alger writes this note:—

"Alger's Wharf, 23rd June, 1879.

"The patient, George Marsden, was in my employ, and I was awaiting the result of the operation near the operating room on the night spoken of. I had a conversation with Dr. Morgan immediately after the operation, and it never entered into my head that there was anything wrong with him; there was certainly nothing in his manner or appearance to lead me to think he was in an unfit state to have performed the operation.—JOHN ALGER."

It would seem almost impossible to adduce evidence stronger than this to rebut this insinuation; and the insinuation is so damaging to the Infirmary that I am astonished it should appear on the Records of this House. But in addition to all this, there is a resolution passed by the whole of the Medical men visiting the Infirmary condemning the statement contained in this question as malicious and utterly groundless. This is signed by Dr. Charles McKay, Dr. J. C. Cox, Dr. H. MacLaurin, Dr. Geo. Marshall, Dr. W. O'Reilly, Dr. Thos. Belgrave, Dr. Craig Dixon, and Dr. A. H. West.

(6.) Bridge over Parramatta River:—Mr. Taylor asked the Secretary for Public Works,—Is it the intention of the Government to make provision on the Supplementary Estimates for 1879 for the erection of a Bridge over the Parramatta River near the wharf?

Mr. Lackey answered,—An amount is already voted for a Foot-bridge here, and the Government are considering the advisability of supplementing this sum by a further amount, and constructing a Traffic Bridge.

(7.) Discharge of Railway Workmen:—Mr. McElhone asked the Secretary for Public Works,—Is it a fact that a number of tradesmen and workmen were discharged from the Permanent Way Branch of the Railway Sydney Station on or about the 7th; if so, how many?

Mr. Lackey answered,—I have ascertained that on the 5th June eleven labourers were discharged for refusing to obey orders, and on the 7th two blacksmiths and two strikers were discharged, as their services were not further required.

2. PAPERS:—

Mr. Hoskins laid upon the Table,—Return (*in part*) to an Order made on 24th September, 1878,—
"The Civil Service."

Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—Return to an Order made on 19th February, 1879,—
"Site for Public School, Molong."

Ordered to be printed.

3. EXPORT DUTY ON GOLD:—Mr. Beyers presented a Petition from Gold Miners resident on the Hill End Gold Field, in favour of the abolition of the Export Duty on Gold.
Petition received.

4. MANAGEMENT OF CHARITABLE INSTITUTIONS:—Mr. O'Connor moved, pursuant to Notice,—

(1.) That, in the opinion of this House, the condition and management of our Metropolitan and Suburban Charitable Institutions, viz., the Benevolent Asylum, the Sydney Infirmary and Dispensary, and the Asylum for Destitute Children at Randwick, are unsatisfactory.

(2.) That it is the duty of the Government to take, at the earliest period, the necessary steps to secure effective Governmental supervision of these establishments, depending as they do for their maintenance almost exclusively on State endowment.

(3.) That the above Resolutions be communicated by Address to His Excellency the Lieutenant-Governor.

Debate ensued.

Motion, by leave, withdrawn.

And it being Seven o'clock, Government Business was proceeded with.

5. SUPREME COURT TEMPORARY JUDGE BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to authorize the appointment of one or more Judges of the Supreme Court for a limited period*,"—with the amendment indicated by the accompanying Schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 24th June, 1879.

JOHN HAY,
President.

SUPREME

SUPREME COURT TEMPORARY JUDGE BILL.

SCHEDULE of the Amendment referred to in Message of 24th June, 1879.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 1, line 14. *After "Council" insert "at any time within twelve months from the passing of this Act."*

Examined,—

J. GEO. LONG INNES,
Chairman of Committees.

Ordered, that the amendment made by the Legislative Council in this Bill be taken into consideration to-morrow.

6. **ADJOURNMENT** :—Dr. Bowker moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
7. **POSTPONEMENTS** :—The Orders of the Day Nos. 1, 2, and 3 postponed, to follow after Order No. 4.
8. **SUPPLY** :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 25 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported that there was not a Quorum present in the Committee.

Mr. Speaker counted the House, and there being only eighteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Barbour, Mr. Bennett, Mr. Beyers, Mr. Cameron, Mr. J. Davies, Mr. Eckford, Mr. Garrett, Mr. Greenwood, Mr. Hoskins, Mr. Lackey, Mr. McCulloch, Sir Henry Parkes, Mr. Shepherd, Mr. F. B. Suttor, Mr. Watson, Mr. Webb, and Mr. Windeyer,—

Mr. Speaker adjourned the House at twenty-five minutes before One o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 142.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 25 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Conditional Purchases:—Mr. Greenwood asked the Secretary for Lands,—

- (1.) What is the number of conditional purchases not finally dealt with at the present date?
 (2.) What is the number of conditional purchase selections taken up during the year 1878?

Mr. Hoskins answered,—

- (1.) 60,828.
 (2.) 12,602.

- (2.) Law Reform:—Mr. J. Davies, for Mr. McCulloch, asked the Attorney General,—Has the Government decided to take any steps for the preparation of either of the following measures of law reform, with the view of ensuring its readiness for early introduction next Session, viz. :—

- (1.) The consolidation and amendment of the Criminal Law?
 (2.) The adaptation to this Colony of the English Judicature Acts and Rules; or of any similar system of Civil Procedure?

Mr. Windeyer answered,—

(1.) The Government are fully aware of the importance of the subject to which the Honorable Member has directed attention by his question, but, as the Honorable Gentleman is probably aware, there is at the present time a Committee of the House of Commons sitting upon a Bill for the further amendment and consolidation of the Criminal Law, and until the result of their consideration has become known the Government desire to postpone any measure for dealing with the Criminal Law.

(2.) I have taken steps to inform myself of reforms which have been made in the Judicature and proceedings of the Courts in the Colony of South Australia, with the view of comparing their Acts with the Acts lately introduced in the Mother Country, in order that I may see how far it is possible to introduce any reforms brought about in the Old Country and the Colony of South Australia into our own system.

- (3.) Warders in Gaols:—Mr. Taylor asked the Colonial Secretary,—

- (1.) Is it a fact the first-class Warders in Her Majesty's Gaols receive 1s. per diem allowance for lodgings?
 (2.) Is it the intention of the Government to place upon the Additional Estimates for 1879 a sum of money to make the same allowance to all Warders?

Sir Henry Parkes answered,—When the Prison Estimates were before the Committee of Supply I stated that the whole question of pay to the Officers of our Gaols would be considered as soon as I had an opportunity of attending to it.

- (4.) Road, Scone to Merriwa:—Mr. McElhone asked the Secretary for Public Works,—

- (1.) What are the names of the tenderers for gravel, &c., for Road, Scone to Merriwa?
 (2.) What is the name of the successful tenderer, and price per yard for gravel, and prices of other work?
 (3.) What prices did Mr. Eli Windsor tender at, and are the successful tenderers prices lower than his?

Mr. Lackey answered,—

- (1.) P. Curra, J. T. Saunders, Eli Windsor, P. Costigan, D. Quinn, J. White, W. Newling, and W. Pinkerton.
 (2.) J. T. Saunders, whose bulk sum for the whole work was £230.
 (3.) Windsor's bulk sum was £277 6s. 8d., which is £47 6s. 8d. above the accepted tender.

The papers are with the Local Road Superintendent, who has this day telegraphed the above information. Tenders are accepted at the bulk sum only. Further details can be furnished on receipt of the papers which have been asked for.

- (5.) Injuries to Railway Carriages:—Mr. McElhone asked the Secretary for Public Works,—

- (1.) Is it a fact that one or more of the large first-class carriages lately imported was destroyed by a collision at or near the Parramatta Junction?
 (2.) Were any passengers injured on the occasion?

Mr.

Mr. Lackey answered,—

(1.) One of these carriages was injured; but the cost of repairs to all the four carriages which were injured will not, I understand, exceed £50.

(2.) It was not a train for the conveyance of passengers, and nobody was injured.

(6.) Public Park, Ashfield :—Mr. McElhone asked the Colonial Secretary,—

(1.) Has Mr. H. Moses, Member for the Hawkesbury, or any one on his behalf, offered to sell any quantity of land at or near Ashfield to the Government as a Park?

(2.) If so, what area of land, and at what price per acre, or for the lot, has it been offered to the Government?

(3.) Did this land form part of the Underwood Estate, and was it offered to the Government prior to Mr. Moses offering to sell it to them; if so, what area was so offered, and the price per acre, or total sum asked?

(4.) Have the Government yet decided to purchase this land from Mr. Moses; if so, what is the price to be paid for it?

Sir Henry Parkes answered,—In respect to these questions, my answer to the first question answers the whole. Mr. Moses has not offered any land at or near Ashfield to the Government.

(7.) Mr. Booty, Bailiff in Insolvent Court :—Mr. McElhone asked the Minister of Justice and Public Instruction,—When will the Returns moved for by me in regard to Mr. Booty, Bailiff of the Insolvent Court, be printed and distributed?

Mr. F. B. Suttor answered,—I have ascertained that the Returns in question will probably be ready in the course of a week.

2. AGNES DETTMANN :—Mr. J. Davies presented a Petition from Agnes Dettmann, respecting deductions made from the salary of her late husband, Louis Dettmann, under the Civil Service Superannuation Act, and praying the House to take her case into consideration.
Petition received.

3. POSTPONEMENTS :—The Orders of the Day Nos. 1, 2, and 3 postponed, to follow after Order No. 5.

4. SUPREME COURT TEMPORARY JUDGE BILL :—The Order of the Day having been read,—on motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendment made by the Legislative Council in this Bill. Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had agreed to the Council's amendment.

On motion of Mr. Windeyer, the report was adopted.

Ordered, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the amendment made by the Legislative Council in the Bill, intituled "*An Act to authorize the appointment of one or more Judges of the Supreme Court for a limited period.*"

Legislative Assembly Chamber,

Sydney, 25th June, 1879.

5. SYDNEY CORPORATION BILL :—The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Legislative Council's Message of 19th June, relative to the amendments made in this Bill.

Mr. Speaker resumed the Chair, and the Chairman reported that the Committee did not insist upon its amendment upon the Council's amendment in clause 133, which proposed the insertion of the word "five" in lieu of the word "ten"; and agreed to the Council's amendments upon the further Proviso added by the Assembly to this clause.

On motion of Sir Henry Parkes the report was adopted.

6. PAPER :—Sir Henry Parkes laid upon the Table,—Copy of a Letter, dated 4th January, 1879, from the Under Secretary, Colonial Secretary's Office, to the Colonial Architect, in reference to the erection of the International Exhibition Building.
Ordered to be printed.

7. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 26 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

8. SYDNEY CORPORATION BILL :—Ordered, on motion of Sir Henry Parkes, that the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated the 19th June, 1879, in reference to the Sydney Corporation Bill,—

Does not insist upon its amendment upon the Council's amendment in clause 133, which proposed the insertion of the word "five" in lieu of the word "ten"; and agrees to the Council's amendments upon the further proviso added by the Assembly to this clause.

Legislative Assembly Chamber,

Sydney, 26th June, 1879, A.M.

The House adjourned at half-past Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,

Speaker.

New South Wales.

No. 143.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 26 JUNE, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

(1.) International Exhibition Building:—Mr. McElhone asked the Colonial Secretary,—What is likely to be the cost of the Exhibition Building, and all buildings in connection with it, when completed?

Sir Henry Parkes answered,—I have taken a good deal of trouble to satisfy myself what is likely to be the total cost of the Exhibition, and with this view I have called for reports from the whole of the parties in any way connected with it, and I have also tried to ascertain what is likely to be the expense of maintaining the Exhibition during the time it will be open. I find that the London Commissioners have granted 80,000 feet of space more than was placed at their disposal by the Commission in Sydney, and if exhibits arrive from Europe, as it is very likely they will, to occupy the whole of this space, it will necessitate some outside buildings, in addition to the main Exhibition Building, to accommodate the exhibits. Taking into consideration that it may be found necessary to make provision for this extra quantity of space, that would involve an outlay of some £18,000 more than would be required for finishing the Exhibition Buildings—both the main building and the exterior buildings, as at first designed. If the estimates given to me from the Colonial Architect, Mr. Charles Moore, and the Commissioners, turn out to be at all correct, and I am half inclined to think they will be found to be correct, the total expenditure upon the Exhibition, including the main Building, the temporary buildings—that is, the machinery hall, cattle pens, police-buildings, and necessary offices, the expense of keeping the Exhibition open for the time contemplated, paying freight for all loans, such as loan collections of fine arts, and returning them to Europe—will leave a nett cost to the country of £177,000. This estimate is now made at a time when it is not so much a matter of calculation without facts to go upon. The building is now so far advanced that estimates for completing it may be taken to be correct; and I am inclined to think the nett cost will not exceed the sum I have stated. I may also state that I have asked Mr. Young to furnish me with a report, which I might use, as to the durable character of the building, and he assures me, in the most unqualified manner, that the building would last fifty years. It has occurred to me, that when the Exhibition is over it might be well to use the building for the purposes of the Legislature, with a view to the erection of new Houses of Parliament.

(2.) Levi Witcomb's Conditional Purchase:—Mr. McElhone asked the Secretary for Lands,—

(1.) Did a person named Levi Witcomb select at Penrith the forfeited conditional purchase of 50 acres off Andrew M'Rae?

(2.) Is it a fact that an Inspector of Conditional Purchases has valued the improvements on above conditional purchase of 50 acres at £70, to the value of over £1 an acre?

(3.) Is he aware, or has it been reported to him, that Witcomb on selecting this land took forcible possession of M'Rae's house and turned M'Rae and his wife out—these old people being over 70 years of age?

(4.) Will he take immediate steps to dispossess Witcomb of the selection?

Mr. Hoskins answered,—

(1.) Yes.

(2.) Yes.

(3.) Yes.

(4.) The selection has been cancelled.

(3.)

- (3.) The Artillery Force:—Mr. McElhone asked the Colonial Secretary,—
- (1.) Is it a fact that a large number of the Artillerymen stationed at or near Watson's Bay, or other places, have never had any practical drill at the 12 or 18 ton guns?
 - (2.) Will the Minister make inquiry as to the knowledge by the Officers and Non-commissioned Officers of the Force with the 18-ton gun drill?
- Sir Henry Parkes answered,—
- (1.) No; only recruits and those who have not passed through the preliminary gun drills, or have been detained in their drills by employment on fortifications or other urgent defence works.
 - (2.) The Officers and Non-commissioned Officers, excepting those who have lately been appointed, have a good knowledge of this gun drill. These guns were worked and fired when Sir W. Jervois first arrived here in 1877.
- (4.) Road from Muswellbrook to Jerry's Plains:—Mr. McElhone asked the Secretary for Mines,—
- Is the Road from Muswellbrook to Jerry's Plains, over Ogilvie's Hill and through Mr. E. White's Merton Estate, open to the public; if not, will he take early steps to have it opened to the public?
- Mr. Baker answered,—A road which runs through the Merton Estate, and is entitled a "Road from the Singleton and Muswellbrook Road to Merton *via* Jerry's Plains," was established by confirmation under 4 Wm. IV. No. 11, in November, 1856, and formally opened in that year.
- (5.) Forgery by a late Clerk connected with the Central Police Court:—Mr. McElhone asked the Minister of Justice and Public Instruction,—
- (1.) Was there a Clerk, or Assistant Clerk, in the Central Police Court, for whom a warrant has been issued for his arrest for forging the name of Mr. Crane, the Acting P.M.?
 - (2.) When was the warrant issued, and has he been arrested?
- Mr. F. B. Suttor answered,—
- (1.) Yes, a warrant has been issued for the arrest of a late Clerk in the Central Police Court, who uttered a forgery after he left the Service.
 - (2.) On the 14th June, 1879, and the usual course has been adopted for his apprehension.
- (6.) Civil Servants as Directors of Companies:—Mr. McElhone asked the Colonial Secretary,—In regard to the Vote of this House on the 17th instant in regard to Civil Servants acting as Directors of Companies,—Is it his intention to issue instructions to all Civil Servants who are Directors of Companies other than the Civil Service Co-operative and Building Companies, that they will have to resign their office as Directors of all Companies of which they are Directors other than the above-mentioned two Companies?
- Sir Henry Parkes answered,—Some days ago steps were taken with a view of carrying out this Resolution. So far as my own department is concerned, a printed circular has already been issued to the Sub-heads under me, calling attention to the resolutions; and I have directed that the attention of the other Ministers be invited to the steps I have taken myself.
- (7.) Small Debts Act:—Mr. McElhone asked the Minister of Justice and Public Instruction,—
- (1.) On what date did the Small Debts Act come into force in Sydney?
 - (2.) What is the amount of fees received since the Act came into force?
 - (3.) Is Mr. Crane, C.P.S., or the Police Magistrate, Mr. Scott, entitled to receive the fees?
 - (4.) What amount of fees has Mr. Crane, C.P.S., Central Police Office, received out of charges under the above Act since it came into operation?
 - (5.) What amount of fees or charges have been paid to the other officers of the Court, or the Bailiffs of the Court, and the names of the persons who have received this payment?
 - (6.) The like in regard to the Police Magistrate, or C.P.S., Water Police Court, and other officers of the same?
- Mr. F. B. Suttor answered,—
- (1.) At the Central Police Office, on 5th May, 1879; at the Water Police Office, on 6th May, 1879.
 - (2.) At the Central Police Office, £96 11s. 6d.; at the Water Police Office, £76 11s.
 - (3.) The Clerk of Petty Sessions, as Registrar, is by the Act entitled to receive the fees, and not the Police Magistrates.
 - (4.) At the Central Police Office, £36 14s. 6d. has been received by Mr. Crane, C.P.S.; at the Water Police Office, the C.P.S. has received £23 2s.
 - (5.) At the Central Police Office, £24 16s. 6d. has been paid to Mr. Lees (temporary clerk), and £35 0s. 6d. to John Palmer, Bailiff of the Court; at the Water Police Office, £23 2s. has been paid to the following officers of the Court, viz., F. B. Davidson, C. N. Payten, F. S. Fielder, J. F. Harmer; and J. McKensey, and £30 7s. to J. M. Cashman, Bailiff of the Court.
 - (6.) Information supplied in foregoing answers.
- (8.) "Australian Dictionary of Dates":—Mr. O'Connor asked the Colonial Treasurer,—
- (1.) What number of copies of Mr. J. H. Heaton's "Australian Dictionary of Dates" were printed by the Government?
 - (2.) When will the Papers promised regarding the printing of this work be laid upon the Table?
- Mr. Watson answered,—
- (1.) 5,000 copies.
 - (2.) I will lay the further Papers in this matter on the Table presently.
- (9.) "The Queensland Magistrate":—Mr. O'Connor asked the Colonial Treasurer,—
- (1.) Is it true that only recently the Government of New South Wales printed for Mr. District Court Judge Wilkinson a work entitled "The Queensland Magistrate"?
 - (2.) Under what conditions did the Government print this work?
- Mr. Watson answered,—It is not true that the work referred to was printed by the Government of New South Wales.

2. **VOTE OF CREDIT** :—The following Message from His Excellency the Lieutenant-Governor was delivered by Mr. Watson, and read by Mr. Speaker :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 33.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the Colony for the month of June, 1879.

*Government House,
Sydney, 26th June, 1879.*

Ordered to be printed, and referred to the Committee of Supply.

3. **PAPERS** :—

Mr. Watson laid upon the Table,—

- (1.) Return to an Order made on 11th June, 1879,—“ Dictionary of Dates.”
- (2.) Return to an Order made on 16th May, 1879,—“ Tenders for supply of Blankets.”
- (3.) Return to an Order made on 14th May, 1879,—“ Public Loan.”
- (4.) Correspondence respecting renewal of Agreement with the Bank of New South Wales for the conduct of the Local and London Banking Business of the Government.
- (5.) Case submitted to the Attorney General for his Opinion on the power of two Justices to grant a transfer of a Publican's License under the 27th section of the Act 25 Vic. No. 15.
- (6.) Papers respecting seizure of a Case of Perfumed Spirits imported by Messrs. Hordern & Sons.
- (7.) Return to an Order made on 6th May, 1879,—“ Tide-waiter Dunshea.”

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—

- (1.) Return to an Order made on 6th March, 1879,—“ Site for Post and Telegraph Office, Molong.”
- (2.) Statistical Register for 1878. Parts 1, 2, and 3.

Ordered to be printed.

4. **SUSPENSION OF STANDING ORDERS (Formal Motion)** :—Mr. Watson moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing of a Bill, intituled “ A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,” through all its stages in one day, and would also preclude the Resolutions of the Committees of Supply and of Ways and Means, respectively, whereon the Bill is proposed to be founded, being received on the same day on which they are come to by the said Committees respectively.

Question put and passed.

5. **MILBURN CREEK COPPER MINE (Formal Motion)** :—Mr. Cohen moved, pursuant to Notice, That there be laid upon the Table of this House a copy of the Report of the Geological Surveyor on the Milburn Creek Copper Mine.

Question put and passed.

6. **SUPPLY** :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again at a later hour of the day.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

(10.) *Resolved*,—That there be granted to Her Majesty for the Services of the year 1879, a sum not exceeding £305,000 to defray the expenses of the various Departments and Services of the Colony for the month of June, 1879, at the rates which have been sanctioned for 1878, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1879.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

7. **WAYS AND MEANS** :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows :—

(10.) *Resolved*,—That towards making good the Supply granted to Her Majesty for the Services of the year 1879, the sum of £305,000 be granted out of the Consolidated Revenue Fund of New South Wales to defray the expenses of the various Departments and Services of the Colony for the month of June, 1879.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

8. **CONSOLIDATED REVENUE FUND BILL (No. 7)** :—

(1.) Ordered, on motion of Mr. Watson, that a Bill be brought in, founded on Resolution of Ways and Means (No. 10), to apply a certain Sum out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879.

(2.) Mr. Watson then presented a Bill, intituled “ A Bill to apply a certain Sum out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,”—which was read a first time.

Ordered to be printed, and now read a second time.

(3.) Bill read a second time.

On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.

On motion of Mr. Watson, the report was adopted.

Ordered, that the Bill be now read a third time.

(4.) Bill read a third time, and, on motion of Mr. Watson, *passed*.

Mr. Watson then moved, That the Title of the Bill be "*An Act to apply a certain Sum out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to apply a certain Sum out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 26th June, 1879.*

9. POSTPONEMENTS :—The following Orders of the Day postponed :—

(1.) Orders Nos. 3, 4, and 5;—*to follow after the Order of the Day for the resumption of the Committee of Supply.*

(2.) Orders Nos. 6, 7, and 8;—*until Tuesday next.*

10. SALE OF LIQUORS LICENSING ACT AMENDMENT BILL :—The Order of the Day for the second reading of this Bill read,—and, on motion of Sir Henry Parkes, discharged.

Sir Henry Parkes then moved, That the Bill be withdrawn.

Debate ensued.

Question put and passed.

11. POSTPONEMENTS :—The Orders of the Day Nos. 10, 11, and 12 postponed until Tuesday next.

12. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 27 JUNE, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

13. CONSOLIDATED REVENUE FUND BILL (No. 7) :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to apply a certain Sum out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 26th June, 1879.*

JOHN HAY,
President.

The House adjourned at sixteen minutes after Twelve o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 144.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 27 JUNE, 1879.

There being only eighteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Bennett, Mr. Beyers, Mr. W. C. Browne, Mr. Cameron, Mr. Day, Mr. Farnell, Mr. Greenwood, Mr. Hoskins, Mr. Hungerford, Mr. Lackey, Mr. Lucas, Mr. Macintosh, Mr. Merriman, Sir Henry Parkes, Mr. F. B. Suttor, Mr. Thompson, and Mr. Watson,—

Mr. Speaker adjourned the House at half-past Four o'clock, until Tuesday next at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 145.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 1 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Insolvency of Civil Servants:—Mr. McElhone asked the Colonial Secretary,—In view of the fact that persons in the Civil Service have lately gone insolvent, is it his intention to compel them to pay their creditors, or dismiss them from the Service?

Sir Henry Parkes answered,—I have already intimated to the House that the whole question of the state of the Civil Service will be considered by the Government in a very short time; and this matter will be embraced in the investigation and decision.

- (2.) Mr. Combes and Mr. Joubert:—Mr. McElhone asked the Colonial Secretary,—

(1.) Is it a fact that a lot of private property belonging to Mr. E. Combes and Mr. Jules Joubert came out to the Colony under the head of Returned Exhibits from the Paris Exhibition?

(2.) If he is not aware of this, will he make inquiries with the view of making these persons pay the freight?

Sir Henry Parkes answered,—Application was made in this case to Mr. Joubert for information, and the reply furnished to me is in these words: "The cases which are alluded to contain papers, books, and documents connected with the New South Wales Commission. Some packages containing private matters came by the same vessel, but at the expense of the gentlemen named." When this answer was supplied to me I felt dissatisfied with it, and asked the Honorable Member to postpone the question. I subsequently called for all the documents, and on looking through them I found that 121 packages came by a ship called the "Brodick Castle," and the freight and insurance upon these packages was £232 17s. 8d. I find that amongst these packages there are several which do not appear to have contained returned exhibits. The list contains—1 case bottling machine, 1 case stationery, 1 case machinery, 2 cases plated goods, 2 cases glassware, 1 case plate-glass, 2 cases woodware, 2 cases sundries, 3 cases cabinet work. Altogether, 15 packages to the name of E. Combes. The list also contains—3 cases glassware, 2 cases iron castings, 2 cases plate-glass, 1 case woodware, 2 cases sundries, 5 cases glass, 1 case papers, 17 cases cabinet work. 33 packages altogether to the name of Jules Joubert. I find, moreover, that on the 23rd April Mr. Charles Robinson, Secretary to the Paris Exhibition Commission, wrote to Mr. Joubert, and from that letter the following is an extract:—"As a large proportion of the cases are not returned exhibits, if you have the means of stating the proportionate amount of freight and insurance chargeable to persons who are not exhibitors, and will supply me with particulars, the funds of the Commission may perhaps be recouped to that extent." This letter was, I am informed, addressed to Mr. Joubert on the 23rd April, and no reply has been received.

