

Votes

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 23 AUGUST, 1904.

1. OPENING OF PARLIAMENT:—The House met at Twelve o'clock at Noon, pursuant to a Proclamation of His Excellency the Governor, bearing date the eleventh day of August, 1904, of which a copy was read by Mr. Richard Aldous Arnold, the Clerk of the Legislative Assembly, as follows:—

“NEW SOUTH WALES, } Proclamation by His Excellency Sir HARRY HOLDSWORTH RAWSON,
“to wit. }
“(L.S.) } Admiral in the Royal Navy, Knight Commander of the Most Honorable
“By Deputation from His } Order of the Bath, Governor of the State of New South Wales and its
“Excellency: }
“FREDK. M. DARLEY, } Dependencies, in the Commonwealth of Australia.
“Lieutenant-Governor. }

“In pursuance of the power and authority vested in me as such Governor aforesaid, by virtue of an
“Act passed in the second year of the reign of His Majesty King Edward the Seventh, being ‘An
“Act to consolidate the Acts relating to the Constitution’: I do hereby proclaim that a Session of the
“Legislative Council and Legislative Assembly for the State of New South Wales, for the despatch
“of business, shall commence and be holden on Tuesday, the twenty-third day of August instant, at
“twelve o'clock at noon, in the buildings known as the Legislative Council Chambers, in Macquarie-
“street, in the City of Sydney; and Members of the said 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 Sydney, this eleventh day of August, in the year of our
“Lord one thousand nine hundred and four, and in the fourth year of His Majesty's Reign.

“By His Excellency's Command,
“JOHN PERRY.

“GOD SAVE THE KING!”

2. WRITS OF ELECTION:—The Clerk announced that he had received, through the Honorable the Chief Secretary, a correct List, without any omission, certified by His Excellency the Governor, of the names of the several persons returned to serve in the Legislative Assembly of New South Wales, together with the respective Writs upon which they were so returned.

Table with 2 columns: Names of Members returned. and Electoral Districts for which returned. Lists names like Anderson, Rowland Joseph and districts like Botany, Balmain, etc.

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Names of Members returned.	Electoral Districts for which returned.
Collins, Albert Ernest ...	The Namoi.
Creswell, Thomas Edgar ...	St. Leonards.
Crick, William Patrick... ..	Blayney.
Dacey, John Rowland	Alexandria.
Daley, William Michael	Darling Harbour.
Davidson, Robert	Hastings and Macleay.
Dick, William Thomas	Newcastle.
Donaldson, Robert Thomas	Wynyard.
Downes, Frederick William Arthur	Camden.
Edden, Alfred	Kahibah.
Estell, John	Waratah.
Fallick, James	Singleton.
Fegan, John Lionel	Wickham.
Fell, David	Lane Cove.
Fleming, William Montgomerie	The Upper Hunter.
Gardiner, Albert	Orange.
George, Eden	Ashburnham.
Gillies, John	Maitland.
Griffith, Arthur... ..	Sturt.
Hall, Brinsley	The Hawkesbury.
Henley, Thomas	Burwood.
Hogue, James Alexander	The Glebe.
Hollis, Robert	Newtown.
Holman, William Arthur	Cootamundra.
Hurley, John	Hartley.
Jessep, Thomas	Waverley.
Jones, George Alfred	The Gwydir.
Kearney, Sydney John	Armidale.
Kelly, Andrew Joseph	The Lachlan.
Latimer, William Fleming	Woollahra.
Law, Sydney James	Rozelle.
Lee, Charles Alfred	Tenterfield.
Levien, Robert Henry	Tamworth.
Levy, Daniel	Darlinghurst.
Macdonald, Hugh	The Castlereagh.
Macdonell, Donald	Cobar.
Mackenzie, Thomas Fitzherbet Hawkins	Canterbury.
Mahony, William Henry	Annandale.
McCourt, William	Wollondilly.
McCoy, Richard Watson Walker	Marrickville.
McFarlane, John	The Clarence.
McGarry, Patrick	The Murrumbidgee.
McGowan, James Sinclair Taylor	Redfern.
McLaurin, Gordon Ranald	Albury.
McNeill, John	Pymont.
Mechan, John Charles	The Darling.
Millard, Alan Major	Queanbeyan.
Millard, William	The Cyde.
Miller, Gustave Thomas Carlisle	Monaro.
Moore, Samuel Wilkinson	Bingara.
Morton, Mark Fairless	Allowrie.
Moxham, Thomas Robert	Parramatta.
Nicholson, John Barnes	Wollongong.
Nielsen, Niels Rasmus Wilson... ..	Yass.
Nobbs, John	Granville.
Norton, John	Surry Hills.
Oakes, Charles William	Paddington.
O'Connor, Broughton Barnabas	Sherbrooke.
O'Sullivan, Edward William	Belmore.
Perry, John	Liverpool Plains.
Perry, John	The Richmond.
Reynoldson, George	Deniliquin.
Richards, Edwin	Mudgee.
Scobie, Robert	The Murray.
Smith, James Frances	Camperdown.
Storey, David	Randwick.
Sullivan, Philip Hurley	Phillip.
Thomas, Follet Johns	Gough.
Thrower, Thomas Henry	The Macquarie.
Waddell, Thomas	Belubula.
Wade, Charles Gregory... ..	Gordon.
Winchcombe, Frederick Earle	Ashfield.
Wood, William Herbert	Bega.
Young, James Henry	Gloucester.
Young, William White... ..	Bathurst.

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3. MESSAGE FROM THE COMMISSIONERS:—The Usher of the Black Rod being admitted, delivered a Message, that “The Commissioners request the immediate attendance of this Honorable House in the Legislative Council Chamber, to hear the Commission for opening Parliament read.”

The House went, and the President said:—

“Honorable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly,—
“His Excellency the Governor, not deeming it fit to be personally present here this day, has been pleased to cause a Commission to be issued, under the Public Seal of the State, constituting us Commissioners to do all things necessary to be performed by the Governor in the name and on the part of His Majesty the King, or in the name and on the part of His Excellency the Governor of the State, in order to the opening and holding of this Parliament, as will more fully appear by the Commission itself, which must now be read.”

Whereupon the Clerk of the Parliaments, by direction of the President, read the said Commission, as follows:—

“Edward VII, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

“To all to whom these presents shall come,—

“Greeting:

“WHEREAS, by Proclamation made on the eleventh day of August instant, His Excellency Sir HARRY HOLDSWORTH RAWSON, Admiral in our Royal Navy, Knight Commander of our Most Honorable Order of the Bath, our Governor of our State of New South Wales and its Dependencies, in the Commonwealth of Australia, did, in pursuance of the power and authority vested in him as Governor of our said State, by virtue of an Act passed in the second year of the reign of His Majesty King Edward the Seventh, being ‘An Act to consolidate the Acts relating to the Constitution,’ proclaim that a Session of the Legislative Council and Legislative Assembly, constituted under the said Act, and composing the Parliament of our said State of New South Wales, should commence and be holden on Tuesday, the twenty-third day of August instant: And whereas, for certain causes, our said Governor cannot conveniently be present in person at the opening of the said Session: Now know ye, that we, trusting in the discretion, fidelity, and care of our trusty and well-beloved the Honorable Sir Francis Bathurst Suttor, Knight, President of the said Legislative Council, Colonel the Honorable James Alexander Kenneth Mackay, C.B., Vice-President of our Executive Council of our said State, and the Honorable William Joseph Trickett, Members of the said Legislative Council, do, with the advice of our Executive Council of our said State, give and grant, by the tenor of these presents, unto the said Sir Francis Bathurst Suttor, James Alexander Kenneth Mackay, and William Joseph Trickett, so being such President and Members of the said Legislative Council, or any two of them, full power in our name to open and hold the said Session of the said Legislative Council and Legislative Assembly on the said twenty-third day of August or subsequent day, on our behalf, to do all things necessary to be done in our name, or in the name of our Governor of our said State, in and about the opening and holding of the said Parliament, and to do all such other things as may be specially necessary to enable Parliament to perform acts which admit of no delay; Commanding also by the tenor of these presents all whom it concerns to meet in the said Parliament, that to the said Sir Francis Bathurst Suttor, James Alexander Kenneth Mackay, and William Joseph Trickett, or any two of them, they diligently attend in the premises in the form aforesaid.

“In testimony whereof, we have caused these, our Letters, to be made patent, and the Public Seal of our said State to be hereunto affixed.

“Witness our trusty and well-beloved Sir HARRY HOLDSWORTH RAWSON, Admiral in our Royal Navy, Knight Commander of our Most Honorable Order of the Bath, our Governor of our State of New South Wales and its Dependencies, in the Commonwealth of Australia, at Sydney, in our said State, this twenty-second day of August, in the fourth year of our Reign, and in the year of our Lord one thousand nine hundred and four.

“HARRY H. RAWSON,
“Governor.

“By His Excellency's Command,
“JOHN PERRY.”

The Members of both Houses being then seated at the request of the President,—

The President said,—

“Honorable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly,—
“We have it in command from the Governor to let you know,—That after Members of the Legislative Assembly shall have been sworn, the causes of His Excellency calling this Parliament will be declared to you; and it being necessary that a Speaker of the Legislative Assembly be first chosen, it is His Excellency's pleasure that you, Gentlemen of the Legislative Assembly, repair to your own Chamber, and there proceed to the election of one of your number to be your Speaker.”

And the House having returned,—

4. COMMISSION TO ADMINISTER THE OATH TO MEMBERS:—The Clerk informed the Assembly that he had received, through the office of the Chief Secretary, a Commission, under the hand of His Excellency the Governor, and bearing the Seal of the State, authorising the Honorable Thomas Waddell, Esquire, Colonial Treasurer and Minister of Justice, the Honorable John Perry, Esquire, Colonial Secretary, and the Honorable Edward William O'Sullivan, Esquire, Secretary for Lands, to administer

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administer the Oath or Affirmation of Allegiance to the King, required by law to be taken or made and subscribed by every Member before he shall be permitted to sit or vote in the Legislative Assembly,—which Commission the Clerk read, as follows:—

“By His Excellency SIR HARRY HOLDSWORTH RAWSON, *Admiral in the Royal Navy, Knight Commander of the Most Honorable Order of the Bath, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.*

“To all to whom these presents shall come,—

“Greeting :

“In pursuance of the authority in me vested in that behalf, I, SIR HARRY HOLDSWORTH RAWSON, “as Governor of the State of New South Wales, do, with the advice of the Executive Council “thereof, hereby authorise the Honorable Thomas Waddell, Esquire, Colonial Treasurer and “Minister of Justice, the Honorable John Perry, Esquire, Colonial Secretary, and the Honorable “Edward William O’Sullivan, Esquire, Secretary for Lands, Members of the Legislative Assembly, “or any one or more of them, to administer to all or any Members or Member of the said “Legislative Assembly, the Oath or Affirmation of Allegiance to His Majesty the King, 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 Public Seal of the State of New South Wales, at Sydney, in “the State aforesaid, this twenty-second day of August, in the year of our Lord one “thousand nine hundred and four, and in the fourth year of the Reign of His Majesty “King Edward the Seventh.

“HARRY H. RAWSON,

“Governor.

“By His Excellency’s Command,

“JOHN PERRY.”

5. MEMBERS SWORN:—The Honorable Thomas Waddell, Esquire, took and subscribed the Oath of Allegiance himself, and administered the same to the two other Commissioners, the Honorable John Perry, Esquire, and the Honorable Edward William O’Sullivan, Esquire, and then the Commissioners respectively signed the Roll of the House, and administered the Oath to all the other Members,—none being absent,—the Clerk producing the several Writs returning them, and the Members signing the Roll as they were severally called to the Table, viz.:—Rowland Joseph Anderson, Esquire. Walter Anderson, Esquire. Richard Arthur, Esquire. James Ashton, Esquire. Richard Thomas Ball, Esquire. The Honorable Walter Bennett, Esquire. Robert Booth, Esquire. George Stuart Briner, Esquire. Ernest Clement Vernon Broughton, Esquire. George Arthur Burgess, Esquire. John Henry Cann, Esquire. The Honorable Joseph Hector Carruthers. Matthew Charlton, junior, Esquire. John Jacob Cohen, Esquire. John William Coleman, Esquire. Albert Ernest Collins, Esquire. Thomas Edgar Creswell, Esquire. William Patrick Crick, Esquire. John Rowland Dacey, Esquire. William Michael Daley, Esquire. Robert Davidson, Esquire. William Thomas Dick, Esquire. Robert Thomas Donaldson, Esquire. Frederick William Arthur Downes, Esquire. Alfred Edden, Esquire. John Estell, Esquire. James Fallick, Esquire. The Honorable John Lionel Fegan, Esquire. David Fell, Esquire. William Montgomerie Fleming, Esquire. Albert Gardiner, Esquire. Eden George, Esquire. John Gillies, Esquire. Arthur Griffith, Esquire. Brinsley Hall, Esquire. Thomas Henley, Esquire. James Alexander Hogue, Esquire. Robert Hollis, Esquire. William Arthur Holman, Esquire. John Hurley, Esquire. Thomas Jessep, Esquire. George Alfred Jones, Esquire. Sydney John Kearney, Esquire. Andrew Joseph Kelly, Esquire. William Fleming Latimer, Esquire. Sydney James Law, Esquire. Charles Alfred Lee, Esquire. Robert Henry Levien, Esquire. Daniel Levy, Esquire. Hugh Macdonald, Esquire. Donald Macdonell, Esquire. Thomas Fitzherbert Hawkins Mackenzie, Esquire. William Henry Mahony, Esquire. William McCourt, Esquire. Richard Watson Walker McCóy, Esquire. John McFarlane, Esquire. Patrick McGarry, Esquire. James Sinclair Taylor McGowen, Esquire. Gordon Ranald McLaurin, Esquire. John McNeill, Esquire. John Charles Meehan, Esquire. Alan Major Millard, Esquire. William Millard, Esquire. Gustave Thomas Carlisle Miller, Esquire. Samuel Wilkinson Moore, Esquire. Mark Fairles Morton, Esquire. Thomas Robert Moxham, Esquire. John Barnes Nicholson, Esquire. Niels Rasmus Wilson Nielsen, Esquire. John Nobbs, Esquire. John Norton, Esquire. Charles William Oakes, Esquire. Broughton Barnabas O’Conor, Esquire. John Perry, Esquire. George Reynoldson, Esquire. Edwin Richards, Esquire. Robert Scobie, Esquire. James Francis Smith, Esquire. David Storey, Esquire. Philip Hurley Sullivan, Esquire. Follet Johns Thomas, Esquire. Thomas Henry Thrower, Esquire. Charles Gregory Wade, Esquire. Frederick Earle Winchcombe, Esquire. William Herbert Wood, Esquire. The Honorable James Henry Young. William White Young, Esquire.

6. ELECTION OF SPEAKER:—Mr. Lee, addressing himself to the Clerk (who, standing up, pointed to him, and then sat down), proposed to the House for their Speaker, William McCourt, Esquire, and moved,—“That William McCourt, Esquire, do take the Chair of this House as Speaker,”—which motion was seconded by Mr. McFarlane.

Debate ensued.

The House then calling Mr. McCourt to the Chair, he stood up in his place, and expressed the sense he entertained of the honor proposed to be conferred upon him, and submitted himself to the House.

The House then again unanimously calling him to the Chair, he was taken out of his place by Mr. Lee and Mr. McFarlane, and conducted to the Chair, where, standing on the upper step, he returned his acknowledgments to the House for the great honor they had been pleased to confer upon him by unanimously choosing him to be again their Speaker,—

And thereupon sat down in the Chair.

Then Mr. Waddell, Mr. Carruthers, and Mr. McGowen respectively congratulated the Speaker.

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7. **ADJOURNMENT**:—Mr. Waddell informed the House that he had ascertained that His Excellency the Governor would receive their Speaker at State Government House, Colonial Secretary's Buildings, Macquarie-street, To-morrow at Eleven o'clock,—and moved that this House, at its rising This Day, do adjourn until half-past Ten o'clock To-morrow.
Question put and passed.
8. **MINISTERIAL STATEMENT**:—Mr. Waddell informed the House that, on the 13th June last, Sir John See had tendered his resignation as Premier to His Excellency the Governor,—that His Excellency had then entrusted the work of forming a new Administration to his hands, and he had successfully accomplished the task. He also wished to make a statement as to the reasons which actuated the Government in meeting the House and proposing to get Supply before resigning; he briefly reviewed the circumstances which led to the present position, and said that after the General Election the Government found that if it tried to carry on business it would have to meet a House almost evenly divided—at any rate, the Government knew enough to come to the conclusion that it would be useless to meet Parliament and try to carry out the programme laid before the country; the Government, however, felt a certain amount of responsibility in seeing that Supply was provided and the public affairs conducted in an orderly manner. The Cabinet therefore decided to meet Parliament, and after Honorable Members had been sworn and a Speaker elected, to ask for a Temporary Supply Bill before resigning—a course not unprecedented nor unconstitutional, and which had been taken by men holding the highest positions in this and the mother country; and, although the precedents were, perhaps, not exactly analagous, the difference was mainly caused by the necessity of obtaining Supply before the close of the present month.
Mr. Carruthers and Mr. McGowen also addressed the House.

The House adjourned, at twenty-one minutes after Two o'clock, until To-morrow at half-past Ten o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 2.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 24 AUGUST, 1904.

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

PRESENTATION OF SPEAKER:—The House proceeded to the State Government House to present their Speaker to His Excellency the Governor,—

And the House having returned,—Mr. Speaker reported that the Assembly had been to Government House, where he informed the Governor that, immediately after the opening of Parliament yesterday, the Legislative Assembly, in the exercise of their undoubted right, had proceeded to the election of their Speaker,—that their choice had fallen upon him, and that he had now to present himself to His Excellency as their Speaker;—whereupon His Excellency was pleased to offer him his congratulations.—That he had then, on behalf of the House, laid claim to all their rights and privileges, particularly to freedom of speech in debate, to free access to His Excellency when occasion should require, and that the most favourable construction should, on all occasions, be put upon their language and proceedings; to all which His Excellency had readily assented.

Mr. Speaker then repeated his grateful thanks for the honour the House had been pleased to confer upon him.

2. SPEAKER'S COMMISSION TO ADMINISTER THE OATH OF ALLEGIANCE:—Mr. Speaker reported that His Excellency the Governor had been pleased to issue a Commission, under the Public Seal of the State, empowering him to administer the Oath or Affirmation of Allegiance to such Members as may hereafter present themselves to be sworn,—which Commission was read at length by the Clerk, as follows:—

*"By His Excellency Sir HARRY HOLDSWORTH RAWSON, Admiral in the Royal Navy, Knight
"Commander of the Most Honorable Order of the Bath, Governor of the State of New South
"Wales and its Dependencies, in the Commonwealth of Australia.*

"To all to whom these presents shall come,—

"Greeting:

"In pursuance of the authority in me vested in that behalf, I, Sir HARRY HOLDSWORTH RAWSON, as Governor of the State of New South Wales, do hereby authorise the Honorable William McCourt, Speaker of the Legislative Assembly of the said State, 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 His Majesty the King, 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 Public Seal of the State, at Sydney, in New South Wales
"aforesaid, this twenty-fourth day of August, in the year of our Lord one thousand nine
"hundred and four, and in the fourth year of the Reign of His Majesty King Edward
"the Seventh.

"HARRY H. RAWSON,
"Governor.

*"By His Excellency's Command,
"JOHN PERRY."*

24th August, 1904.

3. 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 having returned, adjourned, on motion of Mr. Waddell, at fifteen minutes after Twelve o'clock until Four o'clock This Day.

The House resumed, pursuant to adjournment.

4. WRIT OF ELECTION:—Mr. Speaker informed the House that, during the recess, the Writ, previously issued for the election of a Member to serve in the Legislative Assembly for the Electoral District of Ryde, in the room of Frank Farnell, Esquire, resigned, had been duly returned to him, with a certificate endorsed thereon by the Returning Officer, of the election of Edward Terry, Esquire, to serve as such Member in the last Parliament.
5. NON-ISSUE OF WRITS FOR SEATS VACATED DURING THE RECESS:—Mr. Speaker reported that during the recess he had received certificates of the deaths of Mr. Newman, lately serving as Member for the Electoral District of Orange, and Mr. Evans, lately serving as Member for the Electoral District of Deniliquin; he had also received letters from Mr. Hayes, Sir John See, Mr. W. F. Hurley, Mr. Gormly, Mr. Fegan, and Mr. Bennett, resigning their seats in the Assembly, for the Electoral Districts of The Murray, Grafton, Macquarie, Wagga Wagga, Wickham, and Durham respectively: in all these cases, the vacancies having occurred during the months of June and July, he had not issued Writs to fill the vacancies for the following reasons:—
- (1.) That if the Writs had been immediately issued and the shortest reasonable periods allowed between the issue of the Writs and the nomination, and between the nomination and the polling, the dissolution or effluxion by time of the last Parliament would have been imminent or have taken place before the new Members could have been elected.
 - (2.) Further, that the franchise and the electorates as then existing were quite different from those under which the election following the dissolution would take place; and
 - (3.) Because the State would have been put to considerable expense and the electors to trouble and inconvenience, with no appreciable advantage to either.

6. ELECTORATES REDISTRIBUTION BILL:—Mr. Speaker acquainted the House that during the recess he had received the following Message from His Excellency the Governor:—

HARRY H. RAWSON,
Governor.

Message No. 1.

A Bill, intituled “ *An Act to provide for the reduction of the number of Members of the Legislative Assembly and of the number of electorates to ninety; for the distribution of electorates; to apply the Royal Commissioners Evidence Act, 1901, to Electoral Districts Commissioners, and to authorise such Commissioners to take evidence; to provide that existing electors' rights shall continue to have effect in respect of the new electorates; to amend in these and other respects the Parliamentary Electorates and Elections Act, 1902; and for purposes consequent on, or incidental to, the carrying out of the said objects,*”—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 His 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.

State Government House,
Sydney, 28th January, 1904.

7. PAPER:—Mr. Speaker laid upon the Table,—Statement of the Receipts and Disbursements, together with Statement of Cash Balances, of the Corporation of the City of Sydney for the year ended 31st December, 1903.
Referred by Sessional Order to the Printing Committee.

8. PAPERS:—

Mr. Waddell laid upon the Table,—

- (1.) By-law under the Redhead Coal Mine Railway Act Amending Act of 1889.
- (2.) Regulations and Forms under the Audit Act, 1902.
- (3.) Amended Regulation under the Advances to Settlers Acts.
- (4.) Amended Regulations under the Government Savings Bank Acts.
- (5.) Amended Regulation No. 17 under the Savings Bank of New South Wales Act, 1902.
- (6.) Regulations for the navigation of the Richmond, Manning, Tweed, and Clarence Rivers, under the Navigation Act, 1901.
- (7.) Regulations relating to Pilots under the Navigation Act, 1901.
- (8.) Regulation relating to side-lights to be carried by ferry punts and punts working in chains, ropes, or cables crossing navigable waters under the Navigation Act, 1901.
- (9.) Rules Nos. 1, 2, and 3 under the Navigation Act, 1901.
- (10.) Notification of resumption of land, under the Public Works Act, 1900, for improvement of the Railway Traffic at Penrith.
- (11.) Notification of resumption of land, under the Public Works Act, 1900, for improvement of the Railway Traffic between Junee and Hay.
- (12.) Notification of resumption of land, under the Public Works Act, 1900, for improvement of the Railway Station Yard at Perth.
- (13.) Report of the Railway Commissioners on Railways and Tramways for quarter ended 31st March, 1904.

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- (14.) Report of the Railway Commissioners on Railways and Tramways for quarter ended 30th June, 1904.
- (15.) Report of the Railway Commissioners on Railways and Tramways for year ended 30th June, 1904.
- (16.) Report of the proceedings of the Pharmacy Board during the year 1903.
- (17.) Report of the Government Savings Bank for the year 1903.
- (18.) Statement of Bank Liabilities and Assets for quarter ended 31st December, 1903.
- (19.) Statement of Bank Liabilities and Assets for quarter ended 31st March, 1904.
- (20.) Statement of Bank Liabilities and Assets for quarter ended 30th June, 1904.
- (21.) Statement of Public Companies Liabilities and Assets for quarter ended 31st December, 1903.
- (22.) Statement of Public Companies Liabilities and Assets for quarter ended 31st March, 1904.
- (23.) Statement of Trust Moneys Deposit Account from 1st April, 1903, to 31st March, 1904.
- (24.) Statement of Public Companies Liabilities and Assets for quarter ended 30th June, 1904.

Referred by Sessional Order to the Printing Committee.

Mr. O'Sullivan laid upon the Table,—

- (1.) Abstract of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884.
- (2.) Abstract of Alterations and Cancellations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884.
- (3.) Abstract of Crown Lands intended to be dedicated to Religious Purposes, under the Crown Lands Alienation Act of 1861.
- (4.) Abstract of Crown Lands intended to be dedicated to Public Purposes under the Crown Lands Act of 1884.
- (5.) Notification of resumption of land, under the Public Works Act, 1900, for a Public Cemetery at Salisbury.
- (6.) Abstract of Crown Lands reserved from sale for the Preservation of Water Supply or other Public Purposes under the Crown Lands Act of 1884.

Referred by Sessional Order to the Printing Committee.

Mr. Fegan laid upon the Table,—

- (1.) Report of the Superintendent of the Industrial School for Girls, Parramatta, for the year 1903.
- (2.) Report of the Nautical School-ship "Sobraon" for the year ended 30th April, 1904.
- (3.) Report of the Minister of Public Instruction for the year 1903.
- (4.) Additional By-law of the University of Sydney.
- (5.) Amended By-law of the University of Sydney.
- (6.) Return of Teachers appointed under Section 36 of the Public Service Act, 1902.
- (7.) Report of the Trustees of the National Art Gallery for the year 1903.
- (8.) Report of the Trustees of the Public Library of New South Wales for the year 1903.
- (9.) Report of the Trustees of the Sydney Grammar School for the year 1903.
- (10.) Report of the Senate of the University of Sydney for the year 1903.
- (11.) Report of the Superintendent of the Carpenterian Reformatory for the year 1903.
- (12.) Notifications of resumption of land, under the Public Works Act, 1900, for Public School Purposes at Glen Allen, Willundry, Bora Ridge, Summer Hill Creek, Fernleigh, Waddi South, Newbridge, Tollendool, Water Vale, Ben Bullen, Dinton Vale, and Baradoc.
- (13.) Notification of resumption of land, under the Public Works Act, 1900, for the Carpenterian Reformatory School for Boys, at Brush Farm.
- (14.) Regulations under the Miners' Accident Relief Act, 1900, and the Miners' Accident Relief (Amendment) Act, 1901.
- (15.) Report of the Department of Mines for the year 1903.
- (16.) Report of the Miners' Accident Relief Board for the year 1903.
- (17.) Proclamation declaring Manganese to be a Mineral within the meaning of the Mining on Private Lands (Amendment) Act, 1902.

Referred by Sessional Order to the Printing Committee.

9. PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS:—Mr. McFarlane, in accordance with the provisions of the Public Works Act, laid upon the Table,—

- (1.) Second Report, together with Minutes of Evidence, relating to the proposed Railway from Wellington to Werris Creek.
- (2.) Second Report, together with Minutes of Evidence, relating to the proposed Water Supply for town of Broken Hill—Dam and Tramway at Umerumberka Creek.
- (3.) Report, together with Minutes of Evidence, Appendix, and Plan, relating to the proposed Railway from Maitland to South Grafton.
- (4.) Report, together with Minutes of Evidence and Appendix, relating to the proposed Hastings River Improvements.
- (5.) Report, together with Minutes of Evidence, relating to the proposed Water Supply Works for the City of Grafton and South Grafton.
- (6.) Second Report, together with Minutes of Evidence, relating to the proposed Railway from Wyalong to Hillston.
- (7.) Report, together with Minutes of Evidence and Appendix, relating to the proposed Reclamation Works, Hen and Chicken Bay.
- (8.) Report, together with Minutes of Evidence, relating to the proposed Railway from Liverpool to Mulgoa.
- (9.) Report, together with Minutes of Evidence, relating to the proposed Harbour Improvements, Nambucca River.
- (10.) Report, together with Minutes of Evidence, relating to the proposed Railway from Singleton to Cassilis, with branch from Denman to Muswellbrook.
- (11.) Report, together with Minutes of Evidence, relating to the proposed Railway from Murwillumbah to the Tweed Heads.

24th August, 1904.

(12.) Report, together with Minutes of Evidence, relating to the proposed Tramway from Wallsend to West Wallsend.

(13.) Third Report, together with Minutes of Evidence, relating to the proposed Railway from Carlingford to Dural.

Referred by Sessional Order to the Printing Committee.

10. RETIREMENT OF FREDERICK WILLIAM WEBB, ESQUIRE, C.M.G., FROM THE POSITION OF CLERK OF THE LEGISLATIVE ASSEMBLY:—Mr. Speaker reported that he had received from Mr. Webb a letter, which he then read to the House, as follows:—

“ ‘Livadia,’ Manly, 5th January, 1904.

“ Dear Mr. Speaker,

“ At the close of the present month, the leave of absence which was so graciously given by the Government, on your recommendation, as a preliminary to my retirement, will expire, and the duty now devolves upon me to submit this my application for permission to retire from the Public Service on the pension to which I shall be entitled from the 1st proximo.

“ Since my withdrawal from active service last year, I have had a succession of illnesses, showing general decadence of health, and proving the necessity for the action which I then took.

“ My first appointment to the Public Service occurred before the introduction of responsible Government, and I would, therefore, respectfully urge my claim to a position on the list of those entitled to participate in the sum of £3,500 (Schedule B, Constitution Act), and that, following numerous precedents, no abatement of pension by deductions in respect of early service should be made in my case.

“ This being probably the last official letter which I, as Clerk, shall be privileged to address to you, as Speaker, I desire to express my grateful thanks for all the kindness and consideration which you have invariably shown to me.

“ I am, dear Mr. Speaker,

“ Yours sincerely,

“ (Signed) F. W. WEBB.”

“ The Honorable William McCourt, M.P.,
“ Speaker of the Legislative Assembly.”

Mr. Speaker said,—Mr. Webb first entered the Government Service on 20th October, 1851; in 1888 he was appointed Clerk of the Legislative Assembly; of his fifty-three years' service, upwards of forty-six have been spent in the Parliamentary Departments, and for more than sixteen he occupied the position of Clerk of this House, which he has now vacated. During that long service he was aware that Mr. Webb was the recipient of many appreciative letters from his predecessors in the Chair, who expressed, both in that way and publicly from the Chair, the great obligations they were under to him for his ready help and valuable assistance always ungrudgingly given and for his unswerving loyalty. He (Mr. Speaker) should now like to add his personal testimony to Mr. Webb's worth, and the assistance he always freely gave to him during his occupancy of the Chair—assistance equally freely given to any Member of the House who consulted him,—

He (Mr. Speaker) would, therefore, like to have the permission of the House, by resolution, to place the letter he had read and the remarks he had made upon the permanent records of the Assembly. Whereupon Mr. Waddell moved, That the letter from Frederick William Webb, Esquire, C.M.G., on his retirement from the position of Clerk of this House, as read by Mr. Speaker, and Mr. Speaker's remarks with reference thereto, be entered in the “Votes and Proceedings.”

The motion having been seconded by Mr. Carruthers,—

Debate ensued.

Question put and passed.

11. THE CLERK OF THE LEGISLATIVE ASSEMBLY:—Mr. Speaker reported that he had received a Commission in favour of Richard Aldous Arnold, Esquire, who had been appointed, by the Governor and Executive Council, Clerk of the Legislative Assembly. Mr. Speaker then administered to Mr. Arnold the Oaths of Allegiance and of Office as Clerk of the Legislative Assembly of New South Wales respectively.

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

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

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

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

Donald Macdonell, Esquire,
Mark Fairles Morton, Esquire,
Charles William Oakes, Esquire, and
Broughton Barnabas O'Connor, Esquire,—

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

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

“ WILLIAM McCOURT,
“ Speaker.”

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

24th August, 1904.

13. TEMPORARY CHAIRMEN OF COMMITTEES :—Mr. Speaker, pursuant to Standing Order No. 28, appointed—

George Stuart Briner, Esquire,
 Thomas Jessep, Esquire,
 William Fleming Latimer, Esquire,
 Niels Rasmus Wilson Nielsen, Esquire, and
 Robert Scobie, Esquire,

to act as Temporary Chairmen of Committees during the present Session.

14. LAW OF EVIDENCE BILL :—Mr. Waddell presented a Bill, intituled, "*A Bill to amend the Law of Evidence*,"—which was read a first time *pro forma*.

15. 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,—

It affords me much pleasure to call you together at the earliest possible date after the Constituencies have exercised their privilege in the choice of new representatives.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

As it is necessary to meet the exigencies of the Public Service, Parliament is called together for the purpose of obtaining Supply for the months of August and September.

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

You will be invited to transact such other business as may be deemed advisable.

I now leave you to the discharge of your high and honorable duties, and I pray that, under Divine guidance, your deliberations may promote the welfare of all classes of the people.

Mr. Briner then moved, and Mr. 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 the State of New South Wales.

(2.) That such Committee consist of Mr. Donaldson, Mr. Gillies, Mr. Levien, Mr. McLaurin, Mr. Richards, Mr. Smith, Mr. W. W. Young, and the Mover.

Question put and passed.

The Committee retired to prepare the Address.

And Mr. Briner 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 HARRY HOLDSWORTH RAWSON, Admiral in the Royal Navy, Knight Commander of the Most Honorable Order of the Bath, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, His Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for your Excellency's Speech, and to assure you of our unfeigned attachment to His Most Gracious Majesty's Throne and Person.

We desire to assure your Excellency that the measures indicated in your Excellency's Speech shall receive our earnest consideration, and the necessary provision for the Public Service will be made in due course.

We join your Excellency in the hope that, under Divine Providence, our labours may prove of benefit to all classes of the people.

Mr. Briner then moved, and Mr. 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.

Mr. McGowen moved, That the Address be amended by the insertion of the following words, to stand paragraph 3,—

"But we regret to inform your Excellency that the impending resignation of the Government and the uncertainty as to the personnel and policy of their successors are impediments to the immediate granting of Supply.

"And, further, we desire to inform your Excellency that no Administration will be satisfactory to this House which will not introduce measures providing for—

"(1.) (a) Resumption of land for closer settlement at owner's valuation for taxation purposes, plus 10 per cent. ; (b) Cessation of Crown Land sales ; (c) Amalgamation of existing Savings and Post Office Savings Banks and the Advances to Settlers' Board into a State Bank ; (d) Water conservation and irrigation.

"(2.) (a) Abolition of the Legislative Council, the office of State Governor, and other unnecessary offices ; (b) Initiative and referendum.

"(3.) Free Education.

"(4.) Cessation of borrowing except for (a) redemption ; (b) completing works already authorised by Parliament ; (c) undertakings which will pay interest from the beginning, and provide 1 per cent. sinking fund.

"(5.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

24th August, 1904.

"(5). Progressive land value tax on all estates over £5,000 in value, increasing one-eighth of a penny on the present rate for each additional £5,000, maximum 3d., with right of resumption at owner's valuation, plus 10 per cent.

"(6.) Local Government."

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

Debate ensued.

Mr. Eden George moved, That this Debate be now adjourned.

Question put and passed.

Ordered, that the Debate be adjourned until To-morrow, and (*with the unanimous concurrence of the House*) take precedence of other business.

16. ADJOURNMENT :—Mr. O'Sullivan moved, That this House do now adjourn until To-morrow at Four o'clock.

Question put and passed.

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

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 3.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 25 AUGUST, 1904.

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

QUESTION :—

(1.) Reciprocity with Victoria and New Zealand in regard to Old-age Pensions:—Mr. Nielsen asked The Colonial Treasurer,—Have any arrangements been made with the Governments of Victoria and New Zealand in connection with reciprocity in regard to old-age pensions?

Mr. Waddell answered,—The New Zealand Government declined to enter into an agreement when approached, but correspondence on this subject has been passing between this State and Victoria for some time past, and a draft agreement is now with the Victorian Government under consideration.

2. PAPER:—Mr. Speaker laid upon the Table,—A copy of the Colonial Treasurer's Statement of the Receipts and Expenditure of the Consolidated Revenue and other moneys for the year ended 30th June, 1904, together with the Auditor-General's Report thereon; transmitted to the Legislative Assembly under the provisions of the Audit Act, 1902.
Ordered to be printed.

3. PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS—DATE FOR RECEIVING NOMINATIONS OF CANDIDATES:—Pursuant to the requirement of the 4th Section of the Public Works Committee Election Act, 1901, Mr. Speaker appointed Tuesday, the 20th day of September, 1904, as the date up to and including which nominations of Members of the Legislative Assembly for election and appointment as Members of the Parliamentary Standing Committee on Public Works shall be received; such nominations, made and signed by at least five Members, to be delivered to the Clerk, together with the written consent of the Member nominated.

4. PAPERS :—

Mr. Fegan laid upon the Table,—Proclamations and Regulations regarding the introduction of Stock from Queensland, under the Stock Act, 1901.
Referred by Sessional Order to the Printing Committee.

Mr. Perry laid upon the Table,—

(1.) Report of the Royal Commission on the Decline of the Birth Rate, and on the Mortality of Infants in New South Wales (Volume 1).

(2.) Report of the Fire Brigades Board, Sydney, for the year 1903.

(3.) Report of the Police Department for the year 1903.

(4.) Report of the Electoral Districts Commissioners appointed under the provisions of the Electorates Redistribution Act, 1904, together with maps of Electorates.

(5.) By-law of the Borough of Hunter's Hill.

(6.) By-law of the Borough of Richmond.

(7.) By-laws of the Borough of Enfield.

(8.) By-laws of the Borough of Vacluse.

(9.) By-laws of the Borough of Parramatta.

(10.) By-laws of the Borough of Parramatta.

(11.) By-laws of the Borough of Parramatta.

(12.) By-laws of the Borough of Bathurst.

(13.) By-laws of the Borough of Annandale.

(14.) By-laws of the Borough of Lane Cove.

(15.) By-laws of the Borough of Goulburn.

(16.) By-laws of the Borough of Rookwood.

(17.) By-laws of the Borough of Young.

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- (18.) By-laws of the Borough of Newtown.
- (19.) By-law of the Municipal District of Strathfield.
- (20.) By-law of the Municipal District of Ryde.
- (21.) By-law of the Municipal District of Cudal.
- (22.) By-laws of the Municipal District of Wickham.
- (23.) By-laws of the Municipal District of Rockdale.
- (24.) By-laws of the Municipal District of Katoomba.
- (25.) By-laws of the Municipal District of Ryde.
- (26.) By-laws of the Municipal District of Corowa.
- (27.) By-laws of the Municipal District of Murwillumbah.
- (28.) By-laws of the Municipal District of Murwillumbah.
- (29.) By-laws of the Municipal District of Concord.
- (30.) By-law of the Municipal District of Berry.
- (31.) By-law of the Municipal District of Brewarrina.
- (32.) By-law of the Borough of Kiama, under the Nuisances Prevention Act, 1897.
- (33.) By-law of the Borough of Granville, under the Nuisances Prevention Act, 1897.
- (34.) By-laws of the Borough of Orange, under the Nuisances Prevention Act, 1897.
- (35.) By-laws of the Borough of Cootamundra, under the Nuisances Prevention Act, 1897.
- (36.) By-laws of the Borough of New Lambton, under the Nuisances Prevention Act, 1897.
- (37.) By-laws of the Borough of Botany, under the Nuisances Prevention Act, 1897.
- (38.) By-law of the Municipal District of Waratah, under the Nuisances Prevention Act, 1897.
- (39.) By-law of the Municipal District of Penrith, under the Nuisances Prevention Act, 1897.
- (40.) By-law of the Municipal District of Manilla, under the Nuisances Prevention Act, 1897.
- (41.) By-laws of the Municipal District of Cudal, under the Nuisances Prevention Act, 1897.
- (42.) By-laws of the Municipal District of Balranald, under the Nuisances Prevention Act, 1897.
- (43.) By-laws of the Municipal District of Forbes, under the Nuisances Prevention Act, 1897.
- (44.) By-laws of the Municipal District of South Singleton, under the Nuisances Prevention Act, 1897.
- (45.) By-laws of the Municipal District of Uralla, under the Nuisances Prevention Act, 1897.
- (46.) By-laws of the Municipal Councils of Greta and Plattsburg, under the Nuisances Prevention Act, 1897.
- (47.) Additional By-law of the Borough of East Orange, under the Nuisances Prevention Act, 1897.
- (48.) Amendment of By-laws under the Nuisances Prevention Act, 1897, in the Municipalities of Adamstown, Morpeth, Raymond Terrace, Stockton, Wallsend, and Waratah.
- (49.) By-laws of the Borough of Narrabri, under the Public Health Act, 1902.
- (50.) By-laws of the Municipal District of Warren, under the Public Health Act, 1902.
- (51.) By-laws of the Municipal District of Rockdale, under the Public Health Act, 1902.
- (52.) Regulations in respect of the Sanitary Area of Kurri Kurri, under the Public Health Act, 1902.
- (53.) Regulations in respect of the Sanitary Area of Kurri Kurri, under the Public Health Act, 1902.
- (54.) By-laws of the Borough of Leichhardt, under the Public Health Act, 1902, and the Public Health (Night Soil) Removal Act, 1902.
- (55.) By-laws of the Municipal District of Tumut, under the Public Health Act, 1902, and the Public Health (Night Soil) Removal Act, 1902.
- (56.) By-laws of the Municipal District of Forbes, under the Public Health Act, 1902, and the Public Health (Night Soil) Removal Act, 1902.
- (57.) By-laws of the Municipal District of Walcha, under the Public Health Act, 1902, and the Public Health (Night Soil) Removal Act, 1902.
- (58.) By-laws of the Municipal District of Cobar, under the Nuisances Prevention Act, 1897, and the Public Health Act, 1902.
- (59.) By-laws of the Municipal District of Corowa, under the Nuisances Prevention Act, 1897, and the Public Health (Night Soil) Removal Act, 1902.
- (60.) By-laws of the Municipal District of Warren, under the Nuisances Prevention Act, 1897, and the Public Health (Night Soil) Removal Act, 1902.
- (61.) By-laws of the Borough of Bathurst, under the Municipalities Act, 1897, and the Nuisances Prevention Act, 1897.
- (62.) By-laws of the Borough of Woollahra, under the Municipalities Act, 1897, the Nuisances Prevention Act, 1897, and the Public Health Act, 1902.
- (63.) By-laws under the Destitute Children's Society Act, 1901.
- (64.) Amended Regulations under the Cattle Slaughtering and Diseased Animals and Meat Act, 1902.
- (65.) Amended Regulations under the Noxious Trades Act, 1902.
- (66.) Additional Regulations under the Noxious Trades Act, 1902.
- (67.) By-laws under the Sydney Corporation Act, 1902, the Public Health Act, 1902, and the Public Parks Act, 1902.
- (68.) Amended Regulation under the Fisheries Act, 1902.
- (69.) Regulations under the Parliamentary Electorates and Elections Act, 1902.
- (70.) Amended Regulations under the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections (Amendment) Act, 1902.
- (71.) Regulation under the Parliamentary Electorates and Elections Act, 1902, and the Electorates Redistribution Act, 1904.
- (72.) Regulations under the Sydney Harbour Trust Act, 1900.
- (73.) Amended Regulations under the Metropolitan Traffic Act, 1900.
- (74.) Reasons for granting special leave of absence on full pay to Mr. F. C. Johnson, Registrar-General's Department.
- (75.) Report of the Goulburn Fire Brigades Board for the year 1903.
- (76.) Report of the Wollongong Fire Brigades Board for the year ended 31st March, 1904.

(77.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

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- (77.) Report of the Department of the Agent-General for New South Wales for the year 1903.
 - (78.) Report of the Director of Botanic Gardens and Domains for the year 1903.
 - (79.) Despatch forwarding Memorandum as to Procedure in Extradition Cases.
 - (80.) Amended Gaol Regulations Nos. 55 and 75, under the Prisons Act, 1899.
 - (81.) Additional Gaol Regulation under the Prisons Act, 1899, respecting life or death commuted sentences.
 - (82.) Amended Forms under the Industrial Arbitration Act, 1901.
 - (83.) Amended Rule under the Industrial Arbitration Act, 1901.
 - (84.) Report of the Public Service Board in reference to the appointment, on probation, of three Clerks in the Office of the Crown Solicitor.
 - (85.) Regulations under the Public Service Act, 1902.
 - (86.) Return (*in part*) to an Order, made on 17th March, 1892,—“Convictions under the Licensing Acts.”
 - (87.) Report on Prisons for the year 1903.
 - (88.) Annual Returns under the District Courts Act, 1901.
- Referred by Sessional Order to the Printing Committee.

Mr. O'Sullivan laid upon the Table,—

- (1.) Amended Regulation and further Amended Regulation No. 35, and Amended Regulations Nos. 57A, 59, 85, 157A, 215, 218, 227, 229, 230, 231, 335, 340, and 341, also Amended Forms Nos. 25, 72, and 97, under the Crown Lands Acts.
 - (2.) Statement showing the Receipts and Expenditure of the Hay Irrigation Trust for the year 1903.
 - (3.) Notice of intention to declare that Homestead Selection 03-1, District of Inverell, being Portion 76, Parish of Darbysleigh, County of Hardinge, applied for by James Frederick Douse, shall cease to be voidable.
 - (4.) Notifications of cancellation of Regulation No. 38 and substitution of Forms No. 63 and 64, under the Pastures Protection Act, 1902.
 - (5.) Report of the Department of Lands for the year 1903.
- Referred by Sessional Order to the Printing Committee.

Mr. Bennett laid upon the Table,—

- (1.) Report of the completion of the Homebush Low-level Sewerage—Main Sewer No. 1, Main Sewer No. 2.
- (2.) Report of the completion of the Darling Harbour Low-level Sewerage—Pymont-street Sewer, Pier-street Sewer, Railway Sewer, William Henry Street Sewer.
- (3.) Report of the completion of the Mosman's Bay Stormwater Channel, Branch, Gouldsbury-street Extension.
- (4.) Report of the completion of the Middle Harbour Slopes Sewerage.
- (5.) Report of the completion of the Dobroyd Branch Sewer Extension.
- (6.) Report of the completion of Botany-street Stormwater Channel Branch.
- (7.) Report of the completion of the Randwick and Kensington Sewerage, 2nd Division.
- (8.) Report of the completion of the Balmain Low-level and Stormwater Drainage, Stormwater Channel, Short-street Sewer, Campbell-street Sewer.
- (9.) Report of the completion of the Wentworth Park and Glebe Low-level Drainage; Pymont Bridge Road Sewer; Park Road Sewer; Brougham-street Sewer; Wattle-street Sewer; William Henry Street Sewer; Bay-street Sewer.
- (10.) Report of the completion of the Circular Quay Low-level Drainage—Main Sewer No. 1, Main Sewer No. 2, Pitt-street Branch, Loftus-street Branch, Albert-street Branch.
- (11.) Report of the completion of the Homebush Low-level Sewerage, Rising Main; Homebush Low-level Sewerage; Homebush Pumping Station.
- (12.) Report of the completion of the Footbridge over the Johnstone's Creek Stormwater Channel.
- (13.) Report of the completion of Mosman Sewerage, Middle Harbour Slopes.
- (14.) Report of the completion of the Sydney and Suburbs Low-level Drainage Controlling Station; Wentworth Park and Glebe Low-level Drainage, Pumping Station No. 2; Balmain, Annandale, and Leichhardt Low-level Drainage, 1st Division—Pumping Station No. 3; Pumping Station No. 4; Pumping Station No. 5; Balmain, Annandale, and Leichhardt Low-level Drainage, 2nd Division—Pumping Station No. 6; Pumping Station No. 7; Pumping Station No. 8; Pumping Station No. 9; Balmain Low-level Sewerage, Pumping Station No. 10; City Low-level Drainage, Pumping Station No. 12, Schedule No. 1, Schedule No. 2; City Low-level Drainage, eastern side of Darling Harbour, 1st Division, Pumping Station No. 13; Circular Quay Low-level Drainage, Pumping Station No. 16; Woolloomooloo Bay Low-level Drainage, Pumping Station No. 17; Rushcutters' Bay Low-level Sewerage—Pumping Station No. 18; Pumping Station No. 19; Pymont Low-level Sewerage, east side, 2nd Division, Pumping Station No. 20; Sydney and Suburbs Low-level Sewerage, Wattle-street Valve House; Darling Harbour Low-level Sewerage, Lackey-street Valve House.
- (15.) Report of the completion of the Kippax Lake Overflow and New Sports Ground Drainage; Overflow, Sewer No. 1, Sewer No. 2; Old Rifle Range Stormwater Sewer, Moore Park; Callan Park Stormwater Channel, Branch.
- (16.) Report of the completion of the Low-level Sewerage System—Electrical Power Mains and Telephone Cables:—Power Mains—Main Line to Pumping Station No. 16; Branch to Pumping Station No. 12; Branch to Pumping Station No. 13; Branch to Pumping Station No. 17; Line to Pumping Station No. 20; Line to Pumping Station No. 2; Main Line to Pumping Station No. 10; Branch to Pumping Station No. 3; Branch to Pumping Station No. 4; Branch to Pumping Station No. 5; Branch to Pumping Station No. 6; Branch to Pumping Stations Nos. 7, 8, and 9; Rushcutters' Bay Tramway Power House to Pumping Stations Nos. 18 and 19. Telephone Cables—Main Line to Pumping Stations Nos. 12, 13, and 16; Branch to Pumping Station No. 17; Line to Pumping Station No. 2; Branch to Pumping Station No. 20; Line to Pumping Stations Nos. 3, 4, 5, 6, 7, 8, 9 and 10; Sub-controlling Station, Rushcutters' Bay, to Station No. 19.

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- (17.) Amended By-laws, under the Metropolitan Water and Sewerage Acts, 1880-1889, regarding the discharge of surface water into the public sewers under the control of the said Board.
- (18.) Amended By-laws of the Borough of Lithgow, under the Country Towns Water and Sewerage Act of 1880.
- (19.) By-laws of the Municipal District of Deniliquin under the Country Towns Water and Sewerage Act of 1880.
- (20.) By-laws, under the Metropolitan Water and Sewerage Acts, 1880-1889, regarding the discharge of trade wastes into the public sewers under the control of the said Board.
- (21.) Amended By-laws under the Metropolitan Water and Sewerage Acts, 1880-1889, and the Metropolitan Water (Camden) Act, 1898.
- (22.) Amended By-laws under the Metropolitan Water and Sewerage Acts, 1880-1889.
- (23.) Proclamation, under the Scaffolding and Lifts Act, 1902, annulling, amending, and adding Regulations to Regulations already proclaimed.
- (24.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of a Weir at Queanbeyan.
- (25.) Notification of resumption of land, under the Public Works Act, 1900, for the supply of Water to the City of Sydney and Suburbs.
- (26.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of a Balloon Loop at Circular Quay, in connection with the Belmore Park to Fort Macquarie Electric Tramway.
- (27.) Notification of resumption of land, under the Public Works Act, 1900, for the supply of Water to the City of Sydney and Suburbs.
- (28.) Notification of resumption of land, under the Public Works Act, 1900, for the supply of Water at Sportsman's Creek Station, in connection with the Grafton to Casino Railway.
- (29.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of an Embankment in connection with the Gundagai to Tumut Railway.
- (30.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Millie Artesian Well.
- (31.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of a Tank at Milbrulong.
- (32.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Goangra Artesian Well.
- (33.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Oreel Artesian Well No. 1.
- (34.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of a Public Well at St. Albans.
- (35.) Notification of resumption of land, under the Public Works Act, 1900, for Water Supply Purposes at Two-mile Creek, in connection with the Grafton to Casino Railway.
- (36.) Notification of resumption of land, under the Public Works Act, 1900, for the Erection of a Fire Brigade Station at the Glebe.
- (37.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of a Tank at Burren Junction, in connection with the Narrabri to Walgett Railway.
- (38.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Careunga Artesian Well.
- (39.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Florida Artesian Well.
- (40.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Bourbah Bore.
- (41.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Kiga Artesian Well.
- Referred by Sessional Order to the Printing Committee.
5. SYDNEY CORPORATION ACT AMENDMENT BILL (*Formal Motion*):—Mr. Norton moved, pursuant to Notice, That leave be given to bring in a Bill to amend, in certain particulars, the Sydney Corporation Act, 1902.
Question put and passed.
6. THE GOVERNOR'S OPENING SPEECH:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Briner, That the following Address-in-Reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House:—
- “ To His Excellency Sir HARRY HOLDSWORTH RAWSON, Admiral in the Royal Navy, Knight
“ Commander of the Most Honorable Order of the Bath, Governor of the State of New South
“ Wales and its Dependencies, in the Commonwealth of Australia.
- “ MAY IT PLEASE YOUR EXCELLENCY,—
- “ We, His Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of
“ New South Wales, in Parliament assembled, desire to express our thanks for your Excellency's
“ Speech, and to assure you of our unfeigned attachment to His Most Gracious Majesty's Throne
“ and Person.
- “ We desire to assure your Excellency that the measures indicated in your Excellency's
“ Speech shall receive our earnest consideration, and the necessary provision for the Public Service
“ will be made in due course.
- “ We join your Excellency in the hope that, under Divine Providence, our labours may prove
“ of benefit to all classes of the people.”

Upon

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

25th August, 1904.

Upon which Mr. McGowen had moved, That the Address-in-Reply be amended by inserting the following, to stand as paragraph 3 :—

“ But we regret to inform your Excellency that the impending resignation of the Government and the uncertainty as to the personnel and policy of their successors are impediments to the immediate granting of Supply.

“ And, further, we desire to inform your Excellency that no Administration will be satisfactory to this House which will not introduce measures providing for—

“ (1.) (a) Resumption of land for closer settlement at owner's valuation for taxation purposes, plus 10 per cent. ; (b) Cessation of Crown Lands sales ; (c) Amalgamation of existing Savings and Post Office Savings Banks and the Advances to Settlers Board into a State Bank ; (d) Water conservation and irrigation.

“ (2.) (a) Abolition of the Legislative Council, the office of State Governor, and other unnecessary offices ; (b) Initiative and referendum.

“ (3.) Free Education.

“ (4.) Cessation of borrowing, except for—(a) Redemption ; (b) Completing works already authorised by Parliament ; (c) Undertakings which will pay interest from the beginning and provide 1 per cent. sinking fund.

“ (5.) Progressive land-value tax on all estates over £5,000 in value, increasing one-eighth of a penny on the present rate for each additional £5,000, maximum 3d., with right of resumption at owner's valuation, plus 10 per cent.

“ (6.) Local Government.”

And the Question being again proposed,—That the words proposed to be inserted be so inserted,—The House resumed the said adjourned Debate.

And the House continuing to sit till after Midnight,—

FRIDAY, 26 AUGUST, 1904, A.M.

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

The House divided.

Ayes, 26.

Mr. McGowen,
Mr. Scobie,
Mr. Kelly,
Mr. Estell,
Mr. Dacey,
Mr. Gardiner,
Mr. Sullivan,
Mr. Hollis,
Mr. Arthur Griffith,
Mr. McGarry,
Mr. Cann,
Mr. Gillies,
Mr. Jones,
Mr. Meehan,
Mr. Charlton,
Mr. Norton,
Mr. Miller,
Mr. Burgess,
Mr. Thrower,
Mr. Edden,
Mr. Nicholson,
Mr. Holman,
Mr. McNeill,
Mr. W. W. Young.

Tellers,

Mr. Nielsen,
Mr. Macdonell.

Noes, 53.

Mr. Moore,
Mr. Lee,
Mr. Carruthers,
Mr. Oakes,
Mr. Mahony,
Mr. McCoy,
Mr. Jessep,
Mr. J. H. Young,
Mr. Downes,
Mr. Hogue,
Mr. Levy,
Mr. Fegan,
Mr. Ashton,
Mr. Alan Millard,
Mr. Winchcombe,
Mr. Coleman,
Mr. Broughton,
Mr. Wade,
Mr. Henley,
Mr. Fell,
Mr. Storey,
Mr. Fleming,
Mr. Latimer,
Mr. Fallick,
Mr. Law,
Mr. Mackenzie,
Mr. John Hurley,
Mr. Waddell,
Mr. Donaldson,
Mr. McFarlane,
Mr. Kearney,
Mr. Creswell,
Mr. Eden George,
Mr. O'Sullivan,
Dr. Arthur,
Mr. Bennett,
Mr. Brinsley Hall,
Mr. W. Millard,
Mr. R. J. Anderson,
Mr. Walter Anderson,
Mr. Davidson,
Mr. McLaurin,
Mr. Nobbs,
Mr. Thomas,
Mr. Reynoldson,
Mr. Ball,
Mr. Collins,
Mr. Moxham,
Mr. O'Conor,
Mr. Wood,
Mr. Dick,
Tellers,
Mr. Cohen,
Mr. Morton.

And so it passed in the negative.

Original Question,—That the Address-in-Reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House,—put and passed.

Mr. Waddell 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 a quarter past Four o'clock To-morrow.

7. COMMITTEE OF SUPPLY :—Mr. Waddell moved, That this House will, at a later hour of the Day, resolve itself into the Committee of Supply.
Question put and passed.

8. COMMITTEE OF WAYS AND MEANS :—Mr. Waddell moved, That this House will, at a later hour of the Day, resolve itself into the Committee of Ways and Means.
Question put and passed.

9. VOTE OF CREDIT :—The following Message from His Excellency the Governor was delivered by Mr. Waddell, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 2.

In accordance with the provisions contained in the 46th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the State for the months of August and September, or following month of the Financial Year ending 30th June, 1905.

State Government House,

Sydney, 18th August, 1904.

Ordered to be referred to the Committee of Supply.

25th August, 1904.

10. **SUSPENSION OF STANDING ORDERS :—**
- (1.) Mr. Waddell moved, That it is a matter of urgent necessity that 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 1904-1905," be passed through all its stages in one day, and that the resolutions of the Committees of Supply and of Ways and of Means respectively, whereon the Bill is proposed to be founded, be received on the same day on which they are come to by the said Committees respectively.
- (2.) Mr. Waddell moved, 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 1904-1905," 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.
11. **SUPPLY :—**The Order of the Day having been read,—on motion of Mr. Waddell, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.
Mr. Speaker resumed the Chair ; and Mr. Latimer, Temporary Chairman, reported progress, and obtained leave to sit again.
Mr. Latimer also reported that the Committee had come to a resolution.
Ordered, on motion of Mr. Latimer, that the report be now received.
Mr. Latimer then reported the resolution, which was read a first time, as follows :—
(1.) *Resolved*,—That there be granted to His Majesty a sum not exceeding £1,255,000 to defray the expenses of the various Departments and Services of the State during the months of August and September, or following month of the financial year ending 30th June, 1905, to be expended at the rates which have been sanctioned for the financial year ended 30th June, 1904, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1904-1905.
On motion of Mr. Waddell, the resolution was read a second time, and agreed to.
12. **WAYS AND MEANS :—**The Order of the Day having been read,—on motion of Mr. Waddell, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.
Mr. Speaker resumed the Chair ; and Mr. Latimer, Temporary Chairman, reported progress, and obtained leave to sit again.
Mr. Latimer also reported that the Committee had come to a resolution.
Ordered, on motion of Mr. Latimer, that the report be now received.
Mr. Latimer then reported the resolution, which was read a first time, as follows :—
(1.) *Resolved*,—That towards making good the Supply granted to His Majesty for the Services of the financial year 1904-1905, the sum of £1,255,000 be granted out of the Consolidated Revenue Fund of New South Wales.
On motion of Mr. Waddell, the resolution was read a second time, and agreed to.
13. **CONSOLIDATED REVENUE FUND BILL :—**
- (1.) Ordered, on motion of Mr. Waddell, that a Bill be brought in, founded on resolution of Ways and Means (No. 1), to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the year 1904-1905.
- (2.) Mr. Waddell 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 1904-1905*,"—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. Waddell, 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 Mr. Latimer, Temporary Chairman, reported the Bill without amendment.
On motion of Mr. Waddell, the report was (after Debate) adopted.
Ordered, That the Bill be now read a third time.
- (4.) Bill read a third time, and, on motion of Mr. Waddell, *passed*.
Mr. Waddell 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 1904-1905*,"—presents the same to the Legislative Council for its concurrence.
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 1904-1905*,"—presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 26th August, 1904, a.m.
14. **ADJOURNMENT :—**Mr. Waddell moved, That this House do now adjourn until Four o'clock p.m. This Day.
Debate ensued.
Question put and passed.
The House adjourned accordingly, at sixteen minutes after Five o'clock, a.m., until Four o'clock, p.m., This Day.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 4.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

FRIDAY, 26 AUGUST, 1904.

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

ADDRESS-IN-REPLY TO THE GOVERNOR'S OPENING SPEECH :—The Assembly proceeded to State 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 thereto the following answer :—

State Government House, Sydney, 26 August, 1904.

To the Honorable the Speaker and the

Members of the Legislative Assembly of New South Wales,—

I thank you for your expressions of loyalty and attachment to the Throne and Person of His Most Gracious Majesty King Edward the Seventh, and I am glad to receive your assurances that the measures laid before you will receive your earnest consideration, and that the provision for the Public Service will be made as required.

I join with you again in the hope that, under Divine Providence, your efforts will be for the greater good of the peoples of New South Wales.

HARRY H. RAWSON,
Governor.

2. QUESTIONS :—

(1.) Railway from Bogan Gate to Bulbodney :—*Mr. Edden*, for Mr. Kelly, asked the Secretary for Public Works,—What provision has he made for the incoming Ministry with a view to carrying out the construction of the line of railway from Bogan Gate to Bulbodney?

Mr. Fegan answered,—No provision has been made.

(2.) Railway Construction—Narrabri-Walgett Railway :—*Mr. Collins* asked the Secretary for Public Works,—

(1.) How many railway works have been started since February, 1901?

(2.) How many railway works have been completed since February, 1901?

(3.) How much money has been voted for the work on the Narrabri-Walgett railway?

Mr. Fegan answered,—

(1.) Temora to Wyalong; Grafton to Casino; Narrabri to Walgett, with branch to Collarenebri; Gundagai to Tumut; Culcairn to Germanton; Cobar to The Peak.

(2.) Temora to Wyalong; Gundagai to Tumut; Culcairn to Germanton; Cobar to The Peak.

(3.) £250,000.

(3.) Dismissal of Maintenance Men :—*Mr. Coleman*, for Mr. Fleming, asked the Secretary for Public Works,—

(1.) Is he aware that since the 6th August many maintenance men throughout the State have received notice of dismissal?

(2.) Will he consider the advisability of issuing a minute to the effect that this notice be not enforced, and the matter left over for the consideration of the incoming Government?

Mr. Fegan answered,—I am informed that a few dismissals have taken place and others are contemplated, but only such as are required to effect necessary economy.

3. PAPER :—*Mr. Fegan* laid upon the Table,—Amended Regulation (No. 29) under the Public Instruction Act, 1880.

Referred by Sessional Order to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

26th August, 1904.

4. SPECIAL ADJOURNMENT :—Mr. Waddell (*by consent*) moved, without Notice, That this House, at its rising This Day, do adjourn until Tuesday, 20th September next.
Question put and passed.
5. PUBLIC INSTRUCTION ACT AMENDMENT (ABOLITION OF FEES) BILL (*Formal Motion*):—Mr. John Hurley moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to abolish payment of fees in State schools.
Question put.
The House divided.

Ayes, 52.

Mr. Perry (The Richmond),	Mr. Moore,	Mr. R. J. Anderson,
Mr. Waddell,	Mr. W. W. Young,	Mr. Norton,
Mr. Hogue,	Mr. McGarry,	Mr. Latimer,
Mr. Davidson,	Mr. John Hurley,	Mr. Nobbs,
Mr. Creswell,	Mr. Wood,	Mr. Ashton,
Mr. Henley,	Mr. Thomas,	Mr. Moxham,
Mr. Law,	Mr. Cann,	Mr. W. Millard,
Mr. Jessep,	Mr. Cohen,	Mr. Smith,
Mr. Carruthers,	Mr. J. H. Young,	Mr. Brinsley Hall,
Mr. Levy,	Mr. Mahony,	Mr. Walter Anderson,
Mr. Lee,	Mr. Dacey,	Mr. Holman,
Mr. Coleman,	Mr. Storey,	Mr. Oakes,
Mr. Richards,	Mr. Edden,	Mr. McFarlane,
Mr. Fegan,	Mr. Reynoldson,	Mr. Eden George.
Dr. Arthur,	Mr. Collins,	<i>Tellers,</i>
Mr. Mackenzie,	Mr. Gardiner,	Mr. Macdonald,
Mr. Booth,	Mr. Wade,	Mr. Scobie.
Mr. Broughton,	Mr. Ball,	

Noes, 5.

Mr. Crick,
Mr. Donaldson,
Mr. McLaurin.
Tellers,
Mr. Briner,
Mr. Meehan.

And so it was resolved in the affirmative.

6. DISTRICT COURTS ACT AMENDMENT BILL (*Formal Motion*):—Mr. Norton moved, pursuant to Notice, That leave be given to bring in a Bill to amend the District Courts Act, 1901, in certain particulars.
Question put and passed.
7. MUNICIPAL DISTRICT OF TENTERFIELD REDUCED AREA BILL (*Formal Motion*):—
(1.) Mr. Lee moved, pursuant to Notice, That leave be given to bring in a Bill to reduce the area of the Municipal District of Tenterfield.
Question put and passed.
(2.) Mr. Lee then presented a Bill, intituled "*A Bill to reduce the area of the Municipal District of Tenterfield,*"—which was read a first time.
Ordered to be printed, and read a second time on Tuesday, 20th September.
8. FRUIT PESTS AND DISEASES DESTRUCTION BILL (*Formal Motion*):—Mr. Jessep moved, pursuant to Notice, That leave be given to bring in a Bill to make provision for the destruction of fruit pests and diseases.
Question put and passed.
9. 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 year 1904—1905,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 26th August, 1904.

F. B. SUTTON,
President.

The House adjourned, at eight minutes before Five o'clock, until Tuesday, 20th September next, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 5.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 20 SEPTEMBER, 1904.

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

WRITS OF ELECTION:—Mr. Speaker informed the House,—

- (1.) That during the late adjournment for a longer period than seven days, he had received a letter from the Colonial Secretary, notifying the appointment to the offices mentioned in connection with their respective names, of the following gentlemen, viz.:—

The Honorable Joseph Hector Carruthers, to be Colonial Treasurer and Collector of Internal Revenue of New South Wales ;
 The Honorable James Alexander Hogue, Esquire, to be Colonial Secretary and Registrar of Records of New South Wales ;
 The Honorable Charles Gregory Wade, Esquire, to be Attorney-General and Minister of Justice ;
 The Honorable Samuel Wilkinson Moore, Esquire, to be Secretary for Mines and Agriculture ;
 The Honorable James Ashton, Esquire, to be Secretary for Lands ;
 The Honorable Charles Alfred Lee, Esquire, to be Secretary for Public Works ;
 The Honorable Broughton Barnabas O'Connor, Esquire, to be Minister of Public Instruction and Minister for Labour and Industry ;

and that in accordance with the provisions contained in the 53rd section of the Parliamentary Electorates and Elections Act, 1902, he had issued Writs for the election of Members to serve in the Legislative Assembly in the room of the said Members.

- (2.) 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:—

The Honorable Joseph Hector Carruthers,—for St. George.
 The Honorable James Alexander Hogue, Esquire,—for The Glebe.
 The Honorable Charles Gregory Wade, Esquire,—for Gordon.
 The Honorable Samuel Wilkinson Moore, Esquire,—for Bingara.
 The Honorable James Ashton, Esquire,—for Goulburn.
 The Honorable Charles Alfred Lee, Esquire,—for Tenterfield.
 The Honorable Broughton Barnabas O'Connor, Esquire,—for Sherbrooke.

2. MEMBERS SWORN:—The undermentioned gentlemen, having each taken and subscribed the Oath of Allegiance, and signed the Roll of the House, took their seats as Members for the Electoral Districts respectively named:—

The Honorable Joseph Hector Carruthers,—for St. George.
 The Honorable James Alexander Hogue, Esquire,—for The Glebe.
 The Honorable Charles Gregory Wade, Esquire,—for Gordon.
 The Honorable Samuel Wilkinson Moore, Esquire,—for Bingara.
 The Honorable James Ashton, Esquire,—for Goulburn.
 The Honorable Charles Alfred Lee, Esquire,—for Tenterfield.
 The Honorable Broughton Barnabas O'Connor, Esquire,—for Sherbrooke.

20th September, 1904.

3. CONSOLIDATED REVENUE FUND BILL:—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker:—

HARRY H. RAWSON,
Governor.

Message No. 3.

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 1904–1905,*"—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 His 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.

State Government House,
Sydney, 27th August, 1904.

4. PAPERS:—Mr. Speaker laid upon the Table,—A Letter from the Auditor-General transmitting Copies of Minutes of His Excellency the Governor and the Executive Council, for presentation to the Legislative Assembly under the directions contained in the 34th Section of the Audit Act, 1902,—viz,—

- (a) Minute No. 03/37, authorising the transfer of £133 6s. 8d. to the Colonial Secretary's Department.
 (b) Minute No. 04/2, authorising the transfer of £600 to the Colonial Secretary's Department.
 (c) Minute No. 04/4, authorising the transfer of £50 to the Colonial Secretary's Department.
 (d) Minute No. 04/8 authorising the transfer of £301 14s. 6d. to the Colonial Secretary's Department.
 (e) Minute No. 04/9 authorising the transfer of £2 14s. 10d. to the Colonial Secretary's Department.
 (f) Minute No. 04/19, authorising the transfer of £500 to the Colonial Secretary's Department.
 (g) Minute No. 04/19, authorising the transfer of £300 to the Colonial Secretary's Department.
 (h) Minute No. 04/20, authorising the transfer of £330 to the Colonial Secretary's Department.
 (i) Minute No. 03/49, authorising the transfer of £183 7s. 2d. to the Lands Department.
 (j) Minute No. 04/7, authorising the transfer of £87 10s. to the Lands Department.
 (k) Minute No. 04/19, authorising the transfer of £3,500 to the Lands Department.
 (l) Minute No. 04/20, authorising the transfer of £8,000 to the Lands Department.
 (m) Minute No. 04/23, authorising the transfer of £150 to the Lands Department.
 (n) Minute No. 04/8, authorising the transfer of £100 to the Mines and Agriculture Department.
 (o) Minute No. 04/16, authorising the transfer of £670 and £100 to the Public Works Department.
 (p) Minute No. 04/19, authorising the transfer of £50 to the Treasury Department.
 (q) Minute No. 04/22, authorising the transfer of £16,000 to the Treasury Department.
 (r) Minute No. 04/23, authorising the transfer of £650 to the Treasury Department.
 (s) Minute No. 04/24, authorising the transfer of £5,000 to the Treasury Department.
 (t) Minute No. 04/24, authorising the transfer of £4,500 to the Treasury Department.
 (u) Minute No. 04/25 authorising the transfer of £15,700 to the Treasury Department.
 (v) Minute No. 04/26 authorising the transfer of £26,000 to the Treasury Department.
 (w) Minute No. 04/21 authorising the transfer of £1,750 to the Attorney-General and Justice Department.
 (x) Minute No. 04/24, authorising the transfer of £615 to the Attorney-General and Justice Department.
 (y) Minute No. 04/26, authorising the transfer of £140 to the Attorney-General and Justice Department.

Referred by Sessional Order to the Printing Committee.

5. THE CLERK SUMMONED:—Mr. Speaker informed the House that, during the recess, the Clerk had received subpoenas to appear before the Supreme Court in the cases "*Attorney-General v. Teece*" and others, and *Godhard v. James Inglis and Company, Limited,*" to produce certain records and papers which had been laid upon the Table,—and that, as Speaker, he had authorised the production of such papers and records.
6. MINISTERIAL STATEMENT:—Mr. Carruthers made a statement with reference to the changes which have occurred in the constitution of the Government of this country, and informed the House what his Government proposed to do in the ensuing Session. The day after the adjournment of the Assembly, His Excellency the Governor gave him (Mr. Carruthers) a Commission to form a Ministry, and on the following Monday the Ministry was formed and was sworn in—being composed of the following gentlemen:—

The Honorable Joseph Hector Carruthers, Premier and Colonial Treasurer ;
 The Honorable John Hughes, Vice-President of the Executive Council, and Representative of the Government in the Legislative Council ;
 Mr. James Ashton, Secretary for Lands ;
 Mr. Charles Gregory Wade, Attorney-General and Minister of Justice ;
 Mr. Charles Alfred Lee, Secretary for Public Works ;
 Mr. James Alexander Hogue, Colonial Secretary ;
 Mr. Samuel Wilkinson Moore, Secretary for Mines and Agriculture ;
 Mr. Broughton Barnabas O'Connor, Minister of Public Instruction and Minister for Labour and Industry ; and
 Mr. William Thomas Dick, Honorary Minister.

Mr.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

20th September, 1904.

Mr. Dick, he was pleased to say, was assisting him in the Department of the Treasury, so that he as Premier would have more time to generally supervise the work of the Government; later on, a second representative would be appointed in the Legislative Council, but, pending alterations contemplated in regard to the Ministerial offices, it has been thought better to wait a little time before making the appointment. The Government proposed that this Session should be a short one, to conclude its business, with the assistance of the House, late in November or early in December: it would be devoted principally to the important question of Finance, and he hoped to be able to make his Financial Statement not later than this day fortnight. Mr. Carruthers then briefly outlined the measures he intended to submit to the House during the present Session to be dealt with, in addition to the Estimates of Expenditure.

Mr. McGowen also addressed the House.

7. PAPERS :—

Mr. Lee laid upon the Table,—

- (1.) Report of the Labour Commissioners for the year ended 30th June, 1904.
 - (2.) Report of the completion of the Rising Main from Ultimo Controlling Station to Kent-street Sewer.
 - (3.) Report of the completion of the Electrical Power Mains from Rushcutter's Bay Tramway Power-house to the Double Bay Air-Compressor Station.
- Referred by Sessional Order to the Printing Committee.

Mr. Carruthers laid upon the Table,—

- (1.) Report of the Auditors appointed by the Honorable T. Waddell and the Honorable J. H. Carruthers for the purpose of ascertaining the state of the Public Accounts on the 29th August, 1904.
 - (2.) Return showing leave of absence granted to persons employed in the Public Service during the year 1903.
- Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—

- (1.) Report of the President of the State Children Relief Board for the year ending 5th April, 1904.
 - (2.) By-law of the Borough of the Glebe.
 - (3.) By-law of the Borough of Newcastle.
 - (4.) By-laws of the Borough of Newtown.
 - (5.) By-laws of the Municipal District of Gundagai, under the Nuisances Prevention Act, 1897.
 - (6.) By-laws of the Borough of Tamworth, under the Nuisances Prevention Act, 1897, the Public Health Act, 1902, and the Public Health (Night-soil Removal) Act, 1902.
 - (7.) By-laws of the Municipal District of Quirindi, under the Public Health Act, 1902, and the Public Health (Night-soil Removal) Act, 1902.
 - (8.) By-laws of the Borough of Newcastle, under the Newcastle Paving and Public Vehicles Regulation Act, 1902, and the Municipalities Act, 1897.
 - (9.) Regulations under the Fisheries Act, 1902.
- Referred by Sessional Order to the Printing Committee.

8. CHAIRMAN OF COMMITTEES :—

(1.) Mr. Donaldson moved, pursuant to Notice, That John Henry Cann, Esquire, be Chairman of Committees of the Whole House for the present Session.

(2.) Mr. Wood moved, That John McFarlane, Esquire, be Chairman of Committees of the Whole House for the present Session.

Debate ensued.

Question put,—That John Henry Cann, Esquire, be Chairman of Committees of the Whole House for the present Session.

The House divided.

Ayes, 31.

Mr. Macdonell,	Mr. Nicholson,
Mr. Daley,	Mr. Donaldson,
Mr. Holman,	Mr. Briner,
Mr. Perry (<i>The Richm'd</i>)	Mr. O'Sullivan,
Mr. Dacey,	Mr. Jones,
Mr. Arthur Griffith,	Mr. McNeill.
Mr. Sullivan,	<i>Tellers,</i>
Mr. McGowen,	
Mr. Bennett,	Mr. Miller,
Mr. Charlton,	Mr. Richards.
Mr. Meehan,	
Mr. Scobie,	
Mr. Edden,	
Mr. Macdonald,	
Mr. Nielsen,	
Mr. Norton,	
Mr. Estell,	
Mr. Gardiner,	
Mr. McGarry,	
Mr. W. W. Young,	
Mr. Waddell,	
Mr. Gillies,	
Mr. Hollis,	

Noes, 43.

Mr. Carruthers,	Mr. Law,
Mr. Hogue,	Mr. Mackenzie,
Mr. O'Connor,	Mr. Fleming,
Mr. Moore,	Mr. Broughton,
Mr. Levy,	Mr. W. Millard,
Mr. Wade,	Mr. Wood,
Mr. Booth,	Mr. John Hurley,
Mr. Lec,	Mr. Downes,
Mr. Nobbs,	Dr. Arthur,
Mr. Coleman,	Mr. Kearney,
Mr. Dick,	Mr. Fallick,
Mr. Creswell,	Mr. Latimer,
Mr. R. J. Anderson,	Mr. Walter Anderson,
Mr. Henley,	Mr. Reynolds,
Mr. J. H. Young,	Mr. Moxham,
Mr. Alan Millard,	Mr. Ball,
Mr. Eden George,	Mr. Perry (<i>L'pool Plains</i>)
Mr. Fell,	Mr. Ashton.
Mr. Mahony,	<i>Tellers,</i>
Mr. Winchcombe,	
Mr. Storey,	Mr. Cohen,
Mr. Oakes,	Mr. Morton.
Mr. Thomas,	

And so it passed in the negative.

Question

20th September, 1904.

Question then proposed,—That John McFarlane, Esquire, be Chairman of Committees of the Whole House for the present Session.

Debate ensued.

Point of Order :—Mr. Gardiner submitted that this motion was out of order, notice not having been given as provided by Standing Order No. 28.

Mr. Speaker ruled the motion in order, and stated that he was following the practice of the House.

Debate continued.

Mr. Fegan moved, That this Debate be now adjourned.

Debate ensued.

Question put and passed.

Ordered, on motion of Mr. Carruthers, That the Debate be adjourned until To-morrow.

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

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 6.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 21 SEPTEMBER, 1904.

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

CONSTITUTION AMENDING BILL:—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker:—

HARRY H. RAWSON,
Governor.

Message No. 4.

In accordance with the provisions contained in the 46th 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 provide for the constitution, powers, and duties of the Ministry, and the salaries and allowances of Ministers and Officers of the Executive Government; to provide that the acceptance of certain offices of profit under the Crown shall not render void elections to the Legislative Assembly; to amend the Constitution Act, 1902; and for purposes consequent on, or incidental to, the carrying out of those objects.

*State Government House,
Sydney, 21st September, 1904.*

Ordered to be referred to the Committee of the Whole on the Bill.

2. PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS:—

(1.) *Nominations for Election*:—Mr. Speaker reported that he had received the following nominations of Candidates for election as Members of the Parliamentary Standing Committee on Public Works, in accordance with the provisions of the Public Works Committee Election Act, 1901, viz.:—

Mr. Miller, Member for Monaro.
Mr. John Hurley, Member for Hartley.
Mr. Law, Member for Rozelle.
Mr. Fallick, Member for Singleton.
Mr. Brinsley Hall, Member for The Hawkesbury.
Mr. Ball, Member for Corowa.
Mr. Edden, Member for Kahibah.
Mr. W. Millard, Member for The Clyde.
Mr. Coleman, Member for Rous.

(2.) *Ballot for the Election of Members of the Committee*:—Pursuant to the requirement of the 4th section of the Public Works Committee Election Act, 1901, Mr. Speaker appointed Tuesday, the 27th day of September, 1904, as the date upon which a Ballot shall take place for the Election of Members of the Parliamentary Standing Committee on Public Works.

3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—

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

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

21st September, 1904.

4. MESSAGES FROM THE GOVERNOR :—The following Messages from His Excellency the Governor were delivered by Mr. Wade, and read by Mr. Speaker :—

(1.) Master in Equity (Deputy) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 5.

In accordance with the provisions contained in the 46th section of the Constitution Act, 1902, 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 authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties.

State Government House,
Sydney, 21st September, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

(2.) Legal Process Facilitation Bill :—

HARRY H. RAWSON,
Governor.

Message No. 6.

In accordance with the provisions contained in the 46th section of the Constitution Act, 1902, 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 make better provision for the issue of legal process ; to amend the General Legal Procedure Act, 1902 ; and for purposes incidental to, or consequent on, the carrying out of the above objects.

State Government House,
Sydney, 21st September, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

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

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

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

“ The Honorable James Henry Young,

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

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

“ WILLIAM McCOURT,
“ Speaker.”

6. QUESTIONS :—

- (1.) Public Debt of the State :—Mr. Dacey asked the Colonial Treasurer,—With regard to the actual debt of this State on the date of the retirement of the Waddell Ministry, what was the amount of—(a) Debentures, Inscribed, and Funded Stock ; (b) Treasury Bills for works and in aid of deficiencies in Revenue ; (c) debit at Consolidated Revenue Fund ; (d) debit at Loan Account ; (e) amount of outstanding obligations in connection with Loan Expenditure ; (f) amount of Sinking Fund ?

Mr. Carruthers answered,—I would like the Honorable Member to move for the information in the form of a return, as the matter cannot be hastily and satisfactorily collected.

- (2.) Conversion of Homestead Selections into Settlement Leases—Report on North Coast Lands :—Mr. Briner asked the Secretary for Lands,—

(1.) Does he propose to ask Parliament to legislate this Session with a view to making homestead selections convertible into conditional purchases ?

(2.) When will Mr. Commissioner Ryan’s report upon the North Coast lands be submitted to Parliament ?

Mr. Ashton answered,—Reports from Mr. Ryan are received from time to time, and dealt with as expeditiously as possible. To the present, twenty-six reports in connection with the North Coast lands have come to hand, and an area of 7,217 acres, situate in the Counties of Fitzroy, Raleigh, and Dudley, has been made available for conditional purchase and conditional lease. The possibilities of making more land available will be fully considered this week.

- (3.) Proposed Railway from Maitland to South Grafton :—Mr. Briner asked the Secretary for Public Works,—Does he propose to submit the North Coast Railway proposal from Maitland to South Grafton to Parliament this Session, with a view to having the work carried out ?

Mr. Lee answered,—The state of the finances will not admit of this work being considered this Session.

(4.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

21st September, 1904.

- (4.) Expenses in connection with Re-election of Ministers:—*Mr. Nielsen*, for Mr. Jones, asked the Colonial Secretary,—What was the respective cost for each Electorate in the recent re-election of Members of the present Ministry?
 Mr. Hogue answered,—It is impossible to give the exact cost, as the advances have not yet been adjusted. A return, however, will be prepared and laid upon the Table at the earliest possible date.
- (5.) Sittings of the Arbitration Court:—Mr. Holman asked the Attorney-General and Minister of Justice,—
 (1.) Will the Government make provision for the continued sittings of the Arbitration Court during the anticipated absence of His Honor Mr. Justice Cohen on circuit?
 (2.) Will the Government arrange for the appointment of another member of the Supreme Court Bench to relieve Mr. Justice Cohen while on circuit?
 Mr. Wade answered,—Under existing arrangements, it is not practicable to give effect to these requests; but the Government will make every endeavour to meet cases of urgency.
- (6.) Appointment of Mr. Wright, Arbitration Court:—Mr. Holman asked the Colonial Treasurer,—
 (1.) Has his attention been called to a leading article appearing in the *Sydney Morning Herald* of Wednesday, 7th September, headed "The Arbitration Court"?
 (2.) Is he aware that this article contains the following passages:—“(i) It is a matter for congratulation that the employers have thus been able to put a strong man forward in Mr. Wright. He will be strong in the sense that he will strenuously advocate the claims of the side he represents; (ii) Mr. Smith fights for the employees; (iii) His official position as Vice-President of the Employers' Federation will assure a full and sympathetic knowledge; (iv) The fact that he is to be more advocate than judge will remove some of the difficulties for Mr. Wright; (v) Mr. Wright is to sit till March, when he must be re-elected, and his business meanwhile is to justify his appointment—he has to prove himself capable of conducting what is practically a campaign against militant unionism”?
 (3.) Will he consider whether these passages are not direct allegations of partiality against occupants of judicial positions, and as instigation to further partiality?
 (4.) Will he consider whether they are not direct interferences with the administration of justice?
 (5.) Will he take any steps to call the parties responsible to account?
 Mr. Carruthers answered,—I have not read the article to which the Honorable Member refers, but assuming that these are fair quotations, I do not think the Government is called upon to interfere. Any comment of this character is a matter of taste on the part of the newspapers.
7. PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902:—Mr. Cohen presented a Petition from George Bertrand Edwards, of Turramurra, manufacturer, representing that he is an elector in this State, and has had considerable experience in the operation of popular election in this and other States of the Commonwealth; that grave dissatisfaction has been experienced with the method adopted for the enrolment of voters, and for ensuring the recording of votes expeditiously; that the difference in law and procedure as to the manner of voting between the State and Federal enactments is confusing to citizens, and occasions much increasing cost; and praying the House to consider the expediency of unifying the electoral law and practice as far as possible with that of the Commonwealth, either by the amendment of the law or by negotiation with the Commonwealth to achieve that end, and to take such steps as their wisdom may direct to ensure the more perfect declaration of the will of the people, and to effect a saving in the national cost of the election of Parliamentary Representatives.
 Petition received.
8. PASTURES PROTECTION ACT, 1902:—Mr. Waddell presented a Petition from members of the Carcoar Pastures Protection Board, representing that there are about 174,700 acres of unoccupied Crown lands within the boundaries of the Carcoar District, of which about 81,700 acres are reserved; that as much of it as possible should be placed under occupation at a low rental; that these lands and areas known as the Railway Lines, are breeding grounds for the rabbit pest; and that unless the House affords relief, its efforts to carry out the law will be rendered nugatory; praying for a speedy amendment of the Pastures Protection Act, 1902—and also that the Railway Commissioners who possess freehold lands under the Railways Act of 1888 may be declared occupiers, and subject to the provisions of the Act referred to as regards liability for the suppression of rabbits.
 Petition received.
9. PAPERS:—
 Mr. Wade laid upon the Table,—
 (1.) Despatch from the Secretary of State for the Colonies respecting the Indian Extradition Act, 1903.
 (2.) Regulations under the Industrial Arbitration Act, 1901.
 (3.) Amended Regulations Nos. 40, 102, 103, 104, 132, 147, 150, and Appendix A, under the Public Service Act, 1902.
 (4.) Report of the Public Service Board respecting the appointment, on probation, of Mr. William Carr Robison as a Clerk in the Office of the Crown Solicitor.
 (5.) Amended Regulation No. 78 under the Prisons Act, 1899.
 Referred by Sessional Order to the Printing Committee.
- Mr. Ashton laid upon the Table,—
 (1.) *Gazette* Notices setting forth the mode in which it is proposed to deal with the dedication of certain Lands, under the Crown Lands Acts of 1884 and 1889, and the Public Trusts Act, 1897.
 (2.) Abstract of Crown Lands reserved from sale for the Preservation of Water Supply or other Public Purposes under the Crown Lands Act of 1884.
 (3.)

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- (3.) Abstract of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884.
 (4.) Abstract of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884.
 (5.) Abstract of Crown Lands authorised to be dedicated to Public Purposes, under the Crown Lands Act of 1884.
 (6.) Amended Regulations Nos. 159 and 160, also Additional Form No. 110, under the Crown Lands Acts.
 Referred by Sessional Order to the Printing Committee.
- Mr. O'Connor laid upon the Table,—
 (1.) Report of the Department of Labour and Industry for the year 1903.
 Referred by Sessional Order to the Printing Committee.
10. PRECEDENCE OF BUSINESS (*Sessional Order—Formal Motion*):—Mr. Carruthers moved, pursuant to Notice,—
 (1.) That during the present Session, unless otherwise ordered, General Business shall take precedence of Government Business on Tuesdays, and Government Business shall take precedence of General Business on Wednesdays and Thursdays.
 (2.) That General Notices of Motions and General Orders of the Day shall take precedence respectively on each alternate Tuesday.
 Question put and passed.
11. ANCIENT LIGHTS DECLARATORY BILL (*Formal Motion*):—Mr. Cohen moved, pursuant to Notice,—
 (1.) That leave be given to bring in a Bill to declare the law with respect to ancient lights.
 Question put and passed.
 (2.) Mr. Cohen then presented a Bill, intituled “*A Bill to declare the law with respect to ancient lights*,”—which was read a first time.
 Ordered to be printed, and read a second time on Tuesday, 4th October.
12. LEGAL PROCESS FACILITATION BILL (*Formal Motion*):—Mr. Wade moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for the issue of legal process; to amend the General Legal Procedure Act, 1902; and for purposes incidental to, or consequent on, the carrying out of the above objects.
 Question put and passed.
13. MINES INSPECTION AMENDMENT BILL (*Formal Motion*):—Mr. Cann moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Mines Inspection Act of 1901; to make provision for the appointment of check weighman or check clerk, and the payment of such check weighman or check clerk; and to provide for weighing in certain cases.
 Question put and passed.
14. AUSTRALIAN GASLIGHT COMPANY'S ACTS AMENDMENT BILL (*Formal Motion*):—Mr. Norton moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Acts 8th William IV and 22nd Victoria (relating to the Australian Gaslight Company) in certain particulars.
 Question put and passed.
15. SYDNEY DIOCESAN REVENUES 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 provide for the disposal of certain revenues appertaining to the Church of England in the Diocese of Sydney*,”—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, 21st September, 1904.
 F. B. SUTTON,
 President.
 Bill, on motion of Mr. Carruthers, read a first time.
 Ordered to be printed, and read a second time To-morrow.
16. BUSINESS DAYS (*Sessional Order*):—Mr. Carruthers moved, pursuant to Notice, That, unless otherwise ordered, this House shall meet for the despatch of Business at “Four” o'clock, p.m., on Tuesday, Wednesday, and Thursday in each week.
 Debate ensued.
 Mr. Gillies moved, That the Question be amended by leaving out the word “Four” and inserting the word “Two”—instead thereof.
 Question proposed,—That the word proposed to be left out stand part of the Question.
 Debate continued.
 Question put and passed.
 Original Question put and passed.
17. STANDING ORDERS COMMITTEE (*Sessional Order*):—Mr. Carruthers moved, pursuant to Notice, That the Standing Orders Committee for the present Session consist of Mr. Speaker, Mr. Waddell, Mr. McGowen, Mr. Crick, Mr. Ashton, Mr. Cohen, Mr. Holman, Mr. Storey, Mr. Perry (*The Richmond*), and the Mover, with leave to sit during any adjournment, to report in any matter or thing referred to or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council; and that Mr. Speaker be empowered to convene meetings of the Committee.
 Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

21st September, 1904.

18. **LIBRARY COMMITTEE (Sessional Order)**:—Mr. Carruthers moved, pursuant to Notice, That the Library Committee for the present Session consist of Mr. Speaker, Mr. Hogue, Mr. Arthur Griffith, Mr. O'Sullivan, Mr. Levy, Mr. Wood, Mr. Daley, Mr. Collins, Mr. Bennett, and the Mover, with leave to sit during any adjournment, and authority 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.
19. **REFRESHMENT COMMITTEE (Sessional Order)**:—Mr. Carruthers moved, pursuant to Notice, That the Refreshment Committee for the present Session consist of Mr. Speaker, Mr. Dacey, Mr. Levien, Mr. Oakes, Mr. Sullivan, Mr. Jessep, Mr. Edden, Mr. Brinsley Hall, Mr. Briner, 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.
Question put and passed.
20. **PRINTING COMMITTEE (Sessional Order)**:—Mr. Carruthers moved, pursuant to Notice,—
(1.) That the Printing Committee for the present Session consist of Mr. W. Millard, Mr. Coleman, Mr. Gillies, Mr. Fegan, Mr. Macdonald, Mr. Nicholson, Mr. Latimer, Mr. McFarlane, Mr. John Hurley, and the Mover, to whom are hereby referred all papers (except such as the Standing Orders direct shall be printed, Reports from Select Committees on Private Bills, Estimates of Expenditure, and Estimates of Ways and Means) which may be laid upon the Table of the House. It shall be the duty of such Committee to report from time to time which of the Papers referred to them ought, in their opinion, to be printed, and whether in full or in abstract; and it shall be in the power of the Committee to order such Papers, or abstracts thereof, to be prepared for press by the Clerk in attendance upon such Committee, and such Papers or abstracts shall be printed unless the House otherwise order.
(2.) That the Clerk of the House shall cause to be printed, as a matter of course, all reports from the Printing Committee.
Question put and passed.
21. **STATE TRAINING OF CIVIL ENGINEERS**:—Mr. Hollis moved, pursuant to Notice, That, in the opinion of this House, the State should train its own civil engineers through the Railway Department, such being the only State institution possessing the necessary facilities, and to this end candidates shall be taken from the Public or Day Schools in each year who reach the standards of education laid down for the purpose.
Debate ensued.
Point of Order:—Mr. Crick submitted that this motion was improperly before the House, as the Sessional Order passed at this sitting (Entry No. 10) gave precedence to Government Business on Wednesdays, therefore, until all Government Business on the paper had been disposed of, General Business could not be taken.
Mr. Speaker supported the point taken, and upheld the contention that the Sessional Order took effect immediately it was passed.
22. **CONSTITUTION AMENDING BILL**:—Mr. Ashton moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the constitution, powers, and duties of the Ministry, and the salaries and allowances of Ministers and Officers of the Executive Government; to provide that the acceptance of certain offices of profit under the Crown shall not render void elections to the Legislative Assembly; to amend the Constitution Act, 1902; and for purposes consequent on, or incidental to, the carrying out of those objects.
Question put.
The House divided.

Ayes, 54.

Mr. Lee,	Mr. Cohen,	Mr. Edden,
Mr. Ashton,	Mr. Fleming,	Mr. Dacey,
Mr. Wade,	Mr. Kearney,	Mr. Briner,
Mr. Moore,	Mr. Gillies,	Mr. Estell,
Mr. Hogue,	Mr. Crick,	Mr. Fell,
Mr. Dick,	Mr. Ball,	Mr. Nobbs,
Mr. Donaldson,	Mr. Oakes,	Mr. Mahony,
Mr. Jessep,	Mr. O'Sullivan,	Mr. Collins,
Mr. Daley,	Mr. O'Connor,	Mr. Perry (<i>L'pool Plains</i>)
Mr. Davidson,	Mr. Thomas,	Mr. Cann,
Mr. Henley,	Mr. Fallick,	Mr. Bennett,
Mr. Alan Millard,	Mr. Latimer,	Mr. Mackenzie,
Mr. Booth,	Mr. R. J. Anderson,	Mr. Smith,
Mr. Creswell,	Mr. Law,	Mr. McNeill.
Mr. W. Millard,	Mr. Reynoldson,	
Dr. Arthur,	Mr. Jones,	<i>Tellers,</i>
Mr. Broughton,	Mr. Nicholson,	Mr. Morton,
Mr. Coleman,	Mr. W. W. Young,	Mr. Winchcombe.
Mr. J. H. Young,	Mr. Walter Anderson,	

Noes, 12.

Mr. Macdonald,
Mr. Charlton,
Mr. Meehan,
Mr. McGarry,
Mr. Gardiner,
Mr. Hollis,
Mr. Arthur Griffith,
Mr. Norton,
Mr. Fegan,
Mr. Eden George.
<i>Tellers,</i>
Mr. Sullivan,
Mr. Macdonell.

And so it was resolved in the affirmative.

23. **MASTER IN EQUITY (DEPUTY) BILL**:—Mr. Wade moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties.
Question put and passed.

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

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

WILLIAM McCOURT,
Speaker.

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No. 7.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 22 SEPTEMBER, 1904.

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

QUESTIONS :—

- (1.) Crown Fees paid to Barristers and Solicitors :—Mr. Daley asked the Attorney-General and Minister of Justice,—

(1.) Will he ascertain if a return, showing the names of all barristers and solicitors who had received fees or costs from or through the Government of this State during the existence of the last two Governments, and moved for by the Member for Gipps in the last Parliament on several occasions, was ever prepared in the Attorney-General's Department?

(2.) If the return above mentioned was not prepared, will he inquire as to the reason for the non-compliance with the order of the House?

(3.) If the return mentioned above was prepared either wholly or in part, will he ascertain why it was not placed upon the Table of this House?

Mr. Wade answered,—I find that this return has been prepared, and it will be laid upon the Table next week.

- (2.) Establishment of State Batteries—Local Mining Boards :—Mr. Briner asked the Secretary for Mines,—

(1.) Will he take steps to establish a limited number of state batteries on gold-fields, particularly upon prospecting fields, in order to ensure to the miner full returns?

(2.) Will he include in his amending Mining Bill provisions for local mining boards, to consist of practical men, who will control the Prospecting Vote?

Mr. Moore answered,—Both these matters are at present receiving careful consideration.

- (3.) Inspection of Stock :—Mr. Briner asked the Colonial Treasurer,—

(1.) Is he aware that at present there are at least three separate branches or departments for the inspection of stock—(a) The Stock Inspector under the Pastures Protection Act; (b) the Inspection under the Dairies Supervision Act; (c) the Police inspection?

