

Votes

New South Wales.

No. 1.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 28 SEPTEMBER, 1869.

1. Opening of the Session:—The House met at Twelve o'clock, at noon, pursuant to a Proclamation of His Excellency the Governor, bearing date the thirteenth day of July, 1869; the Speaker took the Chair. The Clerk then, by direction of the Speaker, read a copy of the said Proclamation, as follows:—

" NEW SOUTH WALES, } Proclamation by His Excellency the Right Honorable SOMERSET RICHARD,
" to wit. } EARL OF BELMORE, a Member of Her Majesty's Most Honorable Privy
" (L.S.) BELMORE, . Council in Ireland, Governor and Commander-in-Chief of the Colony of
" Governor. New South Wales, and Vice-Admiral of the same.

" Whereas the Parliament of New South Wales now stands prorogued to Tuesday, the third day of August proximo; Now I, SOMERSET RICHARD, EARL OF BELMORE, in pursuance of the power and authority in me vested, as Governor of the said Colony, do hereby further prorogue the said Parliament to Tuesday, the twenty-eighth day of September next ensuing; and I do hereby further announce and proclaim, that the said Parliament shall assemble for the despatch of business on the aforesaid twenty-eighth day of September next, at Twelve o'clock at noon, in the buildings known as the Council Chambers, situate in Macquarie-street, in the City of Sydney; and the Members of the Legislative Council and Legislative Assembly, respectively, are hereby required to give their attendance at the said time and place accordingly.

" Given under my Hand and Seal, at Government House, Sydney, this thirteenth day of July, in the year of our Lord one thousand eight hundred and sixty-nine, and in the thirty-third year of Her Majesty's Reign.

" By Command,

" JOHN ROBERTSON.

" GOD SAVE THE QUEEN!"

2. Writ issued and return made during the Recess:—The Speaker reported that, in pursuance of the direction of the Electoral Act of 1858, he had issued a Writ for the Election of a Member to serve in this present Parliament for the Electoral District of Braidwood, in the room of Joshua Frey Josephson, Esquire, resigned; and that this Writ had been duly returned to him, with the certificate of the Returning Officer endorsed thereon of the election of Michael W. Kelly to serve as such Member.
3. Message from His Excellency the Governor:—The Usher of the Black Rod, being admitted, delivered a Message, "That it is the pleasure of the Governor that this Honorable House do attend His Excellency immediately in the Legislative Council Chamber."
The House went, and being returned, adjourned, on motion of Mr. Robertson, at half-past Twelve o'clock, until Three o'clock This Day.

The House resumed, pursuant to adjournment.

4. Ordnance Land Act Amendment Bill:—Mr. Robertson having presented this Bill, Bill, intituled "A Bill for confirming the Transfer to the Secretary at War in England from the Principal Officers of Ordnance there of certain Lands in New South Wales and for amending the Ordnance Land Act of Council 1840," read a first time.
5. William Heard:—Sir James Martin presented a Petition from William Heard, of Sydney, representing that in the year 1865 he was appointed Overseer and Care-taker of the Necropolis at Haslem's Creek, from which situation he was removed in the month of February, 1869; and praying inquiry into his case, with a view to relief.
Petition received.

6. Committee of Elections and Qualifications:—The Speaker, pursuant to the requirement of the Electoral Act of 1858, laid upon the Table his Warrant appointing the Committee of Elections and Qualifications for the present Session, of which the following is a copy:—

“ LEGISLATIVE ASSEMBLY.

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

“ Pursuant to the power in that behalf vested in me, as Speaker of the Legislative Assembly of New South Wales, by the Electoral Act of 1858, I do hereby appoint

“ William Macleay, Esquire, -
“ Thomas Garrett, Esquire, - -
“ James Hart, Esquire,
“ William Richman Piddington, Esquire,
“ Hugh Gordon, Esquire,
“ Stephen Campbell Brown, Esquire, and
“ William Charles Windeyer, 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-eighth day of September, in the year of our Lord one
“ thousand eight hundred and sixty-nine.

“ W. M. ARNOLD,
“ *Speaker.*”

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

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

1. I have not considered it advisable to call you together, at an earlier date. It appeared to me preferable to meet Parliament with the measures of the Government and other arrangements in such a state of forwardness as to enable Honorable Members to proceed at once with their Parliamentary duties, rather than to incur any risk of inconvenient or unnecessary delay by a premature commencement of the Session.

2. During the recess, Ministers have been occupied in the preparation of important measures of administrative and legislative reform, some of which it may be unnecessary to complete before the close of this Session, but all of which will be found worthy of attention.

3. Progress has been made in effecting such moderate reductions in the Public Expenditure as have been found compatible with efficiency, and with due recognition of the just claims of Public Servants. Efforts in this direction will be continued.

4. Among the documents which will be laid before you, will be a Despatch from Her Majesty's Principal Secretary of State for the Colonies, announcing an important change in the policy of the Imperial Government, with regard to the employment in this Colony of Imperial Troops.

5. Negotiations have been entered into with the Government of Queensland, with a view to the establishment of Telegraphic Communication with Europe, and of additional Postal Communication by way of Torres Straits, with the particulars of which you will be made acquainted. Attempts have been also made to bring about, upon various subjects of common interest, a conference of the neighbouring Colonies, which is only delayed in consequence of their Governments not having as yet agreed as to time and place.

6. The controversy between Victoria and this Colony as to the ownership of Pental Island, has been the subject of further correspondence; and a proposition has been submitted by the Government of this Colony, which is likely to lead to an early and satisfactory settlement of this vexed question.

7. New arrangements for the conduct of the Colonial Agency in London have been adopted, which, it is hoped, will place our interests there upon an improved footing.

8. Provision has been made for the commencement of a Free Library in Sydney. The premises of “The Australian Library” have been rented, and the books of that institution purchased. Steps will be taken without delay for the erection of suitable buildings.

9. The area of land sold, particularly by conditional sales, has increased this year to an unprecedented extent, as compared with previous years,—not excepting even that which followed the passing of the existing Crown Lands Acts. This increase has, during the first six months of the present year, reached a rate of 50 per cent. over that of any like period since 1862. Every effort has been made to render more effective the collection of revenue from this source, by holding out larger inducements to Land Agents, and by the issue of additional Land Regulations calculated to facilitate and encourage the payment of interest and of outstanding balances by conditional purchasers.

10. Changes have been made in the Gold Fields Regulations; but this subject will be brought under your special consideration by a Bill which will be immediately introduced.

11. Railway Lines have been completed to Muscleebrook and Goulburn. Those to Bathurst and Murrurundi are progressing. A proposition for further Railway Extension will be submitted. Other important Public Works are rapidly approaching completion.

12. The Telegraph Lines of this Colony have now reached an extent of about 5,500 miles; and nearly 500 miles more are in course of construction.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

13. I have directed the Estimates for the ensuing year to be laid before you forthwith. They have been prepared with a due regard to economy and to the requirements of the Public Service.

HONORABLE

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

14. The Debentures of this Colony continue to command the confidence of English capitalists, the rates last reported being higher than they had been for some years past. The Treasury Bills issued under the Act 32 Victoria, No. 14, have been all negotiated in the Colony, at prices which were never before realized for securities of this nature.

15. Bills will be submitted to you for the following and other purposes:—

- Correcting Anomalies in the Electoral System of the Colony as regards particular Districts, and shortening the duration of Parliaments;
- Amending the Law relating to Gold Fields;
- Reduction of the Salaries of future Governors and of other high functionaries;
- Amending the Law relating to Marriage;
- Amending the Law relating to Municipal Institutions;
- Providing for Immigration;
- Amending the Law relating to Railways;
- Aiding and facilitating the Artificial Supply of Water;
- Defining the Grazing Rights of Conditional and other Purchasers;
- Amending the Superannuation Act;
- Regulating Minor Roads;
- Amending the Impounding Law;
- Regulating Commons;
- Amending the Law relating to Distillation;
- The more effectual Audit of Public Accounts;
- Consolidation and Amendment of Customs Laws;
- Amendment of the Law relating to the Mercantile Marine;
- Amendment of the Law relating to Lunacy;
- Preventing the spread of Contagious Diseases;
- Abolition of Ad Valorem Duties and Newspaper Postage Rate;
- To amend the Laws relating to Friendly Societies.

16. Notwithstanding the depression consequent upon the low price of wool, and the effects of the severe drought of last year, the Revenue up to this time considerably exceeds that of the corresponding period of last year. There is reason confidently to expect that the Revenue of 1869 will not fall short of the amount estimated.

17. The prospects of Agricultural and Mining Industry are highly encouraging.

18. I now invite you to proceed to your arduous and responsible duties, in fervent trust that, under Divine Providence, your deliberations may tend to a happy issue.

Mr. Church then moved, and Mr. W. Campbell seconded the motion,—

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

(2.) That such Committee consist of Mr. Robertson, Mr. W. Campbell, Mr. S. Brown, Mr. Macleay, Mr. Burdekin, Dr. Lang, Mr. Neale, and the Mover.

Question put and passed.

And the Committee retired to prepare the Address.

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

"To His Excellency the Right Honorable SOMERSET RICHARD, EARL OF BELMORE; a Member of Her Majesty's Most Honorable Privy Council in Ireland, Governor and Commander-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

"MAY IT PLEASE YOUR EXCELLENCY,—

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

"2. Any measures of Administrative or Legislative Reform which may be laid before us shall receive our best attention.

"3. We shall willingly co-operate with Your Excellency in effecting all necessary reductions of public expenditure.

"4. We shall be disposed to accept any change of policy in the employment of Imperial Troops, with every confidence in Her Majesty's affectionate care for the interests of this Colony.

"5. We shall carefully consider the negotiations for the establishment of Telegraphic Communication and additional Postal Communication.

"6. We are glad to learn that the good understanding between this Colony and Victoria is likely to be promoted by an amicable settlement of the long-standing controversy on the subject of Pentland Island.

"7. We hope the new arrangements for the Colonial Agency in London may prove satisfactory.

"8. We readily acknowledge our deep interest in the commencement of a Free Library in this city.

"9. We rejoice to hear that the prospects of the Land Revenue, particularly as derived from the progressive freehold settlement of the country, are in so promising a state.

"10. We are gratified to be informed of the continued extension of Railway and Telegraph Lines throughout the Colony.

"11. The Estimates for the ensuing year shall have our most careful consideration.

"12. It affords us much pleasure to understand that, notwithstanding some adverse circumstances, the financial prospects of the Colony are satisfactory, and those of agricultural and mining industry highly encouraging.

"13. We will now address ourselves to the discharge of our Parliamentary duties; and we join Your Excellency in the hope that, under Divine Providence, our deliberations may be found to benefit the country."

Mr.

Mr. Church then moved, and Mr. W. Campbell seconded the motion,—That the Address in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House.

Debate ensued.

Mr. J. Stewart moved. That this Debate be adjourned until to-morrow.

Question put.

The House divided.

Ayes, 14.

Mr. Walker,	<i>Tellers.</i>
Mr. Eagar,	
Mr. Wilson,	Mr. J. Stewart,
Mr. Parkes,	Mr. Farnell.
Mr. Byrnes,	
Mr. Windeyer,	
Mr. Wisdom,	
Mr. Lackey,	
Mr. E. Brown,	
Mr. Burns,	
Mr. Lucas,	
Sir James Martin,	

Noes, 22.

Mr. Robertson,	Mr. Dignam,
Mr. Forster,	Mr. Hoskins,
Mr. Samuel,	Mr. Morrico,
Mr. Egan,	Mr. Macleay,
Mr. Sutherland,	Mr. Gordon,
Mr. Burdekin,	Mr. Cummings,
Dr. Lang,	Mr. W. Campbell,
Mr. Hill,	Mr. Garrett,
Mr. R. Stewart,	<i>Tellers.</i>
Mr. Neale,	
Mr. Alexander,	Mr. Driver,
Mr. Bell,	Mr. Church.

Main Question stated.

Debate continued.

And the House continuing to sit until after midnight,—

WEDNESDAY, 29 SEPTEMBER, 1869, A.M.

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

Debate ensued.

Question put and negatived.

Main Question then put and passed.

8. Adjournment :—Mr. Robertson,—intimating that he had it in command from the Governor to state that His Excellency would be pleased to receive the Address of the Assembly in reply to his Opening Speech, at half-past Three o'clock p.m. this day,—moved, That this House do now adjourn until Three o'clock p.m. this day, for the purpose of proceeding to Government House, there, at half-past Three o'clock, to present to the Governor their Address in reply to His Excellency's Opening Speech.

Question put and passed.

Whereupon the Speaker left the Chair, and the House stood adjourned at nineteen minutes to One o'clock a.m., until Three o'clock p.m., this day.

W. M. ARNOLD,
Speaker.

WEDNESDAY, 29 SEPTEMBER.

MEMO :—The House meet at Three o'clock this day, and proceed to Government House,—there, at half-past Three o'clock, to present to the Governor their Address in reply to His Excellency's Opening Speech.

NOTICES OF QUESTIONS AND MOTIONS.

WEDNESDAY, 29 SEPTEMBER.

Questions :—

1. MR. WILSON *to ask* THE SECRETARY FOR LANDS,—
(1.) The names and addresses of the Trustees appointed by the Government to expend the grant for the repairs of the Cessnock Road for the year 1869?
(2.) On whose recommendation were they appointed?
2. MR. BURNS *to ask* THE SECRETARY FOR LANDS,—At whose instance, and for what reason, has the grant for the present year for the road from West Maitland to Cessnock been entrusted to residents of Wollombi district, instead of to the Maitland Road Trust, for expenditure?
3. MR. WISDOM *to ask* THE COLONIAL SECRETARY,—When will the papers in the case of Mr. R. A. Rodd—ordered by this House during last Session, on the motion of Mr. Burns, for Mr. Wisdom—be laid upon the Table?
4. MR. TIGHE *to ask* THE COLONIAL SECRETARY,—
(1.) Did the Government receive, several months ago, a Petition, signed by not fewer than fifty persons legally qualified to sign the same, praying that a proposed Municipality—to be designated the Borough of Waratah—might be declared under the Municipalities Act of 1867?
(2.) Has any counter Petition, signed by a greater number of persons than those who signed the Petition for the Municipality, been received?
(3.) Will the Government proclaim the Municipality, in accordance with the boundaries set forth in the Petition,—or do they consider it expedient to make any alterations in the proposed boundaries; and in either case, when will the proclamation appear in the *Gazette*?

NOTICES

NOTICES OF MOTIONS:—

1. MR. WILSON to move, That there be laid upon the Table of this House, a copy of all Correspondence, Documents, and Minutes, which have passed between the Government and any person or persons, respecting the expenditure of the grant for the repair of the Cessnock Road for the year 1868.
2. MR. ROBERTSON to move, That, unless otherwise ordered, this House shall meet for dispatch of Business at Three o'clock p.m., on Tuesday, Wednesday, Thursday, and Friday, in each week.
3. MR. ROBERTSON to move, That on Wednesday and Thursday, in each week, unless otherwise ordered, Government Business shall take precedence of all other business.
4. MR. ROBERTSON to move, That on Tuesday and Friday, in each week, unless otherwise ordered, Private Business shall take precedence of Government Business; and that on Fridays, Private Orders of the Day shall take precedence of Motions.
5. MR. ROBERTSON to move, That it shall be a Sessional Order of this House for the present Session:—
 - (1.) That every Motion or Order of the Day for the third reading of a Bill, to which on the Question being put from the Chair—"Whether there is any objection to its being a 'Formal' Motion or Order of the Day?"—no objection shall be taken, shall be deemed to be a "Formal" Motion or Order of the Day.
 - (2.) That before the Ordinary Business of each day shall be entered upon, the Speaker shall call over the various Notices of Motions and Orders of the Day for third reading of Bills; and on any such Motion or Order being called, it shall be competent for the Member, otherwise entitled to move it, to have the above question put with reference thereto; and such "Formal" Motions or Orders of the Day shall be disposed of in the relative order in which they stand on the Business Paper, taking precedence of all the other Motions and Orders of the Day.
 - (3.) That no debate shall be allowed upon any of such "Formal" Motions or Orders of the Day, or upon the further proceedings consequent on the reading of such Orders; but the House may proceed to division thereupon, without amendment or debate, as in the case of the motion for the first reading of a Bill.
 - (4.) That in consequence of any such "Formal" Orders of the Day having been disposed of as aforesaid, it shall not be held that the House has proceeded to the Orders of the Day upon the Business Paper, so as to exclude thereafter the presentation of Petitions, or the reception of Notices of Motions.
6. MR. ROBERTSON to move, That, unless otherwise ordered, the Resumption of the Committee of Supply shall stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
7. MR. ROBERTSON to move, That, unless otherwise ordered, the Resumption of the Committee of Ways and Means shall stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
8. MR. ROBERTSON to move, That the Order respecting the transmission of Messages, agreed to by the two Houses during the Session of 1856-7, shall stand as a Sessional Order of this House for the present Session.
9. MR. ROBERTSON to move, That the following Rules shall be observed as a Sessional Order of this House for the present Session:—
 - (1.) Members balloting for a Select Committee shall place the Balloting Papers, after completion, in the hands of the Clerk of the House (or in his absence the Officer acting in his stead), giving time for him to note one paper (as hereinafter mentioned) before another is presented.
 - (2.) The Clerk shall have before him a complete printed list of the Members of the House; and, on the presentation of any Balloting Paper, shall place his initials against the entry in such list of the name of the Member presenting such Balloting Paper; and the Clerk shall place such list, so initialled, on record, with the other proceedings of the Ballot.
10. MR. ROBERTSON to move, That the Clerk of the House shall enter upon the Minutes of the Votes and Proceedings the Questions—of which formal notice shall have been given—put to the Members representing the Government in this House, and the answers returned to the same.
11. MR. ROBERTSON to move, That the Chairman of a Select Committee on a Private Bill shall be entitled to vote on all questions in the same way as other Members of such Committee, and, in case of an equality of votes, exercise a second or casting vote.
12. MR. ROBERTSON to move, That the Library Committee for the present Session shall consist of the following Members, viz.:—The Speaker, Sir James Martin, Mr. Parkes, Mr. Piddington, Mr. Cunneen, Dr. Lang, Mr. Garrett, Mr. Wisdom, Mr. Windeyer, and the Mover, with leave to sit during any adjournment, and power to act jointly with the Library Committee of the Legislative Council, in accordance with the Assembly's Resolution of the 6th August, 1862.
13. MR. ROBERTSON to move, That the Standing Orders Committee for the present Session shall consist of the following Members, viz.:—The Speaker, Sir James Martin, Mr. Parkes, Mr. Garrett, Mr. Hart, Mr. Burdekin, Mr. Smart, Mr. Wisdom, Mr. Piddington, and the Mover, with leave to sit during any adjournment, and authority and power to send for persons, papers, and records, and to examine witnesses, and to report in any matter or thing referred to, or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
14. MR. ROBERTSON to move, That a Refreshment Room Committee be appointed for the present Session, to consist of the following Members, viz.:—Mr. Macdougall, Mr. Lord, Mr. Egan, Sir James Martin, Mr. S. Brown, 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.
15. MR. ROBERTSON to move, That Thomas Garrett, Esquire, be Chairman of Committees of the Whole House, during the present Session.
16. SIR JAMES MARTIN to move, That the Petition presented by him on 28th September, from William Heard, be printed.