- (3.) Roads in District of Queanbeyan:—Mr. Thompson asked the Secretary for Public Works,—

(1.) What is the name and residence of the officer in charge of the Public Roads in the District of Queanbeyan?

(2.) Is it true that the passing of contracts, measuring metal, and similar duties, are delegated by him to maintenance men?

Mr. Lackey answered,—

(1.) The officers at Yass and Braidwood (Mr. Allman and Mr. Coleman respectively) have charge of portions of road in the District of Queanbeyan.

(2.) Both of the above officers deny that they have ever delegated their duties to maintenance men, but temporary measurements have been sometimes done by these men, which, however, are all afterwards checked, and work passed by the Superintendent.

(4.)

- (4.) Jobbins's Estate :—*Mr. J. Davies*, for Mr. Hurley (*Hartley*) asked the Secretary for Lands,—Who were the Trustees in Jobbins's Estate in the year 1857; do either or any of them hold any position in the Civil Service at the present time; if so, what position?

Mr. Hoskins answered,—I am not able to furnish the information asked for. Nothing is known of Jobbins's Estate in the Lands Department.

- (5.) Conditional Purchases and Mineral Selections held by Members of Parliament :—*Mr. Greenwood* asked the Secretary for Lands,—

(1.) What are the names of Members of Parliament entered in the Records of the Lands Office as the holders of conditional purchases, or of mineral selections not finally dealt with, up to the 13th June?

(2.) What are the areas of such purchases or selections severally, and when were they taken up?

Mr. Hoskins answered,—I will presently lay upon the Table of the House a Return embodying the information required.

- (6.) Increases to Pay of Railway Employés :—*Mr. Burns*, for Mr. Taylor, asked the Secretary for Public Works,—

(1.) Is he aware that the men employed in the Railway Traffic Department have not yet (this year) received their annual increases, according to a classification sheet issued by the Commissioner for Railways?

(2.) Will he cause an inquiry to be made, and have the several increases paid?

Mr. Lackey answered,—

(1.) I am not aware that this is the case.

(2.) Inquiry will be made, and increases will be paid to those men found to be entitled to them.

- (7.) Conditional Purchases :—*Mr. Greenwood* asked the Secretary for Lands,—How many grants of land conditionally purchased have issued from the Crown up to the present date?

Mr. Hoskins answered,—6,133 have been forwarded to the Registrar General for delivery up to the present date?

- (8.) Quarters at Dawes Point :—*Mr. J. Davies*, for Mr. Hungerford, asked the Colonial Secretary,—

(1.) What is the name of the officer who occupies the quarters at Dawes Point formerly occupied by the senior officer of the Imperial Artillery?

(2.) Is he an officer belonging to the local Artillery Force?

(3.) How many rooms do the quarters contain?

Sir Henry Parkes answered,—

(1.) Captain Hixson, Commanding the Naval Brigade, resides in the house that was occupied by the senior officer of Artillery for a short time.

(2.) No.

(3.) Seven.

- (9.) Road Votes expended on Bridges :—*Mr. J. Davies*, for Mr. Hungerford, asked the Secretary for Public Works,—

(1.) Is he aware that the money voted for the Roads from Hall's Creek to Merriwa, and from Merriwa to Cassilis, has not been expended on these roads?

(2.) Is the said Road Vote being expended upon the Bridges at Merriwa and Cassilis?

Mr. Lackey answered,—

(1.) The moneys available are being expended on the Roads, with the exception of £365 to supplement votes for Collaroy and Merriwa Bridges, which, being to a certain extent for approaches, is considered fairly chargeable to Road Vote.

(2.) No portion of the Road Vote has yet been paid on account of Merriwa Bridge. £504 was so paid for Bridge at Cassilis.

- (10.) Mr. Laing, Dredge "Samson" :—*Mr. McElhone*, for Mr. Bennett, asked the Secretary for Public Works,—

(1.) How many days was Mr. Laing absent from the dredge "Samson" while employed at the Clarence River during 1877 and 1878?

(2.) How many days was the dredge "Samson" at the Fitzroy Dock for repairs during the years 1876, 1877, and 1878?

(3.) How many days was the dredge "Samson" employed at Circular Quay during the years 1876, 1877, and 1878?

Mr. Lackey answered,—

(1.) Twenty-six and thirty-four days respectively.

(2.) Eighty, thirteen, and seventy days respectively.

(3.) The "Samson" was not employed at the Circular Quay during the years 1876 and 1877; but in 1878 the dredge was working there fifteen days, exclusive of two days under repairs.

- (11.) Mr. Weekes, Clerk of Petty Sessions at Gundagai :—*Mr. McElhone*, for Mr. Bennett, asked the Minister of Justice and Public Instruction,—

(1.) Is it true that a Mr. Weekes is at present in receipt of a salary as Clerk of Petty Sessions at Gundagai?

(2.) Is the same person one of the Trustees in the Underwood Estate?

(3.) Is the Minister aware that Mr. Weekes attended the last meetings of Trustees to decide on the sale of the Underwood Ashfield Property?

(4.) Does Mr. Weekes receive any commission as a Trustee in the Underwood Estate, in addition to his pay from the Government as Clerk of Petty Sessions at Gundagai?

Mr. F. B. Suttor answered,—

(1.) Yes.

(2.) Yes.

(3.) Yes, having received permission to do so.

(4.) I believe so.

(12.) Road from Reidsdale Creek to Bell's Mountain :—Mr. Greville asked the Secretary for Mines,—When will he cause to be surveyed and proclaimed the Road leading from Reidsdale Creek to the top of Bell's Mountain, the Papers in which case were forwarded from the Commissioner for Roads to the Surveyor General on the 15th ultimo?

Mr. Baker answered,—This matter is still under reference to the District Surveyor, who will be requested to expedite his report.

(13.) Railway to Cooma :—Mr. Greville asked the Secretary for Public Works,—

(1.) In reference to the proposed Railway connecting Cooma with the Great Southern Railway,—Has a trial survey been made for a route *viâ* Queanbeyan?

(2.) Has one been made, or ordered to be made, *viâ* Bungendore?

(3.) Has one been made *viâ* Braidwood; and if not, will he cause one to be made?

Mr. Lackey answered,—

(1.) Two routes have been surveyed *viâ* Queanbeyan—one from Breadalbane, Lake George, and Geary's Gap, and the other from Gunning.

(2.) One route has been surveyed from Breadalbane, *viâ* Lake George to Bungendore, thence by the Burra to Michelago; and another route is now being surveyed from near Goulburn direct to Bungendore *viâ* Tarago, and thence *viâ* the Burra to Michelago.

(3.) Routes *viâ* Braidwood have been explored, but not surveyed, as they will not compare favourably with the line *viâ* Tarago and Bungendore.

(14.) Post and Telegraph Offices, Raymond Terrace :—Mr. Jacob asked the Colonial Secretary,—Have tenders been yet called for for the erection of the Post and Telegraph Offices at Raymond Terrace; if not, when will they be?

Sir Henry Parkes answered,—Tenders for the erection of the building have been invited in this day's *Gazette*.

(15.) Duty on Gold Abolition Bill :—Mr. Day, for Mr. Copeland, asked the Colonial Treasurer,—Do the Government intend to go on with the Duty on Gold Abolition Bill this Session?

Mr. Watson answered,—Yes.

(16.) Disposal of Silt :—Mr. Greenwood, for Mr. Lucas, asked the Secretary for Public Works,—After silt is deposited in the punts, what is the cost per ton for towing it out of the Harbour?

Mr. Lackey answered,—This varies very much according to the distance to be towed and the state of the weather, but the price may be given as ranging from 3d. to 4d. per ton. In Newcastle, where there is short towing, the price would be about half the Sydney rates.

2. MESSAGES FROM THE LIEUTENANT-GOVERNOR :—The following Messages from His Excellency the Lieutenant-Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker :—

(1.) Consolidated Revenue Fund Bill (No. 7) :—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 34.

A Bill, intituled "*An Act to apply a certain sum out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1879*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 27th June, 1879.

(2.) Supreme Court Temporary Judge Bill :—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 35.

A Bill, intituled "*An Act to authorize the appointment of one or more Judges of the Supreme Court for a limited period*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 1st July, 1879.

3. PAPERS :—

Sir Henry Parkes laid upon the Table,—Return to an Order made on 26th June, 1879,—"*Milburn Creek Copper Mine.*"

Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—

(1.) A Return respecting the crime of Rape.

(2.) Annual Returns under the 103rd section of the District Courts Act of 1858.

Ordered to be printed.

Mr. Hoskins laid upon the Table,—

(1.) Return of Conditional Purchases held by Members of the Legislative Assembly.

(2.) Return to an Order made on 6th November, 1878,—"*Conditional Purchases of John Daly and others at Casino.*"

(3.) Papers respecting Old Grants of Land containing Special Reservations.

Ordered to be printed.

4. ADJOURNMENT :—Mr. McElhone moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

5.

5. MAJOR SPALDING :—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House,—

(1.) Copies of all Correspondence, Memorandums, &c., between the Chief Commissioner in Insolvency and any other person or persons and Major Spalding, relating to any insolvency or insolvencies of Major Spalding.

(2.) The amount of debts proved at each of Major Spalding's insolvency or insolvencies, together with the names of his creditors and the amounts of debts each person proved for or claimed.

(3.) Copies of any Correspondence between the Chief Commissioner in Insolvency and Major Spalding relating to the payment of any monthly sum of money by Major Spalding to his creditors, or in regard to any other orders as to payment by Major Spalding to his creditors by the Chief Commissioner in Insolvency ; and also copy of any Correspondence by the Chief Commissioner in Insolvency relating to his having threatened to commit Major Spalding to gaol for contempt of Court for not obeying the order of the Chief Commissioner in Insolvency to pay his creditors by certain monthly or other instalments.

Debate ensued.

Question put.

The House divided.

Ayes, 8.

Mr. Driver,
Mr. Clarke,
Mr. Cameron,
Dr. Bowker,
Mr. Jacob,
Mr. McElhone,

Tellers.

Mr. Macintosh,
Mr. McCulloch.

Noes, 14.

Sir Henry Parkes,
Mr. Windeyer,
Mr. F. B. Suttor,
Mr. Watson,
Mr. Lackey,
Mr. Baker,
Mr. Garrett,
Mr. Cohen,

Mr. O'Connor,
Mr. Kerr,
Mr. Teece,
Mr. Beyers,

Tellers.

Mr. W. C. Browne,
Mr. Greenwood.

And so it passed in the negative.

And it being Seven o'clock, Government Business was proceeded with.

6. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair ; and the Chairman reported progress, and obtained leave to sit again.

7. POSTPONEMENT :—The Order of the Day for the resumption of the Committee of Ways and Means postponed until to-morrow.

8. DUTY ON GOLD ABOLITION BILL :—The Order of the Day having been read, and Mr. Baker proceeding to move the second reading of this Bill,—

Notice was taken that there was not a Quorum present.

Mr. Speaker counted the House, and there being only nineteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Burns, Mr. Cameron, Mr. J. Davies, Mr. Driver, Mr. Eckford, Mr. Garrett, Mr. Greenwood, Mr. Hoskins, Mr. Kerr, Mr. Lackey, Mr. Macintosh, Sir Henry Parkes, Mr. Rosby, Mr. F. B. Suttor, Mr. Teece, Mr. Thompson, Mr. Watson, and Mr. Windeyer,—

Mr. Speaker adjourned the House at twenty-five minutes after Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 146.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 2 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Mr. T. K. Abbott, Police Magistrate, Gunnedah:—Mr. W. C. Browne asked the Secretary for Lands,—Referring to *Gazette* Notice, that Mr. Hamilton had been appointed Land Agent at Gunnedah,—Was Mr. T. K. Abbott, who held the office of Police Magistrate and Land Agent at that place, allowed to elect which office he would retain?

Mr. Hoskins answered,—No. Mr. Abbott made an application to elect which office he would retain, but it was not received until after Mr. Hamilton's appointment had been submitted for the approval of the Executive Council. In any case, however, the matter could not, in the public interest, be further delayed.

- (2.) Connection of Northern Railway with Sydney:—Mr. Burns asked the Secretary for Public Works,—Will the Loan Bill about to be introduced by the Government include an estimate for the extension of the Great Northern Railway to Sydney?

Mr. Lackey answered,—The surveys on the Line from the Great Northern Railway to Sydney are not so advanced as I could wish them to be; but I think they are sufficiently so to enable the Government to include them in the Loan Estimates, which I propose to submit to the House in a few days.

- (3.) Divorce Bill:—Mr. Buchanan asked the Colonial Secretary,—Can he inform the House what is the fate of the amended Divorce Bill, sent Home for the second time for the consideration of Her Majesty the Queen?

Sir Henry Parkes answered,—A Despatch from the Secretary of State, dated 15th June, 1878, has been laid upon the Table of the House, in which the reasons are set forth why he declines to submit the Bill for Her Majesty's assent.

- (4.) Bridge at Tumberumba:—Mr. Day asked the Secretary for Public Works,—

(1.) Is it the intention of the Government to erect the proposed Bridge across the creek at the Township of Tumberumba on the site where the main road crosses the said creek, or has some other site been chosen?

(2.) When is it likely that tenders will be invited for the erection of the said Bridge, and what has delayed the work so long?

Mr. Lackey answered,—

(1.) It is intended to erect the Bridge at Bridge-street—the site surveyed for it when the town was laid out, and which has been pronounced by two officers of the Department as the best,—the other site at the Ford, as is generally the case, being unsuitable. There have been Petitions for and against both sites.

(2.) Tenders have been invited three times for this Bridge, and a tender has been conditionally accepted. It is believed that steps are in progress to commence the work.

- (5.) Approaches to Wahgunyah Bridge:—Mr. Day asked the Secretary for Public Works,—

(1.) What amount of money was voted last year for the approaches to the Wahgunyah Bridge, and is there any reason why the money has not been expended?

(2.) Is it the intention of the Government to put the approaches to this Bridge in a proper state of repair; if so, when will the work be done?

Mr. Lackey answered,—

(1.) No money was voted last year. £2,000 was voted in 1877. It has not been expended on account of a claim for compensation as yet unsettled.

(2.) Yes, as soon as this compensation case can be settled. It is now being negotiated by the Local Road Officer.

(6.)

(6.) Sale of Old Iron :—Mr. Day asked the Secretary for Public Works,—

(1.) The number of tons and the prices per ton realized for old scrap iron, steel scrap, steel tires, and D.H. rails, sold at auction on account of the Government by Wm. Pritchard at the Sydney Railway Station on the 12th November, 1878?

(2.) The number of tons and the prices per ton realized for old scrap iron, steel scrap, steel tires, and D.H. rails, sold at auction on account of the Government by Mr. J. Rodd at the Sydney Railway Station on the 12th June of this year?

Mr. Lackey answered,—

(1.) Sold by Mr. Pritchard,—Wrought and cast iron scrap, 93 tons, £3 16s. per ton; steel scrap, 5 tons, £2 9s. per ton; steel tires, 13 tons, £2 per ton. No D.H. rails were offered for sale in November, 1878?

(2.) Sold by Mr. Rodd,—Wrought and cast iron scrap, 62 tons, £3 4s. per ton; steel scrap, 3½ tons, £1 15s. per ton; steel tires, 9½ tons, £1 2s. per ton; D.H. and old rails, 51 tons, £1 13s. per ton.

(7.) Bridge across the Murray at Howlong :—Mr. Day asked the Secretary for Public Works,—

(1.) Has any communication been received from the Victorian Government offering to provide a sufficient sum of money to pay one-half the cost of the erection of a Bridge across the Murray River at Howlong, if New South Wales would provide the other half?

(2.) If such, or any other communication has been received on the same subject, what is the nature of such communication, and what reply was given?

(3.) Is it the intention of the Government to put the approaches to the Howlong Punt in a proper state of repair; if so, when will the work be commenced?

Mr. Lackey answered,—

(1.) Yes.

(2.) A reply has been forwarded to the effect that it was considered the traffic would not justify the expense until some agreement as to the Border Duties had been arrived at.

(3.) The approaches to the Punt will be attended to as soon as possible. Delay has arisen in the endeavour to adjust the work so as to suit the approach to Bridge when built, as well as to the Punt for the present.

(8.) Cattle Sale-yards :—Mr. McElhone asked the Colonial Secretary,—In reference to the land bought by the Government between Homebush and Haslem's Creek,—Is it the intention of this Government to carry out the promise made by their predecessors, viz., to grant the City Corporation a sufficient area of land for the purposes of erecting Cattle Sale-yards; if so, when will they carry out the promise of their predecessors?

Sir Henry Parkes answered,—I cannot give any definite answer to this question at the present time, but the subject will be considered at a very early date.

(9.) "Australian Dictionary of Dates and Men of the Time" :—Mr. Day, for Mr. O'Connor, asked the Colonial Treasurer,—Will the Government undertake to compensate Mr. Heaton for any action brought against him, or his publishers in the Australian Colonies, because the Government has not put its imprint on the "Australian Dictionary of Dates and Men of the Time"?

Mr. Watson answered,—The Government cannot give any such undertaking.

2. MESSAGES FROM THE LIEUTENANT-GOVERNOR :—The following Messages from His Excellency the Lieutenant-Governor were delivered by Mr. Watson, and read by Mr. Speaker :—

(1.) Sydney International Exhibition Bill :—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 36.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the consideration of the Legislative Assembly that provision be made for the disposal of Entrance Fees and other moneys to be received by the International Exhibition Commissioners, and for all expenses connected with the Exhibition Buildings, and the management of the Exhibition.

*Government House,
Sydney, 2nd July, 1879.*

(2.) Further Estimate for 1879 :—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 37.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the consideration of the Legislative Assembly the accompanying Further Estimate of Expenditure of the Government of New South Wales for the year 1879.

*Government House,
Sydney, 2nd July, 1879.*

Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.

3. PAPERS :—

Mr. Hoskins laid upon the Table,—Return to an Order made on 7th May, 1879,—“Land Sold near Jerilderie.”

Ordered to be printed.

Mr. Watson laid upon the Table,—

(1.) Despatch respecting Silver and Bronze Coinage.

(2.) Despatch respecting alterations in the Italian General Tariff.

Ordered to be printed.

4. EXPORT DUTY ON GOLD :—The following Petitions in favour of the abolition of the Export Duty on Gold were presented by the Members named :—
 (1.) By Mr. Copeland. From Gold Miners resident on the Rocky River Gold Field, New England.
 (2.) By Mr. Greville. From Gold Miners resident on the Araluen Gold Field.
 Petitions received.
5. METROPOLITAN GUARANTEED LOAN BILL (*Formal Motion*) :—Sir Henry Parkes moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to enable the Municipal Council of the City of Sydney to borrow a sum not exceeding £75,000 by the issue of Guaranteed Debentures.
 Question put and passed.
6. "AUSTRALIAN DICTIONARY OF DATES AND MEN OF THE TIME" (*Formal Motion*) :—Mr. Cameron, for Mr. O'Connor, moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence regarding the publication of Heaton's "Australian Dictionary of Dates and Men of the Time" received by the Government between 26th June and 1st July inclusive.
 Question put and passed.
7. SYDNEY INTERNATIONAL EXHIBITION BILL :—Mr. Watson moved, pursuant to Notice, That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the disposal of Entrance Fees and other Moneys received by the International Exhibition Commissioners, and for Expenses connected with the Exhibition Buildings and the management of the Exhibition.
 Debate ensued.
 Question put and passed.
8. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
 Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.
9. POSTPONEMENTS :—The Orders of the Day of Government Business Nos. 2 to 7 inclusive postponed until to-morrow.
10. WARATAH COUNCIL CHAMBERS RESUMPTION BILL :—The Order of the Day having been read,—Mr. Hoskins moved, That this Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Hoskins, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
 On motion of Mr. Hoskins, the report was adopted.
 Ordered, that the Bill be read a third time to-morrow.
11. MACQUARIE-STREET LAND RESUMPTION BILL :—
 (1.) The Order of the Day having been read,—on motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to enable the Government to resume certain lands between Macquarie-street and the Outer Domain.
 Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.
 Ordered, on motion of the Chairman (*with the concurrence of the House*), That the report be now received.
 The Chairman then reported the Resolution, which was read a first time, as follows :—
Resolved,—That it is expedient to bring in a Bill to enable the Government to resume certain lands between Macquarie-street and the Outer Domain.
 On motion of Sir Henry Parkes, the Resolution was read a second time, and agreed to.
 (2.) Sir Henry Parkes presented a Bill, intituled "*A Bill to enable the Government to resume certain Lands between Macquarie-street and the Outer Domain*,"—which was read a first time.
 Ordered to be printed, and read a second time to-morrow.

The House adjourned at twenty-seven minutes before Twelve o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 147.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 3 JULY, 1879.

1. The House met pursuant to adjournment : Mr. Speaker took the Chair.

QUESTIONS :—

- (1.) Damage by Flood to Property at Darling Harbour :—*Mr. J. Davies*, for *Mr. Macintosh*, asked the Secretary for Public Works,—

(1.) Is it the intention of the Government to award compensation to Messrs. Zollner, Biddell, and others for damage done to their properties by rain water caused to accumulate by the works of the Government at the head of Darling Harbour ?

(2.) If so, when are their claims likely to be taken into consideration with the view of their being settled ?

Mr. Lackey answered,—If it can be established that the construction of the Railway Works contributed to the flooding of the property of Messrs. Zollner, Biddell, and others, compensation will be due to them ; but, as far as inquiry has extended, it has not been so established. The Papers on the subject were laid upon the Table of the House on the 11th ultimo.

- (2.) *Mr. Forster*, Agent General for the Colony :—*Mr. Cohen* asked the Colonial Secretary,—Whether his attention has been drawn to a letter signed William Forster, Agent General of New South Wales, and inserted in the *Evening News* of the 20th June last, after its alleged refusal by the *London Times*, in which letter the expediency of the Agents General for the Colonies becoming Members of the British House of Commons is discussed ; and if so, whether he intends communicating with *Mr. Forster* on the propriety or otherwise of his publicly discussing such questions ?

Sir Henry Parkes answered,—I must confess that I have not read the letter referred to. I have seen it, and intended to look it through, but other things have occurred which have prevented my doing so. I will, however, read the letter, and see whether, in my judgment, it requires any comment from me.

- (3.) Land Revenue.—Department of Lands :—*Mr. Day*, for *Mr. W. C. Browne*, asked the Colonial Treasurer,—

(1.) What was the total amount of Land Revenue received during the year 1868 ?

(2.) The total amount of the expenses of the Lands Department during the same year ?

(3.) The like information from 1st January to 30th June, 1879 ?

Mr. Watson answered,—

(1.) £541,229 3s. 1d.

(2.) £103,843 13s.

(3.) Revenue, £999,329 17s. 2d. ; expenditure, £118,733 16s. 5d.

- (4.) Prison Labour, Mudgee Gaol :—*Mr. Buchanan* asked the Colonial Secretary,—Has the Government considered the Petition of the Mudgee wood cutters ; and if not, when is it likely that a decision will be come to in the matter, so as those engaged in this business may know as soon as possible whether they are still to have prison labour competing with them in this their means of living ?

Sir Henry Parkes answered,—As I explained a few days ago, this question cannot be decided by itself. It is connected with the whole question of the employment of prisoners in our gaols. It is one of considerable difficulty, and I am not likely to be able to spare time to give attention to it for a month to come.

- (5.) Site for Public School at Nelanglo :—*Mr. Day*, for *Mr. Fitzpatrick*, asked the Secretary for Lands,—What delays the grant of a site for a Public School at Nelanglo, on the road from Gunning to Gundaroo ?

Mr. Hoskins answered,—The land is unavailable for dedication as a Public School site, being embraced in *J. Lanton's* conditional purchases.

- (6.) Public School at Grasstree :—*Mr. Day*, for *Mr. McElhone*, asked the Minister of Justice and Public Instruction,—

(1.) In reference to Public School at Grasstree, near Muswellbrook, for which *Mr. McElhone* made numerous applications during the last four years, and for which the land was granted some time since,—What is the cause of the delay in building this School, and when is it likely to be built ?

(2.) Is he aware that there is no School at the place now, and will he give instructions to have the erection of this School proceeded with at once ?

Mr. F. B. Suttor answered,—

(1.) The cause of the delay has been the alleged removal of the population from the neighbourhood, owing to which the number of pupils required for a Public School cannot now, it is believed, be obtained. The Council has already directed that inquiry be made into these statements, and the question of building the School cannot be decided until the result of the inquiry is known.

(2.) The School still exists at this place, but has been removed to a position more central to the majority of the inhabitants. In the original situation the attendance of scholars had fallen to 12·8.

- (7.) *Mr. Dunshee*, Tide-waiter :—*Mr. Day*, for *Mr. McElhone*, asked the Colonial Treasurer,—In reference to *Mr. Dunshee*, lately suspended by him,—Is it a fact that an inquiry is now being held into his conduct ; if so, who is holding this inquiry ; has it been concluded ; if so, what is the result of the inquiry ?

Mr. Watson answered,—It is the fact that an inquiry has been held in reference to *Mr. Dunshee's* conduct. *Captain Hixson* held the inquiry, which is concluded, and the result is that *Mr. Dunshee* will be removed from the Public Service.

- (8.) Entertainment to Workmen at the Exhibition Building :—*Mr. Day*, for *Mr. McElhone*, asked the Colonial Secretary,—In reference to the contemplated ball or party proposed to be given by the Government and *Mr. John Young* in the Exhibition to the workmen, their families, and other parties,—Do the Government propose to pay the proceeds of this, or any other ball, or any portion of them, out of the public funds ?

Sir Henry Parkes answered,—I must confess I hardly know what the question means. I am asked, "If the Government propose to pay the proceeds of this or any other ball." The proceeds from a ball or any other entertainment, I suppose, will not come into my hands, but the people who conduct the entertainment will no doubt take care of them. The only answer I can give is, that the Government will not defray any expenses attending this entertainment.