(2.) Will he, during next Session, if not earlier, take steps to have these offices amalgamated and the duties carried out by the Stock Inspector, in order to lessen the cost, and to secure uniformity and finality in administration?

Mr. Carruthers answered,—

(1.) I am informed that there are not three inspections. Two inspections are possible—one under the Pastures Protection Act and the other under the Dairies Supervision Act. The former Act is administered by the Lands Department, the latter by the Board of Health, the services of the Police being utilised.

(2.) The throwing of all the duties on the Stock Inspectors will not lessen cost, as more Stock Inspectors will be necessary if the duties now carried out by the Police are thrown on the Stock Inspectors.

- (4.) Macleay Swamp Drainage Scheme :—Mr. Briner asked the Secretary for Public Works,—Is he prepared to carry out at least a portion of the Macleay Swamp Drainage Scheme, which will release some of the best lands in the State for closer settlement?

Mr. Lee answered,—The Government appreciate the value of these lands for closer settlement purposes, and will consider the question of drainage as soon as funds for the purpose are available.

- (5.) Postage Stamps for Country Members :—Mr. W. W. Young asked the Colonial Treasurer,—In view of the extension of the electorates and the extra expense involved, will he consider the propriety and justice of doubling the number of postage stamps allowed to country Members?

Mr. Carruthers answered,—It is not the intention of the Government to increase in any way the allowances to Members of the House. If the Government can avoid reducing them, in view of the state of the finances, they will be doing well.

22nd September, 1904.

(6.) Parliamentary Standing Committee on Public Works:—Mr. Gillies asked the Secretary for Public Works,—

- (1.) What are the names of the Members of Parliament who have constituted the Public Works Committee since the passing of the Public Works Act, together with the respective amounts drawn by each Member in fees and expenses?
- (2.) What has been the total estimated cost incurred in investigations of public works since the passing of the Public Works Act?

Mr. Lee answered,—

- (1.) I would suggest to the Honorable Member that he should move for a return showing the information he requires.
- (2.) I might state that the vouchers for fees and expenses of Honorable Members who have comprised the Committee from time to time are not prepared nor paid through the Department of Works, and for the same reason the cost of investigations could not be furnished from the books of my Department.

(7.) Parliamentary Standing Committee on Public Works:—Mr. Gillies asked the Secretary for Public Works,—

- (1.) What public works have been passed by the Public Works Committee since the passing of the Act, and not carried out, and the respective estimated cost of such works?
- (2.) What public works reported upon by the Public Works Committee have been approved of by Parliament, and are not yet commenced, and the respective estimated cost of such works?

Mr. Lee answered,—This information cannot be readily prepared, and replies given as ordinary answers to Questions. The better way to obtain what is required will be to move for a return in the usual way.

(8.) Disposal of "The Rocks" Resumption Property and Land adjoining Belmore and Centennial Parks:—Mr. Nobbs, for Mr. Fell, asked the Colonial Treasurer,—In view of the alleged impaired credit of the State, together with the condition of the money market, and the necessity for the cessation of borrowing for the time being, except for repayment of loans shortly maturing, is he prepared to consider the expediency of disposing of "The Rocks" Resumption Property not required in connection with public and wharfage purposes, together with Government lands adjoining Belmore and Centennial Parks, in order to raise funds to complete works now in progress—estimated by him at over £1,500,000?

Mr. Carruthers answered,—This question is engaging the attention of the Ministry.

(9.) Copies of Depositions of Accused Persons:—Mr. Levy asked the Attorney-General and Minister of Justice,—

- (1.) Is he aware that accused persons who have been committed to take their trial, and who have not the necessary means to pay for a copy of the depositions taken in the lower Court, are subjected to very great hardship in consequence?
- (2.) Will he consider a suggestion that in future, on satisfactory evidence being forthcoming of an accused person's inability to pay for a copy of such depositions, either a copy be supplied to him gratis, or, in the alternative, that the Clerk of the Peace afford every facility to the accused, or some person acting on his behalf, for taking a copy of the depositions from the original at the Crown Law Offices?

Mr. Wade answered,—In any case where it is shown to my satisfaction that an accused person is really unable to pay for a copy of the depositions, I shall be willing to supply one free of cost. I hope the Honorable Member will acquit me of any intentional discourtesy yesterday afternoon, as I did not follow his Question.

(10.) Prosecution of E. C. Bartley, Brewer, at Cootamundra:—Mr. Donaldson asked the Attorney-General and Minister of Justice,—

- (1.) Is he aware of the fact that a prosecution was issued at Cootamundra to compel a brewer, E. C. Bartley, of this State, to pay a license fee after such license fee had been already paid to the Commonwealth?
- (2.) Is he aware that the Police Magistrate gave a decision in favour of the brewer, that only one fee could be charged, and that the Full Court subsequently confirmed that decision, and that the High Court afterwards set both their decisions on one side with costs, and compelled the brewer to pay a double license—one to the State and one to the Federal Commonwealth?
- (3.) As this was a test case on an important question arising out of the Federal Constitution Act, will he give instructions that the costs of the case should be remitted?

Mr. Wade answered,—

- (1 and 2.) Yes.
- (3.) The matter will be considered.

2. CORONERS COURT BILL (*Formal Motion*):—

(1.) Mr. Wade moved, pursuant to Notice, That leave be given to bring in a Bill to provide that, except in certain cases, inquisitions now held before a Coroner and a jury shall be held before a Coroner sitting alone; and for purposes consequent on, or incidental to, the carrying out of that object.

Question put and passed.

(2.) Mr. Wade then presented a Bill, intituled "*A Bill to provide that, except in certain cases, inquisitions now held before a Coroner and a jury shall be held before a Coroner sitting alone; and for purposes consequent on, or incidental to, the carrying out of that object,*"—which was read a first time.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

22nd September, 1904.

3. PUBLIC WORKS COMMITTEE BILL (*Formal Motion*):—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to regulate the meetings of the Public Works Committee and Sectional Committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such Committee for a specified period; to amend the Public Works Act, 1900; and for purposes consequent on, or incidental to, the carrying out of those objects. Question put and passed.
4. PUBLIC WORKS ACT AMENDMENT BILL (*Formal Motion*):—Mr. Gillies moved, pursuant to Notice, That leave be given to bring in a Bill to repeal the Public Works Act in respect to Members of the Legislature comprising the body investigating the necessity or advisability of constructing public works. Question put and passed.
5. PUBLIC WORKS ACT AMENDMENT BILL (No. 2) (*Formal Motion*):—Mr. Gillies moved, pursuant to Notice, That leave be given to bring in a Bill providing for the investigations under the Public Works Act to be conducted by a body of three experts. Question put and passed.
6. PUBLIC SERVICE EMPLOYEES APPEAL BILL (*Formal Motion*):—Mr. Levy moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for the hearing and determination of appeals by employees in the Public Service; and to amend the Public Service Act, 1902. Question put and passed.
7. CONSTITUTION AMENDMENT (JUDGES' SALARIES AND PENSIONS) BILL (*Formal Motion*):—Mr. Norton moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Constitution Act and 20 Victoria No. 5 in certain particulars. Question put and passed.
8. DISSENT FROM MR. SPEAKER'S RULING—ELECTION OF CHAIRMAN OF COMMITTEES:—Mr. Crick moved, pursuant to Notice, That this House dissents from the ruling of Mr. Speaker, whereby he allowed Mr. Wood, M.L.A., to propose, without Notice, that Mr. McFarlane, M.L.A., should be elected as Chairman of Committees of this House. Debate ensued. Question put. The House divided.

Ayes, 33.

Mr. Arthur Griffith,	Mr. Perry (<i>The Richm'd</i>),
Mr. Cann,	Mr. Nicholson,
Mr. Nielsen,	Mr. Smith,
Mr. Sullivan,	Mr. W. W. Young,
Mr. Dacey,	Mr. McGarry,
Mr. Jones,	Mr. Charlton,
Mr. Daley,	Mr. Hollis,
Mr. Edden,	Mr. Macdonald,
Mr. Miller,	Mr. Gardiner,
Mr. Meehan,	Mr. McNeill.
Mr. Estell,	<i>Tellers,</i>
Mr. McGowan,	Mr. Macdonell,
Mr. Fegan,	Mr. Holman.
Mr. Levien,	
Mr. Crick,	
Mr. O'Sullivan,	
Mr. Norton,	
Mr. Donaldson,	
Mr. Bennett,	
Mr. Gillies,	
Mr. Briner,	

Noes, 40.

Mr. O'Connor,	Mr. Kearney,
Mr. Carruthers,	Mr. Fleming,
Mr. Moore,	Mr. Oakes,
Mr. Hogue,	Mr. Creswell,
Mr. Wade,	Mr. Fell,
Mr. Jessep,	Mr. Wood,
Mr. Lee,	Mr. Walter Anderson,
Mr. Dick,	Mr. Alan Millard,
Mr. Coleman,	Mr. Henley,
Mr. Fallick,	Mr. W. Millard,
Mr. Ashton,	Mr. Mahony,
Mr. R. J. Anderson,	Mr. Mackenzie,
Dr. Arthur,	Mr. Latimer,
Mr. Booth,	Mr. Morton,
Mr. J. H. Young,	Mr. Perry (<i>L'pool Plains</i>),
Mr. Levy,	Mr. Brinsley Hall,
Mr. Nobbs,	Mr. Ball.
Mr. Cohen,	<i>Tellers,</i>
Mr. Eden George,	Mr. Thomas,
Mr. Law,	Mr. Winchcombe.
Mr. Storey,	

And so it passed in the negative.

9. PUBLIC WORKS COMMITTEE BILL:—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker:—

HARRY H. RAWSON,
Governor.

Message No. 7.

In accordance with the provisions contained in the 46th 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 regulate the meetings of the Public Works Committee and Sectional Committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such Committee for a specified period; to amend the Public Works Act, 1900; and for purposes consequent on, or incidental to, the carrying out of those objects.

*State Government House,
Sydney, 22nd September, 1904.*

Ordered to be referred to the Committee of the Whole on the Bill.

10. CHAIRMAN OF COMMITTEES:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Wood, "That John McFarlane, Esquire, be Chairman of Committees of the Whole House for the present Session." And the Question being again proposed,—

The House resumed the said adjourned Debate.

22nd September, 1904.

Mr. Edden moved, That William Patrick Crick, Esquire, be Chairman of Committees of the Whole House for the present Session.

Debate continued.

Question put,—That John McFarlane, Esquire, be Chairman of Committees of the Whole House for the present Session.

The House divided.

Ayes, 17.

Mr. Coleman,
Mr. J. H. Young,
Mr. Storey,
Mr. R. J. Anderson,
Mr. Law,
Mr. Fell,
Mr. Latimer,
Mr. Mahony,
Mr. Thomas,
Mr. Wood,
Dr. Arthur,
Mr. W. Millard,
Mr. Walter Anderson,
Mr. Morton,
Mr. Winchcombe.

Tellers,

Mr. Jessep,
Mr. Cohen.

Mr. Edden,
Mr. Estell,
Mr. McGowen,
Mr. Arthur Griffith,
Mr. Cann,
Mr. Nielsen,
Mr. Macdonell,
Mr. Dacey,
Mr. McNeill,
Mr. Lee,
Mr. Carruthers,
Mr. Moore,
Mr. Gillies,
Mr. Levy,
Mr. Oakes,
Mr. Levien,
Mr. Fegan,
Mr. O'Connor,
Mr. Crick.

Noes, 52.

Mr. Kearney,
Mr. Hollis,
Mr. Norton,
Mr. W. W. Young,
Mr. Alan Millard,
Mr. Nobbs,
Mr. Wade,
Mr. Mackenzie,
Mr. Booth,
Mr. Fallick,
Mr. Daley,
Mr. Holman,
Mr. Ball,
Mr. Gardiner,
Mr. Hoguc,
Mr. Perry (*L'pool Plains*),
Mr. Brinsley Hall,
Mr. Eden George,
Mr. Henley,

Mr. Smith,
Mr. Ashton,
Mr. Nicholson,
Mr. Sullivan,
Mr. McGarry,
Mr. Miller,
Mr. Macdonald,
Mr. Jones,
Mr. Charlton,
Mr. Meehan,
Mr. Burgess,
Mr. Bennett.

Tellers,

Mr. Donaldson,
Mr. Fleming.

And so it passed in the negative.

Question then,—That William Patrick Crick, Esquire, be Chairman of Committees of the Whole House for the present Session,—put.

The House divided.

Ayes, 53.

Mr. O'Connor,
Mr. Ashton,
Mr. Carruthers,
Mr. Moore,
Mr. Hogue,
Mr. Cann,
Mr. Lee,
Mr. Fegan,
Mr. Miller,
Mr. Gillies,
Mr. Levy,
Mr. Nobbs,
Mr. Holman,
Mr. Meehan,
Mr. Sullivan,
Mr. Estell,
Mr. Alan Millard,
Mr. Macdonald,
Mr. O'Sullivan,

Mr. J. H. Young,
Mr. Arthur Griffith,
Mr. Dacey,
Mr. Cohen,
Mr. Storey,
Mr. Hollis,
Mr. Macdonell,
Mr. Fleming,
Mr. Kearney,
Mr. Wade,
Mr. Ball,
Mr. McNeill,
Mr. Nicholson,
Mr. McGarry,
Mr. Edden,
Mr. Charlton,
Mr. Burgess,
Mr. Levien,

Mr. Donaldson,
Mr. McGowen,
Mr. Norton,
Mr. Smith,
Mr. Henley,
Mr. Eden George,
Mr. Perry (*L'pool Plains*),
Mr. Gardiner,
Mr. Jones,
Mr. Daley,
Mr. Mackenzie,
Mr. Bennett,
Mr. W. W. Young.

Tellers,

Mr. Nielsen,
Mr. Oakes.

Noes, 15.

Mr. R. J. Anderson,
Mr. Jessep,
Mr. Mahony,
Mr. Fell,
Mr. Latimer,
Dr. Arthur,
Mr. Law,
Mr. Wood,
Mr. Morton,
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Winchcombe,
Mr. Brinsley Hall.

Tellers,

Mr. Booth,
Mr. Coleman.

And so it was resolved in the affirmative.

Mr. Crick made his acknowledgments to the House.

11. CLAIMS AGAINST THE GOVERNMENT AND CROWN SUITS (AMENDMENT) BILL:—

(1.) Mr. Wade moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Claims against the Government and Crown Suits Act, 1897.

Question put and passed.

(2.) Mr. Wade then presented a Bill, intituled "*A Bill to amend the Claims against the Government and Crown Suits Act, 1897*,"—which was read a first time.

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

12. LEGAL PROCESS FACILITATION BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Wade, 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 issue of legal process; to amend the General Legal Procedure Act, 1902; and for purposes incidental to, or consequent on, the carrying out of the above objects. Mr. Speaker resumed the Chair; and the Chairman 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:—

Resolved,—That it is expedient to bring in a Bill to make better provision for the issue of legal process; to amend the General Legal Procedure Act, 1902; and for purposes incidental to, or consequent on, the carrying out of the above objects.

On motion of Mr. Wade, the resolution was read a second time, and agreed to.

(2.) Mr. Wade then presented a Bill, intituled "*A Bill to make better provision for the issue of legal process; to amend the General Legal Procedure Act, 1902; and for purposes incidental to, or consequent on, the carrying out of the above objects*,"—which was read a first time.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

22nd September, 1904.

13. CONSTITUTION AMENDING BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Carruthers, 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 constitution, powers, and duties of the Ministry, and the salaries and allowances of Ministers and Officers of the Executive Government; to provide that the acceptance of certain offices of profit under the Crown shall not render void elections to the Legislative Assembly; to amend the Constitution Act, 1902; and for purposes consequent on, or incidental to, the carrying out of those objects.

Mr. Speaker resumed the Chair; and the Chairman 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:—

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

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to provide for the constitution, powers, and duties of the Ministry, and the salaries and allowances of Ministers and Officers of the Executive Government; to provide that the acceptance of certain offices of profit under the Crown shall not render void elections to the Legislative Assembly; to amend the Constitution Act, 1902; and for purposes consequent on, or incidental to, the carrying out of those objects*,"—which was read a first time.

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

14. MASTER IN EQUITY (DEPUTY) BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Wade, 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 authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties.

Mr. Speaker resumed the Chair; and the Chairman 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:—

Resolved,—That it is expedient to bring in a Bill to authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties.

On motion of Mr. Wade, the resolution was read a second time, and agreed to.

(2.) Mr. Wade then presented a Bill, intituled "*A Bill to authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties*,"—which was read a first time.

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

15. ADJOURNMENT:—Mr. Ashton moved, That this House do now adjourn.

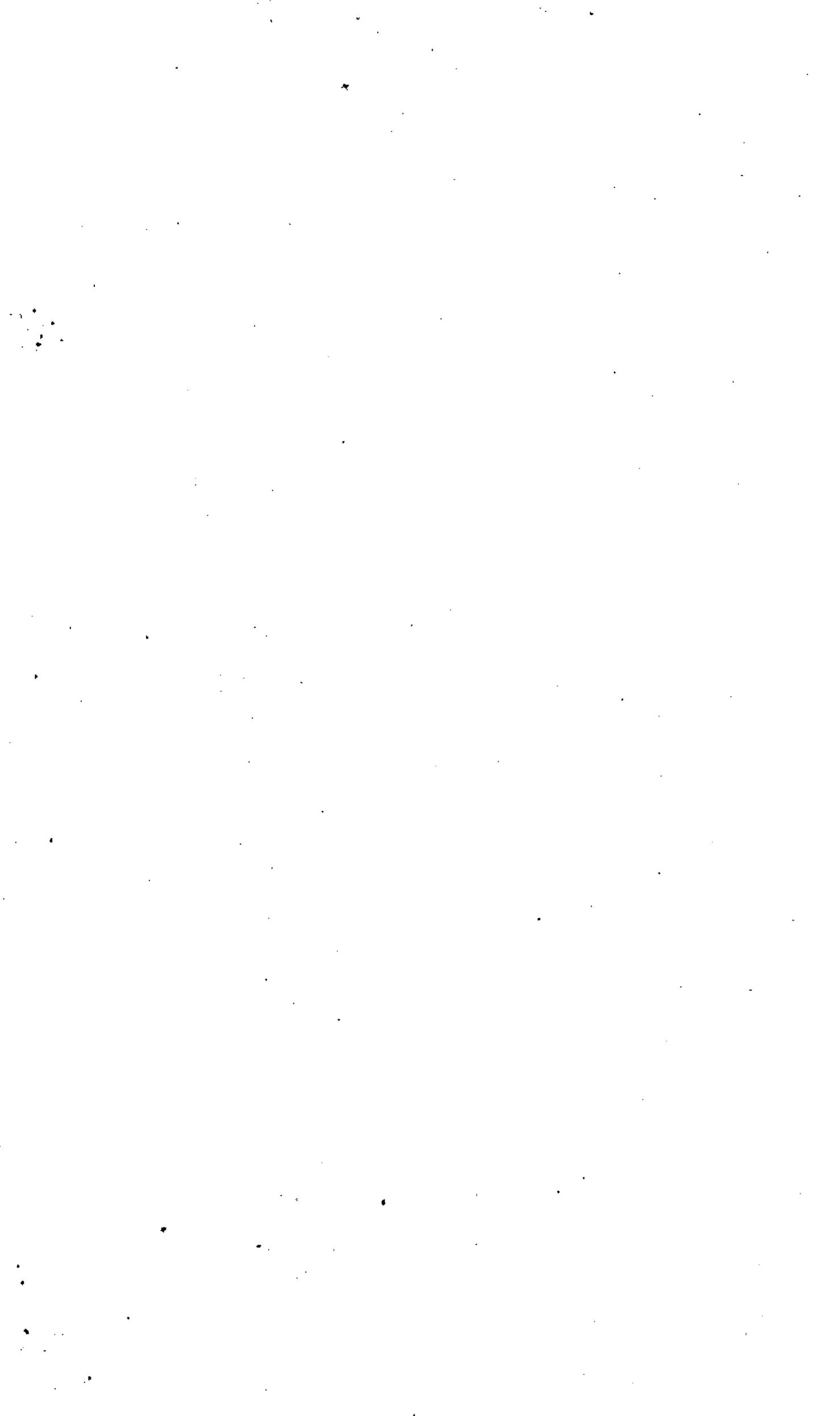
Debate ensued.

Question put and passed.

The House adjourned accordingly, at four minutes before Eleven o'clock, until Tuesday next, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 8.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 27 SEPTEMBER, 1904.

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

PUBLIC ACCOUNTS COMMITTEE:—Mr. Speaker informed the House that, according to section 16 of the Audit Act, 1902, he had received from the Colonial Treasurer the nominations of,—

Mr. John Rowland Dacey,
Mr. John Gillies,
Mr. Thomas Fitzherbert Hawkins Mackenzie,
Mr. David Storey, and
Mr. Thomas Waddell,

for election and appointment as Members of the Public Accounts Committee constituted under that Act.

Mr. Speaker also stated that it would be his duty to submit these names, one by one, in alphabetical order, to the House, and he would do so after the formal business was disposed of on Thursday next.

2. DEPUTY-SPEAKER'S COMMISSION TO ADMINISTER THE OATH OF ALLEGIANCE:—Mr. Speaker reported that he had received a Commission, under the Public Seal of the State, dated 23rd day of September, 1904, and signed by His Excellency the Governor, empowering William Patrick Crick, 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, by direction of Mr. Speaker, was read by the Clerk, as follows:—

*“ By His Excellency SIR HARRY HOLDSWORTH RAWSON, Admiral in the Royal Navy, Knight
“ Commander of the Most Honorable Order of the Bath, Governor of the State of New South
“ Wales and its Dependencies, in the Commonwealth of Australia.*

“ To all to whom these presents shall come,—

“ *Greeting :*

“ In pursuance of the authority in me vested in that behalf, I, Sir HARRY HOLDSWORTH RAWSON,
“ as Governor of the State of New South Wales, do hereby authorise WILLIAM PATRICK CRICK,
“ Esquire, Chairman of Committees of the Legislative Assembly of the said State, 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 His Majesty the King, 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 Public Seal of the State, at Sydney, in New South Wales
“ aforesaid, this twenty-third day of September, in the year of our Lord one thousand nine
“ hundred and four, and in the fourth year of the Reign of His Majesty King Edward
“ the Seventh.

“ HARRY H. RAWSON,
“ Governor.

“ *By His Excellency's Command,*
“ J. A. HOGUE.”

27th September, 1904.

3. QUESTIONS :—

(1.) Reciprocity with Victoria with regard to Old-age Pensions :—Mr. Nielsen asked the Colonial Treasurer,—Will he endeavour to have a reciprocity arrangement made with the Government of Victoria in connection with the payment of old-age pensions?

Mr. Carruthers answered,—A draft reciprocity agreement was prepared some considerable time ago, and the terms were agreed to generally by the Victorian Government. It has undergone revision from time to time, and is now with the Victorian Government, who will be communicated with.

(2.) Narrabri-Walgett-Collareendabri Railway :—Mr. Collins asked the Secretary for Public Works,—

(1.) Is he aware that the whole of the earthworks are completed in connection with the Narrabri-Walgett-Collareendabri Railway?

(2.) Is he also aware that the rails are only laid to Cryon upon the Walgett section, and a few miles from Burren Junction on the Collareendabri section?

(3.) Is he also aware that the remainder of the earthworks are covered with a thick crop of burrs and other noxious weeds, and in many places are being cut up by teams and other traffic, and that unless the construction of the lines be proceeded with forthwith, a large extra expenditure will have to be incurred?

(4.) What is the estimated cost of completing these lines?

(5.) What provision, if any, does he purpose making for continuing these lines to their terminal points?

Mr. Lee answered,—

(1.) The earthworks in formation were completed last year, with the exception of a short length near Collareendabri. The earthworks for all station-yards between Cryon and Walgett and Burren Junction and Collareendabri have not yet been commenced.

(2.) The rails are laid to Cryon on the Walgett section, and for 6 miles from Burren Junction on the Collareendabri section.

(3.) The remainder of the earthworks are covered with grass and other herbage common to the district. Teams have cut up the formation in several places, and some expenditure will be required to put the earthworks in proper order.

(4.) The estimated cost to complete this line to Walgett is £72,547; and to complete to Collareendabri, £172,273.

(5.) I cannot say until the amount required for Loans generally is being considered by Cabinet.

(3.) Labourers Employed by Surveyors in the Lands Department :—Mr. Nielsen asked the Secretary for Lands,—

(1.) Is he aware that the labourers employed by the surveyors in his Department are paid at the rate of 5s. per day seven days per week, with cost of rations deducted?

(2.) Is he also aware that they are often compelled to work on Sundays and holidays?

(3.) Will he see that these men are adequately paid, and that Sunday and holiday work be discontinued as much as possible, and that a special rate be paid for work on those days?

Mr. Ashton answered,—

(1.) The usual rate of pay is 5s. per day for seven days per week; but in some cases, 6s. per day is paid, according to merit and length of service. The cost of rations deducted is about 10s. 6d. per week. The men are furnished with camp requisites. The work done is of a varied character, sometimes heavy, sometimes very light. No loss of pay is incurred for time lost through inclement weather and other causes.

(2 and 3.) I am informed that the only work done on Sundays is in attending to the horses and cooking. If work is done on a holiday, the men are given a day off on a convenient opportunity in addition to one day's holiday per quarter to which they are entitled. An increase in the rate of payment would involve a large annual addition to the cost of land surveys, which, in the interests of settlement, the Department cannot at present see its way to incur.

4. MINES INSPECTION ACT, 1901 :—Mr. Briner presented a Petition from Miners in the Orara Gold-fields, and others interested in mining, representing that the provisions of the Mines Inspection Act, 1901, are detrimental to the mining industry, and praying that the Act be repealed.
Petition received.

5. PAPERS :—

Mr. Carruthers laid upon the Table,—

(1.) Twenty-first Annual Report under the Inscribed Stock Act of 1883.

(2.) Report of the Government Savings Bank for the half-year ended 30th June, 1904.

(3.) Correspondence respecting allowance to Mr. Thow, Chief Mechanical Engineer, for services in connection with the Power House.

(4.) Papers respecting the selection of a site for the Seat of the Commonwealth Government.

Referred by Sessional Order to the Printing Committee.

Mr. Ashton laid upon the Table,—Amended Regulations Nos. 303, 309, 311, 312, 314, and 315, also Additional Form No. 111, under the Crown Lands Acts.

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—

(1.) Statement of Accounts of the South Head Roads Trust for the half-year ended 31st December, 1902; and also for the half-year ended 30th June, 1903.

(2.) Report of the completion of the Sydney Water Supply 32-inch Main from Pipe Head Basin to Ryde Pumping Station.

(3.) Report of the completion of the Necropolis Stormwater Drainage, Stormwater Channel, Sub-soil Drain.

(4.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

27th September, 1904.

- (4.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Neargo Artesian Well.
- (5.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of an Embankment on the Railway between Gundagai and Tumut.
- (6.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of a Pumping Station at Birchgrove Park, Balmain, in connection with Drainage Works for the Western Suburbs of the City of Sydney.
- (7.) Notification of resumption of land, under the Public Works Act, 1900, in connection with the Water Supply to the City of Sydney and Suburbs.
- (8.) Notification of resumption of land, under the Public Works Act, 1900, for the purposes of procuring sand ballast for the Grafton-Casino Railway.
- (9.) Notification of resumption of land, under the Public Works Act, 1900, in connection with the construction of an Artesian Well in the District of Uranbah.
- (10.) Notification of resumption of land, under the Public Works Act, 1900, in connection with the construction of an Artesian Well in the District of Bogewong.
- (11.) Notification of resumption of land, under the Public Works Act, 1900, in connection with the construction of the Willie Artesian Well.
- (12.) Notification of resumption of land, under the Public Works Act, 1900, in connection with the Haddon Rigg Artesian Well.

Referred by Sessional Order to the Printing Committee.

Mr. Moore laid upon the Table,—Amendment of General Rules 10, 28, 36, and 47, and new Rule 54, under the Mines Inspection Act, 1901.

Referred by Sessional Order to the Printing Committee.

6. PRINTING COMMITTEE:—Mr. McFarlane, as Chairman, brought up the First Report from the Printing Committee.
7. PROPERTY DETENTION BILL (*Formal Motion*):—
- (1.) Mr. Levien moved, pursuant to Notice, That leave be given to bring in a Bill to amend the law in relation to detention of goods in respect to time-payment agreements.
Question put and passed.
- (2.) Mr. Levien then presented a Bill, intituled "*A Bill to amend the law in relation to detention of goods in respect to time-payment agreements.*"—which was read a first time.
Ordered to be printed, and read a second time on Tuesday next.
8. FERTILIZERS ADULTERATION BILL:—The following Message from His Excellency the Governor was delivered by Mr. Moore, and read by Mr. Speaker:—
- HARRY H. RAWSON, *Message No. 8.*
Governor.
- In accordance with the provisions contained in the 46th section of the Constitution Act, 1902, 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 regulate the manufacture and sale, and prevent the adulteration of fertilizers.
- State Government House,
Sydney, 26th September, 1904.*
- Ordered to be referred to the Committee of the Whole on the Bill.
9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Brinsley Hall, Esquire, came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.
10. PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS:—
- (1.) *Ballot for Election of Members*:—The Order of the Day having been read,—and the Bells rung,—Mr. Speaker fixed the hour when the Ballot would close,—Whereupon the House proceeded to the Ballot.
- (2.) *Members Elected*:—The Clerk having delivered to Mr. Speaker the result of the Ballot, Mr. Speaker declared the following to be elected Members of the Committee, viz.:—
- James Fallick, Esquire;
Alfred Edden, Esquire;
John Hurley, Esquire; and
William Millard, Esquire.
11. LANDLORD AND TENANT AMENDING BILL:—*Mr. Nielsen*, on behalf of Mr. Holman, moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Landlord and Tenant Act of 1899.
Question put and passed.
12. NEWSPAPER ARTICLES BILL:—*Mr. Nielsen*, on behalf of Mr. Holman, moved, pursuant to Notice, That leave be given to bring in a Bill to provide for the signing of newspaper articles by their true writers.
Question put and passed.
13. PUBLIC DEFENDER:—Mr. Arthur Griffith moved, pursuant to Notice, That, in the opinion of this House, a Public Defender should be forthwith appointed, and that all the legal and police machinery for the defence of accused persons that are now available to the Crown Prosecutors, should be placed at his disposal.
Debate ensued.
Question put.

.The

27th September, 1904.

The House divided.

Ayes, 30.

Dr. Arthur,	Mr. Walter Anderson,
Mr. Estell,	Mr. Jessep,
Mr. Sullivan,	Mr. Kearney,
Mr. Scobie,	Mr. Ball,
Mr. Daley,	Mr. Miller,
Mr. Hollis,	Mr. Kelly,
Mr. Arthur Griffith,	Mr. Norton,
Mr. McGowen,	Mr. Bennett,
Mr. Cann,	Mr. McGarry,
Mr. Macdonald,	Mr. Reynoldson,
Mr. Jones,	Mr. Charlton,
Mr. Edden,	Mr. Nicholson.
Mr. Meehan,	<i>Tellers,</i>
Mr. O'Sullivan,	
Mr. Thrower,	Mr. W. W. Young,
Mr. Law,	Mr. Macdonell.

Noes, 28.

Mr. Hogue,	Mr. Lee,
Mr. Mahony,	Mr. McFarlane,
Mr. Moore,	Mr. McLaurin,
Mr. Ashton,	Mr. Latimer,
Mr. O'Conor,	Mr. Mackenzie,
Mr. Wade,	Mr. Downes,
Mr. Oakes,	Mr. W. Millard,
Mr. John Hurley,	Mr. Briner,
Mr. Dick,	Mr. Brinsley Hall,
Mr. Morton,	Mr. Collins.
Mr. R. J. Anderson,	<i>Tellers,</i>
Mr. Alan Millard,	
Mr. Coleman,	Mr. Booth,
Mr. Fallick,	Mr. Davidson.
Mr. Eden George,	
Mr. Thomas,	

And so it was resolved in the affirmative.

14. CASE OF HENRY HARDING, W. S. STEAD, AND OTHERS—CERTIFICATE OF TITLE :—Mr. Hollis moved pursuant to Notice,—
- (1.) That a Select Committee be appointed to inquire into and report upon the grievances of Henry Harding, William Stephen Stead, and others, "arising from alleged negligence and error on the part of the Registrar-General" in connection with Certificate of Title, volume 61, folio 224, dated 4th February, 1868.
- (2.) That such Committee consist of Mr. Waddell, Mr. Holman, Mr. Briner, Mr. Dick, Mr. Walter Anderson, Mr. Smith, Mr. Charlton, Mr. Nobbs, and the Mover.
- Debate ensued.
- Mr. Hogue moved, That the Question be amended by leaving out the words "arising from alleged negligence and error on the part of the Registrar-General."
- Question proposed,—That the words proposed to be left out stand part of the Question.
- Debate continued.
- Question,—That the words proposed to be left out stand part of the Question—put and negatived.
- Question then,—
- (1.) That a Select Committee be appointed to inquire into and report upon the grievances of Henry Harding, William Stephen Stead, and others in connection with Certificate of Title, volume 61, folio 224, dated 4th February, 1868.
- (2.) That such Committee consist of Mr. Waddell, Mr. Holman, Mr. Briner, Mr. Dick, Mr. Walter Anderson, Mr. Smith, Mr. Charlton, Mr. Nobbs, and the Mover,—put and passed.
15. LANDLORD AND TENANT (SECURITY OF TENURE) BILL—Mr. Arthur Griffith moved, pursuant to Notice That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Landlord and Tenant Act of 1899, with a view to providing security of tenure for the occupiers of premises used for any trade or business.
- Question put and passed.
16. PASTURES PROTECTION (AMENDMENT) BILL :—Mr. Eden George moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Pastures Protection Act, 1902, in certain particulars.
- Debate ensued.
- Question put and passed.

The House adjourned, at half-past Nine o'clock, until Tomorrow at Four o'clock.

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

WILLIAM McCURT,
Speaker.

New South Wales.

No. 9.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 28 SEPTEMBER, 1904.

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

QUESTIONS:—

- (1.) Administration of Departments by Honorary Ministers:—Mr. Bennett asked the Colonial Treasurer,—

(1.) Is he aware that opinions were given by the late Attorney-General (the Honorable B. R. Wise) and the Solicitor-General, to the effect that, under section 35 of the Consolidated Constitution Act of 1902, only Executive Councillors who are "Ministers of the Crown" can exercise the powers, &c., of any other Minister in charge of a Department?

(2.) If those opinions are correct, is he aware that the notification in the *Government Gazette* of 9th September, 1904, authorising the Honorable W. T. Dick, Executive Councillor, to "perform the official duties and be responsible for the obligations appertaining or annexed to the office of Colonial Treasurer in respect to the administration of the Treasury Department," is illegal?

(3.) Will he see that the proclamation published in the *Government Gazette* of the 16th September, affecting the title of lands, over the signature of "W. T. Dick," is re-gazetted in a legal form, in order to prevent future litigation and probable loss to the Crown?

Mr. Carruthers answered,—

(1.) I understand that no opinion was given by the late Attorney-General (Mr. B. R. Wise) on this subject, but one was given by the Solicitor-General to the effect that an Honorary Minister, or a Minister without portfolio, is a responsible Minister of the Crown, but that he is probably incapable of performing the duties of another member of the Executive Council under the provisions of sections 35–38 of the Constitution Act (No. 32, 1902).

(2 and 3.) The appointment of Mr. Dick, as notified in the *Government Gazette* of 9th September, was only intended to operate in respect of departmental matters, not as an authority for him to sign proclamations, and steps were being taken, prior to the Honorable Member giving notice of this question, to rectify the matter of the proclamation of the 16th September.

- (2.) Nowra Waterworks:—Mr. Morton asked the Secretary for Public Works,—

(1.) What was the actual cost of the Nowra waterworks as compared with the original estimate?

(2.) How much of this excess was caused through increase in cost of pipes?

Mr. Lee answered,—

(1.) The actual cost of the works as gazetted on 21st August, 1896, including interest to the date of gazettal, was £12,592 15s. 10d. The original estimate, without interest, was £9,650.

(2.) About £1,280.

- (3.) Central Railway Station:—Mr. Daley asked the Secretary for Public Works,—

(1.) Is it a fact that the Government intends to complete the basement of the new Railway Station by contract?

(2.) What are the reasons therefor?

(3.) Did the Works Department make up an estimate for the eastern wing; if so, what was it?

(4.) What was the difference in the tender accepted and the lowest tender received?

Mr. Lee answered,—

(1 and 2.) The decision arrived at by the late Government will be adhered to, namely, to carry out this work partly by contract and partly by day labour.

(3.) An estimate, without a bill of quantities, was prepared for the ground floor of the north and east wings, which amounted to £53,000, inclusive of the value of stone.

(4.) No tender has yet been accepted, but the lowest received is £17,385 (excluding value of stone) below the estimate referred to.

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- (4.) Abolition of Labour Commissioners :—Mr. Daley asked the Secretary for Public Works,—
- (1.) Is it a fact that the present Labour Commissioners are to be abolished ; if so, when ?
 - (2.) What will be the annual saving effected by their abolition ?
- Mr. Lee answered,—
- (1.) The question of abolishing the Labour Commissioners is now engaging the attention of the Government.
 - (2.) The vote for 1903-4 for Labour Commissioners amounted to £7,476.
- (5.) Professor Anderson Stuart :—Mr. Edden asked the Colonial Secretary,—
- (1.) How much money per annum since the 1st January, 1893, has Thomas Peter Anderson Stuart, M.D., received as salary and allowances from the Government of New South Wales ?
 - (2.) How much money per annum since the same date has the same person received from the University of Sydney ?
- Mr. Hogue answered,—I will be glad to lay this information upon the Table if the Honorable Member moves for a return in the usual way.
- (6.) Remarks by Mr. Holcombe, P.M., at White Cliffs :—Mr. Meehan asked the Attorney-General and Minister of Justice,—
- (1.) Has his attention been directed to the statement that Police Magistrate Holcombe has been reported by the *Daily Telegraph* of the 8th instant to have made at White Cliffs, that public-houses were the cause of numbers of old men losing the benefits of the Old-age Pensions Act, and that “if he had his way, he would shut up every public-house in the State” ?
 - (2.) If such report is correct, does he approve of a Magistrate commenting upon matters of public policy ; and, if not, will he do what he can to prevent a repetition of it ?
- Mr. Wade answered,—Attention has not been drawn to the matter. Inquiry will be made into it.
- (7.) Rabbit Pest—Registration of Dogs :—Mr. Meehan asked the Secretary for Lands,—In view of the alarming increase of the rabbit pest, will he instruct those officers entrusted with the carrying out of the registration of dogs in the country districts to allow an exemption from registration in the case of dogs owned by men making their living by the destruction of rabbits ?
- Mr. Ashton answered,—No exemption from registration is provided for in the Dog and Goat Act, No. 44, 1898 ; and, in view of reports received, an amendment of that Act is not considered advisable.
- (8.) Payment of Timber Licenses and Royalties :—Mr. Briner asked the Secretary for Lands,—
- (1.) Is he aware that instructions issued by his predecessor, to the effect that selectors might obtain timber for building and fencing purposes without paying license and royalty, have been and are still ignored in many cases ?
 - (2.) Will he take steps to ensure the carrying out of the instructions mentioned ?
 - (3.) Is he aware that the holder of a conditional lease can burn every stick of timber on such lease by way of improving the land, without interference ; but that he must pay license and royalty if he sells any of the same timber ?
 - (4.) Will he take steps to have this state of affairs better regulated ?
 - (5.) Is it intended to introduce a Forestry Bill ; if so, when ?
- Mr. Ashton answered,—
- (1.) The Timber and Quarry Regulations provide that the Forest Officers may, when small quantities of timber are required by settlers for *bona fide* use, and not for sale, authorise its removal from Crown lands without payment of either license fee or royalty. This is a matter which it is considered best to leave to the discretion of a Forester, who knows the circumstances and necessities of each case.
 - (2.) There are no instructions in the matter.
 - (3.) Yes.
 - (4 and 5.) Provision is made for it in the Forestry Bill, which is now receiving consideration, and which will be proceeded with as soon as possible.
- (9.) Disease among Rabbits at Lyndhurst :—Mr. Waddell asked the Secretary for Lands,—
- (1.) Has his attention been drawn to the published statement, viz., “That a disease (thought to be *hydatids*) had broken out among the rabbits at Lyndhurst, in the Carcoar District” ?
 - (2.) Will he have inquiries made, and, if necessary, send a scientific expert to report on the nature of the disease ?
- Mr. Ashton answered,—The Inspector for the Pastures Protection District has been asked to report as to the existence and extent of the disease, if any, amongst rabbits at Lyndhurst, and, if necessary, expert examination will be made.
- (10.) Classification of Public Servants as “Skilled Artisans” :—Mr. Cohen asked the Attorney-General and Minister of Justice,—What steps have been taken by the Public Service Board, in the matter of classification of public servants, to create a “skilled artisan” class ?
- Mr. Wade answered,—The Public Service Board inform me that they have given a great deal of consideration to this matter, but there are difficulties in the way of making the alteration proposed, inasmuch as the Public Service Act only provides for the classification in the General Division of officers not coming within the other divisions mentioned in the Act. I will, however, take an early opportunity of conferring with the Board on the subject.
- (11.) Expenditure under the Water and Drainage Act, 1902 :—Mr. Collins asked the Secretary for Public Works,—
- (1.) Is he aware that only £2,000 per month is at the present time being expended upon works of water conservation and artesian bores throughout the State, and that such amount is totally inadequate to complete the works now in progress within a reasonable time ?

(2.)

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(2.) What action does he propose taking towards completing these works, in view of the early approach of summer, and the necessity that exists for providing water for the settlers in the arid portions of the State?

(3.) In view of the importance of such works to the State, will he take steps to provide for the expenditure of £200,000 per annum for a period of five years, as provided for in the Water and Drainage Act of 1902?

Mr. Lee answered,—

(1.) The Government is carrying on these works on the same lines as their predecessors.

(2.) There has been no delay, as far as I am aware, in carrying on to completion the works contemplated or now in hand.

(3.) The expenditure authorised by the Water and Drainage Act will be maintained, provided the exigencies of the Loan Service of the State will permit. The Honorable Member must be aware that the Government can only proceed with works in accordance with the state of the money market.

(12.) Stores required by Country Public Officers :—Mr. Coleman asked the Colonial Treasurer,—

(1.) Is he aware that Public Officers in the country towns are compelled to send to Sydney for all requirements for the carrying on of their respective works and offices, often causing loss of time and extra expense?

(2.) Will he cause instructions to be issued allowing country Public Officers to purchase what they require locally, so long as the price paid does not exceed the Government contract price, plus carriage?

Mr. Carruthers answered,—

(1.) I presume the "requirements" the Honorable Member refers to relate to the Annual Contracts for the supply of Stores for the State generally. If so, contracts provide for the supply of goods as ordered for the city or country towns of the State. The freight is paid by the Department concerned. Although certain inconveniences may be caused and perhaps loss of time, still there is a large saving in supplies being obtained by contract rather than from storekeepers at ordinary trade prices. It frequently happens that articles in contract, with freight added, then exceed the price at which they may be procured locally; in such cases, instructions are given to purchase at local rates.

(2.) The Stores Supply and Tender Board will be asked to look into the matter and advise whether the suggestion of the Honorable Member can be generally considered.

(13.) Power to Country Municipalities to establish Sale-yards :—Mr. Coleman asked the Colonial Secretary,—As country Municipal Councils have no power, under the present Municipalities Act, to establish Public Sale-yards and charge for stock passing through same, will he introduce a Government measure dealing with the question for the whole State, and thus obviate the necessity of introducing a number of private Bills dealing with the subject?

Mr. Hogue answered,—This matter will receive consideration.

(14.) Completion of the Harbour Works at Tweed Heads :—Mr. Coleman asked the Secretary for Public Works,—Is it his intention, at an early date, to ask the House to refer to the Public Works Committee the question of the completion of the harbour works at Tweed Heads?

Mr. Lee answered,—Not this Session.

(15.) Cultivation of Cotton and of the Olive :—Mr. O'Sullivan asked the Secretary for Mines,—

(1.) Is he aware that efforts are now being made in the northern portion of South Australia to cultivate cotton?

(2.) Is he also aware that cotton has been successfully grown by white labour in Queensland, and has given a return of from £30 to £50 per acre?

(3.) In view of the foregoing, and as cotton has been successfully grown near Cockle Creek and other parts of New South Wales, will he have a report made showing which localities in this State are most suitable for the growth of cotton, and give such information to the public; the same with regard to the cultivation of the olive?

Mr. Moore answered,—

(1.) Yes.

(2.) Cotton has been grown successfully in Queensland, but it is very doubtful whether a net return of more than £5 has been realised per acre.

(3.) Trials of cotton have been made in many parts of the State—on the Experimental Farms, at artesian bores, and elsewhere, and excellent cotton has been produced, even as far inland as the Coonamble District. It is thought that the north-eastern coastal districts of the State would be the most suitable for the production of cotton. I had not time to look into the answer until just before coming to the House. I find that the Honorable Member's Question with regard to the cultivation of the olive appears to have been overlooked. I will endeavour to supply the information to-morrow.

2. PAPERS :—

Mr. Hogue laid upon the Table,—

(1.) By-law of the Municipal District of Lismore.

(2.) Returns under the several Acts of Parliament, administered by the Registrar-General, for the year 1903.

(3.) Report of the Inspector-General of the Insane for the year 1903.

Referred by Sessional Order to the Printing Committee.

Mr. O'Connor laid upon the Table,—Notifications of resumption of land for Public School Purposes at Buxton and Clybucca.

Referred by Sessional Order to the Printing Committee.

28th September, 1904.

3. **FERTILIZERS ADULTERATION BILL (Formal Motion)**:—Mr. Moore moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to regulate the manufacture and sale, and prevent the adulteration of fertilizers.
Question put and passed.
4. **ELECTIONS AND QUALIFICATIONS COMMITTEE**:—Mr. Speaker reported that he had received a letter from William Patrick Crick, Esquire, which he read to the House, resigning his seat as a Member of the Committee of Elections and Qualifications.
5. **ADJOURNMENT**:—Mr. Speaker stated that he had received from the Honorable Member for Cobar, Mr. Macdonell, a Notice, under the 49th Standing Order, that he desired to move the adjournment of the House to discuss a definite matter of urgent public importance, viz.:—"The proposal of the Minister for Works for dealing with the Unemployed."
And the motion for the adjournment of the House being supported by five other Honorable Members,—
Mr. Macdonell moved, That this House do now adjourn.
Debate ensued.
Point of Order:—Mr. Crick submitted that the motion was not "definite," as required by the Standing Order, and was, therefore, out of order.
Debate ensued.
Mr. Speaker said, although the proposal of the Minister for Works was not set out in the motion, the Mover, in his speech, had clearly indicated what the proposal was, and he would allow the motion to be amended to that extent, and the Debate to continue.
Mr. Speaker then stated the subject for discussion, as follows:—
"The proposal of the Minister for Works for dealing with the unemployed by issuing railway passes from Sydney to the country."
Debate continued.
Question put and negatived.
6. **PUBLIC WORKS COMMITTEE BILL**:—
(1.) The Order of the Day having been read,—on motion of Mr. Carruthers, 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 the meetings of the Public Works Committee and Sectional Committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such Committee for a specified period; to amend the Public Works Act, 1900; and for purposes consequent on, or incidental to, the carrying out of those objects.
Mr. Speaker resumed the Chair; and the Chairman 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:—
Resolved,—That it is expedient to bring in a Bill to regulate the meetings of the Public Works Committee and Sectional Committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such Committee for a specified period; to amend the Public Works Act, 1900; and for purposes consequent on, or incidental to, the carrying out of those objects.
On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.
(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to regulate the meetings of the Public Works Committee and Sectional Committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such Committee for a specified period; to amend the Public Works Act, 1900, and for purposes consequent on or incidental to the carrying out of those objects*,"—which was read a first time.
Ordered to be printed, and read a second time To-morrow.
7. **CORONERS COURT BILL**:—The Order of the Day having been read,—Mr. Wade moved, That this Bill be now read a second time.
Debate ensued.
Point of Order:—Mr. Levy submitted the Bill was out of order, inasmuch as it proposed to materially alter the law on the subject of Coroners' juries, as enacted in several Acts, without any allusion to such alteration of the law either in the Title or the body of the Bill.
Debate ensued.
Mr. Speaker stated that so long as the Order of Leave disclosed the general scope of a Bill, that was all that was necessary, although if a Bill proposed definitely to alter an Act of Parliament, the Order of Leave as a matter of convenience, should state so. It was not, however, clear to him that this Bill proposed definitely to alter any existing Act of Parliament. He therefore ruled the Bill to be in order.
Mr. Fegan moved, That this Debate be now adjourned.
Question put and passed.
Ordered, That the Debate be adjourned until To-morrow.
8. **ADJOURNMENT**:—Mr. Carruthers moved, That this House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned accordingly, at ten minutes after Eleven o'clock, until To-morrow, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 10.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 29 SEPTEMBER, 1904.

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

COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—

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

2. QUESTIONS :—

- (1.) Charges against the Rev. Mr. Zillman under the Marriage Act :—*Mr. Estell*, for Mr. Sullivan, asked the Colonial Secretary,—Has an inquiry been held into certain charges made against the Rev. Mr. Zillman, under the Marriage Act; if so, what was the result thereof?

Mr. Hogue answered,—No charge under the Marriage Act has been made against the Rev. H. Zillman, but the Registrar-General has reported that Dr. Zillman has in many cases been guilty of carelessness in solemnizing marriages. The matter is now receiving attention.

- (2.) Dredge stationed at the Manning River :—Mr. J. H. Young asked the Secretary for Public Works,—

(1.) The amount of money voted on Schedule of last year's Estimates for the dredge stationed at the Manning River?

(2.) The amount spent in working that dredge during the year?

Mr. Lee answered,—

(1.) "Dorus," £3,000; "Pluto" and tug, nil, laid up.

(2.) "Dorus," £2,956 9s. 10d.

- (3.) Dredge stationed at the Wallamba River :—Mr. J. H. Young asked the Secretary for Public Works,—

(1.) The amount of money voted on Schedule of last year's Estimates for the dredge stationed at the Wallamba River?

(2.) The amount spent in working that dredge during the year?

Mr. Lee answered,—

(1.) Nil; the dredge "Ulysses" was laid up in August, and left in charge of a caretaker.

(2.) £619 2s. 9d., including caretaking.

- (4.) Roads in the Road District of Stroud :—Mr. J. H. Young asked the Secretary for Public Works,—

(1.) The amount of money voted on Schedule of last year's Estimates for roads in the Road District of Stroud?

(2.) The amount spent on these roads during that year?

Mr. Lee answered,—

(1.) £5,830.

(2.) £6,015 18s. 6d.

(5.)

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- (5.) Roads in the Road District of Taree :—Mr. J. H. Young asked the Secretary for Public Works,—
- (1.) The amount of money voted on Schedule of last year's Estimates for roads in the Road District of Taree?
 - (2.) The amount spent on these roads during that year?
- Mr. Lee answered,—
- (1.) £5,730.
 - (2.) £5,627 5s.
- (6.) Amount paid to J. McMahon & Co. by the Railway Commissioners :—*Mr. Estell*, for Mr. Sullivan, asked the Colonial Treasurer,—What was the total amount paid to J. McMahon & Co., carriers, by the Railway Commissioners for carriage, &c., for the past railway financial year?
- Mr. Carruthers answered,—I am informed that the total amount paid for the year ended 30th June last was £8,364 13s. 2d.
- (7.) Appointment of a Public Trustee :—Mr. Hollis asked the Attorney-General and Minister of Justice,—
- (1.) Is it the intention of the Government to take any steps for the appointment of a Public Trustee?
 - (2.) Has a Bill been prepared making provision for the appointment of such an officer?
 - (3.) If so, is it proposed to introduce the Bill during the present Session?
- Mr. Wade answered,—I find that this matter has been considered by a previous Government. I have not yet considered it myself, and do not think that it would be possible to deal with it this Session.
- (8.) Rabbit Pest :—Mr. Ball asked the Secretary for Lands,—Will he consider the advisability of inviting the co-operation of the other States, affected by the Rabbit Pest, to have the proposed test of Pasteur Institute's virus proposals carried out on a sufficiently large scale to prove its effectiveness in the varied conditions of this and other States?
- Mr. Ashton answered,—Yes, when a definite offer to the Government has been received.
- (9.) Recreation Reserve for Royal Navy, Rushcutters' Bay :—Mr. Oakes asked the Secretary for Lands,—
- (1.) Is it a fact that 2 acres of land facing Rushcutters' Bay has been taken from the public, and vested in trustees for the use of His Majesty's navy?
 - (2.) Will he see that the right of the public to the foreshores of this bay be secured to them?
 - (3.) Will he lay the papers in connection with this application upon the Table of this House?
- Mr. Ashton answered,—
- (1.) An area of 2½ acres has been reserved as a recreation ground for the Royal Navy, and trustees have been appointed under the Public Trusts Act. The regulations provide that the ground shall not be closed against the free admission of the public for more than fifty-two days in any year.
 - (2 and 3.) I would be glad if the Honorable Member would postpone these inquiries until this day week.
- (10.) Wollangra Land Exchange :—Mr. Jones asked the Secretary for Lands,—
- (1.) Has the Wollangra Exchange yet been completed; if not, how much more time will elapse before completion?
 - (2.) Has any proposal been made for disposal of the surrendered lands when the exchange has been completed?
 - (3.) Can any date be fixed when this land will become available?
- Mr. Ashton answered,—
- (1.) The Wollangra Exchange is not yet completed. It has been finally approved. The titles to the surrender lands are now under the necessary investigation, which, it is expected, will be completed this week. Should title prove satisfactory, the case will be submitted for the approval of the Executive Council, after which formal surrender of the lands will be approved.
 - (2.) The bulk of the area has been subdivided into five settlement lease farms, aggregating 18,170 acres.
 - (3.) No definite date can be given at present, but the exchange action is being expedited as much as possible.
- (11.) Land for Settlement on Talloona Station :—Mr. Jones asked the Secretary for Lands,—
- (1.) Can he say when the surrendered lands on Talloona Station are likely to be made available for settlement?
 - (2.) Has any proposal yet been made for disposal of the Talloona lands; if so, what are the terms and conditions of settlement?
 - (3.) Will he give full notice of the date when such land will become available?
- Mr. Ashton answered,—
- (1.) The surrender documents are now with the parties for signature. It is expected the lands will be vested in the Crown and available for settlement shortly.
 - (2.) The bulk of the area has been designed for disposal under settlement lease, and will be open for application under section 3, Crown Lands Act of 1903.
 - (3.) Yes.
- (12.) Employees at the Experimental Farm at Bathurst :—Mr. W. W. Young asked the Secretary for Mines,—
- (1.) Is it a fact that six or eight employees have been dismissed from the Experimental Farm at Bathurst?
 - (2.) If so, will they be again taken on at an early date?
- Mr. Moore answered,—
- (1.) The number of men employed at the Bathurst Experimental Farm being in excess of requirements, the services of five of them will be dispensed with.
 - (2.) I do not think there is any probability of this.

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- (13.) Amendment of the Fisheries Act :—Mr. Briner asked the Colonial Secretary,—
- (1.) Is he aware that fishermen charged with breaches of the Fisheries Act and Regulations are often kept long periods awaiting trial of their cases?
 - (2.) Is he aware that for breaches of the Act nets are seized, and are often ruined when returned to the owners?
 - (3.) Will he endeavour to have the Act amended this Session, so as to provide for abolishing the confiscation clauses and the substitution therefor of fines?

Mr. Hogue answered,—

- (1.) I am assured that proceedings are taken without unnecessary delay.
- (2.) Nets that are seized are liable to confiscation, and are not returned to the owners unless so ordered by the Court. Every care is taken of them.
- (3.) This matter, with others touching the administration of the Act, was brought under my notice to-day by a deputation, and will receive early consideration.

- (14.) Central Railway Station :—Mr. O'Sullivan asked the Secretary for Public Works,—

- (1.) Is he aware that the Railway Commissioners are anxious to have the Central Railway Station completed up to a workable stage?
- (2.) Is he also aware that when the station is completed up to that point, the Railway Commissioners will probably receive £3,000 per year in rent for a large restaurant and a number of shops?
- (3.) How many men are now employed at the Central Railway Station?
- (4.) How many were employed there four months ago?
- (5.) At the present rate of progress, how long will it be before the station is completed to a workable stage?

Mr. Lee answered,—

- (1.) The Railway Commissioners inform me they would be glad to have the new station available for traffic.
- (2.) I have received from the Railway Commissioners the following reply :—"It is impossible to say what the rentals will be. No doubt an advance on the present rental at the existing station—viz., £600 per annum—will be derived from the new refreshment room. The rentals are not expected to realise the sum mentioned by the Honorable Member."
- (3.) 204.
- (4.) 215.
- (5.) Probably about twenty months.

- (15.) Weighing of Coal at the Mines :—Mr. Latimer, for Mr. Fegan, asked the Secretary for Mines,—
- Is it his intention to introduce a measure during the present Session for the purpose of making provision to have all the coal weighed at the mines, in accordance with the request made by the miners?

Mr. Moore answered,—The matter will receive careful consideration.

- (16.) Appointment of Director of Forestry :—Mr. John Hurley asked the Secretary for Lands,—

- (1.) Has any decision been arrived at regarding the appointment of a Director of Forestry?
- (2.) Did his predecessor leave a minute recommending the appointment of Mr. Phillip MacMahon?

Mr. Ashton answered,—

- (1.) The appointment must stand until after the passing of a Forestry Bill.
- (2.) No.

- (17.) Employment of Mr. C. W. Darley in London :—Mr. John Hurley asked the Colonial Treasurer,—

- (1.) What is the charge upon the State for the employment of Mr. Darley in London in connection with the inspection of iron and ironwork sent to this State?
- (2.) What is the cost per ton for the inspection of iron sent out for the last twelve months to this State, to include the expenses of office in connection with Mr. Darley's position?

Mr. Carruthers answered,—This information will be furnished in the form of a return, if moved for in the usual way, as it will take much time and entail considerable expense to compile.

- (18.) Cultivation of the Olive :—Mr. O'Sullivan asked the Secretary for Mines,—Will he have a report made showing the best localities for the cultivation of the olive?

Mr. Moore answered,—The olive flourishes well over a very extensive area of New South Wales, and excellent oil has been made at Camden, at Inverell, at Moree, at the Experimental Farm, Wagga Wagga, and also a small quantity at Pera Artesian Farm, near Bourke. About twenty varieties are grown at the Wagga Wagga Experimental Farm, and careful tests are made every season to determine yield of oil and the most suitable and productive varieties to grow.

- (19.) Enforcement of the Public Health Act :—Mr. Broughton asked the Attorney-General and Minister of Justice,—

- (1.) Is it a fact that the clauses in the Public Health Act relating to the manufacture of cordials cannot be enforced, owing to an error in the said Act failing to provide a formula?
- (2.) Is it the intention of the Government to proceed with an amendment of the said Act on the lines recommended by the President of the Board of Health?

Mr. Hogue answered,—The President of the Board of Health informs me that he is not aware of any section of the Public Health Act which specifically refers to cordials. Speaking generally, the sections which relate to cordials and foods can be enforced.

(20.)

29th September, 1904.

- (20.) Proposed Legal Practitioners Reciprocity Bill :—Mr. Broughton asked the Colonial Secretary, — Is it the intention of the Government to introduce this Session a Legal Practitioners Reciprocity Bill, to remove the disability of legal practitioners in the other States practising in New South Wales ?
Mr. Wade answered, — I do not think that it would be possible to consider this matter during the present Session.
- (21.) Bankruptcy Estate Fund :—Mr. Broughton asked the Colonial Treasurer, — What was the amount to the credit of the Bankruptcy Estate Fund on the 30th June, 1904 ?
Mr. Carruthers answered, — The balance at credit of the fund with the Treasury was, on 30th June, 1904, £8,000.
3. PAPERS :—
Mr. Lee laid upon the Table, —
 (1.) Notification of resumption of land, under the Public Works Act, 1900, for the construction of the Three Corners Bore.
 (2.) Notification of resumption of land, under the Public Works Act, 1900, for the deviation of an Occupation Road between Temora and Wyalong.
 Referred by Sessional Order to the Printing Committee.
- Mr. Ashton* laid upon the Table, —
 (1.) Additional Form No. 112 under the Crown Lands Acts.
 (2.) Particulars of Western Lands Leases issued under the Western Lands Act, 1901.
 Referred by Sessional Order to the Printing Committee.
4. MUNICIPAL DISTRICT OF COWRA REDUCED AREA BILL (*Formal Motion*) :—*Mr. Waddell* moved, pursuant to Notice, That leave be given to bring in a Bill to reduce the area of the Municipal District of Cowra.
 Question put and passed.
5. MINES INSPECTION AMENDMENT BILL (No. 2) (*Formal Motion*) :—*Mr. Cann* moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Mines Inspection Act of 1901 ; to make provision for the appointment of check weighmen or check clerk, and the payment of such check weighmen or check clerk ; and to provide for weighing in certain cases.
 Question put and passed.
6. PROFESSOR ANDERSON STUART (*Formal Motion*) :—*Mr. Estell*, on behalf of *Mr. Edden*, moved, pursuant to Notice, That there be laid upon the Table of this House a return showing, —
 (1.) How much money per annum since the 1st January, 1893, *Thomas Peter Anderson Stuart*, M.D., has received as salary and allowances from the Government of New South Wales.
 (2.) How much money per annum since the same date the same person has received from the University of Sydney.
 Question put and passed.
7. PUBLIC ACCOUNTS (*Formal Motion*) :—*Mr. Dacey* moved, pursuant to Notice, That there be laid upon the Table of this House a return showing the amount of—(a) Debentures, Inscribed, and Funded Stock ; (b) Treasury Bills for works and in aid of deficiencies in Revenue ; (c) debit at Consolidated Revenue Fund ; (d) debit at Loan Account ; (e) amount of outstanding obligations in connection with Loan Expenditure ; (f) amount of Sinking Fund, up to the date of the retirement of the *Waddell* Ministry.
 Question put and passed.
8. POSTPONEMENT :—The following Order of the Day postponed :—
 (1.) Landlord and Tenant (Security of Tenure) Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to amend the Landlord and Tenant Act of 1899, with a view to providing security of tenure for the occupiers of premises used for any trade or business. [*Mr. Arthur Griffith*] ;—until Tuesday, 18th October.
9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—*Mr. Speaker*, pursuant to the requirements of the Parliamentary Electorates and Elections Act, 1902, laid upon the Table his Warrant appointing *Thomas Waddell*, Esquire, to be a Member of the Committee of Elections and Qualifications for the present Session, of which the following is a copy :—
 “ By the Honorable the Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia.
 “ PURSUANT to the power in that behalf vested in me, as Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia, by the Parliamentary Electorates and Elections Act, 1902, I do hereby appoint—
 “ *Thomas Waddell*, Esquire,
 “ being a Member of the said Assembly, to be a Member of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Assembly aforesaid, in the room of *William Patrick Crick*, Esquire, resigned.
 “ Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney,
 “ this twenty-ninth day of September, in the year of our Lord one thousand nine hundred and four.

“ WILLIAM McCOURT,
 “ Speaker.”

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

29th September, 1904.

10. PUBLIC ACCOUNTS COMMITTEE :—The Order of the Day having been read,—Mr. Speaker, pursuant to the provisions of section 16 of the Audit Act, 1902, put the following Questions, without Debate, for the election and appointment of the Members of the Public Accounts Committee :—
- (1.) Question,—That Mr. John Rowland Dacey be appointed a Member of the Public Accounts Committee,—put and passed.
 - (2.) Question,—That Mr. John Gillies be appointed a Member of the Public Accounts Committee,—put and passed.
 - (3.) Question,—That Mr. Thomas Fitzherbert Hawkins Mackenzie be appointed a Member of the Public Accounts Committee,—put and passed.
 - (4.) Question,—That Mr. David Storey be appointed a Member of the Public Accounts Committee,—put and passed.
 - (5.) Question,—That Mr. Thomas Waddell be appointed a Member of the Public Accounts Committee,—put and passed.

11. PUBLIC WORKS COMMITTEE BILL :—The Order of the Day having been read,—Mr. Carruthers moved, That this Bill be “now” read a second time.

Debate ensued.

Mr. Norton moved, That the Question be amended by leaving out the word “now” with a view to adding the words “this day six months.”

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

Debate continued.

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

The House divided.

Ayes, 43.

Mr. Coleman,	Mr. Jones,
Mr. O'Connor,	Mr. Sullivan,
Mr. Wade,	Mr. Hogue,
Mr. Carruthers,	Mr. Latimer,
Mr. Moore,	Mr. Dick,
Mr. Jessep,	Mr. R. J. Anderson,
Mr. Eden George,	Mr. Davidson,
Mr. Lee,	Mr. Walter Anderson,
Mr. Ashton,	Dr. Arthur,
Mr. Cohen,	Mr. Smith,
Mr. John Hurley,	Mr. Downes,
Mr. Alan Millard,	Mr. Creswell,
Mr. Levy,	Mr. Briner,
Mr. Booth,	Mr. Mackenzie,
Mr. Henley,	Mr. Perry (<i>L'pool Plains</i>),
Mr. W. Millard,	Mr. Collins,
Mr. J. H. Young,	Mr. Morton,
Mr. Ball,	Mr. Oakes.
Mr. Storey,	<i>Tellers,</i>
Mr. Mahony,	Mr. Broughton,
Mr. Law,	Mr. Fallick.
Mr. Donaldson,	
Mr. Waddell,	

Noes, 20.

Mr. McGowen,
Mr. Hollis,
Mr. Nielsen,
Mr. Cann,
Mr. Arthur Griffith,
Mr. Estell,
Mr. Meehan,
Mr. Charlton,
Mr. Nicholson,
Mr. McNeill,
Mr. Gardiner,
Mr. Scobie,
Mr. Miller,
Mr. McGarry,
Mr. Kelly,
Mr. Norton,
Mr. W. W. Young,
Mr. Fegan.
<i>Tellers,</i>
Mr. Dacey,
Mr. Daley.

And so it was resolved in the affirmative.

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

Bill read a second time.

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

Mr. Deputy-Speaker resumed the Chair; and Mr. Jessep, Temporary Chairman, reported a Point of Order, and obtained leave to sit again, so soon as the Point of Order had been decided by the House.

Point of Order :—Mr. Jessep stated that, during the consideration of Clause 4, the Honorable Member for Alexandria, Mr. Dacey, rose to move an amendment in line 17, but gave way to enable the Honorable Member for Belubula, Mr. Waddell, to move a prior amendment in line 15—which amendment was to leave out the remaining words of the clause; Mr. Dacey claimed that the amendment should be put in such a way as not to shut out his intended amendment. He, the Temporary Chairman, ruled that he was bound to put Mr. Waddell's amendment as moved, notwithstanding that it would prevent Mr. Dacey from moving his amendment.

Debate ensued.

Mr. Deputy-Speaker said the Point was too clear for argument—it could not be held that it is, nor has it been, the practice to deprive any Member of his right to move an amendment in a later part by some Member moving, in an earlier part of the clause, an amendment of a character which would preclude a later amendment—this rule is clearly laid down in May, 10th edition, page 457. It was the duty of the Chairman to have put Mr. Waddell's amendment in such a way as would have tested the feeling of the Committee, but so as not to preclude the Honorable Member for Alexandria from moving his amendment.

Whereupon Mr. Deputy-Speaker left the Chair, and the Committee resumed.

Mr. Deputy-Speaker resumed the Chair; and Mr. Jessep, Temporary Chairman, reported another Point of Order, and obtained leave to sit again, so soon as the Point of Order had been decided by the House.

Point of Order :—Mr. Jessep stated that during the further consideration of Clause 4, the Honorable Member for Alexandria, Mr. Dacey, moved the omission of certain words from the clause;

Objection was taken that the amendment was out of order on the ground that the omission of the words would increase the charge on the revenue, which objection he, the Temporary Chairman, had upheld.

29th September, 1904.

Mr. Deputy-Speaker said the amendment was correctly ruled out of order, inasmuch as it would have increased the charge upon the revenue. He upheld the ruling of the Temporary Chairman.

Whereupon Mr. Deputy-Speaker left the Chair, and the Committee resumed.

And the Committee continuing to sit after Midnight,—

FRIDAY, 30 SEPTEMBER, 1904, A.M.

- Mr. Deputy-Speaker resumed the Chair; and Mr. Jessep, Temporary Chairman, reported the Bill, with an amendment.
On motion of Mr. Carruthers, the report was adopted.
Ordered, That the Bill be read a third time on Tuesday next.
12. CLAIMS AGAINST THE GOVERNMENT AND CROWN SUITS (AMENDMENT) BILL :—The Order of the Day having been read,—Mr. Wade moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Wade, Mr. Deputy-Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Deputy-Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported the Bill without amendment.
On motion of Mr. Wade, the report was adopted.
Ordered, That the Bill be read a third time on Tuesday next.
13. LEGAL PROCESS FACILITATION BILL :—The Order of the Day having been read,—Mr. Wade moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Wade, Mr. Deputy-Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.
Mr. Deputy-Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported the Bill, with amendments.
On motion of Mr. Wade, the report was adopted.
Ordered, That the Bill be read a third time on Tuesday next.
14. FERTILIZERS ADULTERATION BILL :—
(1.) The Order of the Day having been read,—on motion of Mr. Moore, Mr. Deputy-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 the manufacture and sale, and prevent the adulteration of fertilizers.
Mr. Deputy-Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported that the Committee had come to a resolution.
Ordered, on motion of the Temporary Chairman, That the report be *now* received.
The Temporary Chairman then reported the resolution, which was read a first time, as follows :—
Resolved,—That it is expedient to bring in a Bill to regulate the manufacture and sale, and prevent the adulteration of fertilizers.
On motion of Mr. Moore, the resolution was read a second time, and agreed to.
- (2.) Mr. Moore then presented a Bill, intituled "*A Bill to regulate the manufacture and sale, and prevent the adulteration of fertilizers*,"—which was read a first time.
Ordered to be printed, and read a second time on Tuesday next.
15. ADJOURNMENT :—Mr. Ashton moved, That this House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned accordingly, at twenty-one minutes before Two o'clock, a.m., until Tuesday next, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 11.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 4 OCTOBER, 1904.

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

QUESTIONS :—

(1.) Second Industrial Arbitration Court :—*Mr. Briner*, for *Mr. Fegan*, asked the Attorney-General and Minister of Justice,—Is it the intention of the Government to introduce during the present Session a measure making provision for a second Arbitration Court to deal with disputes in the mining industry?

Mr. Wade answered,—The matter has not yet been determined by the Government.

(2.) Navigation Act Amendment Bill :—*Mr. Hollis*, for *Mr. Sullivan*, asked the Colonial Treasurer,—Will he, during the recess, have a Bill drafted to amend our Navigation Act; and, if so, will he invite suggestions from officers and sailors?

Mr. Carruthers answered,—In view of the Royal Commission appointed by the Commonwealth Government for the purpose of collecting information as the basis of a national measure, it is not deemed advisable by this State to anticipate legislation in the direction suggested.

(3.) Pensions under Schedule B :—*Mr. Broughton* asked the Colonial Secretary,—

(1.) Have any rules or regulations been formulated in his office for the distribution of the funds at the credit of Schedule B under the Constitution Act?

(2.) Has a proper book register been kept of dates of applications under the Schedule, and the manner of their disposal?

(3.) Have any steps been taken to acquaint all the officers who have completed their terms of service when any distribution is to be made?

(4.) Have any new rules been formulated or book register prepared?

(5.) Have promises of pensions been made to officers before retirement, and by what legal authority approved?

(6.) How long before retirement have such promises been made?

(7.) Is there any Statute giving power to any person to make such promise?

(8.) Will he be pleased to supply a list of such applications now held, with names and dates, and whether any and what promises have been made?

(9.) Will he be pleased to give the dates when *Mr. Rennie's* and *Mr. Webb's* leave of absence commenced, the dates when their pensions commenced, and dates when promises were made to them, and by whom?

(10.) Is he aware that a number of aged officers, with legal claims on Schedule B, have been waiting for years to have their pensions raised to the amount allowed by law?

(11.) Is he aware that, owing to the funds bestowed on *Messrs. Rennie and Webb*, a number of officers have been deprived of their right to share?

(12.) Will he take steps to have the funds under Schedule B placed on a proper footing?

Mr. Hogue answered,—

(1.) No. Each application is dealt with on its merits under the provisions of the law.

(2.) All applications are recorded in the proper official Registers in the usual way.]

(3.) No. There is no necessity or statutory obligation to do this.

(4.) No.

(5.) Not by my Department, which is the Department administering the Act.

(6.) See reply to (5).

(7.) No.

(8.)

4th October, 1904.

- (8.) I shall be pleased to furnish any details I can, if moved for in the usual way. See also answer to (5).
- (9.) Mr. Rennie's leave commenced 20th November, 1902; his pension commenced 20th November, 1903. Mr. Webb's leave commenced 1st February, 1903; his pension commenced 1st February, 1904. See also (5).
- (10.) No. There are a number of claimants, two of whom have received heavy gratuities, and the others pensions under the Public Service Act, who desire pensions under the Constitution Act. Their claims have been referred to the Crown Law Officers.
- (11.) No.
- (12.) The funds are at present on a proper footing.
- (4.) Interest Paid to Depositors in Government Savings Bank :—Mr. Storey asked the Colonial Treasurer,—What rate of interest per annum was paid to depositors in the Government Savings Bank (generally known as the Post Office Savings Bank) each year from 1893 to 1903?
Mr. Carruthers answered,—1893, 4 per cent.; 1894, 4 per cent.; 1895 and to 30th June, 1896, 3 per cent. on current accounts, and 4 per cent. on moneys deposited for full term of twelve months; 1st July to 31st December, 1896, 3 per cent.; 1897 to 1903, 3 per cent.
- (5.) State Clothing Factory :—Mr. Storey asked the Colonial Treasurer,—
(1.) Did the State Clothing Factory show a loss on last year's trading?
(2.) Was any balance-sheet prepared by the manager of the State Clothing Factory?
(3.) If so, will he lay the same upon the Table of this House?
Mr. Carruthers answered,—
(1.) Yes.
(2.) Yes.
(3.) I will presently do so.
- (6.) Unclaimed Balances in Banks :—Mr. Broughton asked the Colonial Treasurer,—What is the total amount of unclaimed balance in the hands of the different banks in the city?
Mr. Carruthers answered,—We have no means of giving this information.
- (7.) Boatman Christoferson, Navigation Department :—Mr. Daley asked the Colonial Treasurer,—
(1.) Is it a fact that a boatman named Christoferson was retired by the Navigation Department on six months' leave on full pay?
(2.) Is it a fact that this man's pay is two months in arrear; if so, will he give instructions to have these arrears paid?
Mr. Carruthers answered,—
(1.) Christopherson was retired by the Public Service Board, but he did not apply for six months' leave of absence on full pay until after his retirement was effected.
(2.) He was, however, paid for the period of three months since the date of his retirement, when it was discovered that he had not applied for extended leave prior to his retirement, to which his service entitles him. No further payment could then be made to him. However, a sum has been placed on the Estimates providing for the balance of the three months' salary due to him.
- (8.) Men Employed by the Railway Commissioners at Hay :—Mr. Scobie asked the Colonial Treasurer,—Is it a fact that at Hay, during the wool season, the Railway Commissioners offer 6s. per day of ten hours, to local men, for handling the wool, and if they refuse to accept, men are brought from Sydney to do the work; will he inquire into this, and, if it be so, have it altered?
Mr. Carruthers answered,—I am informed no men other than the permanent station staff are employed at wool-loading at Hay. Further, no men have been sent from Sydney.
- (9.) Standard of Eyesight Test in the Railway Service :—Mr. Hollis, for Mr. Arthur Griffith, asked the Colonial Treasurer,—
(1.) Is it a fact that the Conference of Railway Commissioners held recently in Sydney agreed upon an alteration of the existing method and standard of eyesight testing in the Railway Service of this State?
(2.) If so, what is the nature and standard of the test agreed upon by the Conference?
(3.) What is the nature and standard of the test now being carried on by Dr. Woodward?
Mr. Carruthers answered,—
(1.) I am informed that, at the recent Inter-State Railway Conferences, the question of vision in connection with the railway employees was considered.
(2.) I will lay a copy of the resolutions passed upon the Table of this House.
(3.) That agreed upon by the Conference, with the exception that a locally-made lantern is used instead of the "Dr. Williams" lantern.
- (10.) Hours of Labour, Railway Yard at Eskbank :—Mr. John Hurley asked the Colonial Treasurer,—
(1.) Is it a fact that the railway yard at Eskbank is working short-handed through the Lithgow staff being removed to Penrith and other places?
(2.) Is it a fact that locomotive drivers and firemen are being worked extra time—viz., twelve and thirteen and a half hours per day—at Eskbank?
(3.) If the foregoing is in accord with facts, will the Commissioners endeavour to rectify the state of things at Eskbank, so as to make all yards equal?
Mr. Carruthers answered,—
(1.) I am informed it is not a fact. The change recently made to secure through working was for the purpose of obtaining better results.
(2.) There may be exceptional cases at Lithgow, as at any other depôt, but it is not a practice to work long hours as represented.
(3.) The Commissioners do not consider that any action is necessary. (11.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

4th October, 1904.

- (11.) Mr. Gustav Fischer, Railway and Tramway Construction Branch:—Mr. Estell asked the Attorney-General and Minister of Justice,—Will he have any objection to lay upon the Table of this House a copy of the evidence taken before the Public Service Board in connection with an inquiry concerning Gustav Fischer, formerly electrical engineer, Railway and Tramway Construction Branch?

Mr. Lee answered,—I have no objection, if moved for in the usual way.

- (12.) Advances to Settlers Board:—Mr. Storey asked the Colonial Treasurer,—
- (1.) How long has the Advances to Settlers Board been in existence?
 - (2.) What amount of money has been advanced since its inception to the 30th of June last?
 - (3.) What amount of money has been refunded by the borrowers towards reduction of debts up to the 30th of June last?
 - (4.) Has it been necessary in any case to foreclose?
 - (5.) Are any instalments now overdue; if so, how many?
 - (6.) What was the total amount overdue on the 30th of June last, exclusive of interest?
 - (7.) What was the total amount of accrued interest overdue on the 30th of June last?
 - (8.) What is the rate of interest charged?

Mr. Carruthers answered,—

- (1.) Since 4th April, 1899.
- (2.) £502,828 8s. 3d.
- (3.) £110,083 3s. 4d.
- (4.) In several cases the Board have taken steps to call up the loan.
- (5.) £1,909 as at 31st August, 1904.
- (6.) £13,519 11s. 10d.
- (7.) £8,175 10s. 8d.
- (8.) Present rate of interest, 5 per cent., with $\frac{1}{2}$ per cent. rebate for prompt payment as provided by Regulation 28.

- (13.) Narrabri-Walgett-Collarendabri Railway:—Mr. Collins asked the Secretary for Public Works,—In reference to Question asked by Mr. Collins on Tuesday, 27th September, 1904,—

- (1.) Does the estimated cost of completing the Narrabri-Walgett-Collarendabri Railway include the amount already paid for material now on the line; if so, what is the estimated cost of completing the lines, exclusive of the cost of such material?
- (2.) What is the estimated cost of completing the line on the Collarendabri section, as far as Merriwinbone, exclusive of all amounts paid for material on the line?

Mr. Lee answered,—

- (1.) The estimated cost of completing the Narrabri-Walgett-Collarendabri Railway did not include the amount already paid for the material now on the line.
- (2.) The estimated cost of completing the line to Merriwinbone is £35,000, exclusive of all amounts paid for material on the line; but as there are no terminal arrangements at that place, a considerable extra expenditure would have to be incurred if it was proposed to make it a temporary terminus.

- (14.) Expenditure on Roads and Bridges, Public Watering-places and Artesian Bores:—Mr. John Hurley, for Mr. Wood, asked the Secretary for Public Works,—What was the total amount expended from revenue on roads and bridges during the years 1902-3 and 1903-4; also amounts expended on public watering-places and artesian bores during same period?

Mr. Lee answered,—1902-3—Roads, bridges, and punts, £601,238 12s. 10d.; Public watering-places, &c., £24,078 4s. 6d.; Total, £625,316 17s. 4d. 1903-4—Roads, bridges, and punts, £424,696 16s. 4d.; Public watering-places, &c., £11,382 12s. 5d.; Total, £436,079 8s. 9d.

- (15.) Gas Consumed in Public Departments:—Mr. Scobie asked the Colonial Treasurer,—What is the total amount paid by the Treasury for gas consumed in the various Public Departments throughout the City of Sydney and Suburbs under the heads of lighting, heating, cooking, and motive power; and in what proportion to the different suppliers of same?

Mr. Carruthers answered,—As it will take some time to collect all the information required, a return might be moved for in the usual way. The period in respect of which the information is desired should be inserted.

- (16.) Low-level Pumping Plant at Homebush:—Mr. Scobie asked the Secretary for Public Works,—

- (1.) What has been the (a) capital cost of the Low-level Pumping Plant at Homebush, inclusive of all and every charge for installation and interest to date; (b) total cost of maintenance to date; (c) average number of men employed; (d) monthly and wage charges of, and cost of, supervising staff, mechanical and clerical, since installation, designating each position and apportioning each salary; (e) actual returns to date for services rendered to Sewage Scheme?
- (2.) On what report or data was this public work authorised, and by whom?
- (3.) Does this plant form portion of a greater scheme of sewage pumping awaiting development?

Mr. Lee answered,—This information should be moved for in the form of a return.

- (17.) Roads in the Road District of Bellingen:—Mr. Briner asked the Secretary for Public Works,—

- (1.) The amount of the Scheduled Road Vote for Bellingen District for the year ended 30th June last?
- (2.) The amount expended for the same period?

Mr. Lee answered,—

- (1.) £4,860.
- (2.) £6,090 9s. 1d.

(18.)

4th October, 1904.

- (18.) Forestry Branch :—Mr. Briner asked the Secretary for Lands,—
 (1.) The amount collected in royalties by the Forestry Department throughout the State during the year ended 30th June last?
 (2.) The cost of the Forestry Branch for the same year?
 Mr. Ashton answered,—
 (1.) The revenue amounted to £33,774 14s. 4d., three-fourths of which was derived from royalties.
 (2.) £17,322.
2. PAPERS :—
 Mr. Wade laid upon the Table,—
 (1.) Amended Regulations Nos. 17 and 363, under the Public Service Act, 1902.
 (2.) Return to an Order, made on 11th November, 1902,—“Fees paid to Barristers by the Lyne-See Administration.”
 Referred by Sessional Order to the Printing Committee.
 Mr. Moore laid upon the Table,—Report of an Investigation of the Miners' Accident Relief Fund as on the 30th June, 1904, by the Government Statistician.
 Referred by Sessional Order to the Printing Committee.
 Mr. Carruthers laid upon the Table,—
 (1.) Return showing Standard of Eyesight Testing in the Railway Service.
 (2.) Statement of Transactions, State Clothing Factory, 1st July, 1903, to 30th June, 1904.
 Referred by Sessional Order to the Printing Committee.
3. FRUIT PESTS AND DISEASES BILL :—Mr. Jessep, pursuant to leave granted on 26th August, 1904, presented a Bill, intituled “*A Bill to make provision for the destruction of Fruit Pests and Diseases*,”—which was read a first time.
 Ordered to be printed, and read a second time on Tuesday, 18th October.
4. ELECTION OF DIRECTORS, ALBURY PASTURES PROTECTION BOARD (*Formal Motion*) :—Mr. Ball moved, pursuant to Notice, That there be laid upon the Table of this House copies of all correspondence, reports, and other documents relating to the election of two Directors for the Albury Pastures Protection Board, held on the 22nd June, 1903, and the declarations of electors that they voted for the two candidates defeated.
 Question put and passed.
5. POSTPONEMENTS :—The following Orders of the Day postponed until Tuesday, 18th October :—
 (1.) Property Detention Bill; second reading. [*Mr. Levien.*]
 (2.) Sydney Diocesan Revenues Bill (*Council Bill*); second reading. [*Mr. Fell.*]
 (3.) Municipal District of Tenterfield Reduced Area Bill; second reading. [*Mr. Lee.*]
6. ADJOURNMENT :—Mr. Speaker stated that he had received from the Honorable Member for Surry Hills, Mr. Norton, a Notice, under the 49th Standing Order, that he desired to move the adjournment of the House to discuss a definite matter of urgent public importance, viz. :—“The partial alienation from full and constant use of a portion of the Rushcutters' Bay Reserve to the purposes of a Royal Imperial Navy Recreation Ground.”
 And the motion for the adjournment of the House being supported by five other Honorable Members,—
 Mr. Norton moved, That this House do now adjourn.
 Debate ensued.
 Question put and negatived.
7. ANCIENT LIGHTS DECLARATORY BILL :—The Order of the Day having been read,—Mr. Cohen 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. 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, with an amendment.
 Ordered, That the report be adopted To-morrow.
8. MINES INSPECTION AMENDMENT BILL (No. 2) :—
 (1.) The Order of the Day having been read,—on motion of Mr. McGowen, 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 Mines Inspection Act of 1901; to make provision for the appointment of check weighmen or check clerk, and the payment of such check weighmen or check clerk; and to provide for weighing in certain cases.
 Mr. Speaker resumed the Chair; and the Chairman 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 :—
Resolved,—That it is expedient to bring in a Bill to amend the Mines Inspection Act of 1901; to make provision for the appointment of check weighmen or check clerk, and the payment of such check weighmen or check clerk; and to provide for weighing in certain cases.
 On motion of Mr. McGowen, the resolution was read a second time, and agreed to.
 (2.) Mr. McGowen then presented a Bill, intituled “*A Bill to amend the Mines Inspection Act of 1901; to make provision for the appointment of check weighmen or check clerk, and the payment of such check weighmen or check clerk; and to provide for weighing in certain cases*,”—which was read a first time.
 Ordered to be printed, and read a second time on Tuesday, 18th October.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

4th October, 1904.

9. PUBLIC SERVICE EMPLOYEES APPEAL BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Levy, 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 hearing and determination of appeals by employees in the Public Service; and to amend the Public Service Act, 1902.

Mr. Speaker resumed the Chair; and the Chairman 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:—

Resolved,—That it is expedient to bring in a Bill to make better provision for the hearing and determination of appeals by employees in the Public Service; and to amend the Public Service Act, 1902.

On motion of Mr. Levy, the resolution was read a second time, and agreed to.

(2.) Mr. Levy then presented a Bill, intituled "*A Bill to make better provision for the hearing and determination of appeals by employees in the Public Service; and to amend the Public Service Act, 1902*,"—which was read a first time.

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

10. ADJOURNMENT:—Mr. Ashton moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

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

RICHD. A. ARNOLD,

Clerk of the Legislative Assembly.

WILLIAM McCOURT,

Speaker.



New South Wales.

No. 12.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 5 OCTOBER, 1904.

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 Mr. Dick, and read by Mr. Speaker:—

- (1.) Treasury Indemnity Bill:—

HARRY H. RAWSON,
Governor.

Message No. 9.

In accordance with the provisions contained in the 46th 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 indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts.

State Government House,
Sydney, 3rd October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

- (2.) Vote of Credit:—

HARRY H. RAWSON,
Governor.

Message No. 10.

In accordance with the provisions contained in the 46th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the State for the month of October, or following month of the Financial Year ending 30th June, 1905; and for Services to be hereafter provided for by Loan.

State Government House,
Sydney, 3rd October, 1904.

Ordered to be referred to the Committee of Supply.

2. ESTIMATES OF EXPENDITURE FOR THE YEAR 1904-1905, AND STATEMENT OF PAYMENTS FROM THE VOTE "ADVANCE TO TREASURER," 1903-4, ON ACCOUNT OF SERVICES OF THE YEAR 1903-4:—The following Message from His Excellency the Governor was delivered by Mr. Dick, and read by Mr. Speaker:—

HARRY H. RAWSON,
Governor.

Message No. 11.

In accordance with the provisions contained in the 46th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the accompanying Estimates of Expenditure for the year 1904-1905, together with a Statement of Payments from the Vote "Advance to Treasurer," 1903-4, on account of Services of the year 1903-4.

State Government House,
Sydney, 3rd October, 1904.

Ordered to be printed, together with the accompanying Estimates and Statement, and referred to the Committee of Supply.

5th October, 1904.

3. QUESTIONS :—

(1.) Administration of the Blockholders' Act, 1901—Applicants for Land at Lilyville :—Mr. Broughton asked the Secretary for Lands,—

- (1.) What has been the total cost, so far, of the administration of the Blockholders' Act of 1901?
- (2.) What has been the total number, up to date, of applicants for blocks of land at Lilyville?

Mr. Ashton answered,—

- (1.) No extra expense has been incurred.
- (2.) Twenty-six blocks have been applied for. Nine applications have been withdrawn, one forfeited, and two declared void. Fourteen blocks are now held.

(2.) Leasing of Reserves :—Mr. Ball asked the Secretary for Lands,—In view of the demand there is for agricultural land, will he refuse to sanction the leasing of reserves containing agricultural land to large landholders; and will he cause to be thrown open for settlement all such reserves as soon as possible?

Mr. Ashton answered,—The claims of residential settlement in small areas will in every case be accorded first consideration. The question of disposing of unnecessary reserves is being made the subject of close investigation.

(3.) Lismore-Tweed Railway :—Mr. Davidson, for Mr. Coleman, asked the Colonial Treasurer,—What are the earnings each year, separately, of the Lismore-Tweed Railway from date of opening to end of last year, giving—number of passengers carried, amount collected for fares; number of live stock carried, amount of freight collected; tonnage of goods, amount of freight collected?

Mr. Dick answered,—My honorable colleague is informed that the financial result is published in the annual reports of the Railway Commissioners, but if the details now specified, which will take some time to prepare, are moved for in the usual way, there will be no objection to a return being prepared.

(4.) Construction of Water Supply and Sewerage Works :—Mr. Henley asked the Secretary for Public Works,—In view of the increase in the capital debt of the Metropolitan Water Supply and Sewerage Board, recently necessitating a large increase in the rates levied for these services, and the continued difference of opinion in the engineering branches of the two Departments as to the method of construction, involving considerable loss of time and money in altering new services so soon as they have been handed over to the Board, will he in the near future take steps to abolish the present system of dual control in the construction of these works, and allow the Board, which is responsible to the Government and to the ratepayers, to construct as well as maintain the whole of the works, as, it is alleged, was first contemplated by the framers of the Act?

Mr. Lee answered,—There has been no difference of opinion as far as the Department of Works is concerned; however, I will bear in mind the Honorable Member's suggestion, and bring it under the attention of the Cabinet when a suitable opportunity offers.

(5.) Salaries of President and Chairman of Committees of the Legislative Council and Speaker and Chairman of Committees of the Legislative Assembly :—Mr. Henley asked the Colonial Treasurer,—In view of the fact that the salaries paid to the President and Chairman of Committees in the Legislative Council, and the Speaker and Chairman of Committees in the Legislative Assembly, in this State, are greater than those paid to similar officers in any other Parliament in Australia, including the Commonwealth Parliament and New Zealand, viz.:—New South Wales, £3,680; Victoria, £2,790; Queensland, £3,000; South Australia, £2,000; Western Australia, £2,000; Tasmania, £1,320; the Commonwealth Parliament, £3,200; New Zealand, £1,900,—will he, in view of the altered conditions of our Parliamentary institutions, and the urgent need for rigid economy, submit to this House a reduced estimate for the payment of the aforesaid offices for this State?

Mr. Dick answered,—The question will receive consideration. The pressure of public business during the short tenure of office of the Ministry prevents this and many other matters of detail from being already dealt with.

(6.) Roads in the Road District of Bellingen :—Mr. Briner asked the Secretary for Public Works,—

- (1.) How many maintenance men were employed on the roads in Bellingen Roads District in January last; and how many are now employed?
- (2.) Will he give instructions that maintenance men recently dismissed be reinstated, and so prevent the roads from falling into such a state of disrepair that the work of putting them in order is costly?

Mr. Lee answered,—

(1.) The return for September from District Officer is not yet to hand, but the records in this office show that eleven maintenance men were employed in January, and the same number in August.

(2.) The Commissioner for Roads informs me that the maintenance men at present employed are sufficient for the work of the district.

(7.) Contract for the Supply of School Books :—Mr. McGowen asked the Minister of Public Instruction,—

- (1.) Does the contract existing for the supply of school books to the Education Department terminate at the end of this year?
- (2.) If so, will he, before entering into any fresh contract, give the Government Printing Office an opportunity of submitting prices and tendering for the work?
- (3.) Is it not a fact that the Government Printing Office, which has all the necessary machinery and appliances, supplied some thousands of a school history to the Department, some short time back, that was in every way satisfactory as regards price and workmanship?

Mr.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

5th October, 1904.

Mr. O'Connor answered,—

(1.) Yes.

(2.) This matter will be considered, but at present it is not apparent that the Government Printing Office possesses the means of compiling such books as would be required if a fresh contract were entered into.

(3.) The printing and binding were done at the Government Printing Office. The manuscript was supplied to the Government Printer, and no other printer was consulted.

(8.) State Labour Bureau :—Mr. Fallick asked the Colonial Secretary,—

(1.) Is it a fact that during any one week the State Labour Bureau only found work for seven men, four on Government work and three on private work ?

(2.) Is it a fact that the cost of managing the above bureau is £75 per week ; and, if so, will the Government consider the advisability of abolishing this bureau on the grounds that it is far too costly for the purpose it is serving ?

Mr. Lee answered,—

(1.) I find that at the Labour Commissioners' Registry at Dawes' Point the average number of men sent to various works, including stone-breaking, from that registry during the last eight weeks has been about 157 per week.

(2.) The gross expenditure of the Labour Commissioners on all institutions managed by them during the last financial year was, approximately, £8,800. This includes the cost of the management of Dawes' Point Registry, Trades Hall Registry, Female Registry, the Labour Depot, Casual Labour Farm, Pitt Town, and the Night Shelter for Destitute Men. Of the total amount mentioned, nearly £4,000 went to the poor and needy direct in food, wages, railway fares, &c., while £2,300 were repaid to the State on account of rents, railway fares, &c. The question of the abolition of the Labour Commissioners is under consideration.

(9.) Handbook Explaining the Duties of an Honorary Magistrate :—Mr. Levy asked the Attorney-General and Minister of Justice,—Will he consider the advisableness of causing to be issued, by the Department of Justice, a handbook explaining the duties of an honorary Magistrate, such handbook to be sold at a small price ?

Mr. Wade answered,—The Department supplies to all Benches of Magistrates a copy of the latest edition of Wilkinson's "Australian Magistrate." The suggestion that a handbook should be compiled for sale to honorary justices will be considered.

4. PAPERS :—Mr. Ashton laid upon the Table,—

(1.) Abstract of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884.

(2.) Gazette Notices, setting forth the mode in which it is proposed to deal with the dedication of certain Lands under the Crown Lands Acts of 1884 and 1889 and the Public Trusts Act, 1897.

Referred by Sessional Order to the Printing Committee.

5. HENRY WAITE BEQUEST BILL (*Formal Motion*) :—Mr. Dick moved, pursuant to Notice, That leave be given to bring in a Bill to authorise the Director of Government Asylums for the Infirm to pay to the Parramatta District Hospital and the Parramatta Benevolent Society, in equal shares, certain moneys received and receivable by him under the will of the late Henry Waite.
Question put and passed.

6. NEWCASTLE PORT REGULATIONS BILL (*Formal Motion*) :—Mr. Dick moved, pursuant to Notice, That leave be given to bring in a Bill to authorise the issue, from time to time, of new or amended regulations for the Port of Newcastle.
Question put and passed.

7. CLAIMS AGAINST THE GOVERNMENT AND CROWN SUITS (AMENDMENT) BILL (*Formal Order of the Day*),—on motion of Mr. Wade, read a third time, and passed.

Mr. Wade then moved, That the Title of the Bill be "*An Act to amend the Claims against the Government and Crown Suits Act, 1897.*"

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 Claims against the Government and Crown Suits Act, 1897,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 5th October, 1904.

8. LEGAL PROCESS FACILITATION BILL (*Formal Order of the Day*),—on motion of Mr. Wade, read a third time, and passed.

Mr. Wade then moved, That the Title of the Bill be "*An Act to make better provision for the issue of legal process ; to amend the General Legal Procedure Act, 1902 ; and for purposes incidental to, or consequent on, the carrying out of the above objects.*"

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 issue of legal process ; to amend the General Legal Procedure Act, 1902 ; and for purposes incidental to, or consequent on, the carrying out of the above objects,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 5th October, 1904.

5th October, 1904.

9. **DISSENT FROM MR. DEPUTY-SPEAKER'S RULING—PUBLIC WORKS COMMITTEE BILL** :—Mr. Dacey moved, pursuant to Notice, That this House dissents from the ruling of Mr. Deputy-Speaker, whereby, on the 29th September last, he upheld the ruling of the Temporary Chairman of Committees, Mr. Jessop, that the omission of certain words from Clause 4 of the Public Works Committee Bill would increase the charge upon the revenue.