FRIDAY,

FRIDAY, 1 OCTOBER.

Questions:—

1. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether Government intends to take any proceedings towards removing the inconveniences arising from the depreciation of the Silver Coins now current in this Colony?
2. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—
 - (1.) Whether Dr. Badham, Professor of Classics and Logic in the Sydney University, has received, or been promised, a sum of money to pay his travelling expenses?
 - (2.) If so, what sum?
 - (3.) What public business was transacted, or what official duty was discharged, by Dr. Badham, in the course of his travels?

NOTICES OF MOTIONS:—

1. MR. BURNS to move for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
2. MR. J. STEWART to move, That there be laid upon the Table of this House, Copies of Correspondence and of documents in reference to the Registrar General's Office being closed on the 27th of March last, in violation of the Act 7 Victoria, No. 16.
3. MR. J. STEWART to move, That there be laid upon the Table of this House, Copies of Letters addressed to the Colonial Secretary, by the Senior Examiner of Titles, in August, 1863, and April, 1866, suggesting amendment of the Real Property Act; together with Drafts therein referred to.
4. MR. FARNELL to move for leave to introduce a Bill to provide for the Burial of the Dead within the Police District of Sydney.

TUESDAY, 5 OCTOBER.

NOTICE OF MOTION:—

1. MR. LUCAS to move, That this House will, on Friday, the 8th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.

TUESDAY, 12 OCTOBER.

NOTICES OF MOTIONS:—

1. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
2. DR. LANG to move for leave to introduce a Bill to limit the duration of all future Parliaments to three years.

[Gd.]

New South Wales.

No. 2.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 29 SEPTEMBER, 1869.

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

Address in reply to the Governor's Opening Speech:—On motion of Mr. Robertson (*at twenty-five minutes after Three o'clock*), the Assembly proceeded to Government House, there to present to the Governor their Address in reply to His Excellency's Opening Speech,—

And, being returned, the Speaker reported that the House had proceeded to Government House, and there presented to the Governor their Address in reply to His Excellency's Opening Speech, and that His Excellency had been pleased to make the following Answer thereto:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I have the honor to thank you for your loyal and dutiful Address, and rely with confidence that the important measures which will be submitted to you will be dealt with in such a mode as will be most likely to promote the general welfare.

Government House,

Sydney, 29th September, 1869.

BELMORE.

2. Questions on Notice Paper for to-day:—

Mr. Wilson withdrew the Question No. 1.

Mr. Burns withdrew the Question No. 2.

(1.) Mr. R. A. Rodd:—Mr. Wisdom asked the Colonial Secretary, pursuant to Notice No. 3,—When will the papers in the case of Mr. R. A. Rodd—ordered by this House during last Session, on the motion of Mr. Burns, for Mr. Wisdom—be laid upon the Table?

Mr. Robertson answered,—I will lay them on the Table immediately.

(2.) Proposed Municipality—Borough of Waratah:—Mr. Tighe asked the Colonial Secretary, pursuant to Notice No. 4,—

(1.) Did the Government receive, several months ago, a Petition, signed by not fewer than fifty persons legally qualified to sign the same, praying that a proposed Municipality—to be designated the Borough of Waratah—might be declared under the Municipalities Act of 1867?

(2.) Has any counter Petition, signed by a greater number of persons than those who signed the Petition for the Municipality, been received?

(3.) Will the Government proclaim the Municipality, in accordance with the boundaries set forth in the Petition,—or do they consider it expedient to make any alterations in the proposed boundaries; and in either case, when will the proclamation appear in the *Gazette*?

Mr. Robertson answered,—

(1.) Yes.

(2.) A counter Petition has been presented to the Government, but it is not signed by a greater number.

(3.) In accordance with the boundaries, except in case of alterations necessary for greater precision. Technical description has been applied for, and proclamation will appear on receipt of such description.

3. Music and Dancing in Licensed Public-houses:—Mr. Wilson presented a Petition from certain Mothers and Daughters, in the City of Sydney and Suburbs, complaining of the practice of allowing music and dancing in licensed public-houses; and praying that a law may be passed for the suppression thereof.

And the same having been read by the Clerk, by direction of the Speaker,—
Petition received.

4. Electoral Representation of the Clarence, Richmond, and Tweed Rivers :—Mr. Robertson presented a Petition from certain inhabitants of the Districts of the Clarence, Richmond, and Tweed Rivers, praying that, for the various reasons therein set forth, four additional representatives may be apportioned to the existing Electorate of The Clarence.
Petition received.
5. Papers :—
- (1.) Mr. Robertson laid upon the Table the undermentioned Papers :—
- (1.) Report of the Council of Education upon the condition of the Public Schools for 1868.
 - (2.) Report of the Council of Education upon the condition of the Certified Denominational Schools for 1868.
 - (3.) Return to Order, in reference to "Public and Denominational School Teachers," made by the Legislative Assembly, on motion of Mr. Burns, on 23rd March, 1869.
 - (4.) Return to Address, in reference to "Administration of Justice," adopted by the Legislative Assembly, on motion of Mr. J. Stewart, on 27th March, 1869.
 - (5.) Return to Address, in reference to "Charge of Perjury against R. A. Rodd, at Singleton," adopted by the Legislative Assembly, on motion of Mr. Burns, on behalf of Mr. Wisdom, on 26th February, 1869.
 - (6.) Return to Order, in reference to "Trials and Committals at Wee Waa," made by the Legislative Assembly, on motion of Mr. Dangar, on 16th March, 1869.
 - (7.) Return to Order, in reference to "Patrol Duty of Walgett Police," made by the Legislative Assembly, on motion of Mr. Dangar, on 12th March, 1869.
 - (8.) Return to Order, in reference to "Certificates under Volunteer Force Regulation Act of 1867," made by the Legislative Assembly, on motion of Mr. Tunks, on 9th February, 1869.
 - (9.) Return to Address, in reference to "Statistics respecting Justices of the Peace—Metropolitan Police District," adopted by the Legislative Assembly, on motion of Mr. Hart, on 19th March, 1869.
 - (10.) By-laws under the Municipalities Act, 31 Vict. No. 12, sec. 158, of the undermentioned Boroughs :—
- | | | |
|---|--|--|
| <ul style="list-style-type: none"> Borough of Albury. Borough of Armidale. Borough of Kiama. Borough of Morpeth. Borough of Numba. | \| | <ul style="list-style-type: none"> Borough of Redfern. Borough of Shellharbour. Borough of Woollahra. Borough of St. Leonards. |
|---|--|--|
- (11.) By-laws of University of Sydney.
Ordered to be printed.
- (2.) Mr. Samuel laid upon the Table the undermentioned Papers :—
- (1.) Abstracts of the Public Accounts of the Colony of New South Wales for the year 1868.
 - (2.) Despatches (2) respecting the Sydney Branch Royal Mint, dated respectively 30th April and 11th May, 1869.
 - (3.) Trust Moneys Deposit Account, from 1st April, 1868, to 31st March, 1869.
 - (4.) General Abstracts of Bank Liabilities and Assets, for Quarters ended 31st March and 30th June, 1869.
- Ordered to be printed.
- (3.) Mr. Forster laid upon the Table the undermentioned Papers :—
- (1.) Progress Report from Government Astronomer on Base Line for Triangulation of New South Wales.
 - (2.) Gold Fields Regulations, dated 24th September, 1869.
 - (3.) Additional Regulations under the Crown Lands Alienation Act of 1861, dated 21st September, 1869.
- Ordered to be printed.
- (4.) Mr. Egan laid upon the Table a Despatch respecting Steam Postal Service *via* Suez.
Ordered to be printed.
6. Assent to Bills (of last Session) :—The following Messages from His Excellency the Governor were delivered by Mr. Robertson, and read by the Speaker :—
- (1.) Impounding Act Amendment Bill :—
- BELMORE, Message No. 1.
Governor.
- A Bill, intituled "*An Act to amend the Impounding Act of 1865*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.
- Government House,*
Sydney, 30th March, 1869.
- (2.) Workhouse Act Repeal Bill :—
- BELMORE, Message No. 2.
Governor.
- A Bill, intituled "*An Act to repeal the Workhouse Act of 1866*," as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.
- Government House,*
Sydney, 30th March, 1869.
- (3.)

(3.) Randwick and Coogee Roads Transfer Bill :—

BELMORE,
Governor.

Message No. 3.

A Bill, intituled "*An Act to authorize the Commissioners of the Old Botany Randwick and Coogee Roads Trusts to transfer certain Roads to the Municipal Councils of Sydney and Randwick respectively,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 30th March, 1869.

(4.) Municipalities Act Amendment Bill :—

BELMORE,
Governor.

Message No. 4.

A Bill, intituled "*An Act to amend the Municipalities Act of 1867 in regard to East St. Leonards,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 30th March, 1869.

(5.) Public Works Loan Bill :—

BELMORE,
Governor.

Message No. 5.

A Bill, intituled "*An Act to enable the Government to raise a Loan for certain Public Works,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 1st April, 1869.

(6.) Treasury Bills Bill :—

BELMORE,
Governor.

Message No. 6.

A Bill, intituled "*An Act to authorize the Issue of Treasury Bills,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 1st April, 1869.

(7.) Appropriation Bill :—

BELMORE,
Governor.

Message No. 7.

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 1869 and for the year 1868 and previous years,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 1st April, 1869.

7. Cessnock Road :—Mr. Wilson moved, pursuant to Notice No. 1, That there be laid upon the Table of this House, a copy of all Correspondence, Documents, and Minutes, which have passed between the Government and any person or persons, respecting the expenditure of the grant for the repair of the Cessnock Road for the year 1868.
Debate ensued.
Question put and passed.
8. Business Days (*Sessional Order*) :—Mr. Robertson moved, pursuant to Notice No. 2, That, unless otherwise ordered, this House shall meet for dispatch of Business at Three o'clock p.m., on Tuesday, Wednesday, Thursday, and Friday, in each week.
Question put and passed.
9. Days for Precedence of Government Business (*Sessional Order*) :—Mr. Robertson moved, pursuant to Notice No. 3, That on Wednesday and Thursday, in each week, unless otherwise ordered, Government Business shall take precedence of all other business.
Question put and passed.
10. Days for Precedence of Private Business, and relative precedence of Private Orders (*Sessional Order*) :—Mr. Robertson moved, pursuant to Notice No. 4, That on Tuesday and Friday, in each week, unless otherwise ordered, Private Business shall take precedence of Government Business; and that on Fridays, Private Orders of the Day shall take precedence of Motions.
Question put and passed.

11. **Formal Motions and Orders of the Day (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 5,—
- (1.) That every Motion or Order of the Day for the third reading of a Bill, to which on the Question being put from the Chair—“ Whether there is any objection to its being a “ Formal” Motion or Order of the Day ?”—no objection shall be taken, shall be deemed to be a “ Formal” Motion or Order of the Day.
 - (2.) That before the Ordinary Business of each day shall be entered upon, the Speaker shall call over the various Notices of Motions and Orders of the Day for third reading of Bills ; and on any such Motion or Order being called, it shall be competent for the Member otherwise entitled to move it, to have the above question put with reference thereto ; and such “ Formal” Motions or Orders of the Day shall be disposed of in the relative order in which they stand on the Business Paper, taking precedence of all the other Motions and Orders of the Day.
 - (3.) That no debate shall be allowed upon any of such “ Formal” Motions or Orders of the Day, or upon the further proceedings consequent on the reading of such Orders ; but the House may proceed to division thereupon, without amendment or debate, as in the case of the motion for the first reading of a Bill.
 - (4.) That in consequence of any such “ Formal” Orders of the Day having been disposed of as aforesaid, it shall not be held that the House has proceeded to the Orders of the Day upon the Business Paper, so as to exclude thereafter the presentation of Petitions, or the reception of Notices of Motions.
- Question put and passed.
12. **Resumption of Committee of Supply (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 6, That, unless otherwise ordered, the Resumption of the Committee of Supply shall stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
- Question put and passed.
13. **Resumption of Committee of Ways and Means (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 7, That, unless otherwise ordered, the Resumption of the Committee of Ways and Means shall stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
- Question put and passed.
14. **Transmission of Messages between the two Houses (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 8, That the Order respecting the transmission of Messages, agreed to by the two Houses during the Session of 1856–7, shall stand as a *Sessional Order* of this House for the present Session.
- Question put and passed.
15. **Balloting for Select Committees (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 9, That the following Rules shall be observed as a *Sessional Order* of this House for the present Session :—
- (1.) Members balloting for a Select Committee shall place the Balloting Papers, after completion, in the hands of the Clerk of the House (or in his absence the Officer acting in his stead), giving time for him to note one paper (as hereinafter mentioned) before another is presented.
 - (2.) The Clerk shall have before him a complete printed list of the Members of the House ; and, on the presentation of any Balloting Paper, shall place his initials against the entry in such list of the name of the Member presenting such Balloting Paper ; and the Clerk shall place such list, so initialled, on record, with the other proceedings of the Ballot.
- Question put and passed.
16. **Entry of Questions and Answers on Votes (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 10, That the Clerk of the House shall enter upon the Minutes of the Votes and Proceedings the Questions of which formal notice shall have been given, put to the Members representing the Government in this House, and the answers returned to the same.
- Question put and passed.
17. **Vote of Chairman of Select Committee on Private Bill (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 11, That the Chairman of a Select Committee on a Private Bill shall be entitled to vote on all questions in the same way as other Members of such Committee, and, in case of an equality of votes, exercise a second or casting vote.
- Question put and passed.
18. **Library Committee (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 12, That the Library Committee for the present Session shall consist of the following Members, viz. :—The Speaker, Sir James Martin, Mr. Parkes, Mr. Piddington, Mr. Cunneen, Dr. Lang, Mr. Garrett, Mr. Wisdom, Mr. Windeyer, and the Mover, with leave to sit during any adjournment, and power to act jointly with the Library Committee of the Legislative Council, in accordance with the Assembly’s Resolution of the 6th August, 1862.
- Debate ensued.
- Question put and passed.
19. **Standing Orders Committee (*Sessional Order*)** :—Mr. Robertson moved, pursuant to Notice No. 13, That the Standing Orders Committee for the present Session shall consist of the following Members, viz. :—The Speaker, Sir James Martin, Mr. Parkes, Mr. Garrett, Mr. Hart, Mr. Burdekin, Mr. Smart, Mr. Wisdom, Mr. Piddington, and the Mover, with leave to sit during any adjournment, and authority and power to send for persons, papers, and records, and to examine witnesses, and to report in any matter or thing referred to, or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
- Question put and passed.

20. Refreshment Room Committee (*Sessional Order*):—Mr. Robertson moved, pursuant to Notice No. 14, That a Refreshment Room Committee be appointed for the present Session, to consist of the following Members, viz.:—Mr. Macleay, Mr. Lord, Mr. Egan, Sir James Martin, Mr. S. Brown, and the Mover, with leave to sit during any adjournment, and authority to act in matters of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
Debate ensued.
Question put and passed.
21. Chairman of Committees (*Sessional Order*):—Mr. Robertson moved, pursuant to Notice No. 15, That Thomas Garrett, Esquire, be Chairman of Committees of the Whole House, during the present Session.
Question put and passed.
Whereupon Mr. Garrett made his acknowledgments to the House.
22. William Heard:—*Mr. Parkes*, on behalf of Sir James Martin, moved, pursuant to Notice No. 16, That the Petition presented by Sir James Martin, on 28th September, from William Heard, be printed.
Question put and passed.
Ordered to be printed.

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

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS.

THURSDAY, 30 SEPTEMBER.

Questions:—

1. MR. WILSON to ask THE SECRETARY FOR LANDS,—
(1.) The names and addresses of the Trustees appointed by the Government to expend the grant for the repairs of the Cessnock Road for the year 1869?
(2.) On whose recommendation were they appointed?
2. MR. BURNS to ask THE SECRETARY FOR LANDS,—At whose instance has the grant for the present year for the road from West Maitland to Cessnock been entrusted to residents of Wollombi district, instead of to the Maitland Road Trust, for expenditure?
3. MR. NEALE to ask THE COLONIAL SECRETARY,—
(1.) Has the Report of the Commission appointed to inquire into the Water Supply of the City and Suburbs of Sydney been received by the Government?
(2.) When will the Report of the Commission be laid upon the Table of this House?

GOVERNMENT BUSINESS—NOTICES OF MOTIONS:—

1. MR. ROBERTSON to move, That this House will to-morrow resolve itself into a Committee of the Whole to consider the propriety of introducing a Bill to authorize and regulate Assisted Immigration.
2. MR. FORSTER to move, That leave be given to introduce a Bill to provide for the Leasehold Rights of Conditional and other Purchasers.
3. MR. FORSTER to move, That leave be given to introduce a Bill to Amend the Gold Fields Act of 1866.
4. MR. FORSTER to move, That leave be given to introduce a Bill to Regulate Cemeteries.
5. MR. FORSTER to move, That leave be given to introduce a Bill to Amend the Laws relating to Roads.

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. WILSON to move, That the Petition presented by him on the 29th September, from 15,294 Mothers and Daughters of the City of Sydney and Suburbs, praying that a law be passed prohibiting music and dancing in public-houses, be printed.
2. MR. WISDOM to move, That there be laid upon the Table of this House, Copies of all Correspondence and Papers in the possession of the Government relative to a surveyed but unproclaimed road from the township of Alwick to the Raymond Terrace and Maitland Road.
3. MR. WISDOM to move, That there be laid upon the Table of this House, a Return setting forth the names, offices, salaries and dates of appointment of all persons in the employment of the Government, who have received notice that their services will be dispensed with at or before the end of the present year.
4. MR. HART to move for leave to introduce a Bill to amend the Boundaries of the City of Sydney.
5. MR. WILSON to move,—
(1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.L.A., respecting the expenditure of the grant for the repairs of the Cessnock Road for the year 1868; also on the charges made by Mr. Eckford against the Warden.
(2.) That such Committee consist of Mr. Samuel, Mr. Tighe, Mr. Hoskins, Mr. Farnell, Mr. Neale, Mr. Lackey, Mr. B. Stewart, Mr. Lucas, Mr. Church, and the Mover.

FRIDAY,

FRIDAY, 1 OCTOBER.