- (9.) *Mr. A. T. Holroyd* :—*Mr. Day*, for *Mr. McElhone*, asked the Minister of Justice and Public Instruction,—Has any sum of money been voted to increase the salary of *Mr. A. T. Holroyd* ; or is it intended to increase his salary by £200 a year, or any other sum in any way ?

Mr. F. B. Suttor answered,—A sum of money has been voted for the necessary expenses in bringing into operation the new Lunacy Act, by which *Mr. Holroyd* is made Master in Lunacy ; but the re-arrangement for the purpose has not yet been decided upon.

- (10.) Salaries of the Professional Staff, Railway Department :—*Mr. Day*, for *Mr. W. C. Browne*, asked the Secretary for Public Works,—Is it the intention of the Government to make provision for increasing the salaries of the Professional Staff Officers of the Railway Department, which was recommended by the Engineer-in-Chief for Railways and approved by the late Government ?

Mr. Lackey answered,—The matter will be taken into consideration by the Government before the next Estimates are prepared.

- (11.) Supply of Blankets :—*Mr. Day*, for *Mr. McElhone*, asked the Colonial Treasurer,—Does the Correspondence in reference to the supply of Blankets laid upon the Table of this House include the letter of date 26th of June of *Prince, Ogg and Co.*, and Treasurer's reply of 30th, and report of No. 40 Blankets of 31st of May, survey of which was held at *M'Donald, Smith and Co.'s* Stores by Messrs. *Wetherill and Shankland* ; if not, will he have these Papers printed with the others, viz., *Prince, Ogg and Co.'s* letter, and reply from Under Secretary to it, and Messrs. *Wetherill and Shankland's* report on the Blankets condemned ?

Mr. Watson answered,—All the Papers in connection with this case were laid upon the Table on the 26th June last, with the exception of a letter which was received on the day following.

- (12.) *Mr. Combes* and *Mr. Joubert* :—*Mr. Day*, for *Mr. McElhone*, asked the Colonial Secretary,—In reference to the cases of goods brought out by Messrs. *Combes and Joubert* with returned Exhibition goods,—Will he cause further inquiries to be made in reference to them, with a view of compelling the above persons to pay freight of them to the Government, if the freight on the cases has been paid by the Government ?

Sir Henry Parkes answered,—It is my intention to cause some further inquiries to be made in respect to this matter.

- (13.) Glebe Island Abattoirs :—*Mr. Day*, for *Mr. McElhone*, asked the Colonial Treasurer,—When will the Papers in reference to expenditure of money at Glebe Island Abattoirs be printed ?

Mr. Watson answered,—There is no record in the Treasury of any papers having been moved for in this matter. If the Honorable Member will explain what papers he requires, I shall lay them upon the Table.

- (14.) Bridge over the Namoi River at Manilla :—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Public Works,—Has, or will, any provision be made for the erection of a Bridge over the Namoi River at Manilla ?

Mr. Lackey answered,—This matter is now under consideration by the Government.

(15.) Telegraph Line from Quirindi to Gunnedah :—*Mr. J. Davies*, for *Mr. Dangar*, asked the Secretary for Public Works,—

- (1.) When will the direct telegraph wire from Quirindi, or Weris Creek, *via* Breeza to Gunnedah be completed?
- (2.) When will the Government give the Gunnedah and other people the advantages of this direct wire?

Mr. Lackey answered,—

- (1.) In about four weeks.
- (2.) When the line is completed.

(16.) Road from Coonabarabran to Gunnedah :—*Mr. J. Davis*, for *Mr. Dangar*, asked the Secretary for Mines,—

- (1.) What is the cause of Surveyor Goodwin, acting under instructions from the District Surveyor, not surveying and marking the road from Coonabarabran to Gunnedah, which is becoming necessary on account of the Railway opening to the latter place at a very short period?
- (2.) Is the Minister aware Parliament has voted money for this road, which cannot be properly expended until this survey is completed, and that the road should be opened so as to catch this season's wool clip?
- (3.) Has any progress been made in the survey; when will it be completed, and will the matter be expedited?
- (4.) Does Surveyor Goodwin hold any instructions from the District Surveyor, or others, delaying the survey of this road?

Mr. Baker answered,—

- (1.) I am not aware that the Surveyor has delayed the survey, but will cause inquiry to be made.
- (2.) Yes, I am aware money has been so voted.
- (3.) The District Surveyor reported in May last that Licensed Surveyor Goodwin would begin some time in June, and transmit plans in about six weeks; I have, therefore, no doubt that the survey is being carried out as expeditiously as the character of the work will allow; but inquiry shall be made as to when the survey will be completed.
- (4.) I am not aware of any instructions having been issued to delay survey.

(17.) John Neven's Conditional Purchase :—*Mr. Dillon* asked the Secretary for Lands,—

- (1.) Is he aware that the case of John Neven, who selected 120 acres of land on Messrs. Frazer and Anderson's run, near Inverell, on which it is asserted by the latter gentleman that improvements have been made, still remains uninquied into, notwithstanding that Neven received notice months ago that the case would be brought before an appraiser?
- (2.) Will the Minister cause an appraisement to be made at once?

Mr. Hoskins answered,—

- (1.) *Mr. Appraiser Walker* was instructed on the 22nd April last to appraise the value of the improvements on this land, but his award has not yet been received.
- (2.) *Mr. Walker's* attention has been specially called to the matter.

2. FURTHER ESTIMATE OF EXPENDITURE ON ACCOUNT OF PUBLIC SERVICES PROPOSED TO BE DEFRAYED OUT OF ACCUMULATED SURPLUS ON CONSOLIDATED REVENUE FUND :—The following Message from His Excellency the Lieutenant-Governor was delivered by *Mr. Watson*, and read by *Mr. Speaker* :—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 38.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the consideration of the Legislative Assembly the accompanying Further Estimate of the expenditure of the Government of New South Wales on account of Public Services to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund.

Government House,

Sydney, 3rd July, 1879.

Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.

3. WARATAH COUNCIL CHAMBERS RESUMPTION BILL (*Formal Order of the Day*),—on motion of *Mr. Hoskins*, read a third time, and *passed*.

Mr. Hoskins then moved, That the Title of the Bill be "*An Act to authorize the acquisition by Her Majesty of certain Buildings in the Borough of Waratah for the purposes of a Court-house.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to authorize the acquisition by Her Majesty of certain Buildings in the Borough of Waratah for the purposes of a Court-house,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 3rd July, 1879.

4. BURWOOD PARK (*Formal Motion*) :—*Mr. J. Davies*, for *Mr. Macintosh*, moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Correspondence, Minutes, Plans, or other Documents in reference to Burwood Park, and also in reference to the appointment of Trustees.

Question put and passed.

5. CIVIL SERVANTS AS DIRECTORS OF COMPANIES (*Formal Motion*):—Mr. Farnell moved, pursuant to Notice, That, in the opinion of this House, the Resolution passed on 17th June last, "That, in the opinion of this House, no person employed in the Civil Service should be allowed to act as a Director or Auditor of any Bank or Company, except the Civil Service Co-operative Society," be rescinded so far as it affects the Civil Service Building Society.
Question put and passed.
6. THE CIRCULAR QUAY:—Mr. Lackey laid upon the Table (*as Exhibits only*), Plans showing proposed improvements to the Circular Quay, Sydney Cove.
7. TOLLS AND FERRY DUES:—Mr. Lackey moved, pursuant to Notice (*as amended by consent*), That the Resolutions passed by this House on the 1st May and the 17th July, 1877, abolishing Tolls and Ferry Dues throughout the Colony, be rescinded.
Debate ensued.
Mr. Burns moved the Previous Question.
Debate continued.
Previous Question put,—That that Question be now put.
The House divided.

Ayes, 21.

Sir Henry Parkes,	Mr. Beyers,
Mr. Lackey,	Mr. Merriman,
Mr. F. B. Suttor,	Mr. Day,
Mr. Watson,	Mr. Stuart,
Mr. Baker,	Mr. Hoskins,
Mr. H. H. Brown,	Mr. Cameron,
Mr. Driver,	Mr. Eckford,
Mr. Lucas,	<i>Tellers.</i>
Mr. Hungerford,	
Mr. Charles,	Mr. Clarke,
Mr. Jacob,	Mr. Roseby.
Mr. Thompson,	

And so it was resolved in the affirmative.

Original Question put.
The House divided.

Ayes, 20.

Sir Henry Parkes,	Mr. Beyers,
Mr. Lackey,	Mr. Roseby,
Mr. F. B. Suttor,	Mr. Merriman,
Mr. Watson,	Mr. Clarke,
Mr. Baker,	Mr. Cameron,
Mr. H. H. Brown,	Mr. Hoskins,
Mr. Driver,	Mr. Stuart,
Mr. Hungerford,	<i>Tellers.</i>
Mr. Charles,	
Mr. Jacob,	Mr. Day,
Mr. Thompson,	Mr. Eckford.

And so it was resolved in the affirmative.

8. MACQUARIE-STREET LAND RESUMPTION BILL:—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

ALFRED STEPHEN,

*Lieutenant-Governor.**Message No. 39.*

In accordance with the 54th section of the Constitution Act, the Lieutenant-Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Bill to enable the Government to resume certain lands between Macquarie-street and the Outer Domain.

*Government House,**Sydney, 3rd July, 1879.*

Ordered to be printed and taken into consideration in Committee of the Whole.

9. PAPER:—Sir Henry Parkes laid upon the Table,—Return to an Address adopted on 18th June, 1879,—“Supply (*Condemned Criminals*).”
Ordered to be printed.
10. WATER SUPPLY FOR SYDNEY AND SUBURBS:—Mr. Hungerford presented a Petition from Mr. James Manning, praying the House to reject the proposal to go on with the Upper Nepean Waterworks Scheme, and cause the question of the Sydney Water Supply to be reconsidered.
Petition received.
11. POSTPONEMENTS:—The Orders of the Day of Government Business Nos. 1 and 2 postponed, to follow after Order No. 4.
12. SUPPLY:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.
The Chairman also reported that the Committee had come to certain Resolutions.
Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.
The Chairman then reported the Resolutions, which were read a first time, as follows:—

SUPPLEMENTARY ESTIMATES FOR 1878, AND PREVIOUS YEARS.

Services of 1876, and previous years.

- (11.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,650 14s. 4d., to defray supplementary charge under the head “Services of 1876, and previous years.”

Services

Services of 1877.

(12.) Resolved, that there be granted to Her Majesty, a sum not exceeding £28,034 9s. 2d., to defray supplementary charge under the head "Services of 1877."

Services of 1878.**No. II.—EXECUTIVE AND LEGISLATIVE.**

(13.) Resolved, that there be granted to Her Majesty, a sum not exceeding £50, to defray supplementary charge under the head "Parliamentary Library."

No. III.—COLONIAL SECRETARY.

(14.) Resolved, that there be granted to Her Majesty, a sum not exceeding £93 19s. 3d., to defray supplementary charge under the head "Works of Defence."

(15.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,800, to defray supplementary charge under the head "Police."

(16.) Resolved, that there be granted to Her Majesty, a sum not exceeding £266 13s. 4d., to defray supplementary charge under the head "Registrar General."

(17.) Resolved, that there be granted to Her Majesty, a sum not exceeding £150, to defray supplementary charge under the head "Auditor General."

(18.) Resolved, that there be granted to Her Majesty, a sum not exceeding £233 6s., to defray supplementary charge under the head "Agent General."

(19.) Resolved, that there be granted to Her Majesty, a sum not exceeding £30, to defray supplementary charge under the head "Industrial School for Girls, Biloela."

(20.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,111, to defray supplementary charge under the head "Asylums for the Infirm and Destitute."

(21.) Resolved, that there be granted to Her Majesty, a sum not exceeding £50, to defray supplementary charge under the head "Asylum for Imbeciles, Newcastle."

(22.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,000, to defray supplementary charge under the head "Erysipelas Hospital, Parramatta."

(23.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,817, to defray supplementary charge under the head "Charitable Allowances."

(24.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,654 18s. 10d., to defray supplementary charge under the head "Miscellaneous."

(25.) Resolved, that there be granted to Her Majesty, a sum not exceeding £75 14s. 8d., to defray supplementary charge under the head "Municipalities."

No. IV.—ADMINISTRATION OF JUSTICE.

(26.) Resolved, that there be granted to Her Majesty, a sum not exceeding £45 15s., to defray supplementary charge under the head "Department of Justice, &c."

(27.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,465, to defray supplementary charge under the head "Supreme and Circuit Courts."

(28.) Resolved, that there be granted to Her Majesty, a sum not exceeding £535, to defray supplementary charge under the head "District Court."

(29.) Resolved, that there be granted to Her Majesty, a sum not exceeding £100, to defray supplementary charge under the head "Coroners' Inquests."

(30.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,000, to defray supplementary charge under the head "Grants in aid of Public Institutions."

(31.) Resolved, that there be granted to Her Majesty, a sum not exceeding £634 10s., to defray supplementary charge under the head "Attorney General."

(32.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,070 19s. 3d., to defray supplementary charge under the head "Crown Solicitor."

No. V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

(33.) Resolved, that there be granted to Her Majesty, a sum not exceeding £270 11s. 8d., to defray supplementary charge under the head "Customs."

(34.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,814 15s. 10d., to defray supplementary charge under the head "Printing, Bookbinding, &c."

(35.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,000, to defray supplementary charge under the head "Stores and Stationery."

(36.) Resolved, that there be granted to Her Majesty, a sum not exceeding £302 3s. 1d., to defray supplementary charge under the head "Glebe Island Abattoirs."

(37.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,200, to defray supplementary charge under the head "Miscellaneous."

No. VI.—SECRETARY FOR LANDS.

(38.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,006 9s. 2d., to defray supplementary charge under the head "Department of Lands."

(39.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,500, to defray supplementary charge under the head "Conditional Land Sales."

(40.) Resolved, that there be granted to Her Majesty, a sum not exceeding £500, to defray supplementary charge under the head "Land Agents, Appraisers, and others."

(41.) Resolved, that there be granted to Her Majesty, a sum not exceeding £47 6s. 9d., to defray supplementary charge under the head "Imported Stock."

(42.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,647 4s. 9d., to defray supplementary charge under the head "Miscellaneous."

No. VII.—SECRETARY FOR MINES.

(43.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,000, to defray supplementary charge under the head "Miscellaneous."

No. VIII.

NO. VIII.—SECRETARY FOR PUBLIC WORKS.

- (44.) Resolved, that there be granted to Her Majesty, a sum not exceeding £38,320, to defray supplementary charge under the head "Colonial Architect—Public Works and Buildings."
 (45.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,815, to defray supplementary charge under the head "Roads and Bridges."
 (46.) Resolved, that there be granted to Her Majesty, a sum not exceeding £50, to defray supplementary charge under the head "Miscellaneous."

NO. VIII.—RAILWAYS.

- (47.) Resolved, that there be granted to Her Majesty, a sum not exceeding £604 16s. 8d., to defray supplementary charge under the head "Railways—Existing Lines."
 (48.) Resolved, that there be granted to Her Majesty, a sum not exceeding £433 8s. 4d., to defray supplementary charge under the head "Miscellaneous."

NO. IX.—POSTMASTER GENERAL.

- (49.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,300, to defray supplementary charge under the head "Post Office."

ESTIMATES OF EXPENDITURE—1879.

NO. I.—SCHEDULES.

- (50.) Resolved, That there be granted to Her Majesty, for the year 1879, a sum not exceeding £2,135, to defray Pensions not provided for by Schedule (B) to Schedule (No. 1) of the Act of the Imperial Parliament 18 and 19 Vic., cap. 54.

NO. II.—EXECUTIVE AND LEGISLATIVE.

- (51.) Resolved, that there be granted to Her Majesty, a sum not exceeding £928, to defray the salaries and contingencies of the Executive Council Establishment, for the year 1879.
 (52.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,103, to defray the salaries and contingencies of the Legislative Council Establishment, for the year 1879.
 (53.) Resolved, that there be granted to Her Majesty, a sum not exceeding £9,230, to defray the salaries and contingencies of the Legislative Assembly Establishment, for the year 1879.
 (54.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,985, to defray the salaries and contingencies of the Joint Establishment of the Legislative Council and Assembly, for the year 1879.
 (55.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,520, to defray the salaries and contingencies of the Parliamentary Library Establishment, for the year 1879.

NO. III.—COLONIAL SECRETARY.

- (56.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,971, to defray the salaries and contingencies of the Colonial Secretary's Establishment, for the year 1879.
 (57.) Resolved, that there be granted to Her Majesty, a sum not exceeding £77,691 for the maintenance of the Permanent and Volunteer Military Forces, for the year 1879.
 (58.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,815, to defray the expenses of the Naval Brigade, for the year 1879.
 (59.) Resolved, that there be granted to Her Majesty, a sum not exceeding £199,514, to defray the salaries and contingencies for the Police Service, for the year 1879.
 (60.) Resolved, that there be granted to Her Majesty, a sum not exceeding £76,994, to defray the salaries and contingencies for Prisons, for the year 1879.
 (61.) Resolved, that there be granted to Her Majesty, a sum not exceeding £68,416, to defray the salaries and contingencies of Lunatic Asylums, for the year 1879.
 (62.) Resolved, that there be granted to Her Majesty, a sum not exceeding £44, to defray the salary of the Clerk to the Medical Board, for the year 1879.
 (63.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,740, to defray the charge for payment to Medical Adviser, Surgeons to Public Institutions, Fees to Medical Officers, Country Districts, Fees to Vaccinators, and for attendance on Aborigines, for the year 1879.
 (64.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,795, to defray the salaries and contingencies of the Department of Audit, for the year 1879.
 (65.) Resolved, that there be granted to Her Majesty, a sum not exceeding £15,645, to defray the salaries and contingencies of the Registrar General's Establishment, for the year 1879.
 (66.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,000, to defray the salaries and contingencies for the Agent General for the Colony, for the year 1879.
 (67.) Resolved, that there be granted to Her Majesty, a sum not exceeding £76,076, for Immigration, for the year 1879.
 (68.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,987, to defray the salaries and contingencies for Industrial Schools, for the year 1879.
 (69.) Resolved, that there be granted to Her Majesty, a sum not exceeding, £379, to defray the salaries and contingencies for Biloela Reformatory for Girls, Parramatta River, for the year 1879.
 (70.) Resolved, That there be granted to Her Majesty, a sum not exceeding £104, to defray the expense of a Reformatory for Boys, for the year 1879.
 (71.) Resolved, that there be granted to Her Majesty, a sum not exceeding £650, to defray the salaries and contingencies for Charitable Institutions, for the year 1879.
 (72.) Resolved, that there be granted to Her Majesty, a sum not exceeding £19,430, to defray the salaries and contingencies for Asylums for the Infirm and Destitute, for the year 1879.
 (73.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,562, to defray the salaries and contingencies of the Erysipelas Hospital and Branch Asylum for the Infirm and Destitute, for the year 1879.

(74.) Resolved, that there be granted to Her Majesty, a sum not exceeding £63,221, for Charitable Allowances, for the year 1879.

(75.) Resolved, that there be granted to Her Majesty, a sum not exceeding £21,605, to defray Miscellaneous Services, for the year 1879.

NO. IV.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

(76.) Resolved, that there be granted to Her Majesty, a sum not exceeding £16,070, to defray salaries and contingencies of the Treasury Establishment, for the year 1879.

(77.) Resolved, that there be granted to Her Majesty, a sum not exceeding £49,276, to defray the salaries and contingencies of the Customs Establishment, for the year 1879.

(78.) Resolved, That there be granted to Her Majesty, a sum not exceeding £4,400, to defray the salaries and contingencies of the Colonial Distilleries and Refineries Establishment, for the year 1879.

(79.) Resolved, that there be granted to Her Majesty, a sum not exceeding £295, to defray the charge for Gold Receivers, for the year 1879.

(80.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,000, to defray the charge for Freight and Conveyance of Gold and Escorts, for the year 1879.

(81.) Resolved, that there be granted to Her Majesty, a sum not exceeding £40,171, to defray the salaries, wages, and contingencies for the Government Printer's Department, for the year 1879.

(82.) Resolved, that there be granted to Her Majesty, a sum not exceeding £86,761, to defray the salaries and contingencies of Stores and Stationery Establishment, for the year 1879.

(83.) Resolved, that there be granted to Her Majesty, a sum not exceeding £20,638, to defray the salaries and contingencies of the Ordnance and Barrack Department, for the year 1879.

(84.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,055, to defray the salaries and contingencies of the Health and Emigration Officers, for the year 1879.

(85.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,241, to defray the salaries and contingencies of the Quarantine Establishment, for the year 1879.

(86.) Resolved, that there be granted to Her Majesty, a sum not exceeding £100, to defray the salary of the Secretary to the Board of Pharmacy, for the year 1879.

(87.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,225, to defray the salaries and contingencies of the Shipping Master's Establishment, for the year 1879.

(88.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,795, to defray the salaries and contingencies of the Glebe Island Abattoir Establishment, for the year 1879.

(89.) Resolved, that there be granted to Her Majesty, a sum not exceeding £38,478, to defray the salaries and contingencies of the Marine Board of New South Wales, for the year 1879.

(90.) Resolved, that there be granted to Her Majesty, a sum not exceeding £700, to defray Gratuities to Coxswains and Crews of Lifeboats, for the year 1879.

(91.) Resolved, that there be granted to Her Majesty, a sum not exceeding £46,757, to defray Miscellaneous Services, for the year 1879.

(92.) Resolved, that there be granted to Her Majesty, a sum not exceeding £100,000, to enable the Treasurer to make Advances to Public Officers, and on account of other Governments, and to pay expenses of an unforeseen nature, which will afterwards be submitted for Parliamentary appropriation—the whole amount to be adjusted not later than the 31st December, 1880.

NO. V.—ADMINISTRATION OF JUSTICE AND PUBLIC INSTRUCTION.

(93.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,865, to defray the salaries and contingencies of the Department of Justice and Public Instruction, for the year 1879.

(94.) Resolved, that there be granted to Her Majesty, a sum not exceeding £924, to defray the salaries of the establishment of the Master in Equity, for the year 1879.

(95.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,559, to defray the salaries and contingencies of the Establishment of the Prothonotary, for the year 1879.

(96.) Resolved, that there be granted to Her Majesty, a sum not exceeding £16,612, to defray the salaries and contingencies of the Establishment of the Sheriff, for the year 1879.

(97.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,420, to defray the salaries of the Establishment of the Insolvency Court, for the year 1879.

(98.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,829, to defray the salaries and contingencies of the District Courts Establishments, for the year 1879.

(99.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,200, to defray the salaries and contingencies connected with Coroners' Inquests, for the year 1879.

(100.) Resolved, that there be granted to Her Majesty, a sum not exceeding £52,064, to defray the salaries and contingencies of Petty Sessions, for the year 1879.

(101.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,950, to defray the salaries and contingencies for the Observatory, for the year 1879.

(102.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,000, to defray the salaries and contingencies for the Museum, for the year 1879.

(103.) Resolved, that there be granted to Her Majesty, a sum not exceeding £349,197, for the support of Public Instruction, under the Act 30 Vict. No. 22, for the year 1879.

(104.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,500, to defray the charge to provide for the education for five years in the Grammar Schools of the Colony of ten boys to be selected from the Public Schools, and for the education in the University of five boys to be annually selected from the Grammar Schools.

(105.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,953, to defray the salaries and contingencies for the Free Public Library, for the year 1879.

(106.) Resolved, that there be granted to Her Majesty, a sum not exceeding £20,251, as Grants in aid of Public Institutions, for the year 1879.

(107.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,017, to defray Miscellaneous Services for the year 1879.

No. VI.—THE ATTORNEY GENERAL.

- (108.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,410, to defray the salaries and contingencies of the Establishment of the Attorney General, for the year 1879.
- (109.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,319, to defray the salaries and contingencies of the Establishment of the Parliamentary Draftsman, for the year 1879.
- (110.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,000, to defray the salary of the Master in Equity, for the year 1879.
- (111.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,995, to defray the salaries and contingencies of the Establishment of the Crown Solicitor, for the year 1879.
- (112.) Resolved, that there be granted to Her Majesty, a sum not exceeding £19,089, to defray the salaries and contingencies of the Quarter Sessions Establishment, for the year 1879.

No. VII.—SECRETARY FOR LANDS.

- (113.) Resolved, that there be granted to Her Majesty, a sum not exceeding £21,738, to defray the salaries and contingencies of the Department of Lands, for the year 1879.
- (114.) Resolved, that there be granted to Her Majesty, a sum not exceeding £32,400, to defray the salaries and contingencies for Conditional Land Sales Branch, for the year 1879.
- (115.) Resolved, that there be granted to Her Majesty, a sum not exceeding £18,675, to defray salaries and commission to Land Agents, Appraisers, and others, for the year 1879.
- (116.) Resolved, that there be granted to Her Majesty, a sum not exceeding £582, to defray the salaries and contingencies for Inspection of Oyster Beds, for the year 1879.
- (117.) Resolved, that there be granted to Her Majesty, a sum not exceeding £298,824, to defray the salaries and contingencies of the Establishment for the Survey of Lands, for the year 1879.
- (118.) Resolved, that there be granted to Her Majesty, a sum not exceeding £15,824, to defray the salaries and contingencies for Triangulation and General Survey of the Colony, for the year 1879.
- (119.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,230, to defray the salaries and contingencies of the Botanic Gardens Establishment, for the year 1879.
- (120.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,513, to defray the salaries and contingencies for Government Domains and Hyde Park, for the year 1879.
- (121.) Resolved, that there be granted to Her Majesty, a sum not exceeding £33,929, to defray Miscellaneous Services, for the year 1879.

No. VIII.—SECRETARY FOR PUBLIC WORKS.