Point of Order :—Mr. Cohen questioned whether this motion was in order, as he could find no authority in the Standing Orders for a dissent from the ruling of Mr. Deputy-Speaker. Mr. Speaker ruled that when the Deputy-Speaker occupied the Chair of the House his rulings had the same force and effect as those of the Speaker.

Debate ensued.

Question put.

The House divided.

Ayes, 15.

Mr. Estell,
Mr. Dacey,
Mr. Burgess,
Mr. Nielsen,
Mr. Hollis,
Mr. Wood,
Mr. McGowen,
Mr. Charlton,
Mr. Perry (*The Richm'd*)
Mr. Nicholson,
Mr. Gardiner,
Mr. Edden,
Mr. McNeill.

Tellers,

Mr. Jones,
Mr. Daley.

Noes, 37.

Mr. Davidson,
Mr. Mahony,
Mr. Jessop,
Mr. Thomas,
Mr. Moore,
Mr. Hogue,
Mr. Wade,
Mr. Dick,
Mr. Cohen,
Mr. Lee,
Mr. Waddell,
Mr. Winchcombe,
Mr. Latimer,
Mr. Fell,
Mr. Creswell,
Mr. Fegan,
Mr. Henley,
Mr. Crick,
Mr. Ball,
Mr. Walter Anderson,

Mr. Brinsley Hall,
Mr. McLaurin,
Mr. W. W. Young,
Mr. Collins,
Mr. Broughton,
Mr. Ashton,
Mr. O'Conor,
Mr. Fallick,
Dr. Arthur,
Mr. Booth,
Mr. Alan Millard,
Mr. W. Millard,
Mr. Smith,
Mr. Reynoldson,
Mr. Perry (*L'pool Plains*).

Tellers,

Mr. Mackenzie,
Mr. John Hurley.

And so it passed in the negative.

10. **PRESBYTERIAN CHURCH PROPERTY CONSOLIDATION 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 consolidate the Acts regulating the temporal affairs of the Presbyterian Church of Australia, in the State of New South Wales, and to amend the same,*"—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, 5th October, 1904.*

F. B. SUTTON,
President.

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

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

11. **SUPPLY** :—The Order of the Day having been read,—on motion of Mr. Carruthers, 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 :—

(2.) *Resolved*,—That there be granted to His Majesty a sum not exceeding £985 for Executive Council, for the year 1904–1905.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

12. **WAYS AND MEANS (Financial Statement)** :—The Order of the Day having been read,—on motion of Mr. Carruthers, 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.

13. **SUSPENSION OF STANDING ORDERS—CONSOLIDATED REVENUE FUND BILL (No. 2)** :—Mr. Carruthers 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 1904–1905; and for Services to be hereafter provided for by Loan," 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 were come to by the said Committees respectively.

Debate ensued.

Question put.

The

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

5th October, 1904.

The House divided.

Ayes, 49.			Noes, 10.
Mr. Moore,	Mr. W. Millard,	Dr. Arthur,	Mr. Dacey,
Mr. O'Connor,	Mr. Cohen,	Mr. Fleming,	Mr. Estell,
Mr. Jessep,	Mr. Perry (<i>The Richm'd</i>),	Mr. John Hurley,	Mr. Kelly,
Mr. Carruthers,	Mr. Fell,	Mr. Reynoldson,	Mr. Norton,
Mr. Ashton,	Mr. Waddell,	Mr. Jones,	Mr. Hollis,
Mr. Hogue,	Mr. Ball,	Mr. Scobie,	Mr. Miller,
Mr. Lee,	Mr. Thomas,	Mr. Morton,	Mr. Nicholson,
Mr. Dick,	Mr. Henley,	Mr. Storey,	Mr. Charlton.
Mr. Wade,	Mr. Collins,	Mr. Mackenzie,	<i>Tellers,</i>
Mr. Holman,	Mr. Perry (<i>L'pool Plains</i>),	Mr. Fallick,	Mr. Burgess,
Mr. McGowen,	Mr. Creswell,	Mr. Oakes,	Mr. Gardiner.
Mr. Sullivan,	Mr. McFarlane,	Mr. Edden,	
Mr. Levy,	Mr. Walter Anderson,	Mr. Fegan,	
Mr. Alan Millard,	Mr. Brinsley Hall,	<i>Tellers,</i>	
Mr. Booth,	Mr. R. J. Anderson,	Mr. Latimer,	
Mr. J. H. Young,	Mr. Davidson,	Mr. Downes,	
Mr. Law,	Mr. Wood,		

And so it was resolved in the affirmative.

14. **TREASURY INDEMNITY BILL**:—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts. Question put and passed.
15. **SUPPLY**:—The Order of the Day having been read,—on motion of Mr. Carruthers, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit after Midnight,—

THURSDAY, 6 OCTOBER, 1904, A.M.

Mr. Speaker resumed the Chair; and Mr. Scobie, Temporary Chairman, reported progress, and obtained leave to sit again.

The Temporary Chairman also reported that the Committee had come to a resolution.

Ordered, on motion of the Temporary Chairman, that the report be now received.

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

(3.) *Resolved*,—

That there be granted to His Majesty a sum not exceeding £964,098: being £580,000 to defray the expenses of the various Departments and Services of the State during the month of October and following month of the financial year ending 30th June, 1905, to be expended at the rates which are shown in Estimates for the financial year ending 30th June, 1905, as laid on the Table of the House, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1904–1905; and £384,098 for the following Services for the year 1904–5, viz.:—

Colonial Secretary—Royal Commission, Machine Shearers' Union—Expenses in connection with, £48; Secretary for Public Works—Roads and Bridges, Punts, Ferries, &c., Public Watering Places, Artesian Bores, &c., £215,000; Public Buildings, £25,000.

In anticipation of Loan Votes—

Treasurer and Secretary for Finance and Trade—Sydney Harbour Trust—Towards construction of New Berthing Accommodation, New Jetties, Sheds, &c., New Punts for Dredges, General Reconstruction of Wharfs, &c.—further sum, £16,000. Public Works—Roads and Bridges—Bridges—Murray River, to connect Barham (New South Wales) and Koondrook (Victoria), Half cost—further sum, £2,000; Railway Construction—Temora to Barellan—further sum, £3,300; Central Railway Station, Sydney—further sum, £30,000; Narrabri to Walgett—further sum, £3,000. Government Architect—Penitentiary and Prison for Females—further sum, £1,000; Prince Alfred Hospital New Pavilions—further sum, £3,000. Harbours and Rivers—Macleay River Improvements—further sum, £3,000; Richmond River Improvements—further sum, £3,000; Bellinger River Improvements—further sum, £3,000; Tweed River Improvements—further sum, £1,750; Newcastle Harbour Breakwater—further sum, £4,000. Sydney Water Supply—Improvements to Sydney Water Supply and Storage Dam, Cataract River, including land resumptions, £51,000. Country Towns Water Supply—Water Supply, £4,000. Sewerage Construction—City Low-level Sewerage—further sum, £1,500; Lismore Sewerage—further sum, £2,500; Waverley, Randwick, and Kensington Sewerage—further sum, £4,000. Metropolitan Board of Water Supply and Sewerage—Water Supply Extension and Improvement, General Reticulation, &c., £8,000.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

16. **WAYS AND MEANS**:—The Order of the Day having been read,—on motion of Mr. Carruthers, 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:—

(3.) *Resolved*,—That, towards making good the Supply granted to His Majesty for the Services of the financial year 1904–1905, the sum of £964,098 be granted out of the Consolidated Revenue Fund of New South Wales.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

5th October, 1904.

17. CONSOLIDATED REVENUE FUND BILL (No. 2):—

(1.) Ordered, on motion of Mr. Carruthers, that a Bill be brought in, founded on resolution of Ways and Means (No. 3), to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the Services of the Year 1904-1905; and for Services to be hereafter provided for by Loan.

(2.) Mr. Carruthers 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 1904-1905; and for Services to be hereafter provided for by Loan,*"—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. Carruthers, 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. Carruthers, 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. Carruthers, *passed*.

Mr. Carruthers 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 1904-1905; and for Services to be hereafter provided for by Loan.*"

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 1904-1905; and for Services to be hereafter provided for by Loan,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 6th October, 1904, a.m.*

18. PAPERS:—Mr. Carruthers laid upon the Table,—

(1.) Estimates of the Ways and Means of the Government of New South Wales for the year 1904-1905.

(2.) Statements in connection with the Financial Speech, 5th October, 1904.

Ordered to be printed.

19. PUBLIC WORKS COMMITTEE BILL:—The Order of the Day having been read,—Mr. Carruthers moved, That this Bill be now read a third time.

Question put and passed.

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

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to regulate the meetings of the Public Works Committee and sectional committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such committee for a specified period; to amend the Public Works Act, 1900; and for purposes consequent on, or incidental to, the carrying out of those objects.*"

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 meetings of the Public Works Committee and sectional committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such committee for a specified period; to amend the Public Works Act, 1900; and for purposes consequent on, or incidental to, the carrying out of those objects,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 6th October, 1904, a.m.*

The House adjourned, at twenty-one minutes after Twelve o'clock, a.m., until Four o'clock, p.m., This Day.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 13.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 6 OCTOBER, 1904.

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

NEWCASTLE PORT REGULATIONS BILL :—The following Message from His Excellency the Governor was delivered by Mr. Dick, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 12.

In accordance with the provisions contained in the 46th 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 authorise the issue, from time to time, of new or amended regulations for the Port of Newcastle.

State Government House,
Sydney, 3rd October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

2. QUESTIONS :—

(1.) New Public Library :—*Mr. Edden*, for Mr. Broughton, asked the Minister of Public Instruction,—
What arrangements, if any, have been made for the erection of a new library for the Metropolis?

Mr. O'Connor answered,—A site has been set apart and preliminary action taken with regard to buildings. Further consideration will be given to the matter as soon as practicable.

(2.) Removal of Public Servants' Furniture :—*Mr. John Hurley*, for Mr. Sullivan, asked the Colonial Treasurer,—

(1.) Is an inquiry being held into the question of removing Public Servants' furniture; if so, by whom?

(2.) Will he invite evidence on the subject?

Mr. Dick answered,—

(1.) I find that, at the instance of the Public Service Board, an inquiry is being held into this question. The gentlemen who are conducting it are Mr. Brodie, Chief Inspector of Public Accounts, and Mr. Irvine, the Board's Examiner.

(2.) The Board inform me that they will be very pleased to obtain any pertinent evidence on the subject.

(3.) Dismissal of Men from the Building and other Trades :—*Mr. Gardiner* asked the Secretary for Public Works,—

(1.) How many men connected with the building trades have been discharged or suspended since the present Government took office?

(2.) How many mechanics and labourers outside the above trades have been suspended or discharged since the present Government came into office?

Mr. Lee answered,—This information cannot be given without reference is made to the various District Officers of the State. If the Honorable Member will move for a return in the usual way, I will endeavour to obtain for him the information he seeks.

(4.) Government Viticultural Farm at Howlong :—*Mr. Ball* asked the Secretary for Mines,—

(1.) Is it a fact that four workmen have been discharged from the Government Viticultural Farm at Howlong?

(2.) If so, how long have they been employed, and what are their respective names; and for what reason were they discharged?

(3.) Is it a fact that a man was sent from Sydney to take the place of one of these men?

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Mr. Moore answered,—

- (1.) Yes.
 - (2.) S. Davis, employed from 19th May, 1902, to 24th September, 1904. H. Gilson, employed from 21st July, 1900, to 18th March, 1902; from 5th May, 1902, to 31st March, 1904; from 17th May, 1904, to 24th September, 1904. C. Miller, employed from 15th September, 1902, to 31st October, 1902; from 4th June, 1903, to 25th July, 1903; from 7th September, 1903, to 30th November, 1903; from 25th July, 1904, to 24th September, 1904. E. Gason, employed from 4th August, 1904, to 24th September, 1904. These men, who were temporarily employed, were discharged, as their services are not now required.
 - (3.) A man was engaged temporarily in Sydney, and sent up, not to take the place of one of the men, but to carry out some special work, at which he is an expert.
- (5.) Minutes of Inter-State Railway Commissioners' Conference:—Mr. Hollis asked the Colonial Treasurer,—Were the Minutes printed of the Inter-State Railway Commissioners' Conference, held in Sydney, May, 1904; if so, will he lay them upon the Table of this House, or supply a copy to any Member of this House who desires one?

Mr. Carruthers answered,—I am informed that the Minutes of the Inter-State Conference were printed for confidential circulation amongst the railway administrations concerned. The Railway Commissioners point out that the Minutes cover a large number of matters affecting details of the railway business in the different States, and that it is undesirable to publish them for general circulation as proposed.

- (6.) Amendment of the Coal Mines Regulation Act:—Mr. Edden asked the Secretary for Mines,—Has he taken any steps to carry out the wishes of the deputation that waited upon him some time since in regard to amending the Coal Mines Regulation Act, 1896, in respect to the appointment of check inspectors by the miners?

Mr. Moore answered,—I shall be glad if the Honorable Member will postpone this Question until Wednesday next, when I will be prepared to make a definite statement in regard to it.

- (7.) Certificates to Engine-drivers at Coal Mines:—Mr. Edden asked the Secretary for Mines,—Has he looked into the question of issuing certificates of competency and service to engine-drivers at coal mines, as is now done in regard to engine-drivers at metalliferous mines?

Mr. Moore answered,—Engine-drivers employed at collieries can obtain certificates of competency or service under the provisions of the Mines Inspection Act. The question of making it compulsory for engine-drivers at collieries to hold certificates will be considered.

- (8.) Harbour Trust Commissioners:—Mr. Briner asked the Colonial Treasurer,—

- (1.) The amount of salary and expenses paid to each of the Harbour Trust Commissioners in each year since their appointment?
- (2.) The number of employees under the Harbour Trust in—(a) the Clerical Division; (b) the Professional Division; and (c) the General Division?

Mr. Carruthers answered,—

- (1.) 1901—11th February to 30th June—R. R. P. Hickson, President, salary £2,000 per annum; T. F. Waller, Commissioner, salary £1,000 per annum; L. Beaton, Commissioner, salary £1,000 per annum; total, £1,351 3s. 10d. 1901-2—Salaries for one year as above, £4,000; President's expenses at Melbourne, £1 12s. 6d. 1902-3—Salaries for one year as above, £4,000. 1903-4—Salaries for one year as above, £4,000.

- (2.) Clerical Division, 64; Professional Division, 16; General Division, 120. In connection with the various works in progress there are 516 labourers, mechanics, and others employed at the present time; the number varies from day to day.

- (9.) Country Schools:—Mr. Briner asked the Minister of Public Instruction,—

- (1.) Is it a fact that, though the Act fixes the limit at 2 miles, it has been proposed to extend the distance which children may be compelled to travel to attend school to 3 miles?
- (2.) Does he favour such a suggestion?
- (3.) Will he see that children in the bush are given greater facilities in the matter of obtaining education before more schools are established in and around the metropolis, even where it is pleaded that children have to walk 1 mile to a school?
- (4.) Will he consider the advisability of raising the standard of examinations by which candidates qualify for appointments to small schools, and thus give the country children the opportunity and advantage of having a teacher as well qualified as those in charge of larger schools?

Mr. O'Connor answered,—

- (1 and 2.) I shall consider that suggestion in connection with any amendment of the law dealing with compulsory education.
- (3.) Every possible facility will be given for the education of children in the bush. In the metropolis, distance is not considered, but the number of children to be provided for.
- (4.) It is not practicable to raise the standard that applies to teachers of the smallest schools.

- (10.) Fees paid to Mr. Reid by the Railway Commissioners:—Mr. McLaurin asked the Colonial Treasurer,—Is it a fact that, although Mr. Reid received no Crown briefs or fees, as per statement laid upon the Table of this House on Tuesday, 4th October, he was retained by the Railway Commissioners, with the consent of the Lyne-See Government, and that he had received in fees during the past five years about £4,000 of Government moneys?

Mr. Carruthers answered,—The Railway Commissioners inform me that they considered it wise, in the public interests, to retain the services of the right honorable gentleman in a number of cases where actions for compensation had been taken against them. The fees paid amounted to £1,918 19s. 9d.

(11.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

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(11.) Fees paid to Barristers and Solicitors from 1894 to 1898 :—Mr. McLaurin asked the Colonial Treasurer,—

(1.) What was the total sum paid in fees to legal gentlemen during the period from 1st July, 1894, to 30th June, 1898?

(2.) Is it a fact that, in view of the amounts involved in litigation, particularly in connection with the claims over Darling Harbour and "Rocks" resumptions, the amount paid in legal fees was no greater during the past five years than for the previous five years?

Mr. Carruthers answered,—I shall be glad if the Honorable Member will call for the information in the form of a return, as a reference will have to be made to the various Departments for the particulars required.

(12.) Permissive Occupancy of the Foreshores of Tamarama or Dixon's Bay :—Mr. Jessep asked the Secretary for Lands,—In view of the answer given by him on 5th October, that a permissive occupancy has been granted to some person to occupy certain Crown lands along the foreshores of Tamarama or Dixon's Bay, will he state—

(1.) By whom was such permissive occupancy granted?

(2.) To whom?

(3.) Does such permissive occupancy empower the person to fence any portion of the foreshores off, to exclude the general public?

(4.) Is he aware that Tamarama or Dixon's Bay is one of the most popular resorts for the residents of the Eastern Suburbs, and that it is absolutely necessary that, if such permissive occupancy has been granted as indicated, he will take the necessary steps to revoke the same?

Mr. Ashton answered,—

(1.) The then Minister for Lands, Honorable W. P. Crick.

(2.) Rita Lachaume.

(3 and 4.) These points are being inquired into, and if it be found that a permission to fence is conferred, and that the public interest is prejudiced thereby, steps will be taken to prevent the exercise of such right.

3. INFANT PROTECTION BILL :—Mr. John Hurley presented a Petition from Members of the Branch of the Women's Political Educational League at Lithgow, praying that the House will, at the earliest possible date, pass into law the Infant Protection Bill, which Petitioners believe will much lessen the heavy mortality among infants, and will throw upon fathers of illegitimate children some fairer proportion of their responsibilities.
Petition received.

4. PAPERS :—

Mr. Ashton laid upon the Table,—

(1.) Notice of intention to declare that Portions 460 and 461, parish of Blackheath, county of Cook, Land District of Lithgow, applied for by Reginald Schofield Bonney on 25th March, 1904, shall cease to be voidable.

(2.) Report of the Forestry Branch of the Department of Lands for the year 1903.

Referred by Sessional Order to the Printing Committee.

Mr. Dick laid upon the Table,—Report of the President of the Board of Health on the use of Preservatives in Milk.

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—Report of the completion of the Circular Quay Low-level Sewerage, Tank Stream Interceptions.

Referred by Sessional Order to the Printing Committee.

5. MUNICIPAL DISTRICT OF COWRA REDUCED AREA BILL :—Mr. Waddell, pursuant to leave granted on 29th September, 1904, presented a Bill, intitled "A Bill to reduce the area of the Municipal District of Cowra,"—which was read a first time.

Ordered to be printed, and read a second time on Tuesday, 1st November.

6. PRINTING COMMITTEE :—Mr. McFarlane, as Chairman, brought up the Second Report from the Printing Committee.

7. GUSTAVE FISCHER, FORMERLY ELECTRICAL ENGINEER, TRAMWAY CONSTRUCTION BRANCH (*Formal Motion*) :—Mr. Estell moved, pursuant to Notice, That there be laid upon the Table of this House a copy of the evidence taken before the Public Service Board in connection with the inquiry into the actions of Gustave Fischer, formerly Electrical Engineer, Tramway Construction Branch.
Question put and passed.

8. ADJOURNMENT :—Mr. Speaker stated that he had received from the Honorable Member for Orange, Mr. Gardiner, a Notice, under the 49th Standing Order, that he desired to move the adjournment of the House, to discuss a definite matter of urgent public importance, viz. :—"The immediate necessity for an amendment in the Old-age Pensions Act."
And the motion for the adjournment of the House being supported by five other Honorable Members,—

Mr. Gardiner moved, That this House do now adjourn.

Point of Order :—Mr. Crick submitted that the notice was out of order, as not disclosing a definite matter for discussion.

Mr. Speaker said he thought the Notice of Motion sufficiently definite, but he ruled it out of order for the reason that it anticipated a question which could be discussed on the Estimates in Committee of Supply, and also during the Debate on the Financial Statement.

6th October, 1904.

9. **STANDING ORDERS**:—Mr. Carruthers moved, pursuant to Notice, That the Standing Orders of this House be referred to the Standing Orders Committee for consideration and report as to any amendments rendered necessary or advisable in view of the reduction in the number of the Members of the House, and for the consideration of a new Standing Order with reference to the Committal of Bills *pro formâ*; and that the Committee have power, from time to time, to make progress reports to the House.
Debate ensued.
Question put and passed.
10. **MASTER IN EQUITY (DEPUTY) BILL**:—The Order of the Day having been read,—Mr. Wade 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. Wade, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, with amendments.
On motion of Mr. Wade, the report was adopted.
Ordered, That the Bill be read a third time on Tuesday next.
11. **TREASURY INDEMNITY BILL**:—
(1.) The Order of the Day having been read,—on motion of Mr. Dick, 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 indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts.
Mr. Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported that the Committee had come to a resolution.
Ordered, on motion of the Temporary Chairman, that the report be *now* received.
The Temporary Chairman then reported the resolution, which was read a first time, as follows:—
Resolved,—That it is expedient to bring in a Bill to indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts.
On motion of Mr. Dick, the resolution was read a second time, and agreed to.
(2.) Mr. Dick then presented a Bill, intituled "*A Bill to indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts*,"—which was read a first time.
Ordered to be printed, and read a second time on Wednesday next.
12. **MESSAGES FROM THE LEGISLATIVE COUNCIL**:—Mr. Speaker reported the following Messages from the Legislative Council:—
(1.) **Infant Protection Bill**:—
MR. SPEAKER,—
The Legislative Council having this day passed a Bill, intituled "*An Act to make further and better provision for the protection, maintenance, education, and care of infants; and to provide for the inspection, supervision, and control of places established or used for their reception and care*,"—presents the same to the Legislative Assembly for its concurrence.
Legislative Council Chamber,
Sydney, 6th October, 1904.
F. B. SUTTON,
President.
Bill, on motion of Mr. Moore, read a first time.
Ordered to be printed, and read a second time on Wednesday next.
- (2.) **Consolidated Revenue Fund Bill (No. 2)**:—
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 1904-1905; and for Services to be hereafter provided for by Loan*,"—returns the same to the Legislative Assembly without amendment.
Legislative Council Chamber,
Sydney, 6th October, 1904.
F. B. SUTTON,
President.
13. **FERTILIZERS ADULTERATION BILL**:—The Order of the Day having been read,—Mr. Moore moved, That this Bill be now read a second time.
Mr. Gardiner 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 twenty-four minutes after Nine o'clock, until Tuesday next, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 14.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 11 OCTOBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker :—

- (1.) Library and Art Gallery Amendment Bill :—

HARRY H. RAWSON,
Governor.

Message No. 13.

In accordance with the provisions contained in the 46th 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 Library and Art Gallery Act, 1899.

State Government House,
Sydney, 10th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

- (2.) Centenary Park Sale Bill :—

HARRY H. RAWSON,
Governor.

Message No. 14.

In accordance with the provisions contained in the 46th 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 authorise the sale or leasing of certain lands vested in the Chief Minister by the Centenary Celebration Act ; to amend the said Act ; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 10th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—

(1.) *Maturity of Warrant reported* :—Mr. Speaker reported that his Warrant, laid upon the Table on Thursday, 29th September, 1904, appointing Thomas Waddell, Esquire, to be a Member of the Committee of Elections and Qualifications for the present Session, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of business, had now taken effect ; and intimated that it was therefore open to Mr. Waddell to be sworn at the Table by the Clerk, in accordance with the 117th section of the Parliamentary Electorates and Elections Act, 1902.

(2.) *Member sworn* :—Mr. Waddell came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

3. QUESTIONS :—

(1.) *Unclaimed Moneys in the Government Savings Bank* :—Mr. Broughton asked the Colonial Treasurer,—What is the amount of unclaimed moneys to the credit of depositors in the Government Savings Bank ?

Mr. Carruthers answered,—As the Government Savings Bank only came into existence in 1871, and the Acts under which it is governed make no provision for carrying accounts which have not been operated upon for a certain number of years to an "Unclaimed Fund," it cannot be stated what amount to credit of depositors is unclaimed.

(2.)

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- (2.) Rabbit Pest :—Mr. Perry (*Liverpool Plains*) asked the Secretary for Lands,—
- (1.) In view of the wide-spread damage inflicted upon agricultural areas and growing crops by the rabbit pest, will he include in the Estimates for his Department a sum of money for the purpose of making Clause 30 of The Pastures Protection Act of 1902 operative in so far as it applies to loans to Boards for the purchase and distribution of wire-netting to landholders under the provisions of the said clause?
 - (2.) What sum will be so provided?
- Mr. Ashton answered,—The question is a very important one, and, if the request were given effect to, would involve the expenditure of a very large sum of money. The matter will be taken into consideration by the Government, and I would ask the Honorable Member if he would be good enough to postpone his Question for, say, a month.
- (3.) J. McMahon & Co.'s Contracts with the Railway Commissioners :—Mr. Jones, for Mr. Sullivan, asked the Colonial Treasurer,—
- (1.) What are the terms of J. McMahon & Co.'s contracts with the Railway Commissioners?
 - (2.) Were tenders called for the work; if so, what are the names of the tenderers?
- Mr. Carruthers answered,—This information should be moved for in the usual way, in the form of a return.
- (4.) Overladen Vessels, Port of Newcastle :—Mr. Jones, for Mr. Sullivan, asked the Colonial Treasurer,—
- (1.) How many vessels have been stopped in Newcastle from going to sea overladen during the years 1903 and 1904?
 - (2.) How many masters have been prosecuted?
 - (3.) How many have not been so prosecuted?
 - (4.) What are the reasons for not prosecuting in the latter cases?
- Mr. Carruthers answered,—
- (1.) Twelve vessels were detained for overloading during the period specified.
 - (2.) Legal proceedings followed against the masters of eight of these vessels.
 - (3.) Four.
 - (4.) In three cases the masters lightened their vessels immediately the overloading was noticed. In the fourth case the vessel loaded during the night, and the master himself reported the overloading and discharged his vessel immediately.
- (5.) Disposal of Land surrounding Centennial Park :—Mr. Storey asked the Colonial Treasurer,—
- (1.) In view of the unsatisfactory condition of the Public Finances, will he consider the advisability of selling or leasing building sites surrounding the Centennial Park?
 - (2.) If, in the opinion of the Attorney-General, section 3 of the Centenary Celebration Act requires amending, will he introduce an Amending Bill giving the Government power either to sell or lease the lands in question?
- Mr. Carruthers answered,—The Honorable Member will observe that already notice of a Bill dealing with this matter is on the Business Paper.
- (6.) Fees paid to Barristers and Solicitors by the Lyne-See Administration :—Mr. Daley asked the Attorney-General and Minister of Justice,—
- (1.) Referring to the return of fees paid by the Lyne-See Government to barristers and solicitors, does the list given include fees paid by the Commissioners for Railways to barristers and solicitors during the same term; if not, will he furnish a list of names and fees paid to barristers and solicitors by the Commissioners for Railways during the same term?
 - (2.) Is the Mr. B. R. Wise, who received £510 9s. 6d., in the list the same person who was Attorney-General during the Lyne-See Government, and who was paid £1,820 per annum?
 - (3.) Is the Mr. B. R. Wise the same person who appeared for the Crown before the Privy Council recently; was he paid any, and what, fees for so appearing?
- Mr. Wade answered,—
- (1.) I have no information as to payments made by the Railway Commissioners. The return recently laid upon the Table does not include any such payments.
 - (2.) The Mr. Wise referred to is the gentleman who held the office mentioned.
 - (3.) The Honorable Member's attention is invited to the answer given to a Question upon this subject asked in this House on the 7th July, 1903. The amount paid was £63 5s., not £500.
- (7.) Roads in the Road District of Taree :—Mr. J. H. Young asked the Secretary for Public Works,—
- (1.) The amount voted on Schedule of last year's Estimates for roads in the Taree Road District?
 - (2.) The amount spent during that year on the scheduled roads of that district?
- Mr. Lee answered,—A return is being prepared, and will be available in a short time.
- (8.) Roads in the Road District of Stroud :—Mr. J. H. Young asked the Secretary for Public Works,—
- (1.) The amount voted on Schedule of last year's Estimates for roads in the Stroud Road District?
 - (2.) The amount spent during that year on the scheduled roads of that district?
- Mr. Lee answered,—A return is being prepared, and will be available in a short time.
- (9.) Contract for the Supply of School Books :—Mr. Jones, for Mr. Walter Anderson, asked the Minister of Public Instruction,—
- (1.) Is it a fact that, by virtue of the possession of the copyright and existing contract arrangements with the Education Department, Messrs. Brooks and Co. hold a practical monopoly of the work of compiling, printing, and binding certain school books?

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(2.) Will he take the necessary steps to acquire or abolish the copyright for such books, so that in future the work of compiling, printing, and binding may be made the subject of general competition?

Mr. O'Connor answered,—

(1.) Messrs. Brooks and Co. are contractors to the Department for one set of reading books only, and their contract will expire at the end of this year.

(2.) It is intended to have a general competition.

(10.) Land for Settlement on Dobikin :—Mr. Collins asked the Secretary for Lands,—

(1.) What is the cause of the delay in making available for settlement the Dobikin land which was disallowed some time back as a scrub lease?

(2.) In view of the great demand for land in that locality, will he take steps to have same made available with the least possible delay?

Mr. Ashton answered,—Part of the land has already been made available for settlement. One block of 1,280 acres, portion 140, parish of Woolabrar, was withheld to permit of an exchange being considered, but the proposed exchange has been abandoned, and the question of offering it for settlement is in hand. Another block, portion 6, parish of Manamoi, 256 acres, is the subject of an application under section 18 of the Crown Lands Act Amendment Act of 1903, which is set down for consideration by the Local Land Board on the 22nd November next. Three farms (one of 1,700 acres, and two of 2,400 acres each), parish of Boorah, will be set apart for settlement lease at an early date, and will be available for application on the 15th December next.

(11.) Holidays of Maintenance Men :—Mr. Collins asked the Secretary for Public Works,—

(1.) Is he aware that maintenance men are not allowed holidays on Prince of Wales' Birthday and Easter Saturday?

(2.) Will he see that this privilege is extended to them as is done in other branches of the Service?

Mr. Lee answered,—

(1.) Yes.

(2.) The existing holidays for all workmen, such as roads maintenance men, are those decided on by the Cabinet. They amount to seven in the year, and it is not proposed to add to them. In addition to these holidays, a week's annual leave is granted to men continuously employed for not less than two years.

(12.) Regulations for the Classification of the Public Service :—Mr. Holman asked the Attorney-General and Minister of Justice,—

(1.) Is it the intention of the Public Service Board to issue new regulations with regard to the classification of officers of the Public Service and the granting of increases of salary?

(2.) If such is the case, will he cause a copy of the Board's proposals to be laid upon the Table of this House prior to their publication in the *Government Gazette*?

Mr. Wade answered,—New regulations with regard to the classification and promotion of officers in the Special, Professional, Clerical, and Educational Divisions of the Service were made by the Public Service Board lately, and have now been approved by the Governor-in-Council. They were gazetted to-day, and will now be submitted to Parliament, as required by section 77 of the Public Service Act, 1902.

4. ELECTION PETITION (*The Castlereagh*):—Mr. Hogue, *by command*, laid upon the Table an Election Petition, which had been addressed to His Excellency the Governor from William Channing A'Beckett, of Wellington, in the State of New South Wales, Esquire, alleging that, at the General Election, held on the 6th August, 1904, for the return of Members to serve in the Legislative Assembly, Hugh Macdonald, of Coonamble, journalist, and your Petitioner were severally candidates for election as Member for the Electoral District of The Castlereagh; that before the election Petitioner was duly nominated for election; that before and at the time of such nomination and from thence Petitioner was and is a person duly qualified by law to be elected; that there were forty-one polling-places in the Electorate duly appointed at which a poll was to be taken, and a poll was held at the several places as appointed; that Peter Aloysius Polin was the Returning Officer appointed for the Electoral District of The Castlereagh, to take such poll; that on the 11th August last the Returning Officer declared the number of votes polled to be as follows, namely:—For the said Hugh Macdonald, one thousand eight hundred and sixty-seven; and for your Petitioner, one thousand eight hundred and fifty-three; informal, fifty-three,—and thereupon declared Hugh Macdonald to be duly elected as a Member of the Assembly for the Electoral District of The Castlereagh; and afterwards endorsed on the writ the name of Hugh Macdonald as the person so elected, and returned the writ; that Hugh Macdonald has since taken his seat in the Legislative Assembly as Member for the district; that several persons who were not then legally qualified to vote in and for the District of The Castlereagh voted at the election for candidates for election as Members for the district; that one of the polling-booths at one of the polling-places duly appointed within the Electoral District of The Castlereagh was closed before the time prescribed by the Act, whereby several persons were disfranchised; that Richard A. Crossing, who was Presiding Officer in one of the polling-booths, did, on the evening of the sixth day of August last, the day of the election, hand over the ballot-box and contents thereof to Mrs. Rooke, of "Nevertire Hotel," Nevertire, a person not authorised by the Act to receive same, and that the ballot-box remained in her custody and out of the custody of Richard A. Crossing for a long time; that several persons were allowed to vote upon obsolete (red) rights; that several rights were delivered to persons other than those mentioned in the body of the writ; that Petitioner verily believes that at the election the votes polled in and for the district were incorrectly counted, and that some votes were counted for Hugh Macdonald which should have been rejected as informal, and other votes were rejected as informal which should have been counted for Petitioner; that

Petitioner

11th October, 1904.

Petitioner verily believes that many mistakes were made and irregularities arose in counting the ballot-papers and recording the votes at the several polling places in the Electorate of The Castlereagh during the said election; that Petitioner has, in accordance with law, deposited in the Commercial Banking Company of Sydney, King-street Branch, to the credit of the Speaker of the Legislative Assembly of New South Wales, the sum of fifty pounds sterling, and that annexed to this Petition is a Bank deposit receipt showing that that sum has been so deposited, and Petitioner therefore humbly prays,—That this Petition may be dealt with according to law; that an inquiry may be made into the various allegations contained in this Petition; that a search and scrutiny of all ballot-papers, formal and informal, used and unused, in connection with the said Election, may be made by the Committee of Elections and Qualifications of the said Assembly; that a re-count of the ballot-papers and of the votes recorded thereby may be made by the Committee; that it may be declared that Hugh Macdonald was unduly elected to serve in the said Assembly, and that his return may be declared null and void; that it may be declared and determined that Petitioner was duly elected at the election to serve and be a Member of the Assembly for the Electoral District of The Castlereagh, and is entitled to take his seat accordingly in the Assembly; and that such further or other relief in the premises may be granted as may be deemed just and necessary in accordance with the Parliamentary Electorates and Elections Act, 1902, or Acts amending the same.

Ordered, on motion of Mr. Hogue, that the Petition be referred to the Committee of Elections and Qualifications.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

11th October, 1904.

that Petitioner has deposited in the City Bank of Sydney, to the credit of the Speaker of the Legislative Assembly of New South Wales in relation to this Petition, the sum of fifty pounds sterling, and that annexed to this Petition is a Bank deposit receipt showing that that sum has been so deposited; and Petitioner therefore humbly prays,—that this Petition may be dealt with according to law; that an inquiry may be made as to the various allegations contained in this Petition; that a search and scrutiny of all ballot-papers, formal and informal, used and unused, in connection with the said election may be made by the Committee of Elections and Qualifications of the said Assembly; that a re-count of the said ballot-papers and of the votes recorded thereby may be made by the said Committee; that it may be declared that Edwin Richards was guilty of bribery at the said election; that it may be declared that Edwin Richards was guilty of treating at the said election; that it may be declared that Edwin Richards was not duly elected to serve in the Assembly; that it may be declared and determined that Petitioner was duly elected to serve and to be a Member of the Assembly for the Electoral District of Mudgee, and is entitled to take his seat accordingly in the Assembly, or that it may be declared that the election was wholly void; and that such further or other relief in the premises may be granted as may be deemed just and necessary in accordance with the Parliamentary Electorates and Elections Act, 1902.

Ordered, on motion of Mr. Hogue, that the Petition be referred to the Committee of Elections and Qualifications.

6. **INFANT PROTECTION BILL**:—The following Petitions,—praying that the House will, at the earliest possible date, pass into law the Infant Protection Bill, which Petitioners believe will much lessen the heavy mortality among infants, and will throw upon fathers of illegitimate children some fairer proportion of their responsibilities,—were presented by the Members named:—
- (1.) By Mr. Waddell,—From Members of the Erskineville Women's Franchise League.
 - (2.) By Mr. Waddell,—From Members of the Central Branch of the Women's Political Educational League, Sydney, and residents of Sydney and Suburbs.
 - (3.) By Mr. Creswell,—From Members of the Branch of the Women's Political Educational League, North Sydney.
 - (4.) By Mr. Lee,—From Members of the Branch of the Women's Political Educational League, Casino.
 - (5.) By Mr. McLaurin,—From Members of the Branch of the Women's Political Educational League, Albury.
- Petitions received.
7. **CROWN LANDS, CENTRAL DIVISION**:—Mr. Collins presented a Petition from Crown Tenants, Homestead Selectors, and Conditional Purchasers of the Central Division, in the District of Walgett, and districts similarly situated, representing that Petitioners believe that it is in the interests alike of the State and the State tenant that the land should be disposed of upon more favourable terms, and praying that a Royal Commission may be appointed to inquire into and report upon—
- (a) The value that should be placed upon the Crown lands in the extreme portions of the Central Division of the State;
 - (b) The rents at present paid by the Crown tenant, and the basis upon which such rents are calculated;
 - (c) Whether the areas hitherto made available for Settlement Lease are sufficient to enable the holder to maintain and educate his family;
 - (d) What steps should be taken to ameliorate the conditions under which the landowners at present labour.
- Petition received.
8. **PAPERS**:—
- Mr. Wade laid upon the Table,—Additional Regulation, No. 455, under the Public Service Act, 1902.
Referred by Sessional Order to the Printing Committee.
- Mr. O'Connor laid upon the Table,—Further Report of Education Commissioners, mainly on Secondary Education, containing observations and recommendations resulting from their inquiries in Europe and America.
Referred by Sessional Order to the Printing Committee.
- Mr. Hogue laid upon the Table,—
- (1.) Synopsis of Voting at the General Election, 6th August, 1904.
 - (2.) Additional By-law of the Municipal District of Deniliquin.
 - (3.) By-laws of the Borough of Newcastle
 - (4.) Return to an Order, made on 29th September, 1904,—“Professor Anderson Stuart.”
- Referred by Sessional Order to the Printing Committee.
- Mr. Lee laid upon the Table,—Notification of resumption of land, under the Public Works Act, 1900, for the Supply of Water to the City of Sydney and Suburbs.
Referred by Sessional Order to the Printing Committee.
9. **NARRABRI, WALGETT, AND COLLARENDABRI RAILWAY**:—Mr. Collins presented a Petition from Members of the Walgett Progress Association and other residents of the Walgett District, praying that the House will be pleased to take the prayers of the Petitioners into its favourable consideration, and that it will, by resolution, declare that it is expedient in the public interest to comply with the terms of the Narrabri, Walgett, and Collarendabri Railway Act to forthwith resume the work of construction on the Narrabri to Walgett Railway, and continue the said work until its completion.
Petition received.

11th October, 1904.

10. PASTURES PROTECTION (AMENDMENT) BILL :—Mr. Eden George, pursuant to leave granted on 27th September, 1904, presented a Bill, intituled "*A Bill to amend the Pastures Protection Act, 1902, in certain particulars*,"—which was read a first time.
Ordered to be printed, and read a second time on Tuesday, 1st November.
11. HENRY WAITE BEQUEST BILL :—Mr. Dick, pursuant to leave granted on 5th October, 1904, presented a Bill, intituled "*A Bill to authorise the Director of the Government Asylums for the Infirm to pay to the Parramatta District Hospital and the Parramatta Benevolent Society, in equal shares, certain moneys received and receivable by him under the will of the late Henry Waite*,"—which was read a first time.
Ordered to be printed, and read a second time To-morrow.
12. ROMAN CATHOLIC ORPHANAGE AT MANLY (*Formal Motion*) :—Mr. Briner moved, pursuant to Notice, That the papers and report in connection with the inquiry into the management of the Roman Catholic Orphanage at Manly be laid upon the Table of this House.
Question put and passed.
13. MASTER IN EQUITY (DEPUTY) BILL (*Formal Order of the Day*),—on motion of Mr. Wade, read a third time, and *passed*.
Mr. Wade then moved, That the Title of the Bill be "*An Act to authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties*."
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 authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties*,"—presents the same to the Legislative Council for its concurrence.
*Legislative Assembly Chamber,
Sydney, 11th October, 1904.*
14. COMMITTEE OF ELECTIONS AND QUALIFICATIONS (*Appointment of First Meeting of Committee*):—Pursuant to the requirement of the 121st section of the Parliamentary Electorates and Elections Act, 1902, Mr. Speaker appointed the first meeting of the Committee of Elections and Qualifications to take place at Eleven o'clock, a.m., on Tuesday next, in No. 3 Committee Room.
15. ADJOURNMENT :—Mr. Speaker stated that he had received from the Honorable Member for Darlinghurst, Mr. Levy, a Notice, under the 49th Standing Order, that he desired to move the adjournment of the House to discuss a definite matter of urgent public importance, viz. :—"The recent decision of the Trustees of the Rushcutters' Bay Park to exclude the public from the whole of the Park west of the stormwater channel for certain days of the year, except on payment of a fee for admission."
And the motion for the adjournment of the House being supported by five other Honorable Members,—
Mr. Levy moved, That this House do now adjourn.
Point of Order :—Mr. Gardiner submitted that the motion was out of order, as the subject was capable of being debated during the passage of the Estimates.
Debate ensued.
Mr. Speaker said the practice for the past ten years had been not to allow motions such as these to be moved; he did not intend to reverse that practice—though under it hardships occasionally occurred, and as this was unsatisfactory, he would, at an early date, give the matter very great consideration to see if, in the future, some decision could be arrived at to overcome the present state of affairs and enable the adjournment to be moved under similar circumstances to draw attention to matters of very urgent importance. In this case, however, there is an item on the Estimates for Parks generally, under which this subject could be fully discussed; he must, therefore, adhere to the practice of the House, and rule the motion out of order.
16. STANDING ORDERS :—Mr. Levy moved, pursuant to Notice, That it be an instruction to the Standing Orders Committee to frame a Standing Order providing that the motion for leave to bring in any Public Bill, or the motion for the preliminary Committee to consider the expediency of bringing in any Bill, be taken as a formal motion, no objection being allowed.
Debate ensued.
Motion, by leave, withdrawn.
17. DOG TAX :—Mr. Winchcombe moved, pursuant to Notice, That, in the opinion of this House, the fees derived from the registration of dogs, less cost of collection, should be apportioned to the Pastures Protection Boards for the purpose of providing bonuses for the destruction of native dogs, foxes, and other noxious animals.
Debate ensued.
Mr. Thrower moved, That the Question be amended by the addition of the words, "and for the further purpose of providing poison for the destruction of rabbits."
Question proposed,—That the words proposed to be added, be so added.
Debate continued.
Question put,—That the words proposed to be added, be so added.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

11th October, 1904.

The House divided.

Ayes, 22.

Mr. Macdonell,
Mr. McGowen,
Mr. Cann,
Mr. Estell,
Mr. Kelly,
Mr. Daley,
Mr. Thrower,
Mr. Burgess,
Mr. Arthur Griffith,
Mr. Levien,
Mr. Gillies,
Mr. Hollis,
Mr. Jones,
Mr. Perry (*The Richm'd*),
Mr. Gardiner,
Mr. W. W. Young,
Mr. Collins,
Mr. Smith,
Mr. Miller,
Mr. McGarry.

Tellers,

Mr. Scobie,
Mr. Meehan.

Noes, 43.

Mr. Ball,
Mr. Oakes,
Mr. Wade,
Mr. Carruthers,
Mr. Moore,
Mr. Jessep,
Mr. O'Connor,
Mr. Norton,
Mr. Levy,
Mr. Henley,
Mr. Wood,
Mr. Cohen,
Mr. Ashton,
Mr. Mahony,
Mr. Fell,
Mr. Fleming,
Mr. Winchcombe,
Mr. Latimer,
Mr. McCoy,
Mr. Briner,
Mr. Hogue,
Mr. Charlton,
Mr. R. J. Anderson,
Mr. Booth,
Mr. Dick,
Mr. J. H. Young,
Dr. Arthur,
Mr. McLaurin,
Mr. Alan Millard,
Mr. McFarlane,
Mr. Brinsley Hall,
Mr. Reynoldson,
Mr. Law,
Mr. Donaldson,
Mr. Walter Anderson,
Mr. Perry (*L'pool Plains*),
Mr. Fegan,
Mr. Eden George,
Mr. Lee,
Mr. Moxham,
Mr. W. Millard.

Tellers,

Mr. John Hurley,
Mr. Davidson.

And so it passed in the negative.

Mr. Burgess moved, That the Question be amended by the addition of the words "and that the foregoing resolution be communicated to His Excellency the Governor."

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

Debate continued.

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

The House divided.

Ayes, 15.

Mr. Meehan,
Mr. Miller,
Mr. Gardiner,
Mr. Thrower,
Mr. Holman,
Mr. McGowen,
Mr. Estell,
Mr. Macdonell,
Mr. Scobie,
Mr. Kelly,
Mr. Levien,
Mr. Hollis,
Mr. Arthur Griffith.

Tellers,

Mr. Burgess,
Mr. Daley.

Mr. Hogue,
Mr. J. H. Young,
Mr. R. J. Anderson,
Mr. Booth,
Mr. Dick,
Mr. Jones,
Mr. Bennett,
Mr. McLaurin,
Dr. Arthur,
Mr. Bull,
Mr. Alan Millard,
Mr. Reynoldson,
Mr. Brinsley Hall,
Mr. Moxham,
Mr. Fegan,
Mr. McGarry,
Mr. Law,
Mr. Nicholson,

Noes, 51.

Mr. Briner,
Mr. Smith,
Mr. Collins,
Mr. Perry (*L'pool Plains*),
Mr. Lee,
Mr. Walter Anderson,
Mr. Oakes,
Mr. Gillies,
Mr. McFarlane,
Mr. O'Connor,
Mr. McCoy,
Mr. O'Sullivan,
Mr. Latimer,
Mr. Fleming,
Mr. Perry (*The Richm'd*),
Mr. Winchcombe,
Mr. Wood,
Mr. Donaldson,
Mr. Waddell,
Mr. Carruthers,
Mr. Ashton,
Mr. Levy,
Mr. Norton,
Mr. Moore,
Mr. Jessep,
Mr. Davidson,
Mr. Fell,
Mr. Cohen,
Mr. Wade,
Mr. John Hurley,
Mr. Mahony.

Tellers,

Mr. Henley,
Mr. Charlton.

And so it passed in the negative.

Debate continued.

Original Question put.

The House divided.

Ayes, 24.

Mr. Estell,
Mr. Burgess,
Mr. Daley,
Mr. Miller,
Mr. Meehan,
Mr. Gardiner,
Mr. Thrower,
Mr. W. W. Young,
Mr. Holman,
Mr. Briner,
Mr. Perry (*The Richm'd*),
Mr. Collins,
Mr. McFarlane,
Mr. Smith,
Mr. Kelly,
Mr. Winchcombe,
Mr. Levien,
Mr. Hollis,
Mr. Jones,
Mr. Bennett,
Mr. Gillies,
Mr. Arthur Griffith.

Tellers,

Mr. Scobie,
Mr. Macdonell.

Noes, 44.

Mr. Mahony,
Mr. John Hurley,
Mr. Wade,
Mr. Cohen,
Mr. Fell,
Mr. Davidson,
Mr. Jessep,
Mr. Moore,
Mr. Norton,
Mr. Levy,
Mr. Ashton,
Mr. Carruthers,
Mr. Hogue,
Mr. J. H. Young,
Mr. Henley,
Mr. Charlton,
Mr. R. J. Anderson,
Mr. Booth,
Mr. Dick,
Mr. McLaurin,
Dr. Arthur,
Mr. Ball,
Mr. Alan Millard,
Mr. Reynoldson,
Mr. Brinsley Hall,
Mr. Moxham,
Mr. Fegan,
Mr. McGarry,
Mr. Law,
Mr. Nicholson,
Mr. Lee,
Mr. Perry (*L'pool Plains*),
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Oakes,
Mr. O'Connor,
Mr. O'Sullivan,
Mr. McCoy,
Mr. Waddell,
Mr. Wood,
Mr. Donaldson,
Mr. Storey.

Tellers,

Mr. Latimer,
Mr. Fleming.

And so it passed in the negative.

11th October, 1904.

18. SALE OF INTOXICATING LIQUORS AT PARLIAMENT HOUSE:—Mr. Fleming moved, pursuant to Notice, That, in the opinion of this House, it is desirable, "in the interests of good government and the dignity of Parliament," that no intoxicating liquors be served within the precincts of Parliament buildings, except between the hours of 6 p.m. and 7 p.m.
 Debate ensued.
 Mr. Jessep moved, That the Question be amended by leaving out the words "in the interests of good government and the dignity of Parliament."
 Question proposed,—That the words proposed to be left out stand part of the Question.
 Debate continued.
 Mr. Daley moved, That this Debate be now adjourned.
 Debate ensued.
 Question,—That this Debate be now adjourned,—put.
 The House divided.

Ayes, 16.

Mr. Ashton,
 Mr. Lee,
 Mr. Moore,
 Mr. O'Connor,
 Mr. Levy,
 Mr. Hogue,
 Mr. John Hurley,
 Mr. Wood,
 Mr. Dick,
 Mr. Henley,
 Mr. Holman,
 Mr. Scobie,
 Mr. Smith,
 Mr. W. Millard.

Tellers,

Mr. Miller,
 Mr. Daley.

Noes, 37.

Mr. Burgess,	Mr. Fegan,
Mr. Hollis,	Mr. Fleming,
Mr. Kelly,	Mr. Latimer,
Mr. Edden,	Mr. Donaldson,
Mr. Jones,	Mr. Walter Anderson,
Mr. Estell,	Mr. McCoy,
Mr. Thrower,	Mr. Oakes,
Mr. Jessep,	Mr. R. J. Anderson,
Mr. Norton,	Mr. Mahony,
Mr. Law,	Mr. W. W. Young,
Mr. O'Sullivan,	Mr. Winchcombe,
Mr. Charlton,	Mr. Reynoldson,
Mr. Meehan,	Mr. Creswell,
Mr. McGarry,	Mr. Perry (<i>L'pool Plains</i>),
Mr. Gardiner,	Mr. Briner.
Mr. Alan Millard,	Tellers,
Dr. Arthur,	Mr. Nicholson,
Mr. Booth,	Mr. Cohen.
Mr. Gillies,	
Mr. Davidson,	

And so it passed in the negative.

- Question put,—That the words proposed to be left out stand part of the Question,—and voices given.
 Mr. Speaker stated his opinion that the *Noes* had it.
 Whereupon Division called for, and Mr. Speaker having, in accordance with Standing Order No. 213, directed the Members to take their seats to the right and left of the Chair respectively, declared the determination of the House to be in the *negative*, as there were only three Members in the minority who had challenged his decision.
 The following are the names of the Members in the minority, viz.:—Mr. Scobie, Mr. Gardiner, and Mr. Jones.
 Amended Question proposed.
 Debate continued.
 Question as amended,—That, in the opinion of this House, it is desirable that no intoxicating liquors be served within the precincts of Parliament buildings, except between the hours of 6 p.m. and 7 p.m.—put.
 The House divided.

Ayes, 22.

Mr. Alan Millard,	Mr. Briner,
Mr. Booth,	Mr. Perry (<i>L'pool Plains</i>),
Mr. Fleming,	Mr. Collins,
Dr. Arthur,	Mr. Creswell.
Mr. Walter Anderson,	Tellers,
Mr. R. J. Anderson,	Mr. Jessep,
Mr. Gillies,	Mr. Davidson.
Mr. Law,	
Mr. Mahony,	
Mr. Fegan,	
Mr. Latimer,	
Mr. McCoy,	
Mr. Winchcombe,	
Mr. Jones,	
Mr. Moxham,	
Mr. Oakes,	

Noes, 29.

Mr. Burgess,	Mr. W. W. Young,
Mr. Kelly,	Mr. Lee,
Mr. Edden,	Mr. Ashton,
Mr. Estell,	Mr. O'Connor,
Mr. Holman,	Mr. Wood,
Mr. Thrower,	Mr. Smith,
Mr. Darcy,	Mr. W. Millard,
Mr. Hogue,	Mr. Dick,
Mr. Scobie,	Mr. Donaldson,
Mr. Moore,	Mr. O'Sullivan,
Mr. McGarry,	Mr. John Hurley.
Mr. Meehan,	Tellers,
Mr. Charlton,	Mr. Levy,
Mr. Hollis,	Mr. Gardiner.
Mr. Nicholson,	
Mr. Norton,	

And so it passed in the negative.

19. ADJOURNMENT:—Mr. Ashton moved, That this House do now adjourn.
 Debate ensued.
 Question put and passed.

The House adjourned accordingly, at eleven minutes before Twelve o'clock, until To-morrow, at Four o'clock.

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

WILLIAM McCOURT,
 Speaker.

New South Wales.

No. 15.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 12. OCTOBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker:—

- (1.) Consolidated Revenue Fund Bill (No. 2):—

HARRY H. RAWSON,
Governor.

Message No. 15.

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 1904-1905; and for Services to be hereafter provided for by Loan,"—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 His 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.

State Government House,
Sydney, 8th October, 1904.

- (2.) Miners' Accident Relief (Validating) Bill:—

HARRY H. RAWSON,
Governor.

Message No. 16.

In accordance with the provisions contained in the 46th section of the Constitution Act, 1902, 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 validate the appointment of certain officers of the Miners' Accident Relief Board, and to validate the acts and appointment of certain Committees purporting to be constituted under the provisions of the Miners' Accident Relief Act, 1900.

State Government House,
Sydney, 12th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

- (3.) Navigation (Amendment) Bill:—

HARRY H. RAWSON,
Governor.

Message No. 17.

In accordance with the provisions contained in the 46th 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 Navigation Act of 1901 by providing for issue of regulations.

State Government House,
Sydney, 12th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

2. QUESTIONS:—

- (1.) Parliamentary Standing Committee on Public Works:—Mr. Gillics asked the Colonial Treasurer,—

(1.) What are the names of the Members of Parliament who have constituted the Public Works Committee since the passing of the Public Works Act, together with the respective amounts drawn by each Member in fees and expenses?

(2.) What has been the total estimated cost incurred in investigations of public works since the passing of the Public Works Act?

Mr. Carruthers answered,—I will presently lay a Statement upon the Table, giving this information.

(2.)

12th October, 1904.

- (2.) Road Votes :—Mr. Davidson asked the Secretary for Public Works,—
- (1.) What amount was voted by Parliament in 1902-3 and 1903-4 for scheduled roads in each electorate?
 - (2.) How much was spent for each of the above years in each electorate?
- Mr. Lee answered,—
- (1.) The information as asked cannot be supplied, because the amounts voted are for Road Districts, and not for electorates, whose boundaries do not coincide.
 - (2.) A return can be prepared, if moved for in the usual way, giving the expenditure of the whole Road Vote (main and minor) for each electorate.
- (3.) Stamp Duties on Receipts for Barristers' Fees :—*Mr. Jessep*, for Mr. Henley, asked the Colonial Treasurer,—Referring to the Stamp Duties Amendment Bill intended to be introduced, will he insist (in the list of new Stamp Duties to be paid) that barristers affix a 2d. stamp to all receipts given by them for fees?
- Mr. Carruthers answered,—Receipts given by barristers for sums of £2 or upwards are under the present law liable to stamp duty.
- (4.) Advances to Settlers Board :—Mr. Storey asked the Colonial Treasurer,—What was the total cost to the State for the management of the Advances to Settlers Board for financial year ending 30th June, 1904?
- Mr. Carruthers answered,—Salaries and wages, £3,845 18s. ; Board fees, £116 ; Contingencies, £537 12s. 3d. ; Total, £4,499 10s. 3d. Credit—Office Costs, &c., recovered by Board, £1,680 8s. ; balance, £2,819 2s. 3d.
- (5.) Amount paid to Federal Government as Cost of the Government Savings Bank :—Mr. Storey asked the Colonial Treasurer,—What was the total amount paid by the State to the Postal Department of the Federal Government for transacting the business of the Government Savings Bank during the financial year ending the 30th June, 1904?
- Mr. Carruthers answered,—The Bank's financial year ended 31st December, 1903, and the amount paid to the Federal Government for transacting the business of the Government Savings Bank was £9,625 2s. 4d.
- (6.) Royalties on Timber :—Mr. J. H. Young asked the Secretary for Lands,—
- (1.) Is he aware that the system of collecting royalties on timber, as practised under present regulations, leads to (a) a very heavy expenditure, in the multiplication of officers charged with the duty of collecting it ; (b) a very unnecessary interference with those engaged in the industry of procuring timber for saw-mills and for export ; (c) a very considerable evasion of the payments of such royalties?
 - (2.) Is it his intention to proceed with legislation which will allow him to collect such royalties as are imposed on the output of the mills for such timber as is there worked, and at the shipping place of such as is intended for export or for use in its round or squared state, so that a much reduced rate of royalty might be expected to return an increased revenue?
- Mr. Ashton answered,—
- (1.) I am not aware.
 - (2.) A Forest Bill is now under consideration, and will be introduced at an early date ; provision is made to admit of the output system being adopted.
- (7.) Glenmore Land Exchange :—Mr. Perry (*Liverpool Plains*) asked the Secretary for Lands,—
- (1.) Has the Glenmore exchange yet been completed ; if not, what time will elapse before completion?
 - (2.) Has any proposal been made for the disposal of the surrendered lands when the exchange has been completed?
 - (3.) Can a date be fixed when this land will become available for settlement?
 - (4.) Under what form of tenure will the surrendered lands be made available for settlement?
- Mr. Ashton answered,—
- (1.) The lands surrendered under the Glenmore-Dobikin exchange are now vested in the Crown, and final action is being taken in connection with the completion of the transaction.
 - (2.) Yes.
 - (3.) A definite date cannot be given at present, but steps towards making the lands available for settlement as early as possible are now being taken.
 - (4.) The District Surveyor has recommended disposal of the land under five settlement lease farms of areas from 2,500 acres to 5,000 acres.
- (8.) Hawkers' Licenses :—*Mr. Estell*, for Mr. Holman, asked the Colonial Secretary,—
- (1.) Is he aware that, under the existing practice, it is frequently necessary for applicants for hawkers' licenses not only to give three weeks' notice of their intention to apply, but also to wait for one month after the granting of the license, thus making a total delay of seven weeks, at the shortest, between application for license and starting work?
 - (2.) Will he take steps to remove this hardship, and, if necessary, introduce a short amending Bill?
- Mr. Wade* answered,—
- (1.) The Hawkers and Pedlers Act provides that the applicant shall give not less than three weeks' notice before the first ordinary sitting day of the Justices of his intention to apply for a license, and that the license shall be in force from the first day of the month next ensuing the granting thereof.
 - (2.) An alteration of the existing law would be necessary before the present practice could be changed. The question of amending the law will be considered, but nothing can be done this Session.

12th October, 1904.

- (9.) Poison Baits for the Destruction of Rabbits :—Mr. Nielsen asked the Secretary for Lands,—
- (1.) Will he ascertain if there is any provision in the Pastures Protection Act to prevent landowners laying poison for rabbits in the vicinity of an adjoining holder's residence?
 - (2.) If no such provision exists, and in view of the possibility of young children being poisoned by the phosphorised pollard usually used for rabbit destruction, will he at once have an amendment of the law made to prevent the possibility of the sacrifice of human life?
- Mr. Ashton answered,—
- (1.) No.
 - (2.) Provision will be made to safeguard this in an amending Bill in course of preparation.
- (10.) Interlocking Branch, Railway Department :—Mr. Nielsen asked the Colonial Treasurer,—
- (1.) Is it a fact that about half the number of men employed by the Interlocking Branch of the Railway Department in the Metropolitan Division have been discharged?
 - (2.) Are the present number sufficient to maintain this branch of the Railway Department in efficiency?
 - (3.) Can he assure this House that the fact of these men being discharged does not detract from the safety of the travelling public?
- Mr. Carruthers answered,—
- (1.) I am informed it is not a fact.
 - (2.) Yes.
 - (3.) See reply to No. 1.
- (11.) Travelling Expenses of Judges :—Mr. Briner asked the Attorney-General and Minister of Justice,—
- (1.) What daily expenses are allowed to Judges of the Supreme Court when on Circuit?
 - (2.) What daily expenses are allowed to Judges of the District Court when on Circuit?
 - (3.) What was the total sum of these expenses during the year ended 30th June, 1904?
- Mr. Wade answered,—
- (1.) No daily expenses are paid to the Judges of the Supreme Court. Each Judge is, however, paid an allowance in respect of each Circuit made by him, the amount of which is determined by the Attorney-General. It varies with the courts to be visited.
 - (2.) £2 per diem to cover all expenses, exclusive of rail fares, with the following exceptions :—
Western District—When the Judge visiting courts at Windsor, Penrith, and Parramatta returns home the same day, actual out-of-pocket expenses only are paid. North Western District—The Judge is allowed actual expenses incurred in visiting courts at Wentworth, Wilcannia, and Broken Hill, actual expenses exceeding the daily allowance.
 - (3.) £2,958 13s. 1d.
- (12.) Commercial Agencies :—Mr. Briner asked the Secretary for Mines,—
- (1.) The total cost of each of the Commercial Agencies during the year ending 30th June, 1904?
 - (2.) Is it proposed to continue these agencies?
- Mr. Moore answered,—
- (1.) C. C. Lance, expenses, £761 14s. 2d., salary, £1,500—£2,261 14s. 2d.; George Valder, expenses, £810 8s. 2d., salary, £750—£1,560 8s. 2d.; J. B. Suttor, expenses, £484 9s. 9d., salary, £562 10s.—£1,046 19s. 9d.; freight, exchange, and cables, £65 8s. 7d. Total, £4,934 10s. 8d.
 - (2.) This is a question of policy under consideration.
- (13.) Government Advertisements in Newspapers :—Mr. Briner asked the Colonial Treasurer,—
- (1.) What was the amount paid to *The Sydney Morning Herald*, *Sydney Daily Telegraph*, *Australian Star*, and *Evening News*, respectively, during each year, from 1st July, 1894, to 30th June, 1904, for Government advertisements?
 - (2.) The total amount paid to all papers within the State in each year for the same period?
- Mr. Carruthers answered,—As this information will take some time to prepare, I shall be glad if a return is moved for in the usual way.
- (14.) Central Railway Station :—Mr. Burgess asked the Secretary for Public Works,—
- (1.) Did his Department submit any estimate for the completion of a story of the main front wall and the south-eastern wing of the Central Railway Station?
 - (2.) If so, what was the amount?
- Mr. Lee answered,—
- (1.) The Department submitted an approximate estimate for the erection of ground floors, north and east wings.
 - (2.) £52,331.
- (15.) Charities Department :—Mr. Mechan asked the Colonial Secretary,—Will he lay a detailed report upon the Table of this House, setting forth the cost of administration of the Charities Department for the past two years?
- Mr. Hogue answered,—Yes, if moved for in the usual way.
- (16.) Hentch's Bond, Miller's Point :—Mr. Daley asked the Colonial Treasurer,—
- (1.) What was the total amount of insurance moneys received by the Harbour Trust through the loss by fire of Hentch's Bond, Miller's Point?
 - (2.) What was the estimated and the actual cost of the new bond?
 - (3.) Who was the Inspector in charge of this work?
- Mr. Carruthers answered,—
- (1.) £8,316 12s. 5d.
 - (2.) Estimated cost, £11,700; actual cost, £11,693 6s. 7d.
 - (3.) Inspector Muir.

12th October, 1904.

- (17.) Grain Shed at Darling Island :—Mr. Daley asked the Colonial Treasurer,—
- (1.) What was the estimated and the actual cost of the grain-shed erected by the Harbour Trust Commissioners at Darling Island ?
 - (2.) Who was the Inspector in charge of this work ?
 - (3.) Who are the lessees, and what is the annual rent paid ?

Mr. Carruthers answered,—

- (1.) The grain-shed at Darling Island was not erected by the Trust ; but, if it is intended to refer to the shed erected by the Trust on the western side of Darling Island, the estimated cost, exclusive of foundations and offices, was £10,000 ; and the actual cost, inclusive of foundations and offices, £12,676 19s. 3d.
- (2.) Inspector Wright.
- (3.) Birt & Co., Limited, for a period of two years, at an annual rental of £700, the lessees paying in addition all rates, taxes, and fire insurance premiums ?

- (18.) Machinery in connection with Cable Tramway :—Mr. Burgess asked the Colonial Treasurer,—
- (1.) Has the whole of the machinery in connection with the tram cable service been disposed of ?
 - (2.) If so, who is the purchaser, and what was the price ?

Mr. Carruthers answered,—I am informed that, as the cable line is still working, it has not been possible to dispose of the machinery. It is intended, however, to sell any surplus plant.

- (19.) Trustees of Leichhardt Park :—Mr. Booth asked the Secretary for Lands,—
- (1.) What was the date of appointment and names of the three trustees of Leichhardt Park recently appointed to that position ?
 - (2.) Upon whose recommendation were those appointments made ?

Mr. Ashton answered,—

- (1.) 14th September, 1904. Messrs. James Lonsdale, Robert Cunningham, Sedgwick Fletcher.
- (2.) Mr. J. S. Hawthorne, formerly Member of the Legislative Assembly.

- (20.) Ex-contributors to the Superannuation Fund :—Mr. Broughton asked the Colonial Treasurer,—
- (1.) Will the Government disclose the names of all Public Servants who called off the late Superannuation Fund in the year 1896, and were dismissed the same year ?
 - (2.) The length of service in each case ?
 - (3.) The annual salary they were in receipt of at the time of such dismissal ?
 - (4.) The names of all who have called off the Fund, up to the date of this return, still in the Service or transferred to the Federal Government ?
 - (5.) The names of the respective Departments to which they are attached, or were attached at the transfer ?
 - (6.) The amount of refund in each case now bearing interest at the rate of 3 per cent. per annum ?
 - (7.) The amount of gratuity to be paid, or paid, in each case ?

Mr. Carruthers answered,—This information will take some time to prepare, but will be laid upon the Table if moved for in the usual way.

- (21.) Old-age Pensioners in the Electorate of Orange :—Mr. Gardiner asked the Colonial Treasurer,—
- (1.) How many old-age pensioners' certificates have been suspended in the Electorate of Orange since 30th June ?
 - (2.) In how many cases were certificates suspended because pensioners could not find proof of age ?

Mr. Carruthers answered,—

- (1.) Ten rejected, six suspended.
- (2.) Six proved to be under statutory age, three suspended pending production of proof of age.

- (22.) Uniform Wharfage Dues :—Mr. Davidson asked the Colonial Treasurer,—Will he lay upon the Table of this House all papers and correspondence from the Commonwealth Government in connection with the question of uniform wharfage dues ?

Mr. Carruthers answered,—Yes ; as I think it is necessary to show Members the facts which lead up to the Bill.

3. CASE OF HENRY HARDING, W. S. STEAD, AND OTHERS—CERTIFICATE OF TITLE :—Mr. Hollis presented a Petition from Henry Harding, of Bridge Road, Glebe, representing that the House had appointed a Select Committee to inquire into and report upon the grievances of Petitioner, William Stephen Stead, and others in connection with Certificate of Title, volume 61, folio 224, dated 4th February, 1868 ; and praying to be represented by Counsel or Attorney, or in person, before such Committee, with right to call, examine, and cross-examine witnesses.
Petition received.
Ordered to be referred to the Select Committee.
4. INFANT PROTECTION BILL :—Mr. Wade presented a Petition from Members of the Branch of the Women's Political Educational League at Chatswood, praying that the House will, at the earliest possible date, pass into law the Infant Protection Bill, which Petitioners believe will much lessen the heavy mortality among infants, and will throw upon fathers of illegitimate children some fairer proportion of their responsibilities.
Petition received.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

12th October, 1904.

5. PAPERS:—

Mr. Carruthers laid upon the Table,—

(1.) Statement respecting Pension Payments, &c., required by section 48 of the Old-age Pensions Act, 1900.

(2.) Statement of Fees and Travelling Allowances paid to Members of the Parliamentary Standing Committee on Public Works from August, 1888, to June, 1904, and of estimated cost of the Committee's investigations in regard to proposed public works since the passing of the Public Works Act.

Referred by Sessional Order to the Printing Committee.

Mr. Wade laid upon the Table,—Report by the Comptroller-General of Prisons on Prisons, Reformatories, Asylums, and other Institutions visited by him in Europe and America.

Referred by Sessional Order to the Printing Committee.

Mr. Moore laid upon the Table,—Report of the Stock Branch of the Department of Mines and Agriculture for the year 1903.

Referred by Sessional Order to the Printing Committee.

6. LIBRARY AND ART GALLERY AMENDMENT BILL (*Formal Motion*):—Mr. Carruthers, on behalf of Mr. Dick, moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Library and Art Gallery Act, 1899.

Question put and passed.

7. COAL MINES REGULATION (INSPECTION) BILL (*Formal Motion*):—

(1.) Mr. Moore moved, pursuant to Notice, That leave be given to bring in a Bill to amend section 47 of the Coal Mines Regulation Act, 1902.

Question put and passed.

(2.) Mr. Moore then presented a Bill, intituled "A Bill to amend section forty-seven of the Coal Mines Regulation Act, 1902,"—which was read a first time.

Ordered to be printed, and read a second time To-morrow.

8. METROPOLITAN WATER AND SEWERAGE ACTS AMENDMENT BILL (*Formal Motion*):—Mr. Lee moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Metropolitan Water and Sewerage Acts, 1880-1889, and the Metropolitan Water and Sewerage Act Extension Act of 1894; to amend the law relating to water supply, sewerage, and drainage; and for purposes consequent thereon or incidental thereto.

Question put and passed.

9. NAVIGATION (AMENDMENT) BILL (*Formal Motion*):—Mr. Carruthers, on behalf of Mr. Dick, moved, pursuant to Notice, That leave be given to bring in a Bill to amend the Navigation Act of 1901 by providing for issue of regulations.

Question put and passed.

10. POSTPONEMENT:—The Order of the Day for the second reading of the Presbyterian Church Property Consolidation Bill (*Council Bill*) postponed until Tuesday, 15th November.11. PRECEDENCE OF BUSINESS ON TUESDAYS—ADDITIONAL SITTING DAY (*Sessional Order*):—Mr. Carruthers moved, pursuant to Notice,—

(1.) That during the remainder of the present Session, unless otherwise ordered, on Tuesday in "each" week General Business shall take precedence of Government Business until 7 o'clock, p.m., and after that hour Government Business only shall be dealt with.

(2.) That during the remainder of the present Session, unless otherwise ordered, Friday in each week shall be a sitting day, and Government Business only shall be dealt with. The House shall meet at 1:30 p.m., and shall adjourn at 6 o'clock, p.m. If the House be in Committee, the Chairman shall, at five minutes to 6 o'clock, p.m., precisely, leave the Chair, report progress, and ask leave to sit again on the next sitting day.

Debate ensued.

Mr. Cohen moved, That the Question be amended by inserting after the word "each" in paragraph (1), the word "alternate"

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

Debate continued.

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

The House divided.

Ayes, 58.

Mr. Hogue,
Mr. Moore,
Mr. Crick,
Mr. Jessep,
Mr. Carruthers,
Mr. Law,
Mr. Lee,
Mr. Dick,
Mr. Wade,
Mr. Ashton,
Mr. Fegan,
Mr. O'Connor,
Mr. Nabbs,
Dr. Arthur,
Mr. Alan Millard,
Mr. Booth,
Mr. W. Millard,
Mr. Winchcombe,
Mr. Fallick,
Mr. Levy,

Mr. Cohen,
Mr. Nielsen,
Mr. Thomas,
Mr. McCoy,
Mr. Kearney,
Mr. Reynoldson,
Mr. Charlton,
Mr. Mabony,
Mr. Nicholson,
Mr. Davidson,
Mr. Latimer,
Mr. Downes,
Mr. Fell,
Mr. Henley,
Mr. Walter Anderson,
Mr. R. J. Anderson,
Mr. McGarry,
Mr. W. W. Young,
Mr. Donaldson,
Mr. Edden,

Mr. Holman,
Mr. Briner,
Mr. O'Sullivan,
Mr. Smith,
Mr. Gillies,
Mr. Wood,
Mr. Collins,
Mr. Perry (*L'pool Plains*),
Mr. Perry (*The Richmond*),
Mr. McFarlane,
Mr. Waddell,
Mr. J. H. Young,
Mr. John Hurley,
Mr. Mackenzie,
Mr. Storey,
Mr. McGowen.

Tellers,
Mr. Broughton,
Mr. Eden George.

Noes, 12.

Mr. Hollis,
Mr. Burgess,
Mr. Daley,
Mr. Cann,
Mr. Scobie,
Mr. Macdonell,
Mr. Gardiner,
Mr. Sullivan,
Mr. Bennett,
Mr. Meehan.

Tellers,
Mr. McNeill,
Mr. Estell.

And so it was resolved in the affirmative.

Question,

12th October, 1904.

Question then as amended,—

(1.) That during the remainder of the present Session, unless otherwise ordered, on Tuesday in each alternate week General Business shall take precedence of Government Business until 7 o'clock, p.m., and after that hour Government Business only shall be dealt with.

(2.) That during the remainder of the present Session, unless otherwise ordered, Friday in each week shall be a sitting day, and Government Business only shall be dealt with. The House shall meet at 1:30 p.m., and shall adjourn at 6 o'clock, p.m. If the House be in Committee, the Chairman shall, at five minutes to 6 o'clock, p.m., precisely, leave the Chair, report progress, and ask leave to sit again on the next sitting day,—put.

The House divided.

Ayes, 57.

Mr. Hogue,	Mr. Ashton,	Mr. Holman,
Mr. Moore,	Mr. Cann,	Mr. Briner,
Mr. Crick,	Mr. Nielsen,	Mr. McGowen,
Mr. Jessep,	Mr. Thomas,	Mr. Smith,
Mr. Carruthers,	Mr. McCoy,	Mr. Gillies,
Mr. Law,	Mr. Kearney,	Mr. Wood,
Mr. Lee,	Mr. Reynoldson,	Mr. Collins,
Mr. Wade,	Mr. Charlton,	Mr. Perry (<i>L'pool Plains</i>),
Mr. Fegan,	Mr. Mahony,	Mr. Perry (<i>The Richm'd</i>),
Mr. Eden George,	Mr. Nicholson,	Mr. J. H. Young,
Mr. O'Connor,	Mr. Latimer,	Mr. John Hurley,
Mr. Broughton,	Mr. Downes,	Mr. Mackenzie,
Mr. Nobbs,	Mr. Fell,	Mr. O'Sullivan,
Dr. Arthur,	Mr. Henley,	Mr. Storey,
Mr. Alan Millard,	Mr. Walter Anderson,	Mr. Dick.
Mr. Booth,	Mr. R. J. Anderson,	<i>Tellers,</i>
Mr. W. Millard,	Mr. McGarry,	
Mr. Winchcombe,	Mr. W. W. Young,	Mr. Cohen,
Mr. Fallick,	Mr. Donaldson,	Mr. Davidson.
Mr. Levy,	Mr. Edden,	

Noes, 11.

Mr. Hollis,
Mr. Burgess,
Mr. McNeill,
Mr. Daley,
Mr. Scobie,
Mr. Macdonell,
Mr. Meehan,
Mr. Estell,
Mr. Bennett.

Tellers,

Mr. Gardiner
Mr. Sullivan.

And so it was resolved in the affirmative.

12. WAYS AND MEANS (*Financial Statement*):—The Order of the Day having been read,—on motion of Mr. Carruthers, 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.

13. CENTENARY PARK SALE BILL:—Mr. Carruthers moved, pursuant to Notice, for leave to bring in a Bill to authorise the sale or leasing of certain lands vested in the Chief Minister by the Centenary Celebration Act; to amend the said Act; and for purposes consequent thereon or incidental thereto. Question put and passed.

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

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 16.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 13 OCTOBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker :—

- (1.) Government Savings Bank Bill :—

HARRY H. RAWSON,
Governor.

Message No. 18.

In accordance with the provisions contained in the 46th 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 constitute and regulate and provide for the management of the Government Savings Bank of New South Wales ; to authorise the said Bank to receive deposits, borrow moneys, and make loans and investments ; to provide that the repayment of such deposits shall be guaranteed by the Government ; to repeal the Acts dealing with the Savings Bank of New South Wales, and dealing with the Government Savings Bank and with advances to settlers ; for the transfer of certain assets, liabilities, and powers of or connected with those institutions to the bank constituted by this Act ; to amend the Acts dealing with Crown lands ; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 13th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

- (2.) Stamp Duties (Amendment) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 19.

In accordance with the provisions contained in the 46th 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 impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 13th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

2. CLAIMS AGAINST THE GOVERNMENT AND CROWN SUITS (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 Claims against the Government and Crown Suits Act, 1897,"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 12th October, 1904.

F. B. SUTTOR,
President.

13th October, 1904.

3. QUESTIONS :—

(1.) Charges against the Rev. Mr. Zillman under the Marriage Act :—*Mr. Nielsen*, for Mr. Sullivan, asked the Attorney-General and Minister of Justice,—

(1.) Is it a fact that Senior-sergeant Hector McLean investigated, in May and June last, certain gross irregularities in connection with marriages celebrated by the Rev. Mr. Zillman ; if so, what has become of that report so far investigated ?

(2.) Is it true that, from information received, the Registrar-General requested and received a further report from another person, confirming the previous allegations of violation of the Marriage Act by Rev. Mr. Zillman ?

(3.) In view of this being of vital importance to the welfare of the public, and to the proper administration of the Marriage Act, will he state why no prosecution has taken place before this ?

Mr. Wade answered,—This matter is under investigation, but it will embarrass the Crown if information with regard to it be given now.

(2.) Hawkesbury Agricultural College :—Mr. Briner asked the Secretary for Mines,—

(1.) Is he aware that about 100 applicants are awaiting admission to the Hawkesbury Agricultural College ?

(2.) Is he aware that until further accommodation is provided no more students can be admitted ?

(3.) Why has the work of erecting additional accommodation been stopped ?

(4.) Will he arrange at once for the carrying out of the work, and give applicants who are waiting a chance to profit by the experience to be gained at this institution ?

Mr. Moore answered,—

(1.) Eighty applicants are awaiting admission to the Hawkesbury Agricultural College.

(2.) No more students can be admitted until vacancies occur. In January next there will be vacancies for thirty students.

(3.) It appears that authority was given by my predecessor to get in the foundations of another wing (the west), to provide accommodation for twenty-five students, but beyond this no provision was made for carrying out the work.

(4.) The matter is under consideration.

(3.) Pine Ridge Land Exchange :—Mr. Perry (*Liverpool Plains*) asked the Secretary for Lands,—

(1.) Has the Pine Ridge exchange yet been completed ; if not, how much more time will elapse ?

(2.) Has any proposal been made for the disposal of the surrendered lands, when the exchange has been completed ?

(3.) Can a date be fixed when this land will be available for settlement ?

Mr. Ashton answered,—

(1.) The exchange has been completed.

(2.) Two farms, comprising 10,618 acres, became available for settlement lease on 29th September, 1904, and both farms have been selected. It has been decided to make 700 acres in the Cassilis Land District available for conditional purchase or conditional lease. The disposal of the balance awaits a recommendation from the District Surveyor, which is now being obtained.

(3.) The 700 acres in the Cassilis Land District will become available on 17th November, 1904. The District Surveyor at Dubbo has been asked to expedite his report as to the disposal of the balance.

(4.) Mr. E. J. McIntosh, late Acting Stock Inspector at Mungindi :—Mr. Jones asked the Secretary for Mines,—

(1.) On what date was Acting Stock Inspector E. J. McIntosh, stationed at Mungindi, dismissed from the Service ?

(2.) What reason was assigned for his dismissal ?

(3.) What were the charges made against Acting Stock Inspector McIntosh, and by whom were they made ?

(4.) What officer inquired into those charges, and was an opportunity given McIntosh of replying to the charges ; if not, why not ?

(5.) How many times during Acting Stock Inspector McIntosh's employment at Mungindi did the Supervising Inspector visit that place, and on what dates were those visits, if any, made ?

(6.) On what date was Acting Stock Inspector McIntosh's place filled, and who succeeded him ?

(7.) On what date did Acting Stock Inspector McIntosh's successor apply for the position, and where was it dated from ?

Mr. Moore answered,—

(1.) It was the intention of the Department to relieve Assistant E. J. McIntosh of his duties on the 22nd May, 1904. He, however, ceased of his own accord on the 15th May, 1904.

(2, 3, and 4.) The Supervising Inspector visited Mungindi, and found matters there in a very unsatisfactory state. On receipt of his report that the Acting Inspector and his Assistant, Mr. McIntosh, had, in his opinion, proved themselves unfitted for the positions, it was decided to dispense with their services. It is considered of the greatest importance that the work of the Border should be entrusted to officers in whom the Department can place implicit confidence.

(5.) Twice : March, 1902, and February, 1904.

(6.) 20th May, 1904, by Assistant A. H. Toes.

(7.) A general application for employment as a boundary rider was received, dated 20th March, 1904, from Mr. McIntosh's successor, from Bullamon, who was selected from a number of applicants on account of his excellent references.

13th October, 1904.

- (5.) Stock (Tick) Offices at Mungindi, Goondiwindi, and Texas :—Mr. Jones asked the Secretary for Mines,—
- (1.) What has been the cost to this State of the Stock (Tick) Office at Mungindi, during the years 1901-2, 1902-3, 1903-4?
 - (2.) Similar information regarding the offices at Goondiwindi and Texas?
 - (3.) Was any casual or extra labour engaged between January, 1903, and May, 1904; if so, at what cost to this State?
 - (4.) Has any casual or extra labour been engaged since 1st June, 1904; if so, at what cost to this State?
 - (5.) Was any allowance made for forage to officers stationed at Mungindi during the years 1901-2-3-4; if so, what are the particulars thereof?
- Mr. Moore answered,—
- (1.) Mungindi, 1901-2, £730 11s. 7d.; 1902-3, £728 10s. 4d.; 1903-4, £688 19s. 2d.
 - (2.) Goondiwindi, 1901-2, £917 12s. 5d.; 1902-3, £873 3s. 10d.; 1903-4, £875 3s. Texas, 1901-2, £689 7s. 5d.; 1902-3, £714 18s. 10d.; 1903-4, £698 16s. 9d.
 - (3.) No.
 - (4.) Yes, £2 6s.
 - (5.) Yes. Acting Inspector Collman, £1 10s. per month from April to November, 1902; Assistant Inspector Robertson, £1 per month from September to November, 1902; Assistant Inspector James, £1 per month from September to November, 1902; Assistant Inspector McIntosh, £1 per month from March to November, 1902.
- (6.) Roads in the Wellington Road District :—Mr. Thrower asked the Secretary for Public Works,—
- (1.) The amount voted on Schedule of last year's Estimates for roads in the Wellington Road District?
 - (2.) The amount spent during that year on the scheduled roads of that district?
- Mr. Lee answered,—There is no Wellington Road District. Wellington is included in the Dubbo Road District.
- (7.) Roads in the Dubbo Road District :—Mr. Thrower asked the Secretary for Public Works,—
- (1.) The amount voted on Schedule of last year's Estimates for roads in the Dubbo Road District?
 - (2.) The amount spent during that year on the scheduled roads of that district?
- Mr. Lee answered,—
- (1.) £3,660.
 - (2.) £3,254 14s. 2d.
- (8.) "Prince of Wales" Hotel :—Mr. Daley asked the Secretary for Public Works,—
- (1.) How was the "Prince of Wales" Hotel, George-street, built, by contract or day labour?
 - (2.) If by contract, who was the contractor, the amount of his tender, and the actual cost to completion?
 - (3.) What was the original departmental estimate, and did the actual cost exceed such estimate?
- Mr. Lee answered—
- (1.) The basement was built by day labour and the superstructure by contract.
 - (2.) Messrs. Baldwin Brothers had the contract for the superstructure for £11,798. The cost of some additional works have not yet been determined.
 - (3.) Original estimate, £14,278; cost of basement, £2,192 18s. 11d.; contract amount, £11,798; total, £13,990 18s. 11d.
- (9.) Inquiries by Police with regard to Firms and Shopkeepers :—Mr. Oakes asked the Colonial Secretary,—
- (1.) Is he aware that the police have received instructions from the Crown Solicitor's Office to inquire into the quality and quantity of business done by firms and shopkeepers, their reputed financial standing, whether they are the owners of real and personal estate, and whether they occupy their present residences as tenants or lodgers?
 - (2.) For what purposes are these inquiries made?
 - (3.) Will he give instructions to have these inquiries stopped?
- Mr. Hogue answered,—When the Crown Solicitor has occasion to sue any person for a debt due to the Crown, he (following a practice of long standing) causes such inquiries as are mentioned in the Question to be made by the police and a confidential report furnished to him, so that he may decide whether it is advisable to incur the costs of legal proceedings.
- (10.) Ocean Beach Foreshores, Merewether Estate :—Mr. Estell, for Mr. Edden, asked the Secretary for Lands,—
- (1.) Has any report been received from the District Surveyor at Maitland regarding the Ocean Beach foreshores fronting the Merewether Estate, Merewether, Newcastle?
 - (2.) If so, what is the nature of the report?
- Mr. Ashton answered,—A report was furnished on the 15th August, 1904, by the District Surveyor regarding the occupation of the foreshore in question, embracing the 100-foot reservations from high-water mark in A. W. Scott's and James Mitchell's grants. The papers were, on the 27th September, 1904, forwarded to the District Surveyor in connection with instructions which were on that date issued to the local surveyor, pursuant of *Gazette* notice of 21st September, 1904, to take formal possession, on behalf of the Crown, of the lands comprised in the reservations.
- (11.) Chief Clerk, Industrial Arbitration Office :—Mr. Daley asked the Attorney-General and Minister of Justice,—
- (1.) Is it a fact that the office of Chief Clerk in Arbitration was abolished on the 31st December last, on the ground that there was no further need for the office?
 - (2.) Is it now proposed to re-establish the office; and, if so, why?
- (3.)

13th October, 1904.

- (3.) What duties did the late Chief Clerk perform ?
 (4.) How many summonses under the respective provisions of the Arbitration Act have been sent out since the legislation has been in operation ?
 (5.) What number of Industrial Unions have been registered in each of the financial years of the administration ?
- Mr. Wade answered,—
 (1 and 2.) On the position becoming vacant it was decided, as an experiment, not to give the title of Chief Clerk to the newly appointed officer. It has now been decided to confer that title upon him, but his salary will be much less than that previously paid.
 (3.) The usual duties of Chief Clerk of a Clerical Staff, and the carrying out, subject to the directions and approval of the Registrar, of work in connection with the registration of Industrial Unions and the conduct of Court process.
 (4.) 439 summonses under section 12 for recovery of contributions ; 457 summonses generally, including summonses to recover penalties, &c., and to enforce awards of the Court.
 (5.) From 1st January to 30th June, 1902, 196 ; 1902-3, 41 ; 1903-4, 17 ; since June, 1904, 4.
- (12.) Housing of the Poor:—Mr. O'Sullivan asked the Colonial Treasurer,—Does his Government propose to deal with the question of the better housing of the poor in this or the next Session ; if not, will his Government give the Member for Belmore an opportunity of legislating on the matter as soon as is convenient ?
- Mr. Carruthers answered,—The question cannot be dealt with this Session owing to the pressure of financial business. In recess the matter will be fully considered in the light of all procurable information, which will be collected. The Government has no objection to the Honorable Member doing anything as a private Member to advance a fuller understanding and consideration of the matter.
- (13.) Dredging Operations at the Entrance to Coastal Rivers:—Mr. McFarlane asked the Secretary for Public Works,—
 (1.) Is he aware that the dredge " Antleon " is unable to satisfactorily carry out necessary work in improving the entrances to the different coastal rivers ?
 (2.) Is it his intention to make provision on the next Loan Estimates for an amount to cover the cost of procuring a dredge of similar design to the " Antleon," so that navigation will not be impeded ?
- Mr. Lee answered,—
 (1.) Yes.
 (2.) The matter will have to wait over until the Cabinet determines what amount will be submitted to Parliament on the Loan Bill.
- (14.) Dredging Operations on the Clarence River:—Mr. McFarlane asked the Secretary for Public Works,—In view of the shoaling of the channel in various parts of the Clarence River, will he place in commission some of the dismantled dredges so that necessary works can be carried out as speedily as possible ?
- Mr. Lee answered,—I cannot give a definite reply until the Vote for the Dredge Service has been passed.
- (15.) Forestry Bill:—Mr. McFarlane asked the Secretary for Lands,—Is it his intention to introduce and, if possible, pass a Forestry Bill this Session ?
- Mr. Ashton answered,—The importance of the matter is fully recognised, and as soon as possible the Bill will be proceeded with.
- (16.) Registration of Dogs in Rabbit-infested Districts:—Mr. Waddell asked the Colonial Secretary,—In view of the fact that dogs are much used by the farmers in the destruction of rabbits, will he give orders to the police not to enforce registration and the payment of fees in rabbit-infested districts ?
- Mr. Hogue answered,—Instructions have been given from time to time that the Dog Act is not to be rigorously enforced in country districts where settlers must keep dogs as a protection from vermin ; but that in towns and adjacent main roads, where dogs are a nuisance and a source of danger to the public, the Act must be enforced.
- (17.) Harbour Trust and " Rocks " Resumptions:—Mr. Broughton asked the Colonial Treasurer,—
 (1.) Is it a fact, that the " Rocks " Resumption and Harbour Trust properties are administered by different Departments ?
 (2.) Is it a fact that each Department has a separate staff of mechanics and workshops to maintain the same ?
 (3.) Will the Government make inquiries with a view of effecting economy by placing the two Departments under one system of management ?
- Mr. Carruthers answered,—
 (1.) The " Rocks " Resumption and Harbour Trust properties are administered by the Premier and Colonial Treasurer, the business in connection with the former being carried out by the Resumed Properties Branch and with the latter by the Harbour Trust.
 (2.) Yes.
 (3.) Yes.

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- (18.) **Manufacture of Jams, &c., Hawkesbury Agricultural College**:—Mr. Broughton asked the Secretary for Mines,—
- (1.) Is it a fact that the Government have been requested to erect a plant at the Hawkesbury Agricultural College to manufacture jams and fruit syrups?
 - (2.) Is it also a fact that the Government have been urged to communicate with the Commonwealth Government, urging a duty on imported fruits?
- Mr. Moore answered,—
- (1.) No.
 - (2.) No.
- (19.) **Newcastle Sewerage Scheme**:—Mr. Estell, for Mr. Edden, asked the Secretary for Public Works,—
- (1.) How many men were employed on the Newcastle and District Sewerage Scheme up to the 8th instant?
 - (2.) Have any instructions been issued for more men to be employed on the above works?
- Mr. Lee answered,—
- (1.) Twenty-eight.
 - (2.) Yes.
- (20.) **Clothing Supplied to the Government**:—Mr. Thrower asked the Colonial Treasurer,—Will he arrange for a test of the quality of the clothing supplied to the Government by contract and the State Clothing Factory, respectively?
- Mr. Carruthers answered,—There is no objection to this test, which will be arranged for.
4. **CASE OF HENRY HARDING, W. S. STEAD, and OTHERS—CERTIFICATE OF TITLE**:—Mr. Hollis presented a Petition from Robert Hamilton, of Penrith, and John Hamilton, of Wentworthville, representing that the House had appointed a Select Committee to inquire into and report upon the grievances of Henry Harding, William Stephen Stead, and others in connection with Certificate of Title, volume 61, folio 224, dated 4th February, 1868; and praying to be represented by Counsel or Attorney, or in person, before such Committee, with right to call, examine, and cross-examine witnesses.
- Petition received.
Ordered to be referred to the Select Committee.
5. **INFANT PROTECTION BILL**:—Mr. Brinsley Hall presented a Petition from Residents of Lawson and District, praying that the House will, at the earliest possible date, pass into law the Infant Protection Bill, which Petitioners believe will much lessen the heavy mortality among infants, and will throw upon fathers of illegitimate children some fairer proportion of their responsibilities.
- Petition received.
6. **PAPERS**:—
- Mr. O'Connor laid upon the Table,—Report of the Trustees of the Australian Museum for the year 1903.
Referred by Sessional Order to the Printing Committee.
- Mr. Lee laid upon the Table,—Return to an Order, made on 6th October, 1904,—“Gustave Fischer, formerly Electrical Engineer, Tramway Construction Branch.”
Referred by Sessional Order to the Printing Committee.
- Mr. Wade laid upon the Table,—Report of the Public Service Board for the year 1903.
Referred by Sessional Order to the Printing Committee.
7. **PRINTING COMMITTEE**:—Mr. McFarlane, as Chairman, brought up the Third Report from the Printing Committee.
8. **GOVERNMENT SAVINGS BANK BILL (Formal Motion)**:—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to constitute and regulate and provide for the management of the Government Savings Bank of New South Wales; to authorise the said bank to receive deposits, borrow moneys, and make loans and investments; to provide that the repayment of such deposits shall be guaranteed by the Government; to repeal the Acts dealing with the Savings Bank of New South Wales, and dealing with the Government Savings Bank, and with advances to settlers; for the transfer of certain assets, liabilities, and powers of or connected with those institutions to the bank constituted by this Act; to amend the Acts dealing with Crown lands; and for purposes consequent thereon or incidental thereto.
- Question put and passed.
9. **BOROUGH OF WOLLONGONG LOAN VALIDATION BILL (Formal Motion)**:—Mr. Lee moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to validate certain loans made to the Council of the Borough of Wollongong, and to enable it to borrow £8,000 to repay a prior loan.
- Question put and passed.
10. **MUNICIPALITIES BUILDING BILL (Formal Motion)**:—Mr. Henley moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to regulate, outside the City of Sydney, the construction, repair, and alteration of buildings, and the sewerage and drainage of buildings and areas; to provide that buildings shall be safe and fit for use; to deal with ruinous and dangerous buildings; to regulate the laying out and disposal of land for building purposes; to amend the Municipalities Act of 1897, the Nuisances Prevention Act of 1897, the Police Offences Act of 1901; and for purposes consequent thereon or incidental thereto.
- Question put and passed.

13th October, 1904.

11. EXPENDITURE OF UNCLASSIFIED ROAD VOTE IN EACH ELECTORATE (*Formal Motion*):—Mr. J. H. Young moved, pursuant to Notice, That there be laid upon the Table of this House a return showing the amount spent from the Unclassified Road Vote of the Public Works Department for year ending 30th June last, in each electorate then existing.
Question put and passed.
12. RESERVE No. 32-558 (*Formal Motion*):—Mr. J. H. Young moved, pursuant to Notice, That there be laid upon the Table of this House copies of all applications, reports, minutes, plans, and other documents relating to the proposed sale by auction of Reserve No. 32-558, notified 20th April, 1902.
Question put and passed.
13. BUNNERONG FARM, OR REFUGE FOR OLD MEN (*Formal Motion*):—Mr. Fallick moved, pursuant to Notice, That there be laid upon the Table of this House a return showing,—
(1.) The cost of all buildings and fixtures, including electric light and telephone, places of amusements, and improvements of every kind since its inception, of the Bunnerong Farm or Refuge for Old Men.
(2.) The actual returns from the same to date.
Question put and passed.
14. POSTPONEMENT:—The Order of the Day for the second reading of the Public Service Employees Appeal Bill postponed until Tuesday, 1st November.
15. MINERS' ACCIDENT RELIEF (VALIDATING) BILL:—Mr. Moore moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to validate the appointment of certain officers of the Miners' Accident Relief Board; and to validate the acts and appointment of certain Committees purporting to be constituted under the provisions of the Miners' Accident Relief Act, 1900.
Question put and passed.
16. WAYS AND MEANS (*Financial Statement*):—The Order of the Day having been read,—on motion of Mr. Carruthers, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.
Mr. Speaker resumed the Chair; and Mr. Jessep, Temporary Chairman, reported progress, and obtained leave to sit again.
17. HENRY WAITE BEQUEST BILL:—The Order of the Day having been read,—Mr. Dick moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Dick, 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 Mr. Jessep, Temporary Chairman, reported the Bill, without amendment.
On motion of Mr. Dick, the report was adopted.
Ordered, That the Bill be read a third time To-morrow.
18. TREASURY INDEMNITY BILL:—The Order of the Day having been read,—Mr. Dick 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. Dick, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, without amendment.
On motion of Mr. Dick, the report was adopted.
Ordered, That the Bill be read a third time on Tuesday next.
19. METROPOLITAN WATER AND SEWERAGE ACTS AMENDMENT BILL:—The Order of the Day, for the consideration in Committee of the Whole, of the expediency of bringing in this Bill, having been read,—
Mr. Carruthers moved, That the Order of the Day be discharged.
Debate ensued.
Question put and passed.
20. LIBRARY AND ART GALLERY AMENDMENT BILL:—
(1.) The Order of the Day having been read,—on motion of Mr. Dick, 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 Library and Art Gallery Act, 1899.
Mr. Speaker resumed the Chair; and the Chairman 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:—
Resolved,—That it is expedient to bring in a Bill to amend the Library and Art Gallery Act, 1899.
On motion of Mr. Dick, the resolution was read a second time, and agreed to.
(2.) Mr. Dick then presented a Bill, intituled "A Bill to amend the Library and Art Gallery Act, 1899,"—which was read a first time.
Ordered to be printed, and read a second time on Tuesday next.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

13th October, 1904.