Questions :—

1. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether Government intends to take any proceedings towards removing the inconveniences arising from the depreciation of the Silver Coins now current in this Colony?
2. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—
 - (1.) Whether Dr. Badham, Professor of Classics and Logic in the Sydney University, has received, or been promised, a sum of money to pay his travelling expenses?
 - (2.) If so, what sum?
 - (3.) What public business was transacted, or what official duty was discharged, by Dr. Badham, in the course of his travels?
3. MR. HOSKINS *to ask* THE SECRETARY FOR PUBLIC WORKS,—Do the Government intend to open for traffic the Great Northern Railway from Musclebrook to Aberdeen, as soon as that portion of the Railway is completed; or will the opening of that length of the Railway be delayed until after the bridge is erected over the Hunter River at Aberdeen, and the Railway is formed, ballasted, and the permanent way laid between Aberdeen and Scone?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. BURNS to move for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
2. MR. J. STEWART to move, That there be laid upon the Table of this House, Copies of Correspondence and of documents in reference to the Registrar General's Office being closed on the 27th of March last, in violation of the Act 7 Victoria, No. 16.
3. MR. J. STEWART to move, That there be laid upon the Table of this House, Copies of Letters addressed to the Colonial Secretary, by the Senior Examiner of Titles, in August, 1863, and April, 1866, suggesting amendment of the Real Property Act; together with Drafts therein referred to.
4. MR. FARNELL to move for leave to introduce a Bill to provide for the Burial of the Dead within the Police District of Sydney.

TUESDAY, 5 OCTOBER.

Questions :—

1. MR. J. STEWART *to ask* THE POSTMASTER GENERAL,—Whether Government has yet come to any resolution in reference to the propriety of establishing Post Office Savings Banks, to which his attention was drawn on the 22nd of January last?
2. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether Government intends to introduce any Bill to Reform the Administration of Law and Equity?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. LUCAS to move, That this House will, on Friday, the 8th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
2. MR. J. STEWART to move, That leave be given to introduce a Bill to regulate proceedings relating to persons charged with Contempt of Court.
3. MR. BYRNES to move for leave to bring in a Bill to amend and apply the provisions of the Small Debts Act, 10 Vic. No. 10, to all parts of the Colony.
4. MR. R. STEWART to move, That the Document laid upon the Table of this House by Mr. Josephson on 27th March, 1869—"a Return to an Address in reference to 'Re John Tebbutt, Legatee of Sophia Beeson, adopted by this House on the motion of Mr. R. Stewart on the 2nd February, 1869,'"—be printed.
5. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
6. MR. TERRY to move, That this House will, on Friday the 8th October, resolve itself into a Committee of the Whole, to consider of an address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.

WEDNESDAY, 6 OCTOBER.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to introduce a Bill to amend the Electoral Representation and to shorten the duration of Parliaments.

TUESDAY, 12 OCTOBER.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
2. DR. LANG to move for leave to introduce a Bill to limit the duration of all future Parliaments to three years.
3. DR. LANG to move, That the Select Committee of last Session of Parliament in the case of Mr. Thomas Scott, be re-appointed.

New South Wales.

No. 3.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 30 SEPTEMBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Trustees for Cessnock Road:—Mr. Wilson asked the Secretary for Lands, pursuant to Notice No. 1,—

(1.) The names and addresses of the Trustees appointed by the Government to expend the grant for the repairs of the Cessnock Road for the year 1869?

(2.) On whose recommendation were they appointed?

Mr. Forster answered,—

(1.) The names are—Messrs. James Brookes, John Lynch, John Bridge, John Clark, and Denis Kenny. The addresses are not known in the office.

(2.) On the recommendation of the Member for the Electoral District of Wollombi.

- (2.) Grant for Road from West Maitland to Cessnock:—Mr. Burns asked the Secretary for Lands, pursuant to Notice No. 2,—At whose instance has the grant for the present year for the road from West Maitland to Cessnock been entrusted to residents of Wollombi district, instead of to the Maitland Road Trust, for expenditure?

Mr. Forster answered,—The grant for this road was entrusted to certain persons (already named in answer to a previous question), recommended for that purpose by the Honorable Member for the Electoral District of the Wollombi. This recommendation was made about the same time with a number of others, and it did not occur to me for a moment to doubt that the road in question was in the Electoral District named; whereas I now find it lies wholly outside that district. Under this mistaken impression, and having in the meantime, so far as I am aware, received no information or communication on the subject from the Honorable Member for the Electoral District to which the road belongs, it appears that I acted upon Mr. Eckford's recommendation, though I have no very distinct recollection of the circumstance.

- (3.) Sydney Water Commission:—Mr. Neale asked the Colonial Secretary, pursuant to Notice No. 3,—

(1.) Has the Report of the Commission appointed to inquire into the Water Supply of the City and Suburbs of Sydney been received by the Government?

(2.) When will the Report of the Commission be laid upon the Table of this House?

Mr. Robertson answered,—

(1.) Government have not received the Report of the Commission referred to.

(2.) As soon as the Government receive it, it will be laid upon the Table of the House.

2. Paper:—Mr. Forster laid upon the Table, Road Trust Accounts for the half-year ending 31st December, 1868.

Ordered to be printed.

3. Motion for Adjournment:—Mr. Wilson moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

4. Music and Dancing in Licensed Public Houses (*Formal Motion*):—Mr. Wilson moved, pursuant to Notice No. 1, That the Petition presented by him on the 29th September, from 15,294 Mothers and Daughters of the City of Sydney and Suburbs, praying that a law be passed prohibiting music and dancing in public-houses, be printed.

Question put and passed.

Ordered to be printed.

5. Road from Alnwick to Raymond Terrace and Maitland Road (*Formal Motion*):—Mr. Wisdom moved, pursuant to Notice No. 2, That there be laid upon the Table of this House, Copies of all Correspondence and Papers in the possession of the Government relative to a surveyed but unproclaimed road from the township of Alnwick to the Raymond Terrace and Maitland Road.

Question put and passed.

6. Removal of Government Officers (*"Formal" Motion*):—Mr. Wisdom moved, pursuant to Notice No. 3, That there be laid upon the Table of this House, a Return setting forth the names, offices, salaries and dates of appointment of all persons in the employment of the Government, who have received notice that their services will be dispensed with at or before the end of the present year.
Question put and passed.
7. Sydney Boundaries Amendment Bill (*"Formal" Motion*):—Mr. Hart moved, pursuant to Notice No. 4, for leave to introduce a Bill to amend the Boundaries of the City of Sydney.
Question put and passed.
8. Papers:—Mr. Robertson laid upon the Table the undermentioned Papers:—
(1.) Sydney Grammar School (Report for 1868).
(2.) University of Sydney (Report for 1868).
(3.) Despatch, forwarding Colonial Prisoners Removal Act.
(4.) Despatch respecting Flying Squadron.
(5.) Reports on General Condition, &c., of Hospital for the Insane, Tarban Creek.
Ordered to be printed.
9. Assisted Immigration Bill:—Mr. Robertson moved, pursuant to Notice No. 1, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to authorize and regulate Assisted Immigration.
Question put and passed.
10. Conditional Purchasers Pre-lease Declaratory Bill:—Mr. Forster moved, pursuant to Notice No. 2, That leave be given to introduce a Bill to provide for the Leasehold Rights of Conditional and other Purchasers.
Question put and passed.
11. Gold Fields Act Amendment Bill:—Mr. Forster moved, pursuant to amended Notice No. 3, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to Amend the Gold Fields Act of 1866.
Question put and passed.
12. Cemeteries Regulation Bill:—Mr. Forster moved, pursuant to Notice No. 4, That leave be given to introduce a Bill to Regulate Cemeteries.
Question put and passed.
13. Roads Acts Amendment Bill:—Mr. Forster moved, pursuant to Notice No. 5, That leave be given to introduce a Bill to Amend the Laws relating to Roads.
Question put and passed.
14. Deputy Speaker's Commission to Administer the Oath:—The Speaker reported that he had received a Commission, under the Seal of the Colony, dated 30th September, 1869, and signed by His Excellency the Governor, Earl of Belmore, empowering Thomas Garrett, 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, of which the following is a copy:—
"By His Excellency the Right Honorable SOMERSET RICHARD, Earl of Belmore, a Member of Her Majesty's Most Honorable Privy Council in Ireland, Governor and Commander-in-Chief of the Colony of New South Wales, and Vice Admiral of the same.
"To all to whom these presents shall come,—
"Greeting:
"In pursuance of the authority in me vested in that behalf, I, Somerset Richard, Earl of Belmore, as Governor of the Colony of New South Wales, do hereby authorize Thomas Garrett, Esquire, Chairman of Committees of the Legislative Assembly of the said Colony, in the absence of the Honorable the Speaker of the said Assembly, to administer from time to time as occasion may require, to any Member of the said Assembly to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, required by Law to be taken or made and subscribed by every such Member before he shall be permitted to sit or Vote in the said Legislative Assembly.
"Given under my Hand and the Seal of the Colony, at Government House, Sydney, in New South Wales aforesaid, this thirtieth day of September, in the year of our Lord one thousand eight hundred and sixty-nine, and in the thirty-third year of the reign of Her Majesty Queen Victoria.
"BELMORE.
"By His Excellency's Command.
"JOHN ROBERTSON."
15. Grant for Road from West Maitland to Cessnock:—Mr. Wilson moved, pursuant to Notice No. 5,—
(1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.L.A., respecting the expenditure of the grant for the repairs of the Cessnock Road for the Year 1868; also on the charges made by Mr. Eckford against the Warden.
(2.) That such Committee consist of Mr. Samuel, Mr. Tighe, Mr. Hoskins, Mr. Farnell, Mr. Neale, Mr. Lackey, Mr. R. Stewart, Mr. Lucas, Mr. Church, and the Mover.
Debate ensued.
On motion of Mr. Burns, Debate adjourned (after Debate), until Friday, 8th October.
The House adjourned at Twenty-five minutes before Nine o'clock, until To-morrow, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS
OF THE DAY.

FRIDAY, 1 OCTOBER.

Questions :—

1. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether Government intends to take any proceedings towards removing the inconveniences arising from the depreciation of the Silver Coins now current in this Colony?
2. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—
 - (1.) Whether Dr. Badham, Professor of Classics and Logic in the Sydney University, has received, or been promised, a sum of money to pay his travelling expenses?
 - (2.) If so, what sum?
 - (3.) What public business was transacted, or what official duty was discharged, by Dr. Badham, in the course of his travels?
3. MR. HOSKINS *to ask* THE SECRETARY FOR PUBLIC WORKS,—Do the Government intend to open for traffic the Great Northern Railway from Musclebrook to Aberdeen, as soon as that portion of the Railway is completed; or will the opening of that length of the Railway be delayed until after the bridge is erected over the Hunter River at Aberdeen, and the Railway is formed, ballasted, and the permanent way laid between Aberdeen and Scone?
4. MR. DODDS *to ask* THE SECRETARY FOR PUBLIC WORKS,—Have the Government taken any steps to remedy or remove the nuisance arising from the drainage from the Gaol at Maitland?
5. MR. J. SUTTON *to ask* THE POSTMASTER GENERAL,—
 - (1.) Is he aware that the person recently appointed to keep the Post Office at Kelso is an alien, who can neither read nor write English?
 - (2.) Will any steps be taken to remedy this inconvenience to the public; and on whose recommendation was this person appointed?
6. MR. E. BROWN *to ask* THE SECRETARY FOR LANDS,—Do the Government intend taking any steps to authorize the sale of land to those parties who have selected and improved lands reserved from conditional purchase, but which lands were not marked as reserved?
7. MR. FARNELL *to ask* THE COLONIAL SECRETARY,—
 - (1.) Have any representations or charges been made to the Government in reference to the mismanagement of the Sydney Infirmary?
 - (2.) If so, is it the intention of the Government to inquire into the matter?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. BURNS *to move* for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
2. MR. J. STEWART *to move*, That there be laid upon the Table of this House, Copies of Correspondence and of documents in reference to the Registrar General's Office being closed on the 27th of March last, in violation of the Act 7 Victoria, No. 16.
3. MR. J. STEWART *to move*, That there be laid upon the Table of this House, Copies of Letters addressed to the Colonial Secretary, by the Senior Examiner of Titles, in August, 1863, and April, 1866, suggesting amendment of the Real Property Act; together with Drafts therein referred to.
4. MR. FARNELL *to move* for leave to introduce a Bill to provide for the Burial of the Dead within the Police District of Sydney.
5. MR. LEE *to move*,—
 - (1.) That the Petition presented by him to this House last Session from Mr. A. W. Scott, and ordered to be printed 19th January, be referred to a Select Committee for inquiry and report.
 - (2.) That such Committee consist of Mr. Burns, Mr. Wisdom, Mr. Farnell, Mr. Wilson, Mr. James Campbell, Mr. Lyons, Mr. R. Stewart, and the Mover, and have power to send for persons and papers.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Assisted Immigration Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to authorize and regulate Assisted Immigration.
2. Gold Fields Act Amendment Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to amend the Gold Fields Act of 1866.

TUESDAY, 5 OCTOBER.

Questions :—

1. MR. J. STEWART *to ask* THE POSTMASTER GENERAL,—Whether Government has yet come to any resolution in reference to the propriety of establishing Post Office Savings Banks, to which his attention was drawn on the 22nd of January last?
2. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether Government intends to introduce any Bill to Reform the Administration of Law and Equity?
3. MR. TUNKS *to ask* THE SECRETARY FOR LANDS,—When will the Papers, ordered by this House on the 2nd February last, having reference to "Road Metal Quarries at Prospect," be laid on the Table?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. LUCAS *to move*, That this House will, on Friday, the 8th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgong Creek, on the Mudgee Road, and the repairs of that road from the Cudgong Creek to Piper's Flat.

2. MR. J. STEWART to move, That leave be given to introduce a Bill to regulate proceedings relating to persons charged with Contempt of Court.
3. MR. BYRNES to move for leave to bring in a Bill to amend and apply the provisions of the Small Debts Act, 10 Vic. No. 10, to all parts of the Colony.
4. MR. R. STEWART to move, That the Document laid upon the Table of this House by Mr. Josephson on 27th March, 1869—"a Return to an Address in reference to 'Re John Tebbutt,' Legatee of Sophia Beeson, adopted by this House on the motion of Mr. R. Stewart on the 2nd February, 1869,"—be printed.
5. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
6. MR. TERRY to move, That this House will, on Friday the 8th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
7. MR. TUNKS to move, That this House will, on Tuesday, 12th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to regulate the Export of Gunpowder and Warlike Stores.

WEDNESDAY, 6 OCTOBER.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to introduce a Bill to amend the Electoral Representation and to shorten the duration of Parliaments.

THURSDAY, 7 OCTOBER.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS :—

1. MR. SAMUEL to move for leave to introduce a Bill for the appropriation of certain unclaimed balances to the credit of deceased prisoners in the Savings Bank.
2. MR. SAMUEL to move for leave to introduce a Bill to amend the Law as to Arrests on Mesne process.

FRIDAY, 8 OCTOBER.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Grant for Road from West Maitland to Cessnock ; Resumption of adjourned Debate on the motion of Mr. Wilson,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.L.A., respecting the expenditure of the grant for the repairs of the Cessnock Road for the year 1868 ; also on the charges made by Mr. Eckford against the Warden.
 - (2.) That such Committee consist of Mr. Samuel, Mr. Tighe, Mr. Hoskins, Mr. Farnell, Mr. Neale, Mr. Lackey, Mr. R. Stewart, Mr. Lucas, Mr. Church, and the Mover.

TUESDAY, 12 OCTOBER.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
2. DR. LANG to move for leave to introduce a Bill to limit the duration of all future Parliaments to three years.
3. DR. LANG to move, That the Select Committee of last Session of Parliament in the case of Mr. Thomas Scott, be re-appointed.

WEDNESDAY, 13 OCTOBER.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS :—

1. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.

New South Wales.

No. 4.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 1 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

(1.) Depreciation of Silver Coins:—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 1,—Whether Government intends to take any proceedings towards removing the inconveniences arising from the depreciation of the Silver Coins now current in this Colony?

Mr. Samuel answered,—The Government have already taken steps with a view to the restoration of the silver currency to a more satisfactory footing.

Mr. J. Stewart withdrew the Question No. 2.

(2.) Great Northern Railway from Musclebrook to Aberdeen:—Mr. Hoskins asked the Secretary for Public Works, pursuant to Notice No. 3,—Do the Government intend to open for traffic the Great Northern Railway from Musclebrook to Aberdeen, as soon as that portion of the Railway is completed; or will the opening of that length of the Railway be delayed until after the bridge is erected over the Hunter River at Aberdeen, and the Railway is formed, ballasted, and the permanent way laid between Aberdeen and Scone?

Mr. Sutherland answered,—The Government do not intend to open for public traffic to Aberdeen when that length is completed, as there will be no siding accommodation for goods traffic. It might be opened for mails and passenger traffic, should the contract not be completed at the time named in the Bond. The contract time for completion to Scone is 31st August, 1870; and as the cylinders for the bridge over the Hunter at Aberdeen are daily expected at Newcastle, and the wrought iron girders were complete in July last in England, but waiting for shipment, it is not anticipated that any delay will arise to the opening to Scone from the non-completion of the bridge.

(3.) Drainage from Maitland Gaol:—Mr. Dodds asked the Secretary for Public Works, pursuant to Notice No. 4,—Have the Government taken any steps to remedy or remove the nuisance arising from the drainage from the Gaol at Maitland?

Mr. Sutherland answered,—There is great difficulty in preventing annoyance from the drainage of Maitland Gaol, as is also the case in other inland towns, which arises from the absence of a suitable outlet for the sewage. At Bathurst Gaol the experiment is being tried of deodorising the solid offensive matter by the carth process, and distributing by subsoil drains the liquid sewage amongst the plantations adjacent. Should this plan be found successful, as is anticipated, it will be adopted at Maitland.

(4.) Postmaster at Kelso:—Mr. J. Suttor asked the Colonial Secretary, pursuant to Notice No. 5,—

(1.) Is he aware that the person recently appointed to keep the Post Office at Kelso is an alien, who can neither read nor write English?

(2.) Will any steps be taken to remedy this inconvenience to the public; and on whose recommendation was this person appointed?

Mr. Egan answered,—

(1.) After the appointment had been made, I learned, with regret, that the Postmaster could but imperfectly read and write English. I am not aware that he is an alien; indeed, I understand that he was naturalized about five years ago.

(2.) The Postmaster has resigned, and steps have been taken to appoint another person to the office. The appointment was made on the recommendation of Mr. Cummings, M.P., who happened to be in the city when the death of the previous Postmaster was reported.

(5.)