- (122.) Resolved, that there be granted to her Majesty, a sum not exceeding £7,406, to defray the salaries and contingencies of the Department of Public Works, for the year 1879.
- (123.) Resolved, that there be granted to Her Majesty, a sum not exceeding £159,631, to defray the salaries, contingencies, &c., of the Establishments for Harbours and Rivers Navigation, for the year 1879.
- (124.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,403, to defray the salaries and contingencies of the Establishment of the Colonial Architect, for the year 1879.
- (125.) Resolved that there be granted to Her Majesty, a sum not exceeding £207,126, to defray the charge for Public Works and Buildings, for the year 1879.
- (126.) Resolved, that there be granted to Her Majesty, a sum not exceeding £21,300, to defray the charge for construction of Electric Telegraphs, for the year 1879.
- (127.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,025, to defray the salaries and contingencies for Roads and Bridges, General Establishment, for the year 1879.
- (128.) Resolved, that there be granted to Her Majesty, a sum not exceeding £16,878, to defray the salaries and contingencies for Roads and Bridges, Superintendents in Field, for the year 1879.
- (129.) Resolved, that there be granted to Her Majesty, a sum not exceeding £514,193, to defray the charge for construction and maintenance of Roads and Bridges, for the year 1879.
- (130.) Resolved, that there be granted to Her Majesty, a sum not exceeding £130, to defray Miscellaneous Services, for the year 1879.

No. VIII.—RAILWAYS.

- (131.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,210, to defray the salaries and contingencies for Railways—General Establishment—for the year 1879.
- (132.) Resolved, that there be granted to Her Majesty, a sum not exceeding £13,291, to defray the salaries and contingencies of the Engineering Establishment,—Works in Progress, for the year 1879.
- (133.) Resolved, that there be granted to Her Majesty, a sum not exceeding £575,598, to defray the salaries and contingencies for Existing Lines—Working Expenses, for the year 1879.
- (134.) Resolved, that there be granted to Her Majesty, a sum not exceeding £82,425 for Miscellaneous Services, for the year 1879.

No. IX.—THE POSTMASTER GENERAL.

- (135.) Resolved, that there be granted to Her Majesty, a sum not exceeding £255,892, to defray the salaries and contingencies of the Post Office Establishment, for the year 1879.
- (136.) Resolved, that there be granted to Her Majesty, a sum not exceeding £9,820, to defray the salaries and contingencies of the Money Order and Government Savings Bank Department, for the year 1879.
- (137.) Resolved, that there be granted to Her Majesty, a sum not exceeding £107,058, to defray the salaries and contingencies of the Electric Telegraph Establishment, for the year 1879.
- (138.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,500, for New Zealand Cable Subsidy, for the year 1879.

No. X.—SECRETARY FOR MINES.

- (139.) Resolved, that there be granted to Her Majesty, a sum not exceeding £30,054, to defray the salaries, contingencies, and miscellaneous services of the Department of Mines, for the year 1879.
- (140.)

- (140.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,334, to defray the salaries and contingencies of the Establishment of Minor Roads, for the year 1879.
- (141.) Resolved, that there be granted to Her Majesty, a sum not exceeding £23,895, to defray the salaries and contingencies of the Occupation of Lands Establishment, for the year 1879.
- (142.) Resolved, that there be granted to Her Majesty, a sum not exceeding £9,770, to defray the salaries and contingencies of the Establishment for Prevention of Scab in Sheep, for the year 1879.
- (143.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,049, to defray the salaries and contingencies of the Establishment for Quarantine of Imported Stock, for the year 1879.
- (144.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,150, to defray the salaries and contingencies of the Establishment for the Registration of Brands, for the year 1879.
- (145.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, to defray the cost for the erection of Public Pounds, for the year 1879.

ESTIMATE ON ACCOUNT OF PUBLIC WORKS.

No. XI.—ACCUMULATED SURPLUS.

- (146.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,210,000, being for expenditure on account of Public Works and other services to be defrayed out of the accumulated surplus on the Consolidated Revenue Fund.

FURTHER SUPPLEMENTARY ESTIMATE FOR 1878 AND PREVIOUS YEARS.

Services of 1876 and Previous Years.

- (147.) Resolved, that there be granted to Her Majesty, a sum not exceeding £788 8s. 2d., to defray supplementary charge under the head "Services of 1876 and previous years."

Services of 1877.

- (148.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,329 9s. 4d., to defray supplementary charge under the head "Services of 1877."

Services of 1878.

No. III.—COLONIAL SECRETARY.

- (149.) Resolved, that there be granted to Her Majesty, a sum not exceeding £454 8s. 1d., to defray supplementary charge under the head "Erysipelas Hospital, Parramatta."
- (150.) Resolved, that there be granted to Her Majesty, a sum not exceeding £818 10s. 4d., to defray supplementary charge under the head "Asylums for the Infirm and Destitute."
- (151.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,284 6s. 8d., to defray supplementary charge under the head "Charitable Allowances."
- (152.) Resolved, that there be granted to Her Majesty, a sum not exceeding £460 1s. 8d., to defray supplementary charge under the head "Miscellaneous Services."

No. IV.—ADMINISTRATION OF JUSTICE.

- (153.) Resolved, that there be granted to Her Majesty, a sum not exceeding £35, to defray supplementary charge under the head "Coroner's Inquests."
- (154.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, to defray supplementary charge under the head "Petty Sessions."
- (155.) Resolved, that there be granted to Her Majesty, a sum not exceeding £30, to defray supplementary charge under the head "Grants in aid of Public Institutions."
- (156.) Resolved, that there be granted to Her Majesty, a sum not exceeding £348 12s. 6d., to defray supplementary charge under the head "Miscellaneous."
- (157.) Resolved, that there be granted to Her Majesty, a sum not exceeding £41 19s. 8d., to defray supplementary charge under the head "Attorney General."
- (158.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,056 17s. 11d., to defray supplementary charge under the head "Quarter Sessions."

No. V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

- (159.) Resolved, that there be granted to Her Majesty, a sum not exceeding £102 0s. 3d., to defray supplementary charge under the head "Customs."
- (160.) Resolved, that there be granted to Her Majesty, a sum not exceeding £440 18s., to defray supplementary charge under the head "Glebe Island Abattoir."
- (161.) Resolved, that there be granted to Her Majesty, a sum not exceeding £609 19s. 4d., to defray supplementary charge under the head "Marine Board."
- (162.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,379 6s., to defray supplementary charge under the head "Miscellaneous Services."

No. VI.—SECRETARY FOR LANDS.

- (163.) Resolved, that there be granted to Her Majesty, a sum not exceeding £340 17s. 1d., to defray supplementary charge under the head "Department of Lands."
- (164.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5 14s., to defray supplementary charge under the head "Miscellaneous Services."
- (165.) Resolved, that there be granted to Her Majesty, a sum not exceeding £629 5s. 4d., to defray supplementary charge under the head "Imported Stock."

No. VIII.—SECRETARY FOR PUBLIC WORKS.

- (166.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,133 7s. 1d., to defray supplementary charge under the head "Harbours and Rivers Navigation."
- (167.) Resolved, that there be granted to Her Majesty, a sum not exceeding £172 18s. 3d., to defray supplementary charge under the head "Colonial Architect."
- (168.)

- (168.) Resolved, that there be granted to Her Majesty, a sum not exceeding £119 10s. 11d., to defray supplementary charge under the head "Public Works and Buildings."
 (169.) Resolved, that there be granted to Her Majesty, a sum not exceeding £942 16s. 2d., to defray supplementary charge under the head "Roads and Bridges."
 (170.) Resolved, that there be granted to Her Majesty, a sum not exceeding £24,409 8s. 3d., to defray supplementary charge under the head "Railways."

No. IX.—POSTMASTER GENERAL.

- (171.) Resolved that there be granted to Her Majesty, a sum not exceeding £4,500, to defray supplementary charge under the head "Electric Telegraph Department."

ADDITIONAL ESTIMATES FOR 1879.

No. II.—EXECUTIVE AND LEGISLATIVE.

- (172.) Resolved, that there be granted to Her Majesty, a sum not exceeding £158, to defray additional charge under the head "His Excellency the Governor."
 (173.) Resolved, that there be granted to Her Majesty, a sum not exceeding £15, to defray additional charge under the head "Legislative Council and Assembly."

No. III.—COLONIAL SECRETARY.

- (174.) Resolved, that there be granted to Her Majesty, a sum not exceeding £550, to defray additional charge under the head "Volunteers."
 (175.) Resolved, that there be granted to Her Majesty, a sum not exceeding £150, to defray additional charge under the head "Auditor General."
 (176.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,425, to defray additional charge under the head "Charitable Allowances."
 (177.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,548, to defray additional charge under the head "Miscellaneous."

No. V.—THE MINISTER FOR JUSTICE.

- (178.) Resolved, that there be granted to Her Majesty, a sum not exceeding £100, to defray additional charge under the head "Prothonotary."
 (179.) Resolved, that there be granted to Her Majesty, a sum not exceeding £60, to defray additional charge under the head "Sheriff."
 (180.) Resolved, that there be granted to Her Majesty, a sum not exceeding £15, to defray additional charge under the head "District Courts."
 (181.) Resolved, that there be granted to Her Majesty, a sum not exceeding £632, to defray additional charge under the head "Petty Sessions."
 (182.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,560, to defray additional charge under the head "Grants in aid of Public Institutions."
 (183.) Resolved, that there be granted to Her Majesty, a sum not exceeding £85, to defray additional charge under the head "Miscellaneous."

VI.—THE ATTORNEY GENERAL.

- (184.) Resolved, that there be granted to Her Majesty, a sum not exceeding £200, to defray additional charge under the head "The Attorney General."

No. VII.—SECRETARY FOR LANDS.

- (185.) Resolved, that there be granted to Her Majesty, a sum not exceeding £150, to defray additional charge under the head "Survey of Lands."
 (186.) Resolved, that there be granted to Her Majesty, a sum not exceeding £750, to defray additional charge under the head "Botanic Gardens."
 (187.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,529, to defray additional charge under the head "Miscellaneous Services."

No. VIII.—SECRETARY FOR PUBLIC WORKS.

- (188.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, to defray additional charge under the head "Harbours and Rivers—Engineer's Department."
 (189.) Resolved, that there be granted to Her Majesty, a sum not exceeding £14,800, to defray additional charge under the head "Public Works."
 (190.) Resolved, that there be granted to Her Majesty, a sum not exceeding £49,616, to defray additional charge under the head "Public Works."
 (191.) Resolved, that there be granted to Her Majesty, a sum not exceeding £29,394, to defray additional charge under the head "Roads and Bridges generally."
 (192.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, to defray additional charge under the head "Miscellaneous."

No. VIII.—RAILWAYS.

- (193.) Resolved, that there be granted to Her Majesty, a sum not exceeding £500, to defray additional charge under the head "Railways."

No. IX.—POSTMASTER GENERAL.

- (194.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,900, to defray additional charge under the head "Post Office."
 (195.) Resolved, that there be granted to Her Majesty, a sum not exceeding £688, to defray additional charge under the head "Telegraph Department."

No. X.—SECRETARY FOR MINES.

- (196.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,528, to defray additional charge under the head "Department of Mines."
 (197.)

(197.) Resolved, that there be granted to Her Majesty, a sum not exceeding £38, to defray additional charge under the head "Minor Roads."

(198.) Resolved, that there be granted to Her Majesty, a sum not exceeding £525, to defray additional charge under the head "Occupation of Lands."

(199.) Resolved, that there be granted to Her Majesty, a sum not exceeding £327, to defray additional charge under the head "Miscellaneous."

FURTHER ESTIMATE ON ACCOUNT OF PUBLIC WORKS.

No. XI.—ACCUMULATED SURPLUS.

(200.) Resolved, that there be granted to Her Majesty, a sum not exceeding £175,338 4s. 5d. being for additional expenditure on account of Public Works and other services, to be defrayed out of the accumulated surplus on the Consolidated Revenue Fund.

FURTHER ESTIMATE.

No. XI.—ACCUMULATED SURPLUS.

(201.) Resolved, that there be granted to Her Majesty, a further sum not exceeding £75,000, towards meeting the expenses connected with the International Exhibition to be held in Sydney in 1879.

FURTHER ESTIMATE.

No. XI.—ACCUMULATED SURPLUS.

(202.) Resolved, that there be granted to Her Majesty, a sum not exceeding £34,000, to defray special grants to Country and Suburban Municipalities equal to half the rates in each case for the Municipal year ending 4th February, 1879, (which, with previous Vote for this Service, will make the Government contribution equal to full rates.)

On motion of Mr. Watson, the Resolutions were read a second time, and agreed to.

13. **WAYS AND MEANS:**—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to certain Resolutions:—

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolutions, which were read a first time, as follows:—

(11.) *Resolved*,—That, towards making good the Supply granted to Her Majesty for the Service of the year 1879, the sum of £5,742,787 4s. 5d. be granted out of the Consolidated Revenue Fund of New South Wales.

(12.) *Resolved*,—That, towards making good the Supply granted to Her Majesty for the Supplementary Service of the year 1878 and previous years, the sum of £180,414 10s. 8d. be granted out of the Consolidated Revenue Fund of New South Wales.

On motion of Mr. Watson, the Resolutions were read a second time, and agreed to.

14. **APPROPRIATION BILL:**—Ordered, on motion of Mr. Watson, that a Bill be brought in, founded on Resolutions of Ways and Means Nos. 11 and 12, to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the Service of the year 1879, and for the year 1878 and previous years.

15. **METROPOLITAN GUARANTEED LOAN BILL:**—

(1.) The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the expediency of bringing in a Bill to enable the Municipal Council of the City of Sydney to borrow a sum not exceeding £75,000 by the issue of Guaranteed Debentures.

Mr. Speaker resumed the Chair; and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to enable the Municipal Council of the City of Sydney to borrow a sum not exceeding £75,000 by the issue of Guaranteed Debentures.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

(2.) Sir Henry Parkes presented a Bill, intituled "*A Bill to enable the Municipal Council of the City of Sydney to borrow a Sum not exceeding Seventy-five Thousand Pounds by the issue of Guaranteed Debentures*,"—which was read a first time.

Ordered to be printed, and read a second time on Tuesday next.

16. **SYDNEY INTERNATIONAL EXHIBITION BILL:**—

(1.) The Order of the Day having been read,—Mr. Watson moved, That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the disposal of Entrance Fees and other Moneys received by the International Exhibition Commissioners, and for Expenses connected with the Exhibition Buildings and the management of the Exhibition; and that the Message of His Excellency the Lieutenant-Governor in reference thereto be referred to the Committee.

Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

Mr.

Mr. Speaker resumed the Chair, and the Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be *now* received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

Resolved,—That it is expedient to bring in a Bill to provide for the disposal of Entrance Fees and other moneys received by the International Exhibition Commissioners, and for expenses connected with the Exhibition Buildings and the management of the Exhibition.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

- (2.) Mr. Watson presented a Bill, intituled "*A Bill to provide for the disposal of Entrance Fees and other Moneys received by the International Exhibition Commissioners and for Expenses connected with the Exhibition Buildings and the management of the Exhibition*,"—which was read a first time. Ordered to be printed, and read a second time on Tuesday next.

17. **POSTPONEMENTS**:—The Orders of the Day of Government Business Nos. 5 to 9 inclusive postponed, to follow after Order No. 12.

18. **MACQUARIE-STREET LAND RESUMPTION BILL**:—The Order of the Day having been read,—Sir Henry Parkes moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

On motion of Sir Henry Parkes (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

19. **POSTPONEMENTS**:—The following Orders of the Day of Government Business postponed:—
Nos. 5, 6, 8, 9, and 12;—*until Tuesday next*.
No. 7;—*to follow after Order No. 13*.

20. **DUTY ON GOLD ABOLITION BILL**:—The Order of the Day having been read,—Mr. Baker moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Baker, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with an amendment.

On motion of Mr. Baker (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

21. **ISLANDERS SHIPPING ENGAGEMENT BILL**:—The Order of the Day having been read,—Mr. Windeyer moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

On motion of Mr. Windeyer (*with the concurrence of the House*), the report was adopted.

Ordered, that the Bill be read a third time on Tuesday next.

The House adjourned at five minutes before Eleven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 148.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 4 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

SYDNEY CORPORATION BILL:—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker:—

ALFRED STEPHEN,

Message No. 40.

Lieutenant-Governor.

A Bill, intituled "*An Act to consolidate and amend the Laws relating to the Corporation of the City of Sydney*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 4th July, 1879.

2. QUESTIONS:—

(1.) Police Barracks at East Maitland:—*Mr. McElhone*, for Mr. Badgery, asked the Colonial Secretary,—

(1.) Has a sum of money been voted for Police Barracks at East Maitland, and what sum?

(2.) When will they be commenced?

Sir Henry Parkes answered,—

(1.) No special vote has been taken for this work, but £1,200 is appropriated for it out of the General Vote for Police Buildings.

(2.) Plans will be prepared and the work commenced when the money is available.

(2.) The Volunteer Forces:—*Mr. Roseby*, for Mr. Moses, asked the Colonial Secretary,—

(1.) Why was the old Volunteer Force not called out on the occasion of the Review in honor of Her Majesty's Birthday on the 24th May last?

(2.) The number of parades and drills attended by the Lieutenant-Colonels and Majors commanding the New South Wales Artillery and Infantry since the inauguration of these Forces, and the amounts paid to each of the above officers during such period?

Sir Henry Parkes answered,—

(1.) Because the old Volunteer Force has neither arms nor accoutrements, the majority of Corps being, in point of numbers, mere skeletons, without officers either to assume charge and control or to be responsible for Government property.

(2.) The Lieutenant-Colonels commanding Volunteer Artillery, 1st and 2nd Regiments Volunteer Infantry, have attended parades and drills occupying twelve half and six whole days, and the amount paid or due to each is £123 15s. 2d. The Major commanding 3rd Regiment Volunteer Infantry has attended parades and drills occupying nine half and six whole days, and the amount paid or due to him is £74 8s. 10d. The Major commanding Northern District has attended parades and drills occupying eight half and six whole days, and the amount due to him is £73 8s., which has not yet been paid, owing to no application having been made or returns rendered for it. The Major commanding Torpedo and Signalling Corps has attended parades and drills occupying fifteen half and six whole days, and the amount paid or due to him is £100. These sums include pay for past quarter, which has not yet been issued. A portion of these amounts also include pay for efficiency for 1878. The greater portion of the work done by Commanding Officers, viz., daily attendance at office duty, is not shown here, nor the days occupied in visiting Corps in country districts.

(3.)

- (3.) Public Tanks in Gwydir Electorate:—*Mr. McElhone*, for Mr. Dangar, asked the Secretary for Public Works,—When will the Correspondence relating to Public Tanks in the Gwydir Electorate be laid upon the Table of this House, as ordered?
 Mr. Lackey answered,—As soon as the copying of this Correspondence has been completed it will be laid upon the Table.
- (4.) William Davis's Conditional Purchase at Cullengoin:—Mr. Cohen asked the Secretary for Lands,—
 (1.) Is it a fact that the Papers in connection with William Davis's selection at Cullengoin, selected at Dubbo on 8th May, 1873, have been lost at the Lands Department, Sydney?
 (2.) Will he cause the grant of the said land to be prepared without further delay?
 Mr. Hoskins answered,—
 (1.) It is not the fact that the Papers referred to have been lost in the Lands Department.
 (2.) The deed of grant has been prepared, and is in course of issue. The Solicitors of the applicant were officially advised of the state of the matter on the 20th ultimo.
- (5.) Special Mining Leases:—*Mr. Beyers*, for Mr. McCulloch, asked the Secretary for Mines,—
 (1.) Is there any objection existing at present to prevent the issue of Special Leases?
 (2.) If not, will the Minister at once cause all such leases applied for to be issued?
 Mr. Baker answered,—
 (1.) There is no objection at the present time to the issue of Special Leases.
 (2.) There are several applications for Special Leases now under consideration.
- (6.) Denis Casey's Application for a Lease at Flying Fox Island:—Mr. Jacob asked the Secretary for Mines,—
 (1.) Has any determination been arrived at regarding Denis Casey's application, by his letter of date so far back as 7th August of last year, for a lease at Flying Fox Island; and if there has, what is it?
 (2.) If no determination has been yet come to, when is it likely that the applicant will be apprised of the result of his application?
 Mr. Baker answered,—
 (1.) No determination has yet been arrived at.
 (2.) The application has been referred to the District Surveyor for report. When that report is received the application will be considered. The District Surveyor will be asked to expedite his report.
- (7.) Court-house at Branxton:—*Mr. Cohen*, for Mr. Burns, asked the Secretary for Public Works,—When will tenders be invited for the erection of the Court-house at Branxton?
 Mr. Lackey answered,—Tenders will be invited for erection of this building in the next issue of the *Government Gazette*.
- (8.) Court-house and Lock-up at Jerry's Plains:—Mr. W. C. Browne asked the Secretary for Public Works,—When will tenders be called for the erection of a Court-house and Lock-up at Jerry's Plains?
 Mr. Lackey answered,—Plans for this building have been submitted, and they are, together with the question as to site, at present under consideration by the Government.
- (9.) Post and Telegraph Office at Sofala:—*Mr. Cohen*, for Mr. W. H. Suttor, asked the Secretary for Public Works,—Why the sum of £950 for Post and Telegraph Office at Sofala has not been placed on the Additional Estimates, as promised by the Minister in answer to Mr. Suttor's question asked on 18th March last?
 Mr. Lackey answered,—I find that a promise was given that this work would be carried out. The Honorable Member for the Western Gold Fields also received an intimation to that effect. By an error, however, the sum required was omitted from the Estimates. The work will be undertaken without delay, and the cost charged to the Vote for Public Buildings generally.
3. APPROPRIATION BILL:—Mr. Watson presented a Bill, intituled "*A Bill to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1879 and for the year 1878 and previous years*,"—which was read a first time.
 Ordered to be printed, and read a second time on Tuesday next.
4. PAPERS:—
 Mr. Watson laid upon the Table,—Progress Report, with Minutes of Evidence, of the Board appointed to inquire into and report upon the condition and management of the Public Abattoir, Glebe Island.
 Ordered to be printed.
 Mr. F. B. Suttor laid upon the Table,—Return to an Order made on the 4th March, 1879,—“Public Schools at Balmain.”
 Ordered to be printed.
5. PILOT STEAMER “CAPTAIN COOK”:—Mr. Cameron, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee, for whose consideration and report this subject was referred on 22nd October, 1878; together with Appendix.
 Ordered to be printed.
6. INQUESTS IN THE MAITLAND DISTRICT (*Formal Motion*):—*Mr. McElhone*, for Mr. Badgery, moved, pursuant to Notice, That there be laid upon the Table of this House copies of any Correspondence, not already published, in the matter of holding unnecessary Inquests in the Maitland District.
 Question put and passed.

7. OYSTER BEDS AT THE MANNING AND SHOALHAVEN RIVERS (*Formal Motion*):—Mr. W. C. Browne moved, pursuant to Notice, That there be laid upon the Table of this House copies of all further Correspondence relating to the Oyster Beds at the Manning and Shoalhaven Rivers.
Question put and passed.
8. POSTPONEMENT:—The Order of the Day for the second reading of the Equity Bill postponed until Friday next.
9. GOVERNOR'S SIGNATURE BILL (No. 2):—The Order of the Day having been read,—and Captain Onslow proceeding to move the second reading of this Bill,—
Notice was taken that there was not a Quorum present.
Mr. Speaker counted the House, and there being only seventeen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Beyers, Mr. W. C. Browne, Mr. Cameron, Mr. Charles, Mr. Day, Mr. Farnell, Mr. Fitzpatrick, Mr. Greenwood, Mr. Hoskins, Mr. Jacob, Mr. Lackey, Captain Onslow, Sir Henry Parkes, Mr. F. B. Suttor, Mr. Watson, and Mr. Windeyer,—
Mr. Speaker adjourned the House at Five o'clock, until Tuesday next at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 149.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 8 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Oyster-beds at the Manning and Shoalhaven Rivers:—Mr. W. C. Browne asked the Secretary for Lands,—What action (if any) does he intend to take upon the Report of the Inspector of Oyster Fisheries having reference to the Oyster-beds at the Manning and Shoalhaven Rivers?

Mr. Hoskins answered,—The matter will receive early consideration during the Parliamentary Recess.

- (2.) Immigration:—Mr. Hungerford, for Mr. Hurley (*Hartley*), asked the Colonial Secretary,—The number of Immigrants that arrived by the last vessel from England, and how many are classed as Protestants, and how many as Roman Catholics?

Sir Henry Parkes answered,—Number of Immigrants who arrived by the last vessel (the "Samuel Plimsoll") from England was 456. Protestants, 167 adults, 103 children = 270; Roman Catholics, 122 adults, 14 children = 136; Immigrants remaining at the Quarantine Station, whose religion is not at present known, 32 adults, 18 children = 50. Total, 456.

2. MACQUARIE-STREET LAND RESUMPTION BILL (*Formal Order of the Day*),—on motion of Sir Henry Parkes, read a third time, and *passed*.

Sir Henry Parkes then moved, That the Title of the Bill be "*An Act to enable the Government to resume certain Lands between Macquarie-street and the Outer Domain.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to enable the Government to resume certain Lands between Macquarie-street and the Outer Domain,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 8th July, 1879.

3. DUTY ON GOLD ABOLITION BILL (*Formal Order of the Day*),—on motion of Mr. Baker, read a third time, and *passed*.

Mr. Baker then moved, That the Title of the Bill be "*An Act for the abolition of the Duty on Gold.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act for the abolition of the duty on Gold,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 8th July, 1879.

4. ISLANDERS SHIPPING ENGAGEMENT BILL (*Formal Order of the Day*),—on motion of Mr. Windeyer, read a third time, and *passed*.

Mr. Windeyer then moved, That the Title of the Bill be "*An Act to protect the Aboriginal Natives of the Islands of the Pacific Ocean from imposition when engaging as Seamen.*"

Question put and passed.