21. COAL MINES REGULATION (INSPECTION) BILL:—The Order of the day having been read,—Mr. Moore moved, That this Bill be now read a second time.
Debate ensued.

And the House continuing to sit after Midnight,—

FRIDAY, 14 OCTOBER, 1904, A.M.

Question put and passed.

Bill read a second time.

On motion of Mr. Moore, 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 Temporary Chairman reported the Bill, without amendment.

On motion of Mr. Moore, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

22. SPECIAL ADJOURNMENT:—Mr. Carruthers (*by consent*) moved, without Notice, That this House at its rising This Day do adjourn until Tuesday next.
Question put and passed.

23. ADJOURNMENT:—Mr. Carruthers moved, That this House do now adjourn.
Debate ensued.
Question put and passed.

The House adjourned accordingly, at eighteen minutes after Twelve o'clock, a.m., until *Tuesday next*, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 17.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 18 OCTOBER, 1904.

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

CLAIMS AGAINST THE GOVERNMENT AND CROWN SUITS (AMENDMENT) BILL :—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 20.

A Bill, intituled "*An Act to amend the Claims against the Government and Crown Suits Act, 1897,*"—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 His 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.

State Government House,
Sydney, 18th October, 1904.

2. QUESTIONS :—

(1.) Crown Lands, Central Division :—Mr. Collins asked the Secretary for Lands,—

(1.) Has he read the Petition presented by Mr. Collins to the House, containing 285 signatures of Crown Tenants, Homestead Selectors, and Conditional Purchasers of the Central Division, setting forth the following facts :—(a) That for years past the occupants of Crown lands in the extreme portions of the Central Division, contiguous to the Western Division, have laboured under serious difficulties, and have been subjected to the same trials and disabilities as the Pastoral Lessees in the Western Division ; (b) That in addition to the climatic disadvantages imposed upon the landholder in the Western Division, the Crown tenant in this portion of the Central Division has been retarded by the insufficient areas allotted to the Conditional Purchaser and Settlement Lessee, and the excessive capital value placed upon the land ; (c) That under the present conditions of area, and subject to the present valuation of Crown lands, it is impossible for the holders of Crown lands, whether as Conditional Purchase and Lease, or as Settlement Lease, or under any other form of tenure, to profitably occupy the Crown lands in those districts ; (d) That in the past the occupant of Crown lands in this part of the State has been paying a sum for the purchase or occupation by him of such lands altogether disproportionate to that paid in other more favoured districts, and one that precluded the possibility of the successful and profitable use of the land ?

(2.) In view of these facts, and seeing that it is in the interests alike of the State and the State tenant that the land should be disposed of upon more favourable terms, will he take steps to appoint a Royal Commission to inquire into and report upon :—(a) The value that should be placed upon the Crown lands in the extreme portions of the Central Division of the State ; (b) the rents at present paid by the Crown tenant, and the basis upon which such rents are calculated ; (c) whether the areas hitherto made available for settlement lease are sufficient to enable the holder to maintain and educate his family ; (d) what steps should be taken to ameliorate the conditions under which the landholders at present labour.

Mr. Ashton answered,—

(1.) The Petition referred to has not been received in my Department. I believe it is the property of the Legislative Assembly.

(2.) In view of the concessions and alleviatory provisions of the Crown Lands Acts, there does not appear to be any necessity to appoint a Royal Commission, as suggested by the Honorable Member. Settlement Leases and Conditional Leases can be extended on application up to a term of forty years. Reappraisalment is provided for in all cases. The fullest opportunity for extension to a

18th October, 1904.

living area is given under the existing law, either by additional application when land is available or by amalgamation of existing holdings. In other words, the holders of land held under residential tenure in the Central Division have the same advantages as the holders of land under similar tenure in the Western Division. Provision exists in the Western Lands Act for the extension of the term of Improvement Leases beyond twenty-eight years; but it is not deemed expedient to make provision for extending the term of such leases in the Central Division at the present juncture.

- (2.) Steam Tugs out of Commission :—*Mr. Broughton*, for *Mr. Henley*, asked the Secretary for Public Works,—How many steamers (if any) suitable for tug service are at present out of commission, and where are they laid up?

Mr. Lee answered,—One at Newcastle, one at Manning River, one at Richmond River, one at Macleay River.

- (3.) *Mr. J. C. Thornton*, late Clerk of Petty Sessions at Lithgow :—*Mr. John Hurley* asked the Attorney-General and Minister of Justice,—Has he any objection to lay upon the Table of this House all papers and documents in connection with the resignation of *Mr. James Charles Thornton* from the office of Clerk of Petty Sessions at Lithgow in 1903, together with his application for six months' leave of absence and medical certificates relative thereto?

Mr. Wade answered,—These papers should be moved for in the usual way.

- (4.) Brewers' License Fees :—*Mr. John Hurley* asked the Colonial Treasurer,—

(1.) Is it a fact that all brewers in the State pay the Commonwealth Government the sum of £25 license fee, of which sum a refund is made to the State of £18 5s.?

(2.) Is it a fact that the State exacts a license fee of £20 independent of the above?

(3.) Is it the intention of the Government to remedy this grievance, and will a refund be made; if so, when?

Mr. Carruthers answered,—

(1.) Brewers are required to pay to the Commonwealth Government, in terms of the Beer Excise Act, a license fee of £25. No direct refund of any part of this fee is made to the State, although possibly some part of it may be included in the Surplus Customs Revenue returned monthly to the State.

(2.) Under the State Liquor Act of 1898, brewers have to pay a license fee, £30 for the city, or £20 for the suburbs or country.

(3.) Refunds of portion of the State fees will be allowed (in fact, the majority of brewers have already had refunds) in all cases of fees payable up to the 31st December, 1903; but in view of the decision of the High Court establishing the absolute legality of the State license, no refunds of fees payable subsequent to that date can be granted.

- (5.) Department of Lands :—*Mr. Broughton* asked the Secretary for Lands,—

(1.) Is it a fact that reports have been furnished to the effect that some hundreds per annum could be saved, and greater efficiency secured, if the Branch of the Department of Lands at the Treasury was transferred to the Head Office?

(2.) Is it a fact that there is considerable overlapping in connection with the Land Records, owing to the existence of what are practically branches of the Department of Lands at the Treasury and the Audit Office?

(3.) Will he ascertain whether economy cannot be effected in the direction indicated?

Mr. Ashton answered,—

(1.) Assuming that reference is made to the proposed amalgamation of the Lands Accounts in the Treasury with the administrative work by the Department of Lands, the Honorable Member is informed that a report was furnished on the 18th March, 1897, by a Committee appointed for the purpose.

(2.) The report shows that overlapping, to some extent, did exist. There is still some overlapping.

(3.) Another Committee has the matter actively before them with a view to simplifying procedure and effecting economy.

- (6.) State Clothing Factory :—*Mr. Storey* asked the Colonial Treasurer,—In view of the State Clothing Factory being worked at considerable loss to the ratepayers (according to the Balance Sheet laid upon the Table of this House), will he consider the advisability of having the factory closed, so that economy may be practised and private enterprise relieved from this competition?

Mr. Carruthers answered,—This matter is about to form the subject of an inquiry by the Public Service Board.

- (7.) Case of *Dr. F. W. Marshall* :—*Mr. Moxham* asked the Attorney-General and Minister of Justice,—

(1.) Was a verdict of wilful murder brought in against *Dr. Frederick William Marshall*, at Liverpool, during the month of May last?

(2.) Did the then Attorney-General refuse to file a bill against the said *Frederick William Marshall*?

(3.) If so, will he lay all papers in connection with the case upon the Table of this House?

Mr. Wade answered,—

(1.) Yes.

(2.) The Solicitor-General declined to proceed.

(3.) I beg to point out to the Honorable Member that papers having reference to the administration of justice may be asked for only by Address to the Governor.

- (8.) Fire Insurance Premiums :—*Mr. Arthur Griffith* asked the Colonial Treasurer,—What was the total sum paid during the last financial year in fire insurance premiums by (a) the Government of the State; (b) the Railway Commissioners?

Mr. Carruthers answered,—This information should be moved for in the form of a return. It will take some time to prepare, as a reference will be necessary to various Departments for the particulars.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

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- (9.) Carriage of Newspapers on Railways :—Mr. Arthur Griffith asked the Colonial Treasurer,—
- (1.) Is it not a fact that the legal rate for the carriage of bulk parcels of newspapers on the railways of this State is a quarter parcels rates?
 - (2.) Is it not also a fact that on more than one occasion he stated publicly that the action of the late Government in enforcing the payment of this rate was an attempt to “gag” the Press?
 - (3.) Is it his intention to take steps to relieve the newspaper proprietors from the payment of the aforesaid rate?
- Mr. Carruthers answered,—
- (1.) Yes.
 - (2 and 3.) This matter has not yet engaged attention. No intention exists to deal with the matter at present.
- (10.) Retaining Fees paid to Barristers, Department of Lands :—Mr. W. W. Young asked the Secretary for Lands,—Will he furnish a return showing what retaining fees are paid by his Department, and the amount paid to each recipient?
- Mr. Ashton answered,—The only retaining fees paid by the Department of Lands are to Mr. Hanbury Davies, who receives £550 per annum as standing counsel to the Lands Department and for the Crown before the Land Appeal Court, and £250 per annum as standing counsel for the Western Land Board. He receives travelling expenses of £1 per day when he goes into the country on Land Appeal Court business, together with railway fare. If he has to take any case before a country Land Board, he is entitled to a fee of £5 5s. per day and £1 per day travelling expenses, together with railway fare. His retaining fee covers the cost of opinions to the Lands Department.
- (11.) Retaining Fees paid to Barristers, Department of the Attorney-General and of Justice :—Mr. W. W. Young asked the Attorney-General and Minister of Justice,—Will he furnish a return showing what retaining fees are paid by his Department, and the amount paid to each recipient?
- Mr. Wade answered,—During the financial year 1st July, 1903, to 30th June, 1904, the following retaining fees were paid :—Sir Julian Salomons £5 15s. 6d.; Mr. C. B. Stephen, £28 1s. 6d.; Mr. W. Edmunds, £1 3s. 6d.
- (12.) Road Votes :—Mr. Davidson asked the Secretary for Public Works,—
- (1.) What amount was voted by Parliament in 1902–3 and 1903–4 for scheduled roads in each road district?
 - (2.) How much was expended for each of the above years in these road districts?
- Mr. Lee answered,—This information cannot be given in the form of an answer, but a return will be prepared and laid upon the Table of this House at an early date.
- (13.) Land for Settlement on Burburgate :—Mr. Collins asked the Secretary for Lands,—When will the Burburgate surrendered lands be made available for settlement?
- Mr. Ashton answered,—There are about 19,543 acres of surrendered land, and also vacant Crown lands, on the holding and adjoining holdings for disposal. The instruments of surrender have been lodged, and accepted by the Minister, and are now with the Registrar-General for registration. The land will be made available early in December.
3. CASE OF HENRY HARDING, W. S. STEAD, AND OTHERS—CERTIFICATE OF TITLE :—Mr. Hollis presented a Petition from William Stephen Stead, of Annandale, representing that the House had appointed a Select Committee to inquire into and report upon the grievances of Henry Harding, William Stephen Stead, and others, in connection with Certificate of Title, volume 61, folio 224, dated 4th February, 1868; and praying to be represented by Counsel or Attorney, or in person, before such Committee, with right to call, examine, and cross-examine witnesses.
- Petition received.
Ordered to be referred to the Select Committee.
4. PAPER :—Mr. Lee laid upon the Table,—Report of the Department of Public Works for the year ended 30th June, 1904.
Referred by Sessional Order to the Printing Committee.
5. PAWNBROKERS (AMENDMENT) BILL (*Formal Motion*) :—Mr. Daley moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to regulate the payment of interest to pawnbrokers; and to amend the Pawnbrokers Act of 1902.
Question put and passed.
6. LICENSING OF MONEY-LENDERS AND REGISTRATION OF TIME-PAYMENT AGREEMENTS BILL (*Formal Motion*) :—Mr. Nielsen moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the licensing of money-lenders; regulating the interest charged by them; and to provide for the registration of time-payment agreements and leases of personalty.
Question put and passed.
7. WORKMEN'S COMPENSATION BILL (*Formal Motion*) :—Mr. Levy moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to make better provision for the payment of compensation to workmen for accidental injuries suffered in the course of their employment; to amend the Employers' Liability Act, 1897; and for purposes consequent on, or incidental to, those objects.
Question put and passed.
8. TREASURY INDEMNITY BILL (*Formal Order of the Day*),—on motion of Mr. Dick, read a third time, and passed.
Mr. Dick then moved, That the Title of the Bill be “*An Act to indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons, in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts.*”
Question put and passed.

Ordered,

18th October, 1904.

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 indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons, in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 18th October, 1904.*

9. COAL MINES REGULATION (INSPECTION) BILL (*Formal Order of the Day*),—on motion of Mr. Moore, read a third time, and *passed*.

Mr. Moore then moved, That the Title of the Bill be "*An Act to amend section forty-seven of the Coal Mines Regulation Act, 1902.*"

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 section forty-seven of the Coal Mines Regulation Act, 1902,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 18th October, 1904.*

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

(1.) Mines Inspection Amendment Bill (No. 2) ; second reading. [*Mr. Cann*] ;—until Tuesday, 15th November.

(2.) Municipalities Building Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to regulate, outside the City of Sydney, the construction, repair, and alteration of buildings, and the sewerage and drainage of buildings and areas ; to provide that buildings shall be safe and fit for use ; to deal with ruinous and dangerous buildings ; to regulate the laying out and disposal of land for building purposes ; to amend the Municipalities Act of 1897, the Nuisances Prevention Act of 1897, the Police Offences Act of 1901 ; and for purposes consequent thereon or incidental thereto. [*Mr. Henley*] ;—until Tuesday, 29th November.

11. SUSPENSION OF STANDING ORDERS :—

(1.) Mr. Norton moved, That it is a matter of urgent necessity that so much of the Standing Orders be suspended as would preclude the consideration forthwith of a motion for the adjournment of the House, under the 49th Standing Order, in reference to the necessity of dealing with the Unemployed. Question put and passed.

(2.) Mr. Norton then moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of a motion for the adjournment of the House, under the 49th Standing Order, in reference to the necessity of dealing with the Unemployed.

Debate ensued.

Question put and passed.

12. ADJOURNMENT :—Mr. Speaker stated that he had received from the Honorable Member for Surry Hills, Mr. Norton, a Notice, under the 49th Standing Order, that he desired to move the adjournment of the House, to discuss a definite matter of urgent public importance, viz. :—"The distress and "destitution at present prevailing among the Unemployed."

And the motion for the adjournment of the House being supported by five other Honorable Members,—

Mr. Norton moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

13. PAPER :—Mr. Lee laid upon the Table,—Return showing amounts outstanding in respect of Contracts, Engagements, and Liabilities, and Revenue uncollected as at 29th August, 1904.

Referred by Sessional Order to the Printing Committee.

14. ANCIENT LIGHTS DECLARATORY BILL :—The Order of the Day having been read,—on motion of Mr. Cohen, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

15. LANDLORD AND TENANT (SECURITY OF TENURE) BILL :—The Order of the Day having been read,—on motion of Mr. Arthur Griffith, 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 Landlord and Tenant Act of 1899, with a view to providing security of tenure for the occupiers of premises used for any trade or business.

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

16. POSTPONEMENT :—The Order of the Day for the second reading of the Fruit Pests and Diseases Bill postponed until Tuesday, 15th November.

17. ADJOURNMENT :—Mr. Ashton moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

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

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 18.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 19 OCTOBER, 1904.

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

QUESTIONS :—

(1.) Careless Use of Firearms :—*Mr. Kelly*, for Mr. Daley, asked the Colonial Treasurer,—

(1.) Has his attention been called to the numerous fatal accidents caused by the careless use of firearms ?

(2.) Will he consider the advisability of imposing a gun tax, in order to mitigate this evil ?

Mr. Carruthers answered,—I fear that a gun tax will not cure the evil of carelessness in the use of firearms. There are a few general rules observed by experienced and prudent men in regard to the carrying of loaded weapons, which might well be taught in our schools and colleges, and I will see that they are prepared and printed for use in that way.

(2.) Local Government Commissioners :—*Mr. Kelly*, for Mr. Daley, asked the Colonial Treasurer,—

(1.) Will he state what are the objects the Government has in view in regard to its proposal to appoint Commissioners in connection with Local Government ?

(2.) Has the Government in view any particular persons to appoint as Commissioners for purposes connected with Local Government ?

(3.) Will he give his assurance to the House that the Local Government Bill will be placed on the Table in a complete form in the first week of the next Session ?

Mr. Carruthers answered,—

(1.) When the Bill is introduced I will explain the object.

(2.) I have no person in view as Commissioner.

(3.) The full Local Government Bill may probably be laid upon the Table of Parliament this Session, as it is now being drafted.

(3.) Police Officers over Retirement Age :—*Mr. Nobbs*, for Mr. Broughton, asked the Colonial Secretary,—

(1.) Will he give the names of Police Officers over the age of 60 ?

(2.) Will he direct that they be retired, according to section 21 of the Police Regulation Act, to give younger men a chance of advancement ?

(3.) Has he any objection to officers over 60 years of age, and who have completed thirty years' service, being allowed to retire ?

Mr. Hogue answered,—The Inspector-General of Police has furnished the following answers :—

(1.) Superintendents N. Larkins, R. F. Creaghe, Martin Brennan, S. J. Cotter, R. Latimer, R. Barry ; Inspectors D. Carroll and J. Robinson ; Sub-Inspectors F. Fowler, A. Strachan, T. Parker, J. McKeague, M. D'Arcy, H. Bragg, and J. K. Broderick.

(2.) It is not desirable, in the public interest, to compulsorily retire all members of the force on attaining the age of 60 years.

(3.) The present state of the fund will not permit of all officers over the age of 60 years being retired on pension. If it were decided to do so, it would be necessary to increase the present vote of £16,000 for the payment of pensions.

(4.) Murray River Waters :—*Mr. Estell*, for Mr. Holman, asked the Colonial Treasurer,—In the event of action being taken in the High Court, as threatened by the South Australian Government against the Government of Victoria for the use of the water of the tributaries of the Murray for irrigation purposes, will he take steps to have New South Wales made a party to the proceedings, in order that the interests of this State may be protected ?

Mr.

19th October, 1904.

Mr. Carruthers answered,—There is too serious a question involved for me to hastily commit myself or this State to litigation with other States. I am hopeful that, by discussion and consultation with the other State Premiers, a basis to settle the riparian rights of the States of Victoria, South Australia, and New South Wales can be arrived at.

(5.) Old-age Pension Boards :—Mr. Fallick asked the Colonial Treasurer,—

(1.) Is it the duty of Old-age Pension Boards to go round from place to place and take evidence in all cases on oath as to the *bona fide* of an applicant for an old-age pension ; if so, is it done in all cases, and if not, why not ; and what districts, if any, are exempt ?

(2.) Is it true that Old-age Pension Boards have granted pensions in cases that have been reported against by the police, when their grounds for objection have been that the income of the applicant is at present larger than the amount of the pension ?

Mr. Carruthers answered,—

(1.) Their duties are not as indicated, but they are given very wide powers for the investigation of claims. The Chairman, as Police Magistrate, visits various parts of the district, and every facility is given to claimants to place evidence before him when so doing. The Boards do not travel, nor is it intended that they should do so, as the cost would be out of all proportion to any advantage gained, with the means of inquiry at their disposal.

(2.) The Central Board is not aware of any such cases.

(6.) State Insurance :—Mr. O'Sullivan asked the Colonial Treasurer,—

(1.) Is he aware that in Germany 10,500,000 men and women are insured against sickness, 17,500,000 against accident, and 13,500,000 against invalidism ?

(2.) In view of the foregoing evidences of the success of State insurance in Germany, will he, during the recess, consider the desirableness of establishing a system of State insurance in New South Wales ?

Mr. Carruthers answered,—

(1.) I am aware that a system of insurance against sickness and accident exists in Germany and other parts of the world.

(2.) The question raised by the Honorable Member is too important to be answered without mature consideration. The whole subject of State relief to indigent persons, and State pensions, will receive my early attention.

(7.) Merewether Sewerage Works :—Mr. O'Sullivan asked the Secretary for Public Works,—

(1.) Is he aware that, owing to the dangerous and unhealthy character of the employment, it was decided that sewer miners should not be allowed to work more than six hours per day ?

(2.) Is he also aware that on the Merewether Sewerage Works sewer miners are now working eight hours per day ?

Mr. Hogue answered,—

(1.) Yes, when working in tunnels or in shafts 65 feet or over.

(2.) Six hours only are being worked by miners when tunnelling, but eight hours are worked when scabbling, to which class of work the decision does not apply.

(8.) Site for Market at the Haymarket :—Mr. O'Sullivan asked the Colonial Treasurer,—

(1.) Will he lay upon the Table of this House a copy of the deed of grant of a site for the market at the Haymarket, made to the Sydney Municipal Council ?

(2.) Will he also withhold his reply to the Sydney Municipal Council's request for a Bill to grant leave to sell the site of the market above referred to until he has received a deputation from those who are opposed to the removal of the Markets ?

Mr. Carruthers answered,—

(1.) Yes.

(2.) The matter will be carefully considered in all its aspects before the Government decides on any course of action.

(9.) Sunday Trading :—Mr. O'Sullivan asked the Attorney-General and Minister of Justice,—

(1.) Is he aware that one Magistrate has fined offenders against the Sunday-trading laws 1s., while another Magistrate is fining similar offenders £3 ?

(2.) Will he consider the desirableness of remitting a portion of the higher fines ?

Mr. Wade answered,—

(1.) No. My attention has not previously been drawn to this matter.

(2.) Any application for remission of fine that may be made by a party concerned will be dealt with on its merits in the usual manner.

(10.) Darling Harbour and "Rocks" Resumptions :—Mr. John Hurley, for Mr. Latimer, asked the Colonial Treasurer,—

(1.) Will he state the years when, and the various sums borrowed for the resumptions at Darling Harbour and the "Rocks" ?

(2.) How much of these sums has been applied in payment of such resumptions ?

(3.) Will he state (in round numbers) how many claims have been lodged for payment in connection with the above, and how many claims have been paid in cash, and to what amount ?

(4.) How many claims remain unpaid, and to what sum do they amount ?

(5.) Will he state how much of the total amounts borrowed for the purposes aforesaid has been applied to other purposes ?

(6.) Have any sums borrowed for other purposes been applied in payment of the aforesaid resumption claims ; if so, how much ?

Mr. Carruthers answered,—I will lay the answer upon the Table in the form of a return.

(11.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

19th October, 1904.

(11.) Steam Yacht "Ena":—Mr. Henley asked the Secretary for Public Works,—

- (1.) How much was paid for the steam yacht "Ena"?
- (2.) From whom was she purchased?
- (3.) What amount has been expended on her since she was purchased?

Mr. Hogue answered,—

- (1.) £2,000.
- (2.) Mr. T. A. Dibbs.
- (3.) Total expenditure to date, exclusive of purchase-money, but including maintenance, working, and repairs, £5,347 18s. 2d.

(12.) Survey of Vessels:—Mr. Henley asked the Colonial Treasurer,—

- (1.) What was the number of vessels, and their total tonnage, surveyed during the last three years of the old Marine Board?
- (2.) The same information for the first three years under the Department of Navigation?
- (3.) The number of men employed and the total salaries paid for each period, separately?
- (4.) The number of lives lost in the vessels surveyed during each respective period?
- (5.) The cost in connection with Courts of Marine Inquiry, including witnesses' expenses, Counsels' fees, fees to Assessors, &c., during each respective period?

Mr. Carruthers answered,—The information covers a considerable period, and will take some time to prepare. It will, however, be laid upon the Table in the form of a return, if moved for in the usual way.

(13.) Information from Income-Tax Returns respecting Incomes:—Mr. Levy asked the Colonial Treasurer,—

- (1.) Will he give the name or names of the officials who supplied the late Colonial Treasurer, Mr. Waddell, with particulars of the income-tax returns of the leading barristers practising in this State, as used by Mr. Waddell in his speech on the 13th instant?
- (2.) Did these officials take the oath of secrecy prescribed by the regulations under the Land and Income Tax Act, and was their attention drawn to section 7 of the Act?
- (3.) If so, since the supplying of this information cannot be said to be "authorised by law for the purpose of carrying into effect the provisions of the Act," does the Colonial Treasurer intend to take action in the matter?

Mr. Carruthers answered,—The Commissioners of Taxation state that no such particulars have ever been furnished by their Department.

(14.) Inquiries by Police with regard to Firms and Shopkeepers:—Mr. Oakes asked the Colonial Secretary,—In reference to the answer given, that the police only make inquiries into the financial position of persons whom the Crown Law Department wish to sue,—Is it not a fact that inquiries are also made by the police into the financial standing, business done, property owned, &c., of persons in this State for the information of the Income Tax Department?

Mr. Hogue answered,—Occasionally the Taxation Commissioners obtain confidential information from public officers, including the police, to enable them to test the returns furnished to them.

(15.) Draughtsmen Imported by the Railway Commissioners:—Mr. Hollis asked the Colonial Treasurer,—

- (1.) What amounts were paid as fares, travelling expenses, and salaries in connection with the two draughtsmen imported by the Railway Commissioners from England?
- (2.) What will be the total cost of these two officers from date of engagement to termination of the contract?
- (3.) Do the terms of the contract provide for a free passage back to England, if desired by them?
- (4.) What later designs have these two officers introduced, and how do such designs compare as to cost and utility with those hitherto in operation in the Department?
- (5.) Have these officers been engaged on any special work since their engagement; if so, of what nature?
- (6.) Is it the intention of the Railway Commissioners to offer re-engagement to these officers at termination of their contract of service?
- (7.) If these officers are not re-engaged on termination of their contract, will other draughtsmen be required in their stead; and, if so, is it the intention of the Railway Commissioners to again import draughtsmen from England or elsewhere?

Mr. Carruthers answered,—

- (1.) I am informed their fares, £44 each, were paid from England to this State, in November, 1901.
- (2.) They are paid salaries at the rate of £300 per annum each.
- (3.) No.
- (4 and 5.) The officers in question were not imported to introduce new designs, but they were selected as skilled and experienced draughtsmen.
- (6.) They remain in the Service on the usual terms.
- (7.) Other draughtsmen are not required at present.

(16.) Timber in the Narrabri District:—Mr. Collins asked the Secretary for Lands,—

- (1.) Is he aware that a strip of 10 miles by 5 miles of the best of the ironbark forest in the Narrabri District has been killed through the recent drought?
- (2.) In view of the fact that unless this timber is used up this summer it will be absolutely lost to the State, will he take steps to have some cut by the sleeper-cutters now in the district, with the view of holding same for future requirements should it not be required for immediate use?

Mr.

19th October, 1904.

Mr. Ashton answered,—

- (1.) A report was received from the local District Forester on this matter on 29th May, 1904.
- (2.) It was brought under the notice of the Railway Commissioners, with the result that additional sleeper contracts in the locality were let. If the Railway Department sees its way to obtain further supplies of sleepers in advance of its present requirements, arrangements will be made to have this timber utilised.

2. PAPERS:—

Mr. Ashton laid upon the Table,—

- (1.) *Gazette* Notices setting forth the mode in which it is proposed to deal with the Dedication of certain Lands, under the Crown Lands Acts of 1884 and 1889, and the Public Trusts Act, 1897.
- (2.) Abstract of Crown Lands reserved from Sale for the Preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884.
- (3.) Abstract of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884.
- (4.) Abstract of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884.

Referred by Sessional Order to the Printing Committee.

Mr. Wade laid upon the Table,—Amended Regulation No. 137 under the Public Service Act, 1902.

Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—

- (1.) By-laws of the Municipal District of Katoomba.
- (2.) By-laws of the Municipal District of Lambton, under the Nuisances Prevention Act, 1897, and the Public Health (Night-Soil Removal) Act, 1902.
- (3.) Return to an Order, made on 11th October, 1904,—“Roman Catholic Orphanage at Manly.”

Referred by Sessional Order to the Printing Committee.

Mr. Carruthers laid upon the Table,—

- (1.) Return showing Claims and Payments in connection with the Darling Harbour and “Rocks” Resumptions.
- (2.) Report of the Railway Commissioners on Railways and Tramways for quarter ended 30th September, 1904.

Referred by Sessional Order to the Printing Committee.

- (3.) Statements respecting the Consolidated Revenue and Loan Accounts, comparing the Estimated Expenditure for the year 1904–5 with previous years.

Ordered to be printed.

3. HENRY WAITE BEQUEST BILL (*Formal Order of the Day*),—on motion of Mr. Dick, read a third time, and passed.

Mr. Dick then moved, That the Title of the Bill be “*An Act to authorise the Director of the Government Asylums for the Infirm to pay to the Parramatta District Hospital and the Parramatta Benevolent Society, in equal shares, certain moneys received and receivable by him under the will of the late Henry Waite.*”

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 authorise the Director of the Government Asylums for the Infirm to pay to the Parramatta District Hospital and the Parramatta Benevolent Society, in equal shares, certain moneys received and receivable by him under the will of the late Henry Waite,*”—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 19th October, 1904.*

4. MONEY VOTED AND EXPENDED ON SCHEDULED ROADS IN EACH ELECTORATE (*Formal Motion*):—

Mr. Davidson moved, pursuant to Notice, That there be laid upon the Table of this House a return showing,—

- (1.) The amount of money voted by Parliament for 1902–3 and 1903–4 for scheduled roads in each electorate.
- (2.) The amount of money expended on the scheduled roads in each electorate for the above years.

Question put and passed.

5. DESTITUTE CHILDREN'S SOCIETY VESTING BILL (*Formal Motion*):—

- (1.) Mr. Storey moved, pursuant to Notice, That leave be given to bring in a Bill to invest in the Society for the Relief of Destitute Children certain lands granted by the Crown to the Trustees; and for purposes consequent on, or incidental to, the carrying out of that object.

Question put and passed.

- (2.) Mr. Storey then presented a Bill, intituled “*A Bill to invest in the Society for the Relief of Destitute Children certain lands granted by the Crown to Trustees; and for purposes consequent on, or incidental to, the carrying out of that object,*”—which was read a first time.

Ordered to be printed, and read a second time on Tuesday, 29th November.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

19th October, 1904.

6. CIVIL SERVICE SUPERANNUATION FUND (*Formal Motion*):—Mr. Broughton moved, pursuant to Notice, That there be laid upon the Table of this House a return showing,—
- (1.) The names of Public Servants who called off the late Superannuation Fund in the year 1896 and were dismissed the same year.
 - (2.) The length of service in each case.
 - (3.) The annual salary they were in receipt of at the time of such dismissal.
 - (4.) The names of all who were called off the Fund up to the date of this return still in the Service or transferred to the Federal Government.
 - (5.) The names of the respective Departments to which they are attached, or were attached, at the transfer.
 - (6.) The amount of refund in each case now bearing interest at the rate of 3 per cent. per annum.
 - (7.) The amount of gratuity to be paid or paid in each case.
- Question put and passed.
7. HOUSING OF THE WORKING CLASSES BILL (*Formal Motion*):—Mr. O'Sullivan moved, pursuant to Notice, That leave be given to bring in a Bill to make provision for the better housing of the poorer classes.
- Question put and passed.
8. J. McMAHON AND COMPANY'S RAILWAY CARRYING CONTRACTS (*Formal Motion*):—Mr. Sullivan moved, pursuant to Notice, That there be laid upon the Table of this House all papers concerning the contracts entered into by the Commissioners for Railways with J. McMahon and Company for carrying for the years from 1895 to 1904, together with the list of tenderers, successful and otherwise.
- Question put and passed.
9. NORFOLK ISLAND (*Formal Motion*):—Mr. Jessep moved, pursuant to Notice, That there be laid upon the Table of this House copies of all papers and correspondence received since the 22nd July, 1902, relating—
- (1.) To the imposition of duties upon products imported into this State from Norfolk Island.
 - (2.) Copies of papers and correspondence in connection with the transference of Norfolk Island by the Imperial Government to the Commonwealth or the State of New South Wales.
- Question put and passed.
10. POSTPONEMENTS:—The following Orders of the Day postponed:—
- (1.) Licensing of Money Lenders and Registration of Time-payment Agreements Bill; consideration in Committee of the Whole of the expediency of bringing in a Bill to provide for the licensing of money-lenders; regulating the interest charged by them; and to provide for the registration of time-payment agreements and leases of personalty. [*Mr. Nielsen*];—until Tuesday, 15th November.
 - (2.) Workmen's Compensation Bill; consideration in Committee of the Whole of the expediency of bringing in a Bill to make better provision for the payment of compensation to workmen for accidental injuries suffered in the course of their employment; to amend the Employers' Liability Act, 1897; and for purposes consequent on, or incidental to, those objects. [*Mr. Levy*];—until Tuesday, 22nd November.
11. LEGAL PROCESS FACILITATION 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 make better provision for the issue of legal process; to amend the General Legal Procedure Act, 1902; and for purposes incidental to, or consequent on, the carrying out of the above objects,*"—returns the same to the Legislative Assembly without amendment.
- Legislative Council Chamber,
Sydney, 19th October, 1904.
- F. B. SUTTON,
President.
12. WAYS AND MEANS (*Financial Statement*):—The Order of the Day having been read,—on motion of Mr. Carruthers, 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.
13. PUBLIC WORKS COMMITTEE 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 regulate the meetings of the Public Works Committee and sectional committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such committee for a specified period; to amend the Public Works Act, 1900; and for purposes consequent on, or incidental to, the carrying out of those objects,*"—returns the same to the Legislative Assembly without amendment.
- Legislative Council Chamber,
Sydney, 19th October, 1904.
- F. B. SUTTON,
President.
14. GOVERNMENT SAVINGS BANK BILL:—
- (1.) The Order of the Day having been read,—on motion of Mr. Carruthers, 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 and regulate and provide for the management of the Government Savings Bank of New South Wales; to authorise the said bank to receive deposits, borrow moneys, and make loans and investments; to provide that the repayment of such deposits shall be guaranteed

19th October, 1904.

by the Government; to repeal the Acts dealing with the Savings Bank of New South Wales, and dealing with the Government Savings Bank, and with advances to settlers; for the transfer of certain assets, liabilities, and powers of or connected with those institutions to the bank constituted by this Act; to amend the Acts dealing with Crown lands; and for purposes consequent thereon or incidental thereto.

Mr. Speaker resumed the Chair; and the Chairman 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:—

Resolved,—That it is expedient to bring in a Bill to constitute and regulate and provide for the management of the Government Savings Bank of New South Wales; to authorise the said bank to receive deposits, borrow moneys, and make loans and investments; to provide that the repayment of such deposits shall be guaranteed by the Government; to repeal the Acts dealing with the Savings Bank of New South Wales, and dealing with the Government Savings Bank, and with advances to settlers; for the transfer of certain assets, liabilities, and powers of or connected with those institutions to the bank constituted by this Act; to amend the Acts dealing with Crown lands; and for purposes consequent thereon or incidental thereto.

On motion of Mr. Carruthers, the resolution was read a second time, and (*after debate*) agreed to.

- (2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to constitute and regulate and provide for the management of the Government Savings Bank of New South Wales; to authorise the said bank to receive deposits, borrow moneys, and make loans and investments; to provide that the repayment of such deposits shall be guaranteed by the Government; to repeal the Acts dealing with the Savings Bank of New South Wales, and dealing with the Government Savings Bank, and with advances to settlers; for the transfer of certain assets, liabilities, and powers of or connected with those institutions to the bank constituted by this Act; to amend the Acts dealing with Crown lands; and for purposes consequent thereon or incidental thereto,*"—which was read a first time.

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

15. ADJOURNMENT:—Mr. Carruthers moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly, at Twelve o'clock, midnight, until To-morrow, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 19.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 20 OCTOBER, 1904.

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

SYDNEY HARBOUR RATES BILL:—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker:—

HARRY H. RAWSON,
Governor.

Message No. 21.

In accordance with the provisions contained in the 46th 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 impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates at the said port; to provide for the payment and collection of such rates; to amend the Sydney Harbour Trust Act, 1901, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 20th October, 1904.

Ordered to be referred to the Committee on the Bill.

2. QUESTIONS:—

- (1.) Amounts paid to Messrs. Cardew and Yarwood:—*Mr. Nobbs*, for Mr. Eden George, asked the Colonial Treasurer,—What amounts were paid to Messrs. Cardew and Yarwood last year respectively, and what services were rendered for such amounts?

Mr. Dick answered,—The following amounts were paid to Messrs. Cardew and Yarwood during last financial year, viz.:—Mr. Cardew, £244 12s. 6d., fees for services rendered in the case *Dalton v. Minister for Public Works—Darling Harbour and "Rocks" resumptions*—paid by the Department of the Attorney-General and of Justice; Mr. Yarwood, £408 15s. 10d., fees for services rendered in connection with the examination of books and investigation of the accounts of the Federal and Grafton Bonds, and the Sydney Harbour Trust, paid by the Sydney Harbour Trust.

- (2.) Private Wharves in Port Jackson:—*Mr. McGowen* asked the Colonial Treasurer,—

- (1.) Is it a fact that there are a number of private wharves in Port Jackson on which no wharfage dues are collected by the State?
- (2.) What are the number and names of the owners of these wharves?
- (3.) Can the owners of these wharves lighten other people's goods in the port, and by this method evade payment of wharfage fees?
- (4.) Has the Harbour Trust any jurisdiction over them?

Mr. Dick answered,—

- (1.) Yes.
- (2.) There are forty-four wharves and reclamations used for business purposes, at which wharfage dues cannot at present be collected. In addition, there are a great number of reclamations and wharves held under leases issued by the Lands Department, which could be used for business purposes. Full particulars will be furnished in the shape of a return, if moved for in the ordinary way.
- (3.) Yes.
- (4.) Over the wharves, yes, subject to the existing contracts; over the reclamations, no.

(3.)

20th October, 1904.

- (3.) Renewal of Leases to Shopkeepers at Circular Quay :—Mr. Kelly asked the Colonial Treasurer,—
 (1.) Is it a fact that the Harbour Trust Commissioners refuse to renew the leases to shopkeepers at Circular Quay, unless they consent not to sell tobacco, cigars, and newspapers?
 (2.) Is it a fact that this is done in the interests of the Bookstall Company?

Mr. Dick answered,—

- (1.) No. Upon the expiry of the leases of fruit shops, tenders are invited for fresh leases. The Harbour Trust Commissioners consider it undesirable at Circular Quay to mix the fruit business with the sale of tobacco.
 (2.) No.

- (4.) Contract for Railway and Tramway Uniforms :—Mr. Estell asked the Colonial Treasurer,—
 (1.) Is the successful tenderer for the railway and tramway uniforms identical with the same firm whose clothing was, in 1896 or 1897, condemned on account of the material being moth-eaten and loaded with soap and jute?
 (2.) Did the then Premier, the Honorable G. H. Reid, on retiring from office, leave a minute to the effect that this firm was never to have another contract?
 (3.) Was the same firm's clothing, in July, 1904, for the New South Wales postal uniforms, condemned by the Federal Postal authorities?

Mr. Dick answered,—

- (1.) Messrs. S. Weingott and Sons, Limited, are the contractors for the Supply of Uniform Clothing, to Railway Store samples, for Railways and Tramways during the year 1905, and I am informed that the quality of the material will be closely checked by the responsible Officers of the Railway Commissioners.
 (2.) This firm was disqualified from tendering for Government Contracts in 1896, but the disqualification was afterwards removed in 1898.
 (3.) I am not aware.

- (5.) Haulage of Coal in the Newcastle and Maitland Districts :—Mr. Estell asked the Colonial Treasurer,—

- (1.) What was the total amount earned by the Railway Department in the haulage of coal in the Newcastle District for the year ended 30th June, 1904?
 (2.) What were the earnings per train mile in the haulage of coal in the Newcastle District for the same period?
 (3.) What were the working expenses, under appropriate headings, in connection with the said traffic, and any other expenses, under appropriate headings, properly chargeable to the coal traffic?
 (4.) Similar information in respect to coal traffic from Maitland District to Newcastle?

Mr. Dick answered,— This Question would involve the preparation of voluminous information, which would take considerable time and cost to prepare. It should be moved for as a return.

- (6.) Grant to the late Sir John Lackey, K.C.M.G. :—Mr. John Hurley asked the Colonial Secretary,—
 (1.) Having reference to the sum voted on the last Estimates under the heading, "Grant in recognition of valuable services of Sir John Lackey, K.C.M.G., upon his retirement from the position of President of the Legislative Council," has that sum, or any part thereof, been paid?
 (2.) If so, was the amount paid before the death of Sir John Lackey, and to whom?

Mr. Dick answered,—No portion of the vote of £500 of last year was paid.

- (7.) Brewers' License Fees :—Mr. Waddell asked the Colonial Treasurer,—

- (1.) Did the Federal High Court, on appeal, decide that the State could not compel brewers in New South Wales to take out brewers' licenses?
 (2.) If not, did the Court give any decision in the matter; and, if so, will he indicate the purport of it?

Mr. Dick answered,—

- (1.) No. The decision was exactly the opposite.
 (2.) The Court decided that the brewer's license fee charged under the State Liquor Act of 1898 was perfectly legal; that the Constitution contained no provision whatever for enabling the Federal Parliament to interfere with the internal affairs of the State, or to restrict the powers of the State Parliament in regulating the carrying on of any business, or, if thought fit, its prohibition altogether; that the local statute was not affected by the imposition of uniform duties in the Commonwealth; and, further, that the license fee was not a duty of excise within the meaning of the Commonwealth Constitution Act.

- (8.) Proceedings against Mr. John Leahy, Secretary, Machine Shearers and Shed Employees' Union :—

Mr. Gillies, for Mr. Briner, asked the Colonial Treasurer,—Does the present Government propose to indorse the action of its predecessors in instituting proceedings against Mr. John Leahy, Secretary of the Machine Shearers and Shed Employees' Union, and other gentlemen for refusing to be sworn before and for refusing to attend the sittings of the Royal Commission appointed in February last, to inquire into the formation, constitution, and working of the Machine Shearers and Shed Employees' Union, by continuing an appeal to the High Court against the decision of the Supreme Court of this State?

Mr. Dick answered,—Before this Government came into office, special leave to appeal was obtained (29th June last) from the High Court. On 14th July last the necessary security for costs was given for prosecuting the appeal. As the legal question involved is one of great constitutional importance, the appeal has been allowed to proceed in the usual way.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

20th October, 1904.

(9.) State Labour Board :—Mr. Fallick asked the Secretary for Public Works,—
 (1.) How many men have been engaged by the State Labour Board for the year ending 30th June last?

(2.) Have any men been engaged more than once; if so, how many times?

(3.) What is the total cost of management of the above Institution?

Mr. Ashton answered,—

(1.) Dawes Point Registry (men), 15,731; Trades Hall Registry (men), 1,156; Female Registry (women), 1,457; total, 18,344. The above were all engaged through the Labour Commissioners.

(2.) Yes; but it would be difficult to give the information required except in the form of a return. I might, however, state, for the Honorable Member's information, that 2,567 men were engaged stone-breaking; a number had turns varying from one to a maximum of thirty-four each. The Labour Commissioners inform me that 2,862 jobs were given out, and in most cases the men had only one turn of such work during the year; but the actual figures can be obtained in the Annual Report of the Labour Commissioners which is now in the hands of the Government Printer.

(3.) The total expenditure controlled by the Labour Commissioners and the State Labour Board during last financial year was £10,800 0s. 10d. Of this amount, the Labour Commissioners actually controlled and expended £8,800. It should, however, be borne in mind that £3,019 4s. 10d. of the gross expenditure has been refunded to the Treasury, being refunds on fares, tents, &c., and revenue received from labour farms.

(10.) Contract for Carrying Workmen to Cockatoo Dock :—Mr. McGarry asked the Secretary for Public Works,—

(1.) What amount was paid to the contractor for carrying workmen to Cockatoo Dock by boat in 1902?

(2.) Was the contractor Mr. Thomas Henley?

(3.) Is he identical with the Thomas Henley now a Member of this House?

Mr. Ashton answered,—

(1.) The amount paid for the conveyance of workmen to Cockatoo Dock during 1902 was £820 17s. 6d.

(2.) Yes.

(3.) I believe so.

3. LIQUOR TRAFFIC :—The following Petitions, representing that Petitioners are profoundly impressed with the evils of the present system of licensing the liquor traffic, that the recent election gave a clear mandate in favour of full Local and State Option without compensation, and praying that power be given the electors, by direct voting in every electorate and all over the State, to continue or reduce the number of licenses to sell intoxicating liquor or to have no license, as they may please; that all clubs shall come under the Local Option poll; that Local and State Option polls shall be held simultaneously with every General Election; that in case of a poll being declared void because of any irregularity having occurred, provision shall be made for the taking of another poll; and that the licensing authority in each electorate shall be vested in a Committee to be elected for each electorate by the electors on the Parliamentary rolls thereof at a convenient time after the Local Option polls have been taken,—were presented by the Members named :—

(1.) By Mr. Norton,—From certain residents of Surry Hills.

(2.) By Mr. Jessop,—From certain residents of Waverley.

Petitions received.

4. INFANT PROTECTION BILL :—Mr. Gillies presented a Petition from Members of the Branch of the Women's Political Educational League at Maitland, praying that the House will, at the earliest possible date, pass into law the Infant Protection Bill, which Petitioners believe will much lessen the heavy mortality among infants, and will throw upon fathers of illegitimate children some fairer proportion of their responsibilities.

Petition received.

5. PAPERS :—

Mr. Dick laid upon the Table,—Schedule to the Estimates for 1904–5.

Referred by Sessional Order to the Printing Committee.

Mr. Ashton, on behalf of Mr. Lee, laid upon the Table,—Report of the Completion of the Sydney Water Supply Extensions—Service Reservoir at Mosman.

Referred by Sessional Order to the Printing Committee.

6. ANCIENT LIGHTS DECLARATORY 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 declare the law with respect to ancient lights.*"

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 declare the law with respect to ancient lights,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20th October, 1904.

7. SYDNEY HARBOUR RATES BILL :—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates at the said port; to provide for the payment and collection of such rates; to amend the Sydney Harbour Trust Act, 1901, and the Wharfage and Tonnage Rates Act, 1901 and for purposes consequent thereon or incidental thereto.

Question put and passed.

8.

20th October, 1904.

8. WAYS AND MEANS (*Financial Statement*):—The Order of the Day having been read,—on motion of Mr. Carruthers, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means.

And the Committee continuing to sit after Midnight,—

FRIDAY, 21 OCTOBER, 1904, 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:—

(2.) *Resolved*,—That, towards making good the Supply granted to His Majesty for the Service of the year 1904–1905, there be granted out of the Consolidated Revenue Fund of New South Wales the sum of £985 for Executive Council for the year 1904–1905.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

9. RESCISSION OF ORDER FOR PRINTING:—Mr. Carruthers moved (*by consent*), without Notice, That the order for printing the Papers respecting the selection of a Site for the Seat of the Commonwealth Government, as directed by the Second Report of the Printing Committee, be rescinded so far as relates to the sets of plans of Monaro Sites, prepared by C. R. Scrivener, and of Tumut Sites, by A. H. Chesterman.
Question put and passed.
10. PAPER:—Mr. Carruthers laid upon the Table,—Further paper respecting the selection of a Site for the Seat of the Commonwealth Government—Supplement to Report of Royal Commission on Sites for the Seat of Government of the Commonwealth being a Report on the proposed Site for Federal Capital at Dalgety.
Referred by Sessional Order to the Printing Committee.
11. CENTENARY PARK SALE BILL:—Mr. Carruthers, pursuant to leave granted on 12th October, 1904, presented a Bill, intituled "*A Bill to authorise the sale or leasing of certain lands vested in the Chief Minister by the Centenary Celebration Act; to amend the said Act; and for purposes consequent thereon or incidental thereto*,"—which was read a first time.
Ordered to be printed, and read a second time on Wednesday next.
12. ADJOURNMENT:—Mr. Carruthers moved, That this House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned accordingly, at fifteen minutes before Eight o'clock p.m., until Tuesday next, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 20.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 25 OCTOBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker :—

- (1.) Vote of Credit :—

HARRY H. RAWSON,
Governor.

Message No. 22.

In accordance with the provisions contained in the 46th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the State for the month of November or following month of the Financial Year ending 30th June, 1905.

State Government House,
Sydney, 25th October, 1904.

Ordered to be referred to the Committee of Supply.

- (2.) Treasury Bills Redemption Bill :—

HARRY H. RAWSON,
Governor.

Message No. 23.

In accordance with the provisions contained in the 46th 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 authorise the issue of Treasury Bills for purpose of the redemption of Treasury Bills issued under the Treasury Bills Act of 1899 ; for the application of the moneys raised by such issue ; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 25th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

- (3.) Land and Income Tax (Amendment) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 24.

In accordance with the provisions contained in the 46th 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 provide for the levying and payment of income tax in respect of certain mortgages ; to make better provision for assessing income tax ; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act ; to amend the Land and Income Tax Assessment Act of 1895 ; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 25th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

25th October, 1904.

2. QUESTIONS :—

(1.) Annuities to retiring Civil Servants :—Mr. Broughton asked the Colonial Secretary,—When annuities, to which retiring Civil Servants are entitled, are reduced in consideration of lump-sum payments, from what tables are the reductions estimated?

Mr. Hogue answered,—The Public Service Board have stated that such deductions are estimated from tables based on the H. M. (5) tables of the Institute of Actuaries.

(2.) Renewal of Leases to Shopkeepers on Circular Quay Ferry Wharves :—Mr. Daley asked the Colonial Treasurer,—

(1.) Is it the custom of the Harbour Trust to periodically call for tenders, by advertisement in the daily newspapers, for leases of their shops at the different ferries, Circular Quay?

(2.) By what method did Messrs. Rowlandson & Co. become the sole lessees of the tobacco monopoly at these ferries; were tenders called for; if so, in what newspapers were these tenders invited, and what was the amount of each?

Mr. Carruthers answered,—

(1.) Yes.

(2.) Upon taking over these jetties the Harbour Trust Commissioners found that the New South Wales Bookstall Company had acquired certain rights, including those for the sale of tobacco; consequently tenders were not invited. The Commissioners are of opinion that the sale of tobacco can best be worked in conjunction with the bookstalls and change offices, and they decided some time ago that upon the expiry of the existing contracts, tenders should be invited for these rights.

(3.) Shearers' Accommodation :—Mr. Estell, for Mr. Gardiner, asked the Minister of Public Instruction,—

(1.) Is he aware that there is a large amount of sickness among the shearers and general labourers, due to the insanitary and unsuitable hut accommodation?

(2.) Will he call for a report from the Police, and insist upon the provisions of the Shearers Accommodation Act being enforced in all cases?

Mr. O'Connor answered,—

(1.) I am not aware, and no reports that such is the case have been furnished to me.

(2.) If definite particulars be given of any case requiring attention, the necessary action will be taken without delay. All stations to which the Act applies are reported upon annually, and owners are required to comply with the provisions of the law.

(4.) Amendment of the Old-age Pensions Act :—Mr. Broughton asked the Colonial Secretary,—Will the Government consider the advisableness of so amending the Old-age Pensions Act as to admit of persons who are afflicted with blindness, and who are too old to enter institutions where trades are taught, to participate of its advantages?

Mr. Hogue answered,—The Government does not intend to deal with this matter in piecemeal fashion. An inquiry has been directed into the whole matter of State charity, and until a report is received on the facts, no alteration of the law will be made in any direction.

(5.) New Pig Slaughter-house at Glebe Abattoir—Gratuity to Mr. Inspector Shelley :—Mr. Estell, for Mr. Scobie, asked the Colonial Treasurer,—

(1.) What has been the cost of the new pig slaughter-house at Glebe Abattoir?

(2.) Who designed the plan of same and supervised the erection?

(3.) What gratuity was allowed Mr. Inspector Shelley for his trip to New Zealand?

Mr. Carruthers answered,—

(1.) £1,275.

(2.) Mr. T. H. Houghton.

(3.) £10.

(6.) Bill to amend the Western Lands Act, 1901 :—Mr. Meehan, for Mr. Scobie, asked the Secretary for Lands,—When does he propose introducing the Bill to amend the Western Lands Act, 1901?

Mr. Ashton answered,—The Bill is now in hand, and will be proceeded with as soon as practicable.

(7.) Gratuities payable under the Public Service Act, 1902 :—Mr. Cohen asked the Attorney-General and Minister of Justice,—In calculating the gratuity payable to a person under section 71 (a) of the Public Service Act, 1902, do the Public Service Board take into consideration the whole term of his employment up to the 16th August, 1902?

Mr. Wade answered,—In certain cases the calculation has not been made in the manner indicated. The whole question will, however, shortly be brought before the Cabinet.

(8.) Vote to Art Societies :—Mr. Nobbs, for Mr. Oakes, asked the Minister of Public Instruction,—

(1.) How much money was voted to the Art Societies in the years 1901–2–3?

(2.) How much money was paid in each of the above years out of the money voted?

Mr. O'Connor answered,—

(1.) 1901–2, £800; 1902–3, £950; 1903–4, £400.

(2.) 1901–2, £650; 1902–3, £550; 1903–4, £400.

(9.) Power to Country Municipalities to establish Sale-yards :—Mr. Edden, for Mr. Thomas, asked the Colonial Treasurer,—Is it his intention to introduce a clause in the Local Government Bill, to be introduced early next Session, giving Municipal Councils the power to erect and control cattle sale-yards within their respective areas?

Mr. Carruthers answered,—This matter is receiving consideration.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

25th October, 1904.

3. NAVIGATION AMENDMENT (REGULATIONS) BILL [*heretofore* NAVIGATION (AMENDMENT) BILL]:—Mr. Dick, pursuant to leave granted on 12th October, 1904, presented a Bill, intituled "*A Bill to amend the Navigation Act of 1901, by providing for issue of regulations,*"—which was read a first time. Ordered to be printed, and read a second time To-morrow.
4. PAPERS:—
Mr. Carruthers laid upon the Table,—Correspondence which passed between the Premier and Colonial Treasurer and the Trustees of the Savings Bank of New South Wales with regard to the Government Savings Bank Bill.
Referred by Sessional Order to the Printing Committee.
Mr. Ashton laid upon the Table,—Amended Regulations Nos. 49, 85, 148, 157E, 158, 213, 216, 218, 227, and 295, under the Crown Lands Acts.
Referred by Sessional Order to the Printing Committee.
5. PRINTING COMMITTEE:—Mr. McFarlane, as Chairman, brought up the Fourth Report from the Printing Committee.
6. GRATUITIES AND BONUSES PAID TO OFFICERS IN THE PUBLIC SERVICE (*Formal Motion*):—Mr. Daley moved, pursuant to Notice, That there be laid upon the Table of this House a return showing the gratuities and bonuses paid (from all sources) during the last three years to all officers in the Public Service who are in receipt of salaries from £500 per annum and upwards.
Question put and passed.
7. CASE OF CONSTABLE MICHAEL DALY AND MARY ANN EVERSON (*Formal Motion*):—Mr. Jessep 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 letters and correspondence with reference to the Police Court prosecution in connection with the case of Constable Michael Daly and Mary Ann Everson.
Question put and passed.
8. PROPERTY DETENTION BILL NO. 2 (*Formal Motion*):—Mr. Levien moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the law in relation to detention of goods in respect to time-payment agreements, and to make better provision on the hearing of cases with reference to the detention of property heard before Magistrates, and the amending of the 32nd section of the Police Offences Act of 1901, in respect of balances due on such agreements, and the registration of all time-payment agreements; and also amendment of the Justices Act of 1902.
Question put and passed.
9. EXTENSION OF TRAM SYSTEM FROM HARRIS STREET TO ROZELLE AND BALMAIN:—Mr. Law moved, pursuant to Notice, That, in the opinion of this House, it is desirable that a double line of the electric tram system should be extended from Harris-street along Miller and Bank Streets, across Glebe Island bridge, joining the present system at Evans-street, Rozelle, with a branch line along Mullins and Montague Streets to the Balmain Post Office.
Debate ensued.

And it being seven o'clock, Government Business only proceeded with, under Sessional Order adopted on 12th October, 1904.

10. WAYS AND MEANS:—The Order of the Day having been read,—on motion of Mr. Carruthers; 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:—

STAMP DUTIES (AMENDMENT), 1904.

(4.) *Resolved*,—

(a) There shall be charged, levied, collected, and paid for the use of His Majesty under the provisions of the Stamp Duties Act, 1898, the Stamp Duties Amendment Act, 1900, and this resolution, and to form part of the Consolidated Revenue Fund for and in respect of the instruments hereinafter mentioned, duties of the several amounts and at the several rates therein specified.

	£	s.	d.
Acknowledgment by executor or administrator in lieu of conveyance under section 83 of the Wills, Probate, and Administration Act, 1898	1	0	0
Application to bring land under the Real Property Act or to be registered under that Act as the proprietor of an estate in land where not otherwise liable to stamp duty... ..	1	0	0
Appointment of a new trustee, and appointment in execution of a power of any property or of any use, share, or interest in any property by any instrument not being a will... ..	1	0	0
Contract or agreement to sell, exchange, or transfer any gold-mining or mineral claim, or lease, or mineral conditional purchase. The same duty on the amount or value of the consideration for the sale, exchange, or transfer, as on the consideration for a conveyance or transfer on sale or exchange of such claim or lease.			

25th October, 1904.

Conveyance of any property by way of exchange. Same duty as on conveyance on sale of such property, as assessed under this resolution.

Conveyance of any property by the official assignee to a mortgagee, or disclaimer by the official assignee under the Bankruptcy Act, 1898. The same duty on the amount at which the security has been valued by the mortgagee as on the consideration for a conveyance on sale of such property.

Declaration made in New South Wales under Colonial or Foreign Marine Policy, 3d. for every £100 and fractional part of £100 insured.

Fire policies and renewal receipts for the same, 4d. for every £100 and fractional part of £100 insured.

Foreclosure Order. The same duty to be assessed under these resolutions on the value of the property mortgaged as on the consideration for a conveyance on sale of such land.

Settlement, deed of gift, or voluntary conveyance (not being the appointment merely of a new trustee) of any property. A duty of 1 per centum on the value of the property if it is £1,000 or under, and where such value is over £1,000 the same duty as if the settlement, gift, or conveyance were the will of a person who has died.

(b) Where the consideration or any part of the consideration for a conveyance on sale consists of money payable periodically, the conveyance is to be charged with *ad valorem* duty on the value of the periodical payments, capitalised on the basis of 5 per centum per annum.

(c) Where a person having, before or after the 25th day of October, 1904, contracted for the purchase of any property, but not having obtained a conveyance thereof, contracts to sell the same, and the property is in consequence conveyed immediately to the sub-purchaser, the conveyance shall be charged with *ad valorem* duty in respect of the consideration for the sale to the original purchaser, or in respect of the consideration for the sale by the original purchaser to the sub-purchaser, whichever consideration is the larger.

(d) Where a person having before or after the said day contracted for the purchase of any property, but not having obtained a conveyance, contracts to sell the whole or any part or parts thereof, and the property is in consequence conveyed by the original seller to sub-purchasers in parts or parcels, the conveyance of each part or parcel shall be charged with *ad valorem* duty as assessed by the Commissioner in respect of the consideration moving from the sub-purchaser thereof, or in respect of an amount which bears the same proportion to the consideration for the sale to the original purchaser as the value of such part or parcel bears to the value of the property originally contracted to be sold, whichever amount is the larger.

(e) Where a conveyance is as to the whole or part of the consideration by way of exchange, the Commissioner shall assess the duty payable in respect of the conveyance.

(f) Where the Commissioner is of opinion that the consideration on a conveyance on sale or exchange does not fairly represent the value of the property the subject of the conveyance, he shall assess the said value, and such value as so assessed shall, for the purposes of the Stamp Duties Act, 1898, the Stamp Duties Amendment Act, 1900, and these resolutions, be deemed to have been the consideration for the conveyance.

(g) Where any person, after the said day, makes a voluntary disposition of any property to or for the benefit of a company then formed or to be formed, the instrument by which such disposition is made shall, for the purpose of these resolutions, be deemed a voluntary conveyance of such property.

(h) Where any person makes a settlement, deed of gift, or voluntary conveyance of any property, the commissioner shall assess the duty payable in respect of the instrument.

(i) Where in respect of any contract or agreement to sell, exchange, or transfer a gold-mining or mineral claim or lease or a mineral conditional purchase the consideration or any part of the consideration for the sale, exchange, or transfer consists of any stock or marketable security, such contract or agreement shall be charged with *ad valorem* duty in respect of the value of such stock or security.

(j) Where such consideration or any part thereof consists of any security, not being a marketable security, such contract or agreement shall be charged with *ad valorem* duty in respect of the amount due on the day of the date thereof for principal and interest upon such security.

(k) Where such consideration or any part thereof consists of a debt due to the person to whom the sale, exchange, or transfer is to be made, or the contract or agreement is subject, either certainly or contingently, to the payment or transfer of any money or stock, whether being or constituting a charge or incumbrance upon the claim or lease or conditional purchase, such contract or agreement shall be charged with *ad valorem* duty in respect of the amount of such debt, money, or stock.

(l) Where such consideration or any part thereof consists of shares in a company or association formed or to be formed, the value of such shares shall be taken into account in determining such consideration, and shall be assessed by the Commissioner.

(m) Where the proposed purchaser has paid the said *ad valorem* duty, and before having obtained a conveyance of the claim, lease, or conditional purchase, enters into a contract or agreement for the sale, exchange, or transfer of the same, the contract or agreement shall be charged, if the consideration for that sale is in excess of the consideration for the original sale, with *ad valorem* duty payable in respect of such excess consideration or of the fixed duty of one pound, whichever amount is the larger, and in every other case with the fixed duty of one pound.

(n) Where under this resolution an assessment may be made by the Commissioner of the duty payable on any instrument, the Commissioner may assess the duty on the footing of the value of any property referred to or dealt with in such instrument as stated in any affidavit lodged with

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with him in accordance with the provisions of the said resolution. But if he is dissatisfied with the value stated in such affidavit, or if no affidavit is required to be lodged with him or no affidavit has been lodged with him within the time limited in that behalf, he may cause a valuation of the property to be made by some person appointed by him, and may assess the duty payable on the footing of such valuation.

(5.) *Resolved*,—That towards raising the Supply to be granted to His Majesty,—

(a) Paragraph (a) of subsection two of section forty-nine of the Stamp Duties Act, 1898, shall be deemed to have extended and shall extend to the case where the authority under which the disposal was made was a special or limited power of appointment.

(b) Where, under paragraph (a) or paragraph (b) of subsection two of section forty-nine of the Stamp Duties Act, 1898, as amended by the Probate Duties (Amendment) Act, 1899, duty is payable in respect of a disposal by will, settlement, or voluntary disposition of any estate—

(a) such estate shall, for the purposes of those Acts, be deemed to be the estate of the person dying;

(b) the duty shall be payable by the executor or administrator of the said person;

(c) the duty shall be a charge on the estate.

(c) Where, under subsection two of section forty-nine of the Stamp Duties Act, 1898, as amended by the Probate Duties (Amendment) Act, 1899, duty is payable in respect of any estate, the following provisions shall (except in the case provided for in the last preceding paragraph of this resolution) have effect:—

(a) Every person who, as beneficiary, trustee, or otherwise, acquires possession or assumes the management of any such estate, shall deliver to the Commissioner a full and true account, verified by oath, of such estate.

(b) If the Commissioner is satisfied with the account, or with any amended account made on his requisition, he may assess the duty on the footing of such account, and the duty as so assessed shall be paid.

(c) If the Commissioner is dissatisfied with the account, he may, with the approval of the Colonial Treasurer, cause an account to be taken by some person to be appointed by him in that behalf, and assess the duty on the footing of that account, and the duty as so assessed shall be paid.

(d) The duty shall be a charge on the estate.

(e) For the purpose of assessing the amount of the duty, the estate shall be deemed to be the estate of the person dying.

(d) Subsection two of section one of the Probate Duties (Amendment) Act, 1899, as amended by these resolutions, shall not apply to the estate of a person who dies after the 25th day of October, 1904, domiciled at some place outside the State.

(e) The proviso in subsection two of section one of the Probate Duties (Amendment) Act, 1899, that where the total value of the estate, after deducting all debts which may in pursuance of the Stamp Duties Act, 1898, be deducted, does not exceed £50,000, the duty mentioned in the section shall, in the circumstances therein set forth, be calculated at one-half only of the percentage mentioned in the Schedule to that Act, or so as to charge one-half only of the duty upon certain distributive shares, or upon property devised or bequeathed or otherwise disposed of as therein mentioned, is hereby, with respect to the estate of any person dying after the said day, restricted to the case where the total value of such estate, after deducting all debts which may in pursuance of the Stamp Duties Act, 1898, be deducted, does not exceed £30,000.

On motion of Mr. Carruthers, the resolutions were read a second time, and agreed to.

11. STAMP DUTIES (AMENDMENT) BILL:—

(1.) Ordered, on motion of Mr. Carruthers, that a Bill be brought in, founded on resolutions of Ways and Means (Nos. 4 and 5), to impose certain stamp duties; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900; and for purposes consequent thereon or incidental thereto.

(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to impose certain stamp duties; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900; and for purposes consequent thereon or incidental thereto*,"—which was read a first time.

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

12. MINERS' ACCIDENT RELIEF (VALIDATING) BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Moore, 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 validate the appointment of certain officers of the Miners' Accident Relief Board; and to validate the acts and appointment of certain Committees purporting to be constituted under the provisions of the Miners' Accident Relief Act, 1900.

Mr. Speaker resumed the Chair; and the Chairman 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:—

Resolved,—That it is expedient to bring in a Bill to validate the appointment of certain officers of the Miners' Accident Relief Board; and to validate the acts and appointment of certain Committees purporting to be constituted under the provisions of the Miners' Accident Relief Act, 1900.

On motion of Mr. Moore, the resolution was read a second time, and agreed to.

(2) Mr. Moore then presented a Bill, intituled "*A Bill to validate the appointment of certain officers of the Miners' Accident Relief Board; and to validate the acts and appointment of certain Committees purporting to be constituted under the Miners' Accident Relief Act, 1900*,"—which was read a first time.

Ordered to be printed, and read a second time To-morrow.

25th October, 1904.

13. LIBRARY AND ART GALLERY AMENDMENT BILL:—The Order of the Day having been read,—Mr Dick moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 44.

Mr. Hogue,	Mr. Cohen,
Mr. Wade,	Mr. McLaurin,
Mr. Dick,	Mr. Mahony,
Mr. Nobbs,	Mr. Donaldson,
Mr. Carruthers,	Mr. Sullivan,
Mr. Moore,	Mr. Reynoldson,
Mr. Lee,	Mr. Collins,
Mr. Jessep,	Mr. Jones,
Mr. J. H. Young,	Mr. Crick,
Mr. Ashton,	Mr. O'Sullivan,
Mr. W. W. Young,	Mr. Gardiner,
Dr. Arthur,	Mr. Nicholson,
Mr. Fallick,	Mr. McGarry,
Mr. Booth,	Mr. Davidson,
Mr. Alan Millard,	Mr. Thomas,
Mr. Levy,	Mr. Fell,
Mr. Coleman,	Mr. R. J. Anderson,

Mr. Walter Anderson,
Mr. Ball,
Mr. Law,
Mr. W. Millard,
Mr. O'Conor,
Mr. Moxham,
Mr. Brinsley Hall,
Mr. Perry (<i>L'pool Plains</i>).

Tellers,

Mr. Latimer,
Mr. Winchcombe.

Noes, 15.

Mr. McGowen,
Mr. Nielsen,
Mr. Kelly,
Mr. Wood,
Mr. McFarlane,
Mr. Norton,
Mr. Edden,
Mr. Perry (<i>The Richm'd</i>),
Mr. Arthur Griffith,
Mr. Macdonell,
Mr. Burgess,
Mr. Meehan,
Mr. Charlton.

Tellers,

Mr. Estell,
Mr. Daley.

And so it was resolved in the affirmative.

Bill read a second time.

On motion of Mr. Dick, 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. Dick, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

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

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 21.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 26 OCTOBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker:—

- (1.) Vote of Credit:—

HARRY H. RAWSON,
Governor.

Message No. 25.

In accordance with the provisions contained in the 46th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly that provision be made for defraying the expenses of the various Departments and Services of the State for the months of November and December, or following month of the Financial Year ending 30th June, 1905.

State Government House,
Sydney, 26th October, 1904.

Ordered to be referred to the Committee of Supply.

- (2.) State Debt and Sinking Fund Bill:—

HARRY H. RAWSON,
Governor.

Message No. 26.

In accordance with the provisions contained in the 46th 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 constitute a general sinking fund; to carry to the Consolidated Revenue Fund payments made or to be made to certain accounts and funds; to make better provision for the administration of certain Trust Accounts in the Treasury; to constitute Commissioners to administer the said funds and the said Trust Accounts; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 26th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

2. QUESTIONS:—

- (1.) Amendment of the Old-age Pensions Act:—Mr. Broughton asked the Colonial Secretary,—Will the Government consider the advisableness of providing, in any amendment of the Old-age Pensions Act, that a person who, being not less than 65 years of age, has been a resident of this State for a total period of fifty years, and who shall have resided within the State for at least fifteen years immediately preceding the date of his application, shall be entitled to a pension, notwithstanding his absence from the State of over two years?

Mr. Carruthers answered,—In any amendment of the Old-age Pensions Act that may be proposed, the advisableness of including such a provision will be carefully considered.

- (2.) Crown Lands, Central Division:—Mr. Collins asked the Secretary for Lands,—

(1.) In view of the fact that he does not deem it advisable to appoint a Royal Commission to inquire into the conditions of land settlement in the extreme portions of the Central Division, contiguous to the Western Division, will he take steps to provide for the Western Land Board to adjudicate upon all applications for reappraisalment and increased areas in that portion of the State where the rainfall is similar and the land equal in quality to that in the Western Division, in order that they may be treated on the same basis as the land dealt with by them in that division?

(2.)

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- (2.) If he does not approve of this proposal, will he give instructions to the Local Land Boards in the districts concerned to confer with the members of the Western Land Board with the view of discussing the method adopted by them in dealing with the Western Division lands, and bringing about greater uniformity in the two divisions where similar conditions prevail?
- Mr. Ashton answered,—The matter is being further considered, and the Honorable Member will be communicated with in the course of the next day or two.
- (3.) Crown Prosecutors :—*Mr. Estell*, for Mr. Daley, asked the Attorney-General and Minister of Justice,—
- (1.) Will he state the dates of the appointment of the following Crown Prosecutors :—Messrs. Harris, Armstrong, K.C., W. L. Merewether, A. F. Dawson, R. J. Browning, W. Bevan, and H. Pollock?
 - (2.) Will he state the date on which Mr. Pollock was first appointed to the Public Service?
 - (3.) Will he state the dates on which all the members of the Bar mentioned in the above questions were admitted to the Bar?
 - (4.) Did he offer the appointment of Crown Prosecutor at the Central Criminal Court to any of the Crown Prosecutors before considering the appointment of Mr. Pollock?
- Mr. Wade answered,—I will lay upon the Table of this House a return giving the information required.
- (4.) Rust in Wheat :—*Mr. Perry (Liverpool Plains)* asked the Secretary for Mines,—
- (1.) In view of the fact that the prevalence of rust in the wheat crops of this State was responsible for an enormous loss last season, and with the possibility of a recurrence during the present and following seasons, will he cause to be placed upon the Table of this House all papers in connection with the reported discovery of the cause of rust in wheat, and an absolute remedy for same, by Mr. Sidney Mason, of Gunnedah, offered to the Government?
 - (2.) Will he cause a trial to be held of this reported cure?
- Mr. Moore answered,—
- (1.) There will be no objection to lay the papers on the Table if moved for in the usual way.
 - (2.) Every facility has been offered Mr. Mason to carry out, at the Hawkesbury Agricultural College Farm, experiments or tests with his discovery for making wheats rust-resisting, under certain conditions suggested by the Departmental Wheat Experimentalist.
- (5.) Curlewis-Gilgandra Railway Survey :—*Mr. Perry (Liverpool Plains)* asked the Secretary for Public Works,—Will he cause to be placed on the Estimates a sufficient sum of money to complete the Curlewis-Gilgandra Railway survey?
- Mr. Lee answered,—The completion of this survey must stand over for the present, as the Government does not purpose asking Parliament for any sum for railway surveys this financial year.
- (6.) Advances to Settlers Board :—*Mr. Kelly* asked the Secretary for Lands,—
- (1.) In reference to reply stating amount overdue by settlers to the Advances to Settlers Board, will he, before pressing those owing those amounts, take into consideration the disastrous drought that these settlers have passed through, with a view of preventing their being harshly treated by the Board?
 - (2.) Will he take into consideration a proposal to allow these settlers, say, twelve months' grace in consideration of their being prepared to pay 5 per cent. interest on overdue instalments?
- Mr. Ashton answered,—Each case will be considered on its merits.
- (7.) Forestry Branch :—*Mr. Kelly* asked the Secretary for Lands,—
- (1.) What is the total cost of the Forestry Department?
 - (2.) What is the revenue received?
 - (3.) What proportion of the cost goes to pay foresters and forest guards?
 - (4.) Is any serious attempt being made at reforestation; if so, where?
 - (5.) Will he see that more attention is paid to this section of the Department, to prevent our valuable timber resources being exhausted?
- Mr. Ashton answered,—
- (1.) 1903, £17,079 19s. 8d.
 - (2.) 1903, £36,264 0s. 6d.
 - (3.) Foresters' salaries, £3,839; allowances, £2,065. Forest guards' salaries and allowances, £5,616.
 - (4.) Yes; in connection with improvement leases granted over forest lands throughout the State. Some of the practical results of this work are illustrated in the Annual Report of Forestry, 1903, recently laid upon the Table of Parliament.
 - (5.) When the proposed Forest Bill becomes law, the areas to be retained as natural State forests will be extensively treated in the interests of reforestation.
- (8.) Lamps around Queen's Statue :—*Mr. Kelly* asked the Colonial Secretary,—
- (1.) What are the reasons for not lighting the lamps around the Queen's Statue?
 - (2.) Was the supply cut off on the score of economy?
- Mr. Hogue answered,—
- (1.) If the four gas lamps formerly lighted at Government expense are referred to, the service was discontinued because the statue is now in the centre of a field of three electric lights, which render the gas lamps quite unnecessary.
 - (2.) No; the lighting of the gas lamps was discontinued because they are no longer required.
- (9.) Men Employed at Cataract Dam :—*Mr. Nicholson* asked the Secretary for Public Works,—
- (1.) How many men are employed at Cataract Dam?
 - (2.) How many shifts are being worked?
 - (3.) How many hours do each shift work?
 - (4.) What are the rates of wages paid for the respective classes of workmen?

Mr.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

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Mr. Lee answered,—

(1.) There are 373 men employed according to the last pay-sheet.

(2 and 3.) I will ascertain from the Resident Engineer, and let the Honorable Member have this information.

(4.) Labourers, 7s.; hammer and drill men, 8s. and 9s.; crane-drivers, 9s.; gantry-men, 8s.; engineers, 11s.; fitters, 10s.; engine and cable drivers, 10s.; firemen, 8s.; greasers, 8s.; steersmen, 8s.; blacksmiths, 10s.; tool-sharpeners, 8s. and 9s.; carpenters, 10s. and 11s.; cart, horse, and drivers, 10s. per day.

(10.) Royalty on Coal in the Northern District:—Mr. Charlton asked the Secretary for Mines,—

(1.) What amount of royalty was due to the Mines Department, or Government, for the year ended 30th June, 1904, by coal companies owning collieries in the Northern District, including collieries working in Maitland and South Maitland Districts?

(2.) What was paid for the period named as royalty, including rents or other charges?

Mr. Moore answered,—The information asked for cannot be supplied, owing to the fact that the royalty for the year 1904 is not due until after the 31st December coming. I may add, for the Honorable Member's information, that the royalty which was due up to the 31st December last year has all been collected, amounting to very nearly £30,000. If the Honorable Member wishes to have the exact information in regard to royalty and rents up to the 31st December last year, I shall be glad to supply it to-morrow; but we cannot supply it up to the 30th June, because the royalty is not due until the 31st December.

(11.) Rabbit Pest:—Mr. Broughton asked the Secretary for Lands,—In view of the allegation that rabbits are again overrunning Riverina and other portions of the State, will the Government consider the advisableness of selecting a number of unemployed with a view of giving them a trial to check the spread of the rabbits?

Mr. Ashton answered,—I do not think this course desirable.

(12.) Railway Yard at Eskbank:—Mr. John Hurley asked the Colonial Treasurer,—Is there any foundation in a report that the Railway Commissioners propose to do away with the present arrangements at the Eskbank yard; if so, what are the changes contemplated?

Mr. Carruthers answered,—The Commissioners are in doubt as to what the Honorable Member refers to, and would be glad of further particulars. It is suggested that the Honorable Member should communicate with them.

3. PAPERS:—

Mr. Wade laid upon the Table,—Return respecting the dates of the appointment of certain Crown Prosecutors, &c.

Referred by Sessional Order to the Printing Committee.

Mr. Ashton laid upon the Table,—

(1.) Return of Leases granted under the provisions of section 18 of Crown Lands Act Amendment Act, 1903.

(2.) Notice of intention to declare that an Improvement Purchase, portion 985, parish of Adelong, Land District of Tumut, shall cease to be voidable.

(3.) Particulars of New Leases and Extended Leases granted under the Western Lands Act of 1901, from the 12th to 26th October, 1904.

Referred by Sessional Order to the Printing Committee.

Mr. Carruthers laid upon the Table,—

(1.) Papers relating to the Amalgamation of the Government Savings Bank, the Savings Bank of New South Wales, and the Advances to Settlers Board.

(2.) Report of the Commercial Agent for New South Wales in the East on the Manufacturing Interests and Industrial Development of Japan.

(3.) Report of a Board appointed to inquire into an alleged excessive incidence of Consumptive Disease on the persons employed in the Government Printing Office.

Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—

(1.) By-laws of the Municipal District of Corowa.

(2.) By-law of the Municipal District of Warren.

Referred by Sessional Order to the Printing Committee.

4. SUSPENSION OF STANDING ORDERS (*Formal Motion*):—Mr. Carruthers 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 authorise the issue of Treasury Bills for the purpose of the redemption of "Treasury Bills issued under the Treasury Bills Act of 1899; for the application of the moneys "raised by such issue; and for purposes consequent thereon or incidental thereto," through all its stages in one day.

Question put and passed.

5. WORKS CARRIED OUT BY DAY LABOUR (*Formal Motion*):—Mr. Fallick moved, pursuant to Notice, That there be laid upon the Table of this House a return showing,—(a) the office estimate for all works that have been carried out by day labour, each work separate; (b) the actual cost of all work completed under the same system.

Question put and passed.

6. POSTPONEMENT:—The Order of the Day for the second reading of the Municipal District of Tenterfield Reduced Area Bill postponed until Tuesday, 1st November, 1904.

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7. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) Master in Equity (Deputy) Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 26th October, 1904.

F. B. SUTTON,
President.

(2.) City Bank Act Extension Bill :—

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 City Bank Act, whereby The City Bank of Sydney as thereby incorporated was empowered to make, issue, circulate, and re-issue 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.

Legislative Council Chamber,
Sydney, 26th October, 1904.

F. B. SUTTON,
President.

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

Ordered to be printed, and read a second time To-morrow.

8. TREASURY BILLS REDEMPTION BILL :—

(1.) Mr. Carruthers moved, without Notice, That leave be given to bring in a Bill to authorise the issue of Treasury Bills for purpose of the redemption of Treasury Bills issued under the Treasury Bills Act of 1899 ; for the application of the moneys raised by such issue ; and for purposes consequent thereon or incidental thereto.

Question put and passed.

(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to authorise the issue of Treasury Bills for purpose of the redemption of Treasury Bills issued under the Treasury Bills Act of 1899 ; for the application of the moneys raised by such issue ; and for purposes consequent thereon or incidental thereto,*"—which was read a first time.

Whereupon Mr. Carruthers moved, That the Bill be printed and now read a second time.

Debate ensued.

Question put and passed.

(3.) Bill read a second time.

On motion of Mr. Carruthers, 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. Carruthers, 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. Carruthers, passed.

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to authorise the issue of Treasury Bills for purpose of the redemption of Treasury Bills issued under the Treasury Bills Act of 1899 ; for the application of the moneys raised by such issue ; and for purposes consequent thereon or incidental thereto.*"

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 authorise the issue of Treasury Bills for purpose of the redemption of Treasury Bills issued under the Treasury Bills Act of 1899 ; for the application of the moneys raised by such issue ; and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 26th October, 1904.

9. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Carruthers, 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 His Majesty a sum not exceeding £1,160,000 to defray the expenses of the various Departments and Services of the State during the months of November and December, or following month of the financial year ending 30th June, 1905, to be expended at the rates which are shown on Estimates for the financial year ending 30th June, 1905, as laid on the Table of the House, subject to the rate of any reduction that may hereafter be made in the expenditure of the year 1904–1905.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

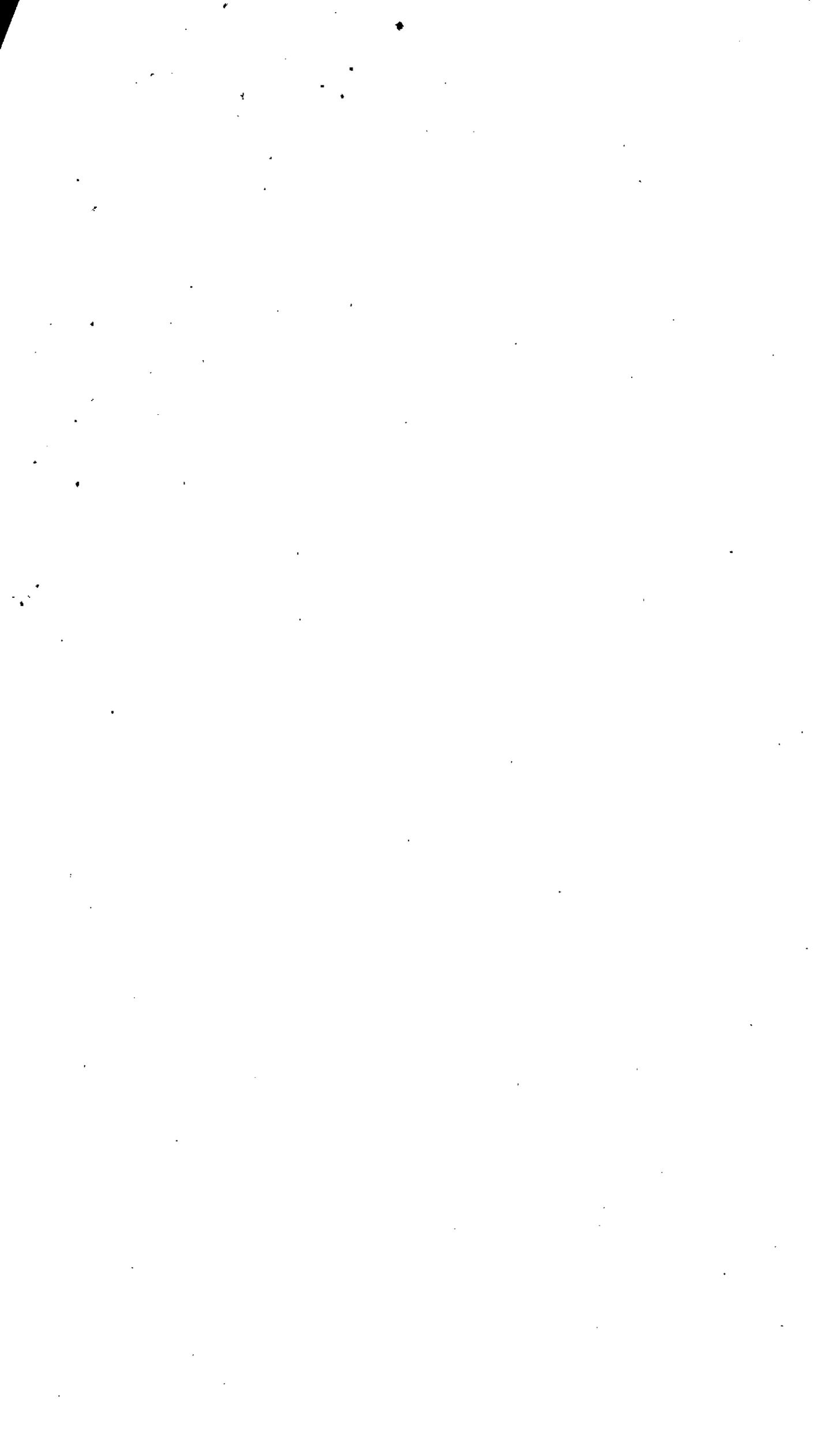
VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

26th October, 1904.

10. **WAYS AND MEANS**:—The Order of the Day having been read,—on motion of Mr. Carruthers, 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:—
(6.) *Resolved*,—That towards making good the Supply granted to His Majesty for the Services of the financial year 1904–1905, the sum of £1,160,000 be granted out of the Consolidated Revenue Fund of New South Wales.
On motion of Mr. Carruthers, the resolution was read a second time, and (after Debate) agreed to.
11. **CONSOLIDATED REVENUE FUND BILL (No. 3)**:—
(1.) Ordered, on motion of Mr. Carruthers, 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 years 1904–1905.
(2.) Mr. Carruthers 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 1904–1905*,”—which was read a first time.
Ordered (after Debate) to be printed, and read a second time To-morrow.
12. **LIBRARY AND ART GALLERY AMENDMENT BILL**:—The Order of the Day having been read,—Mr. Ashton moved, That this Bill be now read a third time.
Question put and passed.
Bill read a third time, and, on motion of Mr. Ashton, passed.
Mr. Ashton then moved, That the Title of the Bill be “*An Act to amend the Library and Art Gallery Act, 1899*.”
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 Library and Art Gallery Act, 1899*,”—presents the same to the Legislative Council for its concurrence.
*Legislative Assembly Chamber,
Sydney, 26th October, 1904.*
13. **MINERS' ACCIDENT RELIEF (VALIDATING) BILL**:—The Order of the Day having been read,—Mr. Moore 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. Moore, 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. Moore, the report was adopted.
Ordered, That the Bill be read a third time To-morrow.
14. **INFANT PROTECTION BILL**:—The Order of the Day having been read,—Mr. Hogue moved, That this Bill be now read a second time.
Debate ensued.
Mr. McGowen moved, That this Debate be now adjourned.
Question put and passed.
Ordered, That the Debate be adjourned until To-morrow.
15. **ADJOURNMENT**:—Mr. Ashton moved, That this House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned accordingly, at twenty minutes after Nine o'clock, until To-morrow, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 22.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 27 OCTOBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker:—

(1.) Legal Process Facilitation Bill:—

HARRY H. RAWSON,
Governor.

Message No. 27.

A Bill, intituled "*An Act to make better provision for the issue of legal process; to amend the General Legal Procedure Act, 1902; and for purposes incidental to, or consequent on, the carrying out of the above objects,*"—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 His 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.

State Government House,
Sydney, 26th October, 1904.

(2.) Public Works Committee Bill:—

HARRY H. RAWSON,
Governor.

Message No. 28.

A Bill, intituled "*An Act to regulate the meetings of the Public Works Committee and sectional committees thereof, and the fees, expenses, and charges payable to its members; to suspend the powers and duties of any such committee for a specified period; to amend the Public Works Act, 1900; and for purposes consequent on, or incidental to, the carrying out of those objects,*"—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 His 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.

State Government House,
Sydney, 26th October, 1904.

(3.) Municipal Loans Validating Bill:—

HARRY H. RAWSON,
Governor.

Message No. 29.

In accordance with the provisions contained in the 46th section of the Constitution Act, 1902, 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 provide for the validation of Municipal Loans; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 24th October, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

2. QUESTIONS:—

(1.) Income Tax Levied on Produce:—Mr. Broughton asked the Colonial Treasurer,—Will he take the opinion of his Attorney General as to whether the Income Tax Commissioners have power to levy taxation on produce such as wool, tallow, hides, skins, grains, &c., produced during any given year, but not sold during that year?

Mr. Carruthers answered,—I will ask the Attorney-General, as desired.

(2.)

27th October, 1904.

- (2.) Dawes Point Reserve:—Mr. Daley asked the Colonial Treasurer,—
- (1.) Has he taken any steps in consequence of Mr. Daley's protestation on the continued closing of the gates by the Military authorities leading to the Dawes Point Reserve?
 - (2.) Is he prepared to assist him in enforcing the people's rights in the event of the military refusing access to the reserve through these gates?

Mr. Carruthers answered,—

- (1.) Yes; I wrote on the 17th instant to the Prime Minister of the Commonwealth, asking that the Brigadier-General be instructed to remove the bars placed on the gates by the Military authorities, and thus afford the public free access to Dawes Point by the old-established existing road.
- (2.) I am taking all necessary steps, and hope to see an amicable settlement arrived at.

- (3.) Shaftesbury Reformatory:—Mr. Kelly asked the Minister of Public Instruction,—

- (1.) What was the original cost of construction of the Shaftesbury Reformatory?
- (2.) What has it cost in repairs since then?
- (3.) Is he aware that this reformatory is now closed?
- (4.) What are his intentions regarding the sale of the buildings?

Mr. Hogue answered,—

- (1.) Erection, £8,236 12s. 1d.; additions, £8,029 12s. 9d.
- (2.) Alterations, repairs, and furniture, £1,602 17s. 7d.
- (3.) Yes.
- (4.) No decision has yet been come to on this subject.

- (4.) Inspectors of Dairies and Stock:—Mr. Gillies asked the Colonial Treasurer,—

- (1.) Are the Inspectors of Dairies and Stock employed by the Public Health Board supposed to devote their whole time to the carrying out of the duties for which they are paid by the Government?
- (2.) Are such Inspectors of Dairies and Stock permitted to practise as Veterinary Surgeons in their respective districts, to the detriment of Veterinary Surgeons outside the Public Service?
- (3.) If not so permitted to practise, will he see that they are notified to the effect that their whole time and attention must be devoted to the purpose for which they are paid, and thus prevent them from entering into competition with the Veterinary Surgeons in their private practice?

Mr. Carruthers answered,—

- (1.) Yes.
- (2.) No; this is unconditionally forbidden by Act No. 31, 1902, section 68, subsection (1) (c).
- (3.) Veterinary officers of the Department of Public Health have been repeatedly instructed that they are not to act, even in their official capacity, to the detriment of private practitioners.

- (5.) Promotions in the Police Force—Police Pensions:—Mr. Dacey asked the Colonial Secretary,—

- (1.) How many vacancies are there at present in the Police Force for the various non-commissioned ranks above that of first-class constable?
- (2.) When were the last promotions made in the non-commissioned ranks?
- (3.) Has the general rule followed in former years regarding the filling up of vacancies in the non-commissioned ranks been departed from; if so, for what reason?
- (4.) Will he approve of payment to such men as may be selected for promotion of the additional amount they would have received to date had they been promoted at the time the vacancy had actually occurred?
- (5.) What is the annual amount each step carries in the non-commissioned ranks?
- (6.) How many Police Officers have been promoted during the present year, and what is the annual amount of the increase to such officers?
- (7.) Has the promotion of any officer during the past twelve months been made retrospective; if so, to what extent, the additional amount paid, and the reason for such consideration?
- (8.) How many of the Police Officers promoted are over 60 years of age, and how will the increase of salary affect their pensions if taken now?
- (9.) Does the same rule with regard to promotions in the Police Force apply equally to the higher and lower ranks?
- (10.) Will he take such steps as he may deem necessary to ensure that all future Police pensions will be paid on the basis of the salary drawn at a period of not less than five years prior to retirement?

Mr. Hogue answered,—The following answers have been furnished by the Inspector-General of Police:—

- (1.) Twenty-four, throughout the whole State.
- (2.) December, 1903.
- (3.) No.
- (4.) No; the increased pay will only be allowed from the date of promotion.
- (5.) First-class Constable to Senior Constable, £9 2s. 6d.; Senior Constable to Sergeant, 2nd class, £22 16s. 3d.; Sergeant, 2nd class, to Sergeant, 1st class, £22 16s. 3d.
- (6.) Eleven. £525 per annum.
- (7.) I am not aware of any such case.
- (8.) Five Superintendents, who were, however, only promoted to higher grades of the same rank. Their pensions will be increased by the amount of additional salary, when they retire.
- (9.) Yes.
- (10.) This is regulated by the provisions of the Police Regulation Act, and the suggestion could not be adopted without special legislation.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

27th October, 1904.

(6.) Travelling Expenses of Judges:—Mr. Waddell asked the Attorney-General and Minister of Justice,—

- (1.) What is the allowance per day (for travelling expenses) given Supreme Court Judges when on Circuit?
- (2.) What is the allowance per day to District Court Judges for travelling expenses?

Mr. Wade answered,—The Honorable Member's attention is invited to the reply given by me to Question asked by the Honorable Member for Raleigh on this subject on the 12th instant.

(7.) Building Erected near Government Boat-sheds, George-street North:—Mr. John Hurley, for Mr. Latimer, asked the Colonial Treasurer,—

- (1.) By whom, and when, was the large building with the tall chimney-stack erected near the Government boat-sheds, George-street North?
- (2.) For what purpose was it erected?
- (3.) Has such purpose been carried out?
- (4.) Is the building being used, and for what?
- (5.) What was the total cost of the building, including the value of the site?

Mr. Lee answered,—I have called for a report to embrace answers to the Honorable Member's Questions, which I will lay upon the Table of this House next sitting day.

(8.) Royalty on Coal in the Northern District:—Mr. Charlton asked the Secretary for Mines,—

- (1.) What amount of royalty was due to the Mines Department or Government for the year ended 31st December, 1903, by coal companies owning collieries in the Northern District, including collieries working in Maitland and South Maitland Districts?
- (2.) What was paid for the period named as royalty, including rents or other charges?

Mr. Moore answered,—

- (1.) £22,019 9s. 2d.
- (2.) Royalty, £22,019 9s. 2d.; rent, £5,427 10s. 8d.; total paid, £27,446 19s. 10d. I presume that in Question No. 2 the Honorable Member does not wish to know what amount was paid during the year, but, first of all, desires to know how much was due for that year, and how much of that has been paid. Of course, that will be paid during this year, so that the whole of it is paid. I wish to add that when I stated yesterday that the amount of royalty collected was nearly £30,000, I meant the amount for the whole State. The answer now given to the honorable gentleman's Question refers to the Northern collieries mentioned.

(9.) Mr. F. W. Reynolds, Boorowa Land Board:—Mr. Estell, for Mr. Nielsen, asked the Secretary for Lands,—Will he lay upon the Table of this House all papers, minutes, &c., in connection with the appointment of Mr. Francis William Reynolds to the position of Member of the Boorowa Land Board?

Mr. Ashton answered,—I will be glad to place the papers upon the Table of this House if moved for in the usual way.

(10.) Mr. Todd's Contracts with the Railway Commissioners:—Mr. Sullivan asked the Colonial Treasurer,—

- (1.) What contracts has Mr. Todd with the Railway Commissioners?
- (2.) What are the prices thereof?
- (3.) Does he pay a living wage to his drivers?
- (4.) What does he pay them?

Mr. Carruthers answered,—

- (1 and 2.) I am informed that Henry Todd has the contract for the cartage of permanent-way materials at 9s. per day for one horse, dray, and driver, or 14s. per day if two horses are used. Mr. William Todd has the contract for the supply of sand for locomotives at Alexandria at 1s. 8d. per ton. Messrs. G. and H. Todd have the contract for the cartage of coal from Alexandria siding to Rushcutters' Bay Power-house for 2s. per ton.
- (3 and 4.) The Commissioners are not aware of the arrangements the contractors have with their employes.

3. PRINTING COMMITTEE:—Mr. McFarlane, as Chairman, brought up the Fifth Report from the Printing Committee.

4. MINERS' ACCIDENT RELIEF (VALIDATING) BILL (*Formal Order of the Day*),—on motion of Mr. Moore, read a third time, and *passed*.

Mr. Moore then moved, That the Title of the Bill be "*An Act to validate the appointment of certain officers of the Miners' Accident Relief Board; and to validate the acts and appointment of certain committees purporting to be constituted under the Miners' Accident Relief Act, 1900.*"

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 the appointment of certain officers of the Miners' Accident Relief Board; and to validate the acts and appointment of certain committees purporting to be constituted under the Miners' Accident Relief Act 1900,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 27th October, 1904.

5. BOROUGH OF WOLLONGONG LOAN VALIDATION BILL:—The Order of the Day for the consideration in Committee of the Whole of the expediency of bringing in this Bill discharged, on motion of Mr. Lee.

27th October, 1904.