- (5.) Sale of Lands reserved from Conditional Purchase:—Mr. E. Brown asked the Secretary for Lands, pursuant to Notice No. 6,—Do the Government intend taking any steps to authorize the sale of land to those parties who have selected and improved lands reserved from conditional purchase, but which lands were not marked as reserved?
Mr. Forster answered,—I am not sure that I quite understand the Honorable Member's question, which is rather indefinite; but I am not aware that the Government intend taking any such steps as appear to be suggested by the Honorable Member,—that is to say, to authorize the sale of land in cases where it is not already authorized by law.
- (6.) Sydney Infirmary:—Mr. Farnell asked the Colonial Secretary, pursuant to Notice No. 7,—
(1.) Have any representations or charges been made to the Government in reference to the mismanagement of the Sydney Infirmary?
(2.) If so, is it the intention of the Government to inquire into the matter?
Mr. Robertson answered,—
(1.) Yes.
(2.) An inquiry has been made, and a copy of the Report will be laid upon the Table.
2. Mr. Alexander Walker Scott—Land taken by Hunter River Railway:—Mr. Lee presented a Petition from Mr. Alexander Walker Scott, formerly of the City of Newcastle, but now of Sydney, one of the Trustees of the Newcastle Proprietary Grammar School, referring to a Petition presented by him to the Legislative Assembly during its last Session, stating certain grievances sustained by him; and praying that his said Petition may be referred to a Select Committee, with power to send for persons and papers; and that he may be heard before such Committee in person, or by his counsel or solicitor.
Petition received.
3. Papers:—
(1.) Mr. Forster laid upon the Table the undermentioned Papers:—
(1.) Return to Order, in reference to "Commonages for Town of Merriwa," made by the Legislative Assembly, on motion of Mr. Burns, on behalf of Mr. Wisdom, on 25th February, 1869.
Ordered to be printed.
(2.) Return to Order, in reference to "Road from the Western Road *via* Smithfield to Cabramatta (Mr. Holroyd as a Trustee)," made by the Legislative Assembly, on motion of Mr. Hill, on 2nd February, 1869.
(2.) Mr. Robertson laid upon the Table, Correspondence respecting the case of a young girl (Annie Jeston Jesmond) whose admission was refused at the Sydney Infirmary.
Ordered to be printed.
4. Sydney Boundaries Amendment Bill:—Mr. Hart having *presented* this Bill, Bill, intituled "*A Bill to amend the Boundaries of the City of Sydney*," read a first time.
Ordered to be printed, and read a second time this day week.
5. Closing of Registrar General's Office ("*Formal*" *Motion*):—Mr. J. Stewart moved, pursuant to Notice No. 2, That there be laid upon the Table of this House, Copies of Correspondence and of documents in reference to the Registrar General's Office being closed on the 27th of March last, in violation of the Act 7 Victoria, No. 16.
Question put and passed.
6. Proposed Amendment of Real Property Act ("*Formal*" *Motion*):—Mr. J. Stewart moved, pursuant to Notice No. 3, That there be laid upon the Table of this House, Copies of Letters addressed to the Colonial Secretary, by the Senior Examiner of Titles, in August, 1863, and April, 1866, suggesting amendment of the Real Property Act; together with Drafts therein referred to.
Question put and passed.
7. Burials Regulation Bill ("*Formal*" *Motion*):—
(1.) Mr. Farnell moved, pursuant to Notice No. 4, for leave to introduce a Bill to provide for the Burial of the Dead within the Police District of Sydney.
Question put and passed.
(2.) Mr. Farnell having *presented* this Bill, Bill, intituled "*A Bill to provide for the Burial of the Dead in the Police District of Sydney*," read a first time.
Ordered to be printed, and read a second time on Tuesday next.
8. Motion Withdrawn:—Mr. Burns withdrew the Motion standing in his name No. 1 on the Notice Paper for to-day.
9. Mr. Alexander Walker Scott—Land taken by Hunter River Railway:—Mr. Lee moved, pursuant to *amended* Notice No. 5,—
(1.) That the Petition presented by him to this House last Session from Mr. A. W. Scott, and ordered to be printed 19th January, be referred to a Select Committee for inquiry and report.
(2.) That such Committee consist of Mr. Burns, Mr. Wisdom, Mr. Farnell, Mr. Wilson, Mr. James Campbell, Mr. Lyons, Mr. R. Stewart, Mr. Forster, Mr. Sutherland, and the Mover, and have power to send for persons and papers.
Debate ensued.
Question put and passed.
10. Conditional Purchasers Pre-lease Declaratory Bill:—Mr. Forster having *presented* this Bill, Bill, intituled "*A Bill to provide for the Leasehold Rights of Conditional and other Purchasers*," read a first time.
Ordered to be printed, and read a second time on Wednesday next.
11. Roads Acts Amendment Bill:—Mr. Forster having *presented* this Bill, Bill, intituled "*A Bill to amend the Laws relating to Roads*," read a first time.
Ordered to be printed, and read a second time on Wednesday next.
12. Assisted Immigration Bill:—The Order of the Day for the consideration in Committee of the Whole of the propriety of introducing a Bill to authorize and regulate Assisted Immigration, having been read,—on motion of Mr. Robertson, the Speaker left the Chair, and the House resolved itself into the said Committee.

The Chairman reported that the Committee had agreed to the following Resolution :—

Resolved,—That it is desirable to introduce a Bill to authorize and regulate Assisted Immigration.
Resolution received.

Ordered, on motion of Mr. Robertson, that the adoption of this Resolution stand an Order of the Day for Tuesday next.

13. Gold Fields Act Amendment Bill :—The Order of the Day for the consideration in Committee of the Whole of the propriety of introducing a Bill to amend the Gold Fields Act of 1866, having been read,—on motion of Mr. Forster, the Speaker left the Chair, and the House resolved itself into the said Committee.

The Chairman reported that the Committee had agreed to the following Resolution :—

Resolved,—That it is desirable to introduce a Bill to amend the Gold Fields Act of 1866.
Resolution received.

Ordered, on motion of Mr. Forster, that the adoption of this Resolution stand an Order of the Day for Tuesday next.

The House adjourned at nineteen minutes past Four o'clock, until Tuesday next, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

TUESDAY, 5 OCTOBER.

Questions :—

1. MR. J. STEWART *to ask* THE POSTMASTER GENERAL,—Whether Government has yet come to any resolution in reference to the propriety of establishing Post Office Savings Banks, to which his attention was drawn on the 22nd of January last?
2. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether Government intends to introduce any Bill to Reform the Administration of Law and Equity?
3. MR. TUNKS *to ask* THE SECRETARY FOR LANDS,—When will the Papers, ordered by this House on the 2nd February last, having reference to "Road Metal Quarries at Prospect," be laid on the Table?
4. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—
 - (1.) Whether Dr. Badham, Professor of Classics and Logic in the Sydney University, has received, or been promised, a sum of money to pay his travelling expenses?
 - (2.) If so, what sum?
 - (3.) What public business was transacted, or what official duty was discharged, by Dr. Badham, in the course of his travels?
5. SIR. JAMES MARTIN *to ask* THE SECRETARY FOR LANDS,—
 - (1.) Whether he has any objection to state under what circumstances the services of Mr. William Heard, late Overseer at the Cemetery at Haslem's Creek, were dispensed with?
 - (2.) Whether any one has been appointed to succeed him; and, if so, under what circumstances?
6. MR. FARNELL *to ask* THE SECRETARY FOR PUBLIC WORKS,—Whether he instructed the railway officials to accept at a certain price all sleepers of a suitable description that any person might offer to deliver to the Railway Works at Picton, or elsewhere, on the Southern Line?
7. MR. E. BROWN *to ask* THE SECRETARY FOR PUBLIC WORKS,—What course do the Government intend to take with reference to the claim of Mr. George Williams, of South Gundagai, for £108 10s., for constructing a river boat, for which proper vouchers were furnished to the Works Department and approved by the late Minister, but for which payment has hitherto been denied to Mr. Williams, owing to the loss of the papers by Government officials?
8. MR. J. STEWART *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) For how many tons of coal, shipped by the Newcastle steam cranes, has Government paid, since the cranes were last leased?
 - (2.) For how many tons has Government received payment during the same period?
 - (3.) Has any complaint been lodged as to the management of the cranes?
 - (4.) Does any one, on behalf of Government, oversee or inspect the cranes?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. LUCAS *to move*, That this House will, on Friday, the 8th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road, from the Cudgegong Creek to Piper's Flat.
2. MR. J. STEWART *to move*, That leave be given to introduce a Bill to regulate proceedings relating to persons charged with Contempt of Court.
3. MR. BYRNES *to move* for leave to bring in a Bill to amend and apply the provisions of the Small Debts Act, 10 Vic. No. 10, to all parts of the Colony.
4. MR. R. STEWART *to move*, That the Document laid upon the Table of this House by Mr. Josephson on 27th March, 1869—"a Return to an Address in reference to 'Re John Tebbutt,' Legatee of Sophia Beeson, adopted by this House on the motion of Mr. R. Stewart on the 2nd February, 1869,"—be printed.
5. MR. R. STEWART *to move*, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.

6. MR. TERRY to move, That this House will, on Friday the 8th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
7. MR. TUNKS to move, That this House will, on Tuesday, 12th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
8. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of,—
 - (1.) The cost incurred by this colony in setting aside, by appeal to the Privy Council, the decision of the Supreme Court, by which a new trial was granted in the case *Regina v. Bertrand*, convicted of murder in the year 1866.
 - (2.) The cost incurred by this colony in setting aside, in like manner, the decision of the Supreme Court by which a new trial was granted, notwithstanding the decision in *Bertrand's* case, in the case *Regina v. Murphy*, convicted of murder in the year 1867.
9. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens, announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.

ORDER OF THE DAY:—

1. Burials Regulation Bill; second reading.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS:—

1. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to regulate the Export of Gunpowder and Warlike Stores.
2. MR. FORSTER to move, That next day of sitting the House resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to regulate Cemeteries.

ORDERS OF THE DAY:—

1. Assisted Immigration Bill; adoption of Resolution from Committee of the Whole.
2. Gold Fields Act Amendment Bill; adoption of Resolution from Committee of the Whole.

 WEDNESDAY, 6 OCTOBER.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move for leave to introduce a Bill to amend the Electoral Representation and to shorten the duration of Parliaments.

ORDERS OF THE DAY:—

1. Conditional Purchasers Pre-lease Declaratory Bill; second reading.
2. Roads Acts Amendment Bill; second reading.

 THURSDAY, 7 OCTOBER.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS:—

1. MR. SAMUEL to move for leave to introduce a Bill for the appropriation of certain unclaimed balances to the credit of deceased prisoners in the Savings Bank.
2. MR. SAMUEL to move for leave to introduce a Bill to amend the Law as to Arrests on Mesne Process.

 FRIDAY, 8 OCTOBER.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Grant for Road from West Maitland to Cessnock; Resumption of adjourned Debate on the motion of Mr. Wilson,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.L.A., respecting the expenditure of the grant for the repairs of the Cessnock Road for the year 1868; also on the charges made by Mr. Eckford against the Warden.
 - (2.) That such Committee consist of Mr. Samuel, Mr. Tighe, Mr. Hoskins, Mr. Farnell, Mr. Neale, Mr. Lackey, Mr. R. Stewart, Mr. Lucas, Mr. Church, and the Mover.
2. Sydney Boundaries Amendment Bill; second reading.

 TUESDAY,

TUESDAY, 12 OCTOBER.

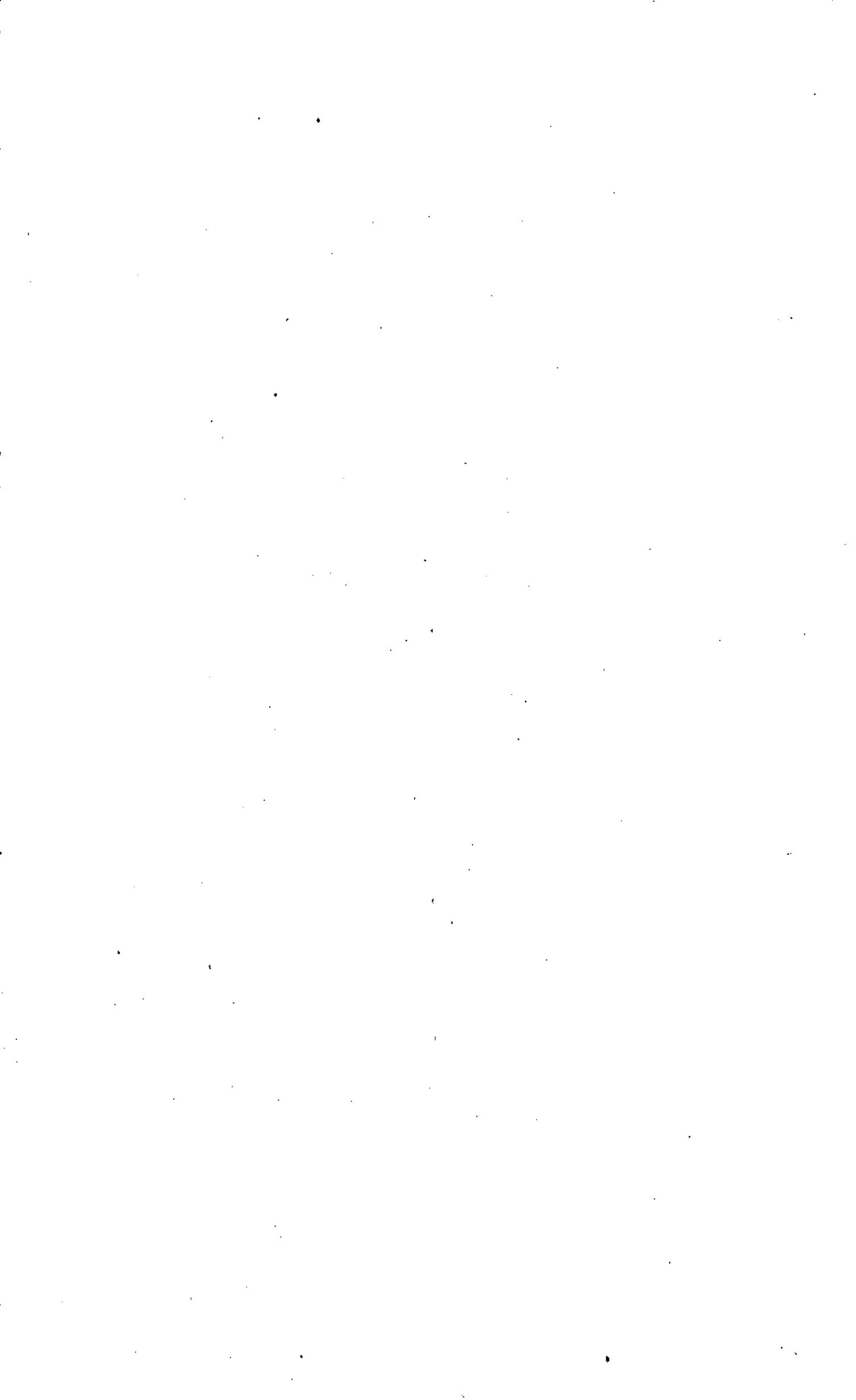
OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
 2. DR. LANG to move for leave to introduce a Bill to limit the duration of all future Parliaments to three years.
 3. DR. LANG to move, That the Select Committee of last Session of Parliament in the case of Mr. Thomas Scott, be re-appointed.
 4. MR. BURNS to move for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
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WEDNESDAY, 13 OCTOBER.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS:—

1. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
 2. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
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New South Wales.

No. 5.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 5 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Post Office Savings Banks:—Mr. J. Stewart asked the Postmaster General, pursuant to Notice No. 1,—Whether Government has yet come to any resolution in reference to the propriety of establishing Post Office Savings Banks, to which his attention was drawn on the 22nd of January last?

Mr. Egan answered,—The Government have had this matter under consideration, and it is their intention to introduce a Bill for the purpose of enabling Post Office Savings Banks to be established in this Colony.

Mr. J. Stewart withdrew the Question No. 2.

- (2.) Road Metal Quarries at Prospect:—Mr. Farnell, on behalf of Mr. Tunks, asked the Secretary for Lands, pursuant to Notice No. 3,—When will the Papers, ordered by this House on the 2nd February last, having reference to “Road Metal Quarries at Prospect,” be laid on the Table?

Mr. Forster answered,—I am assured that these papers will be ready next week.

Mr. J. Stewart withdrew the Question No. 4.

- (3.) William Heard, late Overseer of Cemetery at Haslem’s Creek:—Sir James Martin asked the Secretary for Lands, pursuant to Notice No. 5,—

(1.) Whether he has any objection to state under what circumstances the services of Mr. William Heard, late Overseer at the Cemetery at Haslem’s Creek, were dispensed with?

(2.) Whether any one has been appointed to succeed him; and, if so, under what circumstances?

Mr. Forster answered,—

(1.) The circumstances referred to are as follows:—Mr. Heard was appointed Overseer of the Haslem’s Creek Cemetery,—under what circumstances I am not aware,—but the necessity for such an appointment appeared to me very questionable. I have found it difficult to ascertain what Mr. Heard was required to see over, or what his duties were, beyond occupying a house and premises, occasionally shutting a gate which people passing through neglected to shut, and keeping the hedges in order. And as the expenses of this establishment exceed its income, it is obvious that economy is desirable, and the retention of unnecessary offices not desirable. But it is probable Mr. Heard would not have been disturbed—at least until the end of the year—if he had not misconducted himself. My attention was first called to the circumstances of his position by complaints against him for causing the plantations in the Cemetery to be destroyed or injured, by running a horse among them,—for drunkenness and abusive language,—and for other improprieties. The result of an inquiry was, that the charges of injuring the plantations, and of drunkenness, were considered to have been substantiated. These charges were followed by others from the railway officials against Mr. Heard, for drunkenness, for the use of violent and indecent language, and for interference with the railway officials while on duty. It was then recommended, to avoid further trouble with Mr. Heard, and out of consideration of his alleged destitute circumstances, that the charges should not be proceeded with, but that he should quietly retire from his office and premises with a view to the abolition of his office, leaving open for him the chance of other employment. However, after the charges were dropped, it was found exceedingly difficult to induce Mr. Heard to vacate the premises.

(2.) In effect, no one has been appointed to succeed Mr. Heard: the office of overseer has not been filled; and is not required. One of the labourers on the grounds of the Cemetery, whose employment would have been necessary even had Mr. Heard remained, occupies the premises formerly

formerly occupied by Mr. Heard, and takes charge of the gates, fences, and the like, in addition to his ordinary labours, which are considerable, as he is a hard-working man, and is employed from six in the morning to six in the evening. In corroboration, I read a memorandum on the subject from the Director of the Botanic Gardens. "Memo., in reference to Mr. Heard's Petition, presented by Sir James Martin.—In February last, I was directed by Mr. Secretary Forster to give Mr. Heard notice that his services would not be required beyond the end of that month, on the grounds that the office was unnecessary, and on the score of economy; but, in reality, as I understood, in consequence of many complaints having been made against him, particularly that of keeping a horse in the Necropolis, which had trampled on and injured the plants growing on the graves, as well as of having used improper language when spoken to on the subject. Mr. Heard having denied the truth of these and other allegations, an inquiry was directed to be made by Mr. Liardet and myself, to ascertain whether they were true or otherwise. This was done in the presence of Mr. Simeon Pearce, a Trustee of the Church of England ground, and one of the complainants; the witnesses examined being the Church of England Sexton and two of his assistants, and the Sextons of the Roman Catholic and Presbyterian grounds. The result of the investigation proved that Heard had kept a horse unauthorized within the grounds of the Necropolis,—that it had been allowed to run loose at night, and had thus injured the graves, and the plants growing thereon; that, when remonstrated with about the horse, it was strongly asserted that he had used very improper language. It was further alleged that he was frequently seen in a state of intoxication. On his removal from the Necropolis, he was replaced, at my request, by a workman upon the Domain, who is employed as an ordinary labourer in clearing the reserves and hedge plantations."