Ordered, that the Bill be returned to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Bill, returned herewith, intituled "*An Act to protect the Aboriginal Natives of the Islands of the Pacific Ocean from imposition when engaging as Seamen,*"—with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly Chamber,

Sydney, 8th July, 1879.

ISLANDERS

ISLANDERS SHIPPING ENGAGEMENT BILL.

SCHEDULE of the Amendments referred to in Message of 8th July, 1879.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

Page 1, preamble, line 1.	Omit "it is believed that"
" " line 4.	Omit "when being engaged" insert "in their engagements"
" " line 5.	Omit "some measure of"
" " lines 6 and 7.	Omit "upon their entering into any such engagements"
" clause 1, line 12.	Omit "1878"
" " 2, line 15.	Omit "enter into any agreement with or to"
" " line 18.	Omit "agreement or"
Page 2, " line 1.	Omit "Provided that" insert "and"
" " line 1.	After "no" omit "such"
" " line 2.	After "Colony" omit "and"
" " line 3.	Omit "at a Shipping or Consular Office and"
" " line 4.	Omit "as"
" clause 4, line 32.	Omit "hire or"
" " line 33.	Omit "within the meaning of this Act"
" " line 34.	Omit "the second section hercof" insert "either of the preceding sections"
" clause 4, line 36.	Omit "shall and"
" " line 37.	Omit "said"
" " line 38.	Omit "therein"
" " line 39.	Omit "no"
" " line 39.	Omit "after six calendar" insert "within either six"
" " line 40.	Omit "hiring"
" " At end of clause	add "or within six months from the time of such master's return to the Colony"
" clause 5, line 43.	Omit "who are"
" " line 43.	Omit "of New South Wales"
" " line 46.	Omit "said"
Page 3, Schedule, line 9.	Omit "1878"
" " line 19.	Omit "vessels respectively" insert "vessel"
" " line 23.	Omit "are" insert "is"
" " line 23.	Omit "masters" insert "master"
" " line 25.	Omit "and"
" " line 25.	Omit "and on the part of"
" " line 26.	Omit "or either of the abovenamed ships"
" " line 27.	Omit "and signed the articles thereof respectively"
" " line 29.	After "Wales" insert "to"
" " line 30.	Omit "further"
" " line 35.	Omit "duly honestly and faithfully"
" " line 36.	Omit "and agree"
" " lines 36 and 37.	Omit "compensation or"

Examined,—

ANGUS CAMERON,
Chairman of Committees.

5. HOUSE-RENT TO DENOMINATIONAL SCHOOL TEACHERS :—Mr. Stuart moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
- (1.) That, in the opinion of this House, any allowances in lieu of house-rent which are made by the Council of Education to Teachers in the Public Schools should be extended to Teachers in Certified Denominational Schools.
- (2.) That the foregoing Resolution be communicated by Address to His Excellency the Lieutenant-Governor.
- Debate ensued.

And it being Seven o'clock, Government Business was proceeded with.

6. METROPOLITAN GUARANTEED LOAN BILL :—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker :—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 41.

In accordance with the 54th clause of the Constitution Act, the Lieutenant-Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the necessary expenses in connection with the Bill to enable the Municipal Council of the City of Sydney to borrow a sum not exceeding seventy-five thousand pounds, by the issue of Guaranteed Debentures.

Government House,
Sydney, 8th July, 1879.

Ordered to be printed, and referred to the Committee of the Whole on the Bill.

7. POSTPONEMENTS :—The Orders of the Day of Government Business Nos. 1 to 4 and 6 to 10 postponed, to follow after Order No. 13.

8. **APPROPRIATION BILL**:—The Order of the Day having been read,—Mr. Watson moved, That this Bill be now read a second time.
 Debate ensued.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported the Bill with an amendment.
 On motion of Mr. Watson (*with the concurrence of the House*), the report was adopted.
 Ordered, that the Bill be read a third time to-morrow.
9. **POSTPONEMENTS**:—The Orders of the Day of Government Business Nos. 1 and 2 further postponed until to-morrow.
10. **METROPOLITAN GUARANTEED LOAN BILL**:—The Order of the Day having been read,—Sir Henry Parkes moved, That this Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 On motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.
 On motion of Sir Henry Parkes (*with the concurrence of the House*), the report was adopted.
 Ordered, that the Bill be read a third time to-morrow.
11. **SYDNEY INTERNATIONAL EXHIBITION BILL**:—The Order of the day having been read,—Mr. Watson moved, That this Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported the Bill without amendment.
 On motion of Mr. Watson, the report was adopted.
 Ordered, that the Bill be read a third time to-morrow.

The House adjourned at seventeen minutes before Twelve o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 150.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 9 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Money Order Office, Parramatta:—Mr. Taylor asked the Colonial Secretary,—
 (1.) What reserve is the Postmaster at Parramatta allowed for carrying on the Money Order and Savings Bank business?
 (2.) Is the Colonial Secretary aware that a Money Order was presented for payment at the Parramatta Post Office and that payment was refused—the reason assigned by the Assistant (Mrs. Dee) being that she was short of funds?
 (3.) Will he cause such inquiry to be made as will in the future remedy such inconvenience to the public?

Sir Henry Parkes answered,—

- (1.) Fifty pounds (£50); but when advised to pay Orders exceeding that amount he is allowed to retain a sufficient sum to pay such Orders.
 (2.) No. No complaint has been received at the Money Order Office that payment of a Money Order was refused at Parramatta for want of sufficient funds.
 (3.) If any specific complaint is made it will be inquired into.
 (2.) Post and Telegraph Office, Gulgong:—Mr. Buchanan asked the Secretary for Public Works,—
 Will he say why the new Telegraph and Post Office at Gulgong has not been opened long ere this, and also when it is the intention of the Government to open it?
 Mr. Lackey answered,—The new Office at Gulgong was opened on the 3rd instant. Some little delay occurred in the time taken in the preparation of the necessary fittings.
 (3.) Mails to Post Office, Quipolly:—Mr. Bennett asked the Colonial Secretary,—
 (1.) When were tenders invited for carrying the mails from and to the Post Office and Platform, Quipolly, Great Northern Railway?
 (2.) What is the name or names of the person or persons who tendered for such work, and amount of such tenders separately?
 (3.) Was the lowest or the highest tender accepted?

Sir Henry Parkes answered,—

- (1.) Tenders were invited in May last, and opened on the 4th of June.
 (2.) William Wheeler, £24 per annum; Neil John Devine, £26 per annum; and Frederick Burden, £31 10s. per annum.
 (3.) The lowest.
 (4.) Cook's Statue:—Mr. J. Davies asked the Colonial Secretary,—Is it the intention of the Government to provide for the erection of a Dwarf Wall and Iron Railing round Cook's Statue?

Sir Henry Parkes answered,—There is no decision upon which I can say any intention of the Government is founded; but the matter has been talked of, and strong objections were raised, from an art point of view, to any railing round the pedestal; but the matter shall receive some further consideration.

2. PAPER:—Mr. Windeyer laid upon the Table,—Return to an Address adopted on 17th June, 1879,—
 "District Courts and Quarter Sessions, Brewarrina."
 Ordered to be printed.

3. MR. ANDREW McDougall:—Mr. W. C. Browne presented a Petition from Andrew McDougall, of Kelso Place, Singleton, alleging that in the year 1823 he was promised by His Excellency Sir Thomas Brisbane a grant of land of two thousand acres, on certain conditions, and that he received only one thousand acres; and praying the House to take the matter into consideration, with a view to relief.

Petition received.

4. APPROPRIATION BILL (*Formal Order of the Day*),—on motion of Mr. Watson, read a third time, and *passed*.

Mr. Watson then moved, That the Title of the Bill be "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1879 and for the year 1878 and previous years.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1879 and for the year 1878 and previous years,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 9th July, 1879.*

5. METROPOLITAN GUARANTEED LOAN BILL (*Formal Order of the Day*),—on motion of Sir Henry Parkes, read a third time, and *passed*.

Sir Henry Parkes then moved, That the Title of the Bill be "*An Act to enable the Municipal Council of the City of Sydney to borrow a sum not exceeding Seventy-five Thousand Pounds by the issue of Guaranteed Debentures.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to enable the Municipal Council of the City of Sydney to borrow a sum not exceeding Seventy-five Thousand Pounds by the issue of Guaranteed Debentures,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 9th July, 1879.*

6. SYDNEY INTERNATIONAL EXHIBITION BILL (*Formal Order of the Day*),—on motion of Mr. Watson, read a third time, and *passed*.

Mr. Watson then moved, That the Title of the Bill be "*An Act to provide for the disposal of Entrance Fees and other moneys received by the International Exhibition Commissioners and for expenses connected with the Exhibition Buildings and the management of the Exhibition.*"

Question put and passed.

Ordered, that the Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to provide for the disposal of Entrance Fees and other moneys received by the International Exhibition Commissioners and for expenses connected with the Exhibition Buildings and the management of the Exhibition,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 9th July, 1879.*

7. LOAN ESTIMATE FOR 1879:—The following Message from His Excellency the Lieutenant-Governor was delivered by Mr. Watson, and read by Mr. Speaker:—

ALFRED STEPHEN,
Lieutenant-Governor.

Message No. 42.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the consideration of the Legislative Assembly the accompanying Loan Estimate of the Government of New South Wales for the year 1879.

*Government House,
Sydney, 9th July, 1879.*

Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.

8. POSTPONEMENTS:—The Orders of the Day of Government Business Nos. 2 and 3 postponed until to-morrow.

9. FOREIGN CRIMINALS INFLUX PREVENTION BILL:—The Order of the Day having been read,—Sir Henry Parkes moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 22.

Sir Henry Parkes,	Mr. Clarke,
Mr. Windeyer,	Mr. Burns,
Mr. Watson,	Mr. Beyers,
Mr. F. B. Suttor,	Mr. Bennett,
Mr. Lackey,	Mr. McElhone,
Mr. Baker,	Mr. Macintosh,
Mr. Hoskins,	Mr. Wisdom,
Mr. O'Connor,	Mr. Cameron,
Mr. Dillon,	
Mr. Garrett,	<i>Tellers.</i>
Mr. Roseby,	Mr. McCulloch,
Mr. J. Davies,	Mr. Shepherd.

Noes, 6.

Mr. Fitzpatrick,
Mr. Cohen,
Mr. Jacob,
Mr. Driver,
<i>Tellers.</i>
Dr. Bowker,
Mr. Greenwood.

And so it passed in the affirmative.

Bill read a second time.

On

On motion of Mr. Windeyer, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported that there was not a Quorum present in the Committee.

Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.

Mr. Speaker resumed the Chair; and the Chairman again reported that there was not a Quorum present in the Committee.

Mr. Speaker counted the House, and there being a Quorum present, the Committee resumed.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again to-morrow.

10. ISLANDERS SHIPPING ENGAGEMENT BILL:—Mr. Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the amendments made by the Legislative Assembly in the Bill, intituled "*An Act to protect the Aboriginal Natives of the Islands of the Pacific Ocean from imposition when engaging as Seamen.*"

Legislative Council Chamber,
Sydney, 9th July, 1879.

JOHN HAY,
President.

The House adjourned at twenty-five minutes before Eight o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 151.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 10 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Walker and Morehead Streets, Redfern:—Mr. McElhone asked the Secretary for Mines,—Is it the intention of the Government to proclaim and open the two Streets in the Borough of Redfern, viz., Walker and Morehead Streets, to connect them with Cleveland-street; if so, when will they be opened?

Mr. Watson answered,—The question as to the power of the Government to take the land for the extension of the streets without paying compensation to the owner has been referred for the opinion of the Crown Law Officers. As soon as that opinion has been obtained the matter will be dealt with.

- (2.) John Blanchfield's Conditional Purchases:—Mr. McElhone asked the Secretary for Lands,—
(1.) Has John Blanchfield's refund voucher been sent to him for deposits paid by him on conditional purchases taken up at Bingera?
(2.) If the refund voucher has not been sent to him, when will it be sent?

Mr. Hoskins answered,—

- (1.) No refund voucher has been sent to John Blanchfield.
(2.) If it is found that the applicant is entitled to any refund, the voucher will be forwarded without any unnecessary delay.

- (3.) W. J. Dickinson's Conditional Purchase:—Mr. McElhone asked the Secretary for Lands,—
(1.) Did a person named W. J. Dickinson, about eight months ago, select at Muswellbrook 300 acres of land and pay deposit of £75 on it?
(2.) Did Surveyor Seccombe measure 100 acres of land for him—this being all the land available—its being found, on survey, that Mr. Black had selected the rest of the land?
(3.) Will he give immediate instructions to have a refund voucher sent to Mr. Dickinson for £50?

Mr. Hoskins answered,—

- (1.) Yes, in three separate applications.
(2.) The measurement has not yet been received.
(3.) A refund will be made upon the two portions which appear to be unavailable on the fact being verified by the Survey Department.

- (4.) Telegraph Office, Bathurst:—Mr. Buchanan asked the Colonial Secretary,—
(1.) Was the Bathurst Telegraph Office open and at work last Sunday?
(2.) Was a telegram sent from Bathurst last Sunday to the *Herald*, giving Priest Byrne's version of the treatment of the late Mr. Kenna?
(3.) Has the public generally a right to send telegrams on Sunday; if not, by whose authority was the Telegraph Office used last Sunday?

Mr. Watson answered,—

- (1.) Yes.
(2.) The Department cannot give information in relation to telegrams, as they are considered to be privileged communications.
(3.) Yes, with press or urgent telegrams.

- (5.) "Australian Dictionary of Dates and Men of the Time":—*Mr. Cameron*, for Mr. O'Connor, asked the Colonial Treasurer,—When will the further Papers relative to the publication of the "Australian Dictionary of Dates and Men of the Time" be laid upon the Table?

Mr. Watson answered,—I shall presently lay the Papers upon the Table of the House.

(6.)

- (6.) Mr. P. F. Richardson, Department of Lands:—Mr. Garrett asked the Secretary for Lands,—
 (1.) Has he called upon Mr. P. F. Richardson, a clerk in the Lands Office, for an explanation as to the charge preferred against him of being seen in the company of a person named James?
 (2.) If so, has an explanation been given by Mr. Richardson?
 (3.) The nature of such explanation, and has it been deemed satisfactory by the Minister, or otherwise?

Mr. Hoskins answered,—

- (1.) Mr. Richardson was called upon by the Under Secretary, at my desire, to explain the circumstances referred to.
 (2.) Yes.
 (3.) I have not yet been able to give my consideration to his letter of explanation, and have not yet, therefore, formed an opinion as to whether or not it can be held to be satisfactory.
2. PAPERS:—
 Mr. Watson laid upon the Table,—
 (1.) Return to an Order made on 2nd July, 1879,—“ Australian Dictionary of Dates and Men of the Time.”
 (2.) Amended Regulations under the Diseases in Sheep Acts Amendment Act of 1878.
 Ordered to be printed.
- Mr. F. B. Suttor laid upon the Table,—Return to an Order made on 23rd May, 1879,—“ Mr. Booty, Bailiff in the Insolvent Court.”
 Ordered to be printed.

3. ADJOURNMENT:—Mr. Lynch moved, That this House do now adjourn.
 Debate ensued.
 Question put and negatived.
4. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

- (1.) Duty on Gold Abolition Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled “ *An Act for the abolition of the Duty on Gold,*”—returns the same to the Legislative Assembly without amendment.
Legislative Council Chamber,
Sydney, 10th July, 1879.

JOHN HAY,
 President.

- (2.) Waratah Council Chambers Resumption Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled “ *An Act to authorize the acquisition by Her Majesty of certain Buildings in the Borough of Waratah for the purposes of a Court-house,*”—returns the same to the Legislative Assembly without amendment.
Legislative Council Chamber,
Sydney, 10th July, 1879.

JOHN HAY,
 President.

5. SUPPLY:—The Order of the Day for the resumption of the Committee of Supply having been read,—
 Mr. Watson moved, That Mr. Speaker do now leave the Chair.
 Debate ensued.
 Question put and passed.
 Whereupon Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit till after Midnight,—

FRIDAY, 11 JULY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again at a later hour of the day.

6. ADDITIONAL LOAN ESTIMATE FOR 1879:—The following Message from His Excellency the Lieutenant-Governor was delivered by Mr. Watson, and read by Mr. Speaker:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 43.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the consideration of the Legislative Assembly the accompanying Additional Loan Estimate of the Government of New South Wales for the year 1879.

Government House,

Sydney, 10th July, 1879.

Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.

7. POSTPONEMENTS:—The Orders of the Day of Government Business Nos. 2 to 7 inclusive postponed, to follow after the Order of the Day for the resumption of the Committee of Supply.

8. SUPPLY:—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to certain Resolutions.

Ordered, that the Resolutions be received This Day.

The House adjourned at nineteen minutes before Two o'clock a.m., until Four o'clock p.m. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 152.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 11 JULY, 1879.

There being only eighteen Members present, exclusive of Mr. Speaker, namely,—Mr. Baker, Mr. Bennett, Mr. Beyers, Mr. Buchanan, Mr. Cameron, Mr. Cohen, Mr. Garrett, Mr. Greenwood, Mr. Hoskins, Mr. Jacob, Mr. Lackey, Mr. Lucas, Mr. Moses, Sir Henry Parkes, Mr. Thompson, Mr. Watson, Mr. Windeyer, and Mr. Wisdom,—

Mr. Speaker adjourned the House at half-past Four o'clock, until Tuesday next at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 153.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 15 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

ADJOURNMENT:—Mr. O'Connor moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

2. MESSAGES FROM THE LIEUTENANT-GOVERNOR:—The following Messages from His Excellency the Lieutenant-Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker:—

- (1.) Waratah Council Chambers Resumption Bill:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 44.

A Bill, intituled "*An Act to authorize the acquisition by Her Majesty of certain Buildings in the Borough of Waratah for the purpose of a Court-house,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 15th July, 1879.

- (2.) Duty on Gold Abolition Bill:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 45.

A Bill, intituled "*An Act for the abolition of the Duty on Gold,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 15th July, 1879.

3. QUESTIONS:—

- (1.) Fees received by Officers in the Crown Solicitor's Department:—Mr. McElhone asked the Minister of Justice and Public Instruction,—

(1.) What was the total sum of money received by the Crown Solicitor for fees and all other charges, exclusive of his salary, for the year 1878, and from 1st January, 1879, to 30th June, 1879?

(2.) The like in regard to all clerks in the Crown Solicitor's Department, and also in department of which he is the head, and the names of persons receiving such payments?

Mr. Windeyer answered,—

(1.) The amount in 1878 was over £400, and from January, 1879, to 30th June last, between £220 and £225; no portion of which was paid by the Government.

(2.) The only clerk who receives fees is the Second Clerk, who is paid for copy depositions given under 14th Victoria No. 43 section 3. The copies are not made in office time. The amount received in 1878 was £51 14s., and from 1st January to 30th June, 1879, £20 17s.

(2.)

(2.) Fees received by the Attorney General and his Secretary :—Mr. McElhone asked the Attorney General,—

(1.) What was the total sum of money received by him, as Attorney General, for fees and all other charges (exclusive of the sum voted on the Estimates for him) during the year 1878, and from 1st January, 1879, to 30th June, 1879?

(2.) The like in regard to the Under Secretary and all clerks or persons in the department of which he is the head?

Mr. Windeyer answered,—

(1.) During 1878, nothing. From the 1st January to 30th June, this year, £75.

(2.) During 1878 the present Secretary received £13. From the 1st January to 30th June, this year, he has received £18. No person under him has received anything, except in two cases, for copies of depositions.

(3.) Walker and Morehead Streets, Redfern :—Mr. McElhone asked the Secretary for Mines,—

(1.) In reference to opening Walker and Morehead Streets, in Borough of Redfern, to connect with Cleveland-street, will he at once get the opinion of the Crown Law Officers on this matter, and make it public?

(2.) When, or on what date, was the application for the opening of these streets first made to the Government?

Mr. Baker answered,—

(1.) The case relating to the advisableness, or otherwise, of opening Walker and Morehead Streets was, as stated in answer to a previous question, sent to the Crown Law Officers for Opinion. The Papers have been returned for further information, which is now being collected as speedily as possible. The Opinion, when obtained, will be laid upon the Table of the House.

(2.) Application for the extension of the Streets was first made on the 11th day of February, 1879.

(4.) Reserve on Bellevue Hill :—Mr. Macintosh asked the Secretary for Lands,—Will he be pleased to cause the Reserve on Bellevue Hill, and the road leading thereto, to be aligned and enclosed with a suitable fence?

Mr. Hoskins answered,—There are no funds available for the fencing in of this Reserve at present.

(5.) Marine Parade and Steyne at Double Bay :—Mr. Macintosh asked the Secretary for Lands,—

(1.) Has the survey of the Marine Parade and Steyne at Double Bay been completed, and the area claimed for the public been aligned?

(2.) Has the Government determined to open the same to the public, in accordance with the original plan as shown when the allotments were sold?

Mr. Hoskins answered,—

(1.) The survey has been completed, but the plan has not yet been received in the Survey Office.

(2.) Until the plan has been examined no determination can be arrived at.

(6.) Bridge over Waterloo Creek at Millie :—Mr. J. Davies, for Mr. Dangar, asked the Secretary for Public Works,—

(1.) Has a sum of money been voted for the erection of a Bridge over Waterloo Creek at Millie, between Narrabri and Moree; if so, has a tender been accepted for such, and any of the timber placed on the ground?

(2.) Was a site fixed for this Bridge by the Superintendent of Roads; and if so, where?

(3.) Has it since been determined to remove this Bridge; and if so, to what site?

(4.) Is the Minister aware that if so removed the old road in use for many years and left open by the surveyor will be quite useless, and that the mail coaches, travellers down the Thalaba Creek to the Barwin River, &c., cannot approach the Post and Telegraph Office, Pound, &c., in wet weather?

(5.) If so removed, will any bridge accommodation be provided at the spot originally fixed?

Mr. Lackey answered,—

(1.) Yes, and a tender was accepted in December last. The timber is on the ground.

(2.) Yes, at the site where the road crosses the creek at Millie.

(3.) Yes, to a site on the direct road from Narrabri to Moree, the road which the Bridge was intended to benefit.

(4.) I am not aware that such inconvenience will arise.

(5.) Inquiry will be made.

(7.) Land Offices in the Gwydir District :—Mr. J. Davies, for Mr. Dangar, asked the Secretary for Lands,—

(1.) Has the Minister had under his consideration the necessity of establishing more offices for the sale of land, and taking up conditional purchases in the Gwydir District, in order to afford people greater facilities for buying and taking such up by selection?

(2.) Is it intended to establish any more such offices; and if so, when and where?

(3.) Does the Minister intend to abolish the Land Office at Bingera?

(4.) If so decided, will the Minister reconsider his decision, with a view to retaining the Bingera Land Office and all others existing in the Gwydir District, not disturbing existing arrangements, but establishing additional Land Offices?

Mr. Hoskins answered,—

(1.) Yes.

(2.) It is proposed to establish a new Land Office at Moree, in lieu of the present Land Office at Bingera.

(3.) Yes.

(4.) A communication having been received from the Honorable Member on the subject I shall, of course, give it due consideration before carrying out the arrangement at present determined upon.

(8.) Mr. Lay, Telegraph Inspector :—Mr. McElhone asked the Secretary for Public Works,—

(1.) How long is it since Mr. Lay was in the Public Service before he was appointed Telegraph Inspector in connection with telegraph instruments and lines in Railway Department?

(2.)

- (2.) What is the present salary, what duties has he to perform, and what salary did he receive (if any) prior to his present appointment?
 (3.) Is there not a person paid to look after and repair the telegraph instruments, and could he not perform Mr. Lay's work?

Mr. Lackey answered,—

(1.) Mr. Lay was not in the Public Service in this Colony prior to his being employed on the Railway Telegraphs.

(2.) Mr. Lay is a temporary officer at £4 per week, and performs the duties appertaining to an Inspectorship of Telegraph Lines and Stations on the Great Northern Railway.

(3.) Yes; but Mr. Lay's duties are not those of a mechanic, nor could the instrument-fitter perform Mr. Lay's duties.

(9.) Acting Judges:—*Mr. Cohen*, for Mr. Buchanan, asked the Colonial Secretary,—

(1.) Is it the intention of the Government to appoint any Acting Judges under the late Act; if so, how many, and when will they be appointed?

(2.) Is he aware that somewhere about sixty Jury Trials, which should have been tried at the last Sittings, stand over and are now awaiting trial?

(3.) Will the Government at once appoint the required number of Acting Judges, and set them to the trial of those sixty causes without delay?

Sir Henry Parkes answered,—Nothing has been done in this matter at present, but something will be done in the course of a week or eight days.

(10.) Cattle Sale Yards:—*Mr. McElhone* asked the Colonial Secretary,—Do the Government intend to grant a Site to the Sydney Corporation for Sale Yards out of the land near Homebush lately bought by the Government?

Sir Henry Parkes answered,—The Government possesses two pieces of land on the Railway, one adjoining Duck Creek and another near the Cemetery. I doubt very much myself whether the Government would be justified in giving any portion of that land for a Cattle Sale Yard. It appears to me a most unseemly thing to have a Cattle Sale Yard adjoining a Cemetery, and the only piece of land which could be appropriated to that purpose is in an elevated position and immediately opposite the Cemetery. The whole matter will be considered during the Recess.

(11.) Department of Lands:—*Mr. Garrett* asked the Secretary for Lands,—Having reference to a statement made by him to this effect,—“There were many officers in the department whose presence there could hardly be accounted for, who would not be employed by any private firm in the world,”—

(1.) What means did the Minister take to satisfy himself of the truth of this statement before making it?

(2.) How long have the officers referred to been in the Public Service?

(3.) By what Ministers, or Government, were they appointed?

(4.) In how many cases (if any) have the officers referred to been reported as unfit for the Public Service, and the reasons in each case upon which such report was based?