6. **POSTPONEMENT**:—The Order of the Day for the consideration in Committee of the Whole of the expediency of bringing in the Property Detention Bill (No. 2) postponed until Tuesday, 29th November, 1904.
7. **STATE DEBT AND SINKING FUND BILL**:—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to constitute a general sinking fund; to carry to the Consolidated Revenue Fund payments made or to be made to certain accounts and funds; to make better provision for the administration of certain Trust Accounts in the Treasury; to constitute Commissioners to administer the said funds and the said Trust Accounts; and for purposes consequent thereon or incidental thereto.
Question put and passed.
8. **LAND AND INCOME TAX (AMENDMENT) BILL**:—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the levying and payment of income tax in respect of certain mortgages; to make better provision for assessing income tax; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act; to amend the Land and Income Tax Assessment Act of 1895; and for purposes consequent thereon or incidental thereto.
Question put and passed.
9. **CONSOLIDATED REVENUE FUND BILL (No. 3)**:—The Order of the Day having been read,—Mr. Carruthers 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. Carruthers, 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. Carruthers, the report was adopted.
Mr. Carruthers then moved (*by consent*), That the Bill be now read a third time.
Question put and passed.
Bill read a third time, and, on motion of Mr. Carruthers, *passed*.
Whereupon Mr. Carruthers 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 1904–1905.*"
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 1904–1905,*"—presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 27th October, 1904.
10. **MESSAGES FROM THE LEGISLATIVE COUNCIL**:—Mr. Speaker reported the following Messages from the Legislative Council:—
- (1.) **Treasury Bills Redemption Bill**:—
MR. SPEAKER,—
The Legislative Council having this day agreed to the Bill, intituled "*An Act to authorise the issue of Treasury Bills for purpose of the redemption of Treasury Bills issued under the Treasury Bills Act of 1899; for the application of the moneys raised by such issue; and for purposes consequent thereon or incidental thereto,*"—returns the same to the Legislative Assembly without amendment.
Legislative Council Chamber, F. B. SUTTOR,
Sydney, 27th October, 1904. President.
- (2.) **Coal Mines Regulation (Inspection) Bill**:—
MR. SPEAKER,—
The Legislative Council having this day agreed to the Bill, intituled "*An Act to amend section forty-seven of the Coal Mines Regulation Act, 1902,*"—returns the same to the Legislative Assembly without amendment.
Legislative Council Chamber, F. B. SUTTOR,
Sydney, 27th October, 1904. President.
- (3.) **Henry Wait Bequest Bill**:—
MR. SPEAKER,—
The Legislative Council having this day agreed to the Bill, intituled "*An Act to authorise the Director of the Government Asylums for the Infirm to pay to the Parramatta District Hospital and the Parramatta Benevolent Society, in equal shares, certain moneys received and receivable by him under the will of the late Henry Wait,*"—returns the same to the Legislative Assembly without amendment.
Legislative Council Chamber, F. B. SUTTOR,
Sydney, 27th October, 1904. President.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

27th October, 1904.

(4.) 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 1904-1905,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 27th October, 1904.

F. B. SUTTON,
President.

(5.) Treasury Indemnity Bill:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons, in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 27th October, 1904.

F. B. SUTTON,
President.

11. GOVERNMENT SAVINGS BANK BILL:—The Order of the Day having been read,—Mr. Carruthers moved, That this Bill be now read a second time.

Debate ensued.

Mr. McGowen moved, That this Debate be now adjourned.

Question put and passed.

Ordered, That the Debate be adjourned until To-morrow.

12. NAVIGATION AMENDMENT (REGULATIONS) BILL:—The Order of the Day having been read,—Mr. Carruthers 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. Carruthers, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, without amendment.

On motion of Mr. Dick, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

13. SYDNEY HARBOUR RATES BILL:—

(1.) The Order of the Day having been read,—on motion of Mr. Carruthers, 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 impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates at the said port; to provide for the payment and collection of such rates; to amend the Sydney Harbour Trust Act, 1901, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto.

Mr. Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported that the Committee had come to a resolution.

Ordered, on motion of the Temporary Chairman, That the report be now received.

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

Resolved,—That it is expedient to bring in a Bill to impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates at the said port; to provide for the payment and collection of such rates; to amend the Sydney Harbour Trust Act, 1901, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates at the said port; to provide for the payment and collection of such rates; to amend the Sydney Harbour Trust Act, 1901, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto,*"—which was read a first time.

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

14. MINISTERIAL STATEMENT:—Mr. Carruthers made a Ministerial Statement foreshadowing the course which he intended to pursue in dealing with the motion in reference to the Site for the Federal Capital, and invited the Leader of the Opposition and Members generally to confer with him, so as to fix the method of procedure to be adopted.

15. ADJOURNMENT:—Mr. Carruthers moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly, at half-past Ten o'clock, until To-morrow, at half-past One o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 23.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

FRIDAY, 28 OCTOBER, 1904.

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

QUESTIONS :—

- (1.) Rabbit Pest :—Mr. Broughton asked the Secretary for Lands,—
- (1.) Can he furnish this House with an estimate, or approximate estimate, of the amount of money that has been expended throughout the State in the erection of rabbit-proof fencing or wire-netting for the suppression of the rabbit pest?
 - (2.) The number of miles that have been erected for this purpose?
- Mr. Moore* answered,—The information will take some time to collect, but will be supplied in the form of a return if moved for in the usual way.
- (2.) Standard of Eyesight and Hearing Tests in the Railway Service :—*Mr. Kelly*, for Mr. Arthur Griffith, asked the Colonial Treasurer,—With reference to the conditions of sight and hearing tests laid down in the regulations passed by the recent Railway Commissioners Conference,—
- (1.) Is the 20-feet reading test to be made in a room or out of doors?
 - (2.) Are the colours of the wool-skeins to be used in the sight test to be restricted to the actual colours of signals used in the service?
 - (3.) Does the instrument to be used in the hearing tests register the number of ticks, or is the examinee to be at the mercy of any mistake which the Examiner may happen to make?
 - (4.) Would the Commissioners permit of a representative of the employees being present at these tests, on the same terms as was permitted in the practical eyesight tests?
 - (5.) For what reason has the use of Dr. Williams' lamp been abandoned?
 - (6.) For what reason have the Commissioners proposed to abolish the practical eyesight tests, which have given so much satisfaction in the past?
 - (7.) Is it not a fact that in every case the practical test has proved satisfactory both to the Department and the examinee?
- Mr. Hogue* answered,—I am informed that the procedure adopted by the Railway Commissioners is that which was decided upon after mature consideration by the Railway Commissioners of all the States. It may be added that the use of Dr. Williams' lamp has not been abandoned, and the proposal to abolish the practical test was agreed to, as it was considered to be unsatisfactory. The whole question is one of the details of Railway management for which the Railway Commissioners must be held responsible.
- (3.) Day-Labour System :—Mr. O'Sullivan asked the Secretary for Public Works,—Will he lay upon the Table of this House, in a printed form, the opinions of Mr. Deane (Chief Engineer for Railway Construction) and Mr. Solly (ex-Superintendent of Telephone Tunnels), and all other reports in reference to the day-labour system?
- Mr. Hogue* answered,—I am sure the Honorable Member must be aware that it will take a good deal of time and entail considerable expenditure to collate and print all the reports that have been written from time to time on the day-labour system. The better course will be for him to move for a return to be laid upon the Table in the usual way.
- (4.) Marble Work executed in Bathurst Gaol :—Mr. Booth asked the Attorney-General and Minister of Justice,—Will he lay upon the Table of this House a return showing :—
- (1.) The marble work done in Bathurst Gaol?
 - (2.) For whom done?
 - (3.) Cost of manufacture since inception of the industry in the gaol?

Mr.

28th October, 1904.

Mr. Wade answered,—The marble work executed in Bathurst Gaol has been exclusively for the services of the Government Departments on orders from the Public Works Department. The cost of manufacture is the wages of one overseer, the gratuities allowed to prisoners, and the cost of tools and repairs to plant. To give details would take a considerable time, and involve search in the books covering many years' work; but if the Honorable Member has any special desire to have such details, I will give directions for them to be prepared.

- (5.) Resumption of Site of Belmore Markets :—Mr. Kelly asked the Secretary for Public Works,—Is it his intention to resume any portion of the site on which is erected the Belmore Markets?

Mr. Hogue answered,—No.

2. PAPERS :—Mr. Hogue laid upon the Table,—

(1.) Twenty-second General Report of the Parliamentary Standing Committee on Public Works.

(2.) Report on the Coast Hospital, Little Bay, for the year 1903.

Referred by Sessional Order to the Printing Committee.

3. JUSTICES (FEES) BILL (*Formal Motion*) :—

(1.) Mr. Wade moved, pursuant to Notice, That leave be given to bring in a Bill to amend the law relating to fees in respect of proceedings before Justices; to enable the Governor to fix such fees; and for other purposes in connection therewith.

Question put and passed.

(2.) Mr. Wade then presented a Bill, intituled "*A Bill to amend the law relating to fees in respect of proceedings before Justices; to enable the Governor to fix such fees; and for other purposes in connection therewith,*"—which was read a first time.

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

4. NAVIGATION AMENDMENT (REGULATIONS) BILL (*Formal Order of the Day*),—on motion of Mr. Dick, read a third time, and *passed*.

Mr. Dick then moved, That the Title of the Bill be "*An Act to amend the Navigation Act of 1901, by providing for issue of regulations.*"

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 Navigation Act of 1901, by providing for issue of regulations,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 28th October, 1904.

5. TRAVELLING STOCK RESERVES (*Formal Motion*) :—Mr. Eden George moved, pursuant to Notice, That, in the opinion of this House,—

(1.) The time has arrived when the large areas devoted to travelling stock reserves should be diminished to actual requirements, and the surplus thrown open for selection.

(2.) Such reserves, as they at present stand, are breeding grounds for rabbits and other pests, and a menace to adjoining settlers.

Question put and passed.

6. MUNICIPAL LOANS VALIDATING BILL :—Mr. Hogue moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the validation of Municipal Loans; and for purposes consequent thereon or incidental thereto.

Question put and passed.

7. STATE DEBT AND SINKING FUND BILL :—

(1.) The Order of the Day having been read,—on motion of Mr. Carruthers, 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 a general sinking fund; to carry to the Consolidated Revenue Fund payments made or to be made to certain accounts and funds; to make better provision for the administration of certain Trust Accounts in the Treasury; to constitute Commissioners to administer the said funds and the said Trust Accounts; and for purposes consequent thereon or incidental thereto.

Mr. Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported that the Committee had come to a resolution.

Ordered, on motion of the Temporary Chairman, That the report be *now* received.

The Temporary 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 a general sinking fund; to carry to the Consolidated Revenue Fund payments made or to be made to certain accounts and funds; to make better provision for the administration of certain Trust Accounts in the Treasury; to constitute Commissioners to administer the said funds and the said Trust Accounts; and for purposes consequent thereon or incidental thereto.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to constitute a general sinking fund; to carry to the Consolidated Revenue Fund payments made or to be made to certain accounts and funds; to make better provision for the administration of certain Trust Accounts in the Treasury; to constitute Commissioners to administer the said funds and the said Trust Accounts; and for purposes consequent thereon or incidental thereto,*"—which was read a first time.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

28th October, 1904.

8. GOVERNMENT SAVINGS BANK BILL:—The Order of the Day having been read, for the resumption of the adjourned Debate, on the motion of Mr. Carruthers, "That this Bill be now read a second "time,"—

And the Question being again proposed,—

The House resumed the said adjourned Debate.

Mr. Waddell moved, That this Debate be now adjourned.

Question put and passed.

Ordered, That the Debate be adjourned until Wednesday next.

9. ADJOURNMENT:—Mr. Carruthers moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly, at nineteen minutes before Six o'clock, until Tuesday next, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 24.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 1 NOVEMBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker:—

- (1.) Consolidated Revenue Fund Bill (No. 3):—

FREDK. M. DARLEY,

Lieutenant-Governor.

Message No. 30.

By Deputation from His Excellency.

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 1904-1905,*"—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 His 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.

*State Government House,
Sydney, 28th October, 1904.*

- (2.) Treasury Bills Redemption Bill:—

FREDK. M. DARLEY,

Lieutenant-Governor.

Message No. 31.

By Deputation from His Excellency.

A Bill, intituled "*An Act to authorise the issue of Treasury Bills for purpose of the redemption of Treasury Bills issued under the Treasury Bills Act of 1899; for the application of the moneys raised by such issue; and for purposes consequent thereon or incidental thereto,*"—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 His 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.

*State Government House,
Sydney, 1st November, 1904.*

2. QUESTIONS:—

- (1.) Amount received from the Commonwealth Government for Services rendered by the Crown Solicitor's Department:—*Mr. Daley*, for *Mr. Sullivan*, asked the Attorney-General and Minister of Justice,—

(1.) Has any money been received by the State Government from the Commonwealth Government for the services rendered them by the Crown Solicitor's Department?

(2.) If so, how much?

Mr. Wade answered,—

(1.) Yes.

(2.) To date the sum of £1,191 17s. 3d. has been received, and has been paid to the Consolidated Revenue of the State.

- (2.) Annual Lessees:—*Mr. Davidson* asked the Secretary for Lands,—

(1.) Why has notice been given to annual lessees of an increase of rental by 25 per cent.?

(2.) Has the rent of all annual leases been increased?

(3.) By whose instructions were these increases made?

Mr.

1st November, 1904.

Mr. Ashton answered,—

(1.) Section 85, subsection 3, of 48 Victoria No. 18, referring to annual leases, provides that "such leases may be renewed subject to the payment of the rent as aforesaid. The Minister may, at any time, upon giving three months' notice prior to the expiration of any year for which rent has been paid in advance, increase such rent by any sum not exceeding 25 per cent." This power was exercised in certain cases in consequence of reports from local officers to the effect that annual leases taken up many years ago were being held for rents much below their present rental value, and that the public interest, therefore, required an increase in such rents.

(2.) No; rents have been increased only in those cases where the reports of District Surveyors clearly indicated the justice of such increase. The reports, as a matter of fact, show that in many instances, despite the increase which the law sanctions, leases are still held at a rental far below their value.

(3.) The Honorable E. W. O'Sullivan when Minister for Lands, and his action is endorsed by me.

(3.) Proposed Tramway across Pymont and Glebe Island Bridges to Rozelle :—Mr. Law asked the Secretary for Public Works,—

(1.) Is he aware of the fact that over 500 trams per day pass the Railway Station to and from Balmain and Drummoyne?

(2.) As it is reported that two tram accidents occurred within twenty minutes near the Railway Station on Wednesday last, will he consider the advisableness of constructing a direct double line of tramway across Pymont and Glebe Island bridges to join the present system at Evans-street, with a view of relieving George-street of 500 trams per day and dealing equitably with Balmain?

(3.) Will he have a survey and estimate of the cost prepared of a double line of electric tram system from George-street down Market-street, across Pymont and Glebe Island bridges, to join the present system at Evans-street, Rozelle?

Mr. Lee answered,—

(1.) I am informed that the traffic is practically as indicated.

(2.) The accidents referred to were due to an exceptional combination of circumstances, and would not likely have been avoided if the alternate route suggested had been available.

(3.) An estimate will be made.

(4.) Contract for Supply of Bricks :—Mr. Cann asked the Secretary for Public Works,—

(1.) Is it a fact that a contract has been let to the National Brickworks Company, Limited, Sydney for the supply of bricks at £2 12s. per 1,000?

(2.) Is not the regular price to private persons £2 4s. per 1,000?

Mr. Lee answered,—

(1.) Yes.

(2.) I am not aware.

(5.) Charges preferred against Major Lee, D.S.O. :—Mr. Cohen asked the Attorney-General and Minister of Justice,—

(1.) Was an inquiry held concerning certain charges preferred against Major Lee, D.S.O., by the Chief Inspector of Public Accounts?

(2.) Before whom was the inquiry held?

(3.) Did not that tribunal completely exonerate Major Lee?

(4.) Is it a fact that, notwithstanding such finding, the Chief Inspector of Public Accounts is endeavouring to have criminal proceedings instituted against Major Lee on exactly the same charge?

Mr. Hogue answered,—

(1.) Yes.

(2.) A Military Board, appointed by Major-General Hutton.

(3.) Yes.

(4.) No.

3. LISMORE MARKETS AND CATTLE SALE-YARDS BILL :—Mr. Coleman presented a Petition from the Municipal District of Lismore, praying for leave to bring in a Bill to enable the Council of the Municipal District of Lismore to erect and maintain Markets and Cattle Sale-yards on certain lands granted as a reserve for a market,—

And Mr. Coleman having produced the *Government Gazette*, and the *Evening News*, and the *Lismore Chronicle*, newspapers containing the Notices required by the 396th Standing Order,—
Petition received.

4. INFANT PROTECTION BILL :—Mr. Brinsley Hall presented a Petition from Members of the Branch of the Women's Political Educational League at Penrith, praying that the House will, at the earliest possible date, pass into law the Infant Protection Bill, which Petitioners believe will much lessen the heavy mortality among infants, and will throw upon fathers of illegitimate children some fairer proportion of their responsibilities.
Petition received.

5. PAPERS :—

Mr. Moore laid upon the Table,—Report of the Department of Agriculture for the year ended 30th June, 1904.

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—Statement respecting the Erection of a Power-house, George-street North.

Referred by Sessional Order to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

1st November, 1904.

6. POLICE SUPERANNUATION FUND (*Formal Motion*):—Mr. Eden George moved, pursuant to Notice, That there be laid upon the Table of this House a return, showing the names of persons and amounts paid to them since 1st January, 1894, who—
- (1.) Being dismissed from the Police Force received gratuities from the Police Superannuation Fund.
 - (2.) Being called upon to resign, and, on resigning, received gratuities from the above Fund.
 - (3.) Having resigned, received gratuities (not pensions) from the above Fund.
- Question put and passed.
7. POSTPONEMENT:—The Order of the Day for the second reading of the City Bank Act Extension Bill (*Council Bill*) postponed until Tuesday, 29th November, 1904.
8. MUNICIPAL DISTRICT OF COWRA REDUCED AREA BILL:—The Order of the Day having been read,—Mr. Waddell moved, "That" this Bill be now read a second time.
- Debate ensued.
- Mr. Levy moved, That the Question be amended by leaving out all the words after the word "That" and inserting the words "the Bill be referred to a Select Committee for consideration and report."
- "(2.) That such Committee consist of Mr. Lee, Mr. Broughton, Mr. Cann, Mr. Cohen, Mr. Henley, Mr. Nielsen, Mr. Perry (*The Richmond*), Mr. Waddell, and the Mover," instead thereof.
- Question proposed,—That the words proposed to be left out stand part of the Question.
- Debate continued.
- Question put,—That the words proposed to be left out stand part of the Question.
- The House divided.

Ayes, 16.

Mr. Daley,
Mr. Estell,
Mr. Lee,
Mr. John Hurley,
Mr. Nielsen,
Mr. Waddell,
Mr. McFarlane,
Mr. Perry (*The Richm'd*),
Mr. Collins,
Mr. Brinsley Hall,
Mr. Gardiner,
Mr. Meehan,
Mr. Edden,
Mr. Burgess.

Tellers,

Mr. Coleman,
Mr. Winchcombe.

Noes, 28.

Mr. Sullivan,
Mr. Nobbs,
Mr. Cann,
Mr. Jessep,
Mr. Moore,
Mr. Hogue,
Mr. Levy,
Mr. Fegan,
Mr. Dick,
Mr. Davidson,
Dr. Arthur,
Mr. Charlton,
Mr. Mahony,
Mr. McGarry,
Mr. Nicholson,
Mr. Booth,
Mr. Wade,
Mr. Cohen,

Mr. Fleming,
Mr. Henley,
Mr. Wood,
Mr. Ashton,
Mr. Fallick,
Mr. Walter Anderson,
Mr. R. J. Anderson,
Mr. Miller.

Tellers,
Mr. Creswell,
Mr. Ball.

And so it passed in the negative.

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

Whereupon Question, as amended,—That the Bill be referred to a Select Committee for consideration and report.

(2.) That such Committee consist of Mr. Lee, Mr. Broughton, Mr. Cann, Mr. Cohen, Mr. Henley, Mr. Nielsen, Mr. Perry (*The Richmond*), Mr. Waddell, and Mr. Levy,—put.

The House divided.

Ayes, 34.

Mr. Nobbs,
Mr. Hogue,
Mr. Levy,
Mr. Moore,
Mr. Wade,
Mr. Ashton,
Mr. Dick,
Mr. Creswell,
Mr. Booth,
Dr. Arthur,
Mr. Fallick,
Mr. Coleman,

Mr. Fleming,
Mr. Henley,
Mr. Winchcombe,
Mr. Mahony,
Mr. Nielsen,
Mr. Waddell,
Mr. McFarlane,
Mr. Perry (*The Richm'd*),
Mr. Collins,
Mr. Wood,
Mr. Walter Anderson,
Mr. Brinsley Hall,

Mr. Jessep,
Mr. Gardiner,
Mr. Miller,
Mr. R. J. Anderson,
Mr. Meehan,
Mr. Burgess,
Mr. John Hurley,
Mr. Ball.

Tellers,
Mr. Davidson,
Mr. Cohen.

Noes, 9.

Mr. Daley,
Mr. Cann,
Mr. Fegan,
Mr. Edden,
Mr. Nicholson,
Mr. McGarry,
Mr. Charlton.

Tellers,

Mr. Sullivan,
Mr. Estell.

And so it was resolved in the affirmative.

9. PASTURES PROTECTION (AMENDMENT) BILL:—The Order of the Day having been read,—Mr. Eden George 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. George, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, with amendments.
- On motion of Mr. George, the report was adopted.
- Ordered, That the Bill be read a third time To-morrow.

10. POSTPONEMENT:—The Order of the Day for the second reading of the Public Service Employees Appeal Bill, postponed until To-morrow.

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

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 25.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 2 NOVEMBER, 1904.

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

QUESTIONS :—

- (1.) Water Supply, Junee :—*Mr. Estell*, for *Mr. Holman*, asked the Secretary for Public Works,—

- (1.) Has his attention been directed to an article in the *Junee Southern Cross* on the necessity for additional water supply for Junee?
- (2.) Is it a fact that further action is prevented in this matter by the terms of the present Act?
- (3.) Will he undertake to introduce the necessary amending legislation at once?
- (4.) In view of the approaching hot season, and the urgent necessity of the case, will he give any undertaking that measures shall be pressed forward this Session?

Mr. Lee answered—

- (1.) I recognise the urgency of the matter.

(2.) Yes.

(3 and 4.) The Bill is in course of preparation, and will be introduced this Session if the state of public business will admit.

- (2.) State Children's Relief Department :—*Mr. Booth* asked the Colonial Secretary,—

- (1.) What amount is distributed in charity by the State Children's Relief Department?
- (2.) What is the total cost of administration (salaries included) in the working of this Branch?
- (3.) How many inspectors are employed, and what are their individual salaries?

Mr. Hogue answered,—

- (1.) Total expenditure for year, £70,924 10s. 9d.

(2.) Cost of administration, £9,995 16s. 10d.

(3.) Twelve Inspectors—1 at £325, 1 at £300, 1 at £220, 6 at £200; Ladies—1 at £175, 1 at £150, 1 at £132.

- (3.) Arbitration Court Reports :—*Mr. Estell*, for *Mr. Thrower*, asked the Attorney-General and Minister of Justice,—

- (1.) The cost of editing the Arbitration Court Reports?
- (2.) The cost of reporting the Arbitration Court Reports?
- (3.) The amount realised by sales of such?
- (4.) The names of the persons to whom the reports are supplied free?
- (5.) The cost of production of the reports to 30th June, 1904?

Mr. Wade answered,—The information desired will be obtained and laid upon the Table in the form of a return.

- (4.) Rentals from Wharf Labourers and Coal-lumpers' Unions :—*Mr. John Hurley* asked the Colonial Secretary,—

(1.) What rate of interest on £17,000 will the rentals receivable from the Wharf Labourers and Coal-lumpers' Unions pay?

(2.) What are the terms and length of lease?

(3.) Has his attention been drawn to the threat of *S. T. Harrison*, in yesterday's papers, viz., that they will not accede to the demands of the Premier, nor will they vacate the premises?

(4.) Under the circumstances, what does the Government intend to do to assert its claims and rights to public property?

2nd November, 1904.

- Mr. Dick* answered,—
- (1.) The valuation set on the properties is £10,282, not £17,000, and on that sum the rate of interest will be $2\frac{1}{4}$ per cent., about.
- (2.) Beyond an intimation to the Unions that a rental must be paid monthly, nothing has been decided upon.
- (3 and 4.) I have consented to receive representatives of the Waterside Workers' Institute on Monday next, when the whole matter will, doubtless, be amicably settled.
2. CASE OF HENRY HARDING, W. S. STEAD, AND OTHERS—CERTIFICATE OF TITLE:—*Mr. Hollis* presented a Petition from William Gordon Hayes-Williams, Registrar-General of the State of New South Wales, representing that the House had appointed a Select Committee to inquire into and report upon the grievances of Henry Harding, William Stephen Stead, and others in connection with Certificate of Title, volume 61, folio 224, dated 4th February, 1868; and praying to be represented by Counsel or Attorney, or in person, before such Committee, with right to call, examine, and cross-examine witnesses.
- Petition received.
Ordered to be referred to the Select Committee.
3. PAPERS:—
- Mr. Hogue* laid upon the Table,—
- (1.) By-laws of the Municipal District of Corowa.
(2.) By-laws of the Municipal District of Coonamble.
Referred by Sessional Order to the Printing Committee.
- Mr. Wade* laid upon the Table,—Amended Regulations Nos. 78 and 80 under the Prisons Act, 1899.
Referred by Sessional Order to the Printing Committee.
- Mr. Carruthers* laid upon the Table,—Reasons for granting further leave of absence to *Mr. G. H. J. Hardwick*, Taxation Department, under the provisions of Regulation 46 under the Public Service Act.
Referred by Sessional Order to the Printing Committee.
4. PASTURES PROTECTION (AMENDMENT) BILL (*Formal Order of the Day*),—on motion of *Mr. Eden George*, read a third time, and passed.
Mr. George then moved, That the Title of the Bill be "*An Act to amend the Pastures Protection Act, 1902, in certain particulars.*"
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 Pastures Protection Act, 1902, in certain particulars,*"—presents the same to the Legislative Council for its concurrence.
- Legislative Assembly Chamber,
Sydney, 2nd November, 1904.*
5. LISMORE MARKETS AND CATTLE SALE-YARDS BILL (*Formal Motion*):—
- (1.) *Mr. Coleman* moved, pursuant to Notice, That leave be given to bring in a Bill to enable the Council of the Municipal District of Lismore to erect and maintain Markets and Cattle Sale-yards upon certain land granted as a reserve for a market.
Question put and passed.
- (2.) *Mr. Coleman* having presented this Bill, and produced a certificate of the payment of the sum of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the State, Bill, intituled "*A Bill to enable the Council of the Municipal District of Lismore to erect and maintain Markets and Cattle Sale-yards upon certain land granted as a reserve for a market,*"—read a first time.
6. GOVERNMENT SAVINGS BANK BILL:—The Order of the Day having been read, for the resumption of the adjourned Debate, on the motion of *Mr. Carruthers*, "That this Bill be now read a second time,"—
- And the Question being again proposed,—
The House resumed the said adjourned Debate.
Mr. Oakes moved, That this Debate be now adjourned.
Question put and passed.
Ordered, That the Debate be adjourned until To-morrow.
7. SYDNEY HARBOUR RATES BILL:—The Order of the Day having been read,—*Mr. Carruthers* 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. Carruthers*, *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 *Mr. Latimer*, Temporary Chairman, reported progress, and obtained leave to sit again To-morrow.

The House adjourned, at twenty-four minutes after Eleven o'clock, until To-morrow, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 26.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 3 NOVEMBER, 1904.

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

QUESTIONS :—

(1.) Technical Education and the Leather Industry :—*Mr. Estell*, for Mr. Holman, asked the Minister of Public Instruction,—

(1.) Has his attention been directed to an article entitled "The Technical College and Leather," published in the *Australian Boot and Shoe Journal* of 31st May, 1904, and to the opinions of leading men in the various branches of the leather industry published in the same issue?

(2.) Is it a fact that our existing Technical Education System comprises departments for giving technical training in all our leading industries excepting that of leather?

(3.) If so, will he take into favourable consideration the need of adding to the existing Technical College system a Department of Leather Industry, comprising classes for the various trades concerned?

Mr. O'Connor answered,—

(1.) Yes.

(2.) Yes; practically so.

(3.) My Department has not been furnished with information that there are intending students available for, and desirous of, receiving instruction in this subject; but on the receipt of the necessary particulars—which are usually supplied in the prescribed forms—I shall be prepared to give the matter favourable consideration.

(2.) Promotions in the Police Force :—*Mr. Estell*, for Mr. Daley, asked the Colonial Secretary,—

(1.) What is the numerical strength of the New South Wales Police Force?

(2.) Is it a fact that there were only twelve promotions during last year; who were the officers promoted; from and to what rank; and their respective ages?

(3.) Is it the custom to promote officers two or three years before retirement so as to increase their pensions on retirement?

Mr. Hogue answered,—I will presently lay upon the Table a return in answer to this Question.

(3.) Advances under the Pastures Protection Act :—*Mr. Estell*, for Mr. Jones, asked the Secretary for Lands,—

(1.) Have representations been made by the Pastures Protection Boards for advances under the 30th section of the Pastures Protection Act?

(2.) Is he aware that many small holders in the north-western districts, not yet recovered from the effects of the recent drought, are unable to protect their holdings by means of netting from the ravages of the rapidly increasing rabbits?

(3.) Will he consider the advisableness of immediately placing a sum at the disposal of the Pastures Protection Boards under section 30 of the Pastures Protection Act?

Mr. Ashton answered,—

(1.) Such representations have been made by four Boards.

(2.) I am afraid such is the case.

(3.) The matter is now the subject of inquiry and report.

(4.) Administration of the Old-age Pensions Act :—*Mr. Eden George* asked the Colonial Treasurer,—In view of the fact that large numbers of the recipients under the Old-age Pensions Act are having their pensions cancelled, will he cause an inquiry to be held into the administration of the Act?

Mr.

3rd November, 1904.

Mr. Hogue answered,—Any cancellations have been the result either of the receipt by the District Boards of subsequent information showing that the original pensions were granted wrongfully—generally upon the misrepresentations of the claimants themselves, made either through ignorance of the facts or through design—or of information showing that the pensioners were not complying with the requirements of the Act as to sobriety, &c. The Prime Minister is looking into the administration of the Act.

(5.) Clerks in the Office of the Inspector-General of Police:—*Mr. Cohen*, for *Mr. Wood*, asked the Colonial Secretary,—

- (1.) Are Civil Servants employed as clerks in the Office of the Inspector-General of Police?
- (2.) Was that system introduced in the early days of the Colony, when the police were unsuitable to perform the duties of the office through educational and other reasons?
- (3.) Will he, in view of the improved class of men now in the Service, and the many competent clerks in subordinate Police offices of the State, appoint members of the force to the Inspector-General's staff, as a further encouragement to energetic and competent men to join the Police Force?

Mr. Hogue answered,—

- (1.) Yes.
- (2.) Civil Servants have always been employed in this and every other State in Australia and throughout the world.
- (3.) Such appointments would be contrary to the Public Service Act.

(6.) Charges preferred against Major Lee, D.S.O. :—*Mr. Cohen* asked the Colonial Treasurer,—Will he lay upon the Table of this House the papers in connection with the charges proffered by the Chief Inspector of Public Accounts against Major Lee, D.S.O.?

Mr. Carruthers answered,—There is no objection. The papers, however, should be moved for in the usual way.

2. PRINTING COMMITTEE :—*Mr. McFarlane*, as Chairman, brought up the Sixth Report from the Printing Committee.

3. PAPERS :—

Mr. Hogue laid upon the Table,—Particulars respecting Promotions in the Police Force.
Referred by Sessional Order to the Printing Committee.

Mr. Ashton laid upon the Table,—Return to an Order, made on 13th October, 1904,—“Reserve “No. 32-558.”

Referred by Sessional Order to the Printing Committee.

Mr. O'Connor laid upon the Table,—Notifications of resumptions of land, under the Public Works Act, 1900, for Public School Purposes at Little River and Guest's Swamp.

Referred by Sessional Order to the Printing Committee.

4. PATENT MEDICINES BILL (*Formal Motion*):—*Mr. Daley* moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to regulate the sale of patent and quack medicines, medicinal and quack surgical goods and appliances, which may in any way affect the health of the community.
Question put and passed.

5. GOVERNMENT SAVINGS BANK BILL :—The Order of the Day having been read, for the resumption of the adjourned Debate, on the motion of *Mr. Carruthers*, “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, 61.

Mr. McCoy,	Mr. Cohen,
Mr. Lee,	Mr. Daley,
Mr. Carruthers,	Mr. Winchcombe,
Mr. Nobbs,	Mr. O'Sullivan,
Mr. Wade,	Mr. Miller,
Mr. Ashton,	Mr. Jones,
Mr. Hogue,	Mr. Law,
Mr. Perry (<i>L'pool Plains</i>),	Mr. Arthur Griffith,
Mr. Meehan,	Mr. Dick,
Mr. Nielsen,	Mr. Gillies,
Mr. Ball,	Mr. Morton,
Mr. Coleman,	Mr. R. J. Anderson,
Mr. Thrower,	Mr. Burgess,
Mr. Estell,	Mr. John Hurley,
Mr. Booth,	Mr. Henley,
Mr. Downes,	Mr. Eden George,
Mr. Alan Millard,	Mr. Nicholson,
Mr. Davidson,	Mr. Walter Anderson,
Mr. Fallick,	Mr. McLaurin,
Mr. Thomas,	Mr. McGarry,
Mr. O'Connor,	Mr. Oakes,

Mr. Smith,
Mr. McFarlane,
Mr. Kelly,
Mr. Hollis,
Mr. Brinsley Hall,
Mr. Reynoldson,
Mr. Collins,
Mr. McGowen,
Mr. W. W. Young,
Mr. W. Millard,
Mr. Charlton,
Mr. Cann,
Mr. McNeill,
Mr. Scobie,
Mr. Moore,
Mr. Fegan,
Mr. Edden.
<i>Tellers,</i>
Mr. Donaldson,
Mr. Sullivan.

Noes, 9.

Mr. Latimer,
Mr. Storey,
Mr. Mahony,
Mr. Creswell,
Mr. Levy,
Mr. Jessep,
Mr. Fell.
<i>Tellers,</i>
Mr. Mackenzie,
Dr. Arthur.

And so it was resolved in the affirmative.

Bill read a second time.

On motion of *Mr. Carruthers*, *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 *Mr. Nielsen*, Temporary Chairman, reported progress, and obtained leave to sit again To-morrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

3rd November, 1904.

6. SYDNEY HARBOUR RATES 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 the Bill.

And the Committee continuing to sit after Midnight,—

FRIDAY, 4 NOVEMBER, 1904, A.M.

Mr. Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported the Bill, with an amendment.

On motion of Mr. Carruthers, the report was adopted.

Ordered, That the Bill be read a third time on Tuesday next.

7. JUSTICES (FEES) BILL:—The Order of the Day having been read,—Mr. Wade 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. Wade, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, without amendment.

On motion of Mr. Wade, the report was adopted.

Ordered, That the Bill be read a third time on Tuesday next.

8. LAND AND INCOME TAX (AMENDMENT) BILL:—

- (1.) The Order of the Day having been read,—on motion of Mr. Carruthers, 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 levying and payment of income tax in respect of certain mortgages; to make better provision for assessing income tax; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act; to amend the Land and Income Tax Assessment Act of 1895; and for purposes consequent thereon or incidental thereto.

Mr. Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported that the Committee had come to a resolution.

Ordered, on motion of the Temporary Chairman, That the report be *now* received.

The Temporary 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 levying and payment of income tax in respect of certain mortgages; to make better provision for assessing income tax; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act; to amend the Land and Income Tax Assessment Act of 1895; and for purposes consequent thereon or incidental thereto.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

- (2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to provide for the levying and payment of income tax in respect of certain mortgages; to make better provision for assessing income tax; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act; to amend the Land and Income Tax Assessment Act of 1895; and for purposes consequent thereon or incidental thereto*,"—which was read a first time.

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

9. MUNICIPAL LOANS VALIDATING BILL:—

- (1.) The Order of the Day having been read,—on motion of Mr. Hogue, 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 validation of Municipal Loans; and for purposes consequent thereon or incidental thereto.

Mr. Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported that the Committee had come to a resolution.

Ordered, on motion of the Temporary Chairman, that the report be *now* received.

The Temporary 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 validation of Municipal Loans; and for purposes consequent thereon or incidental thereto.

On motion of Mr. Hogue, the resolution was read a second time, and agreed to.

10. SPECIAL ADJOURNMENT:—Mr. Ashton (*by consent*) moved, without Notice, That this House at its rising This Day, do adjourn until Tuesday next.

Question put and passed.

The House adjourned, at twenty minutes after Two o'clock, a.m., until *Tuesday next*, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 27.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 8 NOVEMBER, 1904.

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

ASSENT TO BILLS:—The following Messages from His Excellency the Governor were delivered by Mr. Carruthers, and read by Mr. Speaker:—

(1.) Henry Wait Bequest Bill:—

FREDK. M. DARLEY,
Lieutenant-Governor.
By Deputation from His Excellency.

Message No. 32.

A Bill, intituled "*An Act to authorise the Director of the Government Asylums for the Infirm to pay to the Parramatta District Hospital and the Parramatta Benevolent Society, in equal shares, certain moneys received and receivable by him under the will of the late Henry Wait,*"—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 His 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.

State Government House,
Sydney, 4th November, 1904.

(2.) Coal Mines Regulation (Inspection) Bill:—

FREDK. M. DARLEY,
Lieutenant-Governor.
By Deputation from His Excellency.

Message No. 33.

A Bill, intituled "*An Act to amend section forty-seven of the Coal Mines Regulation Act, 1902,*"—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 His 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.

State Government House,
Sydney, 4th November, 1904.

(3.) Master in Equity (Deputy) Bill:—

FREDK. M. DARLEY,
Lieutenant-Governor.
By Deputation from His Excellency.

Message No. 34.

A Bill, intituled "*An Act to authorise the appointment of a Deputy Master in Equity, and to prescribe his powers and duties,*"—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 His 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.

State Government House,
Sydney, 4th November, 1904.

8th November, 1904.

2. QUESTIONS :—

- (1.) Government Experimental Farms :—Mr. Estell asked the Secretary for Mines,—
- (1.) Is it a fact that the eight-hour system has been discarded on the Government Experimental Farms of this State ?
 - (2.) Are the employees on such farms now paid for overtime, or are they allowed time off in lieu of such payment ?
 - (3.) Are they compelled to work longer hours for less pay than men employed in other Departments of the State ?

Mr. Moore answered,—

- (1.) The eight-hour system obtains at the Hawkesbury Agricultural College Farm, and also, I understand, at the various other Departmental Farms.
- (2.) Yes, in some instances ; but generally a give-and-take system is adopted.
- (3.) Not that I am aware of.

- (2.) Land Tax in the Clarence District :—*Mr. Perry (The Richmond)*, for Mr. McFarlane, asked the Colonial Treasurer,—

- (1.) Is it a fact that the land tax in the Clarence District for the current year has been largely increased, in some instances up to 50 per cent. ?
- (2.) Will he state the reason for such a heavy increase ?

Mr. Hogue answered,—The land tax for the current year has not yet been assessed. In any case, no general reassessment in the Clarence District is contemplated for this year.

- (3.) Appointment of Acting Chief Clerk in the Office of Registrar of Arbitration :—*Mr. Thrower*, for Mr. Kelly, asked the Attorney-General and Minister of Justice,—Will he lay upon the Table of this House copies of all papers in connection with the appointment of the Acting Chief Clerk in the office of the Registrar of Arbitration ?

Mr. Wade answered,—There will be no objection, if moved for in the usual way.

- (4.) Lease of the Ryde Punt :—Mr. O'Sullivan asked the Secretary for Public Works,—

- (1.) Is it a fact that a man named M. J. Daley had a lease of the Ryde punt, which does not expire till 30th of June, 1906 ?
- (2.) Is it also a fact that the lease of the punt has been sold to George Gale, whose real name is Latham Gent Sherman Gale, without notice in writing being served on M. J. Daley, as provided for in the lease in Clause 20 ?
- (3.) In view of the foregoing, if the statement be verified, will he see that the lease of M. J. Daley is upheld ?

Mr. Lee answered,—

- (1.) No ; Mr. M. J. Daley had an agreement to work the ferry, which was cancelled as from 27th June, 1904, but was revived for a period of three months, terminating upon 30th September last.
- (2.) The ferry tolls were sold by auction on 31st ultimo to Mr. Gale. The period of Mr. Daley's revived agreement had then expired one month previously by effluxion of time, and notice in writing being unnecessary, was not given him.
- (3.) Mr. Daley has no lease.

- (5.) Bounties for the Discovery of Gold or Mineral Fields :—Mr. Meehan asked the Secretary for Mines,—

- (1.) How many bounties have been given to miners for discovering gold or mineral fields ?
- (2.) To whom were such bounties given, and what were the amounts ?
- (3.) How many men were employed on the several fields to the finders of which bounties were given, and for how long were such number so employed ?

Mr. Moore answered,—

- (1.) So far as I can ascertain, thirty-four bounties have been given.
- (2.) M. Sheehy, £300 ; P. Strickland, £100 ; J. Twaddell, £100 ; J. Fitzpatrick, £100 ; J. Bellardi, £50 ; Messrs. Crouch and others, £300 ; M. C. Greene, £50 ; J. P. Hansen, £100 and £50 ; H. Williams, S. Merrywether, and J. and E. Hollingdale, £500 ; Messrs. P. Murray and others, £150 ; Messrs. A. Ross and party, £150 ; Messrs. Parker, Thomas, and Ross, £112 10s. ; Messrs. Moloney and party, £400 ; Messrs. Moore and party, £112 10s. ; Messrs. Thompson and Ashwin, £200 ; A. S. Grant, £10 ; W. Lindena, £10 ; Messrs. Newton and Nolan, £62 10s. ; Messrs. D. McDonald and others, £300 ; J. T. Newton, £62 10s. ; T. Rayner, £31 5s. ; J. Fleming, £31 5s. ; John Pugh, £250 ; John Bracken, James Elliott, Peter Daly, £500 ; Alexander Cameron, Alexander Paton, and Alexander Whitelaw, £300 ; Messrs. Gahan and Turner, £500 ; William Fenton, Thomas Ring, John Hayes, Denis Madden, and Gus. Menzies, £500 ; John McGuire, senior, £100 ; C. H. Vitnell, £200 ; Charles Mitchell, William Woods, and Henry Wright, £225 ; William Sullivan and John Farrell, £100 ; T. Hartman, £150 ; E. H. Hargraves, £10,000.
- (3.) It is hardly practicable to give the information desired by the Honorable Member, as it would be necessary to search the records of this and the Lands Department back to the year 1861 and obtain the papers in each case.

- (6.) Reciprocity with Victoria with regard to Old-age Pensions :—*Mr. Nobbs*, for Mr. Levy, asked the Colonial Treasurer,—Has he yet made any agreement with the Treasurer of Victoria in regard to reciprocity of old-age pensions, as provided by section 9, subsection (b), of the Old-age Pensions Act, 1900 ?

Mr. Hogue answered,—A provisional agreement was drafted by the Department in this State, and submitted to the Victorian Department, who agreed to the general principles. A formal agreement was then drafted by the Crown Law Office, and submitted for approval to the Victorian authorities, who made certain suggestions therein with a view to determining more specifically the responsibilities to be undertaken by each State. Certain amendments were suggested to the Victorian authorities, with a view to further consideration, and at this stage the matter remains in their hands.

(7.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

8th November, 1904.

- (7.) Accommodation for the Mitchell Library :—*Mr. Nobbs*, for *Mr. Levy*, asked the Minister of Public Instruction,—What steps have so far been taken in the direction of providing accommodation for the Mitchell Library ?
- Mr. O'Connor* answered,—I replied, on 6th ultimo, to a Question respecting this matter, that a site had been set apart, and preliminary action taken with regard to buildings for a new Library. I desire to add that a portion of the collection of books donated has been accommodated in premises belonging to the Government, adjoining the present Library ; and that the whole matter will receive further attention at the earliest favourable opportunity.
- (8.) *Mr. Cobcroft*, Inspector of Crown Lands in North Coast District :—*Mr. Morton* asked the Secretary for Lands,—
- (1.) What are the instructions given to *Mr. Cobcroft*, now inspecting Crown lands in the North Coast District ?
- (2.) Is he also inspecting private estates in that district ?
- Mr. Ashton* answered,—*Mr. District Surveyor Cobcroft* was instructed to proceed to Grafton to confer with the District Surveyor there, *Mr. Roderick Baylis MacKenzie*, who is at present fully employed in the administrative work of the district, and to arrange with him for special inspections of Crown lands to be made available for settlement. He has not any instructions to inspect private estates, nor is the Department aware of any such inspections made by him ; but he is not precluded from inspecting any private estate with a view to estimate of value of Crown lands in the Grafton District.
3. WELLINGTON CATTLE SALE-YARDS BILL :—*Mr. Thrower* presented a Petition from the Council of the Municipal District of Wellington, praying for leave to bring in a Bill to authorise the construction, maintenance, and regulation of Cattle Sale-yards by the Council of the Municipal District of Wellington.
- And *Mr. Thrower* having produced the *Government Gazette*, and the *Daily Telegraph*, and the *Wellington Gazette*, newspapers containing the Notices required by the 396th Standing Order,—Petition received.
4. MUNICIPAL LOANS (VALIDATING) BILL :—*Mr. Hogue*, pursuant to leave granted on 4th November, 1904, a.m., presented a Bill, intituled "*A Bill to provide for the validation of municipal loans, and for purposes consequent thereon or incidental thereto*,"—which was read a first time.
- Ordered to be printed, and read a second time To-morrow.
5. PAPERS :—
- Mr. Wade* laid upon the Table,—
- (1.) Additional Regulation No. 456 under the Public Service Act, 1902.
- (2.) Return respecting Industrial Arbitration Court Reports.
- Referred by Sessional Order to the Printing Committee.
- Mr. Carruthers* laid upon the Table,—
- (1.) Report of the Inquiry instituted by the Railway Commissioners into the circumstances attending the two Tramway Collisions which occurred at the cross-over in the vicinity of the Harris-street Junction Signal Box on the 26th October, 1904.
- (2.) Statement of Accounts of the Sydney Harbour Trust for the year ended 30th June, 1904.
- Referred by Sessional Order to the Printing Committee.
6. CHARGES PREFERRED AGAINST MAJOR LEE, D.S.O. (*Formal Motion*) :—*Mr. Cohen* moved, pursuant to Notice, That there be laid upon the Table of this House copies of all papers in connection with the charges preferred by the Chief Inspector of Public Accounts against Major Lee, D.S.O.
- Question put and passed.
7. LISMORE MARKETS AND CATTLE SALE-YARDS BILL (*Formal Motion*) :—*Mr. Coleman* moved, pursuant to Notice,—
- (1.) That the Lismore Markets and Cattle Sale-yards Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of *Mr. Hogue*, *Mr. Perry* (*The Richmond*), *Mr. McFarlane*, *Mr. Davidson*, *Mr. Fegan*, *Mr. Edden*, *Mr. Thomas*, *Mr. John Hurley*, and the Mover.
- Question put and passed.
8. BOROUGH OF THE GLEBE ELECTRIC LIGHTING BILL (*Formal Motion*) :—
- (1.) *Mr. Hogue* moved, pursuant to Notice, That leave be given to bring in a Bill to enable the Council of the Borough of the Glebe to light the streets and public and private places of the said borough with the Electric Light, and to supply electricity within or without the limits of the said borough ; to levy rates and make charges in respect of such lighting and supply ; and for the purposes aforesaid to purchase electric power, to acquire land, and to acquire or construct works ; to borrow money ; and to exercise all powers necessary for any of the purposes aforesaid ; and to enable other municipalities to participate in the benefits of such supply ; to amend the Municipalities Act, 1897 ; and for other purposes consequent thereon or incidental thereto.
- Question put and passed.
- (2.) *Mr. Hogue* then presented a Bill, intituled "*A Bill to enable the Council of the Borough of the Glebe to light the streets and public and private places of the said borough with the Electric Light, and to supply electricity within or without the limits of the said borough ; to levy rates and make charges in respect of such lighting and supply ; and for the purposes aforesaid to purchase electric power, to acquire land, and to acquire or construct works ; to borrow money ; and to exercise all powers necessary for any of the purposes aforesaid ; and to enable other municipalities to participate in the benefits of such supply ; to amend the Municipalities Act, 1897 ; and for other purposes consequent thereon or incidental thereto*,"—which was read a first time.
- Ordered to be printed, and read a second time To-morrow.

8th November, 1904.

9. JUDGES' PENSIONS ABOLITION AND DUTIES BILL (*Formal Motion*):—Mr. Waddell moved, pursuant to Notice, That leave be given to bring in a Bill to provide that no pensions shall be paid to Judges to be appointed to the Supreme Court or District Court Bench; to prescribe the duties of all Judges of the Supreme Court and of District Courts in relation to public inquiries and Royal Commissions; to amend the Supreme Court and Circuit Courts Act, 1900, and the District Courts Act, 1901; and for other purposes connected therewith.
Question put and passed.

10. ATTACK MADE ON POLICY OF INDUSTRIAL ARBITRATION ACT BY HIS HONOR THE CHIEF JUSTICE:—Mr. Arthur Griffith moved, pursuant to Notice, That, in the opinion of this House, the attack recently made on the policy of the Industrial Arbitration Act by His Honor the Chief Justice of the State, in delivering the judgment of the Full Court in the case of Brickmasters' and Pipe Manufacturers' Union, was both unwarranted and unjustifiable.
Debate ensued.

And it being Seven o'clock, Government Business only proceeded with, under Sessional Order adopted on 12th October, 1904.

11. SYDNEY HARBOUR RATES BILL:—The Order of the Day having been read,—Mr. Carruthers moved, "That" this Bill be now read a third time.
Mr. Perry (*The Richmond*) moved, That the Question be amended by leaving out all the words after the word "That" and inserting the words, "the Bill be recommitted for the reconsideration of Clauses 3 and 6,"—instead thereof.
Debate ensued.

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

Ayes, 42.		Noes, 13.	
Mr. Hollis,	Mr. Thrower,	Mr. McGarry,	Mr. Gardiner,
Mr. Nielsen,	Mr. Hogue,	Mr. Meehan,	Mr. Daley,
Mr. Lee,	Mr. Nobbs,	Mr. Collins,	Mr. Perry (<i>The Richm'd</i>),
Mr. Carruthers,	Mr. Scobie,	Mr. Winchcombe,	Mr. Fegan,
Mr. Moore,	Mr. McGowen,	Mr. Walter Anderson,	Mr. Brinsley Hall,
Mr. Wade,	Mr. Sullivan,	Mr. Kelly,	Mr. Wood,
Mr. Cann,	Mr. Law,	Mr. Mackenzie,	Mr. Storey,
Mr. Dacey,	Mr. Mahony,	Mr. W. W. Young,	Mr. Morton,
Mr. Levy,	Dr. Arthur,	Mr. Waddell,	Mr. Macdonell,
Mr. Fallick,	Mr. McCoy,	Mr. Smith,	Mr. Coleman,
Mr. Henley,	Mr. Oakes,	<i>Tellers,</i>	Mr. Estell.
Mr. Jones,	Mr. Cohen,	Mr. Jessep,	<i>Tellers,</i>
Mr. Alan Millard,	Mr. Perry (<i>L'pool Plains</i>),	Mr. Latimer.	Mr. Charlton,
Mr. Booth,	Mr. O'Connor,		Mr. Holman.
Mr. Arthur Griffith,	Mr. W. Millard,		

And so it was resolved in the affirmative.

Question then,—That this Bill be now read a third time,—put.

The House divided.

Ayes, 46.		Noes, 13.	
Mr. Hollis,	Mr. Jones,	Mr. McGarry,	Mr. O'Sullivan,
Mr. Nielsen,	Mr. Fallick,	Mr. W. Millard,	Mr. Daley,
Mr. Lee,	Mr. Downes,	Mr. Gardiner,	Mr. Holman,
Mr. Carruthers,	Mr. Cohen,	Mr. O'Connor,	Mr. Fegan,
Mr. Moore,	Mr. Oakes,	Mr. Perry (<i>L'pool Plains</i>),	Mr. Levien,
Mr. Wade,	Mr. McCoy,	Mr. Smith,	Mr. McFarlane,
Mr. Jessep,	Dr. Arthur,	Mr. Waddell,	Mr. Brinsley Hall,
Mr. Latimer,	Mr. Mahony,	Mr. W. W. Young,	Mr. Perry (<i>The Richm'd</i>),
Mr. Dacey,	Mr. Law,	Mr. Mackenzie,	Mr. Wood,
Mr. Levy,	Mr. Storey,	Mr. Kelly,	Mr. Macdonell,
Mr. Nobbs,	Mr. Sullivan,	Mr. Scobie,	Mr. Coleman.
Mr. Hogue,	Mr. McGowen,	Mr. Morton.	<i>Tellers,</i>
Mr. Thrower,	Mr. Cann,	<i>Tellers,</i>	Mr. Charlton,
Mr. Arthur Griffith,	Mr. Walter Anderson,	Mr. Henley,	Mr. Estell.
Mr. Booth,	Mr. Collins,	Mr. Winchcombe.	
Mr. Alan Millard,	Mr. Meehan,		

And so it was resolved in the affirmative.

Bill read a third time, and, on motion of Mr. Carruthers, passed.

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates at the said port; to provide for the payment and collection of such rates; to amend the Sydney Harbour Trust Act, 1901, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto.*"
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 impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates at the said port; to provide for the payment and collection of such rates; to amend the Sydney Harbour Trust Act, 1901, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 8th November, 1904.*

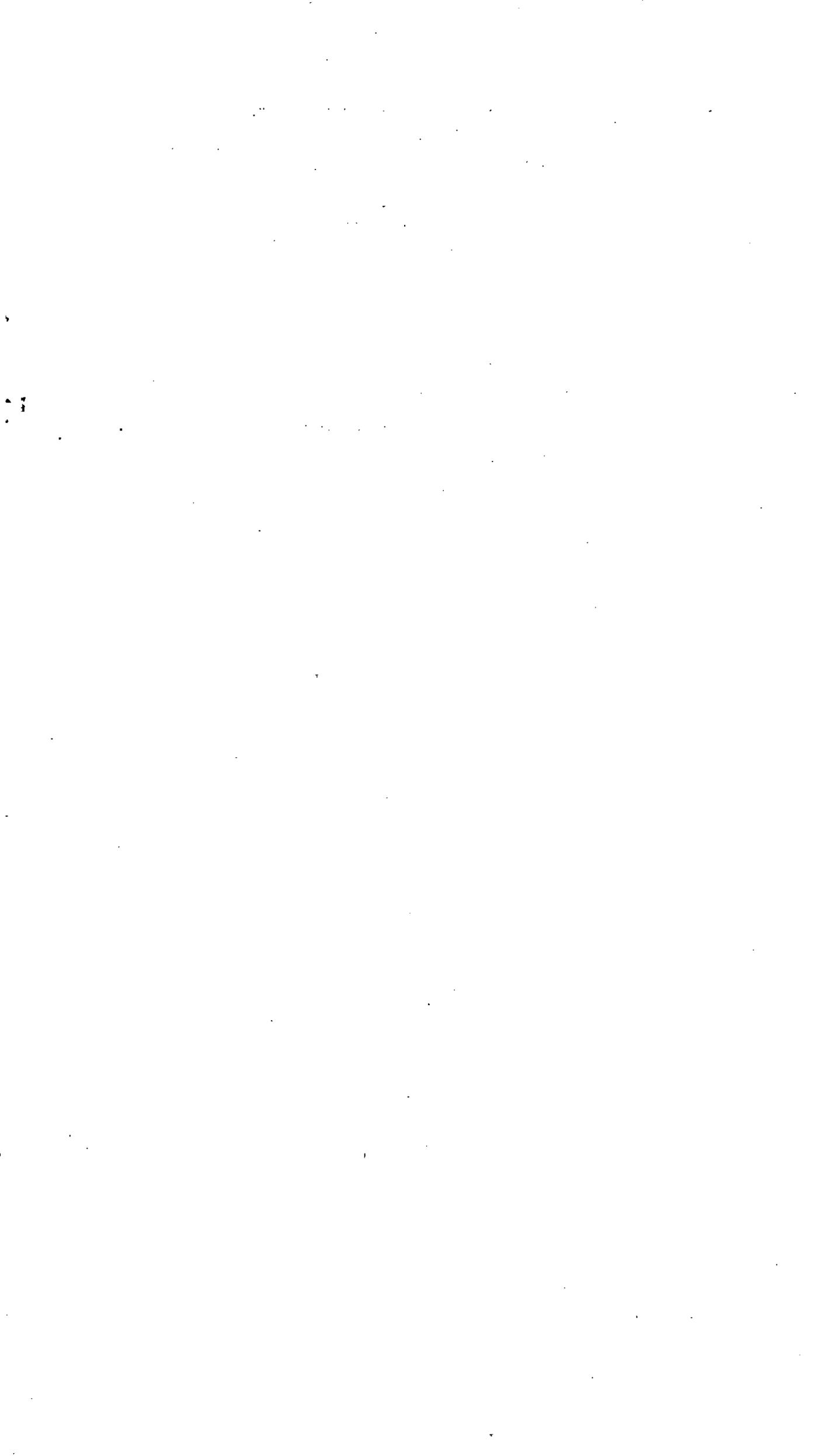
VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

8th November, 1904.

12. JUSTICES (FEES) BILL:—The Order of the Day having been read,—Mr. Wade moved, That this Bill be now read a third time.
Question put and passed.
Bill read a third time, and, on motion of Mr. Wade, *passed*.
Mr. Wade then moved, That the Title of the Bill be "*An Act to amend the law relating to fees in respect of proceedings before Justices ; to enable the Governor to fix such fees ; and for other purposes in connection therewith.*"
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 fees in respect of proceedings before Justices ; to enable the Governor to fix such fees ; and for other purposes in connection therewith,*"—presents the same to the Legislative Council for its concurrence.
*Legislative Assembly Chamber,
Sydney, 8th November, 1904.*
13. POSTPONEMENT :—The Order of the Day for the further consideration in Committee of the Whole of the Government Savings Bank Bill postponed until To-morrow.
14. STAMP DUTIES (AMENDMENT) BILL:—The Order of the Day having been read,—Mr. Carruthers 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. Carruthers, 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 Mr. Latimer, Temporary Chairman, reported the Bill, with amendments.
On motion of Mr. Carruthers, the report was adopted.
Ordered, That the Bill be read a third time To-morrow.
15. ADJOURNMENT :—Mr. Carruthers moved, That this House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned accordingly, at twenty-six minutes before Twelve o'clock, until To-morrow, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 28.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 9 NOVEMBER, 1904.

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

QUESTIONS :—

- (1.) Destruction of Rabbits on Crown Lands :—Mr. W. W. Young asked the Secretary for Lands,—
- (1.) Will he, where any reserve or stock route is wholly or in part useless or unnecessary for the purpose for which it was originally set apart, consider the question of throwing open for settlement under residential conditions the whole or any part of such lands ?
 - (2.) Will he, where Crown lands are being complained of by the occupiers of adjoining holdings, give the Pastures Protection Board power, after report by an Inspector, to agree to contract with said occupiers to carry on the work of rabbit destruction upon the said Crown lands ?
 - (3.) Is he in favour of having the law relating to the destruction of rabbits on Crown lands amended in the following direction :—(a) To have power given to Pastures Protection Boards to lay poison on such lands (including stock routes) under conditions that would conserve the safety of the travelling public, and without boards being subject to vexatious lawsuits ; (b) to provide for a fixed subsidy being available for the work of rabbit destruction upon all unoccupied Crown lands, such fixed subsidy to be based upon the principle of a pound for every pound expended by each board out of the rate in such work of rabbit extermination upon unoccupied Crown lands ?
 - (4.) Should he approve of this scheme, will he cause to be sent by circular to every board in New South Wales an intimation asking them to co-operate in having legislative effect given to the same ?

Mr. Ashton answered,—

- (1.) Yes. An important duty of District Surveyors is to report upon unnecessary reserves. Specific instructions were recently issued to those officers to report upon the subject of the curtailment of travelling stock reserves to actual requirements.
 - (2, 3, and 4.) The whole matter, which is a difficult one, is receiving the most careful consideration.
- (2.) Bridge over the Murray River at Tocumwal :—*Mr. McNeill*, for Mr. Burgess, asked the Colonial Treasurer,—Have the Victorian Government approached him in any way in reference to the construction of a bridge across the Murray River at Tocumwal ; if so, what is the result of the negotiations ?

Mr. Carruthers answered,—I have not been approached in this matter by the Victorian Government.

- (3.) Railway Employees :—*Mr. Estell*, for Mr. Arthur Griffith, asked the Colonial Treasurer,—
- (1.) In computing the time worked by employees on the wages staff, does each fortnightly period stand by itself, or can a period closed and paid for be reopened ?
 - (2.) If so, is there any limit to the time to which it is competent to revert ?
 - (3.) Is it a fact that many railway employees are compelled through broken shifts to sacrifice their whole Sunday and only receive therefor payment for the few hours actually worked ?
 - (4.) Will he ask the Commissioners to take into their consideration the practicability of rectifying this injustice by arranging that any employee called upon to work on Sunday shall receive for such work not less than a day's pay ?

Mr. Carruthers answered,—The Commissioners inform me that this is a detail of railway management, and that, if there be any grievance on the part of their employees in respect of matters referred to in the Question, they are open to receive representations from the men concerned.

- (4.) Appointment of Coroner :—Mr. Cohen asked the Attorney-General and Minister of Justice,—
- (1.) What period elapsed from the resignation of the late Coroner to the appointment of his successor ?
 - (2.) Did the Acting Coroner during that period have any assistance in the performance of the duties ?
 - (3.)

9th November, 1904.

- (3.) Are there at present a Coroner and a Deputy-Coroner?
 (4.) How many times, and for what reasons, has an Acting Coroner been appointed since the accession to office of the present Coroner?

Mr. Moore answered,—

- (1.) A period of three months, viz., from 30th November, 1903, to 29th February, 1904.
 (2.) No.

(3.) No. The position of Deputy Coroner has been abolished, but Mr. T. R. Icely, J.P. (Visiting Justice to Darlinghurst and Biloela Gaols), has been appointed a Coroner at Sydney for the purpose of assisting the City Coroner when necessary, and receives remuneration for his services at the rate of £1 for each inquest or inquiry that he is called upon to hold.

(4.) Once. Mr. Clarke, Relieving Police Magistrate, is at present acting as City Coroner during the absence of Mr. Barnett, who is performing the duties of Deputy Stipendiary Magistrate for a period of three weeks from the 24th ultimo.

- (5.) **Manufacture of Locomotives:**—Mr. Fegan asked the Colonial Treasurer,—Is it a fact that the Government or Railway Commissioners have accepted a tender for the manufacture of twenty locomotives; and, if so, would he oblige the House with the name of the firm to whom the contract is let?

Mr. Carruthers answered,—This Question is best answered by laying upon the Table of this House the papers relating thereto.

2. **FRUIT PESTS AND DISEASES BILL:**—Mr. Brinsley Hall presented a Petition from certain fruit-growers of Leet's Vale and the surrounding districts of the Hawkesbury River, praying the House not to pass the Fruit Pests and Diseases Bill, which Petitioners consider to be a most oppressive and expensive measure, detrimental to the best interests of fruit-growers, and uncalled for at the present juncture. Petition received.
3. **PROPOSED AMENDED AND ADDITIONAL STANDING ORDERS:**—Mr. Waddell, on behalf of the Chairman, brought up from the Standing Orders Committee a Report, with the Standing Orders prepared by that Committee, pursuant to reference of 6th October, 1904. Referred by Sessional Order to the Printing Committee.

4. **PAPERS:**—

Mr. Ashton laid upon the Table,—

- (1.) Return of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903.
 (2.) Abstract of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884.
 (3.) *Gazette* Notices, setting forth the mode in which it is proposed to deal with the dedication of certain Lands under the Crown Lands Acts of 1884 and 1889 and the Public Trusts Act, 1897. Referred by Sessional Order to the Printing Committee.

Mr. Carruthers laid upon the Table,—

- (1.) Report by Mr. Davis, Under Secretary for Public Works, with Minute by the Premier, on the Disposal of the Murray River Waters. Ordered to be printed.
 (2.) Papers in connection with Proposal to invite Tenders for the Manufacture of Twenty-five Locomotives. Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—Return to an Address, adopted on 25th October, 1904,—“Case of Constable Michael Daly and Mary Ann Everson.” Referred by Sessional Order to the Printing Committee.

Mr. Moore laid upon the Table,—Regulations under the Miners' Accident Relief Act, 1900, and the Miners' Accident Relief (Amendment) Act, 1901. Referred by Sessional Order to the Printing Committee.

5. **STAMP DUTIES (AMENDMENT) BILL (Formal Order of the Day),**—on motion of Mr. Carruthers, read a third time, and passed.

Mr. Carruthers then moved, That the Title of the Bill be “*An Act to impose certain stamp duties; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900; and for purposes consequent thereon or incidental thereto.*”

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 impose certain stamp duties; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900; and for purposes consequent thereon or incidental thereto.*”—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 9th November, 1904.

6. **APPOINTMENT OF THE CITY CORONER (Formal Motion):**—Mr. Cohen moved, pursuant to Notice, That there be laid upon the Table of this House copies of all papers in connection with the appointment of the present City Coroner. Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

9th November, 1904.

7. WELLINGTON CATTLE SALE-YARDS BILL (*Formal Motion*):—
 (1.) Mr. Thrower moved, pursuant to Notice, That leave be given to bring in a Bill to authorise the construction, maintenance, and regulation of Cattle Sale-yards by the Council of the Municipal District of Wellington.
 Question put and passed.
 (2.) Mr. Thrower having presented this Bill, and produced a certificate of the payment of the sum of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the State, Bill, intituled "A Bill to authorise the construction, maintenance, and regulation of Cattle Sale-yards by the Council of the Municipal District of Wellington,"—read a first time.
8. PUBLIC WORKS PASSED BY THE PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS (*Formal Motion*):—Mr. Gillies moved, pursuant to Notice, That there be laid upon the Table of this House a return showing,—
 (1.) The number of public works that have been passed by the Public Works Committee since the passing of the Act, and not carried out, together with the estimated cost of such works.
 (2.) The public works reported upon by the Public Works Committee, and approved of by Parliament and not yet commenced, together with the respective estimated cost of such works.
 Question put and passed.
9. ACTING STOCK INSPECTOR AND ASSISTANT, MUNGINDI (*Formal Motion*):—Mr. Jones moved, pursuant to Notice, That there be laid upon the Table of this House all papers concerning the dismissal of Acting Stock-Inspector Collman and Assistant E. J. McIntosh, at Mungindi, and the appointment of Acting Stock-Inspector Gavell and Assistant A. H. Toes to fill the vacancies.
 Question put and passed.
10. LAND AND INCOME TAX (AMENDMENT) BILL:—The Order of the Day having been read,—Mr. Carruthers 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. Carruthers, 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. Carruthers, the report was adopted.
 Ordered, That the Bill be read a third time To-morrow.
11. GOVERNMENT SAVINGS BANK 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 the Bill.
 Mr. Speaker resumed the Chair; and the Chairman reported progress, and obtained leave to sit again To-morrow.

12. ANCIENT LIGHTS DECLARATORY 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 declare the law with respect to ancient lights,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
 Sydney, 9th November, 1904.

F. B. SUTTON,
 President.

ANCIENT LIGHTS DECLARATORY BILL.

Schedule of the Amendments referred to in Message of 9th November, 1904.

ADOLPHUS P. CLAPIN,

For the Clerk of the Parliaments.

Page 1, clause 2, line 12. After "or" insert "of the parties to any"
 Page 1, clause 2, line 13. After "commencement" omit remainder of clause.

Examined,—

W. J. TRICKETT,

Chairman of Committees.

Ordered by Mr. Speaker, That the amendments made by the Legislative Council in this Bill be taken into consideration on Tuesday next.

13. STATE DEBT AND SINKING FUND BILL:—The Order of the Day having been read,—Mr. Carruthers moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

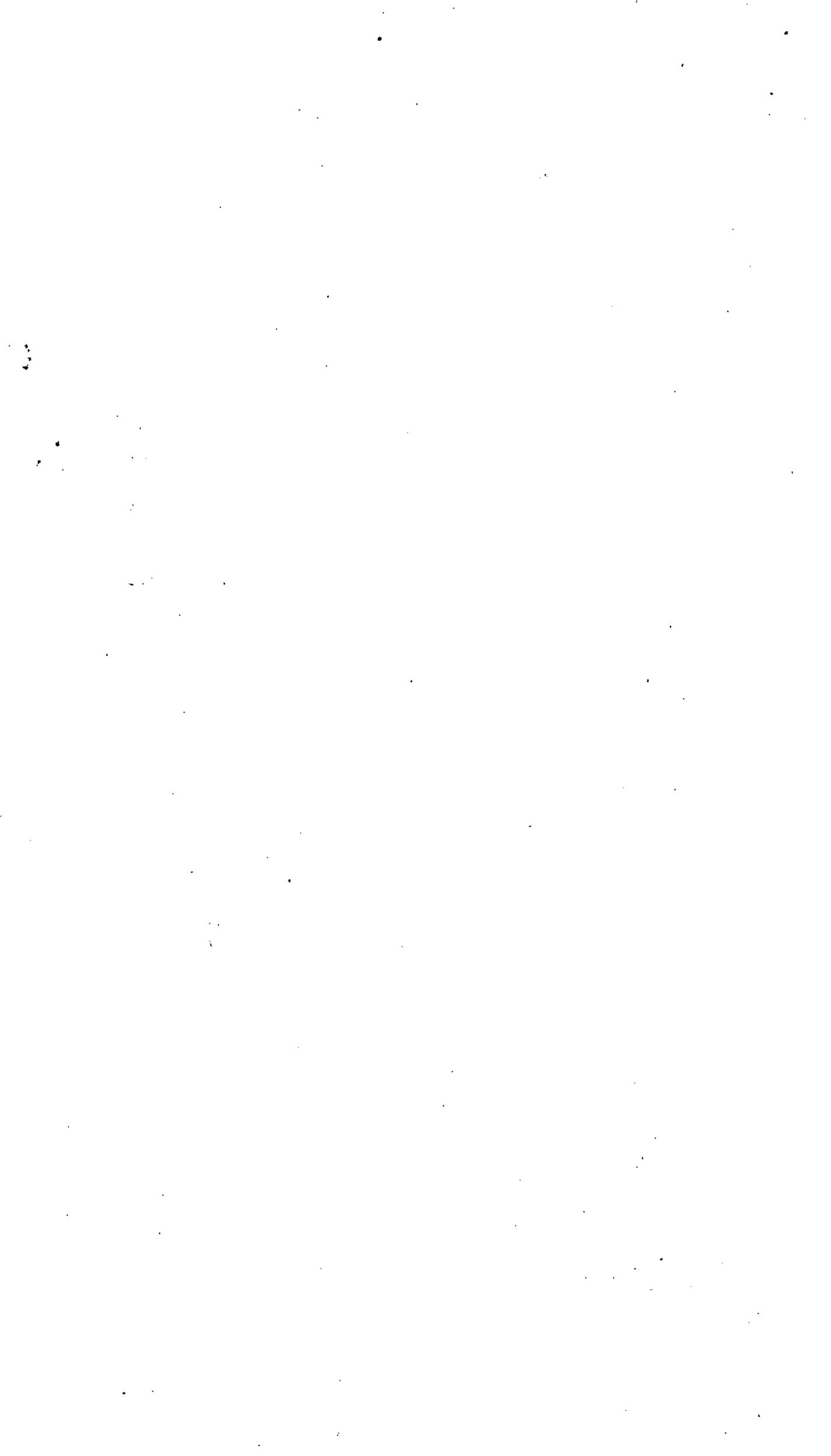
On motion of Mr. Carruthers, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Bill.

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

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

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

WILLIAM McCOURT,
 Speaker.



New South Wales.

No. 29.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 10 NOVEMBER, 1904.

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

CLOSER SETTLEMENT BILL :—The following Message from His Excellency the Governor was delivered by Mr. Ashton, and read by Mr. Speaker :—

FREDK. M. DARLEY,

Lieutenant-Governor.

Message No. 35.

By Deputation from His Excellency.

In accordance with the provisions contained in the 46th section of the Constitution Act, 1902, 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 repeal the Closer Settlement Act, 1901 ; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands ; to constitute and appoint authorities for reports and other purposes under this Act ; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands ; to apply certain of the provisions of the Crown Lands Acts and of the Acts to be read and construed therewith for the purpose of regulating closer settlement under this Act ; and to amend the Crown Lands Acts.

State Government House,

Sydney, 10th November, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

2. QUESTIONS :—

(1.) Mooki Springs Land Exchange :—Mr. Perry (*Liverpool Plains*) asked the Secretary for Lands,—

- (1.) Has the Mooki Springs exchange been completed ?
- (2.) If so, when will the surrendered land be made available for settlement ?
- (3.) Will he make the land available as original application only ?
- (4.) What is the area of the surrendered lands ?

Mr. Ashton answered,—

(1.) Yes.

(2 and 3.) Authority has been given to add, under the provisions of section 47 of the Crown Lands Act of 1895, 339 acres 2 roods 31 perches to A. H. Tanner's holding, the land having been included in the exchange with that object in view. 200 acres 1 rood are required for travelling stock and camping reserves, and the balance, 142 acres 2 roods, will be disposed of in conjunction with land to be surrendered under the Mooki supplementary exchange, and which will be added to H. S. Anderson's conditional purchase in accordance with the promise already given.

(4.) 682 acres 1 rood 31 perches in the Mooki Springs exchange ; 272 acres 2 roods in the Mooki Springs supplementary exchange.

(2.) Land for Settlement in the Liverpool Plains Electorate :—Mr. Perry (*Liverpool Plains*) asked the Secretary for Lands,—In view of the great demand for land for settlement in the Liverpool Plains Electorate, will he cause all the unnecessary reserves and other Crown lands to be made available for immediate settlement ?

Mr. Ashton answered,—Yes. I am glad to be able to inform the Honorable Member that an area of 32,174½ acres in the electorate which he represents will be made available for settlement between 17th November, 1904, and 12th January, 1905.

10th November, 1904.

- (3.) Victorian Butter Commission :—Mr. Perry (*Liverpool Plains*) asked the Colonial Treasurer,—
- (1.) Has his attention been drawn to the evidence of Mr. Stewart, as appearing in the *Age*, 3rd November, as given before the Butter Commission now sitting in Victoria, to the effect that eight specified Sydney firms have participated in rebates on butter freights?
 - (2.) Will he invite the Royal Commission at present sitting in Victoria, and which has Federal jurisdiction to take evidence in New South Wales, so as to ventilate the conditions under which the rebates have been paid to the Sydney firms named, and whether the said rebates have been absorbed by the firms or rebated to the producers?
- Mr. Carruthers answered,—
- (1.) Yes.
 - (2.) No; I have a decided objection to a Victorian Commission sitting and taking evidence in New South Wales on a State matter. I intend to have proper inquiry made into the matter here.
- (4.) Manufacture of Locomotives :—Mr. Storey asked the Colonial Treasurer,—
- (1.) How many locomotives were purchased by the Railway Commissioners from England during the last ten years?
 - (2.) Were tenders called for in each case?
 - (3.) How many were supplied by Messrs. Beyer, Peacock, & Co., of Manchester?
 - (4.) Did Messrs. Beyer, Peacock, & Co. tender in the usual way, or was the order given to them at the best prices obtainable?
 - (5.) How many each of classes "P," "T," and "Suburban" were received, and what was the price paid in each case erected on the rails at Eveleigh?
 - (6.) How many locomotives (if any) are on order at present, and what is the price arranged to be paid erected on the rails at Eveleigh?
 - (7.) What amount of duty is paid to the Commonwealth Customs per cent. by the locomotive contractors or the Railway Commissioners, as the case may be?
 - (8.) Has any arrangement yet been entered into to build locomotives at the Eveleigh Workshops?
 - (9.) In view of the importance of constructing locomotives within the State, will he give this House an opportunity of discussing the matter before definitely deciding upon any course?
- Mr. Carruthers answered,—
- (1 to 7.) If moved for, will be prepared in the form of a return.
 - (8.) Not yet, pending return of Mr. Kirkcaldie, as the Ministry desires advice of full Board of Commissioners for Railways.
 - (9.) The Government recognises the importance of constructing locomotives in the State, but until it has fuller and better information before it, the case is incomplete either for Cabinet or Parliamentary discussion.
- (5.) Prospecting Vote :—Mr. Eden George, for Mr. Fell, asked the Secretary for Mines,—
- (1.) What amount has been paid from the Prospecting Vote to the Corowa Deep Lead Company to date?
 - (2.) What amount of money has been disbursed from the Prospecting Vote since the inauguration of the system?
 - (3.) What is the total amount of refunds to Treasury in connection with same?
 - (4.) What is the amount that has been disbursed by way of bonus or assistance to the dredging industry since its inception, and who are the recipients?
 - (5.) What is the total received by the Department of Mines, in rents and royalties, from the dredging industry since its inception?
- Mr. Moore answered,—
- (1.) £5,350 10s.
 - (2.) £358,261 2s. 3d.
 - (3.) £616 14s. It may be explained that refunds were not asked for prior to the year 1896, whilst the distribution of the vote dates back to the year 1879, and only within the present year has power been given to enforce repayment.
 - (4.) No amount has been so disbursed.
 - (5.) Rent received, £11,905 11s.; royalty, £961 3s. 10d.
- (6.) Estimates of Expenditure, Police Department :—Mr. Daley asked the Colonial Secretary,—
- (1.) What votes for contingencies in the Estimates of Expenditure for 1903-4, for the Police Department, were not fully expended during that year?
 - (2.) Have the amounts been correspondingly reduced in the present Estimates?
 - (3.) Were the unexpended balances of any of the votes used to meet other contingencies above the amount of the Estimates or for any other purpose?
- Mr. Hogue answered,—
- (1.) Travelling allowances, rations, forage, shoeing, fencing, incidental expenses, maintenance, &c., of telephones, special allowances (plain-clothes duty), special allowances (expensive districts), coal for launches, special allowances under Traffic Act, and postage.
 - (2.) The Estimates on account of contingencies for the current year have been slightly increased to meet proposed increase of seventy-four in the establishment, and to cover the additional expense involved in establishing new stations throughout the State.
 - (3.) If there is a surplus on any item of contingencies, it is always used to meet payments on account of other items which may have been over-expended.
- (7.) Case of Tremewan, Tried at Bathurst :—Mr. W. W. Young asked the Attorney-General and Minister of Justice,—
- (1.) Is it a fact that a man named Tremewan was tried at the Circuit Court, held at Bathurst on the 17th October, for stealing gold, and a verdict of not guilty returned by the jury?

10th November, 1904.

- (2.) Is it a fact that the Judge stated that the exhibit (the gold) was to be handed to the person who brought it into Court?
- (3.) As in this case it was a Police Constable who brought the gold into Court, is he now to be considered the owner?
- (4.) Will he take such steps as may seem fitting to him to have the gold returned to Tremewan, who appears to be its rightful owner?

Mr. Wade answered,—

- (1.) Tremewan was tried at the Court named, with a man named Miner, the indictment charging "Stealing a fixture," "Larceny," and "Receiving," and acquitted.
- (2.) Tremewan applied to the Judge for an order directing the return of the gold to him, but the Judge declined to make any order with reference to the gold.
- (3.) No.
- (4.) The course pursued in this case is in accordance with law and established practice. It is open to any person claiming to be the rightful owner of the gold to apply to a Court in the manner provided by law for an order directing the police to hand the gold over to him.
- (8.) Office for the Registration of Births, Deaths, and Marriages:—Mr. J. H. Young asked the Colonial Secretary,—
- (1.) Has it been decided to remove the office for the registration of births, deaths, and marriages to the basement of the new buildings near St. Mary's Cathedral?
- (2.) Seeing that the records in connection with this office are of great value, has he considered the danger of depositing them in a building which has not been made fire-proof?
- (3.) Are the fittings in this new building of metal, or of inflammable material?
- (4.) In view of the fact that this basement is several feet below the surrounding land, does he consider it likely to be a healthy place for a large number of clerks to be continuously employed in?
- (5.) Has he considered the question of general convenience to the public involved in the change he proposes to make?

Mr. Hogue answered,—

- (1.) Yes.
- (2.) As the building is detached, and will be provided with appropriate safeguards against fire, the danger is inconsiderable.
- (3.) The internal partitions are of wood.
- (4.) Yes. The Government Architect, who has been referred to, concurs in this view.
- (5.) Yes. The proposed change will result in a saving of upwards of £500 a year rent, and is not likely to cause any inconvenience.
- (9.) Railway from Burren Junction to Cryon:—Mr. Collins asked the Secretary for Public Works,—
- (1.) When do the Railway Commissioners purpose taking over the line from Burren Junction to Cryon?
- (2.) In view of the fact that there are large quantities of wool and wheat in the district for despatch, will he make arrangements with the Construction Branch to take delivery of same at Cryon, pending the taking over this portion of the line by the Commissioners?

Mr. Lee answered,—

- (1.) I should like the Commissioners to take over the line now, but I understand they are not desirous of doing so until terminal arrangements have been provided.
- (2.) I regret I cannot do so, as the Department has not the necessary appliances for taking delivery of wool and wheat, and therefore could not undertake this work.
3. SCONE CATTLE SALE-YARDS BILL:—Mr. Fleming presented a Petition from the Municipal Council of Scone, praying for leave to bring in a Bill to authorise the Municipal Council of Scone to purchase land and erect and maintain Cattle Sale-yards thereon.
- And Mr. Fleming having produced the *Government Gazette*, and the *Sydney Morning Herald*, and the *Scone Advocate*, newspapers containing the Notices required by the 396th Standing Order,—
Petition received.

4. PAPERS:—

Mr. Carruthers laid upon the Table,—Notes by F. M. Bladen, F.R.G.S., F.R.H.S., respecting Captain Cook's ship, the "Endeavour."
Ordered to be printed.

Mr. Lee laid upon the Table,—Return to an Order, made on 13th October, 1904,—"Expenditure of "Unclassified Road Vote in each Electorate."
Referred by Sessional Order to the Printing Committee.

5. LISMORE MARKETS AND CATTLE SALE-YARDS BILL:—Mr. John Hurley, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on 8th November, 1904; together with a copy of the Bill as agreed to by the Committee.
Ordered to be printed.

Mr. Hurley then moved, That the Bill be read a second time on Wednesday next.

6. PRINTING COMMITTEE:—Mr. McFarlane, as Chairman, brought up the Seventh Report from the Printing Committee.

7. CLOSER SETTLEMENT BILL (*Formal Motion*):—Mr. Ashton moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to repeal the Closer Settlement Act, 1901; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands; to constitute and appoint authorities for reports and other purposes under this Act; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands; to apply certain of the provisions of the Crown Lands Acts and of the Acts to be read and construed therewith for the purpose of regulating closer settlement under this Act; and to amend the Crown Lands Acts.
Question put and passed.

10th November, 1904.

8. LAND AND INCOME TAX (AMENDMENT) BILL (*Formal Order of the Day*),—on motion of Mr. Carruthers, read a third time, and *passed*.
Mr. Carruthers then moved, That the Title of the Bill be "*An Act to provide for the levying and payment of income tax in respect of certain mortgages; to make better provision for assessing income tax; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act; to amend the Land and Income Tax Assessment Act of 1895; and for purposes consequent thereon or incidental thereto.*"
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 levying and payment of income tax in respect of certain mortgages; to make better provision for assessing income tax; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act; to amend the Land and Income Tax Assessment Act of 1895; and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 10th November, 1904.
9. APPOINTMENT OF ACTING CHIEF CLERK, OFFICE OF REGISTRAR OF ARBITRATION (*Formal Motion*):—
Mr. Kelly moved, pursuant to Notice, That there be laid upon the Table of this House copies of all papers in connection with the appointment of the Acting Chief Clerk in the office of the Registrar of Arbitration.
Question put and passed.
10. COAL TRAFFIC, NEWCASTLE AND MAITLAND DISTRICTS (*Formal Motion*):—Mr. Estell moved, pursuant to Notice, That there be laid upon the table of this House a return showing,—
(1.) The total amount earned by the Railway Department in the haulage of coal in the Newcastle District for the year ended 30th June, 1904.
(2.) The earnings per train mile in the haulage of coal in the Newcastle District for the same period.
(3.) The working expenses, under appropriate headings, in connection with the said traffic, and any other expenses, under appropriate headings, properly chargeable to the coal traffic.
(4.) Similar information in respect to coal traffic from Maitland District to Newcastle.
Question put and passed.
11. POSTPONEMENT:—The Order of the Day for the resumption of the Debate, on the motion of Mr. Arthur Griffith, "That, in the opinion of this House, the attack recently made on the policy of the "Industrial Arbitration Act by His Honor the Chief Justice of the State, in delivering the "judgment of the Full Court in the case of Brickmasters' and Pipe Manufacturers' Union, was both "unwarranted and unjustifiable,"—postponed until Tuesday, 13th December, 1904.
12. GOVERNMENT SAVINGS BANK 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 the Bill.

And the Committee continuing to sit after Midnight,—

FRIDAY, 11 NOVEMBER, 1904, A.M.

- Mr. Speaker resumed the Chair; and Mr. Nielsen, Temporary Chairman, reported the Bill, with amendments.
On motion of Mr. Carruthers, the report was adopted.
Ordered, That the Bill be read a third time on Wednesday next.
13. SPECIAL ADJOURNMENT:—Mr. Carruthers (*by consent*), moved without Notice, That this House, at its rising This Day, do adjourn until Tuesday next.
Question put and passed.
14. MUNICIPAL LOANS (VALIDATING) BILL:—The Order of the Day having been read,—Mr. Hogue moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Hogue, 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. Hogue, the report was adopted.
Ordered, That the Bill be read a third time on Tuesday next.
15. ADJOURNMENT:—Mr. Hogue moved, That this House do now adjourn.
Debate ensued.
Question put and passed.

The House adjourned accordingly, at one minute before One o'clock, a.m., until *Tuesday next*, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 30.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 15 NOVEMBER, 1904.

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

QUESTIONS :—

(1.) Law Reform :—Mr. Daley asked the Attorney-General and Minister of Justice,—

- (1.) Does he intend, at the beginning of next Session, to introduce a Bill dealing with law reform?
- (2.) If such Bill is introduced, will it be on the lines of the various Judicature Acts now in force in England, Victoria, South Australia, Queensland, Western Australia, and other parts of the Empire?
- (3.) If the Government is not prepared to introduce such legislation, will it afford assistance to a private Member doing so?
- (4.) Under any circumstances, will the Government bring in a Bill to give the District Court a jurisdiction similar to that of the County Courts in England, or afford a private Member assistance in doing so?

Mr. Wade answered,—

(1 and 3.) It is the intention of the Government, during next Session, to deal with the general question of law reform.

(2.) I am not prepared, at the present stage, to say precisely on what lines the proposals for reform will be modelled; but, generally speaking, the aim will be to secure uniformity, to expedite litigation, and to secure economy combined with efficiency.

(4.) As part of the scheme, the Government have now under consideration the question of increasing the jurisdiction of the inferior courts in several directions, and probably a short Bill will be introduced to effect that proposal at the very first opportunity.

(2.) Lease to S. W. Wagstaff for shop on Circular Quay Ferry Wharf :—Mr. Edden, for Mr. Kelly, asked the Colonial Treasurer,—

(1.) Is it a fact that the Harbour Trust Commissioners have sent out communications to S. W. Wagstaff, one of their tenants at Circular Quay, informing him that he must discontinue selling tobacco and cigars?

(2.) Is he aware that there is a clause in the lease about to be issued to S. W. Wagstaff, viz., that the sale of newspapers, stationery, books, periodicals, or tobacco, cigarettes, or such other goods as are usually sold by a stationer or tobacconist, will not be permitted?

Mr. Carruthers answered,—

(1.) The lease of the fruit shop at No. 1 Jetty, Circular Quay, having expired, the Commissioners, in accordance with a recent decision, invited tenders for a fresh lease upon conditions which specifically debarred the sale of the articles mentioned. The successful tenderer, Mr. Wagstaff, subscribed to those conditions.

(2.) It having been reported to the Commissioners a few days ago that Mr. Wagstaff was acting in contravention of the condition, he was written to accordingly.

(3.) Grants for Roads, &c., in the Electorate of Durham :—Mr. John Hurley asked the Secretary for Public Works,—How many letters, and the nature of same, were issued by the Under Secretary for Public Works in reply to Mr. Bennett *re* grants for various roads, &c., in the Electorate of Durham, during the months of June and July before the election?

Mr. Lee answered,—The records of the office show that about thirty-one letters and telegrams respecting public works in the present Durham Electorate were sent Mr. Bennett during the period mentioned. These included intimations of grants, conditional and unconditional, amounting to £298, for roads, bridges, and other works, notifications that certain matters must stand over for the present, and that other matters would receive attention when funds were available, and also information of amounts noted for estimates for various works.

(4.)

15th November, 1904.

(4.) Bridge over the Hunter River at Luskintyre :—Mr. John Hurley asked the Secretary for Public Works,—

- (1.) What was the total cost of constructing the bridge over the Hunter River at Luskintyre, including the approaches ?
- (2.) The names of the officials, if any, who recommended the work ?
- (3.) The names of the Members of Parliament who urged Mr. O'Sullivan to construct the bridge ?
- (4.) Did the officers of the Department report that the traffic warranted the expenditure ?

Mr. Lee answered,—

- (1.) £19,733 11s. 4d.
- (2.) No actual recommendation was made by any departmental officer that a high-level bridge should be erected, but when Minister, in August, 1899, I gave instructions, upon representations having been made to me, that the necessary data and an estimate be prepared, and also placed on record my opinion that a high-level bridge should be provided, when the proper time arrived, to replace the existing low-level structure.
- (3.) Messrs. John Gillies and Walter Bennett, Ms.P.
- (4.) There is no such record.

(5.) Wharf at Raymond Terrace :—Mr. John Hurley asked the Secretary for Public Works,—

- (1.) Is he aware that, during the progress of the recent election, Mr. Bennett promised the inhabitants of Raymond Terrace £550 towards constructing a wharf ?
- (2.) Is it intended to carry the promise into effect ?

Mr. Lee answered,—

- (1.) A sum of £550 was approved by the late Minister to be noted for 1904–5 Revenue Estimates.
- (2.) The amount was omitted when the Estimates were being revised in September.

(6.) Embankment at Dunmore :—Mr. John Hurley asked the Secretary for Public Works,—

- (1.) Is it a fact that Mr. Bennett, when Secretary for Public Works, and during the recent election, promised the inhabitants of Dunmore £200 towards constructing a private embankment ?
- (2.) Will he be good enough to say what is being done in the matter ?

Mr. Lee answered,—

- (1.) The papers show that Mr. Bennett's approval was to pay half the actual cost, to a limit of £200, of an embankment to be constructed by the residents. It is reported some $\frac{3}{4}$ mile of public roads would thereby be protected.
- (2.) The work is now being carried out by the residents to the approval of the District Officer.

(7.) Men employed on Old Punt Road, Hinton :—Mr. John Hurley asked the Secretary for Public Works,—

- (1.) Is he aware the eighteen or twenty men Mr. Bennett, when Secretary for Public Works, employed two or three days before polling-day were working on a road, known as the Old Punt Road, abandoned on the opening of the bridge in lieu of the punt ?
- (2.) Will he be good enough to have this matter thoroughly investigated, and place the papers upon the Table of this House ?

Mr. Lee answered,—

- (1.) I find from the papers it is reported that the recent floods left a lot of silt and rubbish in the drains and water-tables on this road, and they were silted so that the surface water could not get away. Mr. Bennett, therefore, on the 27th July, 1904, gave instructions for them to be cleaned out by day labour, preference to be given to Hinton unemployed. The local officer's report shows that this road was formerly used as an approach to Hinton Punt, and carried a large traffic. On the opening of Hinton bridge, the punt was removed and traffic diverted to the bridge.
- (2.) There will be no objection to lay the papers upon the Table, if moved for in the usual way.

2. PAPERS :—

Mr. Dick laid upon the Table,—Précis of Departmental Reports on the Proposed Federal Capital Site at Dalgety.

Ordered to be printed.

Mr. Carruthers laid upon the Table,—

- (1.) Statement of Bank Liabilities and Assets for quarter ended 30th September, 1904.
- (2.) Statement of Public Companies' Liabilities and Assets for quarter ended 30th September, 1904. Referred by Sessional Order to the Printing Committee.

3. WELLINGTON CATTLE SALE-YARDS BILL (*Formal Motion*) :—Mr. Thrower moved, pursuant to Notice,—

- (1.) That the Wellington Cattle Sale-yards Bill be referred to a Select Committee for consideration and report.
 - (2.) That such Committee consist of Mr. Mechan, Mr. Burgess, Mr. Perry (*Liverpool Plains*), Mr. W. W. Young, Mr. Smith, Mr. Henley, Mr. Morton, Mr. Thomas, and the Mover.
- Question put and passed.

4. SCONE CATTLE SALE-YARDS BILL (*Formal Motion*) :—Mr. Fleming moved, pursuant to Notice,—

- That leave be given to bring in a Bill to authorise the Municipal Council of Scone to purchase land and erect and maintain Cattle Sale-yards thereon.
- Question put and passed.

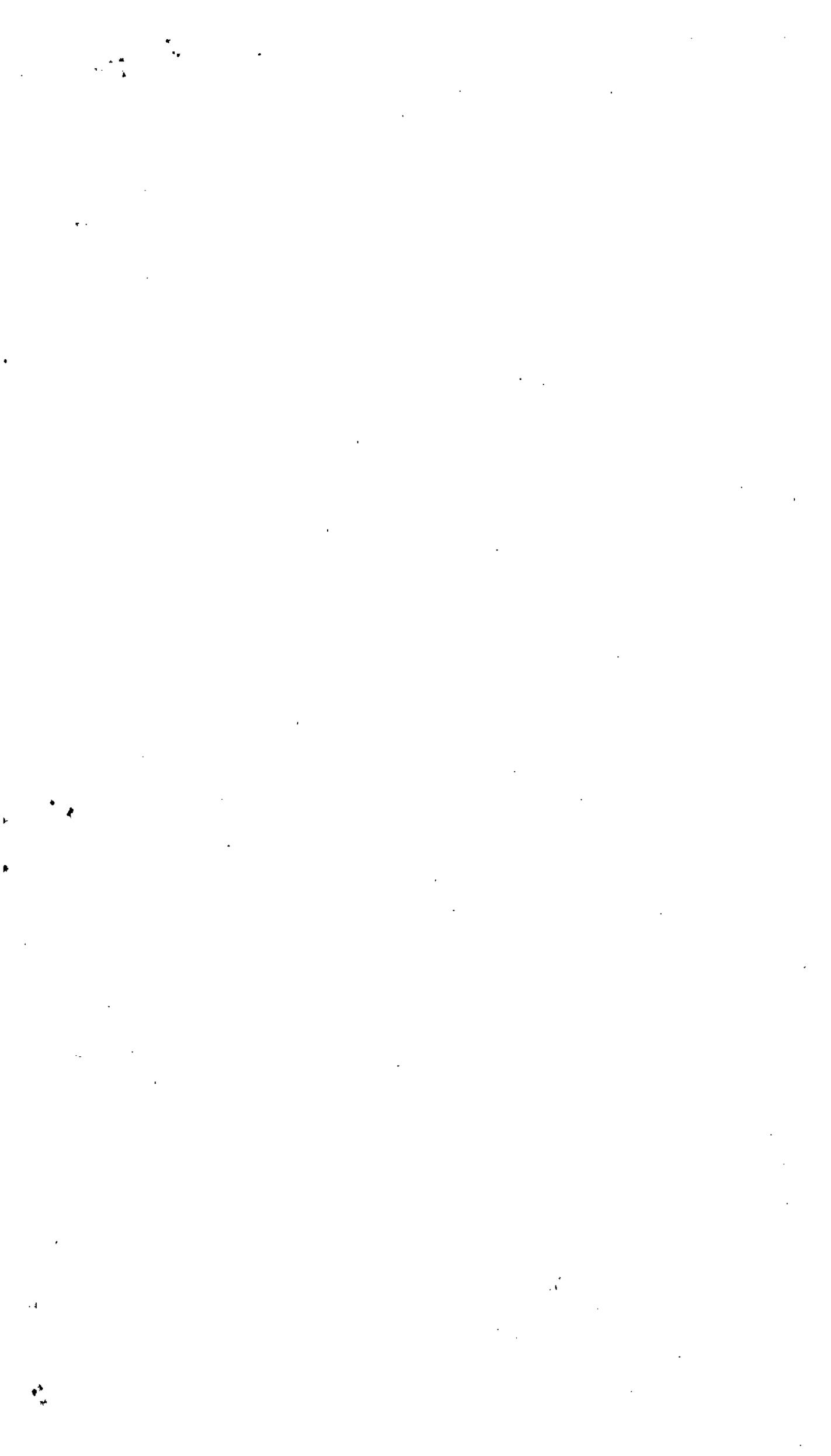
VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

15th November, 1904.