Mr. Farnell withdrew the Question No. 6.

Mr. E. Brown withdrew the Question No. 7.

Mr. J. Stewart withdrew the Question No. 8.

2. Paper:—Mr. Forster laid upon the Table, Return to Order in reference to "Mineral Lands in the Hunter River District," made by the Legislative Assembly, on motion of Mr. Lucas, on the 23rd March, 1869.
Ordered to be printed.
3. Committee of Elections and Qualifications:—
 - (1.) *Maturity of Warrant Reported*:—The Speaker reported that his Warrant appointing the Committee of Elections and Qualifications for the present Session,—laid upon the Table on Tuesday, 28th September, 1869, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of business,—had now taken effect as an appointment of such Committee; and intimated that it was therefore open to Members of the Committee to be sworn at the Table by the Clerk, in accordance with the 70th section of the Electoral Act of 1858.
 - (2.) *Members of Committee Sworn*:—Whereupon, William Macleay, Thomas Garrett, and Stephen Campbell Brown, Esquires, came to the Table, and were severally sworn by the Clerk, as Members of the said Committee.
4. Contempt of Court Bill ("*Formal*" Motion):—Mr. J. Stewart moved, pursuant to Notice No. 2, That leave be given to introduce a Bill to regulate proceedings relating to persons charged with Contempt of Court.
Question put and passed.
5. Small Debts Recovery Act Amendment Bill ("*Formal*" Motion):—Mr. Byrnes moved, pursuant to amended Notice No. 3, for leave to bring in a Bill to amend and extend the provisions of the Small Debts Act, 10 Vic. No. 10.
Question put and passed.
6. Motion Withdrawn:—Mr. R. Stewart withdrew the Motion No. 5 standing in his name on the Notice Paper for to-day.
7. Gunpowder Export Regulation Bill ("*Formal*" Motion):—Mr. Samuel moved, pursuant to Notice No. 1, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to regulate the Export of Gunpowder and Warlike Stores.
Question put and passed.
8. Cemeteries Regulation Bill ("*Formal*" Motion):—Mr. Forster moved, pursuant to Notice No. 2, That next day of sitting the House resolve itself into a Committee of the Whole to consider the propriety of introducing a Bill to regulate Cemeteries.
Question put and passed.
9. Small Debts Recovery Act Amendment Bill:—Mr. Byrnes having presented this Bill, Bill, intituled "*A Bill to amend and extend the provisions of the Small Debts Act 10 Vic. No. 10,*" read a first time.
Ordered to be printed, and read a second time this day week.
10. Contempt of Court Bill:—Mr. J. Stewart having presented this Bill, Bill, intituled "*A Bill to regulate proceedings against persons charged with Contempt of Court,*" read a first time.
Ordered to be printed, and read a second time this day week.
11. Motions Withdrawn:—
 - (1.) *Mr. Terry*, on behalf of Mr. Lucas, withdrew the Motion No. 1 standing in the name of Mr. Lucas on the Notice Paper for to-day.
 - (2.) *Mr. Terry* withdrew the Motion No. 6 standing in his name on the Notice Paper for to-day.
12. *Re John Tebbutt, Legatee of Sophia Beeson*:—Mr. R. Stewart moved, pursuant to Notice No. 4, That the Document laid upon the Table of this House by Mr. Josephson on 27th March, 1869,—"*a Return to an Address in reference to 'Re John Tebbutt, Legatee of Sophia Beeson,' adopted by this House on the motion of Mr. R. Stewart on the 2nd February, 1869,*"—be printed.
Debate ensued.
Question put.

The House divided.

Ayes, 11.

Mr. Egan,
Mr. Lyons,
Mr. Cummings,
Mr. Garrett,
Mr. Terry,
Mr. Lloyd,
Mr. Lackey,

Mr. R. Stewart,
Mr. Dignam,
Tellers.
Mr. Hoskins,
Mr. J. Stewart.

Noes, 15.

Sir James Martin,
Mr. Eager,
Mr. Samuel,
Mr. Forster,
Mr. W. Campbell,
Mr. Hill,
Mr. Neale,
Mr. Alexander,
Mr. J. Suttor,

Mr. Graham,
Mr. Outley,
Mr. Burns,
Mr. E. Brown,
Tellers.
Mr. Farnell,
Mr. S. Brown.

13. Motion Withdrawn :—*Mr. Farnell*, on behalf of Mr. Tunks, withdrew the Motion No. 7 standing in the name of Mr. Tunks on the Notice Paper for to-day.
14. Appeals to Privy Council—*Regina v. Bertrand and Regina v. Murphy* :—Sir James Martin moved, pursuant to Notice No. 8, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of,—
(1.) The cost incurred by this colony in setting aside, by appeal to the Privy Council, the decision of the Supreme Court, by which a new trial was granted in the case *Regina v. Bertrand*, convicted of murder in the year 1866.
(2.) The cost incurred by this colony in setting aside, in like manner, the decision of the Supreme Court by which a new trial was granted, notwithstanding the decision in *Bertrand's* case, in the case *Regina v. Murphy*, convicted of murder in the year 1867.
Question put and passed.
15. Motion Withdrawn :—Sir James Martin withdrew the Motion No. 9 standing in his name on the Notice Paper for to-day.
16. Postponement :—The Order of the Day for the second reading of the Burials Regulation Bill postponed, on motion of Mr. Farnell, until Friday next.
17. Assisted Immigration Bill :—On motion of Mr. Samuel, the following Resolution from a Committee of the Whole was agreed to :—
Resolved,—That it is desirable to introduce a Bill to authorize and regulate Assisted Immigration. Mr. Samuel having presented this Bill, Bill, intituled "*A Bill to authorize and regulate Assisted Immigration*," read a first time.
Ordered to be printed, and read a second time on Wednesday week.
18. Gold Fields Act Amendment Bill :—On motion of Mr. Forster, the following Resolution from a Committee of the Whole was agreed to :—
Resolved,—That it is desirable to introduce a Bill to amend the Gold Fields Act of 1866.
- The House adjourned at sixteen minutes past Five o'clock, until To-morrow, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

WEDNESDAY, 6 OCTOBER.

Questions :—

1. MR. J. STEWART to ask THE COLONIAL SECRETARY,—Whether Government intends to introduce any Bill to Reform the Administration of Law and Equity?
2. MR. J. STEWART to ask THE COLONIAL SECRETARY,—
(1.) Whether Dr. Badham, Professor of Classics and Logic in the Sydney University, has received, or been promised, a sum of money to pay his travelling expenses?
(2.) If so, what sum?
(3.) What public business was transacted, or what official duty was discharged, by Dr. Badham, in the course of his travels?
3. MR. FARNELL to ask THE SECRETARY FOR PUBLIC WORKS,—Whether he instructed the railway officials to accept at a certain price all sleepers of a suitable description that any person might offer to deliver to the Railway Works at Picton, or elsewhere, on the Southern Line?
4. MR. E. BROWN to ask THE SECRETARY FOR PUBLIC WORKS,—What course do the Government intend to take with reference to the claim of Mr. George Williams, of South Gundagai, for £108 10s., for constructing a river boat, for which proper vouchers were furnished to the Works Department and approved by the late Minister, but for which payment has hitherto been denied to Mr. Williams, owing to the loss of the papers by Government officials?
5. MR. J. STEWART to ask THE SECRETARY FOR PUBLIC WORKS,—
(1.) For how many tons of coal, shipped by the Newcastle steam cranes, has Government paid, since the cranes were last leased?
(2.) For how many tons has Government received payment during the same period?
(3.) Has any complaint been lodged as to the management of the cranes?
(4.) Does any one, on behalf of Government, oversee or inspect the cranes?
6. MR. LYONS to ask THE COLONIAL SECRETARY,—Whether he has any objection to lay on the Table of this House, the Correspondence which has taken place between Mr. W. L. G. Drew and the Government, respecting a claim made by that gentleman to compensation for losses arising out of the non-fulfilment of a sale by auction to him of a quantity of timber?

7. SIR JAMES MARTIN *to ask* THE COLONIAL SECRETARY,—Whether there is any objection to there being laid upon the Table of this House, copies of any letters addressed to His Excellency the Governor, touching the legality or propriety of the recent conviction of Hovell and Rangī, for the murder of a South Sea Islander, and of the opinions of the Judges thereupon?
8. MR. HOSKINS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) What is the estimated gross amount of Public money involved in the contract for the formation and construction of the Great Northern Railway from Musclebrook to Scone, at the contractor's schedule of prices?
 - (2.) What amount of Public money has been paid to the said contractor, on the certificate of the District Engineer, for works executed by such contractor in connection with the said contract, up to the 31st August, 1869?
9. MR. FARNELL *to ask* THE COLONIAL SECRETARY,—Do the Government intend to call upon Mr. Joshua Frey Josephson, recently appointed a District Court Judge, to resign the positions he at present fills as a Director of the following institutions, viz.:—Australian Joint Stock Bank, Australian Mutual Provident Society, and Sydney Insurance Company?
10. MR. FARNELL *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to initiate or originate in the Legislative Council any of the twenty-one measures enumerated in the Governor's Speech upon the opening of the Parliament?
11. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—When the Statistical Register for 1868 will be laid upon the Table?

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON *to move* for leave to introduce a Bill to amend the Electoral Representation and to shorten the duration of Parliaments.

ORDERS OF THE DAY:—

1. Conditional Purchasers Pre-lease Declaratory Bill; second reading.
2. Roads Acts Amendment Bill; second reading.
3. Gunpowder Export Regulation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to regulate the Export of Gunpowder and Warlike Stores.
4. Cemeteries Regulation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to regulate Cemeteries.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. GARRETT *to move*, That there be laid upon the Table of this House, a Return of all Correspondence between the Government and others, relative to the alteration in the composition of the Trustees for the expenditure of the money granted for the improvement of the Road from Terara to the South Coast Road, Shoalhaven.

THURSDAY, 7 OCTOBER.

Questions:—

1. MR. CUMMINGS *to ask* THE SECRETARY FOR PUBLIC WORKS,—When will the Government cause the Iron Foot Bridge to be conveyed to O'Connell Plains, to be erected across the Fish River at aforesaid place?
2. MR. CUMMINGS *to ask* THE SECRETARY FOR PUBLIC WORKS,—Has the Government decided on erecting a Bridge across the River Macquarie, at or near where Mr. Ranken's bridge stood, before it was carried away by the late flood?
3. MR. FARNELL *to ask* THE COLONIAL TREASURER,—
 - (1.) What is the practice in the Treasury Department of the Government in reference to the accepting of tenders for Supplies for the Public Service?
 - (2.) Is it customary to accept the lowest or highest tender?
 - (3.) Has any case or cases occurred in which the highest tender, or other than the lowest tender, was accepted, when the lowest tenderer was a person eligible, or responsible as a contractor, or was prepared to give the requisite security?
 - (4.) What is the amount (in excess of the lowest tenders) of the tenders accepted in such cases, when the lowest tender has not been accepted, during the last nine months?

GOVERNMENT BUSINESS—NOTICES OF MOTIONS:—

1. MR. SAMUEL *to move* for leave to introduce a Bill for the appropriation of certain unclaimed balances to the credit of deceased prisoners in the Savings Bank.
2. MR. SAMUEL *to move* for leave to introduce a Bill to amend the Law as to Arrests on Mesne Process.

FRIDAY, 8 OCTOBER.

Question:—

1. MR. GRAHAM *to ask* THE SECRETARY FOR PUBLIC WORKS,—When he intends to call for tenders for the erection and completion of the new Bridge over the Bredbo River, on the high road between Queanbeyan and Cooma?

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Grant for Road from West Maitland to Cessnock; Resumption of adjourned Debate on the motion of Mr. Wilson,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.L.A., respecting the expenditure of the grant for the repairs of the Cessnock Road for the year 1868; also on the charges made by Mr. Eckford against the Warden.
 - (2.) That such Committee consist of Mr. Samuel, Mr. Tighe, Mr. Hoskins, Mr. Farnell, Mr. Neale, Mr. Lackey, Mr. R. Stewart, Mr. Lucas, Mr. Church, and the Mover.

2. Sydney Boundaries Amendment Bill ; second reading.
3. Burials Regulation Bill ; second reading.

NOTICES OF MOTIONS :—

1. MR. LYONS to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *viâ* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
2. MR. ROBERTS to move for leave to introduce a Bill to provide for the destruction of the Bathurst Burr and certain Thistle plants in the Counties of Camden and Cumberland.
3. MR. LACKLY to move,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the claims of Mr. Bartholomew Rush to compensation for damages sustained by him at law as contractor for the Northern line of Telegraph extension from Blacktown Road, *viâ* Wiseman's Ferry, to Maitland and Newcastle.
 - (2.) That such Committee consist of Mr. Byrnes, Mr. S. Brown, Mr. Macleay, Mr. Farnell, Mr. Tunks, Mr. Wisdom, Mr. Neale, Mr. Roberts, and the Mover.
 - (3.) That the Progress Report from the Select Committee of Session 1867-8, on the same subject, together with the Minutes of Proceedings of and of Evidence taken before, and papers referred to that Committee, be referred to this Committee.

TUESDAY, 12 OCTOBER.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
2. DR. LANG to move for leave to introduce a Bill to limit the duration of all future Parliaments to three years.
3. DR. LANG to move, That the Select Committee of last Session of Parliament in the case of Mr. Thomas Scott, be re-appointed.
4. MR. BURNS to move for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
5. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
6. MR. LUCAS to move, That this House will, on Friday, the 15th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
7. MR. TERRY to move, That this House will, on Friday the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
8. MR. TUNKS to move, That this House will, on Friday, 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
9. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens, announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard ; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
10. MR. LYONS to move, That there be laid on the Table of this House, copies of the following papers, *viz.* :—
 - (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.

ORDERS

ORDERS OF THE DAY :—

1. Small Debts Recovery Act Amendment Bill ; second reading.
 2. Contempt of Court Bill ; second reading.
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WEDNESDAY, 13 OCTOBER.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS :—

1. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.

ORDER OF THE DAY :—

1. Assisted Immigration Bill ; second reading.
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[6d.]

New South Wales.

No. 6.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 6 OCTOBER, 1869.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Member Sworn:—Michael W. Kelly, Esquire, having taken the Oath and subscribed the Roll, took his Seat as Member for the Electoral District of Braidwood.
2. Questions on Notice Paper for to-day:—
 - (1.) Administration of Law and Equity:—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 1,—Whether Government intends to introduce any Bill to Reform the Administration of Law and Equity?
Mr. Robertson answered,—I think it is exceedingly unlikely that the Government will attempt to deal with that very important question this Session.
 - (2.) Travelling Expenses of Dr. Badham:—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 2,—
 - (1.) Whether Dr. Badham, Professor of Classics and Logic in the Sydney University, has received, or been promised, a sum of money to pay his travelling expenses?
 - (2.) If so, what sum?
 - (3.) What public business was transacted, or what official duty was discharged, by Dr. Badham, in the course of his travels?
 Mr. Robertson answered,—I am not prepared with an answer to this question. Dr. Badham is away from town just now; but I believe, nevertheless, that I shall be able to answer it to-morrow. As soon as I can give a full and satisfactory answer, I shall be glad to give it to the Honorable Member.
 - (3.) Sleepers for Railway Works:—Mr. Farnell asked the Secretary for Public Works, pursuant to Notice No. 3,—Whether he instructed the railway officials to accept at a certain price all sleepers of a suitable description that any person might offer to deliver to the Railway Works at Picton, or elsewhere, on the Southern Line?
Mr. Sutherland answered,—Having failed to obtain suitable tenders, called for in the usual way by advertisement, and the sleepers being urgently required, instructions were given for their purchase from parties who were likely to supply them expeditiously, and at a fair and reasonable price.
 - (4.) Claim of Mr. George Williams, of South Gundagai:—Mr. E. Brown asked the Secretary for Public Works, pursuant to Notice No. 4,—What course do the Government intend to take with reference to the claim of Mr. George Williams, of South Gundagai, for £108 10s., for constructing a river boat, for which proper vouchers were furnished to the Works Department and approved by the late Minister, but for which payment has hitherto been denied to Mr. Williams, owing to the loss of the papers by Government officials?
Mr. Sutherland answered,—The voucher for the amount in question has been forwarded to the Treasury for payment.
 - (5.) Coal shipped by Newcastle Steam Cranes:—Mr. J. Stewart asked the Secretary for Lands, pursuant to Notice No. 5,—
 - (1.) For how many tons of coal, shipped by the Newcastle steam cranes, has Government paid, since the cranes were last leased?
 - (2.) For how many tons has Government received payment during the same period?
 - (3.) Has any complaint been lodged as to the management of the cranes?
 - (4.) Does any one, on behalf of Government, oversee or inspect the cranes?

Mr.

Mr. Sutherland answered,—

(1.) 640,222 tons.

(2.) 648,276 tons.

(3.) Two complaints have been received respecting the management of the cranes—one in September, 1868, and the other in April last; but these had reference to exceptional cases, and, on inquiry, it was found that the circumstances which gave rise to the complaints did not justify their being made.

(4.) Yes.

- (6.) Claim of Mr. W. L. G. Drew :—Mr. Lyons asked the Colonial Secretary, pursuant to Notice No. 6,—Whether he has any objection to lay on the Table of this House, the Correspondence which has taken place between Mr. W. L. G. Drew and the Government, respecting a claim made by that gentleman to compensation for losses arising out of the non-fulfilment of a sale by auction to him of a quantity of timber?

Mr. Robertson answered,—I do not think the Government have any objection whatever; but, perhaps, the better way would be, to move for the papers; and I shall have no objection to lay them on the Table. I do not, however, think I shall move that they be printed, as that would be rather expensive.

Sir James Martin withdrew the Question No. 7.

- (7.) Great Northern Railway from Musclebrook to Scone :—Mr. Hoskins asked the Secretary for Public Works, pursuant to Notice No. 8,—

(1.) What is the estimated gross amount of Public money involved in the contract for the formation and construction of the Great Northern Railway from Musclebrook to Scone, at the contractor's schedule of prices?

(2.) What amount of Public money has been paid to the said contractor, on the certificate of the District Engineer, for works executed by such contractor in connection with the said contract, up to the 31st August, 1869?

Mr. Sutherland answered,—

(1.) £88,773 5s. 8d.

(2.) £26,225 7s. 4d.

Mr. Farnell withdrew the Question No. 9.