(5.) What steps does the Minister intend to take, and when, to effect the removal of these unfit public officers from the Public Service?

Mr. Hoskins answered,—

(1.) The Honorable Member ought to state in definite terms the date when I made the statement, which he alleges I did; but in reply to his first question I beg to state:—From the experience I have acquired since I have filled the office of Secretary for Lands.

(2.) I believe some of the officers to whom I have referred have been in the Department for some years, while others have been more recently appointed.

(3.) I have not ascertained by what Ministers the officers whom I regard as inefficient were appointed.

(4.) I have not kept any record of such reports.

(5.) I have already dismissed some officers whom I considered unsuitable persons to be employed in the Department of Lands, and I intend to make further inquiries on the subject during the Recess.

4. PAPERS:—

Sir Henry Parkes laid upon the Table,—

(1.) Statistical Register for 1878. Parts 4, 5, 6, and 7.

(2.) Minutes of the Lords of the Treasury relating to the Imperial Civil Service.

Ordered to be printed.

Mr. Hoskins laid upon the Table,—

(1.) Abstract of Sites for Cities, Towns, and Villages, declared under the 4th section of the Act 25 Victoria, No. 1.

(2.) Abstract of Crown Lands reserved from sale until surveyed, for the preservation of Water Supply or other Public Purposes, in accordance with the 4th section of the Act 25 Victoria, No. 1.

(3.) Return (*in completion*) to an Order made on 25th January, 1878,—“Conditional Purchases of Thomas Kerr, Robert Barbour, and others, near Deniliquin.”

(4.) Return to an Order made on 12th March, 1879,—“Tourists Railway Map.”

Ordered to be printed.

Mr. Lackey laid upon the Table,—Return to an Order made on 26th March, 1879,—“Rails for City Tramway.”

Ordered to be printed.

Mr. Speaker laid upon the Table,—Abstracts of the Public Accounts of the Colony for the year 1878, together with the Auditor General's Report thereon,—transmitted to the Legislative Assembly in accordance with the provisions of the 38th section of the Audit Act, 33 Vic., No. 18.

Ordered to be printed.

5. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) Criminals Commuted Punishment Bill :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to provide for the more effectual punishment of crimes where the penalty of death is commuted,*"—presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,
Sydney, 15th July, 1879.

JOHN HAY,
President.

Bill, on motion of Mr. Watson, read a first time.
Ordered to be printed, and read a second time to-morrow.

(2.) Metropolitan Guaranteed Loan Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable the Municipal Council of the City of Sydney to borrow a sum not exceeding Seventy-five Thousand Pounds by the issue of Guaranteed Debentures,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 15th July, 1879.

JOHN HAY,
President.

(3.) Sydney International Exhibition Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to provide for the disposal of Entrance Fees and other Moneys received by the International Exhibition Commissioners and for Expenses connected with the Exhibition Buildings and the management of the Exhibition,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 15th July, 1879.

JOHN HAY,
President.

(4.) Appropriation Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1879 and for the year 1878 and previous years,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 15th July, 1879.

JOHN HAY,
President.

(5.) Macquarie-street Land Resumption Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable the Government to resume certain Lands between Macquarie-street and the Outer Domain,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 15th July, 1879.

JOHN HAY,
President.

6. MAJOR SPALDING :—Mr. McElhone moved, pursuant to Notice, That, in the opinion of this House, the conduct of Major Spalding, in becoming insolvent for a large sum of money is discreditable to him as an officer and to the Military Force to which he belongs ; and that as by the Regulations of Her Majesty's Service any officer who becomes insolvent, or is guilty of conduct discreditable to him as a gentleman, shall be dismissed from Her Majesty's Service, the same principles should be carried out in the Colonial Service, and Major Spalding, or any other officer who is now or may become insolvent, shall be dismissed from the Military Service, unless he shall pay his creditors in full.

Debate ensued.

Question put and negatived.

And it being Seven o'clock, Government Business was proceeded with.

7. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—*Seat of John Sutherland, Esquire* :—Mr. Watson (*by consent*) moved, without Notice, That the Clerk have leave to return to the Auditor General certain Pay Vouchers handed in by him to the Committee of Elections and Qualifications on 21st May, 1879, in the case of the "*Seat of John Sutherland, Esquire.*"
Question put and passed.

8. POSTPONEMENT :—The Order of the Day for the resumption of the Committee of Supply postponed until to-morrow.

9. SUPPLY.—*Reception of Resolutions* :—The Chairman of Committees reported from the Committee of Supply certain Resolutions, which were received, and read a first time, as follows :—

LOAN ESTIMATE—1879.

RAILWAYS—EXCLUSIVE OF COST OF LAND.

(203.) Resolved, that there be granted to Her Majesty for the year 1879, to be raised by Loan, a sum not exceeding £5,246,000, for Railways, exclusive of cost of land ; being £1,611,000, for Railway from Tamworth to Tenterfield (203 miles, £2,211,000—*Less* amount voted in 1876, £600,000) ;
£1,450,000

£1,450,000, for Railway from Dubbo to the vicinity of Bourke, 227 miles; £370,000, for Railway from Gunnedah to a point opposite Narrabri, 60 miles; £735,000, for Railway from Wallerawang to Mudgee, 85 miles; £735,000, for Railway from Narrandera to Hay, 105 miles; £100,000, for Railway from Goulburn to Wagga Wagga, to complete the line; £20,000, for Trial Surveys; and £225,000, for the purchase of Railway Stores and materials which cannot properly be charged to the Appropriations of Parliament until actually issued for use—the vote to be recouped as issues take place.

HARBOURS AND RIVERS—WATER SUPPLY.

(204.) Resolved, that there be granted to Her Majesty for the year 1879, to be raised by Loan, a sum not exceeding £1,486,768; being £1,086,768, for Sydney Water Supply, as per Estimate of Mr. Clark; and £400,000, for Sewerage—City of Sydney.

ADDITIONAL LOAN ESTIMATE—1879.

RAILWAYS.

(205.) Resolved, that there be granted to Her Majesty for the year 1879, to be raised by Loan, a sum not exceeding £620,000, for Rolling Stock required during four years ending 1882.

On motion of Mr. Watson, the Resolutions were read a second time, and agreed to.

10. **WAYS AND MEANS:**—The Order of the Day having been read,—on motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again.

The Chairman also reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman (*with the concurrence of the House*), that the report be now received.

The Chairman then reported the Resolution, which was read a first time, as follows:—

(13.) *Resolved*,—That towards making good the Supply granted to Her Majesty during the present Session, a sum not exceeding £7,352,768 be raised by the sale of Debentures, secured upon the Consolidated Revenue of the Colony, and bearing interest at a rate not exceeding four per centum per annum, to defray the expenses of carrying on certain Public Works of the Colony.

On motion of Mr. Watson, the Resolution was read a second time, and agreed to.

11. **PUBLIC WORKS LOAN BILL:**—

(1.) Ordered, on motion of Mr. Watson, that a Bill be brought in, founded on Resolution of Ways and Means No. 13, to enable the Government to raise a Loan for certain Public Works.

(2.) Mr. Watson presented a Bill, intituled "*A Bill to enable the Government to raise a Loan for certain Public Works*,"—which was read a first time.

Ordered to be printed, and read a second time to-morrow.

12. **POSTPONEMENTS:**—The Orders of the Day of Government Business Nos. 4 to 7 inclusive postponed until to-morrow.

13. **VOLUNTEER LAND ORDERS BILL:**—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Fitzpatrick, "That this Bill be now read a second time,"—

And the Debate not being resumed,—

Question,—That this Bill be now read a second time,—put and passed.

Bill read a second time.

On motion of Sir Henry Parkes, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with amendments.

Ordered, that the adoption of the report stand an Order of the Day for to-morrow.

The House adjourned at ten minutes after Eight o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 154.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 16 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS :—

(1, 2, and 3.) The Legislative Council :—Mr. Copland asked the Colonial Secretary,—

(1.) Which of the present Members of the Legislative Council were appointed during the time he himself was Premier ?

(2.) Which of such Members were appointed during the time Sir John Robertson was Premier ?

(2.)—

(1.) The titles of the various Bills initiated in this Chamber, and sent to the Upper Chamber, during each of the two Sessions of the present Parliament, distinguishing the Bills introduced by private Members from those introduced by the Government of the day ?

(2.) Which of such Bills have been rejected by the Upper Chamber ?

(3.) Which of such Bills were finally passed by the Upper Chamber through all their stages ?

(4.) Which of such Bills have been lost through this Chamber refusing to accept the amendments of the Upper Chamber ?

(3.)—

(1.) The names of the Bills initiated in the other Chamber, and sent to this Chamber, during the two Sessions of the present Parliament ?

(2.) Which of such Bills passed through all their stages in this Chamber ?

(3.) Which of such Bills were finally lost through the Upper Chamber refusing to accept the amendments made in this Chamber ?

Sir Henry Parkes answered,—My Honorable Friend will, I am sure, see that these are questions he can hardly expect me to answer. They are all questions that can only be answered by searching the Records of this House, and these Records are just as open to the Honorable Member as to myself. They do not appear to me to come within the scope of questions to be put to Ministers. The information is not lodged in my office, nor in any other office of the Government, with the single exception of the appointments to the Upper House; and in that case the Blue Book will show who were appointed during my own and any other Administration.

(4.) Police at Raymond Terrace :—Mr. Jacob asked the Colonial Secretary,—Can he state when the Papers relative to the Police at Raymond Terrace, the motion for the production of which was passed on 10th of last month, are likely to be ready to be laid upon the Table of this House ?

Sir Henry Parkes answered,—The Return will be laid upon the Table in a day or two.

(5.) Railway Employés :—Mr. Bennett asked the Secretary for Public Works,—Will he make arrangements whereby the Railway Employés may have an opportunity of visiting the International Exhibition when opened, if any of them should wish to do so ?

Mr. Lackey answered,—Yes.

(6.) Civil Servants as Directors of Companies :—Mr. McElhone asked the Colonial Secretary,—In view of the Report received from the Imperial Government in regard to members of the Civil Service being prohibited from acting as Directors of Banks, Insurance and other Commercial Companies,—Is it his intention to at once issue instructions to all members of the Civil Service of New South Wales who occupy the position of Directors of Companies, that they must at once resign the office of Director in any and every Company where they act as Directors ?

Sir Henry Parkes answered,—I have already stated to the House that the whole question of the Civil Service will come under the notice of the Government early in the Recess; and I have also stated that I took steps to bring the Resolution which was passed on the instance of the Honorable Member under the notice of the whole of the Civil Service.

(7.)

(7.) Glebe Island Abattoir :—Mr. McElhone asked the Colonial Treasurer,—

(1.) What is the cause of the delay in erecting the machinery to dry the blood and offal at Glebe Island ?

(2.) When is it likely that the erection of the machinery, for which money was voted many months ago, will be completed, and will he give orders to hurry on the completion of the work ?

Mr. Watson answered,—

(1.) The machinery has been constructed, and is being erected in place under Mr. Swan's superintendence. There has been no delay, which could possibly be avoided, in bringing into operation Mr. Swan's process, which is new, and respecting which it has been very difficult to obtain any satisfactory information as to what has been done in similar cases elsewhere.

(2.) It will probably take three weeks or a month to complete it. The work is being hurried on as quickly as possible.

(8.) Communication between Sydney and St. Leonards :—Mr. J. Davies asked the Secretary for Public Works,—Will he say whether any steps have been taken by the Government to supply some better means of communication between St. Leonards and Sydney ; and if so, what is the nature of the proposed means ?

Mr. Lackey answered,—Nothing has yet been done in this matter. It will, however, receive early consideration.

2. PAPERS :—

Mr. Watson laid upon the Table,—Further Return to an Order made on 14th May, 1879,—“ Public Loan.”

Ordered to be printed.

Mr. Hoskins laid upon the Table,—Return (*in part*) to an Order made on 1st April, 1879,—“ Grants of Land held by Sir Daniel Cooper.”

Ordered to be printed.

8. THE LEGISLATIVE COUNCIL :—Sir Henry Parkes moved, pursuant to Notice,—

(1.) That this House, as representing the people of this Country, deeply regrets that its labours have been largely frustrated in the present and former Sessions of Parliament by the irresponsible hostility of the Legislative Council to many of its most carefully considered measures.

(2.) That during the last six years two separate measures, passed through this House by different Governments, to redress the grievances of the people in their unequal representation in Parliament, have been lost by the hostile and irresponsible action of the Legislative Council.

(3.) That many other important measures, calculated to materially benefit the people, and passed by large majorities of the people's representatives, have been similarly lost by the action of the Council.

(4.) That experience has proved that the principle of nomination by the Crown in the constitution of the Legislative Council has failed, inasmuch as it clothes persons with the highest powers and privileges for the term of their natural lives, and at the same time removes them from all responsibility, thus separating them from the rest of the people, and rendering them in many cases indifferent to public opinion.

(5.) That a “Bill” to make the Legislative Council responsible to the people ought to be introduced at the earliest practicable period.

(6.) That under the existing Constitution, this House denies the authority of the Imperial Government to limit, control, or in any respect interfere with appointments to the Legislative Council, and holds Her Majesty's Ministers in this Colony solely responsible for their advice to the Crown, and will extend to them a firm support, in taking such steps as are provided for by the Constitution to secure the due consideration and the passing into law of important measures essential to the progress of the Country.

(7.) That the foregoing Resolutions be communicated by Address to His Excellency the Lieutenant-Governor.

Mr. Buchanan moved, That the Question be amended by the omission from the 5th Resolution of all the words after the word “Bill,” with a view to the insertion in their place of the words “be introduced to abolish the Legislative Council, and so secure the government of this Country by the people, through their chosen representatives. That any attempt to set up an Elective Second Chamber, or a Second Chamber of any kind, will only result, from all we see around us, in the wilful fabrication, by our own hands, of another obstructive mountain to impede and render abortive the deliberately expressed will of the people. That a single Chamber, created by the people and composed of their representatives, is the most rational and sound, as well as the most obvious conclusion that this House can arrive at, if government by the people is the object desired.”

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

Debate ensued.

Mr. Garrett moved, That this Debate be now adjourned.

Question put and passed.

Ordered, that the Debate be adjourned until to-morrow.

4. POSTPONEMENTS :—The Orders of the Day of Government Business Nos. 1 and 2 postponed until to-morrow.

5. PUBLIC WORKS LOAN BILL :—The Order of the Day having been read,—Mr. Watson moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

On motion of Mr. Watson, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 17 JULY, 1879, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported the Bill with an amendment. On motion of Mr. Watson (*with the concurrence of the House*), the report was adopted. Ordered, that the Bill be read a third time This Day.

The House adjourned at five minutes after Twelve o'clock A.M., until Four o'clock P.M. This Day.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 155.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 17 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Reserve No. 1,290, County Denham:—*Mr. Bennett*, for Mr. McElhone, asked the Secretary for Lands,—

(1.) Was a Reserve, No. 1,290, county Denham, parish of Bucklebone, on Bucklebone Run, District of Liverpool Plains, 320 acres, in portion 7, notified in *Government Gazette* of 1st October, 1878, for water supply and other public purposes?

(2.) Was such Reserve strongly recommended for such purposes by the Surveyor of the district; and if so, the name of the Surveyor who so recommended it?

(3.) Is such Reserve now intended to be revoked by notice in *Government Gazette* of 23rd June last; if so, upon whose recommendation or report has such revocation been made, and the name of the Surveyor so recommending its cancellation?

(4.) Is the Minister aware that if this Reserve is alienated, no right of road will exist to and from the only available natural crossing of the Namoi River to Pilliga for travelling stock and other purposes, and that the right of road to this crossing from the main road, Wee Waa to Walgett, on the north side of the Namoi, will be materially interfered with?

(5.) Will immediate steps be taken to prevent the revocation of this Reserve, and to dedicate it to such purposes for the public benefit?

Mr. Hoskins answered,—

(1.) Yes.

(2.) No; the Reserve was made pending a Surveyor's report.

(3.) A report was received from Licensed Surveyor Christie, endorsed by Mr. Surveyor Finley, pointing out the unsuitableness of the site. The cancellation was recommended by the Surveyor General.

(4.) No; a more favourable site has been reserved half-a-mile higher up the Namoi River.

(5.) A protest to the cancellation has been received, which will be referred to the Surveyor for report. In the meantime the portion will be reserved pending inquiry.

- (2.) Road near Muswellbrook known as Sir Thomas Mitchell's Road:—*Mr. Bennett*, for Mr. McElhone, asked the Secretary for Public Works,—

(1.) Is the Road near Muswellbrook, known as Sir Thomas Mitchell's Road, placed on the Schedule of Minor or other Roads; if not, will he have it placed on the Schedule of Minor Roads?

(2.) Is any money available to repair this Road out of the money voted for Unclassified Roads; if so, will he cause a sum of money to be at once spent on repairing it, as it is almost impassable for several miles from its junction with the road to Denman?

Mr. Lackey answered,—

(1.) Only a portion of the Road appears to be at present on Schedule. The Papers in the case are now at the Lands Department, and some with the local officer; and no decision can yet be arrived at.

(2.) There has been no money appropriated for its repair from Vote for Unclassified Roads; and pending action by the Survey Office as to exact route of road nothing can be done.

- (3.) Sydney Infirmary:—*Mr. J. Davies*, for Mr. Macintosh, asked the Colonial Secretary,—Has the Government received from the Directors of the Sydney Infirmary any copies of their Report, and the evidence taken by them while inquiring into the allegations contained in the Question asked on 24th June relating to the Sydney Infirmary; if so, will he be pleased to lay copies of the same upon the Table of this House?

Sir

Sir Henry Parkes answered,—I have received a copy of the evidence taken before the Committee of Inquiry instituted by the Directors of the Sydney Infirmary, and I do not see any objection to laying a copy of the Papers upon the Table of the House.

- (4.) Dr. Morgan :—*Mr. Bennett*, for Mr. McElhone, asked the Colonial Secretary,—Whether Dr. Morgan, about whom an inquiry was lately held in the Sydney Infirmary, is the same Dr. Morgan who held the appointment of Doctor on board the small-pox hospital ship "Faraway" ?

Sir Henry Parkes answered,—Dr. Cecil Morgan, one of the Honorary Medical Officers at the Sydney Infirmary, is the same Dr. Morgan who had medical charge of the small-pox hospital ship "Faraway" during the time that the vessel lay at anchor in Sirius Cove.

- (5.) Road from Luddenham to South Creek :—*Mr. Burns*, for Mr. T. R. Smith, asked the Secretary for Mines,—

(1.) What action has been taken relative to the Petitions and Letters sent to different Ministers last year, and also this year, from Mr. T. R. Smith, Member for the Nepean, asking that a Road be opened from Luddenham to South Creek ?

(2.) Is he aware that a number of farmers and others are unable to send their produce to market in consequence of there being no road from Luddenham to South Creek ?

(3.) Has the Surveyor sent in his report to the Minister ?

(4.) Will he cause immediate inquiry to be made, and order that a Road be opened from Luddenham to South Creek without further delay ?

Mr. Baker answered,—

(1.) A report from the Surveyor upon a Petition for this Road was obtained, and the Surveyor instructed to survey the Road for proclamation, &c., under the Act 4 William IV, No. 11. The plan of survey has not yet been received.

(2.) No ; but it is understood a necessity to lay out the Road exists.

(3.) Yes, as stated in reply to first question.

(4.) The Surveyor has recently been requested to hasten the survey ; but the opening of the Road under the Act above referred to cannot be carried out until the necessary notices under the Act have been given.

- (6.) Harbour Defences, Newcastle :—*Mr. Hungerford* asked the Colonial Secretary,—When do the Government intend to commence the works at the Forts at Newcastle ?

Sir Henry Parkes answered,—The plans and specifications are now ready, and tenders will be invited for the works without unnecessary delay.

- (7.) Mr. P. F. Richardson :—*Mr. Garrett* asked the Secretary for Lands,—Has he arrived at a decision upon Mr. P. F. Richardson's letter of explanation of a charge preferred against him (and which he was called upon to explain by the Minister) of having been seen in the company of a person named James ; if so, is such decision exculpatory of Mr. Richardson or not ?

Mr. Hoskins answered,—As I have already stated, Mr. Richardson has sent in a letter on this matter, but I cannot say that this letter is satisfactory to me, though at the same time I do not think I am called upon to take any further step respecting it.

- (8.) Bridge over the Cockburn River at Tamworth :—*Mr. Bennett* asked the Secretary for Public Works,—

(1.) What decision (if any) has been arrived at by the Minister, and the Commissioner for Roads and Bridges, with reference to the desirableness of erecting a Bridge over the Cockburn River at Tamworth, on the site where a chain footway bridge was erected some years past ?

(2.) The nature of the instructions (if any) sent to the local officer with reference to the alterations and necessary repairs to the Road between the Town of Quirindi and the White Gate, on the route to the Town of Wallabadah ?

Mr. Lackey answered,—

(1.) No decision can be arrived at until the present Bridge over the Peel is removed. Tenders will be invited for the new Bridge over the Peel in a few days.

(2.) The matter is being dealt with by the Survey Department. Whatever can be done pending their action the local officer has been instructed to do.

- (9.) The Case of Robert Webster :—*Mr. Bennett* asked the Minister of Justice and Public Instruction,—When will the piece of tanned hide mentioned in the case of Robert Webster, and referred to in my letter to him, be laid upon the Table of this House for inspection by the Members, as suggested by me ?

Mr. F. B. Suttor answered,—The hide in question is at present in the possession of the Police at Tamworth, and is now being re-examined, at my instance, by the Jurors before whom Webster's case was tried, in reference to the correctness of certain statements contained in a Petition from Webster praying consideration of his case. It will shortly be brought to Sydney for inspection.

2. ISLANDERS SHIPPING ENGAGEMENT BILL :—The following Message from His Excellency the Lieutenant-Governor was delivered by Sir Henry Parkes, and read by Mr. Speaker :—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 46.

A Bill, intituled "*An Act to protect the Aboriginal Natives of the Islands of the Pacific Ocean from imposition when engaging as Seamen*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 17th July, 1879.

3. PAPER:—Sir Henry Parkes laid upon the Table,—Return to an Address adopted on 10th June, 1879,—“Police at Raymond Terrace.”
Ordered to be printed.
4. PUBLIC WORKS LOAN BILL (*Formal Order of the Day*),—on motion of Mr. Watson, read a third time, and passed.
Mr. Watson then moved, That the Title of the Bill be “*An Act to enable the Government to raise a Loan for certain Public Works.*”
Question put and passed.
Ordered, that the Bill be carried to the Legislative Council, with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled “*An Act to enable the Government to raise a Loan for certain Public Works,*”—presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 17th July, 1879.
5. THE AGENT GENERAL FOR THE COLONY (*Formal Motion*):—Captain Onslow moved, pursuant to Notice, That there be laid upon the Table of this House,—
(1.) Copies of all Correspondence, Papers, or Documents, having reference to any proposal by or from Colonel Fielding, or Mr. J. L. Montefiore or others, conveying or containing a proposal for the establishment of a new and separate Telegraph Line from England to Australia.
(2.) Copies of any Recommendation, Proposal, or Request, for the increase of any salary of any officer or clerk in the Department of the Agent General.
(3.) Copies of any Request or Recommendation for increase of or additional grant for the expenses of the office of Agent General.
(4.) Copies of any Letter, Minute, or other Document having reference to the question of application made by Captains of emigrant ships to be allowed to carry their wives with them.
Question put and passed.
6. PRESBYTERIAN CHAPLAIN TO BERRIMA GAOL (*Formal Motion*):—Mr. Garrett moved, pursuant to Notice, That there be laid upon the Table of this House copies of any Applications, and Correspondence with reference thereto, for the appointment of a Presbyterian Chaplain to Berrima Gaol.
Question put and passed.
7. THE LEGISLATIVE COUNCIL:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Sir Henry Parkes,—
(1.) That this House, as representing the people of this Country, deeply regrets that its labours have been largely frustrated in the present and former Sessions of Parliament by the irresponsible hostility of the Legislative Council to many of its most carefully considered measures.
(2.) That during the last six years two separate measures, passed through this House by different Governments, to redress the grievances of the people in their unequal representation in Parliament, have been lost by the hostile and irresponsible action of the Legislative Council.
(3.) That many other important measures, calculated to materially benefit the people, and passed by large majorities of the people’s representatives, have been similarly lost by the action of the Council.
(4.) That experience has proved that the principle of nomination by the Crown in the constitution of the Legislative Council has failed, inasmuch as it clothes persons with the highest powers and privileges for the term of their natural lives, and at the same time removes them from all responsibility, thus separating them from the rest of the people, and rendering them in many cases indifferent to public opinion.
(5.) That a “Bill” to make the Legislative Council responsible to the people ought to be introduced at the earliest practicable period.
(6.) That under the existing Constitution, this House denies the authority of the Imperial Government to limit, control, or in any respect interfere with appointments to the Legislative Council, and holds Her Majesty’s Ministers in this Colony solely responsible for their advice to the Crown, and will extend to them a firm support, in taking such steps as are provided for by the Constitution to secure the due consideration and the passing into law of important measures essential to the progress of the Country.
(7.) That the foregoing Resolutions be communicated by Address to His Excellency the Lieutenant-Governor.

Upon which Mr. Buchanan had moved, That the Question be amended by the omission from the 5th Resolution of all the words after the word “Bill,” with a view to the insertion in their place of the words, “be introduced to abolish the Legislative Council, and so secure the Government of this country by the people, through their chosen representatives. That any attempt to set up an Elective Second Chamber, or a second Chamber of any kind, will only result, from all we see around us, in the wilful fabrication, by our own hands, of another obstructive mountain to impede and render abortive the deliberately expressed will of the people. That a single Chamber, created by the people and composed of their representatives, is the most rational and sound, as well as the most obvious conclusion that this House can arrive at, if Government by the people is the object desired.”—

And the Question being again proposed,—“That the words proposed to be omitted stand part of the Question,”—

The House resumed the said adjourned Debate.