5. MUNICIPAL LOANS (VALIDATING) BILL (*Formal Order of the Day*),—on motion of Mr. Hogue, read a third time, and *passed*.
Mr. Hogue then moved, That the Title of the Bill be "*An Act to provide for the validation of municipal loans, and for purposes consequent thereon or incidental thereto.*"
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 validation of municipal loans, and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.
*Legislative Assembly Chamber,
Sydney, 15th November, 1904.*
6. FRUIT PESTS AND DISEASES BILL :—On motion of Mr. Jessep, the Order of the Day was discharged.
Ordered, That the Bill be withdrawn.
7. ANCIENT LIGHTS DECLARATORY BILL :—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 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. Cohen, 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 declare the law with respect to ancient lights.*"
*Legislative Assembly Chamber,
Sydney, 15th November, 1904.*
8. PRESBYTERIAN CHURCH PROPERTY CONSOLIDATION BILL :—The Order of the Day having been read,—Mr. Fegan 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. Fegan, 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. Fegan, the report was adopted.
Ordered, That the Bill be read a third time To-morrow.
9. MINES INSPECTION AMENDMENT BILL (No. 2) :—The Order of the Day having been read,—Mr. Cann 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. Cann, 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. Cann, the report was adopted.
Ordered, That the Bill be read a third time To-morrow.
10. ADJOURNMENT :—Mr. Lee moved, That this House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned accordingly, at twelve minutes before Eleven o'clock, until To-morrow, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 31.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 16 NOVEMBER, 1904.

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

QUESTIONS :—

(1.) Building Erected off George-street, Dawes' Point :—*Mr. Fleming*, for *Mr. Cieswell*, asked the Secretary for Public Works,—

- (1.) On what authority, and for what purpose, was the brick building and chimney-stack, off George-street, Dawes' Point, erected by the late Government?
- (2.) What was the total cost of same, including the value of the land; and when were the building and chimney-stack completed?
- (3.) Has the building yet been used; if not, why not?
- (4.) What is the intention of the present Government in regard to it?

Mr. Lee answered,—

- (1.) On the authority of the Secretary for Works, *Mr. E. W. O'Sullivan*, for the purpose of an electric power station.
 - (2.) Expenditure on building to date, £8,033 9s.; the land has not yet been paid for, nor is the building complete.
 - (3.) No, because negotiations are pending with the City Council for electric energy.
 - (4.) No decision can be arrived at just at present.
- (2.) Licensed Vanmen :—*Mr. Hollis* asked the Colonial Secretary,—
- (1.) Is the removal of furniture and luggage the chief occupation of licensed vanmen, who pay an annual fee for the privilege of doing such work for hire?
 - (2.) Is a large amount of furniture removed by unlicensed vehicles, for which no annual fee is paid?
 - (3.) What is the object of charging a license fee to vanmen?
 - (4.) Are persons who pay a license to sell liquor or tobacco protected from competition by unlicensed persons?
 - (5.) Will he see that similar protection is given to licensed vanmen?
 - (6.) Did a recognised officer, under the Metropolitan Transit Commission, always appear at Court on behalf of licensed vanmen making complaint of not having been paid full legal fare for a hiring?
 - (7.) Is there any provision in the Metropolitan Traffic Act to prevent a police officer appearing in a similar capacity, and for a similar purpose?
 - (8.) What is the departmental objection, if any, to this course being adopted?

Mr. Hogue answered,—

- (1.) Yes.
- (2.) Yes.
- (3.) To obtain revenue to meet portion of the expenses incurred.
- (4.) Yes.
- (5.) As much protection is given as is possible under the present law.
- (6.) Yes.
- (7.) No.
- (8.) The Traffic Act provides for a summons being issued to a vanman free of cost, and it is not considered advisable for the Police to interfere.

(3.) Destruction of Rabbits, &c., by means of Diseases :—*Mr. Fleming* asked the Secretary for Lands,— Does any legal restriction exist in regard to experimenting with chicken cholera, or other diseases, on rabbits or other animals in this State?

Mr. Ashton answered,—Yes, the legislation on the subject will be found in the Noxious Microbes Act, No. 23, 1900.

16th November, 1904.

- (4.) Railway from Burren Junction to Cryon :—Mr. Collins asked the Secretary for Public Works,—Referring to the Question asked by Mr. Collins, on 10th November,—
- (1.) When is it expected that terminal arrangements will be completed at Cryon, on the Narrabri-Walgett Railway?
 - (2.) In view of the fact that the Construction Branch has no conveniences for coping with the traffic between Burren Junction and Cryon, will he make temporary arrangements with the Railway Commissioners until the line is permanently taken over by them?
- Mr. Lee answered.—
- (1.) Terminal arrangements should be completed at Cryon within three months from date of acceptance of tender for station buildings at that place. A tender will be accepted immediately funds have been voted by Parliament.
 - (2.) The Railway Commissioners object to run traffic over the line until the terminal arrangements have been provided.
- (5.) Rowena Bore Drains :—Mr. Collins asked the Secretary for Public Works,—
- (1.) When will the survey of the Rowena Bore drains be completed?
 - (2.) In view of the fact that the settlers are getting short of water in this locality, will he give instructions for tenders to be called for these drains without delay?
- Mr. Lee answered,—
- (1.) Surveys will be complete in a few days.
 - (2.) Yes.
- (6.) Naval Auxiliary Squadron :—Mr. Broughton asked the Colonial Treasurer,—What was the amount paid by this State as a contribution to the Naval Auxiliary Squadron for the financial year ending 30th June, 1904?
- Mr. Dick answered,—The contribution is debited by the Commonwealth against the revenues collected within this State. The following extract from Sir George Turner's Budget Papers, 18th October, 1904, will answer the Honorable Member's Question :—Naval subsidy—New South Wales proportion. Total paid during 1903-4, £88,045, which includes on account of the year 1904-5, £36,860; leaving total paid on account of 1903-4, £51,185.
2. SCONE CATTLE SALE-YARDS BILL :—Mr. Fleming, pursuant to leave granted on 15th November, 1904, having presented this Bill, and produced a certificate of the payment of the sum of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the State, Bill, intitled "*A Bill to authorise the Municipal Council of Scone to purchase land and erect and maintain Cattle Sale yards thereon,*"—read a first time.
3. PAPERS :—
- Mr. Carruthers laid upon the Table,—
- (1.) Notification of appropriation of land, under the Public Works Act, 1900; for the extension of the Railway-station Yard at Boree.
 - (2.) Notification of resumption and appropriation of land, under the Public Works Act, 1900, for the improvement of the Railway Traffic at Leura.
- Referred by Sessional Order to the Printing Committee.
- Mr. Ashton laid upon the Table,—
- (1.) Abstract of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884.
 - (2.) *Gazette* Notices, setting forth the mode in which it is proposed to deal with the dedication of certain Lands under the Crown Lands Acts of 1884 and 1889 and the Public Trusts Act, 1897.
 - (3.) Abstract of Crown Lands reserved from sale for the Preservation of Water Supply or other Public Purposes under the Crown Lands Act of 1884.
 - (4.) Abstract of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884.
 - (5.) Abstract of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884.
- Referred by Sessional Order to the Printing Committee.
- Mr. Lee laid upon the Table,—Index Tables, showing tests of Pumps, and a plan of the Locking-bar Steel Pipes, Sydney Water Supply, in connection with the Annual Report of the Public Works Department for the year ended 30th June, 1904 (*laid on Table on the 18th October, 1904*).
- Referred by Sessional Order to the Printing Committee.
4. MUNICIPAL DISTRICT OF COWRA REDUCED AREA BILL :—Mr. Waddell, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on 1st November, 1904, together with a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.
- Mr. Waddell then moved, That the Bill be read a second time on Tuesday, 29th November.
- Question put and passed.
5. PRESBYTERIAN CHURCH PROPERTY CONSOLIDATION BILL (*Formal Order of the Day*),—on motion of Mr. Fegan, read a third time, and passed.
- Mr. Fegan then moved, That the Title of the Bill be "*An Act to consolidate the Acts regulating the temporal affairs of the Presbyterian Church of Australia in the State of New South Wales, and to amend the same.*"
- Question put and passed.

Ordered,

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

16th November, 1904.

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 consolidate the Acts regulating the temporal affairs of the Presbyterian Church of Australia in the State of New South Wales, and to amend the same,*"—with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Sydney, 16th November, 1904.

PRESBYTERIAN CHURCH PROPERTY CONSOLIDATION BILL.

Schedule of the Amendments referred to in Message of 16th November, 1904.

RICHD. A. ARNOLD,

Clerk of the Legislative Assembly.

Page 3, clause 7, line 9. After "Assembly" insert "and the congregation, provided that such congregation consist of not less than thirty persons who are communicants and financial seat-holders"

Page 3, clause 7. Add at end of clause "and the before-mentioned members of the congregation"

Page 3, clause 9, line 42. After "Assembly" insert "and the before-mentioned members of the congregation"

Examined,—

W. P. CRICK,

Chairman of Committees.

6. MINES INSPECTION AMENDMENT BILL (No. 2) (*Formal Order of the Day*),—on motion of Mr. Cann, read a third time, and passed.

Mr. Cann then moved, That the Title of the Bill be "*An Act to amend the Mines Inspection Act of 1901; to make provision for the appointment of check weighman or check clerk, and the payment of such check weighman or check clerk; and to provide for weighing in certain cases.*"

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 Mines Inspection Act of 1901; to make provision for the appointment of check weighman or check clerk, and the payment of such check weighman or check clerk; and to provide for weighing in certain cases,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 16th November, 1904.

7. APPOINTMENT OF MR. F. W. REYNOLDS TO THE BOOROWA LAND BOARD (*Formal Motion*):—Mr. Nielsen moved, pursuant to Notice, That there be laid upon the Table of this House copies of all papers, minutes, &c., in connection with the appointment of Mr. Francis William Reynolds as a member of the Boorowa Land Board.
Question put and passed.
8. SCONE CATTLE SALE-YARDS BILL (*Formal Motion*):—Mr. Fleming moved, pursuant to Notice,—
(1.) That the Scone Cattle Sale-yards Bill be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of Mr. Hogue, Mr. Davidson, Mr. W. Millard, Mr. McLaurin, Mr. Fegan, Mr. Edden, Mr. Jones, and the Mover.
Question put and passed.
9. POSTPONEMENT:—The Order of the Day, Municipal District of Tenterfield Reduced Area Bill; second reading [*Mr. Lee*];—postponed until Tuesday, 29th November.
10. HYDE, COOK, AND PHILLIP PARKS BILL:—
(1.) Mr. Ashton moved, pursuant to Notice, That leave be given to bring in a Bill to vest in the Municipal Council of Sydney, as Trustees, the lands known as Hyde, Cook, and Phillip Parks, Sydney.
Question put and passed.
(2.) Mr. Ashton then presented a Bill, intituled "*A Bill to vest in the Municipal Council of Sydney, as Trustees, the lands known as Hyde, Cook, and Phillip Parks, Sydney,*"—which was read a first time.
Ordered to be printed, and read a second time To-morrow.
11. PARRAMATTA FRIENDLY SOCIETIES' HALL SITE VESTING BILL:—
(1.) Mr. Hogue moved, pursuant to Notice, That leave be given to bring in a Bill to vest in the Parramatta and District United Friendly Societies' Medical and Dispensing Institute, Limited, certain lands now held by trustees upon certain trusts relating to friendly societies; and for other purposes.
Question put and passed.
(2.) Mr. Hogue then presented a Bill, intituled "*A Bill to vest in the Parramatta and District United Friendly Societies' Medical and Dispensing Institute, Limited, certain lands now held by trustees upon certain trusts relating to friendly societies; and for other purposes,*"—which was read a first time.
Ordered to be printed, and read a second time To-morrow.

16th November, 1904.

12. PROPOSED AMENDED AND ADDITIONAL STANDING ORDERS :—Mr. Carruthers moved, pursuant to Notice That this House now agrees to and adopts the proposed amended and additional Standing Orders as brought up by the Standing Orders Committee on 9th November, 1904, and authorises Mr. Speaker to present such Standing Orders to His Excellency the Governor for approval.
Question put and passed.
13. STATE DEBT AND SINKING FUND 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 the Bill.
Mr. Speaker resumed the Chair; and the Chairman reported the Bill, with amendments.
On motion of Mr. Carruthers, the report was adopted.
Ordered, That the Bill be read a third time To-morrow.
14. GOVERNMENT SAVINGS BANK BILL :—The Order of the Day having been read,—Mr. Moore moved, "That" this Bill be now read a third time.
Mr. Carruthers moved, That the Question be amended by leaving out all the words after the word "That" and inserting the words, "the Bill be recommitted for the reconsideration of Clauses 1, 5, 7, 19, 24, 28, 29, 30, 34, 35, 36, 37, 57, 58, 60, 62, 63, 64, 65, 67, 69, 71, and for the purpose of inserting certain new clauses,"—instead thereof.
Question,—That the words proposed to be left out stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words left out be so inserted,—put and passed.
Question then,—That the Bill be recommitted for the reconsideration of Clauses 1, 5, 7, 19, 24, 28, 29, 30, 34, 35, 36, 37, 57, 58, 60, 62, 63, 64, 65, 67, 69, 71, and for the purpose of inserting certain new clauses,—put and passed.
On motion of Mr. Carruthers, 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.
15. MINERS' ACCIDENT RELIEF (VALIDATING) 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 validate the appointment of certain officers of the Miners' Accident Relief Board; and to validate the acts and appointment of certain committees purporting to be constituted under the Miners' Accident Relief Act, 1900,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 16th November, 1904.

F. B. SUTTOR,
President.

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

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 32.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 17 NOVEMBER, 1904.

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

TREASURY INDEMNITY BILL:—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker:—

FREDK. M. DARLEY,

Lieutenant-Governor.

Message No. 36.

By Deputation from His Excellency.

A Bill, intituled "*An Act to indemnify the Colonial Treasurer, the Officers of the Treasury, and other persons, in respect of certain unauthorised withdrawals and payments from the Public Account and the Consolidated Revenue Account of the Colonial Treasurer in the banks keeping such accounts,*"—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 His 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.

State Government House,

Sydney, 16th November, 1904.

2. QUESTIONS:—

- (1.) Life Passes on Railways:—Mr. Broughton asked the Colonial Treasurer,—How many life passes over the railways have been granted during the financial year ending 30th June, 1904?

Mr. Carruthers answered,—I am informed that during the financial year ended 30th June, 1904, life passes over the New South Wales Railways were issued to three Members of the Executive who had completed four years of office.

- (2.) Land and Income Tax:—Mr. Broughton asked the Colonial Treasurer,—What arrears are due for (a) land tax; (b) income tax, for the financial year ending 30th June, 1904?

Mr. Carruthers answered,—Both land and income tax are assessed for the calendar year—1st January to 31st December—and it is, consequently, not possible to afford any exact reply to the Question as worded. If the information desired is the total amount of taxes assessed, but not paid on the 30th June, 1904, that (together with like information as at the 31st October, 1904) is as follows:—30th June, 1904, outstanding land tax, £31,743 19s. 2d.; outstanding income tax, £30,071 8s. 1d.; total, £61,815 7s. 3d. 31st October, 1904, outstanding land tax, £22,911 17s. 8d.; outstanding income tax, £12,187 11s. 6d.; total, £35,099 9s. 2d. The amounts shown as outstanding represent the taxes for all years 1896 to 1904 income tax, and 1896 to 1903 land tax; the 1904 land tax has not yet been assessed. In some cases the amounts, though due and outstanding, were not overdue, *i.e.*, the sixty days' grace for payment without fine allowed by the Land and Income Tax Assessment Act of 1895 had not expired.

- (3.) Estate of the late S. M. Swift, of Petersham:—Mr. John Hurley asked the Attorney-General and Minister of Justice,—

(1.) Has his Department taken any action, at any time, as recommended by a Report of a Select Committee presented to Parliament 20th December, 1899, having regard to the estate of the late S. M. Swift, of Petersham?

(2.) Are the officers of the Justice Department aware that on the sworn statement of George Sandell, accountant, page 35, question 8, of Report, it is alleged that assets of the total of £190,000 were concealed in the statement of probate?

(3.) What reply do the officers of his Department give for not proceeding to expose the position of John McDonald in respect to this case, specially based on the evidence of George Sandell and Phineas Hann, in Report referred to?

Mr.

17th November, 1904.

Mr. Wade answered,—Some time back the Crown Law Office was asked to advise as to the proceedings that might be taken in view of the Select Committee's report. The Crown Solicitor reported that there was no legal evidence upon which he could take proceedings. Owing to the length of time which had elapsed since the date of the alleged concealment, and for other reasons, it has not, so far, been possible to obtain such evidence.

(4.) Walgett Bore :—Mr. Collins asked the Secretary for Public Works,—

- (1.) How long is it since the Walgett Bore was completed?
- (2.) What was the total cost of this bore?
- (3.) Is he aware that no revenue has been derived therefrom, and that the water has been running to waste ever since its construction?
- (4.) What steps does he propose to take with the view of making the bore remunerative, and of some service to the township of Walgett?

Mr. Lee answered,—

- (1.) Three years.
- (2.) £2,472.
- (3.) I am informed that the water was of great use during the recent drought.
- (4.) By constituting a Trust under the Water and Drainage Act, and steps will at once be taken.

(5.) Toooloora Bore :—Mr. Collins asked the Secretary for Public Works,—

- (1.) What was the cost for maintenance of the Toooloora Bore, in the Walgett District, during the past twelve months?
- (2.) What was the amount of revenue received during the same period?
- (3.) Is it a fact that the bore has been shut down, notwithstanding that some of the settlers in the vicinity desire the use of the water, and are willing to pay for same?
- (4.) In view of the great hardships these settlers have suffered during the recent drought, will he see that every consideration is extended to them, and that they be allowed the use of the water pending some satisfactory settlement being arrived at in connection with this bore?

Mr. Lee answered,—

- (1.) £128 in wages of caretaker.
- (2.) About £21.
- (3 and 4.) I will presently lay upon the Table a statement which will clearly explain the action taken in this matter.

(6.) Sunday Entertainments :—Mr. Meehan asked the Colonial Secretary,—

- (1.) Are all theatres and music halls licensed?
- (2.) Are they prevented from holding entertainments on Sunday?
- (3.) Can unlicensed halls hold Sunday entertainments; what is the law on the subject?
- (4.) Is he aware that unlicensed halls in Sydney hold such entertainments every Sunday evening?
- (5.) Will he take steps to have it stopped?

Mr. Hogue answered,—

- (1.) All theatres are licensed; also a great number of music halls.
- (2.) It is illegal to hold entertainments in theatres and licensed halls on Sundays.
- (3.) Yes; provided no direct charge is made for admission, which would bring them within provisions of Act 26, 1897.
- (4.) Yes; but no direct charge is made for admission.
- (5.) The police have no power, in the present state of the law, to prevent Sunday concerts, provided a direct charge is not made for admission thereto. The matter, however, will receive consideration.

(7.) Cancelled Map of the Parish of Willoughby :—Mr. O'Sullivan asked the Secretary for Lands,—

- (1.) Is it a fact that Mr. Frederick Stanley has been refused permission to see the old cancelled map of the Parish of Willoughby, after an order to that effect had been issued by a previous Secretary for Lands?
- (2.) What reason is given for that refusal?
- (3.) Will he see that Mr. Stanley is allowed to inspect the map referred to?

Mr. Ashton answered,—

- (1.) Mr. Stanley was allowed to see the old cancelled map of the Parish of Willoughby, on the order of the Honorable E. W. O'Sullivan, then Secretary for Lands. He had previously seen the map, and every facility was given him to acquire any legitimate information.
- (2.) The Crown Solicitor's advice is "that it would be extremely unwise to afford Mr. Stanley any information at all, as he is evidently taking advantage of the ancient irregularities of practice in the cancellation of the grants mentioned for his own advantage and to the detriment of the public generally, and it does not seem desirable to furnish him with any weapons of offence—as there can be no reasonable doubt that the land in question was either never alienated, or, if it was, the intention both of the Grantees and the Crown was that certain other lands should be granted in lieu thereof, and the grants of these portions surrendered. Had there been any *bonâ fide* occupation of the lands on the faith of the grants mentioned, the case might deserve some favourable consideration, but any effort to jump the lands should, I think, be strenuously resisted."
- (3.) In the circumstances, I cannot give permission to Mr. Stanley to inspect the maps.

(8.) Expenditure under the Water and Drainage Act :—Mr. Jones asked the Secretary for Public Works,—

- (1.) What was the total money raised under section 3 of the Water and Drainage Act during the years 1902, 1903, and 1904?
- (2.) What amount per month is now being expended under the said Act in connection with artesian wells?

(3.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

17th November, 1904.

(3.) Is he aware that a number of artesian wells approved by the Department are not being proceeded with, notwithstanding that settlers have completed arrangements as to formation of trusts, and are prepared to pay interest on cost of work?

(4.) In view of the vital importance of water to the settlers in the artesian districts, will he consider favourably the question of immediately increasing the amount to be expended, so that all possible works may be proceeded with?

Mr. Lee answered,—

(1.) This is a question that may be submitted for the consideration of the Honorable the Treasurer, as there are no records in the Public Works Department.

(2.) £2,200.

(3.) In all cases where no legal difficulties exist, tenders are being invited as funds are available.

(4.) The present rate of expenditure will permit of the completion of the distributing works in connection with bores already sunk or being sunk, and the question of undertaking new bores will be considered later on.

(9.) Hawkesbury Agricultural College:—*Mr. Morton*, for *Mr. Brinsley Hall*, asked the Secretary for Mines,—Will he, in view of the great demand for accommodation by students at the Hawkesbury College, have the proposed new building completed as soon as possible?

Mr. Moore answered,—The matter is receiving consideration.

(10.) Deputy Electoral Officers:—*Mr. Morton*, for *Mr. Brinsley Hall*, asked the Colonial Secretary,—

(1.) Is he aware that a number of Deputy Electoral Officers throughout the State worked a considerable amount of overtime prior to last election, preparing rolls and issuing rights, &c.?

(2.) In view of such, will he favourably consider the desirability of remunerating these officers for such work?

Mr. Hogue answered,—

(1.) No. Deputy Electoral Registrars are not required to prepare rolls. In very few instances were these officers required to work overtime issuing rights.

(2.) All Electoral Officers instructed to work after ordinary office hours are being remunerated for the overtime performed.

(11.) Clothing for the Police Force:—*Mr. Broughton* asked the Colonial Secretary,—Is he aware that the members of the Police Force desire to be relieved from wearing white trousers during the summer months, and would prefer some other material being substituted therefor?

Mr. Hogue answered,—The white trousers are considered most suitable for summer wear, and the Inspector-General of Police is of opinion that they should not be dispensed with.

(12.) Completion of Cataract Dam by Day Labour:—*Mr. Broughton* asked the Secretary for Public Works,—Is it a fact the Public Works Department propose to complete the Cataract Dam by day labour?

Mr. Lee answered,—Yes; the plant and appliances having been procured and fixed.

(13.) Royalty on Coal paid by the Pelaw Main Colliery:—*Mr. Charlton* asked the Secretary for Mines,—

(1.) The total number of tons of large coal and small coal respectively upon which royalty was paid to the Government by the proprietors of the Pelaw Main Colliery in the year 1902?

(2.) Similar information for the year 1903?

(3.) What method does the Department adopt to ascertain the quantity of coal raised upon which royalty is paid?

Mr. Moore answered,—

(1.) Large coal, 76,969 tons 9 cwt. 1 qr.; small coal, 19,050 tons 18 cwt. 1 qr.

(2.) Large coal, 205,456 tons 14 cwt. 3 qrs.; small coal, 46,504 tons 3 cwt. 2 qrs.

(3.) The method adopted for ascertaining the quantity of coal on which royalty is payable in this case is the one universally employed, viz., a return verified by statutory declaration is furnished by the lessees. This return is checked by the inspectors with the colliery books. If discrepancies occur (which they do very rarely), the Railway Commissioners are asked to furnish a statement showing quantity of coal carried over railways. In addition to this, the Department can, if necessary, order a survey of the workings.

(14.) Foreshores of the Harbour:—*Mr. Oakes* asked the Colonial Treasurer,—

(1.) Is there any law giving the Harbour Trust Commissioners power to sell the foreshores of the harbour?

(2.) If they have that power, have they disposed of any of the foreshores; and what amount has been received for the sale of foreshore rights?

(3.) In leasing of foreshore rights, what is the longest term for which a lease is given?

(4.) Upon what basis is the rent fixed for foreshore rights?

Mr. Carruthers answered,—

(1.) Yes, under section 30 of the Sydney Harbour Trust Act, 1900; but the policy of the Commissioners is against alienation.

(2.) The Commissioners have not alienated any portion of the foreshores, but in a number of cases in which the Government had agreed to sell prior to the passing of the Sydney Harbour Trust Act, 1900, the Commissioners have confirmed these sales and will issue titles so soon as the necessary statutory authority is obtained.

(3.) Forty-two years.

(4.) Each case is dealt with on its merits, the rental varying according to the circumstances surrounding the proposed reclamations.

17th November, 1904.

3. **JUDGES PENSIONS ABOLITION AND DUTIES BILL**:—Mr. Waddell, pursuant to leave granted on 8th November, 1904, presented a Bill, intituled "*A Bill to provide that no pensions shall be paid to Judges to be appointed to the Supreme Court or District Court Bench; to prescribe the duties of all Judges of the Supreme Court and of District Courts in relation to public inquiries and Royal Commissions; to amend the Supreme Court and Circuit Courts Act, 1900, and the District Courts Act, 1901; and for other purposes connected therewith,*"—which was read a first time. Ordered to be printed, and read a second time on Tuesday, 13th December.
4. **WELLINGTON CATTLE SALE-YARDS BILL**:—Mr. Thrower, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on 15th November, 1904; together with a copy of the Bill as agreed to by the Committee. Ordered to be printed. Mr. Thrower then moved, That the Bill be read a second time on Tuesday, 29th November. Question put and passed.
5. **PAPERS**:—
Mr. Ashton laid upon the Table,—Return to an Order, made on 4th October, 1904,—“Election of Directors, Albury Pastures Protection Board.” Referred by Sessional Order to the Printing Committee.
Mr. Lee laid upon the Table,—Statement explaining the action taken in connection with Tooloora Bore. Referred by Sessional Order to the Printing Committee.
6. **PRINTING COMMITTEE**:—Mr. McFarlane, as Chairman, brought up the Eighth Report from the Printing Committee.
7. **STATE DEBT AND SINKING FUND BILL (Formal Order of the Day)**,—on motion of Mr. Carruthers, read a third time, and passed. Mr. Carruthers then moved, That the Title of the Bill be "*An Act to constitute a general sinking fund; to carry to the Consolidated Revenue Fund payments made or to be made to certain accounts and funds; to make better provision for the administration of certain trust accounts in the Treasury; to constitute Commissioners to administer the said funds and the said trust accounts; and for purposes consequent thereon or incidental thereto.*" 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 constitute a general sinking fund; to carry to the Consolidated Revenue Fund payments made or to be made to certain accounts and funds; to make better provision for the administration of certain trust accounts in the Treasury; to constitute Commissioners to administer the said funds and the said trust accounts; and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 17th November, 1904.

8. **GOVERNMENT ADVERTISEMENTS IN NEWSPAPERS (Formal Motion)**:—Mr. Briner moved, pursuant to Notice, That there be laid upon the Table of this House a return showing,—(a) The amount paid to *The Sydney Morning Herald, Sydney Daily Telegraph, Australian Star, and Evening News* respectively, during each year, from 1st July, 1894, to 30th June, 1904, for Government advertisements; (b) the total amount paid to all papers within the State in each year for the same period. Question put and passed.
9. **GOVERNMENT SAVINGS BANK 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 the Bill as recommitted. Mr. Speaker resumed the Chair; and the Chairman reported the Bill 2°, with further amendments. On motion of Mr. Carruthers, the report was adopted. Ordered, That the Bill be read a third time To-morrow.
10. **MESSAGES FROM THE LEGISLATIVE COUNCIL**:—Mr. Speaker reported the following Messages from the Legislative Council:—

- (1.) Library and Art Gallery Amendment Bill:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to amend the Library and Art Gallery Act, 1899,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 17th November, 1904.

F. B. SUTTON,
President.

- (2.) Justices (Fees) Bill:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to amend the law relating to fees in respect of proceedings before Justices; to enable the Governor to fix such fees; and for other purposes in connection therewith,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 17th November, 1904.

F. B. SUTTON,
President.

(3.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

17th November, 1904.

(3.) Presbyterian Church Property Consolidation Bill :—

MR. SPEAKER,—

The Legislative Council has this day agreed to the amendments made by the Legislative Assembly in the Bill intituled "*An Act to consolidate the Acts regulating the temporal affairs of the Presbyterian Church of Australia in the State of New South Wales, and to amend the same.*"

Legislative Council Chamber,
Sydney, 17th November, 1904.

F. B. SUTOR,
President.

11. CLOSER SETTLEMENT BILL :—The Order of the Day having been read,—on motion of Mr. Ashton, 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 repeal the Closer Settlement Act, 1901 ; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands ; to constitute and appoint authorities for reports and other purposes under this Act ; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands ; to apply certain of the provisions of the Crown Lands Acts and of the Acts to be read and construed therewith for the purpose of regulating closer settlement under this Act ; and to amend the Crown Lands Acts.

And the Committee continuing to sit after Midnight,—

FRIDAY, 18 NOVEMBER, 1904, A.M.

Mr. Speaker resumed the Chair ; and the Chairman 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 :—

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

On motion of Mr. Ashton, the resolution was read a second time, and agreed to.

12. SPECIAL ADJOURNMENT :—Mr. Carruthers (*by consent*) moved, without Notice, That this House at its rising This Day, do adjourn until Tuesday next.

Question put and passed.

The House adjourned, at eight minutes after One o'clock, a.m., until *Tuesday next*, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 33.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 22 NOVEMBER, 1904.

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

AMENDED AND ADDITIONAL STANDING ORDERS:—Mr. Speaker announced to the House that he had presented to His Excellency the Governor the Amended and Additional Standing Orders adopted by the House on the 16th instant, and that His Excellency had been pleased to approve of the same.

2. QUESTIONS:—

(1.) Estate of the late S. M. Swift, of Petersham:—*Mr. Coleman*, for Mr. John Hurley, asked the Secretary for Lands,—

(1.) Were the officers of his Department made aware of certain land-dumming transactions that were stated in evidence before a Select Committee on the estate of the late S. M. Swift, whose Report was brought up on the 20th December, 1899?

(2.) If they are not aware, will he cause an investigation to be made of the evidence referred to, and cause proceedings to be instituted against certain persons—viz., John McDonald, Phineas Hann, Charles Donaldson, and others—for conspiracy in evading the Land Act, by a system of dumming, to the exclusion of *bona fide* selectors?

Mr. Ashton answered,—The matter referred to was considered in March, 1899, when it was decided, on the advice of the Crown Solicitor and police reports, not to take action.

(2.) Decisions of the Arbitration Court:—*Mr. Estell*, for Mr. Edden, asked the Secretary for Mines,—

(1.) Has his attention been drawn to a cable message that appeared in the *Sydney Daily Telegraph*, of Monday, the 14th instant, in which it was stated that at a meeting of the shareholders of the Scottish Australian Mining Company, Limited, held in London on Saturday, the 12th instant, the Chairman (Mr. G. T. Rait) commented on the Arbitration Court, practically alleging that the "working of the Arbitration Court was the cause of the shareholders receiving no dividends"?

(2.) How many days have the Lambton, Burwood, and Durham Collieries, belonging to the Scottish Australian Company, worked from the 1st of January, 1904, to the 31st of October, 1904?

(3.) Is it not a fact that the slackness of work at the above mines has been for want of trade, and not owing to disputes or decisions of the Arbitration Court?

Mr. Moore answered,—

(1.) Yes.

(2.) Burwood Colliery has worked 139½ days during the period referred to. Lambton B (Durham), 101 days. Lambton, 31 days to 26th March; mine was then closed until 13th October, 1904, since when 12 additional days have been worked; total, 43 days.

(3.) I am given to understand that the three collieries named above have worked short time on account of slackness of trade, and that none of them has been a party to any application to the Arbitration Court since its establishment.

(3.) Federal Capital Territory:—Mr. Broughton asked the Colonial Treasurer,—In view of the diversity of opinion as to whether this State is compelled to cede the territory which will be selected by the Commonwealth Parliament, will he obtain the opinion of the Attorney-General in the matter, and lay it upon the Table of this House?

Mr. Carruthers answered,—This matter is under reference to the Attorney-General.

(4.)

22nd November, 1904.

(4.) Case of Thomas Foster, tried at Darlinghurst :—*Mr. Coleman*, for Mr. John Hurley, asked the Attorney-General and Minister of Justice,—

- (1.) Was a man named Thomas Foster tried at Darlinghurst, on 30th September, 1902, on a charge of bigamy; and, if so, what was the finding of the Court?
- (2.) Was it not proved that the woman Paterson had been previously married to three other men, and that she had represented herself to Foster as a widow?
- (3.) If the above is correct, how was it that a conviction was maintained against Foster?
- (4.) Will he say why a sentence of five years was commuted to two years and three weeks, and his being released on the 21st of October last?

Mr. Wade answered,—

- (1.) Yes; on 29th September, 1902. Foster was found guilty by the Jury, and sentenced to five years' penal servitude.
- (2.) As criminal proceedings have been instituted against Mrs. Paterson in respect of certain evidence given by her at Foster's trial, I do not see my way to answer this Question at present.
- (3.) The Crown case was as follows :—About the year 1898, the woman called Paterson in Question (2) won upwards of £500 in Tattersall's sweep. Shortly after this fact came to the knowledge of Foster, he appears to have fallen in love with her and to have married her. Soon after their marriage they quarrelled and he left her. Subsequently, on 4th February, 1901, the woman called Paterson being still alive, he married a girl under 19 years of age, Foster himself being considerably over 60 years, and at the time of the marriage making a representation that he was a widower, and was 41 years of age.
- (4.) Satisfactory evidence having eventually been produced that Paterson, the alleged first husband of Mrs. Paterson, is still alive, then Foster's first marriage with the woman Paterson is void, and consequently, technically speaking, the offence of bigamy has not been committed.

(5.) Removal of Public Servants' Furniture :—*Mr. Estell*, for Mr. Sullivan, asked the Colonial Treasurer,—

- (1.) What has been the total cost of removing Public Servants' furniture for the past year?
- (2.) Is a higher allowance made to certain Departments?
- (3.) Will he have the allowance stopped?

Mr. Carruthers answered,—As it will be necessary to refer to the various Departments for this information, it should be moved for in the form of a return in the usual way.

(6.) Promotions in the Police Force :—*Mr. Estell*, for Mr. Dacey, asked the Colonial Secretary,—

- (1.) What is the age of the Inspector-General of Police?
- (2.) Is he legally entitled to retire, at any moment, upon a full-pay pension of £1,000 per annum?
- (3.) What other officers, if any, have received promotion during the past two years who were at the time, or are now, entitled to retire upon full pensions?
- (4.) Is the custom of promoting officers at or about the retiring age one of the chief causes of the present disastrous condition of the Police Superannuation Fund?
- (5.) Will he direct that this custom be abolished and a reasonable age fixed, after reaching which no officer shall receive further promotion or increase in salary?

Mr. Hogue answered,—

- (1.) 61 years.
- (2.) Yes, but he has no intention of retiring.
- (3.) Superintendents Creaghe, Brennan, Cotter, and Latimer, who were advanced a grade in the same rank; Inspector Robinson, and Sub-Inspectors Strachan, D'Arcy, and Bragg.
- (4.) No.
- (5.) It will receive consideration.

(7.) Uranbah Bore Drains :—*Mr. Collins* asked the Secretary for Public Works,—Will he give instructions for the immediate survey and construction of the drains in connection with the Uranbah Bore in order that they may be in readiness by the time the bore is completed, thus avoiding unnecessary waste of water and loss of revenue?

Mr. Lee answered,—The survey will be in hand in a week. A portion of the drains will be started so soon as funds are available. My officers inform me that it is not advisable to construct all the drains proposed before flow is struck and amount ascertained.

(8.) Sale of Crown Lands :—*Mr. Kelly* asked the Colonial Treasurer,—

- (1.) In view of the fact that the sale of our public estate brings in an income of £1,200,000 per annum, will he use some of this revenue for the repurchase of land for closer settlement?
- (2.) What portion of this amount goes towards the reduction of our Public Debt?
- (3.) Will he set aside a portion of this amount for the construction of necessary public works in lieu of constructing such works out of borrowed money?

Mr. Carruthers answered,—

- (1.) Our sales do not realise anything like the sum mentioned. Probably the amount is between £500,000 and £600,000.
- (2.) The amount derived annually from sale of Crown lands is included in the Consolidated Revenue of each year, and the Consolidated Revenue contributes annually to the various Sinking Funds in connection with the Public Debt. Last financial year, £369,412 13s. 4d. was contributed. For current financial year £319,412 13s. 4d. is placed on Estimates. Under the Public Debt and Sinking Fund Bill, now before the Legislative Council, the various Sinking Funds are proposed to be amalgamated and an annual contribution of £350,000 is provided for.
- (3.) The possibilities in regard to the proceeds of the sale of land are altogether over-estimated in the public mind.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

22nd November, 1904.

- (9.) Investigation of Crimes by the Police :—Mr. Kelly asked the Colonial Secretary,—
- (1.) Is he aware that a large number of circulars are now issued to the police, and that inquiries upon crimes reports are frequently repeated?
 - (2.) Is he aware that this recent practice causes irritation amongst the officers and men, besides wasting much time in clerical work that was previously given to detecting crime?
 - (3.) Will he ascertain who is the cause of this interference with proper police duty, and direct that it be put a stop to?

Mr. Hogue answered,—Reports of crime submitted by the police are personally scrutinised by the Inspector-General of Police, and are frequently returned for further investigation, with good results. The Inspector-General is not aware that irritation is caused by this action; on the contrary, the Metropolitan Superintendent and other officers think highly of the practice, for which the Inspector-General is personally responsible, which is in the interests of the Department and the public, and which will be continued when deemed necessary. It has resulted in the detection of criminals in many cases.

3. MURRUMBIDGEE NORTHERN WATER SUPPLY AND IRRIGATION BILL :—Mr. Briner presented a Petition from Robert Gibson, praying for leave to bring in a Bill to authorise and enable Robert Gibson to establish a system of irrigation and water supply in the district which lies between the Murrumbidgee and Lachlan Rivers; to construct a storage reservoir by means of a dam near the Barren Jack Mountain, in the parishes of West Goodradigbee and Childowla, in the counties of Buccleuch and Harden respectively; to construct weirs across the Murrumbidgee River; to construct a canal and subsidiary works for the purpose of diverting and utilising water from the said river; to acquire lands for and in connection with such several purposes; to sell, let, and supply the water thereby diverted for irrigation and other purposes; and to do all other things connected with or incidental to the carrying out of the proposed works, or to the beneficial use of the water to be supplied by means of the same.

And Mr. Briner having produced the *Government Gazette*, the *Sydney Morning Herald*, the *Daily Telegraph*, the *Yass Courier*, the *Riverine Grazier*, the *Riverina Recorder*, and the *Narandera Ensign*, newspapers containing the notices required by the 396th Standing Order,—
Petition received.

4. COMMITTEE OF ELECTIONS AND QUALIFICATIONS (ELECTION PETITION—A'BECKETT v. HUGH MACDONALD (*The Castlereagh*)) :—Mr. J. H. Young, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Committee of Elections and Qualifications, to whom was referred, on 11th October, 1904, the Petition of William Channing a'Beckett, in reference to the return of Hugh Macdonald, Esquire, as Member for the Electoral District of The Castlereagh.

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

“The Committee of Elections and Qualifications, duly appointed on 24th August, 1904, to whom was referred, on 11th October, 1904, a Petition from William Channing a'Beckett, against the return of Hugh Macdonald, Esquire, as Member for the Electoral District of The Castlereagh, have determined and do hereby declare :—

- “1. That Hugh Macdonald, Esquire, the sitting Member, has been duly elected.
- “2. That the Petition of William Channing a'Beckett is not frivolous nor vexatious.
- “3. That the sum of £10 10s. be awarded to the sitting Member towards his costs and expenses, such amount to be paid by the Petitioner to the sitting Member.

“No. 3 Committee Room, Legislative Assembly,
“Sydney, 22nd November, 1904.

“J. H. YOUNG,
“Chairman.”

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

PAPERS :—

Mr. Carruthers laid upon the Table,—

- (1.) Return to an Order, made on 19th October, 1904,—“J. McMahon and Company's Railway Carrying Contracts.”
Referred by Sessional Order to the Printing Committee.
- (2.) Report of the Railway Commissioners on Cost of Railway Communication with Dalgety Federal Capital Site.
- (3.) Statement giving particulars and cost of connections between existing Railway Lines and proposed Federal Capital Sites, with plan.
- (4.) Opinions of the Attorney-General, and of Sir Julian Salomons and Mr. C. B. Stephen, as to whether the Seat of Government Act, 1904 (Commonwealth Act No. 7 of 1904), is binding on New South Wales.

Ordered to be printed.

Mr. Hogue laid upon the Table,—

- (1.) Memorandum by the Government Statistician regarding the area of New South Wales suitable for Wheat-growing, together with Map.
 - (2.) Report of the Aborigines Protection Board for the year 1903.
 - (3.) By-laws under the Newcastle Paving and Public Vehicles Regulation Act, 1902.
- Referred by Sessional Order to the Printing Committee.

Mr. Ashton laid upon the Table,—Amended Regulations Nos. 35, 315, and 335, under the Crown Lands Act.

Referred by Sessional Order to the Printing Committee.

22nd November, 1904.

6. CLOSER SETTLEMENT BILL:—Mr. Ashton, pursuant to leave granted on 18th November, 1904, a.m., presented a Bill, intituled “*A Bill to repeal the Closer Settlement Act, 1901; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands; to constitute and appoint authorities for reports and other purposes under this Act; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands; to apply certain of the provisions of the Crown Lands Acts, and of the Acts to be read and construed therewith, for the purpose of regulating closer settlement under this Act; and to amend the Crown Lands Acts,*”—which was read a first time.

Mr. Ashton then moved, That the Bill be printed, and read a second time To-morrow.

Question put.

The House divided.

Ayes, 39.

Mr. Hogue,
Mr. Carruthers,
Mr. Moore,
Mr. Ashton,
Mr. Wade,
Mr. Lee,
Mr. Dick,
Mr. Nobbs,
Mr. Broughton,
Mr. Booth,
Mr. Fallick,
Mr. J. H. Young,
Dr. Arthur,
Mr. O’Conor,
Mr. Jessep,
Mr. Cohen,

Mr. Jones,
Mr. Perry (*The Richm’d*),
Mr. Norton,
Mr. Donaldson,
Mr. Law,
Mr. McCoy,
Mr. Creswell,
Mr. Collins,
Mr. Coleman,
Mr. Walter Anderson,
Mr. Mackenzie,
Mr. Nicholson,
Mr. W. W. Young,
Mr. Bennett,
Mr. McFarlane,
Mr. Wood,

Mr. Crick,
Mr. John Hurley,
Mr. Briner,
Mr. McLaurin,
Mr. O’Sullivan.

Tellers,

Mr. Thrower,
Mr. Oakes.

Noes, 14.

Mr. McGowen,
Mr. Burgess,
Mr. Estell,
Mr. Meehan,
Mr. Charlton,
Mr. Gardiner,
Mr. McGarry,
Mr. McNeill,
Mr. Hollis,
Mr. Miller,
Mr. Scobie,
Mr. Kelly.

Tellers,

Mr. Daley,
Mr. Nielsen.

And so it was resolved in the affirmative.

7. PETITION FOR INCORPORATION OF WEST WALLSEND (*Formal Motion*):—Mr. Charlton moved, pursuant to Notice, That there be laid upon the Table of this House copies of all papers and reports in connection with the Petition for incorporation of the township of West Wallsend.
Question put and passed.

8. MINING ON PRIVATE LANDS:—Mr. Nielsen moved, pursuant to Notice, That, in the opinion of this House, the Mining on Private Lands Act should be amended to provide for the issue of private lands mining licenses, such licenses to entitle the holder thereof to occupy private lands for mining purposes under similar conditions as are prescribed in the mining laws for the occupation of Crown lands by holders of miners’ rights, and to provide that the onus of notifying the authority charged with the assessment of damages shall rest with the landowner.
Debate ensued.

And it being Seven o’clock, Government Business only proceeded with, under Sessional Order adopted on 12th October, 1904.

9. GOVERNMENT SAVINGS BANK BILL:—The Order of the Day having been read,—Mr. Carruthers 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. Carruthers, passed.

Mr. Carruthers then moved, That the Title of the Bill be “*An Act to constitute and regulate and provide for the management of the Government Savings Bank of New South Wales; to authorise the said bank to receive deposits, borrow moneys, and make loans and investments; to provide that the repayment of such deposits shall be guaranteed by the Government; to repeal the Acts dealing with the Savings Bank of New South Wales, and dealing with the Government Savings Bank, and with advances to settlers; for the transfer of certain assets, liabilities, and powers of or connected with those institutions to the bank constituted by this Act; to amend the Acts dealing with Crown lands; and for purposes consequent thereon or incidental thereto.*”

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 constitute and regulate and provide for the management of the Government Savings Bank of New South Wales; to authorise the said bank to receive deposits, borrow moneys, and make loans and investments; to provide that the repayment of such deposits shall be guaranteed by the Government; to repeal the Acts dealing with the Savings Bank of New South Wales, and dealing with the Government Savings Bank, and with advances to settlers; for the transfer of certain assets, liabilities, and powers of or connected with those institutions to the bank constituted by this Act; to amend the Acts dealing with Crown lands; and for purposes consequent thereon or incidental thereto,*”—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 22nd November, 1904.*

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

22nd November, 1904.

10. HYDE, COOK, AND PHILLIP PARKS BILL:—The Order of the Day having been read,—Mr. Ashton moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 37.

Mr. Wade,	Mr. Booth,	Mr. Smith,
Mr. Hogue,	Mr. Alan Millard,	Mr. Edden,
Mr. Ashton,	Mr. Downes,	Mr. Burgess,
Mr. Lee,	Mr. Dick,	Mr. Charlton,
Mr. Oakes,	Mr. Cann,	Mr. Meehan,
Mr. Ball,	Mr. O'Sullivan,	Mr. Estell,
Mr. Nielsen,	Mr. McGowen,	Mr. Nicholson,
Mr. Sullivan,	Mr. Jones,	Mr. W. Millard,
Mr. O'Connor,	Mr. Norton,	Mr. Bennett.
Mr. Davidson,	Mr. Kelly,	<i>Tellers,</i>
Mr. R. J. Anderson,	Mr. Jessep,	Mr. Collins,
Mr. Creswell,	Mr. Nobbs,	Mr. Latimer.
Mr. Scobie,	Mr. Briner,	

Noes, 4.

Mr. McGarry,
Mr. Fegan.

Tellers,

Mr. Thrower,
Mr. Gardiner.

And so it was resolved in the affirmative.

Bill read a second time.

On motion of Mr. Ashton, 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 Mr. Scobie, Temporary Chairman, reported progress, and obtained leave to sit again To-morrow.

11. ADJOURNMENT:—Mr. Ashton moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly, at twenty minutes after Eleven o'clock, until To-morrow, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 34.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 23 NOVEMBER, 1904.

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

QUESTIONS :—

(1.) Consignment of Tobacco by s.s. "Corset":—*Mr. Meehan*, for Mr. Thrower, asked the Colonial Secretary,—

- (1.) Is he aware that a consignment of tobacco by the s.s. "Corset" was condemned as unfit for consumption?
- (2.) Was this tobacco condemned by a Government official?
- (3.) Is he aware that this tobacco was conveyed to the British Australasian Tobacco Factory, and was carted from there by Chinese who use it as manure?
- (4.) This tobacco having been condemned, should it not have been burnt in the presence of a Government official?
- (5.) What guarantee is there that the Chinese will not manufacture this tobacco for their own consumption?

Mr. Hogue answered,—This is a matter under the exclusive jurisdiction of the Commonwealth Government, and I regret being unable to afford the desired information.

(2.) Report of the Registrar of Friendly Societies and Trade Unions:—*Mr. Meehan*, for Mr. Thrower, asked the Colonial Secretary,—

- (1.) When was the last report of the Registrar of Friendly Societies and Trade Unions published, and what year did it cover?
- (2.) When will the report for the year 1903 be published?
- (3.) When will the results of the quinquennial investigation be published?

Mr. Hogue answered,—

- (1.) 1900. The information contained in it referred to the year 1897.
- (2.) The report for 1903 will be some time before it is ready, for although the time allowed for societies to send in their returns has expired, many returns are outstanding and others are in a very imperfect condition. A report showing the operations of the Act of 1899, with returns for the last five years, has been prepared. The returns are very voluminous, and I propose looking through them before laying them upon the Table of the House.
- (3.) The quinquennial period will not expire until the close of this year, and when the returns are received the report will be put in hand immediately.

(3.) Allowance for Light to the Police Force:—*Mr. Meehan*, for Mr. Thrower, asked the Colonial Secretary,—

- (1.) Did he authorise the recent alterations in the allowance for light at police premises, or by whose authority were the changes made?
- (2.) Had the allowance that existed previously to the recent order been in force for many years under the late Inspector-General?
- (3.) Has any alteration been made in the light allowance to the Inspector-General?
- (4.) If an alteration was necessary, why was it not made to apply to every member of the Force?

Mr. Hogue answered,—The Inspector-General of Police informs me that the light allowances for the whole Force, including himself, were recently reduced by him with a view to curtailing the expenses of the Department, and in his opinion the present allowances are adequate. There has been no reduction in light at Metropolitan Police Stations and Lock-ups, but officers have been instructed to exercise strict economy.

23rd November, 1904.

- (4.) Forestry Department :—Mr. Collins asked the Secretary for Lands,—
- (1.) What was the total revenue received by the Forestry Department for the past twelve months?
 - (2.) How much of the amount was received from Government contracts?
 - (3.) What was the total expenditure during the same period?
 - (4.) What was the total revenue received by the Narrabri District for the past twelve months?
 - (5.) How much of the amount was received from Government contracts?
 - (6.) What was the total expenditure for the Narrabri District during the same period?

Mr. Moore answered,—

- (1.) £36,264 Os. 6d.
- (2.) This information will take some time to prepare, but can be supplied to the Honorable Member next week.
- (3.) £17,079 19s. 8d.
- (4.) £2,903 17s. 10d.
- (5.) £2,183.
- (6.) £1,260 Ss. 10d.

- (5.) The Unemployed :—Mr. Law asked the Secretary for Public Works,—
- (1.) Will he, in view of the near approach of Christmas, take steps to put more men on the various public works in hand so as to endeavour to find a few weeks' work for artisans and labourers prior to the new year?
 - (2.) Will he also expedite the putting in hand of any works sanctioned by Parliament?

Mr. Lee answered,—

- (1.) Conditionally on the Centenary Park Sale Bill becoming law, it is proposed to employ from 400 to 500 men on the forming and ballasting roads embraced within subdivision of lands around the park, and other works connected therewith.
- (2.) Every effort is being made to push on other works of the Department. The Government Printing Office has put on about forty extra men, and the Railway Commissioners about 200 men in relaying grades at Chatswood. Tenders are being invited for the construction of thirty carriages next week, and for building thirty to forty tram cars. It is hoped that these works will offer to a very considerable portion of those who are now unemployed the means of earning something between this and Christmas.

- (6.) Miners' Accident Relief (Validating) Act :—Mr. Nicholson asked the Secretary for Mines,—Will he consider the advisability of publishing a notice in the *Government Gazette* of the passage of the Miners' Accident Relief (Validating) Act; also a request for country papers to copy, so that no mine owner or agent may have any excuse for the non-retention of workmen's contributions in future?

Mr. Moore answered,—I propose to address a circular to the various Committees drawing their attention to the passage of the Act, and they will be asked to post the circular in a conspicuous place at the mine.

- (7.) Contract of Messrs. Grant and Craven at Central Railway Station :—Mr. McCoy asked the Secretary for Public Works,—
- (1.) Is it a fact that the design for faience work, in connection with the contract of Messrs. Grant and Craven for the Redfern Railway Station, has to be approved by the Government Architect?
 - (2.) Is the price for such work fixed at £1,120?
 - (3.) Will he consent to Messrs. Grant and Craven calling for designs locally for such faience work, in order that Australian workmen may have the opportunity of competing with the outside world?

Mr. Lee answered,—

- (1.) Yes.
- (2.) That is approximately the amount included in contract and based on designs and estimates submitted by Messrs. Doulton to Mr. Deane.
- (3.) No faience is made locally, and no advantage, but the contrary, would result in using majolica made in Melbourne as against the best faience productions—both in material and design—of Messrs. Doulton and Company, Lambeth.

- (8.) Persons Employed in the Public Service :—Mr. Nobbs, for Mr. Broughton, asked the Colonial Secretary,—

- (1.) What was the total number of persons in the Public Service on the 30th June last employed permanently?
- (2.) The same information regarding the number employed temporarily?

Mr. Hogue answered,—The following are the figures, so far as the Departments coming under the provisions of the Public Service Act are concerned :—

- (1.) 12,452.
- (2.) 719.

- (9.) Manufacture of Kerosene :—Mr. Nobbs, for Mr. Broughton, asked the Colonial Treasurer,—
- (1.) How many gallons of kerosene oil were manufactured in New South Wales last year, and what was the value of same?
 - (2.) How many hands were employed in the manufacture, and what was the amount paid in wages?

Mr. Carruthers answered,—There are only two firms making oil in this State. As a statement of the particulars mentioned in this Question would amount to a disclosure of their private business, the information has never been published.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

23rd November, 1904.

2. CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL:—Mr. O'Sullivan presented a Petition from the Right Reverend Jeremiah Joseph Doyle, D.D., Roman Catholic Bishop of Lismore, in the State of New South Wales, praying for leave to bring in a Bill to enable the Right Reverend Jeremiah Joseph Doyle, Doctor of Divinity, Keyran Nolan, and Thomas Bermingham, trustees of certain allotments of land at Coraki, in the State of New South Wales, to sell the said lands, and to provide for the application and investment of the proceeds thereof, and for receipts and discharges of the same, and for other purposes in connection therewith.
And Mr. O'Sullivan having produced the *Government Gazette*, the *Australian Star*, and the *Richmond River Herald*, newspapers containing the notices required by the 396th Standing Order,—Petition received.
3. PAPER:—Mr. Moore laid upon the Table,—Return to an Order, made on 9th November, 1904,—“Acting Stock Inspector and Assistant, Mungindi.”
Referred by Sessional Order to the Printing Committee.
4. TEMPORARY EMPLOYEES IN THE PUBLIC SERVICE (*Formal Motion*):—Mr. Cohen moved, pursuant to Notice, That there be laid upon the Table of this House a return showing the number of persons now temporarily employed in the Public Service; also the names, dates of appointment, positions, and rates of pay respectively of such persons.
Question put and passed.
5. FEES PAID TO LEGAL GENTLEMEN BY THE GOVERNMENT (*Formal Motion*):—Mr. McLaurin moved, pursuant to Notice, That there be laid upon the Table of this House a return showing the total amount of fees paid to legal gentlemen on behalf of the Government during the period from 1st July, 1894, to 30th June, 1899.
Question put and passed.
6. POSTPONEMENTS:—The following Orders of the Day were postponed:—
(1.) Sydney Diocesan Revenues Bill (*Council Bill*); second reading. [*Mr. Fell*];—until Tuesday next.
(2.) Closer Settlement Bill; second reading. [*Mr. Ashton*];—until To-morrow.
7. CENTENARY PARK SALE BILL:—The Order of the Day having been read,—Mr. Carruthers moved, “That” this Bill be now read a second time.
Debate ensued.
Mr. Norton moved, That the Question be amended by leaving out all the words after the word “That” and inserting the words “the Bill be referred to a Select Committee for consideration and report.”
“(2.) That such Committee consist of Mr. Carruthers, Mr. Ashton, Mr. Jessep, Mr. Oakes, Mr. McGowen, Mr. Crick, Mr. Latimer, Mr. Holman, and the Mover,”—instead thereof.
Question proposed,—That the words proposed to be left out stand part of the Question.
Debate continued.
Question put,—That the words proposed to be left out stand part of the Question.
The House divided.

Ayes, 46.

Mr. Moore,	Mr. John Hurley,
Mr. Wade,	Mr. Mahony,
Mr. Carruthers,	Mr. Creswell,
Mr. Henloy,	Mr. Fallick,
Mr. Levy,	Mr. Alan Millard,
Mr. Crick,	Mr. R. J. Anderson,
Mr. Jessep,	Mr. Walter Anderson,
Mr. Lee,	Mr. Davidson,
Mr. Ball,	Mr. Downes,
Mr. Thomas,	Mr. Ferry (<i>L'pool Plains</i>),
Mr. Nobbs,	Mr. Dick,
Mr. Levien,	Mr. McLaurin,
Mr. Coleman,	Mr. Briner,
Mr. Booth,	Mr. Donaldson,
Mr. Hogue,	Mr. W. Millard,
Mr. Cohen,	Mr. Moxham,
Mr. Ashton,	Mr. O'Conor,
Mr. W. W. Young,	Mr. Fell,
Mr. Oakes,	Mr. Reynoldson.
Mr. Latimer,	
Mr. McCoy,	<i>Tellers,</i>
Mr. Winchcombe,	Mr. Collins,
Mr. Law,	Mr. Mackenzie.
Mr. McFarlane,	
Mr. Storey,	

Noes, 23.

Mr. Daley,
Mr. Estell,
Mr. McNeill,
Mr. Hollis,
Mr. Holman,
Mr. Nielsen,
Mr. Gardiner,
Mr. Macdonell,
Mr. Dacey,
Mr. Scobie,
Mr. Arthur Griffith,
Mr. McGowen,
Mr. Edden,
Mr. Meehan,
Mr. Charlton,
Mr. Burgess,
Mr. Jones,
Mr. McGarry,
Mr. Cann,
Mr. Kelly,
Mr. Norton.
<i>Tellers,</i>
Mr. Smith,
Mr. Sullivan.

And so it was resolved in the affirmative.

And

23rd November, 1904.

And the House continuing to sit after Midnight,—

THURSDAY, 24 NOVEMBER, 1904, A.M.

Original Question,—That this Bill be now read a second time,—put.
The House divided.

Ayes, 45.

Mr. Moore,	Mr. Mahony,
Mr. Wade,	Mr. Creswell,
Mr. Carruthers,	Mr. Alan Millard,
Mr. Henley,	Mr. Walter Anderson,
Mr. Levy,	Mr. R. J. Anderson,
Mr. Crick,	Mr. Davidson,
Mr. Jessep,	Mr. Downes,
Mr. Lee,	Mr. Perry (<i>L'pool Plains</i>),
Mr. Ball,	Mr. Reynoldson,
Mr. Thomas,	Mr. Mackenzie,
Mr. Leven,	Mr. W. Millard,
Mr. Coleman,	Mr. Donaldson,
Mr. Booth,	Mr. Briner,
Mr. Hogue,	Mr. McLaurin,
Mr. Ashton,	Mr. Dick,
Mr. Oakes,	Mr. Fell,
Mr. Latimer,	Mr. O'Conor,
Mr. McCoy,	Mr. Moxham.
Mr. Winchcombe,	
Mr. Law,	<i>Tellers,</i>
Mr. McFarlane,	Mr. Nobbs,
Mr. Storey,	Mr. Cohen.
Mr. Collins,	
Mr. John Hurley,	
Mr. Fallick,	

Noes, 23.

Mr. Daley,
Mr. Estell,
Mr. McNeill,
Mr. Hollis,
Mr. Holman,
Mr. Nielsen,
Mr. Gardiner,
Mr. Macdonell,
Mr. Dacey,
Mr. Seobie,
Mr. Arthur Griffith,
Mr. Edden,
Mr. Meehan,
Mr. Charlton,
Mr. Burgess,
Mr. Jones,
Mr. McGarry,
Mr. Cann,
Mr. Kelly,
Mr. Smith,
Mr. McGowen.
<i>Tellers,</i>
Mr. Sullivan,
Mr. Norton.

And so it was resolved in the affirmative.

Bill read a second time.

On motion of Mr. Carruthers, 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. Carruthers, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

8. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

(1.) Land and Income Tax (Amendment) Bill:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to provide for the levying and payment of income tax in respect of certain mortgages; to make better provision for assessing income tax; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act; to amend the Land and Income Tax Assessment Act of 1895; and for purposes consequent thereon or incidental thereto,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 23rd November, 1904.*

F. B. SUTTOR,
President.

(2.) Municipal Loans (Validating) Bill:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to provide for the validation of municipal loans, and for purposes consequent thereon or incidental thereto,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 23rd November, 1904.*

F. B. SUTTOR,
President.

(3.) Dental Hospitals Union Bill:—

MR. SPEAKER,—

The Legislative Council having this day passed a Bill, intituled "*An Act to provide for the union of the University Dental Hospital and the Dental Hospital of Sydney; and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Assembly for its concurrence.

*Legislative Council Chamber,
Sydney, 23rd November, 1904.*

F. B. SUTTOR,
President.

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

Ordered to be printed, and read a second time To-morrow.

The House adjourned, at twenty minutes before Two o'clock, a.m., until Four o'clock, p.m., This Day.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 35.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 24 NOVEMBER, 1904.

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

QUESTIONS:—

(1.) Oil Launch Purchased for Police Department:—Mr. Sullivan asked the Colonial Secretary,—

- (1.) Was an oil launch purchased for the use of the Police Department?
- (2.) When was it purchased; from whom; upon whose recommendation?
- (3.) What amount was paid for it?
- (4.) How long was it in use, and when was it last used?
- (5.) What was the cost in time and money in repairing it?
- (6.) Is it likely to be again fit for use by this Department?

Mr. Hogue answered,—

- (1.) Yes.
- (2.) June, 1903, from Mr. H. L. Mackellar, upon the recommendation of the late Inspector-General of Police, after obtaining a certificate from the Navigation Department that the launch was well constructed, in good condition, and worth the money paid for it.
- (3.) £125.
- (4.) Since the 26th June, 1903; it is still in use.
- (5.) Nil.
- (6.) Answered by No. 4.

(2.) Expenditure under the Water and Drainage Act:—Mr. Collins asked the Secretary for Public Works,—In view of the fact that, in the arid portions of the State, the immediate sinking of Artesian Bores is of importance to the settlers, who have for so long been struggling against adverse conditions, will he see that a larger amount is made available for expenditure under the Water and Drainage Act, in order that he might proceed at once with new bores, applications for which have been in for so long, and in connection with which trusts have already been formed?

Mr. Lee answered,—In all matters relating to the subject named by the Honorable Member the utmost expedition will be used, and priority will be given to those in which trusts have been formed.

(3.) Revenue from Sale of Crown Lands:—Mr. Broughton asked the Secretary for Lands,—What was the total amount received by the Government as revenue from auction sales of Crown lands for the quarter ending 30th September, 1904?

Mr. Ashton answered,—Total amount received during quarter ended 30th September, 1904, inclusive of auction and after auction sales and balances, £23,486 10s.

(4.) Teaching of History in Public Schools:—Mr. Broughton, for Mr. Fell, asked the Minister of Public Instruction,—

- (1.) Does the present State primary educational course provide for a thorough knowledge of British and Australian History being taught in all Public Schools, and at what age are such studies commenced by the pupils?
- (2.) Is the spirit of loyalty to the British Empire inculcated and encouraged in the minds of the children here (as in other States and America) by the observance of patriotic acts such as saluting the Commonwealth and British Flags?

Mr.

24th November, 1904.

Mr. O'Connor answered,—

(1.) Yes; the teaching of History is specially enjoined in the Public Schools Syllabus for all classes above the Infants' Class. Pupils receive such instruction from the age of 8 or 9 years.

(2.) The spirit of loyalty is inculcated and encouraged among school children, and it is believed that our schools are no whit behind those of other parts of the Empire in this respect. The school books contain many lessons on loyalty and patriotism, and most, if not all, of the important schools under the Education Department in this State have provided a school flag, which is unfurled on special and other occasions. It has not been considered necessary to issue an instruction to go through the ceremony of saluting the flag.

(5.) Moomin Bore :—Mr. Collins asked the Secretary for Public Works,—

(1.) When was the tender accepted for the Moomin Bore?

(2.) Who was the successful tenderer?

(3.) What is the cause of delay in starting the work?

(4.) In view of the great inconvenience the settlers interested in this bore have been caused through the great delay which has taken place, will he give instructions for the contractor to proceed immediately with the work?

Mr. Lee answered,—

(1 and 2.) A tender has not yet been formally accepted, but Mr. John Woods has been promised Moomin Bore in lieu of a bore contract he had in another district, upon certain conditions which have been accepted by him.

(3.) Legal difficulties and insufficient funds.

(4.) Work will be proceeded with so soon as the obstacles referred to have been overcome, which it is expected will be early in January next.

2. PAPERS :—

Mr. Lee laid upon the Table,—

(1.) Report of the completion of the Footbridge carrying Water Mains across Lane Cove River.

(2.) By-laws under the Metropolitan Water and Sewerage Act Extension Act of 1894.

Referred by Sessional Order to the Printing Committee.

Mr. O'Connor laid upon the Table,—Notification of resumption of land, under the Public Works Act, 1900, for a Public School at Stockrington.

Referred by Sessional Order to the Printing Committee.

Mr. Ashton laid upon the Table,—Amended Regulations Nos. 315 and 335 under the Crown Lands Acts.

Referred by Sessional Order to the Printing Committee.

3. CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL (*Formal Motion*) :—

(1.) Mr. O'Sullivan moved, pursuant to Notice, That leave be given to bring in a Bill to enable the Right Reverend Jeremiah Joseph Doyle, Doctor of Divinity, Keyran Nolan, and Thomas Bermingham, trustees of certain allotments of land at Coraki, in the State of New South Wales, to sell the said lands, and to provide for the application and investment of the proceeds thereof, and for receipts and discharges of the same, and for other purposes in connection therewith. Question put and passed.

(2.) Mr. O'Sullivan having presented this Bill, and produced a certificate of the payment of the sum of Twenty-five pounds to the credit of the Consolidated Revenue Fund of the State, Bill, intituled "*A Bill to enable the Right Reverend Jeremiah Joseph Doyle, Doctor of Divinity, Keyran Nolan, and Thomas Bermingham, trustees of certain allotments of land at Coraki, in the State of New South Wales, to sell the said lands, and to provide for the application and investment of the proceeds thereof, and for receipts and discharges of the same, and for other purposes in connection therewith,*"—read a first time.

4. OXFORD-STREET EXTENSION BILL :—The following Message from His Excellency the Governor was delivered by Mr. Hogue, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 37.

In accordance with the provisions contained in the 46th 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 divest the Metropolitan Board of Water Supply and Sewerage of certain lands; to vest them in the Borough of Paddington for the purpose of constructing and opening certain public ways; and for other purposes consequent thereon or incidental thereto.

State Government House,

Sydney, 24th November, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

5. CENTENARY PARK SALE BILL :—The Order of the Day having been read,—Mr. Hogue moved, "That" this Bill be now read a third time.

Debate ensued.

Mr. Arthur Griffith moved, That the Question be amended by leaving out all the words after the word "That," and inserting the words "the Bill be recommitted for the reconsideration of "Clause 4,"—instead thereof.

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

Debate continued.

Proposed amendment, by leave, withdrawn.

Original Question,—That this Bill be now read a third time,—put.

The

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

24th November, 1904.

The House divided.

	Ayes, 46.		Noes, 17.
Mr. Moore,	Mr. Donaldson,	Mr. Perry (<i>L'pool Plains</i>),	Mr. McGowen,
Mr. Hogue,	Mr. Mahony,	Mr. J. H. Young,	Mr. Macdonell,
Mr. Carruthers,	Mr. Law,	Mr. Mackenzie,	Mr. Jones,
Mr. Lee,	Mr. Waddell,	Mr. O'Conor,	Mr. Hollis,
Mr. Wade,	Mr. Collins,	Mr. Oakes,	Mr. Nielsen,
Mr. Levy,	Mr. Reynoldson,	Mr. Ball,	Mr. Arthur Griffith,
Mr. Creswell,	Mr. Wood,		Mr. Thrower,
Mr. Ashton,	Mr. McLaurin,	<i>Tellers,</i>	Mr. Edden,
Mr. Thomas,	Mr. Brinsley Hall,	Mr. Nobbs,	Mr. Estell,
Mr. Henley,	Mr. W. W. Young,	Mr. Jessep.	Mr. Cann,
Mr. Fallick,	Dr. Arthur,		Mr. Charlton,
Mr. Booth,	Mr. R. J. Anderson,		Mr. Meehan,
Mr. Alan Millard,	Mr. Walter Anderson,		Mr. Burgess,
Mr. Broughton,	Mr. Downes,		Mr. Daley,
Mr. Coleman,	Mr. Eden George,		Mr. Sullivan.
Mr. Cohen,	Mr. Winchcombe,		<i>Tellers,</i>
Mr. Perry (<i>The Richm'd</i>),	Mr. John Hurley,		Mr. McGarry,
Mr. McCoy,	Mr. Briner,		Mr. Scobie.
Mr. Gillies,	Mr. Crick,		

And so it was resolved in the affirmative.

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

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to authorise the sale or leasing of certain lands vested in the Chief Minister by the Centenary Celebration Act; to amend the said Act; and for purposes consequent thereon or incidental thereto.*"

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 authorise the sale or leasing of certain lands vested in the Chief Minister by the Centenary Celebration Act; to amend the said Act; and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 24th November, 1904.

6. CORONERS' COURT BILL:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Wade, "That this Bill be now read a second time,"—

And the Question being again proposed,—

The House resumed the said adjourned Debate.

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

Bill read a second time.

On motion of Mr. Wade, 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. Wade, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

7. PRINTING COMMITTEE:—Mr. McFarlane, as Chairman, brought up the Ninth Report from the Printing Committee.

8. CLOSER SETTLEMENT BILL:—The Order of the Day having been read,—Mr. Ashton moved, That this Bill be now read a second time.

Debate ensued.

Mr. Norton moved, That this Debate be now adjourned.

Question put and passed.

Ordered, That the Debate be adjourned until Tuesday next, and (*with the concurrence of the House*) take precedence of all other business.

9. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

- (1.) Municipalities Electric Light Bill:—

MR. SPEAKER,—

The Legislative Council having this day passed a Bill, intituled "*An Act to provide for the lighting by electricity of municipalities; to apply the provisions of the Municipalities Act, 1897, relating to municipal gasworks and gas to municipal electric light works and electricity; and for other purposes,*"—presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,

Sydney, 24th November, 1904.

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

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

F. B. SUTTON,

President.

- (2.) State Debt and Sinking Fund Bill:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to constitute a general sinking fund; to carry to the Consolidated Revenue Fund payments made, or to be made, to certain accounts and funds; to make better provision for the administration of certain trust accounts in the Treasury; to constitute Commissioners to administer the said funds and the said trust accounts; and for purposes consequent thereon or incidental thereto,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,

Sydney, 24th November, 1904.

F. B. SUTTON,

President.

(3.)

24th November, 1904.

(3.) Navigation Amendment (Regulations) Bill :—

MR. SPEAKER,—

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to amend the Navigation Act of 1901, by providing for issue of regulations,*"—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 November, 1904.*

F. B. SUTTON,
President.

NAVIGATION AMENDMENT (REGULATIONS) BILL.

Schedule of the Amendments referred to in Message of 24th November, 1904.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, clause 2, lines 8 and 9. *Omit* "subject to the provisions of the Sydney Harbour Trust Act, 1900"

Page 1, clause 2, lines 9 and 10. *Omit* "harbour regulations to have effect at any port within the jurisdiction and may also make,"

Examined,—

W. J. TRICKETT,
Chairman of Committees.

Ordered by Mr. Speaker, That the amendments made by the Legislative Council in this Bill be taken into consideration on Tuesday next.

(4.) Sydney Harbour Rates Bill :—

MR. SPEAKER,—

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates at the said port; to provide for the payment and collection of such rates; to amend the Sydney Harbour Trust Act, 1901, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto,*"—with the amendments indicated by the accompanying Schedule, including amendments in the Title, in which amendments the Council requests the concurrence of the Legislative Assembly.

*Legislative Council Chamber,
Sydney, 24th November, 1904.*

F. B. SUTTON,
President.

SYDNEY HARBOUR RATES BILL.

Schedule of the Amendments referred to in Message of 24th November, 1904.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 1, Title, line 1. *Omit* "to impose harbour rates for the Port of Sydney."

Page 1, Title, line 2. *Omit* "scales of wharfage and"

Page 1, Title, line 2. *Omit* "said"

Page 1, Title, line 2. *After* "port" *insert* "of Sydney"

Page 1, Title, line 4. *Omit* "1901" *insert* "1900"

Page 1, clause 1, line 8. *Omit* "1901" *insert* "1900"

Page 2, clauses 3, 4, and 5. *Omit* Clauses 3, 4, and 5.

Page 2, clause 6, lines 28 to 30. *Omit* "at any public or private sufferance wharf or other private wharf or landing place in the Port of Sydney, or"

Page 3, clause 11. *Omit* Clause 11.

Examined,—

W. J. TRICKETT,
Chairman of Committees.

Mr. Speaker said, referring to the amendments made by the Legislative Council in this Bill, that he had not had time to look closely into them, but that he would do so and make a statement in reference to them on a later day.

Ordered by Mr. Speaker, That the amendments made by the Legislative Council in this Bill be taken into consideration on Wednesday next.

10. SPECIAL ADJOURNMENT :—Mr. Carruthers (*by consent*) moved, without Notice, That this House, at its rising This Day, do adjourn until Tuesday next.

Question put and passed.

The House adjourned, at eight minutes after Eleven o'clock, until *Tuesday next*, at Four o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 36.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 29 NOVEMBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker :—

- (1.) Miners' Accident Relief (Validating) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 38.

A Bill, intituled "*An Act to validate the appointment of certain officers of the Miners' Accident Relief Board ; and to validate the acts and appointment of certain committees purporting to be constituted under the Miners' Accident Relief Act, 1900,*"—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 His 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.

State Government House,
Sydney, 25th November, 1904.

- (2.) Justices (Fees) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 39.

A Bill, intituled "*An Act to amend the law relating to fees in respect of proceedings before Justices ; to enable the Governor to fix such fees ; and for other purposes in connection therewith,*"—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 His 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.

State Government House,
Sydney, 25th November, 1904.

- (3.) Library and Art Gallery Amendment Bill :—

HARRY H. RAWSON,
Governor.

Message No. 40.

A Bill, intituled "*An Act to amend the Library and Art Gallery Act, 1899,*"—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 His 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.

State Government House,
Sydney, 25th November, 1904.

- (4.) Presbyterian Church Property Consolidation Bill :—

HARRY H. RAWSON,
Governor.

Message No. 41.

A Bill, intituled "*An Act to consolidate the Acts regulating the temporal affairs of the Presbyterian Church of Australia in the State of New South Wales, and to amend the same,*"—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 His 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.

State Government House,
Sydney, 29th November, 1904.

29th November, 1904.

2. QUESTIONS :—

- (1.) Men Employed at Albury Railway Yards :—Mr. McLaurin asked the Colonial Treasurer,—Is it a fact that men employed unloading coal at Albury Railway Yards received, until lately, 7s. per day, and that the rate paid has been reduced to 6s. 8d. per day?

Mr. Carruthers answered,—The Railway Commissioners inform me that casual men at present engaged in the service referred to are paid 6s. 8d. per day. The Commissioners pay what is considered to be equal to that prevailing in private employ.

- (2.) Men Employed at Albury Railway Goods Sheds :—Mr. McLaurin asked the Colonial Treasurer,—Is it a fact that men employed loading and unloading wool at the Goods Sheds, Albury, are only paid 6s. per day of ten hours; junior casuals, under 21 years, doing the same work as the adults, receive only 4s. 4d. per day of ten hours?

Mr. Carruthers answered,—The Railway Commissioners inform me that casual men engaged at Albury have been paid 6s. per day. There is a casual junior porter under 18 years of age at Albury receiving 15s. per week; he is engaged in light duties.

- (3.) Travelling Stock Reserves :—Mr. Nielsen, for Mr. Eden George, asked the Secretary for Lands,—Will he take the necessary steps to carry into effect the resolution passed unanimously by this House, viz., “That the time has arrived when all stock reserves should be diminished to actual requirements, and the balance thrown open for selection”?

Mr. Moore answered,—Specific instructions, together with a copy of the resolution in question, have already been issued to the District Surveyors.

- (4.) Little Bay Penitentiary :—Mr. McGarry asked the Secretary for Public Works,—

(1.) What are the Schedule prices for brick, stone, plastering, carpentering, and finishing work at the Little Bay Penitentiary?

(2.) What is the actual cost of such work to the present date?

(3.) Is it the intention of the Government to let the remainder of the work by contract; if so, why?

Mr. Lee answered,—

(1.) There are none. To establish Schedule rates would be to introduce piece-work into the day-labour system.

(2.) £40,894 17s. 3d. (16th November, 1904).

(3.) Instructions have been given to carry out both day-labour and contract works.

- (5.) Electric Traction on the Ocean-street Tramway :—Mr. Levy asked the Colonial Treasurer,—When is it expected that the electric traction on the Ocean-street line will be completely installed?

Mr. Carruthers answered,—It is anticipated that electric and traffic arrangements will be complete to enable the conversion to be made about the middle of January next, but a difficulty in connection with the terminus at the foot of King-street may delay the change.

- (6.) Ocean-street Cable Tramway Service :—Mr. Levy asked the Colonial Treasurer,—Is he aware that the tramway service on the Ocean-street cable line is, during certain hours of the day, totally inadequate?

Mr. Carruthers answered,—I am advised that the Railway Commissioners are aware that during the busy time of the day the cable cars are crowded, but it is not practicable to give relief until the conversion from the cable to the electric system is completed.

- (7.) Transfers from King-street Cable Tramway :—Mr. Levy asked the Colonial Treasurer,—Seeing that there is a 1d. tramway section from Darlinghurst to Circular Quay, via Oxford-street, will he submit to the Commissioners a suggestion to enable tramway passengers from the top of William-street, Darlinghurst, to travel to Circular Quay on a 1d. fare, by a system of transfers entitling them to continue the journey to the Quay, on the same fare, from the intersection of King-street with Elizabeth-street, Castlereagh-street, or George-street respectively?

Mr. Carruthers answered,—The Railway Commissioners have fully considered the Honorable Member's suggestions, but cannot favour a transfer system such as he suggests. The charges in Sydney are most reasonable, and transfers—on 1d. sections—would entail a loss of revenue which the Tramways cannot afford.

3. PAPERS :—

Mr. Moore laid upon the Table,—Amended Regulation No. 6, and Amended Forms Nos. 2 and 5; also New Regulation No. 43, and New Form No. 10, under the Western Lands Act, 1901.

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—Report of the completion of the Randwick and Kensington Sewerage, 2nd Division (Extension).

Referred by Sessional Order to the Printing Committee.

Mr. Carruthers laid upon the Table,—Certified copy of Grant to the Municipal Council of Sydney, dated 4th November, 1846, of land at the Haymarket, between Campbell, Pitt, Hay, and George Streets, as a site for a Hay and Corn Market, together with copy of *Gazette* Notice, dated 10th January, 1865, of dedication of land for Market Purposes.

Referred by Sessional Order to the Printing Committee.

4. JUDICATURE BILL :—

- (1.) Mr. Cohen moved, pursuant to Notice, That leave be given to bring in a Bill to amend the law and to simplify and amend the practice of the Supreme Court, and for other purposes relating to the administration of justice.

Question put and passed.

- (2.) Mr. Cohen then presented a Bill, intituled “*A Bill to amend the law and to simplify and amend the practice of the Supreme Court, and for other purposes relating to the administration of justice,*”—which was read a first time.

Ordered to be printed, and read a second time on Tuesday, 13th December.

5.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

29th November, 1904.

5. CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL (*Formal Motion*):—Mr. W. W. Young, on behalf of Mr. O'Sullivan, moved, pursuant to Notice,—
- (1.) That the Coraki Roman Catholic Church Trustees Enabling Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Ashton, Mr. Smith, Mr. McLaurin, Mr. Cohen, Mr. Reynoldson, Mr. Perry (*Liverpool Plains*), Mr. Hollis, Mr. Donaldson, Mr. Kelly, and Mr. O'Sullivan.
- Question put and passed.

6. CORONERS' COURT BILL (*Formal Order of the Day*),—on motion of Mr. Wade, read a third time, and passed.

Mr. Wade then moved, That the Title of the Bill be "*An Act to provide that, except in certain cases, inquisitions now held before a coroner and a jury shall be held before a coroner sitting alone; and for purposes consequent on or incidental to the carrying out of that object.*"

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 that, except in certain cases, inquisitions now held before a coroner and a jury shall be held before a coroner sitting alone; and for purposes consequent on or incidental to the carrying out of that object,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 29th November, 1904.

7. POSTPONEMENTS:—The following Orders of the Day postponed:—
- (1.) Wellington Cattle Sale-yards Bill (*as agreed to in Select Committee*); second reading. [*Mr. Thrower*];—until Wednesday, 7th December.
- (2.) Lismore Markets and Cattle Sale-yards Bill (*as agreed to in Select Committee*); second reading. [*Mr. Coleman*];—until To-morrow.
- (3.) Licensing of Money Lenders and Registration of Time-payment Agreements Bill; consideration in Committee of the Whole of the expediency of bringing in a Bill to provide for the licensing of money-lenders; regulating the interest charged by them; and to provide for the registration of time-payment agreements and leases of personalty. [*Mr. Nielsen*];—until Tuesday, 13th December.
8. LOCAL GOVERNMENT COMMISSIONERS BILL:—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker:—

HARRY H. RAWSON,
Governor.

Message No. 42.

In accordance with the provisions contained in the 46th 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 provide for the appointment of Commissioners to divide certain parts of New South Wales into shires; to prescribe the powers and duties of such Commissioners; and for purposes consequent thereon or incidental thereto.

State Government House,

Sydney, 29th November, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

9. CLOSER SETTLEMENT BILL:—The Order of the Day having been read for the resumption of the adjourned Debate, on the motion of Mr. Ashton, "That this Bill be now read a second time,"—And the Question being again proposed,—The House resumed the said adjourned Debate.

And the House continuing to sit after Midnight,—

WEDNESDAY, 30 NOVEMBER, 1904, A.M.

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

The House divided.

Ayes, 40.

Mr. Hogue,	Mr. Perry (<i>L'pool Plains</i>),
Mr. Lee,	Mr. Collins,
Mr. Moore,	Mr. McFarlane,
Mr. Ashton,	Mr. Downes,
Mr. Dick,	Mr. Walter Anderson,
Mr. Wade,	Mr. McLaurin,
Mr. Crick,	Mr. Fell,
Mr. Ball,	Mr. R. J. Anderson,
Mr. Levy,	Mr. Coleman,
Dr. Arthur,	Mr. O'Conor,
Mr. Broughton,	Mr. Wood,
Mr. Alan Millard,	Mr. Moxham,
Mr. Henley,	Mr. Jessep,
Mr. Mackenzie,	Mr. Oakes,
Mr. Fallick,	Mr. John Hurley,
Mr. Latimer,	Mr. Creswell,
Mr. Cohen,	Mr. W. Millard.
Mr. Law,	<i>Tellers,</i>
Mr. Booth,	
Mr. Davidson,	Mr. Nobbs,
Mr. McCoy,	Mr. Fleming.

Noes, 19.

Mr. Estell,
Mr. Meehan,
Mr. Charlton,
Mr. Jones,
Mr. Thrower,
Mr. Cann,
Mr. Gardiner,
Mr. Nicholson,
Mr. Burgess,
Mr. Dacey,
Mr. Macdonell,
Mr. Kelly,
Mr. Holman,
Mr. McGarry,
Mr. Scobie,
Mr. W. W. Young,
Mr. Smith.
<i>Tellers,</i>
Mr. Sullivan,
Mr. Nielsen.

And so it was resolved in the affirmative.

Bill

29th November, 1904.

Bill read a second time.

On motion of Mr. Ashton, 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.

10. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

- (1.) Mines Inspection Amendment Bill :—

MR. SPEAKER,—

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "*An Act to amend the Mines Inspection Act of 1901; to make provision for the appointment of check weighman or check clerk, and the payment of such check weighman or check clerk; and to provide for weighing in certain cases,*"—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 November, 1904.

F. B. SUTTON,
President.

MINES INSPECTION AMENDMENT BILL.

Schedule of the Amendments referred to in Message of 29th November, 1904.

JOHN J. CALVERT,
Clerk of the Parliaments.

Page 3, clause 5, line 2. Omit "they are" insert "he is"
Page 3, clause 6, line 25. Omit "their" insert "his"
Page 3, clause 7, line 30. Omit "their" insert "his"
Page 3, clause 7, line 33. Omit "their" insert "his"
Page 3, clause 9, line 41. Omit "their" insert "his"
Page 4, clause 10, line 4. Omit "they" insert "he"

Examined,—

W. J. TRICKETT,
Chairman of Committees.

Ordered by Mr. Speaker, That the amendments made by the Legislative Council in this Bill be taken into consideration To-morrow.

- (2.) Pastures Protection (Amendment) Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to amend the Pastures Protection Act, 1902, in certain particulars,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 29th November, 1904.

F. B. SUTTON,
President.

The House adjourned, at twenty-three minutes before Three o'clock, a.m., until Four o'clock, p.m. This Day.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 37.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 30 NOVEMBER, 1904.

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

QUESTIONS :—

- (1.) Butter Shipped by s.s. "Macedonia" :—Mr. Davidson asked the Secretary for Mines,—
 (1.) Has he seen the report in the *Sydney Morning Herald* of Thursday, 17th November, referring to a number of boxes of butter shipped by the s.s. "Macedonia" as ship's stores in Sydney, and landed in Melbourne, and described as a very bad lot, and that some of it was packed in Victorian butter boxes, branded "Guaranteed pure new season's butter, 1903-4" ?
 (2.) Will he cause an inquiry to be made as to where the butter was manufactured, and when ?

Mr. Moore answered,—

- (1.) Yes.
 (2.) I have caused inquiry to be made, with the result that it has been ascertained that none of this butter was manufactured in New South Wales. I shall be very glad to let the Honorable Member, or any other Honorable Member who is interested, see the papers I have in connection with the matter.
 (2.) Pilliga Scrub :—Mr. Collins asked the Secretary for Lands,—
 (1.) Has his attention been drawn to the report of the Local Land Board in respect to the Pilliga Scrub inquiry ?
 (2.) In view of the fact that the whole of these lands are infested with rabbits and other noxious animals, will he give the matter his immediate attention, with the view of bringing in legislation to give effect to the recommendations of the Board, and thus endeavour to put the land into occupation at the earliest possible moment ?
 (3.) Will he confer with the Secretary for Public Works with the view of having an artesian bore sunk immediately in the locality, as recommended by the Board, in order to find out the possibilities of these lands ?
 (4.) Will he likewise confer with the Secretary for Mines and Agriculture with the view of having a site set apart for an Experimental Farm on these lands, and the establishment of same at an early date ?

Mr. Moore answered,—Careful consideration will be given to the points raised when dealing with the Local Land Board's Report upon the disposal of the land referred to. It is now under consideration.

- (3.) Appointment of Nominal Defendant and Deputy Master in Equity :—Mr. Walter Anderson asked the Attorney-General and Minister of Justice,—
 (1.) When is a nominal defendant to be appointed (in lieu of the late Mr. Critchett Walker) on behalf of the Government, in actions set down for trial about two years ago ?
 (2.) When is a Deputy Master in Equity to be appointed to act in certain suits in which the present Master in Equity cannot act on account of being counsel when at the Bar ?

Mr. Wade answered,—

- (1.) The appointment has, I am informed, already been made.
 (2.) I am pleased to say that arrangements have been made for dealing with the largest of the matters standing over, without referring it to a Deputy Master in Equity. Steps are being taken to enable the other matters (three) to be disposed of.

(4.)

30th November, 1904.

- (4.) Wheat Crop :—Mr. Gardiner asked the Colonial Secretary,—
- (1.) What are the estimated requirements of wheat for food purposes for the State during the next year ?
 - (2.) On what basis is this computed ?
 - (3.) Can a fair estimate be at present made of the quantity of wheat the now growing crop will produce ?
 - (4.) What is the estimated amount of the present crop ?

Mr. Hogue answered,—

- (1.) The estimated requirements of wheat for food purposes for the State during the next year are between 8,500,000 and 8,800,000 bushels.
- (2.) On a consideration of the actually ascertained consumption of previous years, the abundance or otherwise of the season's crops, and the price of food substitutes for bread.
- (3 and 4.) The Statistician makes an estimate of the probable wheat harvest annually about the 20th December ; it is not practicable to make an earlier estimate.

- (5.) Improvement Leases granted to Messrs. Hopkins, Fagan, and Glasson :—Mr. Gardiner asked the Secretary for Lands,—
- (1.) Was an area of 22,663 acres of land, in the parishes of Belubula, Errol, and Beaufort, near the towns of Orange, Carcoar, Blayney, and Millthorpe, granted, under improvement leases, to Messrs. Hopkins, Fagan, and Glasson ?
 - (2.) Were such lands formerly part of Church and School estate, and held by those persons under short leases ?
 - (3.) Did the Local Land Board recommend the refusal of the applications for such improvement leases, on the grounds that the lands in question were eminently suited for settlement in moderate-sized areas ?
 - (4.) Did the applicants lodge notices of appeal to the Land Appeal Court against such recommendation ?
 - (5.) Were the appeals withdrawn on the then Secretary for Lands agreeing to grant the improvement leases ?
 - (6.) Who was the Secretary for Lands who so agreed, and for what term were the leases granted ?

Mr. Moore answered,—The papers in connection with the leases referred to are with the Chairman of the Local Land Board at Orange, and reference to them is necessary before the Questions can be fully answered. Perhaps the Honorable Member will defer his Question till Tuesday next.

- (6.) Lease of Crown Land to the Kensington Recreation Grounds Company, Limited :—Mr. Creswell asked the Secretary for Lands,—
- (1.) Was any portion of Crown land, near the Randwick Racecourse, leased to the Kensington Recreation Grounds Company, Limited ?
 - (2.) If so, for what term ; at what rent ; and for what purposes ?
 - (3.) Have the terms and conditions of such lease been complied with ?
 - (4.) Is he aware that portion of such land has been converted into a racecourse, and is being used for pony racing ?
 - (5.) Do the purposes for which such ground is let include that of pony racing ?

Mr. Moore answered,—

- (1.) Yes.
 - (2.) Original term was from 1st January, 1890, to 31st December, 1904—fifteen years—at an annual rental of £400 for the first period of five years, £600 for the second period of five years, and £800 for the third period. The original term has been extended, under the provisions of section 46 of the Crown Lands Act of 1895, for thirteen years, from the 1st January, 1905, to the 31st December, 1917, at an annual rental of £900 for the period ending the 31st December, 1910, the rent for the balance of the period to be subsequently appraised. The purpose of the lease is described as recreation.
 - (3.) The question of the fulfilment of the conditions under the lease are being inquired into by the Metropolitan District Surveyor.
 - (4.) My honorable colleague understands so.
 - (5.) The opinion expressed by Mr. George Colquhoun, the late Crown Solicitor, is to the effect that "Horse-racing being a public sport, may fairly be classed under the head of recreation."
- (7.) Expenditure under the Water and Drainage Act :—Mr. Jones asked the Colonial Secretary,—
- (1.) What was the total money raised under section 3 of the Water and Drainage Act during the years 1902, 1903, and 1904 ?
 - (2.) Is he aware that all preliminary arrangements have been completed for new Artesian Bores, the work of sinking which is being delayed pending the necessary funds being made available ?
 - (3.) In view of the vital importance of a constant and regular supply of water to settlers in the artesian districts, and the willingness of those settlers to pay interest and sinking fund on all legitimate charges, will he consider the question of immediately placing a larger sum than £2,200 per month at the disposal of the Works Department for supplying such water ?

Mr. Lee answered,—

- (1.) This is a Question for the consideration of the Honorable the Treasurer.
- (2.) I am informed that in some cases the preliminary arrangements have been completed.
- (3.) The £2,200 per month will only permit of the completion of distributing work in connection with bores already sunk. The question of providing a larger monthly rate of expenditure to permit of new bores being sunk will be submitted for the early consideration of Cabinet.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

30th November, 1904.

- (8.) Mildura-Yelta-Wentworth Railway :—*Mr. Estell*, for *Mr. Scobie*, asked the Colonial Treasurer,—Has the matter of the Mildura-Yelta-Wentworth Railway yet been considered in Cabinet; and, if so, what action does he propose taking in the matter?

Mr. Carruthers answered,—Yes; but in the absence of a report from the Railway Commissioners the matter has been deferred until such a report is obtained. It has been called for.

- (9.) Schnapper Island :—*Mr. Booth*, for *Mr. Henley*, asked the Colonial Treasurer,—
 (1.) Is it a fact that the Harbour Trust Commissioners contemplate or are about to lease Schnapper Island for the purpose of erecting thereon “soapworks”?
 (2.) If such is the intention, will he instruct the Commissioners not to lease the island for the purpose of trade, and especially noxious trades likely to pollute the harbour and the foreshores of Drummoyne?
 (3.) Seeing that Schnapper Island, in conjunction with Rodd Island, was dedicated on the 16th of April, 1879, for public recreation, will he issue a *Gazette* Notice removing Schnapper Island from the control of the Harbour Trust, as was done in the case of Rodd Island?

Mr. Carruthers answered,—Inquiry has been made of the Commissioners as to the terms upon which they will lease the island for the manufacture of paints, but no lease has been granted. The question whether the island shall be removed from the control of the Commissioners and re-dedicated for public recreation, or otherwise dealt with, is under consideration.

- (10.) “Rocks” Resumptions :—*Mr. Levy*, for *Mr. Latimer*, asked the Secretary for Public Works,—
 (1.) What is the total cost of the “Rocks” resumptions?
 (2.) What is the annual interest charges for same?
 (3.) What is the annual gross receipts derived from the “Rocks” properties?
 (4.) What is the annual cost of management of the above properties, including insurances, water and sewerage rates, and all other charges?
 (5.) What amount of municipal rates would a private owner of the above property be compelled to pay to the City Council?
 (6.) Is any rebate on the rates of the “Rocks” properties made by the Water and Sewerage Board to the Government; and, if so, how much?

Mr. Lee answered,—

- (1.) The total cost of the area termed the “Rocks” will be about £1,082,000 when all claims are paid.
 (2.) £38,573.
 (3.) The receipts for the year ended 30th June, 1904, were £50,949.
 (4.) Management and insurance, &c., £2,858; Water and Sewerage and City Council rates, £6,450 13s. 5d.; repairs to buildings, £6,158 18s. 6d.; total, £15,467 11s. 11d.
 (5.) The sum of £3,886 17s. 3d. was paid to the Council for rates to 30th June, 1904. A private owner would have paid the same.
 (6.) No rebate is allowed by the Water and Sewerage Board.

- (11.) Power House, George-street North :—*Mr. Levy*, for *Mr. Latimer*, asked the Secretary for Public Works,—
 (1.) What is the value of the site upon which the building (originally intended for an electric lighting station) at George-street North has been erected?
 (2.) What is the annual interest payable on such site?
 (3.) What is the annual interest charged on the building?
 (4.) What was the office estimate of the total cost of erecting the above mentioned building?
 (5.) Is it true that machinery was ordered for use in the aforesaid building, and that such machinery is too large to be admitted through the doors of the building?
 (6.) What is the estimated cost of finishing the building to its original design?

Mr. Lee answered,—

- (1 and 2.) The value of the land has not been finally determined; a case is *sub judice* dealing therewith.
 (3.) The cost of building to date having been £7,274, interest at the rate of 4 per cent. would amount annually to £290.
 (4.) The estimated cost of two lower storeys (of a building of indefinite height), including chimney stack and coal-shed, was £6,200.
 (5.) No machinery has been ordered for this building.
 (6.) This will depend upon the decision as to the ultimate number of storeys to which it may be determined to carry the building.

- (12.) Report of Education Commissioners :—*Mr. Levy* asked the Minister of Public Instruction,—Does he intend to take any steps in the direction of carrying out the suggestions, or any of them, contained in the Report of the Education Commissioners?

Mr. O’Conor answered,—The Report on Secondary Education was only furnished on the 11th day of October, 1904, and the Report on Technical Education has not yet been received. When the Commissioners finish their labours, steps will be taken to introduce reforms in consonance with the suggestions as shown in their reports so far as seems desirable to the Department and the finances will permit.

- (13.) Work done by the Crown Law Department for the Commonwealth Government :—*Mr. Levy* asked the Attorney-General and Minister of Justice,—

- (1.) What has been the nature of the work done by the Crown Law Department of this State on behalf of the Commonwealth Government?
 (2.) What payment, if any, has been made to this State for the work so done?

Mr.

30th November, 1904.

Mr. Wade answered,—

(1.) Legal work of every description has been done by the Crown Law Department of this State on behalf of the Commonwealth Government.

(2.) To date, the sum of £1,195 Os. 3d. has been received and has been paid to the Consolidated Revenue of the State.

2. PAPERS :—

Mr. Lee laid upon the Table,—

(1.) Return to an Order, made on 13th October, 1904,—“Bunnerong Farm, or Refuge for Old “Men.”