- (8.) Measures enumerated in Governor's Opening Speech :—Mr. Farnell asked the Colonial Secretary, pursuant to Notice No. 10,—Is it the intention of the Government to initiate or originate in the Legislative Council any of the twenty-one measures enumerated in the Governor's Speech upon the opening of the Parliament?

Mr. Robertson answered,—Yes; it is the intention of the Government to introduce such Bills in the Legislative Council as may seem to them unobjectionable in other regards, and likely to press on the public business.

- (9.) Statistical Register for 1868 :—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 11,—When the Statistical Register for 1868 will be laid upon the Table?

Mr. Robertson answered,—I think I shall be in a position to say, to-morrow, when I shall be able to lay it upon the Table. I have been out of town a day or two, and have been unable to get a satisfactory answer to this question.

3. Papers :—Mr. Forster laid upon the Table the undermentioned Papers, in accordance with the 4th Section of the Act 25 Vic. No. 1, during the period from 16th March to 1st October, 1869 :—

(1.) Abstract of Crown Lands reserved from sale until surveyed for the preservation of Water Supply, or other public purposes.

(2.) Abstract of all Sites for Cities, Towns, and Villages.

(3.) Abstract of Crown Lands reserved from sale until surveyed as the Sites for future Villages.

Ordered to be printed.

4. Estimates of Expenditure for 1870, and Supplementary Estimates for 1869 and previous Years :—The following Message from His Excellency the Governor was delivered by Mr. Samuel, and read by the Speaker :—

BELMORE,

Governor.

Message No. 8.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor recommends to the consideration of the Legislative Assembly the accompanying Estimates of the Expenditure of this Government for the year 1870, with Supplementary Estimates of Expenditure for the year 1869 and previous years.

Government House,

Sydney, 4th October, 1869.

Ordered, on motion of Mr. Samuel, to be printed, together with the accompanying Estimates.

5. Papers :—Mr. Robertson laid upon the Table the undermentioned Papers :—

(1.) Return shewing the number of Electors on the Roll of each Electoral District of New South Wales for 1869–70.

(2.) Return shewing the estimated number of Electors entitled to vote in the several Gold Fields Electoral Districts for 1869–70.

(3.) Despatch respecting the distribution of Her Majesty's Troops among the British Colonies, and the rate of contribution to be paid to the Imperial Exchequer by the Colonies in which they are placed.

(4.) Returns under 103rd Section of District Courts Act of 1858.

Ordered to be printed.

6. Gold Fields Laws and Regulations :—Mr. E. Brown presented a Petition from certain Miners, Merchants, Traders, and others, of Adelong, representing that they are suffering seriously from the working of the present Code of Laws and Regulations for the management of the Gold Fields; and praying that the subject may receive early consideration.

Petition received.

7. Papers :—
- (1.) Mr. Sutherland laid upon the Table, Return to Order in reference to "Railway Plant and Statistics," made by the Legislative Assembly, on motion of Mr. Byrnes, on 12th March, 1869. Ordered to be printed.
 - (2.) Mr. Forster laid upon the Table a paper relative to the appointment of Trustees for the Road from the Main Hunter's River Road to Cessnock,—
And the same having been read by the Clerk, by direction of the Speaker,—
Ordered to be printed.
8. Motion for Adjournment :—Mr. Eckford moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
9. Trustees of Road from Terara to South Coast Road, Shoalhaven (*"Formal" Motion*) :—Mr. Garrett moved, pursuant to Notice No. 1 (*Other Business*), That there be laid upon the Table of this House, a Return of all Correspondence between the Government and others, relative to the alteration in the composition of the Trustees for the expenditure of the money granted for the improvement of the Road from Terara to the South Coast Road, Shoalhaven.
Question put and passed.
10. Committee of Elections and Qualifications :—William Richman Piddington, Hugh Gordon, and James Hart, Esquires, came to the Table, and were severally sworn by the Clerk, as Members of the Committee of Elections and Qualifications.
11. Amended Representation Bill :—Mr. Robertson moved, pursuant to Notice No. 1 (*Government Business*), for leave to introduce a Bill to amend the Electoral Representation and to shorten the duration of Parliaments.
Question put and passed.
12. Roberts' Trust Bill :—Mr. Hart presented a Petition from Richard Hutchinson Roberts, of Bowral, in the Colony of New South Wales, Esquire, and others, devisees in trust under the will of Joseph Roberts, late of Concord, near Sydney, in the Colony aforesaid, representing that there are certain legal difficulties in the way of the disposal and appropriation of the proceeds arising from the residuary real estate of the said Joseph Roberts, and praying for leave to introduce a Bill to remove such difficulties.
And Mr. Hart having produced the *Government Gazette*, and the *Sydney Morning Herald* newspaper, containing notices for four consecutive weeks in the month of August, 1869, of the intention to apply for such Bill,—
Petition received.
13. Amended Representation Bill :—Mr. Robertson having presented this Bill, Bill, intituled "*A Bill to amend the Electoral Representation and to shorten the duration of future Parliaments*,"—read a first time.
Ordered to be printed, and read a second time this day week.
14. Postponements :—The undermentioned Orders of the Day were respectively postponed by Mr. Forster :—
No. 1 until after No. 4.
No. 2 until after No. 1 as postponed.
15. Gunpowder Export Regulation Bill :—The Order of the Day (No. 3) for the consideration in Committee of the Whole of the propriety of introducing a Bill to regulate the Export of Gunpowder and Warlike Stores having been read,—on motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.
The Chairman reported that the Committee had agreed to the following Resolution :—
Resolved,—That it is desirable to introduce a Bill to regulate the Export of Gunpowder and Warlike Stores.
Mr. Samuel moved, That this Report be now adopted.
Question put and passed.
Mr. Samuel having presented this Bill, Bill, intituled "*A Bill to regulate the Export of Gunpowder and Warlike Stores*,"—read a first time.
Ordered to be printed, and read a second time to-morrow.
16. Cemeteries Regulation Bill :—The Order of the Day (No. 4) for the consideration in Committee of the Whole of the propriety of introducing a Bill to regulate Cemeteries, having been read,—on motion of Mr. Forster, the Speaker left the Chair, and the House resolved itself into the said Committee.
The Chairman reported that the Committee had agreed to the following Resolution :—
Resolved,—That it is desirable to introduce a Bill to regulate Cemeteries.
Mr. Forster moved, That this Report be now adopted.
Question put and passed.
Mr. Forster having presented this Bill, Bill, intituled "*A Bill to regulate Cemeteries*,"—read a first time.
Ordered to be printed, and read a second time on Friday next.
17. Conditional Purchasers Pre-lease Declaratory Bill (Order of the Day No. 1) :—Mr. Forster 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. Forster, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
18. Postponement :—On motion of Mr. Forster, the second reading of the Roads Acts Amendment Bill was postponed until to-morrow.

The House adjourned at Twenty-eight minutes before Twelve o'clock, until To-morrow, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS
OF THE DAY.

THURSDAY, 7 OCTOBER.

Questions :—

1. MR. CUMMINGS *to ask* THE SECRETARY FOR PUBLIC WORKS,—When will the Government cause the Iron Foot Bridge to be conveyed to O'Connell Plains, to be erected across the Fish River at aforesaid place?
2. MR. CUMMINGS *to ask* THE SECRETARY FOR PUBLIC WORKS,—Has the Government decided on erecting a Bridge across the River Macquarie, at or near where Mr. Ranken's bridge stood before it was carried away by the late flood?
3. MR. FARNELL *to ask* THE COLONIAL TREASURER,—
 - (1.) What is the practice in the Treasury Department of the Government in reference to the accepting of tenders for Supplies for the Public Service?
 - (2.) Is it customary to accept the lowest or highest tender?
 - (3.) Has any case or cases occurred in which the highest tender, or other than the lowest tender, was accepted, when the lowest tenderer was a person eligible, or responsible as a contractor, or was prepared to give the requisite security?
 - (4.) What is the amount (in excess of the lowest tenders) of the tenders accepted in such cases, when the lowest tender has not been accepted, during the last nine months?
4. SIR JAMES MARTIN *to ask* THE COLONIAL SECRETARY,—Whether there is any objection to there being laid upon the Table of this House, copies of any letters addressed to His Excellency the Governor, touching the legality or propriety of the recent conviction of Hovell and Rangi, for the murder of a South Sea Islander, and of the opinions of the Judges thereupon?
5. MR. FARNELL *to ask* THE COLONIAL SECRETARY,—Do the Government intend to call upon Mr. Joshua Frey Josephson, recently appointed a District Court Judge, to resign the positions he at present fills as a Director of the following institutions, viz. :—Australian Joint Stock Bank, Australian Mutual Provident Society, and Sydney Insurance Company?
6. MR. HOSKINS *to ask* THE SECRETARY FOR PUBLIC WORKS,—Has the Contractor who undertook the formation and construction of the Great Northern Railway from Musclebrook to Scone, delivered any Sleepers on the Railway; or if not, will the Government require him to do so, without delay—to insure the completion of the contract within the stipulated period?
7. MR. E. BROWN *to ask* THE COLONIAL SECRETARY,—
 - (1.) Whether Mr. Vyner, late Police Magistrate of Tumut, has been authorized to receive full salary to the end of the year?
 - (2.) Whether (if this be the case) the acceptance of such salary by him will be considered as full compensation to him for the loss of office, or as in any way precluding his claim for compensation or for future employment in the Public Service?

GOVERNMENT BUSINESS—NOTICES OF MOTIONS :—

1. MR. SAMUEL *to move* for leave to introduce a Bill for the appropriation of certain unclaimed balances to the credit of deceased prisoners in the Savings Bank.
2. MR. SAMUEL *to move* for leave to introduce a Bill to amend the Law as to Arrests on Mesne Process.
3. MR. FORSTER *to move*, That the Clerk have leave to return to the Department of Lands, the Report of Mr. Licensed Surveyor Huntley, 68/1235, handed in to the Select Committee of the Legislative Assembly, on the 19th March, 1869, on "Land Titles Department—Mr. W. Wright," and now in possession of the House.

ORDERS OF THE DAY :—

1. Gunpowder Export Regulation Bill; second reading.
2. Conditional Purchasers Pre-lease Declaratory Bill; to be further considered in Committee.
3. Roads Acts Amendment Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. E. BROWN *to move*, That the Petition presented by him on the 6th October, from certain Miners, Merchants, Traders and others, of Adelong, be printed.
2. MR. HART *to move* for leave to introduce a Bill to enable the Trustees of the Will of Joseph Roberts, deceased, to sell certain Trust Real Estate, and divide the proceeds of sale.

FRIDAY, 8 OCTOBER.

Questions :—

1. MR. GRAHAM *to ask* THE SECRETARY FOR PUBLIC WORKS,—When he intends to call for tenders for the erection and completion of the new Bridge over the Bredbo River, on the high road between Queanbeyan and Cooma?
2. MR. ROBERTS *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to give effect to the Resolution of the Assembly, passed last Session, in the case of the Rev. D. M'Guinn?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Grant for Road from West Maitland to Cessnock; Resumption of adjourned Debate on the motion of Mr. Wilson,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.L.A., respecting the expenditure of the grant for the repairs of the Cessnock Road for the year 1868; also on the charges made by Mr. Eckford against the Warden.
 - (2.) That such Committee consist of Mr. Samuel, Mr. Tighe, Mr. Hoskins, Mr. Farnell, Mr. Neale, Mr. Lackey, Mr. R. Stewart, Mr. Lucas, Mr. Church, and the Mover.

2. Sydney Boundaries Amendment Bill; second reading.
3. Burials Regulation Bill; second reading.

NOTICES OF MOTIONS :—

1. MR. LYONS to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *vid* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
2. MR. ROBERTS to move for leave to introduce a Bill to provide for the destruction of the Bathurst Burr and certain Thistle plants in the Counties of Camden and Cumberland.
3. MR. LACKEY to move,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the claims of Mr. Bartholomew Rush to compensation for damages sustained by him at law as contractor for the Northern line of Telegraph extension from Blacktown Road, *vid* Wiseman's Ferry, to Maitland and Newcastle.
 - (2.) That such Committee consist of Mr. Byrnes, Mr. S. Brown, Mr. Macleay, Mr. Farnell, Mr. Tunks, Mr. Wisdom, Mr. Neale, Mr. Roberts, and the Mover.
 - (3.) That the Progress Report from the Select Committee of Session 1867-8, on the same subject, together with the Minutes of Proceedings of and of Evidence taken before, and papers referred to that Committee, be referred to this Committee.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Cemeteries Regulation Bill; second reading.

TUESDAY, 12 OCTOBER.

Question :—

1. MR. MACLEAY to ask THE COLONIAL SECRETARY,—
 - (1.) What number of children have attended the Public Schools from the date of the Public Schools Act coming into operation, up to the 30th June of the present year?
 - (2.) What amount of public money has been expended by the Council of Education for Public Schools during that period?
 - (3.) What number of children have attended, and what has been the expenditure of public money for Certified or Denominational Schools during the same period?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
2. DR. LANG to move for leave to introduce a Bill to limit the duration of all future Parliaments to three years.
3. DR. LANG to move, That the Select Committee of last Session of Parliament in the case of Mr. Thomas Scott, be re-appointed.
4. MR. BURNS to move for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
5. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
6. MR. LUCAS to move, That this House will, on Friday, the 15th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
7. MR. TERRY to move, That this House will, on Friday the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
8. MR. TUNKS to move, That this House will, on Friday, 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
9. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens, announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.

10. **MR. LYONS** to move, That there be laid on the Table of this House, copies of the following papers, viz. :—
- (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
11. **MR. GARRETT** to move, 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, the whole of the documents concerning the dismissal from the Volunteer Force of Mr. James Calder, junior, a member of No. 4 Battery, V.A.; the subsequent trial, verdict, and Brigade Order thereon; and also the charges made by Mr. Calder against a Commissioned Officer for gross misstatements uttered during the course of the trial,—with the result of the investigation thereon, if any.
12. **MR. R. STEWART** to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.

ORDERS OF THE DAY :—

1. Small Debts Recovery Act Amendment Bill; second reading.
2. Contempt of Court Bill; second reading.

WEDNESDAY, 13 OCTOBER.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS :—

1. **MR. SAMUEL** to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. **MR. SAMUEL** to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
3. **MR. SAMUEL** to move, That this House do now resolve itself into a Committee of Supply, and that the Governor's Message No. 8, with the accompanying Estimates, be referred thereto.
4. **MR. ROBERTSON** to move for leave to introduce a Bill to reduce the Salaries of future Governors.
5. **MR. ROBERTSON** to move for leave to introduce a Bill to reduce certain Official Salaries.

ORDERS OF THE DAY :—

1. Assisted Immigration Bill; second reading.
2. Amended Representation Bill; second reading.

THURSDAY, 14 OCTOBER.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. **MR. SAMUEL** to move, That this House do now resolve itself into a Committee of Ways and Means.

New South Wales.

No. 7.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 7 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

(1.) Iron Foot Bridge across Fish River, at O'Connell Plains:—Mr. Cummings asked the Secretary for Public Works, pursuant to Notice No. 1,—When will the Government cause the Iron Foot Bridge to be conveyed to O'Connell Plains, to be erected across the Fish River at aforesaid place? Mr. Sutherland answered,—In about a fortnight, when the third span is completed.

(2.) Bridge across the River Macquarie:—Mr. Cummings asked the Secretary for Public Works, pursuant to Notice No. 2,—Has the Government decided on erecting a Bridge across the River Macquarie, at or near where Mr. Ranken's bridge stood before it was carried away by the late flood?

Mr. Sutherland answered,—This place is not yet decided on.

(3.) Tenders for Supplies for the Public Service:—Mr. Farnell asked the Colonial Treasurer, pursuant to Notice No. 3,—

(1.) What is the practice in the Treasury Department of the Government in reference to the accepting of tenders for Supplies for the Public Service?

(2.) Is it customary to accept the lowest or highest tender?

(3.) Has any case or cases occurred in which the highest tender, or other than the lowest tender, was accepted, when the lowest tenderer was a person eligible, or responsible as a contractor, or was prepared to give the requisite security?

(4.) What is the amount (in excess of the lowest tenders) of the tenders accepted in such cases, when the lowest tender has not been accepted, during the last nine months?

Mr. Samuel answered,—

(1.) The practice is to accept the tender most advantageous for the Public Service.

(2.) The published conditions are strictly observed; one of them is—"It is to be distinctly understood that the Government will not necessarily accept the lowest or any tender."

(3.) No case has occurred of a lowest tender being rejected when the tenderer of such was considered eligible as a contractor.

(4.) No case of the kind having occurred, this question of the Honorable Member does not require an answer.

(4.) *Re* Hovell and Rangī:—Sir James Martin asked the Colonial Secretary, pursuant to Notice No. 4,—Whether there is any objection to there being laid upon the Table of this House, copies of any letters addressed to His Excellency the Governor, touching the legality or propriety of the recent conviction of Hovell and Rangī, for the murder of a South Sea Islander, and of the opinions of the Judges thereupon?

Mr. Robertson answered,—The Governor, to whom these letters were addressed, makes no objection. The letter of the Honorable and learned Member—which is the most important, and, indeed, the origin of the whole—was referred to their Honors the Judges, who have written their views upon it. Three of the Judges are now out of town; and it seems to me that it would be discourteous to their Honors to lay these papers on the Table of the House without their consent; but, seeing that the Honorable and learned Member has, in his letter intimated, as I understand it, his intention to bring the matter before this House, I believe those learned gentlemen will have no objection. They have been telegraphed to, and I hope shortly to be able to answer the question.

(5.)