Question

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

Ayes, 28.

Sir Henry Parkes,	Mr. Stuart,
Mr. Windeyer,	Mr. Beyers,
Mr. Hoskins,	Mr. McCulloch,
Mr. Watson,	Mr. Copeland,
Mr. Lackey,	Mr. McElhone,
Mr. Baker,	Mr. Webb,
Mr. F. B. Suttor,	Mr. Eckford,
Mr. Driver,	Mr. W. Davies,
Mr. J. Davies,	Mr. Harris,
Mr. Johnston,	Mr. Greenwood,
Mr. Lynch,	Mr. T. R. Smith,
Mr. W. C. Browne,	<i>Tellers.</i>
Mr. Kerr,	Mr. Shepherd,
Mr. W. H. Suttor,	Mr. Roseby.
Mr. Charles,	

Noes, 6.

Mr. Bennett,
Mr. Wisdom,
Mr. Garrett,
Mr. Cameron,
<i>Tellers.</i>
Mr. Buchanan,
Mr. Clarke.

And so it was resolved in the affirmative.

Original Question put :—

- (1.) That this House, as representing the people of this Country, deeply regrets that its labours have been largely frustrated in the present and former Sessions of Parliament by the irresponsible hostility of the Legislative Council to many of its most carefully considered measures.
- (2.) That during the last six years two separate measures, passed through this House by different Governments, to redress the grievances of the people in their unequal representation in Parliament, have been lost by the hostile and irresponsible action of the Legislative Council.
- (3.) That many other important measures, calculated to materially benefit the people, and passed by large majorities of the people's representatives, have been similarly lost by the action of the Council.
- (4.) That experience has proved that the principle of nomination by the Crown in the constitution of the Legislative Council has failed, inasmuch as it clothes persons with the highest powers and privileges for the term of their natural lives, and at the same time removes them from all responsibility, thus separating them from the rest of the people, and rendering them in many cases indifferent to public opinion.
- (5.) That a Bill to make the Legislative Council responsible to the people ought to be introduced at the earliest practicable period.
- (6.) That under the existing Constitution, this House denies the authority of the Imperial Government to limit, control, or in any respect interfere with appointments to the Legislative Council, and holds Her Majesty's Ministers in this Colony solely responsible for their advice to the Crown, and will extend to them a firm support, in taking such steps as are provided for by the Constitution to secure the due consideration and the passing into law of important measures essential to the progress of the Country.
- (7.) That the foregoing Resolutions be communicated by Address to His Excellency the Lieutenant-Governor.

The House divided.

Ayes, 23.

Sir Henry Parkes,	Mr. R. B. Smith,
Mr. Windeyer,	Mr. Wisdom,
Mr. Hoskins,	Mr. Harris,
Mr. Watson,	Mr. Shepherd,
Mr. Lackey,	Mr. Clarke,
Mr. Baker,	Mr. Eckford,
Mr. F. B. Suttor,	Mr. Beyers,
Mr. Roseby,	Mr. Bennett,
Mr. Driver,	<i>Tellers.</i>
Mr. Buchanan,	Mr. T. R. Smith,
Mr. Cameron,	Mr. W. Davies.
Mr. J. Davies,	
Mr. Garrott,	

Noes, 13.

Mr. Fitzpatrick,	<i>Tellers.</i>
Mr. W. H. Suttor,	Mr. Copeland,
Mr. Farnell,	Mr. W. C. Browne.
Mr. Greenwood,	
Mr. Stuart,	
Mr. Charles,	
Mr. Johnston,	
Mr. McCulloch,	
Mr. Webb,	
Mr. McElhone,	
Mr. Kerr,	

And so it was resolved in the affirmative.

8. ADJOURNMENT:—Sir Henry Parkes (*by consent*) moved, That this House do now adjourn until Tuesday next.
Debate ensued.
Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned at five minutes before Twelve o'clock, until *Tuesday next* at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 156.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 22 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

MESSAGES FROM THE LIEUTENANT-GOVERNOR:—The following Messages from His Excellency the Lieutenant-Governor were delivered by Sir Henry Parkes, and read by Mr. Speaker:—

- (1.) Metropolitan Guaranteed Loan Bill:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 47.

A Bill, intituled "*An Act to enable the Municipal Council of the City of Sydney to borrow a sum not exceeding Seventy-five thousand pounds by the issue of Guaranteed Debentures*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 22nd July, 1879.

- (2.) Sydney International Exhibition Bill:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 48.

A Bill, intituled "*An Act to provide for the disposal of Entrance Fees and other Moneys received by the International Exhibition Commissioners and for Expenses connected with the Exhibition Buildings and the management of the Exhibition*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 22nd July, 1879.

- (3.) Macquarie-street Land Resumption Bill:—

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 49.

A Bill, intituled "*An Act to enable the Government to resume certain Lands between Macquarie-street and the Outer Domain*,"—as finally passed by the Legislative Council and Assembly, having been presented to the Lieutenant-Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.

Government House,

Sydney, 22nd July, 1879.

2. QUESTIONS:—

- (1.) The Legislative Council:—*Mr. Buchanan*, for *Mr. O'Connor*, asked the Colonial Secretary,—

- (1.) The names of the gentlemen occupying Seats in the Legislative Council?
 (2.) The dates of their nominations to that Chamber?
 (3.) By whom nominated?

Sir Henry Parkes answered,—With respect to Nos. 1 and 2 of these questions, I will lay a Paper upon the Table giving the information. I am not in a position to answer the third question.

(2.)

(2.) Mr. Laing, Dredge "Samson":—*Mr. J. Davies*, for Mr. Macintosh, asked the Secretary for Public Works,—Referring to Memorandum by Return laid upon the Table respecting extra money paid to Mr. Laing for night-work,—

(1.) How many nights did Mr. Laing sleep on board the Dredge "Samson" whilst she was stationed at East Channel before night allowance was granted him, and how many nights after such allowance was granted?

(2.) Did not Mr. Laing frequently absent himself from the Dredge "Samson" at night, whilst actually drawing extra pay for sleeping on board?

(3.) During Mr. Laing's absence at night, if a case of emergency arose, which he was especially paid for looking after (according to Papers laid upon the Table), how was he to be called, seeing he resides at Balmain?

(4.) Why was Mr. Laing paid £1 per week night allowance during the time the Dredge was undergoing repairs at Cockatoo Island and working at Circular Quay, seeing he did not sleep on board?

(5.) What was the reason that the mate in charge of the Dredge "Samson" received no extra pay during Mr. Laing's absence, seeing he had to perform Mr. Laing's work and his own, and to remain on board day and night—by Minute from the Harbours and Rivers Office?

(6.) After the prorogation of the House, is it the intention of the Government to increase Mr. Laing's salary, paying it as the night allowance was first paid, from the Contingent Funds?

Mr. Lackey answered,—I will have this information prepared and laid upon the Table of the House, except with regard to question No. 6, which I will at once answer in the negative.

(3.) Mr. Combes and Mr. Joubert:—*Mr. McElhone* asked the Colonial Secretary,—

(1.) What amount of freight was paid by the Government on the cases of goods received by Messrs. Combes and Joubert?

(2.) Do the Government intend to compel them to repay the freight paid by the Government?

(3.) Did the cases consigned to Messrs. Combes and Joubert contain dutiable articles; if so, what did the cases contain; was duty paid on them; if not, is it the intention of the Government to compel them to pay duty on the goods?

Sir Henry Parkes answered,—

(1.) One hundred and twenty-one cases of goods were consigned by Mr. Joubert to the Commissioners in Sydney. The Commissioners have no means of ascertaining the total measurement; but the storekeeper who took delivery from the ship in Sydney estimates that one-third of the total measurement was for cases delivered to Mr. Joubert, and one-third for cases the property of Mr. Combes. The amount paid for the carriage and insurance of the total shipment from Paris to Sydney was £198 4s. 7d.

(2.) If freight has been paid by the Government for these cases means will be taken to recoup the Public Treasury.

(3.) I have no means of knowing what the contents of these cases were.

(4.) Small Debts Court, Gulgong:—*Mr. Buchanan* asked the Minister of Justice and Public Instruction,—

(1.) Is it true that the Records of the Small Debts Court at Gulgong after filing are altered; if so, by whom, and when, and by what authority?

(2.) In the case of *Smith versus Preece*, was there an affidavit made by the Bailiff of the Court before the Registrar on the 19th June, 1879, and filed on that day with the Registrar in his office; if so, is the affidavit in the office now—in the same state as when sworn and filed; if not in the office, what has become of the same, and by whose order (if removed) removed, and when?

(3.) Was not the affidavit of the Bailiff made and filed on the 19th afterwards altered, and the figures 17 and 19 turned into 20; by whom was such alteration made, when, and by what authority; and whether the Honorable the Attorney General intends proceeding against any of the parties concerned?

(4.) Is it true that the Clerk of Petty Sessions, under the order of the Police Magistrate, charges parties in indictable cases preferred at the Police Office the costs for information, summons, and subpoenas, contrary to the 6th section of 13 Vic. No. 7; and whether the Clerk did not charge and receive from a person named Jones the sum of 9s. 6d. for an information, summons, and subpoena, in a supposed case of perjury, on Jones making the charge?

Mr. F. B. Suttor answered,—

(1.) I have ascertained that it is not true.

(2 & 3.) In the case of *Smith versus Preece*, an affidavit would appear to have been made by the Bailiff of the Small Debts Court before the Registrar on the 19th June, 1879, and filed on that day with the Registrar in his office. The date of the affidavit was altered by the Registrar from the 19th to the 20th June, upon affidavit being re-sworn by Bailiff in consequence of a clerical omission which had been filled up. The Bailiff then served a fresh copy, dated 20th June, upon defendant on the same day. The case was heard on 25th June before two Magistrates. The affidavit was not removed, and is now in the office.

(4.) In the case of *Jones versus Spence* for alleged perjury (which was dismissed) the Clerk of Petty Sessions received the sum of 9s. for summons, affidavit, and subpoena, from the complainant, and, in the belief that sec. 6 of 13 Vic. No. 7 refers only to fees chargeable to persons proceeded against, he refused to return the money. The Police Magistrate concurred at the time in that view, but he has since, on further consideration of the above section (which is a little ambiguous) altered his opinion, and instructed the Clerk of Petty Sessions to refund the fees in question, and not to demand fees in such cases in future.

(5.) Road near Morrison's Selection, Keloe Creek:—*Mr. McElhone* asked the Secretary for Mines,—

(1.) In reference to surveyed road fenced in by Messrs. Clive and Bettington, near J. Morrison's and others selection at Keloe Creek, some 9 miles from Merriwa, and which I have applied on several occasions to have opened,—What steps (if any) have been taken to remove fencing off this road and open it to the Village Reserve on Bobiala Creek, such road being between lots 655, 851, and 941?

(2.) Will he issue immediate instructions to remove Messrs. Clive and Bettington's fencing off this road, and so throw it open to the public?

Sir

Sir Henry Parkes answered,—

(1.) Prior to receipt of the Honorable Member's letter of the 14th instant it was not known that his complaint had reference to the road between lots 655, 851, and 941. No steps have been taken to remove the fencing or to open the road referred to.

(2.) The road in question being a reserved boundary road separating the alienated portions quoted. The public requiring this road have a right to its unobstructed use, which right they must themselves maintain.

(6.) Department of Lands :—*Mr. Garrett* asked the Secretary for Lands,—

(1.) The number of persons whom he has dismissed from positions in the Lands Department since he took office in the present Government; the positions they held, the reasons for their dismissal, and upon what or whose reports or charges were they removed respectively?

(2.) The number of persons he has appointed to positions in the Lands Department (not being professional positions) since he took office; their names, the positions to which they have been appointed, and upon whose recommendation were they appointed?

Mr. Hoskins answered,—The particulars referred to can best be answered in the shape of a Return, which I will lay upon the Table of the House presently.

(7.) Water Supply for Sydney and Suburbs :—*Mr. Hungerford* asked the Secretary for Public Works,—If the Government, before finally dealing with the Water Supply for Sydney, intend taking any action that will commit this Colony to the Upper Nepean Scheme?

Mr. Lackey answered,—The question of adopting the Upper Nepean Scheme for the Water Supply of Sydney has been already affirmed by the Votes of this Assembly.

(8.) Furniture for Telegraph Office, Singleton :—*Mr. W. C. Browne* asked the Secretary for Public Works,—When will the furniture for the Telegraph Office at Singleton, which was ordered in October last, be supplied?

Mr. Lackey answered,—All the Telegraph Office furniture applied for was furnished on 31st October last; and the private letter boxes for the Post Office, recently supplied, are now being fixed.

3. PROROGATION OF PARLIAMENT :—*Sir Henry Parkes* informed the House that he had it in Command to state that His Excellency the Lieutenant-Governor would prorogue Parliament on Thursday next at Twelve o'clock (noon).

4. PAPERS :—

Sir Henry Parkes laid upon the Table,—

(1.) By-laws of the Municipal District of Central Shoalhaven.

(2.) Further Return to an Address adopted on 6th July, 1877,—“Immigration”—Ship “Samuel Plimsoll.”

(3.) Return showing the names of Members of the Legislative Council, with the dates of their appointment to that Chamber.

Ordered to be printed.

Mr. Hoskins laid upon the Table,—

(1.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Victoria No. 1.

(2.) Abstract of Crown Lands authorized to be dedicated for the use of Pastoral and Agricultural Associations, in accordance with the 32nd section of the Act 39 Victoria No. 13.

(3.) Returns showing the number of persons dismissed from, and appointed to, positions in the Department of Lands since *Mr. Hoskins* took office as Secretary for Lands in the present Government.

Ordered to be printed.

5. WATER SUPPLY FOR SYDNEY AND SUBURBS :—*Mr. Hungerford* moved, pursuant to Notice, That, in the opinion of this House, it is not desirable that any steps should be taken to carry out any Water Supply Scheme for Sydney until this House has further engineering information on the question of Water Supply.

Debate ensued.

Question put and negatived.

6. LANDS ACTS AMENDMENT ACT DECLARATORY BILL :—*Mr. Speaker* reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled “*An Act to declare and define the meaning of the fortieth section of the ‘Lands Acts Amendment Act of 1875,’*”—presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,
Sydney, 22nd July, 1879.

JOHN HAY,
President.

Bill, on motion of *Mr. Garrett*, read a first time.

Ordered to be printed, and read a second time to-morrow.

7. ADJOURNMENT :—*Mr. McElhone* moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

8. ASYLUM FOR IMBECILES, NEWCASTLE:—Mr. McElhone moved, pursuant to Notice, That there be laid upon the Table of this House copies of all Papers, Correspondence, Minutes, Telegrams, &c., in reference to the birth of a child by a girl in the Asylum for Imbeciles, Newcastle, leaving out the name of the girl.

Debate ensued.

Question put,—

And Division called for,—

But there being no Tellers on the part of the *Ayes*, no Division could be had, and Mr. Speaker declared the Question to have passed in the *negative*.

The House adjourned at five minutes after Seven o'clock, until To-morrow at Four o'clock.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 157.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 23 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

VACANT SEAT:—Mr. Speaker informed the House that he had received a letter from William Henry Suttor, Esquire, resigning his Seat as a Member of the Legislative Assembly for the Electoral District of East Macquarie.

Whereupon Sir Henry Parkes moved, That the Seat of William Henry Suttor, Esquire, a Member for the Electoral District of East Macquarie, hath become, and is now vacant, by reason of the resignation thereof by the said William Henry Suttor, Esquire.

Question put and passed.

2. QUESTIONS:—

(1.) Road through the Melville Estate:—Mr. Burns asked the Secretary for Mines,—Has the report of Mr. Surveyor Evans been received in reference to the proposed official opening of the Road through the Melville Estate; if so, when will the Ministerial decision be given in the matter?

Sir Henry Parkes answered,—The report has not yet been received; but the District Surveyor has been reminded, with the view to expedite his report.

(2.) Religious Teaching in Public Schools:—Mr. Buchanan asked the Minister of Justice and Public Instruction,—Has his attention been called to the letter of the Rev. Mr. Kirby on the subject of Religious Teaching in Public Schools, which appeared in the *Herald* the other day, and also to the reply of the Council of Education?

Mr. F. B. Suttor answered,—I have read the letter of the Rev. Mr. Kirby on the subject of Religious Teaching in Public Schools that appeared in the *Herald*, and also the correspondence upon the same subject between the Council of Education and that gentleman.

(3.) Electric Telegraph from Barraba to Bingera:—*Mr. Greenwood*, for Mr. Dangar, asked the Secretary for Public Works,—Parliament having voted money for the extension of the Electric Telegraph Wire from Barraba to Bingera,—When will tenders be invited for the construction of such?

Mr. Lackey answered,—Tenders were invited in the *Gazette* of the 18th instant, to be opened on the 12th August next.

(4.) Court-house, Walgett.—Bridge over the Namoi River at Walgett:—*Mr. Greenwood*, for Mr. Dangar, asked the Secretary for Public Works,—Money having been voted by Parliament for the erection of a new Court-house at Walgett, and the erection of a Bridge over the Namoi River at that place,—When will tenders be invited for these works?

Mr. Lackey answered,—Tenders for the erection of Court-house, Walgett, will be invited in an early issue of the *Government Gazette*, and tenders for the Bridge over the Namoi will be called for as soon as the survey and plans, which are now in hand, have been completed.

(5.) Approaches to Dangar Bridge:—*Mr. Greenwood*, for Mr. Dangar, asked the Secretary for Public Works,—

(1.) Is he aware that the want of approaches to the Dangar Bridge over the Barwin River at Walgett is rendering it utterly useless during floods to travellers, teamsters, stock travelling to and from the adjoining Colony, and others?

(2.) Will provision be made for a sufficient sum of money to construct proper culverts and approaches to secure the advantages intended in the construction of this Bridge over the Barwin River?

Mr. Lackey answered,—I replied to similar questions on 24th April last. I am aware that the country in the vicinity is submerged at flood times. An officer has been instructed to inspect and report as soon as the state of the country will allow, and whatever works are found necessary to render the main Bridge accessible will be provided for.

(6.)

(6.) Post and Telegraph Office, and Police Barracks, Walgett:—*Mr. Greenwood*, for *Mr. Dangar*, asked the Secretary for Public Works,—

(1.) Has money been voted for the erection of new Post and Telegraph Office and Police Barracks at Walgett; and if so, have tenders been called for same, and accepted?

(2.) The name of contractor in each case, date of acceptance of tenders, and time fixed for completion of each of these buildings; and have the necessary bonds been signed?

(3.) Is the Minister aware no progress, or attempt to commence these public works, has been made?

(4.) Will immediate steps be taken to cause a commencement of these works, and a speedy completion thereof?

Mr. Lackey answered,—

(1.) The money has been voted, and tenders have been accepted in each case.

(2.) *P. O'Keefe*, contractor for both buildings; the Post and Telegraph Office to be completed 8th February, 1880, and Police Buildings, 8th November, 1879. The bonds have not yet been completed.

(3.) As no officer has recently visited the locality I am unable to say what progress has been made with the work.

(4.) An officer is now in the district, and the contractor will be urged to hasten the work.

(7.) *Mr. Isaac Shepherd*:—*Mr. McElhone* asked the Colonial Secretary,—Was *Mr. Isaac Shepherd* superseded or struck off the Commission of the Peace; if so, is he aware that he still acts as a Magistrate?

Sir Henry Parkes answered,—*Mr. Shepherd* was superseded on the 27th September, 1877. I am not aware that he acts as a Magistrate.

(8.) Examiner of Coal Fields, and Inspector of Collieries:—*Mr. Cameron*, for *Mr. Driver*, asked the Secretary for Mines,—Is it true that the Examiner of Coal Fields and Inspector of Collieries have been threatened with suspension; if so, will the Minister lay all Correspondence, Papers, Minutes, and Memos. connected therewith, and inducing such an intimation, upon the Table of this House?

Sir Henry Parkes answered,—In consequence of the disagreement existing between the Examiner of Coal Fields and the Inspector of Collieries, they were informed in March last, in answer to their complaints the one of the other, that unless they performed their duties more in harmony the Minister would be under the necessity of causing them to be suspended, with a view to an inquiry into their conduct. Since the receipt of that intimation they appear to have worked satisfactorily. If the Honorable Member will move for the production of the Papers relating to the disputes between these officers, there will be no objection to lay them upon the Table of the House.

(9.) Lock-up at Stockton:—*Mr. Hungerford* asked the Secretary for Public Works,—Have tenders been accepted for the building of the Lock-up at Stockton?

Mr. Lackey answered,—A tender for this building was accepted in September last, but the site has not yet been finally determined.

(10.) Destruction of Fish at Terrigal and Lake Macquarie:—*Mr. W. C. Browne* asked the Secretary for Lands,—Whether he intends to take steps to prevent the wholesale destruction of young fish at Terrigal and Lake Macquarie, caused by certain persons who are constantly in the habit of using nets with small meshes?

Mr. Hoskins answered,—I have no official intimation of the alleged destruction of fish referred to by the Honorable Member, but I will take steps to have the matter investigated in the proper quarter.

(11.) Forage Allowance to Officers of the Permanent Artillery:—*Mr. W. C. Browne* asked the Colonial Secretary,—

(1.) Is it a fact that the Officers of the Permanent Artillery, under the recently passed Estimate, receive only £40 per annum forage allowance, while the Officers of the Permanent Staff receive £50 per annum for the same purpose, and the Staff Surgeon and Officer in charge of the Cadet Corps receive £64 per annum travelling allowance in lieu of forage allowance?

(2.) Have the Officers of the Permanent Staff and Artillery to purchase horses, shoe them, clothe their servants, &c., at their own expense, or are these expenses defrayed by the Government?

Sir Henry Parkes answered,—

(1.) Yes.

(2.) All expenses outside the forage allowance are borne by the Officers.

(12.) Site for Public School at Druitt Town:—*Mr. Cameron*, for *Mr. Lucas*, asked the Minister of Justice and Public Instruction,—

(1.) Has the Council of Education completed the purchase of a site for a Public School at Druitt Town; if not, when is it likely a purchase will be made?

(2.) When will tenders be called for the erection of a Public School in the abovementioned locality?

Mr. F. B. Suttor answered,—

(1.) The Council of Education has recently agreed to purchase a site for a Public School at Druitt Town, but the conveyance has not yet been completed.

(2.) Tenders for the buildings will be invited as soon as the site shall have been vested in the Council of Education.

(13.) Public School, Burwood:—*Mr. Cameron*, for *Mr. Lucas*, asked the Minister of Justice and Public Instruction,—

(1.) Do the Council of Education know that 425 children is about the average daily attendance at the Burwood Public School, which was erected to accommodate 270 children only?

(2.) Will the Council take immediate steps to increase the dimension of the school-rooms, to prevent the over-crowding so dangerous to the health and comfort of the children?

Mr.

Mr. F. B. Suttor answered,—

(1.) No; the School returns show that the average attendance for the whole School for the quarter ended 31st March last was 322·9, and that for the quarter ended 30th June, 304.

(2.) The Council has resolved not to add to the existing school buildings, inasmuch as the educational requirements of Burwood and its immediate neighbourhood are already sufficiently provided for. A large number of the children attending the School reside nearer to other Public Schools, where they could be accommodated.

3. PAPERS :—

Mr. Hoskins laid upon the Table,—Return to an Order made on 12th March, 1878,—“Temporary Common near Singleton.”
Ordered to be printed.

Mr. Watson laid upon the Table,—Return (*in part*) to an Order made on 14th May, 1879,—“Vessels cleared at Ports of Sydney and Newcastle.”
Ordered to be printed.

Mr. Lackey laid upon the Table,—Information respecting Mr. Laing, of the Dredge “Samson.”
Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—By-laws of the Borough of the Glebe, for the regulation of the Glebe Free Library.
Ordered to be printed.

4. SPECIAL ADJOURNMENT (*Formal Motion*):—Sir Henry Parkes moved, pursuant to Notice, That this House, at its rising this day, do adjourn until half-past Eleven a.m. To-morrow.
Question put and passed.

5. ADJOURNMENT:—Sir Henry Parkes moved, That this House do now adjourn.
Debate ensued.
Question put and passed.

Whereupon Mr. Speaker left the Chair, and the House stood adjourned at two minutes after Six o'clock, until To-morrow at *half-past Eleven o'clock* A.M.

G. WIGRAM ALLEN,
Speaker.

New South Wales.

No. 158.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 24 JULY, 1879.

1. The House met pursuant to adjournment: Mr. Speaker took the Chair.

QUESTIONS:—

- (1.) Travelling Expenses of Public School Teachers:—Mr. McElhone asked the Minister of Justice and Public Instruction,—

(1.) What scale (if any) do the Council of Education pay or allow the Public School Teachers for travelling expenses per mile?

(2.) Is any difference made in the allowance to married and single teachers in the matter of travelling expenses; if so, what is the difference, and the rate allowed per mile?

(3.) What are the names of the Teachers who were removed during March, April, and May, the distances travelled by each of them, and the amounts allowed to each of them, and amounts claimed by each of them for travelling expenses, and the names of the married and single Teachers who were removed from one district to another?

Mr. F. B. Suttor answered,—

(1.) There is no such scale.

(2.) A difference is made in the allowances to married and single teachers in the matter of travelling expenses. The allowance in each individual case is determined by the probable or actual expenditure in travelling, and by the circumstances under which the appointment of the teacher concerned is made.

(3.) I will lay this information upon the Table in the shape of a Return.

- (2.) Wallaces Conditional Purchases:—Mr. Burns asked the Secretary for Lands,—If he will to-day (Thursday) lay upon the Table the Papers ordered by this House on the 16th April last in reference to the conditional purchases of Messrs. Hugh and Henry M. Wallace?

Mr. Hoskins answered,—The Return alluded to cannot possibly be ready to lay upon the Table of the House to-day. The Department has at the present time to prepare fifty returns, ordered to be laid before Parliament, of which this is thirty-sixth on the list. The Return asked for will be prepared in its turn, and with as little delay as possible.