(2.) Information respecting the proposed Federal Capital Sites, together with Plan showing proposed Sites near Yass, and proposed Irrigation Reservoir at Barren Jack.
Referred by Sessional Order to the Printing Committee.

Mr. O'Connor laid upon the Table,—Amended By-law, and repeal of existing By-law, of the University of Sydney.

Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—

(1.) By-laws of the Borough of Auburn.

(2.) By-law of the Borough of Waverley, under the Public Health Act, 1902, and the Public Health (Night-Soil Removal) Act, 1902.

(3.) Additional Regulation under the Reduction of Members Referendum Act, 1903.

Referred by Sessional Order to the Printing Committee.

Mr. Moore laid upon the Table,—

(1.) Amended Form, No. 51, under the Crown Lands Acts.

(2.) Return of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903.

Referred by Sessional Order to the Printing Committee.

3. SYDNEY HARBOUR RATES BILL (No. 2) :—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 43.

In accordance with the provisions contained in the 46th 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 impose harbour rates for the port of Sydney; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port; to provide for the payment and collection of such rates, tolls, and charges; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto.

*State Government House,
Sydney, 29th November, 1904.*

Ordered to be referred to the Committee of the Whole on the Bill.

4. OXFORD-STREET EXTENSION BILL :—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to divest the Metropolitan Board of Water Supply and Sewerage of certain lands; to vest them in the Borough of Paddington for the purpose of constructing and opening certain public ways; and for other purposes consequent thereon or incidental thereto.
Question put and passed.

5. LOCAL GOVERNMENT COMMISSIONERS BILL :—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to provide for the appointment of Commissioners to divide certain parts of New South Wales into shires; to prescribe the powers and duties of such Commissioners; and for purposes consequent thereon or incidental thereto.
Question put and passed.

6. SYDNEY HARBOUR RATES BILL :—The Order of the Day having been read for the consideration in Committee of the Whole of the Legislative Council's amendments,—

Mr. Speaker said he desired to draw the attention of the House to the amendments made by the Legislative Council in this Bill, which undoubtedly is one of the class of Bills which this House has always denied the right of the Legislative Council to amend. The amendments in the Bill are of such a character that they infringe the rights and privileges of this House.

Mr. Carruthers moved, That the Bill be laid aside.

Debate ensued.

Question put and passed.

7. CLOSER SETTLEMENT 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 the Bill.

Mr. Speaker resumed the Chair; and the Chairman reported a Point of Order from the Committee, and obtained leave to sit again so soon as the Point of Order had been decided by the House.

Point of Order :—The Chairman stated that the Honorable Member for Yass, Mr. Nielsen, in discussing Clause 2 of the Bill before the Committee, was referring to the details of the Act of 1901 to show why that Act should not be repealed; he had ruled that the Honorable Member, while able to refer to the general principles of the Act, could not refer to details of the Act proposed

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

30th November, 1904.

proposed to be repealed,—against that ruling the Committee had now appealed to the House. Debate ensued.

Mr. Speaker said, When the House went into Committee, it did not do so to discuss in detail not only this Bill but also the Closer Settlement Act of 1901; it resolved itself into Committee only to discuss in detail this one Bill,—the Chairman, therefore, properly refused to allow any reference to the details of the Act proposed to be repealed. He upheld the decision of the Chairman of Committees.

Whereupon, on motion of Mr. Ashton, Mr. Speaker left the Chair, and the Committee resumed.

And the Committee continuing to sit after Midnight,—

THURSDAY, 1 DECEMBER, 1904, A.M.

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

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

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

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

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

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

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

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

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

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

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

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

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

“W. A. HOLMAN.
“Chairman.”

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

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

9. ADJOURNMENT:—Mr. Ashton moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly, at nineteen minutes after Three o'clock, a.m., until Four o'clock, p.m., This Day.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 38.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 1 DECEMBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker :—

- (1.) Ancient Lights Declaratory Bill :—

HARRY H. RAWSON,
Governor.

Message No. 44.

A Bill, intituled "*An Act to declare the law with respect to ancient lights*,"—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 His 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.

State Government House,
Sydney, 1st December, 1904.

- (2.) Land and Income Tax (Amendment) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 45.

A Bill, intituled "*An Act to provide for the levying and payment of income tax in respect of certain mortgages ; to make better provision for assessing income tax ; to provide for the refund of land and income tax, and for the remission and refund of fines before or after the commencement of this Act ; to amend the Land and Income Tax Assessment Act of 1895 ; and for purposes consequent thereon or incidental thereto*,"—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 His 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.

State Government House,
Sydney, 1st December, 1904.

- (3.) Municipal Loans Validating Bill :—

HARRY H. RAWSON,
Governor.

Message No. 46.

A Bill, intituled "*An Act to provide for the validation of municipal loans ; and for purposes consequent thereon or incidental thereto*,"—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 His 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.

State Government House,
Sydney, 1st December, 1904.

2. QUESTIONS :—

(1.) Temporary Clerks, Department of Public Instruction :—*Mr. Gillies*, for *Mr. Norton*, asked the Minister of Public Instruction,—

(1.) Is it a fact that very lately the services of several temporary clerks have been dispensed with in the Head Office of the Department of Public Instruction?

(2.)

1st December, 1904.

(2.) Is it a fact that since their services have been dispensed with extra duties have devolved upon certain of the permanent clerks, involving their working after the recognised office hours, either at their homes or at the office, and to keep pace with arrears of work consequent upon the retirement of the temporary officers first referred to?

(3.) If the services of these temporary clerks were in the past found necessary to cope with extra clerical duties, in some cases extending over a period of two years, how is it that the actual necessity now comes about of retiring these officials and the imposition of extra hours of labour upon the permanent officials?

(4.) Will he consider the advisability, under the circumstances stated, of reinstating the officers referred to?

Mr. Dick answered,—

(1.) The Public Service Board decided, last August, that the services of three temporary clerks and one temporary junior clerk in the Head Office should be dispensed with; they received notice on the 30th of that month, terminating their employment at the end of September.

(2.) In two branches extra duties are performed as a consequence of this action, but the changes resulting from the transfer of the Architect's Branch of the Department will enable this matter to be adjusted.

(3.) The two years in question were unusually heavy ones, and some of the pressure has been since removed.

(4.) One of these officers has qualified as a teacher, and has been appointed to a school. It will not be necessary to reinstate the others, as the permanent staff can do the work.

(2.) Fisher Library :—*Mr. John Hurley* asked the Secretary for Public Works,—

(1.) What sum has been expended on the Fisher Library building now in course of erection?

(2.) How many masons are at present employed on the works?

(3.) Who is the foreman in charge?

(4.) What previous experience, if any, has he had?

(5.) What has it cost to cut and fix the stone work per cube foot?

(6.) Has the cost of cutting and fixing the stone work per cube foot exceeded the office estimate; if so, by how much per cube foot?

(7.) Did *Mr. Vernon*, the State Architect, state on oath, before the Public Service Board, that the cost of the stone work was greatly in excess of that done under contract?

(8.) Is it the intention of the Department to continue the day-labour system on this work?

Mr. Lee answered,—

(1.) £19,000, inclusive of plant, sheds, &c.

(2.) Eleven masons, improvers, and boys.

(3.) *Mr. W. Hughan* (leading hand).

(4.) He has had a number of years' experience as leading hand in the employ of the Department.

(5.) The cost of cutting and fixing Purgatory stone work for sill was 6s. 2½d. per foot.

(6.) The office estimate does not differentiate the cost of stone work from that of remainder of the building.

(7.) *Mr. Vernon* informs me he may have made some such admission when under examination.

(8.) The work will be continued by day labour, so long as it is considered to be satisfactory.

(3.) Brewers' License Fees :—*Mr. Ball* asked the Colonial Treasurer,—

(1.) Is he aware that the brewers on the border in this State who trade in Victoria have been threatened with prosecution by the Victorian police unless they pay the Victorian State license fee of £20?

(2.) Is he aware they already pay a Federal brewers' license fee of £25, also the New South Wales license fee of £20, and that the Victorian brewers only pay the Federal license of £25 and can, and do, trade in Victoria and New South Wales without paying any State license?

(3.) Will he make inquiries with the view of removing these anomalies?

Mr. Carruthers answered,—

(1.) No; but I have ascertained that a report appeared in the daily Press to the effect that the Victorian police are preventing New South Wales spirit merchants from delivering liquor in Victoria in cases where the sales of the liquor have been effected in New South Wales.

(2.) New South Wales brewers pay the license fee under the State Liquor Act of 1898, and also the brewer's license fee imposed by the Commonwealth Beer Excise Act. I am not aware what licenses Victorian brewers pay. No restriction is placed on Victorian spirit merchants or brewers who deliver liquor in New South Wales, provided that the sales of such liquor have been effected in Victoria.

(3.) I will ask my colleague, the Attorney-General, to make inquiry into this matter, as there appears to be some anomaly with regard to the privileges allowed in the two States.

(4.) Eight-hours' System at Police Stations :—*Mr. Booth* asked the Colonial Secretary,—

(1.) Is it a fact that the eight hours' system is granted to the station sergeants at the Central and No. 2 Police Stations, and refused to the station sergeants of Nos. 3 and 4 Stations?

(2.) Is it a fact that the station sergeant of No. 3 Station applied for and was refused this concession?

Mr. Hogue answered,—

(1.) At the Central and No. 2 Stations, the work is exceptionally heavy, and has been divided into eight-hour reliefs. At other stations the duty is more conveniently and economically arranged by twenty-four hour reliefs, and station duty is preferred to ordinary street work. An application for the extension of the eight-hour system to No. 3 Station was refused, but no such application has been made as regards No. 4 Station.

(2.) Yes.

(5.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

1st December, 1904.

- (5.) Leave of Absence to Police Constables :—Mr. Booth asked the Colonial Secretary,—In the case of a police constable requesting special leave to attend the funeral of his father, mother, or other near relative, is this leave deducted from his ordinary annual leave?

Mr. Hogue answered,—Yes.

- (6.) Federal and Parbury's Bonds :—Mr. Mackenzie asked the Colonial Treasurer,—

- (1.) Is it a fact that the Harbour Trust Commissioners receive goods for storage in the Federal and Parbury's Bonds at cutting rates as against the lessees of the bonds rented from the Harbour Trust?
- (2.) Will he, in the interests of the lessees of the bonds leased from the Harbour Trust, take such steps as are necessary to induce the Harbour Trust Commissioners to lease the Federal and Parbury's Bonds so that the Commissioners will not come into competition with its own tenants?

Mr. Carruthers answered,—

(1.) The Commissioners are not aware that their rates are lower than those charged by their tenants. The general instruction given to the Manager of the Bond is that he is not to unduly compete with these tenants.

(2.) The Commissioners have endeavoured, on several occasions, to lease these premises, but the offers received were not such as to justify the acceptance of any of them. Private offers have also been received and refused for a like reason. The Commissioners have not lost sight of the propriety of leasing these bonds, and the market will again be tested when a favourable opportunity offers.

- (7.) Export Trade in Butter and other Produce :—Mr. Perry (Liverpool Plains) asked the Colonial Treasurer,—

(1.) Has his attention been drawn to the frequent reports and articles in the Press, to the effect that the export trade in butter and other produce is unsatisfactorily carried on, and also that the arrangements for handling, carrying, and shipping such products are not such as would enable producers here to compete with producers in countries where better methods are employed?

(2.) Will he support a proposal for the appointment of a Select Committee, or a Commission, to inquire into these matters in the interests of the producers, and will he name a date when such proposal may be considered?

Mr. Carruthers answered,—An inquiry will be instituted by the Government, but at the present juncture it is advisable to wait the report of the Victorian Commission, which has gone over much ground that this State may be relieved from again inquiring over.

- (8.) Revenue from Stamp Duty on Bills of Exchange, &c. :—Mr. Booth, for Mr. Broughton, asked the Colonial Treasurer,—What was the amount of revenue derived from taxation on bills of exchange and promissory notes for the quarter ending 30th September, 1904?

Mr. Carruthers answered,—The revenue derived from stamp duty on bills of exchange and promissory notes during the quarter ended 30th September, 1904, was £5,736 1s. 6d.

- (9.) Branding of Sheep :—Mr. Fleming asked the Secretary for Mines,—

(1.) Is it a fact that instructions have been issued to Stock Inspectors throughout the State to rigidly enforce the provision that all sheep must be legibly branded with fire-brand or what is known as tar-brand, from shearing to shearing?

(2.) Is he aware that this provision is practically impossible of fulfilment by stock-owners, except by use of branding fluids, which greatly depreciate the value of the wool?

(3.) Will he issue instructions that stock-owners be allowed the slight consideration in this matter which has been found generally satisfactory in the past?

Mr. Ashton answered,—

(1.) No.

(2.) The practice of branding with tar or other prescribed fluids has been discussed, but up to the present no better preparation for the purpose has been discovered. It is optional, however, with owners to use a fire-brand.

(3.) The Pastures Protection Act places the matter in the hands of the Local Boards.

- (10.) Expenditure by Harbour Trust Commissioners :—Mr. John Hurley asked the Colonial Treasurer,—

(1.) What was the cost of building and furnishing the offices provided by the Harbour Trust Commissioners for their use at Pitt-street North?

(2.) What is the value of the site on which the offices are erected?

(3.) What was the total cost of the new yacht "Lady Hopetoun," built for the Harbour Trust Commissioners (including furnishing, fitting, and cabin equipment)?

(4.) What was the cost of the residence for the Harbour Master, erected by the Harbour Trust Commissioners on Goat Island?

(5.) What amount have the Commissioners expended on Goat Island (a) for residences; (b) for other purposes?

Mr. Carruthers answered,—I am informed by the Commissioners,—

(1.) (a) Cost of building, £24,374 12s.; (b) cost of furniture, over and above the quantity the Commissioners had in hand upon removing from their old offices, £531 18s. 2d.

(2.) £16,000.

(3.) £4,535 18s. 3d., charged to Loan Votes, and £496 6s. 1d., paid out of Revenue Vote.

(4.) £2,093 0s. 4d.

(5.) (a) £1,281 7s. 9d., in addition to the cost of the Harbour Master's residence; (b) £3,353 15s. 9d.

- (11.) Liquor Traffic :—Mr. Winchcombe asked the Colonial Treasurer,—When do the Government propose to introduce a Bill dealing with the subject of reform in the liquor traffic?

Mr. Carruthers answered,—Not until next Session.

1st December, 1904.

3. PAPERS:—

Mr. Lee laid upon the Table,—

- (1.) Information respecting Water Supply Schemes for proposed Federal Capital Sites.
- (2.) Notification of resumption of land, under the Public Works Act, 1900, for construction of the Old Gnomery Bore.

Referred by Sessional Order to the Printing Committee.

Mr. Carruthers laid upon the Table,—Statement showing proposed Increased Employment of Labour on necessary Public Works at Christmas, 1904.

Referred by Sessional Order to the Printing Committee.

4. SCONE CATTLE SALE-YARDS BILL:—Mr. Fleming, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on 16th November, 1904; together with a copy of the Bill as amended and agreed to by the Committee.

Ordered to be printed.

Mr. Fleming then moved, That the Bill be read a second time on Wednesday, 7th December.

Question put and passed.

5. PRINTING COMMITTEE:—Mr. Gillies brought up the Tenth Report from the Printing Committee.

6. SYDNEY HARBOUR RATES BILL (No. 2) (*Formal Motions*):—

- (1.) *Suspension of the Standing Orders*:—Mr. Carruthers 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 impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port; to provide for the payment and collection of such rates, tolls, and charges; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto,” through all its stages in one day.

Question put and passed.

- (2.) Mr. Carruthers moved, pursuant to Notice, That this House do now resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port; to provide for the payment and collection of such rates, tolls, and charges; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto.

Question put and passed.

- (3.) Whereupon,—the Order of the Day having been read,—on motion of Mr. Carruthers, 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 impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port; to provide for the payment and collection of such rates, tolls, and charges; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto.

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

Ordered, on motion of the Chairman (after Debate), 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 impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port; to provide for the payment and collection of such rates, tolls, and charges; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

- (4.) Mr. Carruthers then presented a Bill, intituled “A Bill to impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port; to provide for the payment and collection of such rates, tolls, and charges; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto,”—which was read a first time.

Mr. Carruthers moved, That the Bill be printed and now read a second time.

Debate ensued.

Question put and passed.

- (5.) Bill read a second time.

On motion of Mr. Carruthers, 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. Carruthers moved, “That” the report be now adopted.

Mr. Storey moved, That the Question be amended by leaving out all the words after the word “That” and inserting the words “the Bill be recommitted for the reconsideration of Clause 4,”—instead thereof.

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

Debate ensued.

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

The

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

1st December, 1904.

The House divided.

Ayes, 54.

Mr. Wade,	Mr. Waddell,	Mr. Charlton,
Mr. Dick,	Mr. Macdonell,	Mr. McGarry,
Mr. Dacey,	Mr. McGowen,	Mr. Mahony,
Mr. Hogue,	Mr. Edden,	Mr. W. W. Young,
Mr. Carruthers,	Mr. Law,	Mr. Cann,
Mr. McCoy,	Mr. Gillies,	Mr. Smith,
Mr. Lee,	Mr. Perry (<i>L'pool Plains</i>),	Mr. Gardiner,
Mr. Jessep,	Mr. Ball,	Mr. Burgess,
Mr. Davidson,	Mr. Nobbs,	Mr. Macdonald,
Mr. O'Connor,	Mr. Nicholson,	Mr. Jones,
Mr. Thomas,	Mr. Meehan,	Mr. Eden George,
Mr. Broughton,	Mr. Henley,	Mr. Creswell,
Mr. Estell,	Dr. Arthur,	Mr. Hollis,
Mr. Alan Millard,	Mr. Mackenzie,	Mr. Thrower.
Mr. Moore,	Mr. Downes,	<i>Tellers,</i>
Mr. Ashton,	Mr. Booth,	
Mr. Oakes,	Mr. John Hurley,	Mr. Latimer,
Mr. Arthur Griffith,	Mr. P. J. Anderson,	Mr. Collins.
Mr. Winchcombe,	Mr. Fallick,	

Noes, 13.

Mr. Perry (<i>The Richm'd</i>),
Mr. O'Sullivan,
Mr. Fegan,
Mr. Fell,
Mr. Donaldson,
Mr. Storey,
Mr. Briner,
Mr. Norton,
Mr. McLaurin,
Mr. W. Millard,
Mr. Morton.
<i>Tellers,</i>
Mr. McFarlane,
Mr. Coleman.

And so it was resolved in the affirmative.

Question then,—That the report be now adopted,—put and passed.

Ordered, That the Bill be now read a third time.

(6.) Bill read a third time, and, on motion of Mr. Carruthers, *passed*.

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to impose harbour rates for the Port of Sydney ; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port ; to provide for the payment and collection of such rates, tolls, and charges ; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901 ; and for purposes consequent thereon or incidental thereto.*"

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 impose harbour rates for the Port of Sydney ; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port ; to provide for the payment and collection of such rates, tolls, and charges ; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901 ; and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,**Sydney, 1st December, 1904.*

7. POSTPONEMENT :—The Order of the Day for the further consideration in Committee of the Closer Settlement Bill, postponed until Tuesday next.

8. HYDE, COOK, AND PHILLIP PARKS 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 the Bill.

Mr. Speaker resumed the Chair ; and the Chairman reported the Bill, without amendment.

On motion of Mr. Ashton, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

9. NAVIGATION AMENDMENT (REGULATIONS) BILL :—The Order of the Day having been read,—on motion of Mr. Dick, 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. Dick, 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 Navigation Act of 1901, by providing for issue of regulations.*"

*Legislative Assembly Chamber,**Sydney, 1st December, 1904.*

10. OXFORD-STREET EXTENSION BILL :—

(1.) The Order of the Day having been read,—on motion of Mr. Lee, 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 divest the Metropolitan Board of Water Supply and Sewerage of certain lands ; to vest them in the Borough of Paddington for the purpose of constructing and opening certain public ways ; and for other purposes consequent thereon or incidental thereto.

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

Ordered, on motion of the Chairman, That the report be *now* received.

The

1st December, 190 .

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 divest the Metropolitan Board of Water Supply and Sewerage of certain lands; to vest them in the Borough of Paddington for the purpose of constructing and opening certain public ways; and for other purposes consequent thereon or incidental thereto.

On motion of Mr. Lee, the resolution was read a second time, and agreed to.

- (2.) Mr. Lee then presented a Bill, intituled "*A Bill to divest the Metropolitan Board of Water Supply and Sewerage of certain lands; to vest them in the Borough of Paddington for the purpose of constructing and opening certain public ways; and for other purposes consequent thereon or incidental thereto*,"—which was read a first time.

Ordered to be printed, and read a second time To-morrow.

11. STAMP DUTIES (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 impose certain stamp duties; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900; and for purposes consequent thereon or incidental thereto*,"—with the amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 1st December, 1904.

F. B. SUTTON,
President.

STAMP DUTIES (AMENDMENT) BILL.

Schedule of the Amendments referred to in Message of 1st December, 1904.

JOHN J. CALVERT,
Clerk of the Parliaments.

Pages 2 and 3, clauses 6, 7, and 8. *Omit* clauses, 6, 7, and 8.

Page 4, clause 10, line 6. *Omit* "or" *insert* "is not truly stated therein or in a conveyance by
"way of"

Page 4, clause 10, line 9. *After* "affidavit" *insert* "as to the conveyance on sale by the parties to
"the deed of the actual consideration paid, or as to the conveyance on exchange"

Page 4, clause 10, line 12. *After* "value" *insert* "as stated in such affidavit"

Page 5, clause 13. At end of clause *add* "(3) The duty to be paid on a disclaimer, foreclosure
"order, or conveyance of an equity of redemption shall be assessed on the value of the
"property at the date of such disclaimer, foreclosure order, or conveyance of the equity of
"redemption as on the consideration for a conveyance on sale of such land."

Page 6, clause 15. At end of clause *add* "Provided that such penalty shall not be enforced if the
"draft shall have been sent to the Stamp Office to be stamped within ten days of its issue."

Page 7, clause 18, lines 29 to 34. *Omit* "If there is no appeal as aforesaid against such assessment,
"it shall be in the discretion of the Commissioner, having regard to the merits of the
"case, to charge the whole or any part of the expenses of and incidental to the making of
"the valuation to the person liable to pay the duty, and to recover the same from him as
"a debt due to His Majesty."

Page 7, clause 18, line 36. *Omit* "such"

Page 10, clause 26. *Omit* clause 26.

Page 10, Schedule I, lines 13 to 15. *Omit*—

"Acknowledgment by executor or administrator in lieu of conveyance under
"section eighty-three of the Wills, Probate and Administration Act, 1898... 1 0 0"

Page 10, Schedule I, lines 29 to 33. *Omit* "Conveyance of any property by the official assignee to
"a mortgagee or disclaimer by the official assignee under the Bankruptcy Act, 1898. The
"same duty on the amount at which the security has been valued by the mortgagee as on
"the consideration for a conveyance on sale of such property."

Page 10, Schedule I, lines 36 to 38. *Omit* "Foreclosure Order. The same duty to be assessed
"under this Act on the value of the property mortgaged as on the consideration for a
"conveyance on sale of such land."

Page 10, Schedule I, lines 42 to 44. *Omit* "the same duty as if the settlement, gift, or conveyance
"were the will of a person who has died" *insert* "ad valorem duty as on a sale"

Page 11, Schedule II, lines 3 and 4. *Omit*—

"Acknowledgment under s. 83 of Wills, Probate, and Administration Act, | The devisee."
"1898

Page 11, Schedule II, line 25. *Omit*

"Lease | The lessee."

Examined,—

W. J. TRICKETT,
Chairman of Committees.

Mr. Speaker pointed out that the amendments made by the Legislative Council in this Bill, which was a Money Bill, infringed the privileges of this House.

Mr. Carruthers moved, That the Bill be laid aside.

Debate ensued.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

1st December, 1904.

12. LOCAL GOVERNMENT COMMISSIONERS BILL :—

(1.) The Order of the Day having been read,—on motion of Mr. Carruthers, 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 appointment of Commissioners to divide certain parts of New South Wales into shires ; to prescribe the powers and duties of such Commissioners ; and for purposes consequent thereon or incidental thereto.

Mr. Speaker resumed the Chair ; and the Chairman 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 :—

Resolved,—That it is expedient to bring in a Bill to provide for the appointment of Commissioners to divide certain parts of New South Wales into shires ; to prescribe the powers and duties of such Commissioners ; and for purposes consequent thereon or incidental thereto.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to provide for the appointment of Commissioners to divide certain parts of New South Wales into shires ; to prescribe the powers and duties of such Commissioners ; and for purposes consequent thereon or incidental thereto*,"—which was read a first time.

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

13. PARRAMATTA FRIENDLY SOCIETIES' HALL SITE VESTING BILL :—The Order of the Day having been read,—Mr. Hogue moved, "That" this Bill be now read a second time.

Mr. Norton moved, That the Question be amended by leaving out all the words after the word "That" and inserting the words "the Bill be referred to a Select Committee for consideration and report.

"(2.) That such Committee consist of Mr. McGowen, Mr. Moxham, Mr. Hogue, Mr. Creswell, and "the Mover,"—instead thereof.

Debate ensued.

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

Proposed amendment, by leave, withdrawn.

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

Bill read a second time.

On motion of Mr. Hogue, 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 and an amended Title.

On motion of Mr. Hogue, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

14. POSTPONEMENTS :—The remaining Government Business postponed until To-morrow.

15. MINES INSPECTION AMENDMENT BILL :—The Order of the Day having been read,—on motion of Mr. Cann, 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 Mr. Jessep, Temporary Chairman, reported that the Committee had agreed to the Council's amendments.

On motion of Mr. Cann, 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 Mines Inspection Act of 1901 ; to make provision for the appointment of check weighman or check clerk, and the payment of such check weighman or check clerk ; and to provide for weighing in certain cases*."

Legislative Assembly Chamber,

Sydney, 1st December, 1904.

16. LISMORE MARKETS AND CATTLE SALE-YARDS BILL :—The Order of the Day having been read,—Mr. Coleman moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Coleman, 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 Mr. Jessep, Temporary Chairman, reported the Bill, without amendment.

On motion of Mr. Coleman, the report was adopted.

Ordered, That the Bill be read a third time To-morrow.

17. MUNICIPALITIES BUILDING BILL :—

(1.) The Order of the Day having been read,—on motion of Mr. Henley, 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, outside the City of Sydney, the construction, repair, and alteration of buildings, and the sewerage and drainage of buildings and areas ; to provide that buildings shall be safe and fit for use ; to deal with ruinous and dangerous buildings ; to regulate the laying out and disposal of land for building purposes ; to amend the Municipalities Act of 1897, the Nuisances Prevention Act of 1897, the Police Offences Act of 1901 ; and for purposes consequent thereon or incidental thereto. Mr. Speaker resumed the Chair ; and the Chairman reported that the Committee had come to a resolution.

Ordered, on motion of the Chairman, That the report be *now* received.

1st December, 1904.

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 regulate, outside the City of Sydney, the construction, repair, and alteration of buildings, and the sewerage and drainage of buildings and areas ; to provide that buildings shall be safe and fit for use ; to deal with ruinous and dangerous buildings ; to regulate the laying out and disposal of land for building purposes ; to amend the Municipalities Act of 1897, the Nuisances Prevention Act of 1897, the Police Offences Act of 1901 ; and for purposes consequent thereon or incidental thereto.

On motion of Mr. Henley, the resolution was read a second time, and agreed to.

- (2.) Mr. Henley then presented a Bill, intituled "*A Bill to regulate, outside the City of Sydney, the construction, repair, and alteration of buildings, and the sewerage and drainage of buildings and areas ; to provide that buildings shall be safe and fit for use ; to deal with ruinous and dangerous buildings ; to regulate the laying out and disposal of land for building purposes ; to amend the Municipalities Act of 1897, the Nuisances Prevention Act of 1897, the Police Offences Act of 1901 ; and for purposes consequent thereon or incidental thereto*,"—which was read a first time.

Ordered to be printed, and read a second time on Tuesday, 13th December.

18. DESTITUTE CHILDREN'S SOCIETY VESTING BILL :—The Order of the Day having been read,—Mr Storey moved, That this Bill be now read a second time.

Mr. McGowen moved, That this Debate be now adjourned.

Question put and passed.

Ordered, That the Debate be adjourned until To-morrow.

The House adjourned, at twenty minutes before Eleven o'clock, until To-morrow, at half-past One o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 39.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

FRIDAY, 2 DECEMBER, 1904.

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

QUESTION :—

- (1.) Stock and Brands Branch :—*Mr. Broughton*, for Mr. Fleming, asked the Secretary for Mines,—Has the whole control of the Stock and Brands Branch been handed over to the Lands Department?

Mr. Moore answered,—The Pastures Protection Act, which repealed the Pastures and Stock Protection Act of 1898, and sections 3 to 142 of the Stock Act of 1901, is administered by the Lands Department. The unrepealed sections 1 and 2 and 143 to 192 of the Stock Act of 1901, the Stock Diseases (Tick) Act of 1901, the Impounding Act, the Commons Regulations Act, and sections 5, 11, and 12 of the Public Watering Places Act are administered by the Department of Mines and Agriculture.

2. PARRAMATTA FRIENDLY SOCIETIES' HALL SITE VESTING BILL (*Formal Order of the Day*),—on motion of Mr. Hogue, read a third time, and *passed*.

Mr. Hogue then moved, That the Title of the Bill be "*An Act to vest in the Parramatta and District United Friendly Societies' Medical and Dispensing Institute certain lands now held by trustees upon certain trusts relating to friendly societies; and for other purposes.*"

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 vest in the Parramatta and District United Friendly Societies' Medical and Dispensing Institute certain lands now held by trustees upon certain trusts relating to friendly societies; and for other purposes,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 2nd December, 1904.*

3. LISMORE MARKETS AND CATTLE SALE-YARDS BILL (*Formal Order of the Day*),—on motion of Mr. Coleman, read a third time, and *passed*.

Mr. Coleman then moved, That the Title of the Bill be "*An Act to enable the Council of the Municipal District of Lismore to erect and maintain Markets and Cattle Sale-yards upon certain land granted as a reserve for a market.*"

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 Council of the Municipal District of Lismore to erect and maintain Markets and Cattle Sale-yards upon certain land granted as a reserve for a market,*"—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, 2nd December, 1904.*

2nd December, 1904.

4. STAMP DUTIES (AMENDMENT) BILL (No. 2) :—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 47.

In accordance with the provisions contained in the 46th 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 impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto.

State Government House,
Sydney, 2nd December, 1904.

Ordered to be referred to the Committee of the Whole on the Bill.

5. MINISTERIAL STATEMENT :—Mr. Carruthers made a Statement in reference to the action of the Legislative Council in dealing with the Financial Measures of the Government, and pointed out that legislation of a very important character affecting the finances and other matters allied thereto, which had been passed and received overwhelming support in this Chamber, had been rejected or amended by overwhelming majorities in the other Chamber. This raised an important question which affected the honor, the dignity, and the powers of this Chamber. The issue is raised in regard to the important questions of taxation and the finances of the country, and whether this House, led by the Ministers, or the other Chamber is to govern. The Government having been forced into a conflict, intend to fight to the bitter end on behalf of the rights of the people and of the people's representatives. Until this situation is settled, no further business will be done in this Chamber, and the responsibility for settling the issue must rest with those who at the most inopportune time have raised it.

Mr. McGowen also addressed the House.

6. STAMP DUTIES (AMENDMENT) BILL (No. 2) :—

- (1.) *Suspension of the Standing Orders* :—Mr. Carruthers moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing through all its stages in one day of a Bill to impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto.

Debate ensued.

Question put and passed.

- (2.) Whereupon Mr. Carruthers moved, That the resolutions of Ways and Means (Nos. 4 and 5), agreed to on the 25th October last, and on which the Stamp Duties (Amendment) Bill had been founded, be now read.

Question put and passed.

And the said resolutions (as recorded in "Votes and Proceedings," No. 20, Entry 10) having been read by the Clerk, by direction of Mr. Speaker,—

- (3.) Mr. Carruthers moved, That a Bill be brought in, founded on resolutions of Ways and Means (Nos. 4 and 5), to impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto.

Question put and passed.

- (4.) Mr. Carruthers then presented a Bill, intituled "*A Bill to impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto,*"—which was read a first time.

Ordered, on motion of Mr. Carruthers, that the Bill be printed, and now read a second time.

- (5.) Bill read a second time.

On motion of Mr. Carruthers, 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 Tuesday next.

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

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

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

Question put and passed.

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

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 40.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 6 DECEMBER, 1904.

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

QUESTIONS :—

(1.) Improvement Leases granted to Messrs. Hopkins, Fagan, and Glasson :—Mr. Gardiner asked the Secretary for Lands,—

(1.) Was an area of 22,663 acres of land, in the parishes of Belubula, Errol, and Beaufort, near the towns of Orange, Carcoar, Blayne, and Millthorpe, granted, under improvement leases, to Messrs. Hopkins, Fagan, and Glasson?

(2.) Were such lands formerly part of Church and School estate, and held by those persons under short leases?

(3.) Did the Local Land Board recommend the refusal of the applications for such improvement leases, on the grounds that the lands in question were eminently suited for settlement in moderate-sized areas?

(4.) Did the applicants lodge notices of appeal to the Land Appeal Court against such recommendation?

(5.) Were the appeals withdrawn on the then Secretary for Lands agreeing to grant the improvement leases?

(6.) Who was the Secretary for Lands who so agreed, and for what term were the leases granted?

Mr. Ashton answered,—

(1.) An area of 3,423 acres (Improvement Lease No. 875) was granted to Annie Glasson, Ministerial approval of which was given on the 18th August, 1899, by the Honorable J. H. Young. Areas of 16,338 acres (Improvement Leases Nos. 811 and 812) and 2,902 acres (Improvement Lease No. 740) were granted to F. R. C. Hopkins and J. H. Fagan respectively, Ministerial approval of which was given on the 23rd November, 1899, by the Honorable T. H. Hassall. All these leases were granted in pursuance of agreements entered into by a previous Minister, and embodied in Orders of the Land Appeal Court.

(2.) Yes. The Church and School Lands leases converted into improvement leases had a currency varying from four and a half years to seven and a half years from date of application to convert. The Act No. 20 of 1897, by section 4, gives Church and School Lands lessees power to apply for conversion into—(a) a homestead selection; (b) a settlement lease; (c) a special lease; (d) an improvement lease; or (e) a special purchase.

(3.) In Hopkins' and Glasson's cases the improvement leases were recommended by the Board for refusal on the grounds that they were bound by section 26 of the Act of 1895, and that the lands were fit for settlement. The Board, in giving its decision, stated if it were not held to be bound by the definitions of section 26 of the Crown Lands Act of 1895, it was prepared, to further consider matters on their merits, being of opinion that lessees should be liberally dealt with. In Fagan's case the Board recommended a settlement lease of 1,280 acres. The Board's view of the application of section 26 of the Act of 1895 was not upheld in a case subsequently brought before the Land Appeal Court—see *In re Dulhunty*, vol. 9, p. 69, Land Appeal Court Reports.

(4.) Yes.

(5.) The appeals were withdrawn by consent of parties on agreements made between them, and sanctioned by the Land Appeal Court, under which it was arranged to grant improvement leases to Messrs. Hopkins and Fagan and Mrs. Annie Glasson, conditionally on their surrendering 6,000 acres, 697½ acres, and 1,000 acres of their Church and School Lands leases respectively.

(6.) The Honorable J. H. Carruthers. The terms of the leases are :—Improvement Lease No. 812, 3,103 acres, eight years; Improvement Lease No. 740, 2,902 acres, ten years; Improvement Lease No. 811, 13,235 acres, twenty-eight years; Improvement Lease No. 875, 3,423 acres, twenty-eight years.

(2.)

6th December, 1904.

- (2.) Adulteration of Leather :—*Mr. Edden*, for *Mr. Holman*, asked the Colonial Secretary,—
- (1.) Has his attention been directed to an article entitled "A Dangerous Practice," published in the *Australian Boot and Shoe Journal* of 31st March last, and to a number of statements by boot manufacturers and master tanners in reference to the adulteration of leather with chloride of barium, published in the same issue?
 - (2.) Is it a fact that chloride of barium is a deadly poison; and, if so, is it a fact that its sale is not under the control of the Sale of Poisons Act?
 - (3.) Is it a fact that this substance not only increases the weight of leather fraudulently, but also makes it sodden and susceptible to damp?
 - (4.) Will he instruct the Board of Health to investigate and report upon the use and effect of chloride of barium as an adulterant of leather, and to frame such regulations governing its sale and use as will effectually protect the public health, and also check fraudulent practices such as are mentioned in the publication referred to?

Mr. Hogue answered,—

- (1.) Yes.
 - (2.) Yes.
 - (3.) Barium chloride does make leather susceptible to damp, not necessarily in a fraudulent way.
 - (4.) The matter was made the subject of investigation by the Board of Health last March, with reference to the publications mentioned under Question 1. The result was the following—(a) hardly a case of poisoning with this substance has occurred, and then the mineral has been swallowed in large quantity; (b) there is no evidence that its industrial use has ever given rise to poisoning in any degree; (c) the Board concluded that treatment of leather with barium chloride did not affect the public health in the course either of manufacture or use, and advised that, if competent judges thought necessary, steps might be taken to control its use, as an adulterant, by legislation.
- (3.) Publicans' Licenses :—*Mr. John Hurley* asked the Colonial Treasurer,—How many publicans' licenses has the Metropolitan Licensing Bench granted since 1st January, 1901, and how many applications for publicans' licenses have been refused by this Bench in the same period?
- Mr. Carruthers* answered,—Licenses granted, nine, eight of which were conditional licenses. Applications refused, twenty-nine, excluding applications (forty) which were withdrawn.

- (4.) Properties used for Betting Purposes :—*Mr. Oakes* asked the Colonial Secretary,—Has anything further been done by way of prosecuting the owners of properties used for betting purposes?

Mr. Hogue answered,—This matter is receiving attention. I have conferred with the Inspector-General of Police on the subject, and the Crown Law Officers have been asked to advise in the matter.

- (5.) Lands adjoining Farm Cove :—*Mr. Oakes* asked the Secretary for Lands,—Will he lay upon the Table of this House the Police Report upon the occupation of certain lands adjoining Farm Cove, by Italian fruit vendors?

Mr. Ashton answered,—Yes; if the Honorable Member will move for them in the usual way.

- (6.) Appointment of *Mr. Robison* to the Public Service :—*Mr. Norton* asked the Attorney-General and Minister of Justice,—

- (1.) What was the date of *Mr. Robison's* first employment; and his salary?
- (2.) On what class of work was he first employed?
- (3.) Date of permanent appointment and salary?
- (4.) What are his present duties?
- (5.) Was the position obtained by *Mr. Robison* offered to any officer in the Public Service senior to *Mr. Robison*; if not, why?
- (6.) What special qualifications and experience in similar work does *Mr. Robison* possess?
- (7.) Did the Public Service Board furnish the certificate required by the Act, that there were no other officers in the Service qualified and competent to fill the position?
- (8.) Are there not duly-qualified solicitors in the Department, with far longer service than *Mr. Robison*, receiving less salary?
- (9.) Was *Mr. Robison* appointed to a permanent position subsequent to the statement being made by the Premier that no further appointments would be made to the Service for twelve months?
- (10.) Is *Mr. Robison* related or connected by marriage with the present Crown Solicitor?

Mr. Wade answered,—

(1 and 2.) *Mr. Robison* was appointed as an additional conveyancing clerk in connection with the Darling Harbour and "Rocks" Resumptions on 7th November, 1901, at a salary of £300 per annum.

(3.) 15th August, 1904, on probation for six months, at a salary of £300 per annum.

(4.) Mainly conducting Commonwealth prosecutions and other Commonwealth work, and assisting the Prosecuting Officer.

(5.) No. *Mr. Robison* had special experience in Customs work.

(6.) *Mr. Robison* has been engaged in Customs prosecutions almost from the passing of the Commonwealth Constitution Act, and I am informed has had more Police Court practice than any other solicitor in the service.

(7.) The Public Service Board certified that there was no person in the Public Service available who was capable of filling the position.

(8.) Yes, but not possessing *Mr. Robison's* experience and qualifications for the special work.

(9.) No. The appointment was made before the present Government came into office.

(10.) Yes, connected by marriage.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

6th December, 1904.

(7.) Bill to amend Statutes affecting Alienation of Crown Lands:—Dr. Arthur asked the Secretary for Lands,—Will he introduce a Bill next Session to amend the various Statutes affecting the alienation of Crown Lands so that sections 26 and 30 of the Closer Settlement Bill shall apply to all lands alienated after the passing of the amending Act?

Mr. Ashton answered,—The Honorable Member's suggestion will be considered.

2. LIQUOR TRAFFIC:—Mr. Cohen presented a Petition from certain residents of Petersham and District, praying for the early passing of a Bill that will concede to the electors themselves full Local and State Option without compensation.

Petition received.

3. CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL:—Mr. O'Sullivan, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 29th November, 1904; together with a copy of the Bill as amended and agreed to by the Committee.

Ordered to be printed.

Mr. O'Sullivan then moved, That the Bill be read a second time To-morrow.

Question put and passed.

4. PAPERS:—

Mr. Ashton laid upon the Table,—Return to an Order, made on 16th November, 1904,—“Appointment of Mr. F. W. Reynolds to the Boorowa Land Board.”

Referred by Sessional Order to the Printing Committee.

Mr. Wade laid upon the Table,—Amended Regulations Nos. 96 and 97 under the Public Service Act, 1902.

Referred by Sessional Order to the Printing Committee.

5. GOVERNMENT SAVINGS BANK BILL:—Mr. Carruthers brought up a Report from the Committee appointed to inspect the Journals of the Legislative Council with relation to any proceedings upon the Government Savings Bank Bill.

Ordered, That the report be now received.

Referred by Sessional Order to the Printing Committee.

6. HYDE, COOK, AND PHILLIP PARKS BILL (*Formal Order of the Day*),—on motion of Mr. Ashton, read a third time, and *passed*.

Mr. Ashton then moved, That the Title of the Bill be “*An Act to vest in the Municipal Council of Sydney, as trustees, the lands known as Hyde, Cook, and Phillip Parks, 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 vest in the Municipal Council of Sydney, as trustees, the lands known as Hyde, Cook, and Phillip Parks, Sydney,*”—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 6th December, 1904.

7. MESSAGES FROM THE LEGISLATIVE COUNCIL:—Mr. Speaker reported the following Messages from the Legislative Council:—

(1.) Coroners' Court Bill:—

MR. SPEAKER,—

The Legislative Council has this day agreed to the Bill, returned herewith, intituled “*An Act to provide that, except in certain cases, inquisitions now held before a coroner and a jury shall be held before a coroner sitting alone; and for purposes consequent on, or incidental to, the carrying out of that object,*”—with the amendment indicated by the accompanying Schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,

Sydney, 6th December, 1904.

F. B. SUTTON,

President.

CORONERS' COURT BILL.

Schedule of the Amendment referred to in Message of 6th December, 1904.

JOHN J. CALVERT,

Clerk of the Parliaments.

Page 1, clause 1, line 5. Omit “first” insert “fifteenth”

Examined,—

W. J. TRICKETT,

Chairman of Committees.

Ordered by Mr. Speaker, That the amendment made by the Legislative Council in this Bill be taken into consideration To-morrow.

(2.) Centenary Park Sale Bill:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled “*An Act to authorise the sale or leasing of certain lands vested in the Chief Minister by the Centenary Celebration Act; to amend the said Act; and for purposes consequent thereon or incidental thereto,*”—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,

Sydney, 6th December, 1904.

F. B. SUTTON,

President.

(3.)

6th December, 1904.

(3.) Smoke Nuisance Abatement (Amendment) Bill :—

MR. SPEAKER,—

The Legislative Council having this day passed a Bill, intituled "*An Act to amend the Smoke Nuisance Abatement Act, 1902, and for other purposes connected therewith,*"—presents the same to the Legislative Assembly for its concurrence.

*Legislative Council Chamber,
Sydney, 6th December, 1904.*

F. B. SUTTON,
President.

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

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

8. POSTPONEMENT :—On motion of Mr. Carruthers (*by consent*), all the General Business and Notices of Motions of Government Business postponed (after Debate) till after Order of the Day No. 1 of Government Business.
9. STAMP DUTIES (AMENDMENT) BILL (No. 2) :—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 Bill.
Mr. Speaker resumed the Chair ; and the Chairman reported the Bill, with amendments.
On motion of Mr. Carruthers, the report was adopted.
Ordered, That the Bill be read a third time To-morrow, and (*with the concurrence of the House*) take precedence of other business.

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

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 41.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 7 DECEMBER, 1904.

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

STAMP DUTIES (AMENDMENT) BILL (No. 2) (*Formal Order of the Day*),—on motion of Mr. Carruthers read a third time, and passed.

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto.*"

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 impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 7th December, 1904.*

2. QUESTIONS :—

(1.) Instalments and Interest on Conditional Purchases :—Mr. Broughton asked the Secretary for Lands,—What was the amount received by the Government, for the quarter ending the 30th September, 1904, for instalments and interest on conditional purchases under the Acts of 1875, 1884, and 1889 ?

Mr. Ashton answered,—£99,603 10s. 7d.

(2.) Harbours on the South Coast—Port Kembla :—Mr. Broughton, for Dr. Arthur, asked the Secretary for Public Works,—

(1.) Was a report obtained from Sir John Coode upon the general question of harbours on the South Coast, but principally in connection with the Tom Thumb Lagoon scheme ?

(2.) What claims were sent to the Government under resumption notices in connection with Port Kembla ?

(3.) Have all such claims been met ?

(4.) Does the settlement arrived at vest the railway lines leading to the harbour works at Kembla in the Railway Commissioners ?

(5.) What balance is still in hand unexpended of the £200,000 authorised by the Port Kembla Act ?

Mr. Lee answered—

(1.) No.

(2 and 3.) The claims are still unsettled, and it is not customary to furnish any information while such matters are *sub judice*.

(4.) No.

(5.) The amount expended on the works to date is £93,327 1s. 1d.

(3.) Allowance for Light to the Police Force :—Mr. Thrower asked the Colonial Secretary,—

(1.) Referring to Questions answered on 23rd November, what was the reduction in the light allowance made in the case of the Inspector-General and each other police officer, and what is the annual saving ?

7th December, 1904.

- (2.) Why was a distinction made in the proportionate reduction of some officers?
 (3.) Why is not an equal allowance made to each officer of similar grade?
 (4.) Will he see that the amount voted in the Estimates for light allowance for each officer is paid, notwithstanding the recent alterations?

Mr. Hogue answered,—I will presently lay upon the Table a return in answer to this Question.

- (4.) Cobar-Wilcannia Railway :—Mr. Meehan asked the Secretary for Public Works,—Is it the intention of the Government to proceed with the construction of the Cobar-Wilcannia railway line at an early date; and, if not, why not?

Mr. Lee answered,—The Government does not intend to proceed with any railway extensions until financial arrangements permit.

- (5.) Timber required for Rabbit-Proof Fences :—Mr. Collins asked the Secretary for Lands,—In view of the rapid increase of rabbits in the State, and the necessity that exists for the erection of rabbit-proof fences on all holdings, will he consider the advisableness of exempting from royalty all timber required for such purposes?

Mr. Ashton answered,—Lessees of holdings from the Crown are entitled to take from lands under lease or license to them, which are not included in any timber or forest reserve, such timber or other material as may be required by them as lessees or licensees, without payment of fees or royalty. Generally, it is not considered advisable to extend this privilege to apply to reserves for the conservation of timber or to the holders of private land in regard to either timber or material on the public estate; but applications for concessions in individual cases will be treated on their merits.

- (6.) Electric Cable to the Botany Power-House :—Mr. R. J. Anderson asked the Secretary for Public Works,—Is it provided in the conditions of the contract for the laying of an electric cable to the Botany Power-house that all footpaths disturbed by carrying out such work should be left in thorough repair; if so, will instructions be given for the immediate fulfilment of such conditions?

Mr. Lee answered,—I am informed by the Railway Commissioners that the conditions of the contract provide that, when the trench has been refilled, the surface must be made good to the satisfaction of the Local Authorities. Instructions have been given for the fulfilment of these conditions.

- (7.) Ballot for Land available for Settlement :—Mr. John Hurley, for Mr. Bennett, asked the Secretary for Lands,—

- (1.) Is he aware that many intending selectors travel long distances to ballot for land made available for settlement?
 (2.) Is he aware that there are instances reported where men have, after incurring considerable expense in travelling and loss of time, been successful at the ballot, and afterwards their applications have been disallowed by the Local Land Board on account of applications for an additional conditional purchase having priority?
 (3.) Will he amend the Regulations, so that applications under section 3 may be disposed of before land is thrown open to outsiders, and thus save the latter class of applicant expense, disappointment, and annoyance?

Mr. Ashton answered,—

- (1.) Yes.
 (2.) Cases have occurred where applications for original holdings, successful at the ballot, have been set aside in favour of applications for additional holdings, which under the law are held to take preference up to the limit of a home maintenance area.
 (3.) There are no Regulations governing procedure under section 3 in the respect referred to. The matter has been very carefully considered from the point of view of the interests of applicants for original holdings, and at present I am bound to say that I cannot see any means of further conserving their interests except by administrative methods that would tend to destroy the rights which the main object of section 3 was to confer upon existing landholders. I will probably deem it my duty to submit a proposal for an amendment of the law early next Session.

- (8.) Certificates under the Navigation Act, 1901 :—Mr. Henley asked the Colonial Treasurer,—In view of the fact that large modern steamers trade in and to the Port of Sydney, many of them classed as A1 at Lloyds', and granted by Lloyds' Surveyors a year's certificate for boilers and machinery and four years for hulls and equipment, and the fact that the Board of Trade in Great Britain and the States of Victoria, Queensland, and other British ports issue twelve months' certificates as against six months in New South Wales, will he, to prevent further alienation of the trade of the port, so amend the Navigation Act of 1901 as to enable the Superintendent of Navigation to issue certificates for a period not exceeding twelve months?

Mr. Carruthers answered,—I am informed that it would be a great advantage to the shipping community, as well as to the Department of Navigation, if power were conferred on the Superintendent to grant certificates under the Navigation Act, 1901, to sea-going vessels for a period not exceeding twelve months, but time will not permit of a Bill to confer this power being introduced this Session.

- (9.) Claims of Returned Soldiers for Deferred Pay :—Mr. Oakes asked the Colonial Treasurer,—What steps does he intend to take regarding the claim of the returned soldiers to their deferred pay?

Mr. Carruthers answered,—After full consideration of the matter of claims by members of various contingents to South Africa, and after conferences with a deputation and with representatives of claimants, it has been decided by the Government, agreeably with the desire of claimants, to issue a Royal Commission to His Honor Judge Murray to thoroughly investigate and report upon all such claims (except those actually *sub judice*). The Government does not intend to raise technical objections, but will assist to obtain the arbitrament of the Commissioner on the actual merits of the claims. The Commission will issue in a few days.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

7th December, 1904.

3. PAPERS :—

Mr. Ashton laid upon the Table,—

- (1.) Abstract of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884.
- (2.) Abstract of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884.
- (3.) Abstract of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884.
- (4.) Abstract of Crown Lands reserved for the Preservation of Water Supply or other Public Purposes under the Crown Lands Act of 1884.
- (5.) *Gazette* Notices, setting forth the mode in which it is proposed to deal with the dedication of certain Lands under the Crown Lands Acts of 1884 and 1889 and the Public Trusts Act, 1897.
- (6.) Return of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903.

Referred by Sessional Order to the Printing Committee.

Mr. Carruthers laid upon the Table,—Report of the Board of Health on a Third Outbreak of Plague at Sydney, 1903.

Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—Information respecting Allowance for Light to the Police Force.

Referred by Sessional Order to the Printing Committee.

Mr. Wade laid upon the Table,—

- (1.) Return to an Order, made on 10th November, 1904,—“ Appointment of Acting Chief Clerk, “ Office of Registrar of Arbitration.”
- (2.) Return to an Order, made on 9th November, 1904,—“ Appointment of the City Coroner.”

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—Notification of resumption of land, under the Public Works Act, 1900, for the construction of an Artesian Well in the village of Boomi.

Referred by Sessional Order to the Printing Committee.

4. MESSAGES FROM THE GOVERNOR :—The following Messages from His Excellency the Governor were delivered by Mr. Carruthers, and read by Mr. Speaker :—

(1.) State Debt and Sinking Fund Bill :—

HARRY H. RAWSON,
Governor.

Message No. 48.

A Bill, intituled “ *An Act to constitute a general sinking fund ; to carry to the Consolidated Revenue Fund payments made or to be made to certain accounts and funds ; to make better provision for the administration of certain trust accounts in the Treasury ; to constitute Commissioners to administer the said funds and the said trust accounts ; and for purposes consequent thereon or incidental thereto,* ”—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 His 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.

State Government House,
Sydney, 7th December, 1904.

(2.) Pastures Protection (Amendment) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 49.

A Bill, intituled “ *An Act to amend the Pastures Protection Act, 1902, in certain particulars,* ”—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 His 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.

State Government House,
Sydney, 7th December, 1904.

5. STAMP DUTIES (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 impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto,* ”—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 7th December, 1904.

F. B. SUTTOR,
President.

6. BUSINESS DAYS—PRECEDENCE OF BUSINESS (*Sessional Order*) :—Mr. Carruthers moved, pursuant to Notice, as amended by consent,—

That during the remainder of the present Session, unless otherwise ordered,—

- (1.) This House shall meet for the despatch of Business at Two o'clock, p.m., on Monday, Tuesday, Wednesday, Thursday, and Friday in each week.
- (2.) On Monday in each week General Business shall take precedence of Government Business until 7 o'clock, p.m., Notices of Motions and Orders of the Day taking precedence respectively on each alternate Monday ; after 7 o'clock, p.m., Government Business shall take precedence of General Business.

(3.)

7th December, 1904.

(3.) On Tuesday, Wednesday, Thursday, and Friday in each week, Government Business shall take precedence of General Business.

(4.) That the General Business now set down on the Business Paper for Tuesdays shall be set back for the Monday preceding the Tuesday on which it is now set down.

Debate ensued.

Question put and passed.

7. **POSTPONEMENT**:—The Order of the Day for the further consideration in Committee of the Closer Settlement Bill, postponed until To-morrow.
8. **CORONERS' COURT BILL**:—The Order of the Day having been read,—on motion of Mr. Carruthers, 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. Carruthers, 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 provide that, except in certain cases, inquisitions now held before a coroner and a jury shall be held before a coroner sitting alone; and for purposes consequent on, or incidental to, the carrying out of that object.*"
*Legislative Assembly Chamber,
Sydney, 7th December, 1904.*
9. **OXFORD-STREET EXTENSION BILL**:—The Order of the Day having been read,—Mr. Lee moved, That this Bill be now read a second time. Question put and passed. Bill read a second time. On motion of Mr. Lee, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, without amendment. On motion of Mr. Lee, the report was adopted. Ordered, That the Bill be read a third time To-morrow.
10. **POSTPONEMENT**:—The Order of the Day for the second reading of the Local Government Commissioners Bill, postponed until To-morrow.
11. **INFANT PROTECTION BILL**:—The Order of the Day having been read, for the resumption of the adjourned Debate, on the motion of Mr. Hogue, "That this Bill be now read a second time,"—And the Question being again proposed,—The House resumed the said adjourned debate. Question,—That this Bill be now read a second time—put and passed. Bill read a second time. On motion of Mr. Hogue, 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. Hogue, the report was adopted. Ordered, That the Bill be read a third time To-morrow.
12. **PRINTING COMMITTEE**:—Mr. Carruthers (*by consent*) moved, without Notice, That, in view of the early closing of the Session, and the necessity for dealing with the Papers laid upon the Table, leave be given to the Printing Committee to sit during the sitting of the House. Question put and passed.
13. **POSTPONEMENTS**:—The remaining Orders of the Day of Government Business postponed until To-morrow.
14. **WELLINGTON CATTLE SALE-YARDS BILL**:—The Order of the Day having been read,—Mr. Thrower 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. Thrower, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, with amendments. On motion of Mr. Thrower, the report was adopted. Ordered, That the Bill be read a third time To-morrow.
15. **SYDNEY HARBOUR RATES 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 impose harbour rates for the Port of Sydney; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port; to provide for the payment and collection of such rates, tolls, and charges; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901; and for purposes consequent thereon or incidental thereto,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 7th December, 1904.*

F. B. SUTTON,
President.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

7th December, 1904.

16. **SCONE CATTLE SALE-YARDS BILL** :—The Order of the Day having been read,—Mr. Fleming moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Fleming, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, with amendments.
On motion of Mr. Fleming, the report was adopted.
Ordered, That the Bill be read a third time To-morrow.
17. **CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL** :—The Order of the Day having been read,—Mr. O'Sullivan moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. O'Sullivan, 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 Mr. Nielsen, Temporary Chairman, reported the Bill, without amendment.
On motion of Mr. O'Sullivan, the report was adopted.
Ordered, That the Bill be read a third time To-morrow.
18. **ADJOURNMENT** :—Mr. Lee moved, That this House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned accordingly, at ten minutes after Eleven o'clock, until To-morrow, at Two o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 42.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 8 DECEMBER, 1904.

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

QUESTIONS:—

- (1.) Summer Clothing for the Police Force:—Mr. Broughton asked the Colonial Secretary,—
- (1.) Are the City Police Force to wear white trousers during certain months?
 - (2.) Is he aware that constables strongly object to having to wear white trousers because of the extra expense and to illness in our changeable climate?
 - (3.) Is there any benefit, for police purposes, in constables wearing such garments?
 - (4.) Are Officers of Police required to wear white uniform trousers?
 - (5.) Has a petition from a large number of the Police against these trousers been submitted to him?
 - (6.) Is he aware that the Sydney Superintendent considers the use of these trousers objectionable and unnecessary?
 - (7.) If it is not a benefit in the detection of crime, or useful for other police purposes, will he direct that the Police be permitted to wear ordinary light serge trousers instead of white during the summer months?

Mr. Hogue answered,—

- (1.) Yes. The Metropolitan Police have worn white trousers during the summer months since the year 1862.
- (2.) Doubtless there is an objection on the part of some of the Police, on account of the cost, but I am informed by the Metropolitan Superintendent of Police that he does not know of any case of illness arising from the use of white trousers.
- (3.) No; but they are considered suitable for summer wear.
- (4.) No.
- (5.) A petition has been received, signed principally by the Traffic Police.
- (6.) The Metropolitan Superintendent does not consider white trousers objectionable or unnecessary, and the Inspector-General of Police has reported that he considers their retention desirable.
- (7.) This is a matter for the Inspector-General of Police.

- (2.) Shops, Central Railway Station:—Mr. Fallick asked the Secretary for Public Works,—
- (1.) What has been the total cost of fitting up shops under the roadway facing the new Railway Station?
 - (2.) Are any of them let; if so, what is the rent; and is it sufficient to pay interest on the outlay?

Mr. Lee answered,—

- (1.) There are twenty-two shops in Pitt-street, and the average cost has been about £160 each, for fitting.
 - (2.) Not yet, but arrangements are being made with the Railway Commissioners to lease them for five years. It is anticipated that the whole of the shops will be let when a five years' lease can be given.
- (3.) Amounts Paid to the Agricultural Society by the Police Department:—Mr. Dacey asked the Colonial Secretary,—
- (1.) What amounts have been paid to the Agricultural Society, or expenditure incurred on behalf of the Police Department, either as rent or for any other purpose, since the removal of the Police Depôt from Belmore Park?
 - (2.) Upon whose recommendation were these amounts paid?
 - (3.) What amount is paid per annum for the use of offices stables, &c., for police purposes at this ground?

(4.)

8th December, 1904.

- (4.) From what Votes are these amounts paid, and are such payments shown on the Estimates ?
 (5.) As the Agricultural Ground is public property, and receives large Government support, could not this ground be used without charge to the Government, or the payment be reduced to actual cost ?
 (6.) Have the police horses and staff to leave the Agricultural Ground during the Annual Show ?
 (7.) Where are they then located ; what amounts have been paid for such temporary accommodation ; and to whom ?

Mr. Hogue answered,—This information is being prepared, and will be laid upon the Table in the form of a return.

- (4.) Cost of Cataract Reservoir :—Mr. Fallick asked the Secretary for Public Works,—
 (1.) What was the estimated cost of the new Cataract Reservoir ?
 (2.) What is the total amount spent on this work to date, including land resumptions ?
 (3.) What is the amount paid to date for land resumptions ?
 (4.) What further sum or sums remain at present unpaid for land resumptions ?
 (5.) How much of the concrete or masonry work of the dam proper has so far been put into position ?
 (6.) When is it likely water from this reservoir will be available for augmenting the Metropolitan supply ?

Mr. Lee answered—

- (1.) £217,500, plus 10 per cent.
 (2.) £94,168 7s. 4d., exclusive of cost of land resumptions.
 (3.) £19,809 19s. 2d. paid for resumptions to date on the catchment area.
 (4.) About £11,000.
 (5.) Not commenced yet.
 (6.) It is impossible to say at present.

- (5.) Mr. T. C. Calvert, Public Works Department :—Mr. Henley asked the Secretary for Public Works,—

- (1.) Is it a fact that a Mr. T. C. Calvert has attended the Engineering Congress at the World's Fair in the United States of America as a representative of the Public Works Department of this State ?
 (2.) Who is Mr. Calvert, and what position does he hold in the Public Service of this State ?
 (3.) Upon what conditions did he represent this State, and is it intended by the Government to defray the whole or any portion of his expenses while absent from this State ?

Mr. Lee answered—

- (1.) No.
 (2.) He is a third-class Assistant Engineer.
 (3.) He did not represent the State in the capacity mentioned, nor is he receiving any expenses while absent.

2. INFANT PROTECTION BILL (*Formal Order of the Day*),—on motion of Mr. Hogue, read a third time, and passed.

Mr. Hogue then moved, That the Title of the Bill be "*An Act to make further and better provision for the protection, maintenance, education, and care of infants ; and to provide for the inspection, supervision, and control of places established or used for their reception and care.*"

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 make further and better provision for the protection, maintenance, education, and care of infants ; and to provide for the inspection, supervision, and control of places established or used for their reception and care,*"—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 December, 1904.*

INFANT PROTECTION BILL.

Schedule of the Amendments referred to in Message of 8th December, 1904.

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

- Page 2, clause 4, line 25. After "or" (second occurring) insert "with her consent"
 Page 2, clause 4, line 26. Omit "with her consent"
 Page 3, clause 5, line 24. Omit "find that the woman is with child by" insert "make an order
 "under this section against"
 Page 3, clause 5, line 26. Omit "she" insert "the woman"
 Page 4, clause 7, lines 3 and 4. Omit "not less than five shillings and not more than twenty
 "shillings per week."
 Page 4, clause 9, lines 25 to 27. Omit "not less than the rate of five shillings per week and not
 "exceeding the rate of twenty shillings per week."
 Page 9, clause 30. Add at end of clause "Provided always that nothing in Part III of this Act
 "shall apply when bonâ fide blood relationship or guardianship approved by the board exists
 "between the said infants and the persons by whom they are cared for."

Examined,—

W. P. CRICK,
 Chairman of Committees.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

8th December, 1904.

3. OXFORD-STREET EXTENSION BILL (*Formal Order of the Day*),—on motion of Mr. Lee, read a third time, and *passed*.

Mr. Lee then moved, That the Title of the Bill be "*An Act to divest the Metropolitan Board of Water Supply and Sewerage of certain lands; to vest them in the Borough of Paddington for the purpose of constructing and opening certain public ways; and for other purposes consequent thereon or incidental thereto.*"

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 divest the Metropolitan Board of Water Supply and Sewerage of certain lands; to vest them in the Borough of Paddington for the purpose of constructing and opening certain public ways; and for other purposes consequent thereon or incidental thereto,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 8th December, 1904.*

4. WELLINGTON CATTLE SALE-YARDS BILL (*Formal Order of the Day*),—on motion of Mr. Thrower, read a third time, and *passed*.

Mr. Thrower then moved, That the Title of the Bill be "*An Act to authorise the construction, maintenance, and regulation of Cattle Sale-yards by the Council of the Municipal District of Wellington.*"

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 authorise the construction, maintenance, and regulation of Cattle Sale-yards by the Council of the Municipal District of Wellington,*"—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, 8th December, 1904.*

5. SCONE CATTLE SALE-YARDS BILL (*Formal Order of the Day*),—on motion of Mr. Fleming, read a third time, and *passed*.

Mr. Fleming then moved, That the Title of the Bill be "*An Act to authorise the Municipal Council of Scone to purchase land and erect and maintain Cattle Sale-yards thereon.*"

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 authorise the Municipal Council of Scone to purchase land and erect and maintain Cattle Sale-yards thereon,*"—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, 8th December, 1904.*

6. CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL (*Formal Order of the Day*),—on motion of Mr. O'Sullivan, read a third time, and *passed*.

Mr. O'Sullivan then moved, That the Title of the Bill be "*An Act to enable the Right Reverend Jeremiah Joseph Doyle, Doctor of Divinity, Kyran Nolan, and Thomas Bermingham, trustees of certain allotments of land at Coraki, in the State of New South Wales, to sell the said lands, and to provide for the application and investment of the proceeds thereof, and for receipts and discharges of the same, and for other purposes in connection therewith.*"

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 Right Reverend Jeremiah Joseph Doyle, Doctor of Divinity, Kyran Nolan, and Thomas Bermingham, trustees of certain allotments of land at Coraki, in the State of New South Wales, to sell the said lands, and to provide for the application and investment of the proceeds thereof, and for receipts and discharges of the same, and for other purposes in connection therewith,*"—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, 8th December, 1904.*

7. PRINTING COMMITTEE:—Mr. McFarlane, as Chairman, brought up the Eleventh Report from the Printing Committee.

8. MESSRS. LANGLEY BROTHERS' TRAMWAY AND SPECIAL (TIMBER) LEASES, MANNING RIVER (*Formal Motion*):—Mr. Davidson moved, pursuant to Notice, That there be laid upon the Table of this House,—

(1.) All correspondence between the Forestry Department and its officers with Messrs. Langley Brothers or William Langley.

(2.) All reports supplied or furnished to the Secretary for Lands, or the Department of Lands, by any of the officers in the Forestry Department, respecting the working of the tramway and special leases in connection with Messrs. Langley Brothers' saw-mills at Rockville, Lansdowne, Manning River.

Question put and passed.

8th December, 1904.

9. PAPERS :—Mr. Hogue laid upon the Table,—
 (1.) By-law of the Municipal District of Manly under the Nuisances Prevention Act, 1897.
 (2.) By-laws of the Municipal District of Wellington under the provisions of the Public Health Act, 1902, and the Public Health (Night-Soil Removal) Act, 1902.
 Referred by Sessional Order to the Printing Committee.
10. CLOSER SETTLEMENT 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 the Bill.
 Mr. Speaker resumed the Chair ; and the Chairman reported the Bill, with amendments.
 On motion of Mr. Ashton, the report was adopted.
 Ordered, That the Bill be read a third time To-morrow.
11. INFANT 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 make further and better provision for the protection, maintenance, education, and care of infants ; and to provide for the inspection, supervision, and control of places established or used for their reception and care.*"
Legislative Council Chamber,
Sydney, 8th December, 1904.
- F. B. SUTTOR,
 President.
12. ADJOURNMENT :—Mr. Ashton moved, That this House do now adjourn.
 Debate ensued.
 Question put and passed.
 The House adjourned accordingly, at fifteen minutes after Eleven o'clock, until To-morrow, at Two o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 43.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

FRIDAY, 9 DECEMBER, 1904.

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

QUESTIONS :—

- (1.) Office of the Inspector-General of Police :—*Mr. Estell*, for Mr. Daley, asked the Colonial Secretary,—
- (1.) What additional clerical assistance has been sent to the Office of the Inspector-General of Police since the retirement of Mr. Fosbery?
 - (2.) What addition has been made in the members of the Force doing clerical work at this office during the same period?
 - (3.) Has not the present Inspector-General been relieved of attendance at a number of Boards attended by his predecessor, to allow him more time for the work of his office?
 - (4.) What is the total cost per annum of this additional assistance, and what is the reason for it?

Mr. Hogue answered,—

- (1.) Two additional clerks have been appointed, one at £150 per annum and another at £50 per annum. The late Inspector-General of Police considered the office undermanned, and advised an increase at once. The appointments were made by the Public Service Board after investigating the facts.
- (2.) None, except for a very few days at a busy time, which is not an innovation.
- (3.) No; he attends three Boards.
- (4.) £200. The reason is that it is necessary.

- (2.) State Schools :—*Mr. Arthur Griffith*, for Mr. Gardiner, asked the Minister of Public Instruction,—
- (1.) Does he contemplate the regrading of the State Schools?
 - (2.) If so, will he outline the proposed scheme?
 - (3.) Will the £10 yearly increments apply to State school teachers?

Mr. O'Connor answered,—

- (1.) This question has not been considered.
- (2.) Answered by No. 1.
- (3.) The Public Service Board issued a Regulation on the 11th October, 1904, defining the classification and promotion of Officers of the Special, Professional, Clerical, and Educational Divisions, which Regulation, therefore, applies to teachers.

- (3.) Application of West Wallsend for Incorporation :—*Mr. Charlton* asked the Colonial Secretary,—
- (1.) Has the Cabinet come to any decision in reference to the application of residents of West Wallsend to be incorporated?
 - (2.) When does he intend to lay upon the Table of this House the papers in connection with this application?

Mr. Hogue answered,—

- (1.) No.
 - (2.) The papers are now being prepared, and will be laid upon the Table as soon as practicable.
- (4.) Forestry Department :—*Mr. Davidson* asked the Secretary for Lands,—
- (1.) Is he aware that instructions have recently been given to the District Foresters and Assistant Foresters that (with the exception of Printed Forms and Field Books) they are expected to find their own stationery?
 - (2.) Is it not advisable that important documents and reports on Forestry matters should be sent to the Department on Official Paper?
 - (3.) Why are these officials treated differently to other members of the Civil Service?
 - (4.) Has the Forestry Department a surplus over expenditure each year?

Mr.

9th December, 1904.

Mr. Ashton answered,—

- (1.) Yes. Official envelopes are supplied in addition to the forms and books referred to. The cost of stationery necessary would probably not exceed 10s. per annum, and is provided for in an Equipment Allowance which is made. The arrangement is in the interests of economy, and is a good one.
- (2.) Suitable paper can be readily purchased.
- (3.) Other field officers in receipt of Equipment Allowances are treated similarly.
- (4.) Yes.

2. PAPER :—Mr. Carruthers laid upon the Table,—Copies of Reports and Papers relating to Randwick Asylum.
Referred by Sessional Order to the Printing Committee.

3. FERTILIZERS BILL (*Formal Motion*) :—Mr. Moore moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to regulate the sale and prevent the adulteration of fertilizers.
Question put and passed.

4. STAMP DUTIES (DEDUCTIONS) BILL :—The following Message from His Excellency the Governor was delivered by Mr. Carruthers, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 50.

In accordance with the provisions contained in the 46th 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 allow deduction from stamp duty of the amount of duty payable in the United Kingdom in respect of property therein situate; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Companies (Death Duties) Act, 1901; and for other purposes.

*State Government House,
Sydney, 8th December, 1904.*

Ordered to be referred to the Committee of the Whole on the Bill.

5. SEAT OF GOVERNMENT ACT :—

(1.) Mr. Carruthers moved, pursuant to Notice, That this House do now resolve itself into a Committee of the Whole to consider the Act passed by the Commonwealth Parliament in respect of the Federal Territory for the Seat of Government.
Question put and passed.

(2.) On motion of Mr. Carruthers, Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Act passed by the Commonwealth Parliament in respect of the Federal Territory for the Seat of Government.

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

6. FERTILIZERS BILL :—The following Message from His Excellency the Governor was delivered by Mr. Moore, and read by Mr. Speaker :—

HARRY H. RAWSON,
Governor.

Message No. 51.

In accordance with the provisions contained in the 46th section of the Constitution Act, 1902, 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 regulate the sale and prevent the adulteration of fertilizers.

*State Government House,
Sydney, 9th December, 1904.*

Ordered to be referred to the Committee of the Whole on the Bill.

7. CLOSER SETTLEMENT BILL :—The Order of the Day having been read,—Mr. Ashton moved, That this Bill be now read a third time.
Debate ensued.

And it being Six o'clock, p.m., Mr. Speaker, pursuant to the terms of the Sessional Order adopted on 12th October, 1904, adjourned the House until Monday next, at Two o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 44.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

MONDAY, 12 DECEMBER, 1904.

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 Mr. Carruthers, and read by Mr. Speaker:—

(1.) Mines Inspection Amendment Bill (No. 2):—

HARRY H. RAWSON,
Governor.

Message No. 52.

A Bill, intituled "An Act to amend the Mines Inspection Act of 1901, to make provision for the appointment of check weighman or check clerk, and the payment of such check weighman or check clerk; and to provide for weighing in certain cases,"—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 His 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.

State Government House,
Sydney, 10th December, 1904.

(2.) Navigation Amendment (Regulations) Bill:—

HARRY H. RAWSON,
Governor.

Message No. 53.

A Bill, intituled "An Act to amend the Navigation Act of 1901, by providing for issue of regulations,"—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 His 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.

State Government House,
Sydney, 10th December, 1904.

2. QUESTIONS:—

(1.) Cataract Dam:—Mr. Henley asked the Secretary for Public Works,—

(1.) Will he say whether the article appearing in the *Engineering Record*, New York, of 5th November, 1904, entitled "Cataract Dam for the Additional Water Supply of Sydney, New South Wales," has been published with his authority, or with the imprimatur of the officers of his Department?

(2.) Does the article in question contain a correct account of the progress of this work, and the intentions of the Department in regard to future operations?

(3.) Is it not a fact that the Act authorising the construction of this work provided for a dam having a height of 160 feet above the river bed as a maximum, with the top 16 ft. 8 in. thick, and 10 feet above high-water level, and a maximum thickness at the bottom of 127 feet?

(4.) As the article in question gives the dimensions of the dam as 150 feet high, 10 feet thick at the top, and 120 feet at the base, will he, in view of the importance, from an engineering standpoint, of the paper in which the article is published, take steps to have the apparent errors officially corrected as early as possible?

Mr. Lee answered,—

(1.) Neither the Minister nor the principal officers of the Department authorised the publication of the article in question.

(2.) I am informed it is partially correct.

(3.)

12th December, 1904.

- (3.) No; the Act provides for a dam 160 feet high, subject to such deviations and modifications as may be considered desirable by the Constructing Authority.
- (4.) The article is not only incorrect in this regard, but it is an unauthorised one; therefore I do not see any necessity to correct it, especially in view of the fact that the journal publishing the particulars has a very limited circulation in this State.
- (2.) Alleged Grant of Authority to Messrs. G. Tellefsen and H. Wyborn, under Mining Act, in respect of Land at Port Macquarie:—Mr. Davidson asked the Secretary for Mines,—
- (1.) Has an Authority, No. 1,076, under the 28th section of the Mining Act, 1874, been granted to Messrs. G. Tellefsen and H. Wyborn in respect of land at Port Macquarie?
 - (2.) When did the labour conditions under such Authority commence?
 - (3.) How many men were required to be employed under such Authority?
 - (4.) Have the required number of men been continuously employed under such Authority; if not, during what period were they not so employed?
 - (5.) Has a complaint of the non-observance of the labour conditions of such Authority been lodged, and was such complaint disallowed?
 - (6.) On what grounds was the complaint disallowed?
 - (7.) Before disallowing the complaint, was any inquiry made into the facts of the case; if so, by whom, and with what result?
 - (8.) Has Mr. Tellefsen made application, No. 76, Kempsey, to lease a portion of the land comprised in Authority No. 1,076, and what is the date of such application?
 - (9.) Has the Department of Mines formulated certain conditions to be agreed to, or complied with, by the applicant, prior to the granting of the lease?
 - (10.) Has the applicant agreed to or complied with those conditions; if so, when?
 - (11.) Has the lease been granted; if so, when; if not, why not?
 - (12.) Has Mr. Tellefsen made another application, subsequently to No. 76, Kempsey, for another portion of the land comprised in Authority No. 1,076; if so, on what date?
 - (13.) If the last-named application be granted, will the practice of his Department enable Mr. Tellefsen to evade any of the conditions proposed in respect of Application No. 76, Kempsey?
 - (14.) Is it a fact that permission was granted to suspend observance of the labour conditions of Authority No. 1,076, pending the granting of Application No. 76, Kempsey, or any subsequent application, to lease any portion of the land comprised in such Authority?

Mr. Moore answered,—

- (1.) Authority 1,076 was dated 27th January, 1897, issued to Leonard Dodds to mine for copper under part of a road, parish of Devon, county of Mouramba, and is still in force.
- (2 to 14.) *Vide* answer to No. 1.

3. PAPER:—Mr. Carruthers laid upon the Table,—Report of the Sydney Harbour Trust Commissioners for the year ended 30th June, 1904.
Referred by Sessional Order to the Printing Committee.
4. MAINTENANCE MEN, W. NELSON AND P. C. FANNING, MURWILLUMBAH (*Formal Motion*):—Mr. Coleman moved, pursuant to Notice, That there be laid upon the Table of this House copies of all papers and documents referring to the late maintenance men, William Nelson and P. C. Fanning, of Murwillumbah District.
Question put and passed.
5. STAMP DUTIES (DEDUCTIONS) BILL (*Formal Motion*):—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to allow deduction from stamp duty of the amount of duty payable in the United Kingdom in respect of property therein situate; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Companies (Death Duties) Act, 1901; and for other purposes.
Question put and passed.
6. ATTACK MADE ON POLICY OF INDUSTRIAL ARBITRATION ACT BY HIS HONOR THE CHIEF JUSTICE:—The Order of the Day having been read, for the resumption of the Debate, on the motion of Mr. Arthur Griffith, “That, in the opinion of this House, the attack recently made on the policy of “the Industrial Arbitration Act by His Honor the Chief Justice of the State, in delivering the “judgment of the Full Court in the case of Brickmasters’ and Pipe Manufacturers’ Union, ‘was “both unwarranted and unjustifiable,’”—
And the Question being again proposed,—
The House resumed the said Debate.
Mr. Waddell moved, That the Question be amended by leaving out the words, “was both “unwarranted and unjustifiable,” and inserting the words “went beyond the functions of a Judge,”—instead thereof.
Point of Order:—Mr. Wade submitted that the amendment was out of order because it merely substituted words of the same purport as the words which it was proposed to leave out.
Mr. Speaker upheld the objection taken.
Question put,—That, in the opinion of this House, the attack recently made on the policy of the Industrial Arbitration Act by His Honor the Chief Justice of the State, in delivering the judgment of the Full Court in the case of Brickmasters’ and Pipe Manufacturers’ Union, was both unwarranted and unjustifiable.

The

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY:

12th December, 1904.

The House divided.

Ayes, 22.

Mr. Cann,	Mr. W. W. Young,
Mr. Scobie,	Mr. McGarry,
Mr. Kelly,	Mr. Gardiner.
Mr. Estell,	<i>Tellers,</i>
Mr. Dacey,	Mr. Thrower,
Mr. Macdonell,	Mr. Jones.
Mr. Nielsen,	
Mr. Meehan,	
Mr. Burgess,	
Mr. Waddell,	
Mr. Hollis,	
Mr. Arthur Griffith,	
Mr. O'Sullivan,	
Mr. McGowen,	
Mr. Perry (<i>The Richm'd</i>),	
Mr. Briner,	
Mr. Charlton,	

Noes, 32.

Mr. Mahony,	Mr. Latimer,
Mr. Moore,	Mr. Davidson,
Mr. Lee,	Mr. Fell,
Mr. Creswell,	Mr. McCoy,
Mr. Carruthers,	Mr. R. J. Anderson,
Mr. Ashton,	Mr. Henley,
Mr. Wade,	Mr. Oakes,
Mr. Hogue,	Mr. Fallick,
Mr. Dick,	Mr. Walter Anderson,
Mr. Ball,	Mr. John Hurley,
Mr. Coleman,	Mr. McLaurin,
Mr. Downes,	Mr. Eden George,
Mr. Broughton,	Mr. W. Millard.
Mr. J. H. Young,	<i>Tellers,</i>
Mr. Nobbs,	Mr. Winchcombe,
Mr. O'Connor,	Mr. Cohen.
Mr. Law,	

And so it passed in the negative.

7. JUDGES PENSIONS ABOLITION AND DUTIES BILL:—The Order of the Day having been read,—
Mr. Waddell was proceeding to move, That this Bill be now read a second time,—

And it being Seven o'clock, Government Business took precedence, under Sessional Order adopted on 7th December, 1904.

8. CLOSER SETTLEMENT BILL:—The Order of the Day having been read, for the resumption of the adjourned Debate, on the motion of Mr. Ashton, "That this Bill be now read a third time,"—

And the Question being again proposed,—

The House resumed the said adjourned Debate.

Question put,—That this Bill be now read a third time.

The House divided.

Ayes, 37.

Mr. Hogue,	Mr. Briner,
Mr. Wade,	Mr. Walter Anderson,
Mr. Moore,	Mr. Dick,
Mr. Ashton,	Mr. Morton,
Mr. Lee,	Mr. Booth,
Mr. Ball,	Mr. Oakes,
Mr. J. H. Young,	Mr. Law,
Mr. Creswell,	Mr. McCoy,
Mr. Cohen,	Mr. Mahony,
Mr. Broughton,	Mr. Storey,
Mr. Coleman,	Mr. Henley,
Dr. Arthur,	Mr. Eden George,
Mr. Fallick,	Mr. Mackenzie,
Mr. R. J. Anderson,	Mr. O'Sullivan,
Mr. John Hurley,	Mr. W. Millard.
Mr. Levy,	<i>Tellers,</i>
Mr. O'Connor,	Mr. Nobbs,
Mr. Winchcombe,	Mr. Collins.
Mr. Davidson,	

Noes, 23.

Mr. Macdonell,	Mr. Smith.
Mr. Jones,	<i>Tellers,</i>
Mr. Dacey,	Mr. Richards,
Mr. McNeill,	Mr. Estell.
Mr. Holman,	
Mr. Arthur Griffith,	
Mr. Scobie,	
Mr. Crick,	
Mr. Kelly,	
Mr. Meehan,	
Mr. Cann,	
Mr. Burgess,	
Mr. Charlton,	
Mr. Sullivan,	
Mr. Gardiner,	
Mr. McGarry,	
Mr. Edden,	
Mr. Norton,	
Mr. Macdonald,	
Mr. McLaurin,	

And so it was resolved in the affirmative.

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

Mr. Ashton then moved, That the Title of the Bill be "*An Act to repeal the Closer Settlement Act, 1901; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands; to constitute and appoint authorities for reports and other purposes under this Act; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands; to apply certain of the provisions of the Crown Lands Acts, and of the Acts to be read and construed therewith, for the purpose of regulating closer settlement under this Act; and to amend the Crown Lands Acts.*"

Debate ensued.

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 repeal the Closer Settlement Act, 1901; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands; to constitute and appoint authorities for reports and other purposes under this Act; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands; to apply certain of the provisions of the Crown Lands Acts, and of the Acts to be read and construed therewith, for the purpose of regulating closer settlement under this Act; and to amend the Crown Lands Acts,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 12th December, 1904.*

12th December, 1904.

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9. DENTAL HOSPITALS UNION BILL :—The Order of the Day having been read,—Mr. Hogue 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. R. J. Anderson, Mr. Walter Anderson, Dr. Arthur, Mr. Ashton, Mr. Booth, Mr. Broughton, Mr. Creswell, Mr. Dick, Mr. Downes, Mr. Henley, Mr. Hogue, Mr. Kelly, Mr. Law, Mr. McCoy, Mr. McGarry, Mr. Moore, Mr. Nielsen, Mr. Nobbs, and Mr. Norton,—

Mr. Speaker adjourned the House, at ten minutes after Ten o'clock, until To-morrow, at Two o'clock.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 45.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 13 DECEMBER, 1904.

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

QUESTIONS :—

- (1.) Oil Launch for Water Police :—*Mr. Estell*, for Mr. Sullivan, asked the Colonial Secretary,—

(1.) In reference to the replies to the Questions asked by Mr. Sullivan, *re* Oil Launch for Water Police, is he aware some of those replies are not correct?

(2.) Will he ascertain for a fact that the launch had not been used for months prior to the date of the Question?

Mr. Hogue answered,—I am assured by the Inspector-General of Police that the replies to the Questions asked by Mr. Sullivan are not incorrect. The launch was in use at the date of the Question, and has been frequently used, day and night, since the previous September. Previously she was occasionally used, and was for some time laid up in consequence of there being no place to moor her at with safety, and again when the Sydney Harbour Trust were dredging at the boat-sheds and making alterations at Flood's Wharf.

- (2.) Revenue from Homestead Selections :—Mr. Broughton asked the Secretary for Lands,—What was the amount received by the Government in the shape of revenue for homestead selections (improvements and rent) for the quarter ended 30th September, 1904?

Mr. Dick answered,—£3,086 13s. 3d.

- (3.) Revenue from Mineral Leases :—Mr. Broughton asked the Secretary for Mines,—What amount was received by the Government as revenue on mineral leases for the quarter ended 30th September, 1904?

Mr. Moore answered,—Rent, £1,521 7s. 11d. ; royalty, £2,943 3s. 8d. ; total, £4,464 11s. 7d.

- (4.) Bankruptcy of Captain Bird, Harbour Master :—Mr. Jones asked the Colonial Treasurer,—

(1.) Is it a fact, as reported in the Sydney papers, that Captain Bird, Harbour Master, has filed his schedule in the Bankruptcy Court?

(2.) Has his attention been drawn to a report appearing in a city paper, purporting to be an official statement of the liabilities of Captain Bird, Harbour Master at Sydney, wherein it is stated that certain shipping or stevedoring firms doing business in Sydney Harbour are returned as creditors in the estate, for money loaned to Captain Bird?

(3.) If such statement be true, does he think it a judicious or proper practice for Public Servants to receive financial accommodation from people or firms with whom such servants may come into contact in the discharge of public duties?

(4.) Is he aware also that one cause assigned in the newspaper referred to for Captain Bird's insolvency was that he had to pay money for his present position?

(5.) Will he direct the attention of the Harbour Trust Commissioners to the reports, with a view to further action being taken?

Mr. Carruthers answered,—The following replies have been furnished to me by the Harbour Trust Commissioners :—

(1.) Yes.

(2.) The attention of the Sydney Harbour Trust Commissioners has not yet been officially drawn to such report.

(3.) No ; but the Harbour Master reports that his original indebtedness was incurred prior to joining the Trust.

(4.) Not aware. Rumours to this effect reached the Commissioners upwards of a year ago ; and, after investigation, the Commissioners were satisfied that there was no truth in the allegation.

(5.) I shall cause full inquiry to be made into this matter at a later stage.

13th December, 1904.

2. PAPERS :—

Mr. Carruthers laid upon the Table,—Notification of appropriation of land, under the Public Works Act, 1900, for Deviation of the Illawarra Railway Line, near Oatley.
Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—

- (1.) Report of the Registrar of Friendly Societies for the period ended 31st December, 1903, together with Tables.
 - (2.) Return to an Order, made on 22nd November, 1904,—“Petition for Incorporation of West “Wallsend.”
 - (3.) By-laws of the Borough of Singleton.
 - (4.) By-laws of the Borough of Balmain.
 - (5.) By-laws of the Municipal District of Dubbo.
 - (6.) By-law of the Borough of Botany, under the Nuisances Prevention Act, 1897.
- Referred by Sessional Order to the Printing Committee.

3. FERTILIZERS ADULTERATION BILL :—On motion of Mr. Moore, the Order of the Day for the resumption of the adjourned Debate, on the motion of Mr. Moore, “That this Bill be now read a “second time,” was discharged.
Ordered, That the Bill be withdrawn.

4. POSTPONEMENT :—The Order of the Day for the second reading of the Sydney Diocesan Revenues Bill (*Council Bill*) postponed until To-morrow.

5. MESSAGES FROM THE GOVERNOR :—The following Messages from His Excellency the Governor were delivered by Mr. Carruthers, and read by Mr. Speaker :—

(1.) Stamp Duties (Amendment) Bill (No. 2) :—

HARRY H. RAWSON,
Governor.

Message No. 54.

A Bill, intituled “*An Act to impose certain stamp duties ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties Amendment Act, 1900 ; and for purposes consequent thereon or incidental thereto,*”—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 His 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.

*State Government House,
Sydney, 13th December, 1904.*

(2.) Coroners' Court Bill :—

HARRY H. RAWSON,
Governor.

Message No. 55.

A Bill, intituled “*An Act to provide that, except in certain cases, inquisitions now held before a coroner and a jury shall be held before a coroner sitting alone ; and for purposes consequent on, or incidental to, the carrying out of that object,*”—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 His 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.

*State Government House,
Sydney, 13th December, 1904.*

(3.) Centenary Park Sale Bill :—

HARRY H. RAWSON,
Governor.

Message No. 56.

A Bill, intituled “*An Act to authorise the sale or leasing of certain lands vested in the Chief Minister by the Centenary Celebration Act ; to amend the said Act ; and for purposes consequent thereon or incidental thereto,*”—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 His 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.

*State Government House,
Sydney, 13th December, 1904.*

(4.) Sydney Harbour Rates Bill (No. 2) :—

HARRY H. RAWSON,
Governor.

Message No. 57.

A Bill, intituled “*An Act to impose harbour rates for the Port of Sydney ; to amend the scales of wharfage and tonnage rates and to provide for berthing tolls and charges at the said port ; to provide for the payment and collection of such rates, tolls, and charges ; to amend the Sydney Harbour Trust Act, 1900, and the Wharfage and Tonnage Rates Act, 1901 ; and for purposes consequent thereon or incidental thereto,*”—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 His 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.

*State Government House,
Sydney, 13th December, 1904.*

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

13th December, 1904.

6. DENTAL HOSPITALS UNION BILL :—Mr. Hogue moved, without Notice, That the Order of the Day for the second reading of the Dental Hospitals Union Bill, which lapsed by the House being counted out on Monday, 12th December, 1904, be restored to the Paper, and that the resumption of the Debate, on the motion "That this Bill be now read a second time," stand an Order of the Day for To-morrow.
Question put and passed.
7. ADJOURNMENT :—
(1.) Mr. Speaker stated that he had received from the Honorable Member for Surry Hills, Mr. Norton, a Notice, under the 49th Standing Order, that he desired to move the adjournment of the House, to discuss a definite matter of urgent public importance, viz. :—"The proceedings before the Registrar in Bankruptcy concerning the bankruptcy of Captain Bird, Harbour Master of the Port of Sydney."
And the motion for the adjournment of the House being supported by five other Honorable Members,—
Mr. Norton moved, That this House do now adjourn.
Mr. Speaker pointed out that under the heading "Sydney Harbour Trust" in the Estimates, there was an item "Harbour Master, £700." These Estimates would be considered in Committee of Supply, probably, to-night or to-morrow, and when the item quoted was before the Committee the Honorable Member would have an opportunity of discussing the question of which he had now given notice. The motion was, therefore, out of order.
(2.) Whereupon Mr. Norton moved, without Notice, That it is a matter of urgent necessity that so much of the Standing Orders be suspended as would preclude the consideration forthwith of a motion for the adjournment of the House, under the 49th Standing Order, in reference to the bankruptcy of Captain Bird.
Question put and passed.
Point of Order :—Mr. Crick pointed out that the course being taken by the Honorable Member was in effect evading Mr. Speaker's ruling, and was therefore in contravention of Standing Order No. 161, and submitted that should the Standing Orders be suspended, the Honorable Member's first step must be to move a dissent from the ruling, "That this matter can be discussed on the Estimates and its introduction now is therefore out of order," which he will then be entitled to do without notice.
Debate ensued.
Mr. Speaker sustained the Point of Order.
(3.) Mr. Norton then moved, without Notice, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of a motion for the adjournment of the House, under the 49th Standing Order, in reference to the bankruptcy of Captain Bird.
Debate ensued.
Motion, by leave, withdrawn.
8. SEAT OF GOVERNMENT ACT :—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 Act passed by the Commonwealth Parliament in respect of the Federal Territory for the Seat of Government.

And the Committee continuing to sit after Midnight,—

WEDNESDAY, 14 DECEMBER, 1904, A.M.

Mr. Speaker resumed the Chair ; and Mr. Nielsen, Temporary Chairman, reported that the Committee had come to certain resolutions.

Ordered, on motion of the Temporary Chairman, that the report be now received.

The Temporary Chairman then reported the resolutions, which were read a first time, as follows :—

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

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

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

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

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

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

On motion of Mr. Carruthers, the resolutions were read a second time, and agreed to.

13th December, 1904.

9. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) Hyde, Cook, and Phillip Parks Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to vest in the Municipal Council of Sydney, as trustees, the lands known as Hyde, Cook, and Phillip Parks, Sydney,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 13th December, 1904.*

F. B. SUTTOR,
President.

(2.) Parramatta Friendly Societies' Hall Site Vesting Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to vest in the Parramatta and District United Friendly Societies Medical and Dispensing Institute certain lands now held by trustees upon certain trusts relating to friendly societies; and for other purposes,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 13th December, 1904.*

F. B. SUTTOR,
President.

(3.) Lismore Markets and Cattle Sale-yards Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable the Council of the Municipal District of Lismore to erect and maintain Markets and Cattle Sale-yards upon certain land granted as a reserve for a market,*"—returns the same to the Legislative Assembly without amendment.

*Legislative Council Chamber,
Sydney, 13th December, 1904.*

F. B. SUTTOR,
President.

10. PAPERS :—Mr. Lee laid upon the Table,—

(1.) Reports in connection with the proposed Federal Capital Site near Queanbeyan.

(2.) Reports in connection with Federal Capital Site near Yass, together with Sketch Map showing proposed Sites and proposed Irrigation Reservoir at Barren Jack.

Referred by Sessional Order to the Printing Committee.

11. ADJOURNMENT :—Mr. Carruthers moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly, at five minutes after Six o'clock, a.m., until Two o'clock, p.m.,
This Day.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 46.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

WEDNESDAY, 14 DECEMBER, 1904.

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

QUESTIONS :—

(1.) Quit Rents:—*Mr. John Hurley*, for *Mr. Broughton*, asked the Colonial Treasurer,—What amount was received by the Government in satisfaction of quit rents for the quarter ended 30th September, 1904?

Mr. Carruthers answered,—£125 11s.

(2.) Workmen Employed at the Abattoir:—*Mr. Nielsen*, for *Mr. Scobie*, asked the Colonial Treasurer,—

(1.) Will he give instructions that the workmen employed at the Abattoir shall receive overtime after completion of their day's labour, as paid by other employers?

(2.) Has the Department withheld the "overalls" supplied the men in the past; and will he, owing to the nature of the work, restore this concession?

(3.) Do the Inspectors, who work no overtime, get sick pay and a fortnight's annual leave each year; and will he restore this privilege to the workmen?

Mr. Carruthers answered,—I am informed by the Board of Health:—

(1.) No workman employed at the Abattoir by the Board of Health works more than forty-eight hours a week.

(2.) Meat Inspectors are supplied with overalls; workmen have never had them.

(3.) Yes, under certain conditions. No; the labourers are treated in the same way in these respects as other workmen employed by private commercial firms.

(3.) Computation of Pensions for Public Servants:—*Mr. Gillies*, for *Mr. Levy*, asked the Attorney-General and Minister of Justice,—

(1.) In the case of retired Public Servants from whose salary the 4 per cent. superannuation deduction was made for the whole period of their service, including absence on leave, are their pensions computed for the same period?

(2.) In the computation of these pensions, is it the practice not to take into consideration fractional parts of a year?

Mr. Wade answered,—The Public Service Board have furnished me with the following information:—

(1.) Yes; unless there are any special circumstances why the service should not be counted, in which case, and, indeed, in all cases of doubt, the matter is referred for the decision of the Crown Law authorities.

(2.) Fractional parts of a year are not allowed in computing pensions, the Crown Law authorities, having advised that integral years only can be taken into consideration.

(4.) Belmore Railway:—*Mr. Thomas*, for *Mr. Mackenzie*, asked the Colonial Treasurer,—

(1.) On what system are the receipts credited to the Belmore railway?

(2.) Do the Commissioners credit the Belmore line with the receipts of the Canterbury race traffic?

(3.) Do the Commissioners credit the line with tickets sold on the trains between Sydenham and Belmore, and *vice versa*?

(4.) Does the Belmore line get full credit for through fares from Sydney to Belmore, or only from Sydenham to Belmore?

Mr. Carruthers answered,—

(1.) I am informed that it is on the mileage system, the line being credited with a due proportion of all traffic passing over it.

(2 and 3.) Yes, with its proportion on a mileage basis.

(4.) The line is credited with the proportion of the through fare according to the mileage travelled on the section.

(5.)

14th December, 1904.