- (5.) Mr. Joshua Frey Josephson:—Mr. Farnell asked the Colonial Secretary, pursuant to Notice No. 5,—Do the Government intend to call upon Mr. Joshua Frey Josephson, recently appointed a District Court Judge, to resign the positions he at present fills as a Director of the following institutions, viz.:—Australian Joint Stock Bank, Australian Mutual Provident Society, and Sydney Insurance Company?
Mr. Robertson answered,—Mr. Josephson being out of town, the Government have not had an opportunity of conferring with him upon the matter alluded to; but I have every reason to believe that he has resigned those positions. I hold in my hand a clear proof that he has resigned one of them—the Directorship of the Mutual Provident Society; but I am not prepared to say whether the Government will feel called upon to require him to resign these appointments without having more time to consider the matter, and an opportunity of speaking to the learned gentleman in relation thereto. I incline to the opinion that it is undesirable Judges should hold these offices; but I am sure honorable members will not wish the Government to take any action in the matter behind the back of Mr. Josephson.
- (6.) Sleepers for Great Northern Railway from Muscoblebrook to Scone:—Mr. Hoskins asked the Secretary for Public Works, pursuant to Notice No. 6,—Has the Contractor who undertook the formation and construction of the Great Northern Railway from Muscoblebrook to Scone, delivered any Sleepers on the Railway; or if not, will the Government require him to do so, without delay—to insure the completion of the contract within the stipulated period?
Mr. Sutherland answered,—Yes; 1,000 are on the contract, and 6,000 at Singleton. The contract will, no doubt, be completed at the time stipulated in the specification. If the works do not proceed satisfactorily, the Bond will be forfeited.
- (7.) Mr. Vyner, late Police Magistrate of Tumut:—Mr. E. Brown asked the Colonial Secretary, pursuant to Notice No. 7,—
(1.) Whether Mr. Vyner, late Police Magistrate of Tumut, has been authorized to receive full salary to the end of the year?
(2.) Whether (if this be the case) the acceptance of such salary by him will be considered as full compensation to him for the loss of office, or as in any way precluding his claim for compensation or for future employment in the Public Service?
Mr. Robertson answered,—
(1.) Yes.
(2.) It will not be the case.
2. Paper:—Mr. Samuel laid upon the Table a Memorandum respecting delay in the verification of the Cessnock Road Accounts.
Ordered to be printed.
3. Motion for Adjournment:—Sir James Martin moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
4. Papers:—
(1.) Mr. Egan laid upon the Table, Post Office Fourteenth Annual Report, being that for the year 1868.
Ordered to be printed.
(2.) Mr. Forster laid upon the Table, Return to Order in reference to "Crawford Brothers—Land at Deua Water, near Moruya," made by the Legislative Assembly, on motion of Mr. Egan, on 21st April, 1868.
5. Unclaimed Balances Appropriation Bill:—("*Formal*" *Motion*).:—
(1.) Mr. Samuel moved, pursuant to Notice No. 1, for leave to introduce a Bill for the appropriation of certain unclaimed balances to the credit of deceased Prisoners in the Savings Bank.
Question put and passed.
(2.) Mr. Samuel having *presented* this Bill, Bill, intituled "*A Bill for the appropriation of certain Unclaimed Balances to the credit of deceased Prisoners in the Savings Bank*,"—read a first time.
Ordered to be printed, and read a second time on Wednesday next.
6. Mesne Process Amendment Bill ("*Formal*" *Motion*):—
(1.) Mr. Samuel moved, pursuant to Notice No. 2, for leave to introduce a Bill to amend the Law as to Arrests on Mesne Process.
Question put and passed.
(2.) Mr. Samuel having *presented* this Bill, Bill, intituled "*A Bill to amend the Law as to Arrests on Mesne Process*,"—read a first time.
Ordered to be printed, and read a second time on Wednesday next.
7. Land Titles Department—Mr. W. Wright ("*Formal*" *Motion*):—Mr. Forster moved, pursuant to Notice No. 3, That the Clerk have leave to return to the Department of Lands, the Report of Mr. Licensed Surveyor Huntley, 68/1235, handed in to the Select Committee of the Legislative Assembly, on the 19th March, 1869, on "Land Titles Department—Mr. W. Wright," and now in possession of the House.
Question put and passed.
8. Gold Fields Laws and Regulations ("*Formal*" *Motion*):—Mr. E. Brown moved, pursuant to Notice No. 1, That the Petition presented by him on the 6th October, from certain Miners, Merchants, Traders and others, of Adelong, be printed.
Question put and passed.
Ordered to be printed.
9. Roberts' Trust Bill ("*Formal*" *Motion*):—
(1.) Mr. Hart moved, pursuant to Notice No. 2, for leave to introduce a Bill to enable the Trustees of the Will of Joseph Roberts (deceased) to sell certain Trust Real Estate, and divide the proceeds of same.
Question put and passed.
(2.) Mr. Hart having *presented* this Bill, and produced a Certificate of the payment of Twenty-five Pounds to the credit of the Consolidated Revenue of the Colony, Bill, intituled "*A Bill to enable the Trustees of the Will of Joseph Roberts (deceased) to sell certain Trust Real Estate and divide the proceeds of sale*,"—read a first time.

10. Gunpowder Export Regulation Bill :—Mr. Samuel moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.
The Chairman having reported that the Committee had agreed to the Bill without Amendment, the House, on motion of Mr. Samuel, adopted that Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.
11. Conditional Purchasers Pre-lease Declaratory Bill :—On the Order of the Day for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.
The Chairman reported progress, and obtained leave to sit again to-morrow.
12. Roads Acts Amendment Bill :—Mr. Forster 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. Forster, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
The House adjourned at Seven minutes past Eleven o'clock, until To-morrow, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

FRIDAY, 8 OCTOBER.

Questions :—

1. MR. GRAHAM *to ask* THE SECRETARY FOR PUBLIC WORKS,—When he intends to call for tenders for the erection and completion of the new Bridge over the Bredbo River, on the high road between Queanbeyan and Cooma?
2. MR. ROBERTS *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to give effect to the Resolution of the Assembly, passed last Session, in the case of the Rev. D. M'Guinn?
3. MR. WILSON *to ask* THE SECRETARY FOR LANDS,—
(1.) The number of burials at each of the Cemeteries at the Necropolis, from the 1st July, 1868, to 1st October, 1869?
(2.) The number of free burials in each Cemetery during that time?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Grant for Road from West Maitland to Cessnock ; Resumption of adjourned Debate on the motion of Mr. Wilson,—
(1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.P., respecting the expenditure of the grant for the repairs of the Cessnock Road for the year 1868 ; also on the charges made by Mr. Eckford against the Warden.
(2.) That such Committee consist of Mr. Samuel, Mr. Tighe, Mr. Hoskins, Mr. Farnell, Mr. Neale, Mr. Lackey, Mr. R. Stewart, Mr. Lucas, Mr. Church, and the Mover.
2. Sydney Boundaries Amendment Bill ; second reading.
3. Burials Regulation Bill ; second reading.

NOTICES OF MOTIONS :—

1. MR. LYONS *to move*, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
2. MR. ROBERTS *to move* for leave to introduce a Bill to provide for the destruction of the Bathurst Burr and certain Thistle plants in the Counties of Camden and Cumberland.
3. MR. LACKEY *to move*,—
(1.) That a Select Committee be appointed to inquire into and report upon the claims of Mr. Bartholomew Rush to compensation for damages sustained by him at law as contractor for the Northern line of Telegraph extension from Blacktown Road, *via* Wiseman's Ferry, to Maitland and Newcastle.
(2.) That such Committee consist of Mr. Byrnes, Mr. S. Brown, Mr. Macleay, Mr. Farnell, Mr. Tunks, Mr. Wisdom, Mr. Neale, Mr. Roberts, and the Mover.
(3.) That the Progress Report from the Select Committee of Session 1867-8, on the same subject, together with the Minutes of Proceedings of and of Evidence taken before, and papers referred to that Committee, be referred to this Committee.
4. MR. TUNKS *to move*, That there be laid upon the Table of this House, copies of all Correspondence, Minutes, Papers, and Plans, in the possession of the Government, having reference to a General Cemetery at the North Shore.

5. MR. J. STEWART to move, That there be laid upon the Table of this House, a Return shewing the names, offices, salaries, and dates of appointment of all persons who have been appointed to the Civil Service, from the first day of November, 1868, up to the present time; such Return to distinguish between those persons who have been appointed for the first time, and those who have previously held office under Government.
6. MR. HART to move,—
 - (1.) That Roberts' Trust Bill be referred to a Select Committee for their consideration and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Byrnes, Mr. Dodds, Mr. Driver, Mr. Lee, Mr. Lord, Mr. Lyons, Mr. Neale, Mr. Oatley, Mr. Samuel, and the Mover.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Cemeteries Regulation Bill; second reading.
2. Gunpowder Export Regulation Bill; third reading.
3. Conditional Purchasers Pre-lease Declaratory Bill; to be further considered in Committee.

TUESDAY, 12 OCTOBER.

Questions:—

1. MR. MACLEAY to ask THE COLONIAL SECRETARY,—
 - (1.) What number of children have attended the Public Schools from the date of the Public Schools Act coming into operation, up to the 30th June of the present year?
 - (2.) What amount of public money has been expended by the Council of Education for Public Schools during that period?
 - (3.) What number of children have attended, and what has been the expenditure of public money for Certified or Denominational Schools during the same period?
2. MR. MORRICE to ask THE COLONIAL SECRETARY,—What have the Government done, or intend to do, in regard to a Report brought up and adopted by this House during the last Session in reference to the Rev. D. M'Guinn, recommending his case to the favourable consideration of the Government?

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
2. DR. LANG to move for leave to introduce a Bill to limit the duration of all future Parliaments to three years.
3. DR. LANG to move, That the Select Committee of last Session of Parliament in the case of Mr. Thomas Scott, be re-appointed.
4. MR. BURNS to move for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
5. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
6. MR. LUCAS to move, That this House will, on Friday, the 15th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
7. MR. TERRY to move, That this House will, on Friday the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
8. MR. TUNKS to move, That this House will, on Friday, 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
9. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.

10. **MR. LYONS** to move, That there be laid on the Table of this House, copies of the following papers, viz. :—
- (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
11. **MR. GARRETT** to move, 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, the whole of the documents concerning the dismissal from the Volunteer Force of Mr. James Calder, junior, a member of No. 4 Battery, V.A. ; the subsequent trial, verdict, and Brigade Order thereon ; and also the charges made by Mr. Calder against a Commissioned Officer for gross misstatements uttered during the course of the trial,—with the result of the investigation thereon, if any.
12. **MR. R. STEWART** to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.
13. **MR. TUNKS** to move, That this House will, on Friday, the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that his Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
14. **MR. J. SUTTON** to move, That this House will, on Thursday, the 14th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.

ORDERS OF THE DAY :—

1. Small Debts Recovery Act Amendment Bill ; second reading.
2. Contempt of Court Bill ; second reading.

WEDNESDAY, 13 OCTOBER.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS :—

1. **MR. SAMUEL** to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. **MR. SAMUEL** to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
3. **MR. SAMUEL** to move, That this House do now resolve itself into a Committee of Supply, and that the Governor's Message No. 8, with the accompanying Estimates, be referred thereto.
4. **MR. ROBERTSON** to move for leave to introduce a Bill to reduce the Salaries of future Governors.
5. **MR. ROBERTSON** to move for leave to introduce a Bill to reduce certain Official Salaries.
6. **MR. SAMUEL** to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.

ORDERS OF THE DAY :—

1. Assisted Immigration Bill ; second reading.
2. Amended Representation Bill ; second reading.
3. Unclaimed Balances Appropriation Bill ; second reading.
4. Mesne Process Amendment Bill ; second reading.
5. Roads Acts Amendment Bill ; to be further considered in Committee.

THURSDAY, 14 OCTOBER.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. **MR. SAMUEL** to move, That this House do now resolve itself into a Committee of Ways and Means.

TUESDAY,

TUESDAY, 19 OCTOBER.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. STEWART to move,—
 - (1.) That, in the opinion of this House, there ought to be an Act of the Legislature to simplify proceedings in the Supreme Court, in all its jurisdictions, except criminal and admiralty.
 - (2.) That such Act should abolish the distinctions between actions at law and suits in equity; all distinctions between Barristers and Solicitors; all special pleadings; all variety of costs; and all Court vacations which delay or defer the business of the Court.
 - (3.) That such Act should provide for one uniform course of procedure; for a plain and concise system of pleading, and for one scale of costs to be paid in all cases, whether as between attorney and client, or between party and party.
 - (4.) That such Act should provide for frequent (or, where needful, continuous) and simultaneous sittings of single Judges for the disposal, as well of issues in law as of issues of fact, either with or without a jury.
 - (5.) That such Act should enable judges, sitting singly, to refer disputed matters of fact, investigation of accounts, and the like, to a referee, or referees, official or extra-official.
 - (6.) That such Act should provide that all matters, by way of appeal, should be heard before a full court of three judges, sitting at stated intervals.
 - (7.) That His Excellency the Governor should be advised to appoint a Commission, with instructions to frame a Bill, founded on the foregoing Resolutions; such Commission to consist of three persons only, and required to complete the Commission before the next meeting of Parliament.
2. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmity,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmity, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.

New South Wales.

No. 8.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 8 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Bridge over the Bredbo River:—Mr. Graham asked the Secretary for Public Works, pursuant to Notice No. 1,—When he intends to call for tenders for the erection and completion of the new Bridge over the Bredbo River, on the high road between Queanbeyan and Cooma?

Mr. Forster answered,—In a week.

- (2.) Rev. Denis M'Guinn, late R.C.C. at Carcoar:—Mr. Roberts asked the Colonial Secretary, pursuant to Notice No. 2,—Is it the intention of the Government to give effect to the Resolution of the Assembly, passed last Session, in the case of the Rev. D. M'Guinn?

Mr. Robertson answered,—It was the intention of the Government to have put this money on the Estimates, in order that the matter might be determined by the House; but, by a mere accident, it was omitted. The House desired the Government to view the matter favourably; it was not very clear what was meant, but it was intended that the money should be placed on the Estimates, leaving the Government, as well as other Members of the House, to vote on the question as they might think fit in regard to it; but, having been omitted, it will be placed on the Supplementary Estimates, when honorable Members will have an opportunity of doing as they would have done had it been upon the original Estimates.

- (3.) Burials at Necropolis:—Mr. Wilson asked the Secretary for Lands, pursuant to Notice No. 3,—

(1.) The number of burials at each of the Cemeteries at the Necropolis, from the 1st July, 1868, to 1st October, 1869?

(2.) The number of free burials in each Cemetery during that time?

Mr. Forster answered,—The following Returns are furnished by the Secretary:—

(1.) Church of England	711
Roman Catholics	534
Presbyterians	100
Wesleyans	75
Independents... ..	70
Jews	18
General Cemetery	1

Total	1,509
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(2.) Church of England	12
Roman Catholics	71
Presbyterians	0
Wesleyans	9
Independents... ..	2
Jews	5
General Cemetery	0

Total	99
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2. Sydney Boundaries Amendment Bill:—Mr. S. Brown presented a Petition, signed by the Mayor on behalf of the Municipal Council of Paddington, and bearing the Seal of the Corporation, praying that, for the reasons therein set forth, this Bill may not be passed into law in its present shape. Petition received.
3. Papers:—
- (1.) Mr. Forster laid upon the Table, Return to Order in reference to "Road Metal Quarries at Prospect," made by the Legislative Assembly, on motion of Mr. Tunks, on 2nd February, 1869. Ordered to be printed.
 - (2.) Mr. Robertson laid upon the Table the undermentioned Papers:—
 - (1.) Rules of the Supreme Court, dated 28th January and 10th March, 1869.
 - (2.) Blue Book for the Year 1868.
 - (3.) Return to Address in reference to "Depositions in the case of H. J. O'Farrell," adopted by the Legislative Assembly, on motion of Mr. Windeyer, on 12th February, 1869. Ordered to be printed.
 - (4.) Return to Order in reference to "Mr. Garrett, P.M. for Bourke," made by the Legislative Assembly, on motion of Mr. Lord, on 10th January, 1868.
4. Motion for Adjournment:—Mr. Wisdom moved, That this House do now adjourn. Debate ensued. Question put and negatived.
5. Motion Withdrawn:—Mr. Lyons withdrew the Motion No. 1 standing in his name on the Notice Paper for to-day.
6. Claims of Mr. Bartholomew Rush—("Formal" Motion):—Mr. Lackey moved, pursuant to Notice No. 3,—
- (1.) That a Select Committee be appointed to inquire into and report upon the claims of Mr. Bartholomew Rush to compensation for damages sustained by him at law as contractor for the Northern line of Telegraph extension from Blacktown Road, *vid* Wiseman's Ferry, to Maitland and Newcastle.
 - (2.) That such Committee consist of Mr. Byrnes, Mr. S. Brown, Mr. Macleay, Mr. Farnell, Mr. Tunks, Mr. Wisdom, Mr. Neale, Mr. Roberts, and the Mover.
 - (3.) That the Progress Report from the Select Committee of Session 1867-8, on the same subject, together with the Minutes of Proceedings of and of Evidence taken before, and papers referred to that Committee, be referred to this Committee.
- Question put and passed.
7. Appointments to Civil Service since 1st November, 1868 ("Formal" Motion):—Mr. J. Stewart moved, pursuant to Notice No. 5, That there be laid upon the Table of this House, a Return shewing the names, offices, salaries, and dates of appointment of all persons who have been appointed to the Civil Service, from the first day of November, 1868, up to the present time; such Return to distinguish between those persons who have been appointed for the first time, and those who have previously held office under Government. Question put and passed.
8. Roberts' Trust Bill ("Formal" Motion):—Mr. Hart moved, pursuant to Notice No. 6,—
- (1.) That Roberts' Trust Bill be referred to a Select Committee for their consideration and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Byrnes, Mr. Dodds, Mr. Driver, Mr. Lee, Mr. Lord, Mr. Lyons, Mr. Neale, Mr. Oatley, Mr. Samuel, and the Mover.
- Question put and passed.
9. Gunpowder Export Regulation Bill ("Formal" Order of the Day), on motion of Mr. Samuel, read a third time, and *passed*. Mr. Samuel then moved, That the Title of this Bill be "*An Act to regulate the Export of Gunpowder and Warlike Stores.*" Question put and passed. Whereupon Mr. Samuel moved, That this 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 Export of Gunpowder and Warlike Stores,*" presents the same to the Legislative Council for its concurrence.
- Legislative Assembly Chamber,
Sydney, 8th October, 1869. Speaker.
- Question put and passed.
10. Grant for Road from West Maitland to Cessnock:—The adjourned Debate on the motion of Mr. Wilson,—
- (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.P., respecting the expenditure of the grant for the repairs of the Cessnock Road for the year 1868; also on the charges made by Mr. Eckford against the Warden.
 - (2.) That such Committee consist of Mr. Samuel, Mr. Tighe, Mr. Hoskins, Mr. Farnell, Mr. Neale, Mr. Lackey, Mr. R. Stewart, Mr. Lucas, Mr. Church, and the Mover,—
- Resumed and continued.
- And Mr. Garrett requiring that the said Committee be appointed by Ballot,—
- Question,—That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the various charges made by the Warden of the Maitland District Council against Mr. J. Eckford, M.P., respecting the expenditure of the grant for the repairs of the Cessnock Road for the year 1868; also on the charges made by Mr. Eckford against the Warden,—
- put and passed.
- Whereupon the House proceeded to the Ballot, and the Speaker declared the following to be the Committee duly appointed:—Mr. S. Brown, Mr. Church, Mr. Dodds, Mr. Hoskins, Mr. Neale, Mr. Samuel, Mr. R. Stewart, Mr. Tighe, Mr. Lackey, and Mr. Wilson.