- (3.) Railway from Werris Creek to Gunnedah:—Mr. Wisdom asked the Secretary for Public Works,—

(1.) Is it likely that the Contractors for the Line of Railway from Werris Creek to Gunnedah will have completed their contract on or about the 1st of September next?

(2.) Will the Line be opened for public traffic as soon as the Contractors have finished their part of the work; if not, for what reason?

Mr. Lackey answered,—

(1.) It is not probable that the Line to Gunnedah will be completed before the middle of September, even if the weather be favourable.

(2.) The Line will be opened as soon as the Contractors have finished their work.

- (4.) The case of Robert Webster and George W. Warden:—Mr. Wisdom asked the Colonial Secretary,—

(1.) Has an inquiry been held into the conduct of Sergeant Cleary and Constable Couch with reference to the case of Robert Webster and George W. Warden, who were tried for cattle-stealing at the Tamworth Assizes in April last?

(2.) If such an inquiry has been held, what has been the result of it?

Sir Henry Parkes answered,—A somewhat lengthy inquiry has been instituted in this matter, and it is not yet closed. It is a matter of some difficulty, and rather complicated, and I am not in a position to state what the result will be.

(5.) Mr. Kenna, Sydney Grammar School :—Mr. Buchanan asked the Minister of Justice and Public Instruction,—Is it true, as has been stated, that Mr. Kenna, a pupil attending the Sydney Grammar School, and a son of the late Richard Kenna, of Bathurst, had any insult offered to the religion which he professes while attending the abovenamed institution as a pupil ?

Mr. F. B. Suttor answered,—I have just received this letter from the Head Master of the Sydney Grammar School :—“ My dear Sir,—In Mr. Catlett’s absence, I have opened your memo. in reference to Mr. Buchanan’s question. I am in a position to state that Mr. Kenna, a pupil attending the Sydney Grammar School, and a son of the late Richard Kenna, of Bathurst, distinctly denies that any insult has ever been offered to him at the Sydney Grammar School in reference to the religion which he professes. I may further state that the Head Master of the School will request the Trustees to hold an inquiry into the matter. In haste, yours truly, A. B. WEIGALL.”

(6.) Banco and Jury Courts :—Mr. Cohen asked the Attorney General,—Whether definite arrangements have been made for the hearing of causes on Monday next in both the Banco and Jury Courts ?

Mr. Windeyer answered,—Yes, definite arrangements have been made.

(7.) Men employed on Steam Dredges :—Mr. J. Davies, for Mr. Jacob, asked the Secretary for Public Works,—When is it likely that the information promised on 13th of May last, in reply to questions relative to men employed on the Dredges, will be laid upon the Table of this House ?

Mr. Lackey answered,—I have the Return in my hand, which I intend laying upon the Table in a few minutes.

(8.) Parliamentary Hansard :—Mr. Cameron asked the Colonial Secretary,—Is it his intention to take the necessary steps during the Recess for the carrying on of the Parliamentary Hansard, for which provision has been made on the Estimates ?

Sir Henry Parkes answered,—Yes.

2. PETITION OF MR. E. W. RUDDER :—Mr. R. B. Smith, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report the Petition of Mr. E. W. Rudder was referred on 12th November, 1878 ; together with Appendix.
Ordered to be printed.

3. PAPERS :—Mr. Hoskins laid upon the Table,—

(1.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Victoria No. 1.

(2.) Abstract of Sites for Cities, Towns, and Villages, declared under the 4th section of the Act 25 Victoria No. 1.

Ordered to be printed.

Mr. F. B. Suttor laid upon the Table,—

(1.) Return to an Order made on 4th July, 1879,—“ Inquests in the Maitland District.”

(2.) Return respecting payment of Travelling Expenses to certain Teachers under the Council of Education.

Ordered to be printed.

Mr. Lackey laid upon the Table,—

(1.) Return to an Order made on 9th April, 1879,—“ Sale of Old Iron.”

(2.) Return to an Order made on 29th January, 1879,—“ Messrs. Hudson Brothers.”

Ordered to be printed.

(3.) Return respecting Men employed on Steam Dredges.

Mr. Watson laid upon the Table,—Return respecting the Glebe Island Abattoirs.

Ordered to be printed.

Sir Henry Parkes laid upon the Table,—Amended Regulations under the Volunteer Force Regulation Act of 1867.

Ordered to be printed.

4. ADJOURNMENT :—Mr. McElhone moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

5. PUBLIC WORKS LOAN BILL :—Mr. Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill intituled “*An Act to enable the Government to raise a Loan for certain Public Works,*”—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 23rd July, 1879.

JOHN HAY,
President.

6. SUPPLY :—The Order of the Day for the resumption of the Committee of Supply read,—and, on motion of Mr. Watson, discharged.

7. WAYS AND MEANS :—The Order of the Day for the resumption of the Committee of Ways and Means read,—and, on motion of Mr. Watson, discharged.

8. ADJOURNMENT :—Mr. J. Davies moved, That this House do now adjourn.

Debate ensued.

9. MESSAGE FROM THE LIEUTENANT-GOVERNOR:—The Usher of the Black Rod was admitted, and delivered the following Message:—

MR. SPEAKER,

It is the pleasure of His Excellency the Lieutenant-Governor that this Honorable House do attend him immediately in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went to the Legislative Council, where Mr. Speaker addressed His Excellency, as follows:—

MAY IT PLEASE YOUR EXCELLENCY,—

The Legislative Assembly has granted to Her Majesty the necessary Supplies for the current year, and for the Services of former years not previously provided for. The Legislative Assembly has also voted a sum of money, to be raised by loan, for the purpose of carrying on certain Public Works.

I have now the honor to present to your Excellency for the Royal Assent,—

- (1.) A Bill to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1879 and for the year 1878 and previous years.
- (2.) A Bill to enable the Government to raise a Loan for certain Public Works.

10. ASSENT TO BILLS:—His Excellency was then pleased to subscribe, and declare his Assent, in the name and on behalf of Her Majesty, to the Bills presented by Mr. Speaker, viz. :—

(1.) "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year 1879 and for the year 1878 and previous years.*"

(2.) "*An Act to enable the Government to raise a Loan for certain Public Works.*"

11. PROROGATION :—His Excellency then delivered to both Houses of Parliament the following Speech :—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,
AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I have much satisfaction in releasing you from further attendance upon your Parliamentary duties.

2. Many of the subjects which have engaged your attention during the long Session now about to close have been of the first magnitude, and the consideration bestowed upon them, even where no amendments of the law have resulted from your labours, will prove of great advantage to the public, in leading to inquiries attended by beneficial changes in the Public Service, and in preparing the way for more matured measures of legislation. Several of the Acts which your careful labours have added to the Statute Book are measures compassing objects of the highest interest, and mark the Session as one creditable to the wisdom of the Legislature and the character of the Colony.

3. The Acts for reconstituting and extending the municipal government of Sydney, and for regulating the improvements of the City, are calculated, by promoting the public health and the effective management of the affairs of the Metropolis, to afford general satisfaction.

4. The commerce of the Colony will be materially relieved from restrictions, while the public revenue will be more effectually protected, by the Act amending and consolidating the Customs Laws.

5. It cannot be other than beneficial to the gold-mining interest that the Act repealing the Export Duty, which has for so many years been sought, has at length assimilated the law of this Colony to that of Victoria and Queensland.

6. The Act for protecting works in Literature and the Fine Arts and giving to authors and inventors the benefit of their labours, will remedy a defect in the fabric of our laws which has long been felt, and will, it is hoped, be the means of encouraging talent to a healthful competition in the higher walks of discovery and meritorious achievement.

7. The best interests of society will be served by the law securing to married women their rights of property, as the principle embodied in this measure will supply a motive to exertion and self-dependence in cases of personal hardship where extraneous help would not in many instances be obtainable.

8. The Act to protect the public from the adulteration of the articles of food and drink is a measure that can only have a good effect in its operation.

9. The comprehensive measure which has engaged the attention of Parliament for several years to make better provision for the treatment of the insane, has now by your efforts been passed into law, and I look with the most hopeful anticipations to its beneficial effects on the care and management of that unhappy class of our fellow-creatures who are suffering from the severest of human afflictions. While the new Act will ameliorate the condition of the unfortunate inmates of our asylums, it will protect the public revenue from imposition, by providing for the support from their private resources of that class of patients who are not in a state of helpless dependence upon the Government.

10. I heartily congratulate you on the passing of these and other useful measures of legislation.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

11. The Supplies which you have so liberally granted to Her Majesty for the services of the present year, as well as for those important public works to be defrayed out of the accumulated surpluses of previous years, will be expended with a strict regard to economy and efficiency.

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,
AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

12. It is in the highest degree gratifying that the Loan for three millions and a quarter recently negotiated in London has placed the securities of the Colony in the most favoured class
of

of public investments. The Public Works authorized by the Acts under which the late Loan was raised will without unnecessary delay be proceeded with, and every diligence will be exercised to expedite their completion.

13. The Loan Act of the present Session authorizes the raising of the sums required for the extension of Railways to Tenterfield and to Narrabri in the North, to the district of Bourke and to Mudgee in the West, and to the town of Hay in the South-west; and for the construction of works for the Supply of Water to the Metropolis, and for a system of Metropolitan Sewerage. The prosecution of these projected works will without loss of time engage the earnest attention of the Government.

14. Although the Revenue for the first six months of the present year shows a small falling off on the whole as compared with the corresponding period of 1878, it is confidently anticipated that various causes will combine to raise the receipts of the remaining portion of the year so as to justify the Estimate of the year's revenue submitted to the Legislative Assembly by the Treasurer. The half-year just closed gives an increase under the head of Services to the extent of over £35,000, which is principally derived from the increasing traffic on our railways. Considering the general depression in Great Britain and throughout the world, which has, as a consequence, extended to the Australian Colonies, the revenue has been sustained in a manner which is a gratifying evidence of the permanence of our resources.

15. The decision arrived at in favour of an International Exhibition in Sydney of the products of Art and Industry, on a scale of magnitude that should secure the representation of the principal nations of the world, has been carried out with so much energy that the building is near its completion, and the opening will take place, it is believed, early in September. Already gentlemen in charge of exhibits from France, Belgium, Holland, the Japanese Empire, and other Countries have arrived in Sydney, and the Government is advised that several other of the Countries of Europe as well as the United Kingdom will be represented at the Exhibition. In England, Her Majesty the Queen has been graciously pleased to appoint a Commission, with His Royal Highness the Prince of Wales as President, to promote its success. There can be no doubt that this great undertaking, so creditable to the public spirit of the Colony, will bring together on our shores an assemblage of national interests such as has never been witnessed before in Australia, and will be the means of an intercommunication of knowledge and an interchange of ideas, which will form an era in our history and result in lasting benefit.

16. On separating for your respective homes, you will I trust carry with you in all your private undertakings the blessing of Almighty God, in whose goodness we must confide for the continued prosperity of the Colony.

I now declare this Parliament prorogued until Tuesday, the 26th of August.

G. WIGRAM ALLEN,
Speaker.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

BUSINESS UNDISPOSED OF AT THE CLOSE OF THE SESSION.

(PROROGUED, THURSDAY, 24 JULY, 1879.)

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Foreign Criminals Influx Prevention Bill; to be further considered in Committee.
2. Wharfage and Tonnage Rates Bill; second reading.
3. Metropolitan Railway Extension Bill; to be further considered in Committee.
4. Water and Sewerage Bill; to be further considered in Committee.
5. Volunteer Land Orders Bill reported; adoption of report.

GENERAL BUSINESS—NOTICES OF MOTIONS:—

1. MR. DRIVER to move, That there be laid upon the Table of this House copies of all Correspondence, Papers, Minutes, &c., relative to any disputes between the Examiner and Inspector of Coal Fields.
2. MR. FARNELL to move, That whereas the following Resolution was passed on the 6th of June, 1876, "That, in the opinion of this House, it is undesirable that any person in the employ of the Government should be allowed to act as Director or Auditor of any Bank or other Company during office hours"; and whereas such Resolution was communicated by Address to His Excellency the Governor, and was brought under the notice of persons employed in the Public Service; and whereas certain officers of the Government accepted the office of Director and Auditor of certain Public Companies, in accordance with the said Resolution; and whereas the following Resolution was passed on the 17th of June last,—“That, in the opinion of this House, no person employed in the Civil Service should be allowed to act as a Director or Auditor of any Bank or Company except the Civil Service Co-operative Society”; and whereas it is doubtful as to whether the last-named Resolution extends to officers who were Directors or Auditors of Banks or Public Companies when it passed,—Now, therefore, this House is of opinion that the last-named Resolution does not apply to any officer who accepted such office prior to the 17th of June last.
3. MR. FARNELL to move, That there be a Call of the House on Friday, the 8th of August, to consider the Resolutions given notice of by Sir Henry Parkes for Wednesday, the 16th July, relative to the Legislative Council.
4. MR. COHEN to move, That, in the opinion of this House, the Secretary for Lands should obtain the opinion of the Crown Law Officers relative to certain Volunteer Land Order Selections, as set forth in a Petition to His Excellency the Lieutenant-Governor from F. G. Griffiths, Esq., on the 25th of April, 1879.
5. MR. McELHONE to move, That, in the opinion of this House, the sum of £504 11s. 9d., taken out of the money voted for and appropriated by this House for the purpose of making the Road from Denman to Cassilis, and which sum of money was taken out of the money so voted and appropriated for Road purposes, and which was used for the purpose of completing the Bridge over the Cassilis River, should be restored to that vote to be used for the purpose for which it was voted and appropriated by this House.
6. MR. MACINTOSH to move, That, in the opinion of this House, it is desirable that the Rainfall Map and recent notes relating thereto, by the Government Astronomer, should be published at the Government Printing Office for general information; as also a second edition of the "Climate of New South Wales," with any notes or addenda considered desirable by the Government Astronomer.
7. DR. BOWKER to move,—
 - (1.) That, in the opinion of this House, it is not desirable that an Hospital of any considerable size—say anything more than a mere emergency Hospital of sixty-four, or at any rate not more than ninety-six beds—should be built within the precincts of the City of Sydney, because,—
 - (1.) It would be contrary to the first rule of modern science.
 - (2.) It would not be so favourable to the recovery of the patients as an Hospital outside the City.
 - (3.) That it would militate against the health of the inhabitants of the City.
 - (4.) That on æsthetic considerations it is not fair, if it can be reasonably avoided, to have daily paraded before the residences of the inhabitants specimens of heartrending and often loathsome diseases.
 - (5.) Because it is not just to the poor patients so afflicted to be so daily paraded.
 - (2.) That the above Resolution be communicated by Address to His Excellency the Lieutenant-Governor.

8. MR. FARNELL to move, That there be laid upon the Table of this House at as early a period as possible copies of all Minutes, Correspondence, Declarations, and all other Documents relative to the removal of Mr. Edwards from the Auction Branch of the Lands Department.
9. MR. R. B. SMITH to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1879 a sum of money not exceeding £20,000 for the improvement of the entrance to the Manning River.
10. MR. R. B. SMITH to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be placed on the Additional Estimates for 1879 a sum of money not exceeding £5,000 for the improvement of the entrance of the Bellinger River.
11. MR. BEYERS to move, That, in the opinion of this House, no leases should be granted on any Gold Field hereafter proclaimed until after the expiration of twelve months from the date of the proclamation.
12. MR. R. B. SMITH to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the control and management of the Botanical Gardens, Sydney.
 - (2.) That such Committee consist of Mr. Hoskins, Dr. Bowker, Mr. Day, Mr. Burns, Mr. W. C. Browne, Mr. Long, Mr. Shepherd, Mr. J. Davies, Mr. McElhone, and the Mover.
13. MR. BUCHANAN to move,—
 - (1.) That, in the opinion of this House, no moneys derivable in any way from the Church and School Lands shall be paid to any religious sect whatever.
 - (2.) That the above Resolution be communicated by Address to His Excellency the Lieutenant-Governor.
14. DR. BOWKER to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider an Address to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be placed on a further Additional Estimate for the present year a sum not exceeding £100,000 for the Water Supply for the Districts of the Hunter River.
15. MR. GREENWOOD to move, That Standing Order No. 89 be amended by inserting after "accordingly" the words "Provided that any Member may call for a Division on the request that Strangers withdraw, and the request shall be agreed to or rejected by a majority of votes ascertained in the usual manner."
16. MR. R. B. SMITH to move, That this House is of opinion the land in Bridge-street between the Mining Department and Phillip-street should be forthwith resumed by the Government for public purposes.
17. MR. LUCAS to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, and leave to sit during any adjournment, to inquire into and report upon the management of the several Branches of the Lands and Survey Departments.
 - (2.) That such Committee consist of Mr. Badgery, Mr. Baker, Mr. Barbour, Mr. Bawden, Mr. Bennett, Mr. Beyers, Dr. Bowker, Mr. Bowman, Mr. H. H. Brown, and the Mover.
18. MR. BOWMAN to move for leave to bring in a Bill to legalize the use of an instrument called the Totalisator on Racecourses.
19. MR. BEYERS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1879 a sum not exceeding £2,500 for the purpose of providing a Diamond Drill, with all necessary machinery for working the same, for the Hill End and Tambaroora Gold Fields.
20. MR. GREENWOOD to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into the working and results of the Land Laws of the Colony, and the administration of the Lands Department; and also to procure official information in regard to the Land Laws of other Countries.
 - (2.) That such Committee consist of Mr. Hoskins, Mr. Baker, Mr. Fitzpatrick, Mr. Farnell, Mr. Driver, Mr. Garrett, Mr. Hungerford, Mr. McElhone, Mr. Barbour, and the Mover.
21. MR. MACINTOSH to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the injury sustained by Mr. Thomas Cox, as alleged in his Petition presented to this House on 31st January, 1878, relative to the cancellation of a Mining Lease at Mitchell's Creek.
 - (2.) That such Committee consist of Mr. Baker, Mr. Farnell, Mr. Stephen Brown, Mr. Jacob, Mr. Day, Mr. Hurley (*Hartley*), Mr. Murphy, Mr. J. Davies, Mr. Copeland, and the Mover.
22. MR. McELHONE to move,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the working and management of the Electric Telegraph Department, and the dismissal of Mr. Miles.
 - (2.) That such Committee consist of Mr. McCulloch, Mr. Hurley (*Hartley*), Mr. Dangar, Mr. Burns, Mr. Macintosh, Mr. Cameron, Mr. Day, Mr. Terry, Mr. W. H. Sutor, and the Mover.
23. MR. HUNGERFORD to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the most desirable route for a Railway to connect the North-western Districts of the Colony with Sydney.
 - (2.) That such Committee consist of Mr. Burns, Mr. Dangar, Mr. Dillon, Mr. Buchanan, Mr. Fitzpatrick, Mr. Greenwood, Mr. Lackey, Mr. Macintosh, Mr. Badgery, and the Mover.
24. MR. COONAN to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider an Address to the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for 1879 a sum not exceeding £500 for the supply of Water to the Town of Cargo.

25. MR. GRAY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
- (1.) That, in the opinion of this House, the importance of the Districts of Illawarra, Kiama, and Shoalhaven, having regard to their agricultural, pastoral, and mineral wealth and population, demands the construction of a Railway from Sydney to Shoalhaven.
 - (2.) That the Government should proceed with all reasonable energy to the construction of such work.
 - (3.) That the above Resolutions be communicated by Address to His Excellency the Lieutenant-Governor.
26. MR. HUNGERFORD to move, That there be laid upon the Table of this House a Return showing,—
- (1.) The cost of working and maintenance of the Railway Line from Marrangaroo to Glenbrook, a distance of about 60 miles.
 - (2.) The like information in reference to the Railway from Maitland to Muscleebrook.
 - (3.) The same information in reference to the Railway Line from Picton to Marulan.

ORDERS OF THE DAY:—

1. Lands Acts Amendment Act Declaratory Bill ; second reading.
2. Criminals Commuted Punishment Bill ; second reading.
3. The Equity Bill ; second reading.
4. House-rent to Denominational School Teachers ; resumption of the adjourned Debate, on the motion of Mr. Stuart,—That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That, in the opinion of this House, any allowances in lieu of house-rent which are made by the Council of Education to Teachers in the Public Schools should be extended to Teachers in Certified Denominational Schools.
 - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Lieutenant-Governor.
5. Standard Weight for Maize Bill ; second reading.
6. Public Education ; resumption of the adjourned Debate, on the motion of Dr. Bowker,—

“ (1.) That this House is of opinion that it is expedient that the Government should bring in a Bill without delay providing for the placing of the Educational matters of this Colony in the hands of a responsible Minister, instead of their being managed, as at present, by the Council of Education.

“ (2.) That the foregoing Resolution be communicated by Address to His Excellency the Lieutenant-Governor,”—Upon which Sir Henry Parkes had moved, by way of amendment,—That all the words of the first Resolution after the word “ Bill,” be omitted, with a view to the insertion in their place of the words, “ during next Session to extend and improve the means of Public Education, and to “ render the school administration responsible to Parliament.”
7. Governor's Signature Bill (No. 2) ; second reading.

ATTENDANCES OF MEMBERS IN DIVISIONS AND COUNTS-OUT, DURING THE SESSION OF 1878-9.

	Divisions in the House.	Divisions in Committee.	Counts-out.	Total.
Allen, The Hon. Sir George Wigram, Kut. (<i>Speaker.</i>)				
Badgery, Henry Septimus, Esq.	28	50	4	82
Baker, The Hon. Ezekiel Alexander, Esq.	61	140	20	221
Barbour, Robert, Esq.	54	113	10	177
Bawden, Thomas, Esq.	4	15	1	20
Bennett, Hanley, Esq.	39	94	7	140
Beyers, Hugo Louis, Esq.	62	153	16	231
Bowker, Richard Ryther Steer, Esq., M.D.	15	11	1	27
Bowman, Alexander, Esq.	22	58	2	82
Brown, Herbert Harrington, Esq.	29	54		83
Brown, Stephen Campbell, Esq.	23	31		54
Browne, William Charles, Esq.	50	98	8	156
Buchanan, David, Esq. (<i>from 18 March, 1879</i>)	14	7	2	23
Burns, John Fitzgerald, Esq.	62	90	7	159
Cameron, Angus, Esq. (<i>Chairman of Committees</i>)	78		23	101
Charles, Samuel, Esq.	27	76	4	107
Clarke, Henry, Esq.	35	41		76
Cohen, Henry Emanuel, Esq.	48	92	3	143
Combes, Edward, Esq. (<i>to 11 February, 1879</i>)				
Coonan, Walter Thomas, Esq.	25	34	1	60
Copland, Henry, Esq.	47	77	3	127
Dangar, Thomas Gordon Gibbons, Esq.	23	21	3	47
Davies, John, Esq.	74	167	9	250
Davies, William, Esq.	41	96	6	143
Day, George, Esq.	50	102	14	166
Dillon, John, Esq.	29	38	4	71
Driver, Richard, Esq.	72	128	7	207
Eckford, Joseph, Esq.	34	99	2	135
Farnell, James Squire, Esq.	49	101	12	162
Fitzpatrick, Michael, Esq.	58	143	11	212
Garrett, Thomas, Esq.	42	100	5	147
Gray, Samuel William, Esq.	18	46	3	67
Greenwood, James, Esq.	72	165	15	252
Greville, Edward, Esq.	48	57		105
Harris, John, Esq.	46	119	1	166
Hoskins, The Hon. James, Esq.	64	132	19	215
Hungerford, Thomas, Esq.	41	75	4	120
Hurley, John, Esq. (<i>Hartley</i>)	35	29	1	65
Hurley, John, Esq. (<i>Narellan</i>)	10	5	1	16
Jacob, Archibald Hamilton, Esq.	52	93	9	154
Johnston, William, Esq.	30	20	5	55
Kerr, Andrew Taylor, Esq. (<i>from 4 March, 1879</i>)	21	68	1	90
Lackey, The Hon. John, Esq.	64	155	18	237
Leary, Joseph, Esq.	46	75	4	125
Long, William Alexander, Esq.	6	14		20
Lucas, John, Esq.	25	61	3	89
Lynch, Andrew, Esq.	29	61	1	91
Macintosh, John, Esq.	57	116	7	180
McCulloch, Andrew Hardie, Junr., Esq.	42	78	6	126
McElhone, John, Esq.	57	149	3	209
Merriman, James, Esq.	17	50	2	69
Moses, Henry, Esq.	17	25	2	44
Murphy, John, Esq.	53	108	8	169
O'Connor, Daniel, Esq.	48	80	4	132
Onslow, Arthur, Captain, R.N.	16	16	3	35
Parkes, The Hon. Sir Henry, K.C.M.G.	59	145	17	221
Pilcher, Charles Edward, Esq.	7	3		10
Robertson, Sir John, K.C.M.G. (<i>to 13 December, 1879, resigned</i>)	17	24	1	42
Roschy, John, Esq.	50	105	5	160
Rouse, Richard, Esq. (<i>to 18 March, 1879</i>)		4		4
Shepherd, John, Esq.	38	73	6	117
Simson, Colin William, Esq.	27	65		92
Smith, Robert Burdett, Esq.	40	99	1	140
Smith, Thomas Richard, Esq.	37	75	4	116
Stuart, Alexander, Esq.	26	54	1	81
Sutherland, John, Esq.	27	49	1	77
Suttor, The Hon. Francis Bathurst, Esq.	50	119	17	186
Suttor, William Henry, Esq. (<i>to 23 July, 1879, resigned</i>)	51	98	5	154
Taylor, Hugh, Esq.	14	6		20
Tecece, William, junr., Esq.	46	55	7	108
Terry, Samuel Henry, Esq.	50	98	7	155
Thompson, James Banford, Esq.	54	151	5	210
Watson, The Hon. James, Esq.	51	136	20	207
Webb, Edmund, Esq.	27	89	5	121
Windeyer, The Hon. William Charles, Esq.	56	135	18	209
Wisdom, Robert, Esq.	33	58	6	97