(5.) Temporary Employment of Mr. G. W. Mitchell :—Mr. Cohen asked the Attorney-General and Minister of Justice,—

- (1.) Is it a fact that an officer named Mr. G. W. Mitchell has been appointed to temporary employment on survey work in the Narrandera District by the Public Works Department?
- (2.) If so, what is the date of such appointment, and what is the salary?
- (3.) What are Mr. Mitchell's special qualifications to fit him for the position?
- (4.) Are there not permanent officers of the Public Works Department with equal or higher qualifications, at present temporarily transferred, who are competent and available to carry out the duties indicated, and who are employed at greatly reduced salaries?
- (5.) Is it not a fact that qualified surveyors and assistant engineers have been retired almost simultaneously with the appointment of Mr. Mitchell?
- (6.) Has Mr. Mitchell ever qualified, by examination, for employment in the Service?
- (7.) Did the Public Service Board certify to the necessity for appointing Mr. Mitchell?

Mr. Lee answered,—

- (1.) Yes; Mr. Mitchell's term of temporary employment has been extended for three months from 1st instant.
- (2.) From 1st December; £300 per annum.
- (3.) Experience on irrigation works in India.
- (4.) Not as regards irrigation experience. He is engaged upon survey of irrigation canal.
- (5.) Yes; but none of them had the same early training for the special class of work required, as referred to in previous answers.
- (6.) Not necessary, as he is only a temporary employee; but, as a matter of fact, he was tested in Engineering by a Committee of Experts.
- (7.) Yes; as a temporary appointment.

(6.) Gas Plant, Gladesville Asylum :—Mr. Morton asked the Secretary for Public Works,—

- (1.) On what date did the authorities of the Gladesville Asylum sell their gas plant?
- (2.) Through what agency was it sold, and who was the purchaser?
- (3.) What was the purchase price?
- (4.) How long had it been in the possession of the Asylum, and how long lying idle?

Mr. Lee answered,—

- (1.) September, 1903.
- (2.) Messrs. Batt, Rodd, and Purves, by public auction. Purchaser, Mr. J. A. Alexander.
- (3.) £150.
- (4.) I am unable to say without reference to the Asylum authorities, but I believe the plant was lying idle for some years.

2. CASE OF HENRY HARDING, W. S. STEAD, AND OTHERS—CERTIFICATE OF TITLE :—Mr. Hollis, 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 27th September, 1904, together with Appendices.
Ordered to be printed.

3. PAPERS :—

Mr. Hogue laid upon the Table,—Return of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903.

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—Return to an Order, made on 12th December, 1904,—“Maintenance of Men, W. Nelson and P. C. Fanning, Murwillumbah.”

Referred by Sessional Order to the Printing Committee.

4. IRRIGATION SCHEME FROM BUNDIGERRY CREEK ABOVE NARRANDERA (*Formal Motion*):—Mr. Lee moved, pursuant to Notice, That it is desirable to construct, under the provision of the Water and Drainage Act, a main canal, with branches and other necessary works, on the northern side of the Murrumbidgee River in the vicinity of Narrandera, such main canal to take off from the Bundigerry Creek above Narrandera, and command an area to be included in the Trust District (by gravitation and pumping) of about 120,000 acres.

Question put.

The House divided.

Ayes, 31.

Mr. Moore,	Mr. Edden,
Mr. Hogue,	Mr. Estell,
Mr. Carruthers,	Mr. Gardiner,
Mr. Lee,	Mr. Mechan,
Mr. Jessep,	Mr. Henley,
Mr. Moxham,	Mr. Creswell,
Mr. Nobbs,	Mr. Brinsley Hall,
Mr. Booth,	Mr. Winchcombe,
Mr. J. H. Young,	Mr. McCoy,
Mr. Fallick,	Mr. Mahony,
Dr. Arthur,	Mr. Gillies,
Mr. John Hurley,	<i>Tellers,</i>
Mr. Thomas,	Mr. Cohen,
Mr. Waddell,	Mr. Morton.
Mr. Davidson,	
Mr. R. J. Anderson,	
Mr. McGarry,	
Mr. W. W. Young,	

Noes, 16.

Mr. Burgess,
Mr. Crick,
Mr. Briner,
Mr. Hollis,
Mr. Nielsen,
Mr. Macdonell,
Mr. Thrower,
Mr. Nicholson,
Mr. Norton,
Mr. McNeill,
Mr. Perry (<i>The Richm'd</i>),
Mr. McLaurin,
Mr. Reynoldson,
Mr. Perry (<i>L'pool Plains</i>).
<i>Tellers,</i>
Mr. Charlton,
Mr. Jones.

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

14th December, 1904.

5. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Carruthers, 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.

6. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

(1.) Oxford-street Extension Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to divest the Metropolitan Board of Water Supply and Sewerage of certain lands; to vest them in the Borough of Paddington for the purpose of constructing and opening certain public ways; and for other purposes consequent thereon or incidental thereto,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 14th December, 1904.

F. B. SUTTON,
President.

(2.) Wellington Cattle Sale-yards Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to authorise the construction, maintenance, and regulation of Cattle Sale-yards by the Council of the Municipal District of Wellington,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 14th December, 1904.

F. B. SUTTON,
President.

(3.) Scone Cattle Sale-yards Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to authorise the Municipal Council of Scone to purchase land and erect and maintain Cattle Sale-yards thereon,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 14th December, 1904.

F. B. SUTTON,
President.

(4.) Coraki Roman Catholic Church Trustees Enabling Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable the Right Reverend Jeremiah Joseph Doyle, Doctor of Divinity, Kyran Nolan, and Thomas Bermingham, trustees of certain allotments of land at Coraki, in the State of New South Wales, to sell the said lands, and to provide for the application and investment of the proceeds thereof, and for receipts and discharges of the same, and for other purposes in connection therewith,*"—returns the same to the Legislative Assembly without amendment.

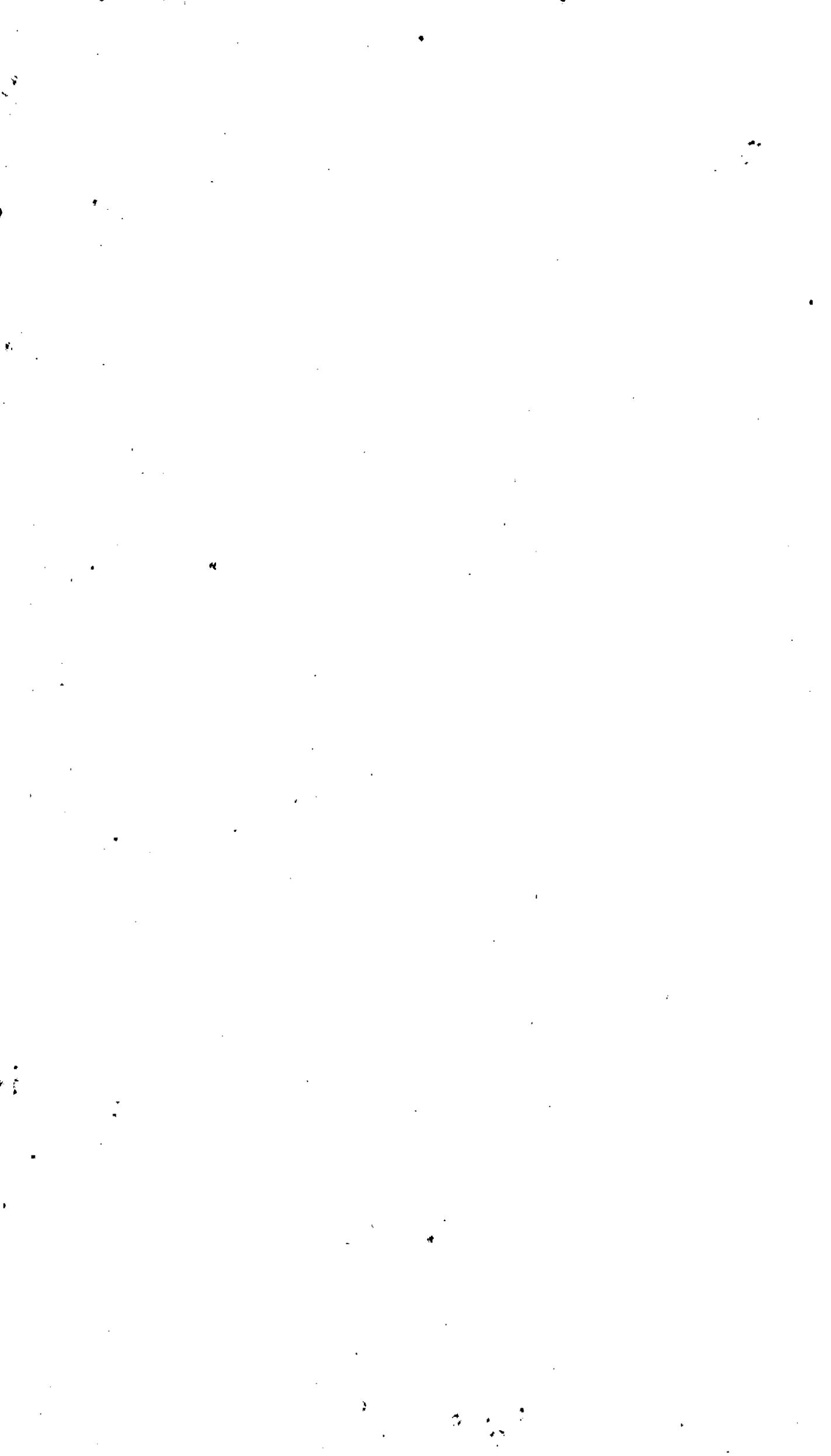
Legislative Council Chamber,
Sydney, 14th December, 1904.

F. B. SUTTON,
President.

The House adjourned, at twenty-seven minutes before Twelve o'clock, until To-morrow, at Two o'clock.

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

WILLIAM McCOURT,
Speaker.



New South Wales.

No. 47.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

THURSDAY, 15 DECEMBER, 1904.

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

QUESTIONS :—

- (1.) Leasing of Steam Ferries :—*Mr. W. W. Young*, for Mr. Bennett, asked the Secretary for Public Works,—

(1.) Is he aware that the travelling public view with alarm the proposal to lease the steam ferries plying on the Hunter and Williams Rivers, at Raymond Terrace, and Nelson's Plains, and elsewhere?

(2.) Is he in favour of handing over to private individuals control of these services, the keeping in good order and repair of which concerns the well-being and lives of so many of the public?

(3.) Will he reconsider his decision in the matter, with a view of his Department retaining control of them as heretofore?

(4.) Will he carry out the promises of his predecessors to reduce tolls on these services at an early date?

Mr. Lee answered,—

(1.) I do not think there is cause for alarm, nor is there any reason why the travelling public's interests should suffer. The tolls will not be increased, and the lessees will be more vigilant.

(2.) The conditions under which the proposed leases will issue will safeguard the lives and interests of the public equally as well as under the old system, and protect the property of the State.

(3.) The whole question was very thoroughly considered before the decision to offer the ferries for lease was arrived at, and it is desirable the new system should be adopted.

(4.) I am not aware of any promise having been made to reduce tolls at an early date.

- (2.) Superannuation Fund :—*Mr. Henley*, for Mr. McCoy, asked the Colonial Treasurer,—

(1.) Does he propose to take any action in regard to refunding the contributions to the Superannuation Fund made by Public Servants who have ceased to contribute to such Fund?

(2.) As the ex-contributors to the Fund who have been taken into the service of the Federal Government have ceased to be State servants, will he consider the advisability of refunding the amounts of their enforced payments, with interest?

Mr. Carruthers answered,—Ex-contributors to the Superannuation Fund are not legally entitled to a refund of their contributions until they leave the Service.

2. LIQUOR TRAFFIC :—*Mr. John Hurley* presented a Petition from members of the Methodist Church, Lithgow, praying for the early passing of a Bill that will concede to the electors themselves full Local and State Option without compensation.
Petition received.

3. PRINTING COMMITTEE :—*Mr. McFarlane*, as Chairman, brought up the Twelfth Report from the Printing Committee.

4. PAPERS :—

Mr. O'Connor laid upon the Table,—Notification of resumption, under the Public Works Act, 1900, of land for Public School Purposes at Gregadoo.

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—Minutes, &c., respecting the granting of Special Sick Leave to Mr. P. C. Donaldson, Road Superintendent, Department of Public Works.

Referred by Sessional Order to the Printing Committee.

5. LIBRARY COMMITTEE :—*Mr. Carruthers* (*by consent*) moved, without Notice, That leave be given to the Library Committee to sit during the Sittings of the House.

Question put and passed.

15th December, 1904.

6. NAVIGATION (SURVEYS) BILL (*Formal Motion*):—Mr. Carruthers moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to amend the Navigation Act, 1901, with respect to surveys and certificates of certain vessels; to provide for the making of certain regulations under that Act; and for other purposes.
Question put and passed.
7. SUPPLY:—The Order of the Day having been read,—on motion of Mr. Carruthers, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit after Midnight,—

FRIDAY, 16 DECEMBER, 1904, A.M.

Mr. Speaker resumed the Chair; and the Chairman reported a Point of Order from the Committee, and obtained leave to sit again so soon as the Point of Order had been decided by the House.

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

Debate ensued.

Mr. Speaker said the procedure in Committee of Supply was clearly laid down in Standing Order No. 336. That Standing Order could however, like others, be set aside by concurrence—and he had mainly to decide as to whether concurrence had been granted to the course adopted by the Chairman—and as it appeared that the total amounts of five separate Departments had been dealt with by the Committee without objection, he must conclude that concurrence had been granted; the Committee having given concurrence to a certain course of procedure for the sitting it was correct to follow that procedure, and he ruled in that direction.

Interruption.

8. MESSAGES FROM THE GOVERNOR:—The following Messages from His Excellency the Governor were delivered by Mr. Carruthers, and read by Mr. Speaker:—

(1.) Loan Estimate:—

HARRY H. RAWSON,
Governor.

Message No. 58.

In accordance with the provisions contained in the 46th section of the Constitution Act, the Governor recommends for 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 for the year 1904–1905, proposed to be provided for by Loan.

*State Government House,
Sydney, 22nd November, 1904.*

Ordered to be printed, together with the accompanying Estimate, and referred to the Committee of Supply.

(2.) Additional Estimates:—

HARRY H. RAWSON,
Governor.

Message No. 59.

In accordance with the provisions contained in the 46th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the accompanying Additional Estimates of the Expenditure of the Government of New South Wales for the year ending 30th June, 1905.

*State Government House,
Sydney, 14th December, 1904.*

Ordered to be printed, together with the accompanying Estimates, and referred to the Committee of Supply.

9. SUPPLY:—Interrupted by the proceedings recorded in Entry No. 8 above.—On motion of Mr. Hogue, Mr. Speaker left the Chair, and the Committee resumed.
Mr. Speaker resumed the Chair; and Mr. Jessep Temporary Chairman, reported progress, and obtained leave to sit again.
10. ADJOURNMENT:—Mr. Carruthers moved, That this House do now adjourn.
Debate ensued.
Question put and passed.

The House adjourned accordingly, at five minutes before Six o'clock, p.m., until Monday next, at Two o'clock.

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

WILLIAM McCOURT,
Speaker.

Acto South Wales.

No. 48.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

MONDAY, 19 DECEMBER, 1904.

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

QUESTIONS :—

- (1.) Western Lands Amending Bill :—*Mr. McGowen*, for *Mr. Scobie*, asked the Secretary for Lands,—Seeing that a great many people are awaiting the passage of the Western Lands Amending Bill, will he endeavour to get it passed this Session?

Mr. Hogue answered,—I regret it will not be possible to proceed with the Bill in question until early next Session.

- (2.) Teachers' Salaries :—*Mr. Kelly* asked the Minister of Public Instruction,—Is it his intention to reduce the salaries of teachers whose schools have fallen away in attendance, when the fault is not the teacher's?

Mr. Hogue answered,—My honorable colleague would like to say, in answer to this Question, that there is a regulation under the Public Instruction Act which provides that where a school fails to meet the specified conditions regarding its classification, the Minister may remove such school to a lower class. In some instances, this reduction would not involve a reduction in the teacher's salary. In other cases, which would involve reduction, the Department has always treated teachers very considerably in order to prevent loss of income by any teachers who are not in fault for the diminution in attendance. The general question in regard to this matter has recently been raised, though not by my colleague, and it is his intention that it shall have the careful consideration of the Cabinet and himself before any action is taken. I may say that he is very unwilling to cause loss of salary to any teacher for causes beyond his or her control, and a sympathetic treatment of the matter may be relied upon.

- (3.) Mr. Goodsir, Employed at the Abattoirs :—*Mr. Estell*, for *Mr. Scobie*, asked the Colonial Secretary,—

- (1.) Is there a man named Goodsir employed at the Abattoirs?
- (2.) If so, what is his position, and who appointed him?
- (3.) What experience has he for his present position, and where did he acquire it?

Mr. Hogue answered,—

- (1.) Yes.
- (2.) Assistant Superintendent; appointed by the Board of Health.
- (3.) Twenty years; third-class Assistant Engineer, Department of Public Works.

- (4.) Value of Prison Work :—*Mr. Broughton* asked the Attorney-General and Minister of Justice,—What was the amount received by the Government for work performed by prisoners in gaols for the quarter ended 30th September, 1904?

Mr. Wade answered,—The Comptroller-General of Prisons has informed me that the value of labour performed during the period mentioned, chiefly on the order of the Stores Supply and Tender Board for Government Departments, was £2,156. This amount does not include the value of labour performed for the Prisons Department.

- (5.) Pollution of Blackwattle and Rozelle Bays :—*Mr. Law* asked the Colonial Secretary,—In connection with his recent visit to the Glebe Island Abattoirs, has he, as reported, called for reports as to the causes and extent of the pollution of Blackwattle and Rozelle Bays; if so, has he any objection to lay upon the Table of this House copies of any reports he may have received upon the subject?

Mr.

19th December, 1904.

Mr. Hogue answered,—On my recent visit to the Abattoirs I saw sufficient to warrant me in calling for report upon the condition of Blackwattle and Rozelle Bays, and the causes of their pollution. It is quite certain that the Abattoirs, as at present managed, contribute comparatively little to the pollution of the portions of the harbour named. I will presently lay on the Table copies of the reports I have received on the subject.

2. PAPERS :—

Mr. Dick laid upon the Table,—Notification of resumption of land, under the Public Works Act, 1900, for Public School Purposes at Bournemouth.

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—

(1.) Schedules A to L, Estimates 1904–1905, Department of Public Works (Roads, &c.).

(2.) Report of the Metropolitan Board of Water Supply and Sewerage for the year ended 30th June, 1904.

Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—

(1.) Reports respecting Pollution of Rozelle and adjoining bays.

(2.) Return to an Order, made on 8th November, 1904,—“Charges preferred against Major “Lee,” D.S.O.”

Referred by Sessional Order to the Printing Committee.

3. PRINTING COMMITTEE :—Mr. Nielsen (*by consent*) moved, without Notice, That the Return to Order, “Appointment of Mr. F. W. Reynolds to the Boorowa Land Board,” laid upon the Table of this House on the 6th December, 1904, and referred to the Printing Committee, and reported upon on the 8th December, 1904, be again referred to the Printing Committee for reconsideration. Question put and passed.

4. MINISTERIAL STATEMENT :—Mr. Carruthers detailed the measures he intended to ask the House to pass before the Prorogation, and stated that he anticipated being able to close the Session, with the assistance of Honorable Members, after Tuesday’s sitting.

5. SUSPENSION OF STANDING ORDERS :—Mr. Carruthers (*by consent*) moved, without Notice, That so much of the Standing Orders be suspended as would preclude the passing of the following Bills through all their stages in one day,—

(1.) Stamp Duties (Deductions) Bill.

(2.) Navigation (Surveys) Bill.

(3.) Fertilizers Bill.

(4.) Appropriation Bill.

(5.) Loan Bill,

and would also preclude the resolutions of the Committees of Supply and of Ways and Means respectively, whereon the Appropriation and Loan Bills are proposed to be founded, being received on the same day on which they were come to by the said Committees respectively.

Debate ensued.

Question put and passed.

6. MESSAGES FROM THE GOVERNOR :—The following Messages from His Excellency the Governor were delivered by Mr. Carruthers, and read by Mr. Speaker :—

(1.) Navigation (Surveys) Bill :—

HARRY H. RAWSON,
Governor.

Message No. 60.

In accordance with the provisions contained in the 46th 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 Navigation Act, 1901, with respect to surveys and certificates of certain vessels; to provide for the making of certain regulations under that Act; and for other purposes.

*State Government House,
Sydney, 15th December, 1904.*

Ordered to be referred to the Committee of the Whole on the Bill.

(2.) Sydney Abattoirs Bill :—

HARRY H. RAWSON,
Governor.

Message No. 61.

In accordance with the provisions contained in the 46th 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 enable the Municipal Council of Sydney to establish and maintain a Public Abattoir or place for the slaughter of cattle; to regulate the slaughter, skinning, scalding and dressing of cattle within such city or within 14 miles thereof; to enable the said Council to establish a meat market; to acquire, resume, and hold land, and erect buildings and works, and to raise by debentures a sum not exceeding £200,000; to amend the Sydney Abattoir and Nuisances Prevention Act, 1902, and the Cattle Slaughtering and Diseased Animals and Meat Act, 1902; and for purposes consequent thereon or incidental thereto.

*State Government House,
Sydney, 15th December, 1904.*

Ordered to be referred to the Committee of the Whole on the Bill.

(3.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

19th December, 1904.

(3.) Infant Protection Bill :—

HARRY H. RAWSON,
Governor.

Message No. 62.

A Bill, intituled "*An Act to make further and better provision for the protection, maintenance, education, and care of infants ; and to provide for the inspection, supervision, and control of places established or used for their reception and care,*"—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 His 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.

State Government House,
Sydney, 17th December, 1904.

7. POSTPONEMENT :—Mr. Carruthers (*by consent*) moved, without Notice, That all the General Business be postponed until after the Government Business.

Debate ensued.

Question put and passed.

8. PURCHASE OF MYALL CREEK ESTATE—CLOSER SETTLEMENT ACT, 1901 :—Mr. Ashton moved, pursuant to Notice, That this House approves of the purchase of 53,934 acres 2 roods 13½ perches, more or less, of the private land known as the Myall Creek Estate, under a contract to be made by the Secretary for Lands, being the Minister administering the Closer Settlement Act, 1901, at the price at which the estate has been offered to the Crown by the owners, namely, £2 11s. 6d. per acre for the land and the improvements thereon, subject to the deductions in the said Act mentioned.

Debate ensued.

Question put and passed.

9. STAMP DUTIES (DEDUCTIONS) BILL :—

(1.) The Order of the Day having been read,—on motion of Mr. Carruthers, 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 allow deduction from stamp duty of the amount of duty payable in the United Kingdom in respect of property therein situate ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Companies (Death Duties) Act, 1901 ; and for other purposes.

Mr. Speaker resumed the Chair ; and the Chairman 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 :—

Resolved.—That it is expedient to bring in a Bill to allow deduction from stamp duty of the amount of duty payable in the United Kingdom in respect of property therein situate ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Companies (Death Duties) Act, 1901 ; and for other purposes.

On motion of Mr. Carruthers, the resolution was read a second time, and agreed to.

(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to allow deduction from stamp duty of the amount of duty payable in the United Kingdom in respect of property therein situate ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Companies (Death Duties) Act, 1901 ; and for other purposes,*"—which was read a first time.

Mr. Carruthers then moved, That the Bill be printed, and now read a second time.

Debate ensued.

Question put and passed.

(3.) Bill read a second time.

On motion of Mr. Carruthers, 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 Mr. Jessep, Temporary Chairman, reported the Bill, without amendment.

On motion of Mr. Carruthers, 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. Carruthers, *passed*.

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to allow deduction from stamp duty of the amount of duty payable in the United Kingdom in respect of property therein situate ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Companies (Death Duties) Act, 1901 ; and for other purposes.*"

Question put and passed.

Ordered (after Debate), 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 allow deduction from stamp duty of the amount of duty payable in the United Kingdom in respect of property therein situate ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Companies (Death Duties) Act, 1901 ; and for other purposes,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 19th December, 1904.

19th December, 1904.

10. NAVIGATION (SURVEYS) BILL :—The Order of the Day having been read,—on motion of Mr. Carruthers, 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 Navigation Act, 1901, with respect to surveys and certificates of certain vessels; to provide for the making of certain regulations under that Act; and for other purposes.
Mr. Speaker resumed the Chair.
11. SUPPLY :—The Order of the Day having been read,—on motion of Mr. Carruthers, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Supply.

And the Committee continuing to sit after Midnight,—

TUESDAY, 20 DECEMBER, 1904, 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 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 :—

ESTIMATES OF EXPENDITURE—1904-5.

No. I.—SCHEDULES A, B, AND C TO SCHEDULE I OF ACTS 18 AND 19 VICTORIA, CAPUT 54.

(5.) Resolved, that there be granted to His Majesty, a sum not exceeding £1,902, as supplement to Schedule B to Schedule No. I of the Act of the Imperial Parliament, 18 and 19 Vic., cap. 54, for the year 1904-5.

No. II.—EXECUTIVE AND LEGISLATIVE.

(6.) Resolved, that there be granted to His Majesty, a sum not exceeding £275, for Vice-President of the Executive Council and Representative of the Government in the Legislative Council, for the year 1904-5.

(7.) Resolved, that there be granted to His Majesty, a sum not exceeding £5,341, for Legislative Council, for the year 1904-5.

(8.) Resolved, that there be granted to His Majesty, a sum not exceeding £10,110, for Legislative Assembly, for the year 1904-5.

(9.) Resolved, that there be granted to His Majesty, a sum not exceeding £7,078, for Legislative Council and Assembly, for the year 1904-5.

(10.) Resolved, that there be granted to His Majesty, a sum not exceeding £2,043, for Parliamentary Library, for the year 1904-5.

(11.) Resolved, that there be granted to His Majesty, a sum not exceeding £6,167, for Parliamentary Reporting Staff, for the year 1904-5.

(12.) Resolved, that there be granted to His Majesty, a sum not exceeding £750, for Parliamentary Standing Committee on Public Works, for the year 1904-5.

No. III.—COLONIAL SECRETARY.

(13.) Resolved, that there be granted to His Majesty, a sum not exceeding £1,135,772, for Colonial Secretary, for the year 1904-5.

No. IV.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

(14.) Resolved, that there be granted to His Majesty, a sum not exceeding £745,720, for Treasurer and Secretary for Finance and Trade, for the year 1904-5.

No. V.—RAILWAYS.

(15.) Resolved, that there be granted to His Majesty, a sum not exceeding £2,995,796, for Railways and Tramways—Existing Lines, Working Expenses, for the year 1904-5.

No. VI.—DEPARTMENT OF THE ATTORNEY-GENERAL AND OF JUSTICE.

(16.) Resolved, that there be granted to His Majesty, a sum not exceeding £314,000, for Department of the Attorney-General and of Justice, for the year 1904-5.

No. VII.—SECRETARY FOR LANDS.

(17.) Resolved, that there be granted to His Majesty, a sum not exceeding £309,175 for Secretary for Lands, for the year 1904-5.

No. VIII.—SECRETARY FOR PUBLIC WORKS.

(18.) Resolved, that there be granted to His Majesty, a sum not exceeding £882,605 for Secretary for Public Works, for the year 1904-5.

No. IX.—PUBLIC INSTRUCTION, LABOUR, AND INDUSTRY.

(19.) Resolved, that there be granted to His Majesty, a sum not exceeding £905,178, for Public Instruction, Labour and Industry, for the year 1904-5.

No. X.—SECRETARY FOR MINES AND AGRICULTURE.

(20.) Resolved, that there be granted to His Majesty, a sum not exceeding £152,246, for Secretary for Mines and Agriculture, for the year 1904-5.

ADDITIONAL

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

19th December, 1904.

ADDITIONAL ESTIMATES, 1904-5.

No. II.—EXECUTIVE AND LEGISLATIVE.

- (21.) Resolved, that there be granted to His Majesty, a sum not exceeding £240 to defray additional charge for the year 1904-5 under the head "Legislative Council."
- (22.) Resolved, that there be granted to His Majesty, a sum not exceeding £7, to defray additional charge for the year 1904-5 under the head "Parliamentary Standing Committee."

No. III.—COLONIAL SECRETARY.

- (23.) Resolved, that there be granted to His Majesty, a sum not exceeding £20, to defray additional charge for the year 1904-5 under the head "Lunacy."
- (24.) Resolved, that there be granted to His Majesty, a sum not exceeding £120, to defray additional charge for the year 1904-5 under the head "State Children's Relief Department."
- (25.) Resolved, that there be granted to His Majesty, a sum not exceeding £190, to defray additional charge for the year 1904-5 under the head "Registrar-General and Examiner of Patents."
- (26.) Resolved, that there be granted to His Majesty, a sum not exceeding £1,599, to defray additional charge for the year 1904-5 under the head "Charitable Allowances."
- (27.) Resolved, that there be granted to His Majesty, a sum not exceeding £8,005, to defray additional charge for the year 1904-5 under the head "Miscellaneous Services."

No. IV.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

- (28.) Resolved, that there be granted to His Majesty, a sum not exceeding £466, to defray additional charge for the year 1904-5 under the head "Miscellaneous Services."

No. VII.—SECRETARY FOR LANDS.

- (29.) Resolved, that there be granted to His Majesty, a sum not exceeding £125, to defray additional charge for the year 1904-5 under the head "Miscellaneous Services."

No. VIII.—SECRETARY FOR PUBLIC WORKS.

- (30.) Resolved, that there be granted to His Majesty, a sum not exceeding £4,000, to defray additional charge for the year 1904-5 under the head "Metropolitan Board of Water Supply and Sewerage."
- (31.) Resolved, that there be granted to His Majesty, a sum not exceeding £10,000, to defray additional charge for the year 1904-5 under the head "Public Works Schedules."

No. IX.—PUBLIC INSTRUCTION, LABOUR, AND INDUSTRY.

- (32.) Resolved, that there be granted to His Majesty, a sum not exceeding £30, to defray additional charge for the year 1904-5 under the head "Grants in aid of Public Institutions."

No. X.—SECRETARY FOR MINES AND AGRICULTURE.

- (33.) Resolved, that there be granted to His Majesty, a sum not exceeding £13, to defray additional charge for the year 1904-5 under the head "Geological Branch."
- (34.) Resolved, that there be granted to His Majesty, a sum not exceeding £63, to defray additional charge for the year 1904-5 under the head "Miscellaneous Services."

No. XI.—STATEMENT OF PAYMENTS MADE DURING THE YEAR ENDED 30 JUNE, 1904, FROM THE VOTE "ADVANCE TO TREASURER," 1903-4, ON ACCOUNT OF SERVICES OF THE YEAR 1903-4, SUBMITTED FOR PARLIAMENTARY APPROPRIATION IN ADJUSTMENT OF THE ADVANCE VOTE.

- (35.) Resolved, that there be granted to His Majesty, a sum not exceeding £69,897 18s. 0d., in adjustment of the Vote "Advance to Treasurer," 1903-4.

LOAN ESTIMATES, 1904-5.

ESTIMATE OF EXPENDITURE ON ACCOUNT OF PUBLIC WORKS AND OTHER SERVICES, TO BE PROVIDED FOR BY LOAN.

For the completion of works already begun under sanction of Parliament from Loan Votes.

No. IV.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

- (36.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £700, for Government Printer, to complete payment for Machinery and Plant already obtained.
- (37.) Resolved, that there be granted to his Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £30,000 for Sydney Harbour Trust, towards construction of new Berthing Accommodation and new Jetties, Sheds, &c.; new Punts for Dredges; general reconstruction of Wharfs and Jetties; erection of Office Accommodation; and generally for the improvement of the Port—further sum.

No. VIII.—SECRETARY FOR PUBLIC WORKS.

- (38.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £222,883 for Railway Construction; being £18,000 for Narrabri to Walgett, with Branch to Collarendabri—further sum; £2,300 for Cobar Mines Railway (Land)—further sum;

19th December, 1904.

sum; and £202,583 to recoup City Railway Extension and Sydney Central Station Votes, on account of the following services charged thereto, viz., £22,583 for New Cemetery, La Perouse—Laying-out, re-erection of Headstones, and other works; £15,000 for Prince of Wales' Hotel—Erection; and £165,000 for Surplus Lands, Central Station Approaches.

(39.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £14,248 for Tramway Construction—Tramways generally—To recoup City Railway extension and Sydney Central Station Votes—Tramways into Central Station.

(40.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £37,000 for Government Architect; being £5,000 for Police Buildings—Offices of Inspector-General of Police and Comptroller of Prisons—further sum; and £32,000 for Miscellaneous; viz., £4,000 for University—Fisher Library—further sum; £18,000 for Prince Alfred Hospital New Pavilions—further sum; £10,000 for Penitentiary and Prison for Females—further sum.

(41.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £14,570 for Roads and Bridges; being for Bridges, viz., £3,470 for Glebe Island (Land)—further sum; £200 for Lachlan River at Goolagong—further sum; £4,000 for Hawkesbury River at Richmond—further sum; £500 for South Arm, Richmond River, at Coraki—further sum; £4,000 for Hunter River at Dunolly Ford, Singleton—further sum; £400 for Williams River at Dungog—further sum; and £2,000 for Murray River at Koondrook—further sum (in anticipation of Victorian moiety).

(42.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £56,750 for Harbours and Rivers; being £10,000 for Richmond River Improvements—further sum; £4,000 for Bellinger River Improvements—further sum; £1,750 for Tweed River Improvements—further sum; £11,000 for Macleay River Improvements—further sum; £12,000 for Newcastle Harbour Breakwater—further sum; £15,000 for Newcastle Wharfrage and Shipping Appliances—further sum; and £3,000 for Newcastle Harbour—Removal of Rocks, Entrance Inner Basin—further sum.

(43.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £51,750 for Sewerage Construction; being £7,500 for Shea's Creek Stormwater Channel Extension; £7,000 for Waverley, Randwick, and Kensington Sewerage—further sum; £500 for Hay Sewerage—further sum; £6,750 for Lismore Sewerage—further sum; £5,000 for City Low-level Sewerage—further sum; £25,000 for Newcastle Sewerage—further sum.

(44.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £8,000 for Country Towns Water Supply—further sum.

(45.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £166,000 for Sydney Water Supply—improvements to Sydney Water Supply and Storage Dam, Cataract River, including Land Resumptions—further sum.

(46.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £63,850 for Metropolitan Board of Water Supply and Sewerage, being £48,350 for Water Supply, viz., £23,200 for Extension and Improvement of General Reticulation, including conversion of ball hydrants into spring valve hydrants, purchase of water meters, and sundry works—further sum; £150 for Stormwater Channel to protect Bank Engine Pond Embankment, Botany—further sum; £25,000 for relining and strengthening Upper and Lower Canals—further sum; for Sewerage—£15,500 for construction and ventilation of Reticulation Sewers generally in connection with approved scheme.

(47.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £6,000 for Hunter River District Water Supply and Sewerage Board, for Reticulation, Newcastle and Suburbs—further sum.

Required for new works and purposes not yet commenced or authorised by Parliament.

No. IV.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

(48.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £1,600 for Government Printer, for purchase of extra Machinery and Plant.

No. V.—RAILWAYS AND TRAMWAYS.

(49.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £250,000 for Railways; being £110,000 for Rolling Stock, to meet additional Traffic requirements; £80,000 for additions to Railway Lines, Buildings, and for other purposes; £50,000 for further improvements of Grades; and £10,000 towards the Duplication of Penrith Viaduct—further sum.

(50.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £95,000 for Tramways; being £65,000 for additions to Lines, Workshops, and Buildings, and for other purposes, to meet the requirements of Traffic; and £30,000 for Rolling Stock to meet Traffic congestion in certain directions.

No. VII.—SECRETARY FOR LANDS.

(51.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £39,000 for the purpose of acquiring land for Closer Settlement—further sum.

(52.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £25,000 for making roads of access to Crown lands—to be recouped out of first proceeds of sale of such lands.

No. VIII.—SECRETARY FOR PUBLIC WORKS.

(53.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £15,000 for Government Architect; being £10,000 for Police Buildings—New Police Barracks, Redfern; and £5,000 for Rebuilding Parliamentary Library and adjuncts.

(54.)

19th December, 1904.

(54.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £20,000 for Harbours and Rivers—for Self-propelled Steam Sand-pump Dredge, for deepening shallow bars.

(55.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £12,000 for Country Towns Water Supply.

(56.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £4,400 for Metropolitan Board of Water Supply and Sewerage—for Mosman Reservoir Outlet Works and Service Mains.

(57.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £4,800 for Hunter River District Water Supply and Sewerage Board; being £2,000 for extension of Mains to Weston, and £2,800 for New Reservoir, Pelaw Main, and other Works.

Repayment of Loans.

(58.) Resolved, that there be granted to His Majesty, for the year 1904-5, to be raised by Loan, a sum not exceeding £901,500—to meet 4 per cent. Debentures falling due 1st July, 1905—Railways—under Act 36 Vic. No. 17.

On motion of Mr. Carruthers, the resolutions were read a second time, and agreed to.

12. **WAYS AND MEANS:**—The Order of the Day having been read,—on motion of Mr. Carruthers, Mr. Speaker left the Chair, and the House resolved itself into the Committee of Ways and Means. Mr. Speaker resumed the Chair; 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:—

(7.) *Resolved*,—That, towards making good the Supply granted to His Majesty for the Service of the financial year 1904-5, the sum of £7,499,036 be granted out of the Consolidated Revenue Fund of New South Wales.

(8.) *Resolved*,—That, towards making good the Supply granted to His Majesty in adjustment of the Vote "Advance to Treasurer," 1903-4, for Services of the financial year 1903-4, the sum of £69,897 18s. be granted out of the Consolidated Revenue Fund of New South Wales.

(9.) *Resolved*,—That, towards making good the Supply granted to His Majesty during the present Session, a sum not exceeding £2,040,051 be raised by the issue of Debentures or Inscribed Stock, secured upon the Consolidated Revenue Fund of the State, and bearing interest at a rate not exceeding 5 per centum per annum, to defray the expenses of certain Public Works and Services of the State, and for other purposes.

On motion of Mr. Carruthers, the resolutions were read a second time, and agreed to.

13. **APPROPRIATION BILL:**—

(1.) Ordered, on motion of Mr. Carruthers (after Debate), That a Bill be brought in, founded on resolutions of Ways and Means (Nos. 7 and 8), 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 from the 1st day of July, 1904, to the 30th day of June, 1905, inclusive of both dates; to adjust the vote "Advance to Treasurer, 1903-1904," for supplementary charges during the period from 1st July, 1903, to 30th June, 1904, inclusive of both dates; and for purposes connected with and incidental to the above objects.

(2.) Mr. Carruthers then 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 from the 1st day of July, 1904, to the 30th day of June, 1905, inclusive of both dates; to adjust the vote 'Advance to Treasurer, 1903-1904,' for supplementary charges during the period from 1st July, 1903, to 30th June, 1904, inclusive of both dates; and for purposes connected with and incidental to the above objects,*"—which was read a first time.

Mr. Carruthers moved, That the Bill be printed, and now read a second time

Debate ensued.

Question put.

The House divided.

Ayes, 42.

Mr. Crick,	Mr. Fell,
Mr. Moore,	Mr. Ball,
Mr. Carruthers,	Mr. Collins,
Mr. Morton,	Mr. Downes,
Mr. Creswell,	Mr. Briner,
Mr. Mahony,	Mr. McLaurin,
Mr. Wood,	Mr. Donaldson,
Mr. Mackenzie,	Mr. Fallick,
Mr. Wade,	Mr. Davidson,
Mr. Jessep,	Mr. McCoy,
Mr. Walter Anderson,	Mr. Coleman,
Mr. R. J. Anderson,	Mr. Gardiner,
Mr. Hogue,	Mr. Lee,
Dr. Arthur,	Mr. Dick,
Mr. W. Millard,	Mr. Perry (<i>L'pool Plains</i>),
Mr. Henley,	Mr. Booth,
Mr. Latimer,	Mr. O'Conor,
Mr. Gillies,	Mr. Ashton,
Mr. Perry (<i>The Richm'd</i>),	<i>Tellers,</i>
Mr. Waddell,	
Mr. McFarlane,	Mr. Nobbs,
Mr. Cann,	Mr. Nielsen.

Noes, 16.

Mr. Jones,
Mr. Estell,
Mr. Charlton,
Mr. Norton,
Mr. Meehan,
Mr. McGowen,
Mr. Holman,
Mr. Hollis,
Mr. O'Sullivan,
Mr. Scobie,
Mr. Edden,
Mr. Thrower,
Mr. Fegan,
Mr. McGarry.

Tellers,

Mr. Smith,
Mr. Macdonell.

And so it was resolved in the affirmative.

43257.

(3.)

19th December, 1904.

(3.) Bill read a second time.

Mr. Carruthers 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.

Question put, and voices given,—Mr. Speaker stated his opinion that the *Ayes* had it.

Whereupon Division called for, and Mr. Speaker having, in accordance with Standing Order No. 213, directed the Members to take their seats to the right and left of the Chair respectively, declared the determination of the House to be in the *affirmative*, as there were only ten Members in the minority who had challenged his decision.

The following are the names of the Members in the minority, viz. :—Mr. Jones, Mr. Holman, Mr. Scobie, Mr. Edden, Mr. Thrower, Mr. Fegan, Mr. Meehan, Mr. Norton, Mr. Charlton, and Mr. Estell.

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 the Bill, without amendment.

On motion of Mr. Carruthers, 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. Carruthers, *passed*.

Mr. Carruthers 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 from the 1st day of July, 1904, to the 30th day of June, 1905, inclusive of both dates; to adjust the vote 'Advance to Treasurer, 1903-1904,' for supplementary charges during the period from 1st July, 1903, to 30th June, 1904, inclusive of both dates; and for purposes connected with and incidental to the above objects.*"

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 from the 1st July, 1904, to the 30th day of June, 1905, inclusive of both dates; to adjust the vote 'Advance to Treasurer, 1903-1904,' for supplementary charges during the period from 1st July, 1903, to 30th June, 1904, inclusive of both dates; and for purposes connected with and incidental to the above objects,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20th December, 1904, a.m.

14. LOAN BILL :—

(1.) Ordered, on motion of Mr. Carruthers, That a Bill be brought in, founded on resolution of Ways and Means (No. 9), to authorise the raising of a Loan for Public Works and Services; and for other purposes.

(2.) Mr. Carruthers then presented a Bill, intituled "*A Bill to authorise the raising of a Loan for Public Works and Services; and for other purposes,*"—which was read a first time.

Ordered (after Debate) to be printed, and now read a second time.

(3.) Bill read a second time.

On motion of Mr. Carruthers, 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. Carruthers, the report was adopted.

Mr. Carruthers moved, "That" the Bill be now read a third time.

Mr. Holman moved, That the Question be amended by leaving out all the words after the word "That" and inserting the words "the Bill be recommitted for the reconsideration of Clause 4,"—instead thereof.

Debate ensued.

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

Question,—That the Bill be now read a third time,—put and passed.

(4.) Bill read a third time, and, on motion of Mr. Carruthers, *passed*.

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to authorise the raising of a Loan for Public Works and Services; and for other purposes.*"

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 authorise the raising of a Loan for Public Works and Services; and for other purposes,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20th December, 1904, a.m.

15. ADJOURNMENT :—Mr. Carruthers moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly, at twelve minutes after Four o'clock, a.m., until Two o'clock, p.m. This Day.

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

WILLIAM McCOURT,
Speaker.

New South Wales.

No. 49.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FIRST SESSION OF THE TWENTIETH PARLIAMENT.

TUESDAY, 20 DECEMBER, 1904.

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

QUESTIONS :—

(1.) Forage for Police Horses :—*Mr. John Hurley*, for *Mr. Eden George*, asked the Colonial Secretary,—

- (1.) What is the regulation allowance of forage for police horses?
- (2.) Has such allowance been recently reduced?

Mr. Hogue answered,—

- (1.) 8 lb. maize, 4 lb. bran, 12 lb. hay, 4 lb. straw.
- (2.) No; but Superintendents in charge of Districts are instructed every year that expenses for forage must be curtailed at all places where there are paddocks and plenty of grass during the summer months.

(2.) New Deeds Office :—*Mr. Estell*, for *Mr. Arthur Griffith*, asked the Colonial Secretary,—

- (1.) What has been the cost of the new Deeds Office?
- (2.) Are the buildings fire or burglar proof?
- (3.) If not, will he delay the removal of the Records till they are made so?
- (4.) What are the dimensions of the Search-room in which the Records are to be kept, and what is the difference between these dimensions and those of the Search-room at present in use?
- (5.) Is it not a fact that these offices have been erected despite repeated protests from the Registrar-General?
- (6.) When is it proposed to remove into the new offices?

Mr. Hogue answered,—

- (1.) £6,416.
- (2.) The portion of the whole scheme now erected is not fire-proof or burglar-proof in construction, these portions being left for future operations; but the new portion being isolated, the risks from fire are minimised.
- (3 and 6.) The removal will be made as soon as possible in order to afford additional accommodation for the Lands Titles Branch, which remains in the present building.
- (4.) It has not yet been decided where these Records shall be placed.
- (5.) No.

(3.) Nowra Common :—*Mr. Morton* asked the Secretary for Lands,—

- (1.) With reference to the proposed revocation of 637 acres 2 roods of land at Nowra, known as the Common, was any application made on behalf of any individual or body, or at whose instigation was it that the Department of Lands has decided to revoke the above Common?
- (2.) Was a report made by the Department; and, if so, will he make such report public?
- (3.) What are the reasons actuating the Department in making this change?

Mr. O'Connor answered,—

- (1.) Application has not been received by the Department for the revocation of the dedication.
- (2.) Reports furnished by the Local and District Surveyors showed that an adjustment of boundaries was necessary, as the fencing erected by the trustees (the Municipal Council of Nowra) excluded part (about 90 acres) of the area dedicated, whilst including small areas of other Crown lands.
- (3.) It has been decided to revoke the present dedication, and to notify as a reserve for public recreation an area of 585 acres, embracing practically the fenced land. An area of about 90 acres outside the fenced area is reported unnecessary for public recreation, and has been subdivided, with a view to sale after revocation of the dedication. The local Municipal Council has been informed of the Department's proposals, and has intimated agreement therewith.

(4.)

20th December, 1904.

(4.) Privately-owned Horse kept at Police Stables :—*Mr. Estell*, for *Mr. Dacey*, asked the Colonial Secretary,—

- (1.) Which officer of Police keeps a private horse at the Police Stables?
- (2.) How long has this horse been kept there?
- (3.) Upon how many occasions has this horse been ridden by the owner, whilst in uniform, upon duty?
- (4.) What is the estimated cost per week of feeding this horse?
- (5.) Is the whole, or nearly the whole, time of a certain police constable taken up in cleaning and exercising this horse?
- (6.) What is the name, rank, amount of pay per annum, including allowances, of the constable who attends this horse?
- (7.) What other police duties does this constable perform besides attending to this horse?
- (8.) Could not this expense be saved and the officer use one of the police horses upon the rare occasions he has to mount for duty?
- (9.) Under what Regulation or upon what authority is this horse maintained in this manner?

Mr. Hogue answered,—

- (1.) The Inspector-General.
- (2.) About twelve months.
- (3.) Once in uniform; about twice weekly in plain clothes.
- (4.) Under existing contract, about 6s. 2d.
- (5.) Yes, in this and other work. The Inspector-General of Police is entitled to, and has always been allowed, a batman.
- (6.) Constable McInnes; £136 per annum.
- (7.) Answered by No. 5.
- (8.) No; the Inspector-General of Police is entitled to draw forage in kind for two horses, but only keeps one, which he uses for official purposes. He provides his own horse, as he is expected to do.
- (9.) Upon the authority of the Government.

(5.) Property in Joint Tenancy :—*Mr. Levy* asked the Attorney-General and Minister of Justice,—

- (1.) Has the Government ever considered the advisableness of bringing in a Bill to get over the difficulty caused by the English decision of the Law Guarantee Society and Hunter v. Bank of England (L.R. 24, Q.B.D., at p. 411), which decides that a corporation cannot hold property in joint tenancy?
- (2.) Is he aware that this difficulty often occurs in the case of titles, and particularly where a testator wishes to appoint as trustees a private trustee in conjunction with one of the Trustee Companies?
- (3.) Is he aware that this difficulty was got over in England in 1899 by the Act 62 and 63 Vic., c. 20?
- (4.) Will the Government consider the advisableness of introducing a similar Bill, or afford facilities to a private Member for doing so?

Mr. Wade answered,—I have already had a Bill prepared to deal with this matter. Owing to the congestion of business it has not been possible to introduce it this Session, but I hope to do so next Session.

(6.) Statute Law Revision Bill, 1903 :—*Mr. Levy* asked the Attorney-General and Minister of Justice,—

- (1.) Will he consider the advisableness of having restored to the Business Paper, with a view to its being passed into law, the Statute Law Revision Bill, 1903, which was passed by the Legislative Council in November, 1903?
- (2.) Will he consider the advisableness of having the other measures drafted by Judge Heydon as Consolidator duly passed, so that the consolidation of the Statute Law may be completed?

Mr. Wade answered,—The advisableness of taking the course suggested has been under consideration, and I will give the matter further consideration before next Session.

(7.) Authority granted to Messrs. G. H. Tellefsen and H. Wyborn in respect of Land at Port Macquarie :—*Mr. Davidson* asked the Secretary for Mines,—

- (1.) Has an Authority, No. 1,097, under the 28th section of the Mining Act, 1874, been granted to Messrs. G. H. Tellefsen and H. Wyborn in respect of land at Port Macquarie?
- (2.) When did the labour conditions under such Authority commence?
- (3.) How many men were required to be employed under such Authority?
- (4.) Have the required number of men been continuously employed under such Authority; if not, during what period were they not so employed?
- (5.) Has a complaint of the non-observance of the labour conditions of such Authority been lodged, and was such complaint disallowed?
- (6.) On what grounds was the complaint disallowed?
- (7.) Before disallowing the complaint, was any inquiry made into the facts of the case; if so, by whom, and with what result?
- (8.) Has *Mr. Tellefsen* made application—No. 76, Kempsey—to lease a portion of the land comprised in Authority No. 1,097, and what is the date of such application?
- (9.) Has the Department of Mines formulated certain conditions to be agreed to, or complied with, by the applicant, prior to granting the lease?
- (10.) Has the applicant agreed to or complied with those conditions; if so, when?
- (11.) Has the lease been granted; if so, when; if not, why not?
- (12.) Has *Mr. Tellefsen* made another application, subsequently to No. 76, Kempsey, for another portion of the land comprised in Authority No. 1,097; if so, on what date?
- (13.) If the last-named application be granted, will the practice of his Department enable *Mr. Tellefsen* to evade any of the conditions proposed in respect of Application No. 76, Kempsey?

(14.)

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(14.) Is it a fact that permission was granted to suspend observance of the labour conditions of Authority No. 1,097, pending the granting of Application No. 76, Kempsey, or any subsequent application, to lease any portion of the land comprised in such Authority?

Mr. Moore answered,—

(1.) Yes; Authority No. 1,097 was granted to Gunder Tellefsen and Horace Wyborn.

(2.) 1st June, 1897.

(3.) Two (2).

(4.) The condition as to employment was suspended for two months from 7th September, 1901; for four months from 7th November, 1901; for five days from 9th October, 1903; from 15th December, 1903, until settlement of Equity case then pending; from 30th May, 1904, until application for Mineral Lease No. 73, Kempsey, be granted or refused.

(5, 6, and 7.) Yes. By reports received from the Warden and Inspector of Mines it was shown to the satisfaction of the Minister that, as no surface occupation was allowed under the Authority, the area could not be worked; and as the Authority-holders were applying for a lease of part of the area to acquire a right to the surface thereof, the complaint was disallowed, and the labour conditions suspended until the application for lease was either granted or refused. No formal inquiry was held.

(8.) Yes; 30th September last.

(9.) Not in connection with the application mentioned—No. 76. This application was refused—*vide Government Gazette* of 13th December last.

(10 and 11.) See answer to No. 9.

(12.) No.

(13.) See answers to Nos. 9 and 12.

(14.) See answer to Nos. 5, 6, and 7.

(8.) Old-age Pensions:—Mr. Jones asked the Colonial Treasurer,—

(1.) Is it the intention of the Government to reduce the maximum expenditure for old-age pensions to a given amount per year?

(2.) Have instructions been issued to Local Boards pointing out the necessity of keeping the expenditure under this head as low as possible?

(3.) Is he aware that many persons who have been up till now getting a pension have had same cancelled because they could not produce proof of age?

(4.) Is he further aware that no official birth registrations were kept in England, Ireland, or Scotland sixty years ago, but only parish registers, and that, therefore, it is impossible for many people to procure the necessary proof of age as required?

(5.) Will he, in view of this fact, instruct the Boards that a statutory declaration, or other reasonable evidence, by pensioners on the point may be accepted as sufficient?

(6.) Will he also instruct the Boards that in cases where pensions have been disallowed because proof of age was not forthcoming, the applicants be notified that the statutory declaration or other evidence referred to in the previous Question will be accepted?

Mr. Dick answered,—

(1.) The matter has not been considered.

(2.) No special instructions have been given, but naturally administration should be economical.

(3.) No. Pensions have been cancelled where claimants were obviously under age, and they have also been refused where the age has not been proved, and where physical appearance or some existing record indicated that the claimant was not of the statutory age.

(4.) Yes; but the Boards do not insist on the production of a Birth Registration where it is difficult or impossible to obtain it, though clear proof of age of some kind is required.

(5.) The Boards never refuse reasonable evidence as to age or any other matter tendered by pensioners; but a statutory declaration of age by the person interested is not considered to be of great value. The Boards have known of very many instances where persons have made statutory declarations that they are of full age, and yet have been proved by incontestable evidence to be under age.

(6.) The Boards have already been instructed with regard to the amount of weight which should be attached to a statutory declaration and other evidence which may be brought before them.

2. PAPERS:—

Mr. Carruthers laid upon the Table,—

(1.) Report of the Public Service Board in connection with the Inquiry into the General Working of the Electoral Office and defects in the Electoral Acts.

Ordered to be printed.

(2.) Minutes of Evidence and Appendices to the Report of the Inquiry into the General Working of the Electoral Office and defects in the Electoral Acts.

Referred by Sessional Order to the Printing Committee.

(3.) Explanation of the proposed Local Government Bill.

Ordered to be printed.

Mr. Wade laid upon the Table,—Public Service List for the year 1904.

Referred by Sessional Order to the Printing Committee.

Mr. Lee laid upon the Table,—Report of the Completion of the Extension of Munni-street Stormwater Channel, Union-street Branch.

Referred by Sessional Order to the Printing Committee.

Mr. Hogue laid upon the Table,—

(1.) Report on the Fisheries and Oyster Fisheries of New South Wales for the year 1903 (Part 1).

(2.) Report of the National Park Trust for the year ended 30th June, 1904.

Referred by Sessional Order to the Printing Committee.

20th December, 1904.

3. HOUR OF MEETING—*Sessional Order (Formal Motion)*:—Mr. Carruthers moved, pursuant to Notice, That on Wednesday next this House shall meet for the despatch of Business at half-past Ten o'clock, a.m.
Question put and passed.
4. SYDNEY ABATTOIRS BILL:—Mr. Hogue moved, pursuant to Notice, That this House will, on its next sitting day, resolve itself into a Committee of the Whole to consider the expediency of bringing in a Bill to enable the Municipal Council of Sydney to establish and maintain a Public Abattoir or place for the slaughter of cattle; to regulate the slaughter, skinning, scalding, and dressing of cattle within such city, or within 14 miles thereof; to enable the said Council to establish a meat market; to acquire, resume, and hold land, and erect buildings and works, and to raise by debentures a sum not exceeding £200,000; to amend the Sydney Abattoir and Nuisances Prevention Act, 1902, and the Cattle Slaughtering and Diseased Animals and Meat Act, 1902; and for purposes consequent thereon or incidental thereto.
Question put and passed.
5. LOCAL GOVERNMENT COMMISSIONERS BILL:—The Order of the Day having been read,—Mr. Dick moved, That this Bill be “now” read a second time.
Debate ensued.
Mr. O’Sullivan moved, That the Question be amended by leaving out the word “now” and adding at the end thereof the words “this day six months.”
Debate continued.
Mr. McGowen moved, That this Debate be now adjourned.
Question put and passed.
Ordered, That the Debate be adjourned until To-morrow.
6. MUNICIPALITIES ELECTRIC LIGHT BILL:—The Order of the Day having been read,—Mr. Carruthers 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. Hogue, 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. Hogue, the report was adopted.
Ordered, That the Bill be read a third time at a later hour of the day.
7. PRINTING COMMITTEE:—Mr. McFarlane, as Chairman, brought up the Thirteenth Report from the Printing Committee.
8. FERTILIZERS BILL:—
(1.) The Order of the Day having been read,—on motion of Mr. Moore, 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 the sale and prevent the adulteration of fertilizers.
Mr. Speaker resumed the Chair; and Mr. Jessep, Temporary Chairman, reported that the Committee had come to a resolution.
Ordered, on motion of the Temporary Chairman, that the report be now received.
The Temporary Chairman then reported the resolution, which was read a first time, as follows:—
Resolved,—That it is expedient to bring in a Bill to regulate the sale and prevent the adulteration of fertilizers.
On motion of Mr. Moore, the resolution was read a second time, and agreed to.
- (2.) Mr. Moore then presented a Bill, intituled “*A Bill to regulate the sale and prevent the adulteration of fertilizers*,”—which was read a first time.
Mr. Moore moved, That the Bill be printed, and now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.
On motion of Mr. Moore, 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 Mr. Jessep, Temporary Chairman, reported the Bill, with amendments.
On motion of Mr. Moore, the report was adopted.
Ordered, That the Bill be read a third time at a later hour of the day
9. MUNICIPALITIES ELECTRIC LIGHT BILL:—The Order of the Day having been read,—Mr. Hogue moved, “That” this Bill be now read a third time.
Mr. Norton moved, That the Question be amended by leaving out all the words after the word “That,” and inserting the words “the Bill be recommitted for the reconsideration of Clause 5,”—instead thereof.
Question,—That the words proposed to be left out stand part of the Question,—put.

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The House divided.

Ayes, 40.

Mr. Levy,	Mr. Winchcombe,
Mr. Ashton,	Mr. John Hurley,
Mr. Moore,	Mr. Donaldson,
Mr. Carruthers,	Mr. Perry (<i>L'pool Plains</i>),
Mr. Jessep,	Mr. McFarlane,
Dr. Arthur,	Mr. R. J. Anderson,
Mr. Lee,	Mr. Mackenzie,
Mr. Hogue,	Mr. Ball,
Mr. Kelly,	Mr. Alan Millard,
Mr. Eden George,	Mr. Gillies,
Mr. Davidson,	Mr. Booth,
Mr. Waddell,	Mr. McLaurin,
Mr. Cohen,	Mr. Law,
Mr. Wadc,	Mr. Thomas,
Mr. Coleman,	Mr. Walter Anderson,
Mr. Fallick,	Mr. Wood.
Mr. Mahony,	<i>Tellers,</i>
Mr. Downes,	
Mr. Fell,	Mr. Collins,
Mr. Nobbs,	Mr. Morton.
Mr. Latimer,	
Mr. Oakes,	

Noes, 20.

Mr. Jones,
Mr. Thrower,
Mr. Macdonell,
Mr. Sullivan,
Mr. Estell,
Mr. Holman,
Mr. McNeill,
Mr. O'Sullivan,
Mr. Briner,
Mr. W. W. Young,
Mr. Norton,
Mr. Smith,
Mr. Nicholson,
Mr. Cann,
Mr. Gardiner,
Mr. Charlton,
Mr. Edden,
Mr. Hollis.
<i>Tellers,</i>
Mr. Meehan,
Mr. Scobie.

And so it was resolved in the affirmative.

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

Bill read a third time, and, on motion of Mr. Hogue, *passed*.Mr. Hogue then moved, That the Title of the Bill be "*An Act to provide for the lighting by electricity of municipalities; to apply the provisions of the Municipalities Act, 1897, relating to municipal gasworks and gas to municipal electric light works and electricity; and for other purposes.*"

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 provide for the lighting by electricity of municipalities; to apply the provisions of the Municipalities Act, 1897, relating to municipal gasworks and gas to municipal electric light works and electricity; and for other purposes,*"—with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

*Legislative Assembly Chamber,
Sydney, 20th December, 1904.*

MUNICIPALITIES ELECTRIC LIGHT BILL.

Schedule of the Amendments referred to in Message of 20th December, 1904.

RICH. A. ARNOLD,

Clerk of the Legislative Assembly.

Page 2, clause 4. *Omit clause 4.*Page 2, clause 5, line 8. *After "erection" insert "or purchase"*

Examined,—

W. P. CRICK,

Chairman of Committees.

10. FERTILIZERS BILL:—The Order of the Day having been read,—Mr. Moore moved, That this Bill be now read a third time.

Question put and passed.

Bill read a third time, and, on motion of Mr. Moore, *passed*.Mr. Moore then moved, That the Title of the Bill be "*An Act to regulate the sale and prevent the adulteration of fertilizers.*"

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 sale and prevent the adulteration of fertilizers,*"—presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 20th December, 1904.*

11. DENTAL HOSPITALS UNION BILL:—The Order of the Day having been read, for the resumption of the adjourned Debate, on the motion of Mr. Hogue, "That this Bill be now read a second time,"—And the Question being again proposed,—

The House resumed the said adjourned Debate.

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

Bill read a second time.

On motion of Mr. Carruthers, 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 Mr. Scobie, Temporary Chairman, reported the Bill, with an amendment.

On motion of Mr. Carruthers, the report was adopted.

Ordered, That the Bill be read a third time at a later hour of the day.

20th December, 1904.

12. 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 authorise the raising of a Loan for Public Works and Services ; and for other purposes,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 20th December, 1904.

F. B. SUTTON,
President.

13. DENTAL HOSPITALS UNION BILL :—The Order of the Day having been read,—Mr. Carruthers moved, That this Bill be now read a third time.

Question put and passed.

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

Mr. Carruthers then moved, That the Title of the Bill be "*An Act to provide for the union of the University Dental Hospital and the Dental Hospital of Sydney ; and for purposes consequent thereon or incidental thereto.*"

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 provide for the union of the University Dental Hospital and the Dental Hospital of Sydney ; and for purposes consequent thereon or incidental thereto,*"—with the amendment indicated by the accompanying Schedule, in which amendment the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Sydney, 20th December, 1904.

DENTAL HOSPITALS UNION BILL.

Schedule of the Amendment referred to in Message of 20th December, 1904.

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

Page 1, clause 2, line 12. *After "Sydney" insert "and shall be only for the gratuitous treatment of the necessitous poor."*

Examined,—

ROB. SCOBIE,
Temporary Chairman of Committees.

14. SPECIAL ADJOURNMENT :—Mr. Carruthers (*by consent*) moved, without Notice, That this House at its rising This Day, do adjourn until 4 o'clock To-morrow.
Question put and passed.

15. MESSAGES FROM THE LEGISLATIVE COUNCIL :—Mr. Speaker reported the following Messages from the Legislative Council :—

- (1.) Fertilizers Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to regulate the sale and prevent the adulteration of fertilizers,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 20th December, 1904.

F. B. SUTTON,
President.

- (2.) Stamp Duties (Deductions) Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to allow deduction from stamp duty of the amount of duty payable in the United Kingdom in respect of property therein situate ; to amend the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Companies (Death Duties) Act, 1901 ; and for other purposes,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 20th December, 1904.

F. B. SUTTON,
President.

- (3.) 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 from the 1st day of July, 1904, to the 30th day of June, 1905, inclusive of both dates ; to adjust the vote 'Advance to Treasurer, 1903-1904,' for supplementary charges during the period from 1st July, 1903, to 30th June, 1904, inclusive of both dates ; and for purposes connected with and incidental to the above objects,*"—returns the same to the Legislative Assembly without amendment.

The Legislative Council, in agreeing to this Bill, deems it necessary to enter its protest against the reduction which has been made in the Estimates for the salaries of the President and certain Officers of the Council, which were furnished by this House to the Government, and laid before

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

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before the Assembly, because it is an invariable rule in analogous cases in England that the Estimates of the House of Lords are passed without alteration by the Treasury and House of Commons, there being an unwillingness to canvass the details of accounts submitted by one of the branches of the Legislature. It is also respectfully suggested that, prior to the next Session, the Honorable the President and the Honorable the Speaker should confer so as to arrive at some definite understanding with respect to the Parliamentary Estimates, with a view to subsequent legislative enactment for placing the salaries of the Officers connected with Parliament on a satisfactory permanent basis.

Legislative Council Chamber,
Sydney, 20th December, 1904.

F. B. SUTTON,
President.

(4.) Dental Hospitals Union 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 provide for the union of the University Dental Hospital and the Dental Hospital of Sydney; and for purposes consequent thereon or incidental thereto.*"

Legislative Council Chamber,
Sydney, 20th December, 1904.

F. B. SUTTON,
President.

16. CLOSER SETTLEMENT 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 repeal the Closer Settlement Act, 1901; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands; to constitute and appoint authorities for reports and other purposes under this Act; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands; to apply certain of the provisions of the Crown Lands Acts, and of the Acts to be read and construed therewith, for the purpose of regulating closer settlement under this Act; and to amend the Crown Lands Acts.*"—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 December, 1904.

F. B. SUTTON,
President.

CLOSER SETTLEMENT BILL.

Schedule of the Amendments referred to in Message of 20th December, 1904.

JOHN J. CALVERT,
Clerk of the Parliaments.

- Page 4, clause 8, line 10. After "may" insert "if agreed to by the owner"
- Page 4, clause 12, line 27. Omit "fifteen" insert "twenty"
- Page 5, clause 14, line 10. Omit "one" insert "four"
- Page 5, clause 16, line 30. After "Board" insert "Provided that in the event of the owner being dissatisfied with the determination of the Closer Settlement Board in this respect, he shall be entitled to waive the exercise of his right of retainer by notifying the Minister to that effect within one week of such determination"
- Page 6, clause 18, line 4. After "owner" insert "or mortgagee"
- Page 6, clause 18, line 4. Omit "he" insert "either or both"
- Page 6, clause 21. At end of clause add "Provided that if the land be under mortgage the amount due thereunder shall be paid to the mortgagee"
- Page 9, clause 30, lines 30 and 31. Omit "Provided that this section shall not apply to a transfer by way of mortgage"
- Page 9, clause 30. At end of clause add "Provided that,—
" (1.) This section shall not apply to transfers by way of mortgage.
" (2.) If a settlement purchase devolve under a will or intestacy upon a person who is not qualified under this Act to hold the same, such person may nevertheless hold such purchase for a period of three years or such further period as the Minister may permit, and if before the expiration of such period or periods the said person shall become qualified as aforesaid, such person shall be deemed to have been so qualified as from the date of such devolution."
- Page 10, clause 32, line 6. Omit "twelve months" insert "two years"
- Page 10, clause 32, lines 14 and 15. Omit "under section twenty-six of this Act"
- Page 10, clause 32, line 15. Omit "hereunder" insert "under this Act"
- Page 10, clause 32, line 16. Omit "such"
- Page 10, clause 32, line 16. After "sale" insert "within such period or periods"
- Page 14, clause 48, line 5. After "holdings" omit remainder of clause insert "Provided that the Land Board may, on application as prescribed, and accompanied by the prescribed deposit made by any of the owners of such holdings, give permission to alter or vary the position of such fence."

Examined,—

W. J. TRICKETT,
Chairman of Committees.

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Ordered,

20th December, 1904.

Ordered by Mr. Speaker; That the amendments made by the Legislative Council in this Bill be taken into consideration forthwith.

Whereupon on motion of Mr. Ashton, 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. Ashton, 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 repeal the Closer Settlement Act, 1901; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands; to constitute and appoint authorities for reports and other purposes under this Act; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands; to apply certain of the provisions of the Crown Lands Acts, and of the Acts to be read and construed therewith, for the purpose of regulating closer settlement under this Act; and to amend the Crown Lands Acts.*"

Legislative Assembly Chamber,
Sydney, 20th December, 1904.

17. MUNICIPALITIES ELECTRIC LIGHT 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 provide for the lighting by electricity of municipalities; to apply the provisions of the Municipalities Act, 1897, relating to municipal gasworks and gas to municipal electric light works and electricity; and for other purposes.*"

Legislative Council Chamber,
Sydney, 20th December, 1904.

F. B. SUTTON,
President.

And the House continuing to sit after Midnight,—

WEDNESDAY, 21 DECEMBER, 1904, A.M.

18. ADJOURNMENT:—Mr. Carruthers moved, That this House do now adjourn.
Debate ensued.
Question put and passed.

The House adjourned accordingly, at twenty-eight minutes after Twelve o'clock, a.m., until *Four* o'clock, p.m., This Day.

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

WILLIAM McCOURT,
Speaker.



PROCLAMATION

NEW SOUTH WALES,
to wit.

(L.S.)

HARRY H. RAWSON,
Governor.

By His Excellency Sir HARRY HOLDSWORTH RAWSON, Admiral in the Royal Navy, Knight Commander of the Most Honorable Order of the Bath, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

WHEREAS by an Act passed in the second year of the Reign of His Majesty King Edward the Seventh, being "An Act to Consolidate the Acts relating to the Constitution," it is amongst other things enacted that the Governor of New South Wales may prorogue the Legislative Council and Assembly thereof from time to time: And whereas it is expedient to prorogue the said Council and Assembly: Now, therefore, I, Sir HARRY HOLDSWORTH RAWSON, the Governor aforesaid, in pursuance of the power and authority so vested in me, do hereby prorogue the said Legislative Council and Assembly until Tuesday, the thirty-first day of January next, and the same stand so prorogued accordingly.

Given under my Hand and Seal, at Sydney, this twenty-first day of December, in the year of our Lord one thousand nine hundred and four, and in the fourth year of His Majesty's Reign.

By His Excellency's Command,

J. A. HOGUE.

GOD SAVE THE KING!

1904.
(SECOND SESSION).

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BUSINESS UNDISPOSED OF AT THE CLOSE OF THE SESSION.

(PROROGUED, 21 DECEMBER, 1904.)

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Abattoirs Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to enable the Municipal Council of Sydney to establish and maintain a Public Abattoir or place for the slaughter of cattle ; to regulate the slaughter, skinning, scalding, and dressing of cattle within such city, or within 14 miles thereof ; to enable the said Council to establish a meat market ; to acquire, resume, and hold land, and erect buildings and works, and to raise by debentures a sum not exceeding £200,000 ; to amend the Sydney Abattoir and Nuisances Prevention Act, 1902, and the Cattle Slaughtering and Diseased Animals and Meat Act, 1902 ; and for purposes consequent thereon or incidental thereto. [*Mr. Hogue.*]
2. Local Government Commissioners Bill ; resumption of the adjourned Debate, on the motion of Mr. Dick, "That this Bill be 'now' read a second time," upon which Mr. O'Sullivan had moved, That the Question be amended by leaving out the word "now" and adding at the end thereof, the words "this day six months."
3. Supply ; resumption of the Committee. [*Mr. Carruthers.*]
4. Ways and Means ; resumption of the Committee. [*Mr. Carruthers.*]
5. Constitution Amending Bill ; second reading. [*Mr. Carruthers.*]

GENERAL BUSINESS—NOTICES OF MOTIONS:—

1. MR. BROUGHTON to move,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the suspension and claims of Robert Roberts, late bookbinder in the Registrar-General's Department.
 - (2.) That such Committee consist of Mr. Hogue, Mr. Booth, Mr. John Hurley, Mr. Kelly, Mr. Jones, Mr. Smith, Mr. Collins, Mr. Briner, Mr. Levy, and the Mover.
 - (3.) That the Report, together with Minutes of Proceedings and Evidence of the Select Committee of Session 1902, be referred to such Committee.
2. MR. NIELSEN to move, That, in the opinion of this House, the importance of the mining industry demands that competent mining wardens should be appointed, whose sole duty should be to administer the mining laws of the State ; and that such wardens, before being appointed, should be required to pass an examination showing their fitness for the position.
3. MR. HOLLIS to move, That the Report from the Select Committee on "Case of Henry Harding, W. S. "Stead, and Others—Certificate of Title," brought up on 14th December, 1904, be now adopted.
4. MR. MCFARLANE to move, That, in the opinion of this House, it is desirable that the proposed railway from Maitland to South Grafton should be constructed with as little delay as possible, the work of construction to commence, if not at both ends of the line simultaneously, at the Grafton end, for the reasons that the construction of the railway will lead to (a) the occupation and profitable use of the Crown lands in the North Coast districts awaiting settlement, which, including reserves, comprise 2,860,000 acres, well watered by rivers and creeks, and by a regular and heavy rainfall, and for the most part suitable for dairying or mixed farming, and, in the case of the Dorrigo and the Comboyne country, for cultivation, and containing extensive forests of marketable timber ; (b) increased trade to and from the North Coast rivers, at the entrances to which costly harbour works have been constructed ; and (c) the more profitable working of the section of the North Coast railway already in existence between Murwillumbah and Casino, and that shortly to be completed and opened between Casino and Grafton.
5. MR. ARTHUR GRIFFITH to move, That, in the opinion of this House, a concession of cheap holiday fares, similar to that granted to the pupils attending properly registered schools, should be extended to the teachers and their wives.

6. MR. GILLIES to move, That, in view of the large number of works already approved of by the Public Works Committee, and in some cases authorised by Parliament for construction, though not commenced, and the large sums expended on fees and expenses to Members of Parliament—mostly non-experts,—it is desirable that no works of any kind be remitted to such body in the future, pending a repeal of the Public Works Act as affecting the composition of the Public Works Committee.
7. MR. SULLIVAN to move,—
 (1.) That a Select Committee be appointed to inquire into and report upon the claim of John MacRae for an old-age pension.
 (2.) That such Committee consist of Mr. Hogue, Mr. Dacey, Mr. Broughton, Mr. Scobie, Mr. Jessep, Mr. Collins, and the Mover.
8. MR. SULLIVAN to move,—
 (1.) That a Select Committee be appointed to inquire into and report on the alleged claims of Thomas G. Wright against the Inspector-General of Police's Department.
 (2.) That such Committee consist of Mr. Hogue, Mr. John Hurley, Mr. Winchcombe, Mr. Fallick, Mr. W. W. Young, Mr. Richards, Mr. O'Sullivan, Mr. Dacey, and the Mover.
9. MR. PERRY (*The Richmond*) to move, That, in the opinion of this House,—
 (1.) The imposition of wharfage rates on the products of the Commonwealth is opposed to the interests of the producers of this State, and should be forthwith abolished.
 (2.) In order to make good the revenue relinquished by the foregoing there should be imposed—
 (a) a business license on all German traders doing business in the ports of Sydney and Newcastle;
 (b) a tonnage rate of £1 per ton on all German-owned vessels entering any port of this State;
 (c) a wharfage rate of 5 per cent. on the value of all German manufactures and products landed or transhipped in any port of this State.
10. MR. LEVY to move, That, in the opinion of this House, in the interests of the citizens of this State, it is advisable to urge upon the Prime Minister of the Commonwealth the necessity of taking some decisive action in reference to the severe restrictions recently imposed upon British vessels trading with the German Possessions in the South Sea Islands.
11. MR. HENLEY to move; That there be laid upon the Table of this House a return showing,—
 (1.) The number of vessels and their total registered tonnage of freight, intercolonial or inter-State steamers, that were surveyed and received their deep-sea going certificates in Sydney in the year 1903 and each of the five previous years.
 (2.) The number of vessels belonging to Sydney, and their registered tonnage, that were lost in 1903 and in each of the previous five years.
 (3.) Their names, and how many lives were lost in each.
 (4.) The number of men employed in the Department of Navigation, and the total salaries paid for each of the above periods.
 (5.) The cost in connection with Courts of Marine Inquiry, including witnesses' expenses, counsels' fees, fees to assessors, &c, during each respective period.
12. MR. BRINER to move, That, in the opinion of this House, it is desirable that Electors' Rights should be abolished.
13. MR. LEVY to move,—
 (1.) That a Select Committee be appointed to inquire into and report upon the control, management, and condition of the public parks in and around the city of Sydney.
 (2.) That such Committee consist of Mr. Ashton, Mr. Broughton, Mr. Jessep, Mr. Kelly, Mr. Latimer, Mr. Oakes, Mr. O'Sullivan, Mr. Smith, Mr. Winchcombe, and the Mover.
14. MR. BROUGHTON to move,—
 (1.) That a Select Committee be appointed to inquire into and report upon a certain claim or demand alleged by Mr. E. Ambrose against the Railway Commissioners.
 (2.) That such Committee consist of Mr. Carruthers, Mr. John Hurley, Mr. Law, Mr. Hollis, Mr. Kelly, Mr. Jones, Mr. Waddell, Mr. Smith, Mr. Booth, and the Mover.
15. MR. LEVY to move, That, in the opinion of this House, it is desirable that a Royal Commission should be appointed, with extensive powers, to inquire into and report upon the subject of Law Reform for the State of New South Wales.
16. MR. DALEY to move, That, in the opinion of this House, the Government should take some steps towards the remodelling of the resumed "Rocks" area, in order to provide suitable accommodation for the inhabitants of that area.
17. MR. BRINER to move,—
 (1.) That, in the opinion of this House,—
 (1.) The existing system of party Government does not provide for any clear expression of public opinion upon definite issues.
 (2.) The Constitution should be so amended as to provide (a) That every Parliamentary representative be elected by an absolute majority of votes polled; (b) that, upon the assembling of Parliament after each General Election, each and every Minister shall be elected by a majority of the Whole House, and shall hold his portfolio only so long as he retains the confidence of a majority of Members of the House.
 (2.) That the above resolutions be communicated by Address to His Excellency the Governor.

18. MR. BOOTH to move, That, pursuant to Mounted Police Sergeant Stafford's petition, presented on 4th December, 1902, in the opinion of this House, the Premier should name a date on which counsel will be heard at the Bar of this House as prayed for, with a view to furnishing this Honorable House with the following facts for its decision, viz. :—(1) That the reports made behind the back of the Select Committee are not valid reasons for withholding payments (justly due to petitioner. (2) That the contents of said petition and the findings of the Select Committee are fully borne out by the evidence and papers in petitioner's case. (3) That the reports entered on petitioner's defaulter's sheet, and submitted to the Select Committee, were absolutely unfounded and misleading. (4) That the evidence and findings of the Select Committee (adopted by Parliament) acquitted petitioner on all counts of the indictment submitted to the Select Committee; and that under and by virtue of his agreement he is legally within his right in designating himself a Police Sergeant until he is superannuated and legally discharged, as provided for by the Police Regulations Act of 1862.
19. MR. DALEY to move, That leave be given to bring in a Bill to more effectually cope with the practice of gaming, and legalise an instrument known as the Totalizator on racecourses, subject to certain restrictions and regulations.
20. MR. BRINER to move,—
 (1.) That a Select Committee be appointed to inquire into and report upon all matters connected with the application for the reappraisal of George Hardacre's conditional purchase 89-29, Grafton.
 (2.) That such Committee consist of Mr. Ashton, Mr. McLaurin, Mr. Perry (*Liverpool Plains*), Mr. Smith, Mr. Jones, Mr. Morton, Mr. W. W. Young, Mr. Davidson, and the Mover.
21. MR. LEVY to move, That, in the opinion of this House, it is desirable that a Royal Commission should be appointed to inquire into and report upon the subject of remodelling the law relating to the machinery and conduct of Parliamentary Elections in the State of New South Wales.
22. MR. O'SULLIVAN to move,—
 (1.) That a Select Committee be appointed to inquire into the alleged abuses, injustices, and hardships in connection with the system of old-age pensions.
 (2.) That such Committee consist of Mr. Carruthers, Mr. Levien, Mr. Briner, Mr. Donaldson, Mr. Alan Millard, Mr. Reynoldson, Mr. Creswell, Mr. McNeill, Mr. Kelly, and the Mover.
23. DR. ARTHUR to move, That, in the opinion of this House,—
 (1.) It is inexpedient that any further loans should be incurred for public works, except to complete those already in progress.
 (2.) In future, all public works should be constructed out of the proceeds of the sale of Crown lands.
 (3.) Any deficiency in the Consolidated Revenue caused by the withdrawal of these proceeds should be met by further economies or by increased taxation.
24. MR. BROUGHTON to move, That, in the opinion of this House, the administration of the Old-age Pensions Act is defective.
25. MR. BALL to move, That, in the opinion of this House, no country Crown lands should be disposed of by public auction.

ORDERS OF THE DAY:—

1. Sydney Diocesan Revenues Bill (*Council Bill*); second reading. [*Mr. Fell.*]
2. Judicature Bill; second reading. [*Mr. Cohen.*]
3. Licensing of Money Lenders and Registration of Time-payment Agreements Bill; consideration in Committee of the Whole of the expediency of bringing in a Bill to provide for the licensing of money-lenders; regulating the interest charged by them, and to provide for the registration of time-payment agreements and leases of personalty. [*Mr. Nielsen.*]
4. Municipalities Building Bill; second reading. [*Mr. Henley.*]
5. Smoke Nuisance Abatement (Amendment) Bill (*Council Bill*); second reading. [*Mr. Carruthers.*]
6. Destitute Children's Society Vesting Bill; resumption of the adjourned Debate, on the motion of Mr. Storey, "That this Bill be now read a second time."
7. Property Detention Bill (No. 2); consideration in Committee of the Whole of the expediency of bringing in a Bill to amend the law in relation to detention of goods in respect to time-payment agreements, and to make better provision on the hearing of cases with reference to the detention of property heard before Magistrates, and the amending of the 32nd section of the Police Offences Act of 1901, in respect of balances due on such agreements, and the registration of all time-payment agreements; and also amendment of the Justices Act of 1902. [*Mr. Levien.*]
8. City Bank Act Extension Bill (*Council Bill*); second reading. [*Mr. Waddell.*]
9. Municipal District of Cowra Reduced Area Bill (*as agreed to in Select Committee*); second reading. [*Mr. Waddell.*]
10. Municipal District of Tenterfield Reduced Area Bill; second reading. [*Mr. Lee.*]
11. Mining on Private Lands; resumption of the Debate, on the motion of Mr. Nielsen, "That, in the opinion of this House, the Mining on Private Lands Act should be amended to provide for the issue of private lands mining licenses, such licenses to entitle the holder thereof to occupy private lands for mining purposes under similar conditions as are prescribed in the mining laws for the occupation of Crown lands by holders of miner's rights, and to provide that the onus of notifying the authority charged with the assessment of damages shall rest with the landowner"

12. Workmen's Compensation Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to make better provision for the payment of compensation to workmen for accidental injuries suffered in the course of their employment ; to amend the Employers' Liability Act, 1897 ; and for purposes consequent on, or incidental to, those objects. [Mr. Levy.]
13. Borough of the Glebe Electric Lighting Bill ; second reading. [Mr. Hogue.]
14. Patent Medicines Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to regulate the sale of patent and quack medicines, medicinal and quack surgical goods and appliances, which may in any way affect the health of the community. [Mr. Daley.]
15. Public Service Employees Appeal Bill ; second reading. [Mr. Levy.]
16. Extension of Tram System from Harris-street to Rozelle and Balmain ; resumption of the Debate, on the motion of Mr. Law, "That, in the opinion of this House, it is desirable that a double line of the electric tram system should be extended from Harris-street along Miller and Bank streets, across Glebe Island bridge, joining the present system at Evans-street, Rozelle, with a branch line along Mullins and Montague streets to the Balmain Post Office."
17. Pawnbrokers (Amendment) Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to regulate the payment of interest to pawnbrokers ; and to amend the Pawnbrokers Act of 1902. [Mr. Daley.]
18. Landlord and Tenant (Security of Tenure) Bill ; further consideration in Committee of the Whole of the expediency of bringing in a Bill to amend the Landlord and Tenant Act of 1899, with a view to providing security of tenure for the occupiers of premises used for any trade or business. [Mr. Arthur Griffith.]
19. Property Detention Bill ; second reading. [Mr. Levien.]
20. Public Instruction Act Amendment (Abolition of Fees) Bill ; consideration in Committee of the Whole of the expediency of bringing in a Bill to abolish payment of fees in State Schools. [Mr. John Hurley.]
21. Judges Pensions Abolition and Duties Bill ; second reading. [Mr. Waddell.]

Legislative Assembly Office,
Sydney, 21 December, 1904.

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

1904.
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ATTENDANCES OF MEMBERS IN DIVISIONS AND COUNTS-OUT
DURING THE SESSION OF 1904.

	Divisions in the House.	Divisions in Committee.	Counts-out.	Total.
Anderson, Rowland Joseph, Esq.	31	58	1	90
Anderson, Walter, Esq.	33	52	1	86
Arthur Richard, Esq., M.D.	31	37	1	69
Ashton, The Hon. James, Esq.	33	60	1	94
Ball, Richard Thomas, Esq.	28	47	.....	75
Bennett, Walter, Esq.	13	13	.....	26
Booth, Robert, Esq.	32	51	1	84
Briner, George Stuart, Esq. (<i>Temporary-Chairman of Committees</i>)	24	30	.....	54
Broughton, Ernest Clement Vernon, Esq.	14	17	1	32
Burgess, George Arthur, Esq.	25	33	.....	58
Cann, John Henry, Esq.	28	43	.....	69
Carruthers, The Hon. Joseph Hector, Esq.	25	53	.....	78
Charlton, Matthew, junior, Esq.	34	61	.....	95
Cohen, John Jacob, Esq.	30	54	.....	84
Coleman, John William, Esq.	25	55	.....	80
Collins, Albert Ernest, Esq.	29	57	.....	86
Creswell, Thomas Edgar, Esq.	23	52	1	76
Crick, William Patrick, Esq. (<i>Chairman of Committees</i>)	15	2	.....	17
Dacey, John Rowland, Esq.	18	35	.....	53
Daley, William Michael, Esq.	25	29	.....	54
Davidson, Robert, Esq.	26	56	.....	82
Dick, The Hon. William Thomas, Esq.	23	48	1	77
Donaldson, Robert Thomas, Esq.	25	54	.....	79
Downes, Frederick William Arthur, Esq.	19	53	1	73
Edden, Alfred, Esq.	26	26	.....	52
Estell, John, Esq.	34	60	.....	94
Fallick, James, Esq.	28	55	.....	83
Fegan, John Lionel, Esq.	24	31	.....	55
Fell, David, Esq.	22	27	.....	49
Fleming, William Montgomerie, Esq.	15	25	.....	40
Gardiner, Albert, Esq.	32	56	.....	88
George, Eden, Esq.	18	24	.....	42
Gillies, John, Esq.	18	32	.....	50
Griffith, Arthur, Esq.	21	39	.....	60
Hall, Brinsley, Esq.	18	18	.....	36
Honley, Thomas, Esq.	29	55	1	85
Hogue, The Hon. James Alexander, Esq.	35	62	1	98
Hollis, Robert, Esq.	28	58	.....	86
Holman, William Arthur, Esq.	21	20	.....	41
Hurley, John, Esq.	26	36	.....	62
Jessep, Thomas, Esq. (<i>Temporary-Chairman of Committees</i>)	32	47	.....	79
Jones, George Alfred, Esq.	30	56	.....	86
Kearney, Sydney John, Esq.	9	14	.....	23
Kelly, Andrew Joseph, Esq.	21	42	1	64
Latimer, William Fleming, Esq. (<i>Temporary-Chairman of Committees</i>)	30	58	.....	88
Law, Sydney James, Esq.	30	56	1	87
Lee, The Hon. Charles Alfred, Esq.	34	60	.....	94
Levien, Robert Henry, Esq.	9	14	.....	23
Levy, Daniel, Esq.	27	48	.....	70
Macdonald, Hugh, Esq.	9	25	.....	34
Macdonell, Donald, Esq.	24	34	.....	58
Mackenzie, Thomas Fitzherbert Hawkins, Esq.	25	25	.....	50
Mahony, William Henry, Esq.	31	40	.....	71
McCourt, The Hon. William, Esq. (<i>Speaker</i>) ... ..	.....	3	.....	3
McCoy, Richard Watson Walker, Esq.	20	36	1	57
McFarlane, John, Esq.	20	27	.....	47
McGarry, Patrick, Esq.	32	58	1	91
McGowen, James Sinclair Taylor, Esq.	25	41	.....	66
McLaurin, Gordon Ranald, Esq.	19	36	.....	55
McNeill, John, Esq.	16	41	.....	57
Meehan, John Charles, Esq.	33	52	.....	85
Millard, Alan Major, Esq.	28	45	.....	73

	Divisions in the House.	Divisions in Committee.	Counts-out.	Total.
Millard, William, Esq.	29	43	.....	72
Miller, Gustave Thomas Carlisle, Esq.	16	39	.....	55
Moore, The Hon. Samuel Wilkinson, Esq.	34	61	1	96
Morton, Mark Fairles, Esq.	16	42	.....	58
Moxham, Thomas Robert, Esq.	11	30	.....	41
Nicholson, John Barnes, Esq.	25	40	.....	65
Nielsen, Niels Rasmus Wilson, Esq. (<i>Temporary-Chairman of Committees</i>).	23	42	1	66
Nobbs, John, Esq.	26	57	1	84
Norton, John, Esq.	24	36	1	61
Oakes, Charles William, Esq.	28	34	.....	62
O'Connor, The Hon. Broughton Barnabas, Esq.	31	52	.....	83
O'Sullivan, Edward William, Esq.	22	30	.....	52
Perry, John, Esq. (<i>Liverpool Plains</i>)....	27	59	.....	86
Perry, John, Esq. (<i>The Richmond</i>)	19	23	.....	42
Reynoldson, George, Esq.	18	48	.....	66
Richards, Edwin, Esq.	3	.....	.....	3
Scobie, Robert, Esq. (<i>Temporary-Chairman of Committees</i>)	26	57	.....	83
Smith, James Francis, Esq.	25	40	.....	65
Storey, David, Esq.	18	19	.....	37
Sullivan, Philip Hurley, Esq.	24	31	.....	55
Thomas, Follet Johns, Esq.	18	41	.....	59
Thrower, Thomas Henry, Esq.	18	40	.....	58
Waddell, Thomas, Esq.	18	35	.....	53
Wade, The Hon. Charles Gregory, Esq.	33	57	.....	90
Winchcombe, Frederick Earle, Esq.	27	34	.....	61
Wood, William Herbert, Esq.	25	28	.....	53
Young, The Hon. James Henry	19	30	.....	49
Young, William White, Esq.	27	48	.....	75

Legislative Assembly Office,
Sydney, 21 December, 1904.

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

1904.
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BUSINESS OF THE LEGISLATIVE ASSEMBLY OF NEW SOUTH WALES
DURING THE SECOND SESSION OF 1904.

1. New Writs issued	...	...	...	...	...	...	...	...	...	7
2. Select Committees:—										
On Public Matters	...	...	...	...	4					
On Private Bills	...	...	...	...	4					
3. Standing Committees	...	...	...	...						8
4. Public Bills:—										5
Originated in the Assembly—										
Received the Royal Assent	...	...	...	...	33					
Reserved	...	...	...	...		
Otherwise disposed of	...	...	...	...	17					
						50				
Brought from the Council—										
Received the Royal Assent	...	...	...	...	3					
Otherwise disposed of	...	...	...	...	1					
							4			54
5. Private Bills:—										
Originated in the Assembly—										
Received the Royal Assent	...	...	...	...	4					
Otherwise disposed of	...	...	...	...		
							4			
Brought from the Council—										
Received the Royal Assent	...	...	...	...	1					
Otherwise disposed of	...	...	...	...	2					
								3		7
6. Petitions received:—										
Printed	...	...	...	...	24					
Not Printed	...	...	...	...	5					
										29
7. Divisions:—										
In the House	...	...	...	...	35					
In Committee of the Whole	...	...	...	...	62					
										97
8. Sittings (for details see paragraph 15, page 2):—										
Days of Meeting	...	...	...	...						49
Hours of Sitting	...	...	...	...						403 h. 14 m.
Hours of Sitting after Midnight	...	...	...	...						68 h. 2 m.
Daily Average	...	...	...	...						8 h. 13 m.
Adjourned for want of a Quorum—										
Before commencement of Business	...	...	...	...	0					
After commencement of Business	...	...	...	...	1					
										1
9. Votes and Proceedings	...	...	...	...						49
Entries in Votes and Proceedings—										
Of Business done	...	...	...	...	620					
Of Questions answered	...	...	...	...	338					
										1,018
Daily Average	...	...	...	...						20
Entries in Notice Paper—										
Of Questions	...	...	...	...	562					
Of Notices of Motion	...	...	...	...	1,502					
Of Orders of the Day	...	...	...	...	1,225					
Of Contingent Notices	...	...	...	...		
										3,349
Daily Average	...	...	...	...						68
10. Contingent Notice Papers	...	...	...	...						3
11. Orders for Papers	...	...	...	...						28
12. Addresses for Papers	...	...	...	...						1
13. Other Addresses	...	...	...	...						1
14. Papers laid upon the Table:—										
By Message	...	...	...	...	62					
By Command	...	...	...	...	419					
In Return to Orders	...	...	...	...	7					
In Return to Addresses	...	...	...	...	1					
Reports from Standing and Select Committees	...	...	...	...	3					
										497
Ordered to be Printed	...	...	...	...	147					
Not ordered to be Printed	...	...	...	...	350					
										497
										15.

15. Sittings of the House:—

Return of the number of days on which the House sat in the Second Session of 1904, stating, for each day, the date of the month and the day of the week, the hour of the meeting and the hour of adjournment, and the total number of hours occupied in the sittings of the House, and the average time; and showing the total number of hours on which the House sat each day, and the number of hours after midnight, and the number of entries in each day's Votes and Proceedings.

No.	Month.	Day.	House Met.	House Adjourned.	Hours of Sitting.	Hours after Mid-night.	Entries in Votes.
1	23 August	Tuesday	12 noon	2:21 o'clock p.m.	h. m. 2 21	h. m. ...	8
2	24 "	Wednesday	10:30 o'clock p.m.	12:15 "	1 45	...	16
3	25 "	Thursday	4 "	5:16 " a.m.	13 16	5 16	14
4	26 "	Friday	4 "	4:52 " p.m.	0 52	...	9
5	20 September	Tuesday	4 "	9:41 "	5 41	...	8
6	21 "	Wednesday	4 "	7:36 "	3 36	...	23
7	22 "	Thursday	4 "	10:56 "	6 56	...	15
8	27 "	Tuesday	4 "	9:30 "	5 30	...	16
9	28 "	Wednesday	4 "	11:10 "	7 10	...	8
10	29 "	Thursday	4 "	1:39 " a.m.	9 39	1 39	15
11	4 October	Tuesday	4 "	10:37 " p.m.	6 37	...	10
12	5 "	Wednesday	4 "	12:21 " a.m.	8 21	0 21	19
13	6 "	Thursday	4 "	9:24 " p.m.	5 24	...	13
14	11 "	Tuesday	4 "	11:49 "	7 49	...	19
15	12 "	Wednesday	4 "	11:12 "	7 12	...	13
16	13 "	Thursday	4 "	12:18 "	8 18	0 18	23
17	18 "	Tuesday	4 "	10:48 "	6 48	...	17
18	19 "	Wednesday	4 "	12 0 " midnight	8 0	...	15
19	20 "	Thursday	4 "	7:45 " p.m.	27 45	19 45	12
20	25 "	Tuesday	4 "	9:16 "	5 16	...	13
21	26 "	Wednesday	4 "	9:20 "	5 20	...	15
22	27 "	Thursday	4 "	10:30 "	6 30	...	15
23	28 "	Friday	1:30 "	5:41 "	4 11	...	9
24	1 November	Tuesday	4 "	8:45 "	4 45	...	10
25	2 "	Wednesday	4 "	11:24 "	7 24	...	7
26	3 "	Thursday	4 "	2:20 " a.m.	10 24	2 20	10
27	8 "	Tuesday	4 "	11:34 " p.m.	7 34	...	15
28	9 "	Wednesday	4 "	10:21 "	6 21	...	13
29	10 "	Thursday	4 "	12:59 " a.m.	8 59	0 59	15
30	15 "	Tuesday	4 "	10:48 " p.m.	6 48	...	10
31	16 "	Wednesday	4 "	11:16 "	7 16	...	15
32	17 "	Thursday	4 "	1 8 " a.m.	9 8	1 8	12
33	22 "	Tuesday	4 "	11:20 " p.m.	7 20	...	11
34	23 "	Wednesday	4 "	1:40 " a.m.	9 40	1 40	8
35	24 "	Thursday	4 "	11: 8 " p.m.	7 8	...	10
36	29 "	Tuesday	4 "	2:37 " a.m.	10 37	2 37	10
37	30 "	Wednesday	4 "	3:19 "	11 19	3 19	9
38	1 December	Thursday	4 "	10:40 " p.m.	6 40	...	18
39	2 "	Friday	1:30 "	3:85 "	2 5	...	7
40	6 "	Tuesday	4 "	5:55 "	1 55	...	9
41	7 "	Wednesday	4 "	11:10 "	7 10	...	18
42	8 "	Thursday	2 "	11:15 "	9 15	...	12
43	9 "	Friday	2 "	6 0 "	4 0	...	7
44	12 "	Monday	2 "	10:10 "	8 10	...	9
45	13 "	Tuesday	2 "	6 5 " a.m.	16 5	6 5	11
46	14 "	Wednesday	2 "	11:33 " p.m.	9 33	...	6
47	15 "	Thursday	2 "	5:55 "	27 55	17 55	10
48	19 "	Monday	2 "	4:12 " a.m.	14 12	4 12	15
49	20 "	Tuesday	2 "	12:28 "	10 28	0 28	18
Total					403 14	68 2	620

Average length of sitting daily, 8 hours 13 minutes.

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

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