11. Postponements :—The undermentioned Orders of the Day (*Other Business*) postponed, respectively, on motion of the Members named :—
No. 2. By Mr. S. Brown, until Friday next.
No. 3. By Mr. Farnell, until Friday next.
 12. Cumberland and Camden Bathurst-burr and Thistle Bill :—
(1.) Mr. Roberts moved, pursuant to Notice No. 2, for leave to introduce a Bill to provide for the destruction of the Bathurst-burr and certain Thistle plants in the Counties of Camden and Cumberland.
Question put and passed.
(2.) Mr. Roberts having presented this Bill, Bill, intituled "*A Bill to provide for the destruction of the Bathurst-burr and certain Thistle plants in the Counties of Cumberland and Camden,*"—read a first time.
Ordered to be printed, and read a second time on Friday next.
 13. General Cemetery at North Shore :—Mr. Tunks moved, pursuant to Notice No. 4, That there be laid upon the Table of this House, copies of all Correspondence, Minutes, Papers, and Plans, in the possession of the Government, having reference to a General Cemetery at the North Shore.
Question put and passed.
 14. Postponement :—The Order of the Day No. 1 (*Government Business*) postponed, on motion of Mr. Forster, to follow after No. 3.
 15. Conditional Purchasers Pre-lease Declaratory Bill :—On the Order of the Day for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.
The Chairman reported the Bill with Amendments.
Ordered, on motion of Mr. Forster, that the adoption of that Report stand an Order of the Day for Tuesday next.
- The House adjourned, on motion of Mr. Robertson, at eleven minutes before Eleven o'clock, until Tuesday next, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

TUESDAY, 12 OCTOBER.

Questions :—

1. MR. MACLEAY *to ask* THE COLONIAL SECRETARY,—
(1.) What number of children have attended the Public Schools from the date of the Public Schools Act coming into operation, up to the 30th June of the present year?
(2.) What amount of public money has been expended by the Council of Education for Public Schools during that period?
(3.) What number of children have attended, and what has been the expenditure of public money for Certified or Denominational Schools during the same period?
2. MR. MORRICE *to ask* THE COLONIAL SECRETARY,—What have the Government done, or intend to do, in regard to a Report brought up and adopted by this House during the last Session in reference to the Rev. D. M'Guinn, recommending his case to the favourable consideration of the Government?
3. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether he is able to answer the following questions, as promised by him on the 6th instant, viz :—
(1.) Whether Dr. Badham, Professor of Classics and Logic in the Sydney University, has received, or been promised, a sum of money to pay his travelling expenses?
(2.) If so, what sum?
(3.) What public business was transacted, or what official duty was discharged, by Dr. Badham, in the course of his travels?
4. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether Government has had any correspondence in reference to certain resolutions of the Synod of the Diocese of Sydney, adopted on the 8th of April last, and affirming that it was desirable that the Public Schools Act should be so amended as to entitle Certified Denominational Schools to receive from the Council of Education the same assistance as is afforded to Public Schools?
5. MR. MORRICE *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) Are the Government aware of the dilapidated state of the Court-house at Berrima?
(2.) Are the Government aware that, if not repaired without delay, the roof will soon fall in?
6. MR. FARNELL *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) Had a person named Shadforth a contract to deliver railway sleepers at Picton; if so, was that contract cancelled?
(2.) Were fresh tenders called for, or did the Engineer-in-Chief for Existing Lines advertise for sleepers on account of the contract having been broken?
(3.) How many persons delivered sleepers in accordance with such advertisement; what were their names, and at what price; did they receive notice to discontinue the delivery of the said sleepers, and by whose authority; was a preference given to any one in the delivery of said sleepers?
(4.) Have tenders been called for, recently, for the supply of sleepers; if so, who is the successful tenderer, and at what price?

OTHER

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
2. DR. LANG to move for leave to introduce a Bill to limit the duration of all future Parliaments to three years.
3. DR. LANG to move, That the Select Committee of last Session of Parliament in the case of Mr. Thomas Scott, be re-appointed.
4. MR. BURNS to move for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
5. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
6. MR. LUCAS to move, That this House will, on Friday, the 15th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
7. MR. TERRY to move, That this House will, on Friday the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
8. MR. TUNKS to move, That this House will, on Friday, 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
9. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
10. MR. LYONS to move, That there be laid on the Table of this House, copies of the following papers, viz.:—
 - (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
11. MR. GARRETT to move, 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, the whole of the documents concerning the dismissal from the Volunteer Force of Mr. James Calder, junior, a member of No. 4 Battery, V.A.; the subsequent trial, verdict, and Brigade Order thereon; and also the charges made by Mr. Calder against a Commissioned Officer for gross misstatements uttered during the course of the trial,—with the result of the investigation thereon, if any.
12. MR. R. STEWART to move, That the Return in the case of Attorney General v. Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.
13. MR. TUNKS to move, That this House will, on Friday, the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that his Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
14. MR. J. SUTTON to move, That this House will, on Friday, the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.
15. MR. LYONS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
16. MR. S. BROWN to move, That the Petition from the Municipality of Paddington, respecting the Sydney Boundaries Amendment Bill, presented by him on 8th October, be printed.

ORDERS OF THE DAY:—

1. Small Debts Recovery Act Amendment Bill; second reading.
2. Contempt of Court Bill; second reading.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS:—

1. MR. FORSTER to move, That leave be given to introduce a Bill to authorize the resumption and enclosure of a portion of Union-street, in the City of Goulburn.
2. MR. FORSTER to move, That leave be given to introduce a Bill to authorize the resumption and enclosure of a portion of George-street, in the City of Sydney.

ORDERS OF THE DAY:—

1. Conditional Purchasers Pre-lease Declaratory Bill; adoption of Report from Committee of the Whole.
2. Cemeteries Regulation Bill; second reading.

WEDNESDAY, 13 OCTOBER.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS:—

1. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
3. MR. SAMUEL to move, That this House do now resolve itself into a Committee of Supply, and that the Governor's Message No. 8, with the accompanying Estimates, be referred thereto.
4. MR. ROBERTSON to move for leave to introduce a Bill to reduce the Salaries of future Governors.
5. MR. ROBERTSON to move for leave to introduce a Bill to reduce certain Official Salaries.
6. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.

ORDERS OF THE DAY:—

1. Assisted Immigration Bill; second reading.
2. Amended Representation Bill; second reading.
3. Unclaimed Balances Appropriation Bill; second reading.
4. Mesne Process Amendment Bill; second reading.
5. Roads Acts Amendment Bill; to be further considered in Committee.

THURSDAY, 14 OCTOBER.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. SAMUEL to move, That this House do now resolve itself into a Committee of Ways and Means.

FRIDAY, 15 OCTOBER.

Question:—

1. MR. MCKAY to ask THE SECRETARY FOR PUBLIC WORKS.—When is it the intention of the Government to call for Tenders for the completion of the Great Western Railway from Kelso into Bathurst?

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Sydney Boundaries Amendment Bill; second reading.
2. Burials Regulation Bill; second reading.
3. Cumberland and Camden Bathurst-burr and Thistle Bill; second reading.

TUESDAY, 19 OCTOBER.

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. J. STEWART to move,—
 - (1.) That, in the opinion of this House, there ought to be an Act of the Legislature to simplify proceedings in the Supreme Court, in all its jurisdictions, except criminal and admiralty.
 - (2.) That such Act should abolish the distinctions between actions at law and suits in equity; all distinctions between Barristers and Solicitors; all special pleadings; all variety of costs; and all Court vacations which delay or defer the business of the Court.
 - (3.) That such Act should provide for one uniform course of procedure; for a plain and concise system of pleading, and for one scale of costs to be paid in all cases, whether as between attorney and client, or between party and party.
 - (4.) That such Act should provide for frequent (or, where needful, continuous) and simultaneous sittings of single Judges for the disposal, as well of issues in law as of issues of fact, either with or without a jury.
 - (5.) That such Act should enable judges, sitting singly, to refer disputed matters of fact, investigation of accounts, and the like, to a referee, or referees, official or extra-official.
 - (6.) That such Act should provide that all matters, by way of appeal, should be heard before a full court of three judges, sitting at stated intervals.
 - (7.) That His Excellency the Governor should be advised to appoint a Commission, with instructions to frame a Bill, founded on the foregoing Resolutions; such Commission to consist of three persons only, and required to complete the Commission before the next meeting of Parliament.
2. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.

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New South Wales.

No. 9.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 12 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

Mr. Macleay not asking the Question No. 1, it dropped.

Mr. Morrice withdrew the Question No. 2.

- (1.) Travelling Expenses of Dr. Badham:—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 3,—Whether he is able to answer the following questions, as promised by him on the 6th instant, viz.:—

(1.) Whether Dr. Badham, Professor of Classics and Logic in the Sydney University, has received, or been promised, a sum of money to pay his travelling expenses?

(2.) If so, what sum?

(3.) What public business was transacted, or what official duty was discharged, by Dr. Badham, in the course of his travels?

Mr. Robertson answered,—

(1.) The Government have undertaken to defray the travelling expenses of Dr. Badham, in order to enable him to explain to the people of the interior his education scheme, by means of correspondence with him through the post,—on the single condition that such expenses do not exceed £100 per annum.

(2.) The sum of £20 has been received by Dr. Badham for the expense of his journey to Bathurst, Orange, Wellington, Dubbo, and Mudgee; and he has furnished an account of £15 for the expense of his journeying to Hinton, West Maitland, Murrurundi, Tamworth, and Armidale.

(3.) The public business transacted by Dr. Badham, in the course of his travels, has been to assist public education, to facilitate the intellectual improvement of all classes of the colonists who may desire to avail themselves of Dr. Badham's leisure and intelligence, and generally to help forward a scheme of popular education which has already met with success and hearty encouragement.

- (2.) Proposed Amendment of Public Schools Act:—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 4,—Whether Government has had any correspondence in reference to certain resolutions of the Synod of the Diocese of Sydney, adopted on the 8th of April last, and affirming that it was desirable that the Public Schools Act should be so amended as to entitle Certified Denominational Schools to receive from the Council of Education the same assistance as is afforded to Public Schools?

Mr. Robertson answered,—Such a correspondence has taken place. If my honorable friend would like to see it, it is here.

- (3.) Court-house at Berrima:—Mr. Morrice asked the Secretary for Public Works, pursuant to Notice No. 5,—

(1.) Are the Government aware of the dilapidated state of the Court-house at Berrima?

(2.) Are the Government aware that, if not repaired without delay, the roof will soon fall in?

Mr. Sutherland answered,—

(1.) Yes.

(2.) No.

- (4.) Sleepers for Railway Works:—*Mr. Tunks*, on behalf of Mr. Farnell, asked the Secretary for Public Works, pursuant to Notice No. 6,—

(1.) Had a person named Shadforth a contract to deliver railway sleepers at Picton; if so, was that contract cancelled?

(2.) Were fresh tenders called for, or did the Engineer-in-Chief for Existing Lines advertise for sleepers on account of the contract having been broken?

(3.)

(3.) How many persons delivered sleepers in accordance with such advertisement ; what were their names, and at what price ; did they receive notice to discontinue the delivery of the said sleepers, and by whose authority ; was a preference given to any one in the delivery of said sleepers ?

(4.) Have tenders been called for, recently, for the supply of sleepers ; if so, who is the successful tenderer, and at what price ?

Mr. Sutherland answered,—

(1.) Mr. Shadforth's contract was to deliver sleepers at Fairfield—not Picton. He failed to carry it out, and it was cancelled.

(2.) Fresh tenders were invited in the usual way.

(3.) No sleepers were delivered in accordance with such advertisement.

(4.) Tenders have recently been obtained from various persons for the supply of sleepers. The names of the successful tenderers, with the prices paid to each, are as follows :—

George Humphrey	...	...	...	...	...	3s. 6d. each sleeper.
Edward Oxenbridge	...	...	...	...	...	3s. 8d. "
Messrs. Croft and M'Fie	...	...	...	...	...	3s. 6d. "
Patrick Scanlan...	...	...	...	...	...	3s. 9d. "
Charles Champion	...	...	...	...	...	3s. 8d. "
James Chalker	...	...	...	...	...	3s. 9d. "
William Garner...	...	...	...	...	...	3s. 6d. "
John Exton	...	...	...	...	...	3s. 6d. "
Wm. Fleming	...	...	...	...	...	3s. 6d. "
W. Whitfield	...	...	...	...	...	3s. 6d. "

2. **Motions Withdrawn** :—The undermentioned Motions on the Notice Paper for to-day were withdrawn, respectively, by the Members named :—
- No. 6. By Mr. Lucas.
 No. 7. By Mr. Terry.
 No. 1. By Mr. Garrett.
 No. 15. By Mr. Lyons.
 No. 10. By Mr. Lyons.
 No. 8. By Mr. Tunks.
 No. 13. By Mr. Tunks.
 No. 2. By *Mr. Garrett*, on behalf of Dr. Lang.
 No. 5. By *Mr. Hoskins*, on behalf of Mr. R. Stewart.
 No. 11. By Mr. Garrett.
 No. 12. By *Mr. Hoskins*, on behalf of Mr. R. Stewart.
 No. 3. By *Mr. Garrett*, on behalf of Dr. Lang.
3. **Abolition of Capital Punishment** :—Mr. Wilson presented a Petition from certain Residents of the City of Sydney and Suburbs, praying that a Bill may be passed abolishing the punishment of death. Petition received.
4. **Sydney Boundaries Amendment Bill ("Formal" Motion)** :—Mr. S. Brown moved, pursuant to Notice No. 16, That the Petition from the Municipality of Paddington, respecting the Sydney Boundaries Amendment Bill, presented by him on 8th October, be printed.
 Question put and passed.
 Ordered to be printed.
5. **Union-street, Goulburn, resumption and enclosure Bill ("Formal" Motion)** :—Mr. Forster moved, pursuant to Notice No. 1, That leave be given to introduce a Bill to authorize the resumption and enclosure of a portion of Union-street, in the City of Goulburn.
 Question put and passed.
6. **George-street, Sydney, resumption and enclosure Bill ("Formal" Motion)** :—Mr. Forster moved, pursuant to Notice No. 2, That leave be given to introduce a Bill to authorize the resumption and enclosure of a portion of George-street, in the City of Sydney.
 Question put and passed.
7. **Maitland District Council Dissolution Bill** :—Mr. Burns moved, pursuant to Notice No. 4, for leave to introduce a Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts.
 Question put and passed.
8. **Union-street, Goulburn, resumption and enclosure Bill** :—Mr. Forster having presented this Bill, Bill, intituled "*A Bill to authorize the resumption and enclosure of a portion of Union-street in the City of Goulburn*,"—read a first time.
 Ordered to be printed, and read a second time to-morrow.
9. **George-street, Sydney, resumption and enclosure Bill** :—Mr. Forster having presented this Bill, Bill, intituled "*A Bill to authorize the resumption and enclosure of a portion of George-street in the City of Sydney*,"—read a first time.
 Ordered to be printed, and read a second time to-morrow.
10. **Maitland District Council Dissolution Bill** :—Mr. Burns having presented this Bill, Bill, intituled "*A Bill to dissolve the Maitland District Council and to repeal the Maitland Road Trust Acts*,"—read a first time.
 Ordered to be printed, and read a second time this day fortnight.
11. **Motion Withdrawn** :—*Mr. Wilson*, on behalf of Sir James Martin, withdrew the Motion No. 9 standing in the name of Sir James Martin on the Notice Paper for to-day.
12. **Re-erection of Ranken Bridge over Macquarie River** :—Mr. J. Suttor moved, pursuant to Notice No. 14, That this House will, on Friday, the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.
 Debate ensued.
 Question put and passed.

13. Small Debts Recovery Act Amendment Bill :—Mr. Byrnes moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.
On motion of Mr. Byrnes, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.
The Chairman having reported that the Committee had agreed to the Bill with Amendments, the House, on motion of Mr. Byrnes, adopted that Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Friday next.
14. Committee of Elections and Qualifications :—William Charles Windeyer, Esquire, came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.
15. Contempt of Court Bill :—Mr. J. Stewart moved, That this Bill be now read a second time.
Debate ensued.
Question put.
The House divided.

Ayes, 3.		Noes, 20.
Mr. McKay,		Mr. Robertson,
<i>Tellers.</i>		Mr. Samuel,
Mr. R. Stewart,		Mr. Forster,
Mr. J. Stewart.		Mr. S. Brown,
		Mr. Hart,
		Mr. Egan,
		Mr. Hoskins,
		Mr. Gordon,
		Mr. Morrice,
		Mr. Terry,
		Mr. Cummings,
		Mr. Driver,
		Mr. Bell,
		Mr. Dodds,
		Mr. Parkes,
		Sir James Martin,
		Mr. Burdekin,
		Mr. Garrett,
		<i>Tellers.</i>
		Mr. Tunks,
		Mr. Burns.

16. Conditional Purchasers Pre-lease Declaratory Bill :—On motion of Mr. Forster, the Report from the Committee of the Whole upon this Bill was adopted.
Ordered, on motion of Mr. Forster, That the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.
17. Cemeteries Regulation Bill :—Mr. Foster 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. Forster the Speaker left the Chair, and the House resolved into a Committee of the Whole to consider the Bill.
The Chairman reported that there was not a Quorum present in the Committee.
Whereupon, the Speaker counted the House, and there being only Eighteen members present, exclusive of the Speaker, namely :—Mr. Alexander, Mr. E. Brown, Mr. Church, Mr. Dodds, Mr. Driver, Mr. Egan, Mr. Farnell, Mr. Forster, Mr. Garrett, Mr. Hoskins, Mr. McKay, Mr. Morrice, Mr. Parkes, Mr. Robertson, Mr. Samuel, Mr. J. Stewart, Mr. R. Stewart, and Mr. Sutherland,—the Speaker adjourned the House at twenty-one minutes before Twelve o'clock, until to-morrow at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

WEDNESDAY, 13 OCTOBER.

Contingent Notice of Motion :—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

GOVERNMENT

GOVERNMENT BUSINESS—NOTICES OF MOTIONS:—

1. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
3. MR. SAMUEL to move, That this House do now resolve itself into a Committee of Supply, and that the Governor's Message No. 8, with the accompanying Estimates, be referred thereto.
4. MR. ROBERTSON to move for leave to introduce a Bill to reduce the Salaries of future Governors.
5. MR. ROBERTSON to move for leave to introduce a Bill to reduce certain Official Salaries.
6. MR. SAMUEL to move, That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.

ORDERS OF THE DAY:—

1. Assisted Immigration Bill; second reading.
2. Amended Representation Bill; second reading.
3. Unclaimed Balances Appropriation Bill; second reading.
4. Mesne Process Amendment Bill; second reading.
5. Roads Acts Amendment Bill; to be further considered in Committee.
6. Union-street, Goulburn, resumption and enclosure Bill; second reading.
7. George-street, Sydney, resumption and enclosure Bill; second reading.
8. Conditional Purchasers Pre-lease Declaratory Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. WILSON to move, That the Petition presented by him on 12th October, from certain Residents of Sydney and Suburbs, praying that a Bill may be passed abolishing the punishment of death, be printed.
2. MR. J. STEWART to move, That the correspondence relating to certain resolutions of the Synod of the Diocese of Sydney, adopted on the 8th of April last, and affirming that it was desirable that the Public Schools Act should be so amended as to entitle Certified Denominational Schools to receive from the Council of Education the same assistance as is afforded to Public Schools, be printed.

THURSDAY, 14 OCTOBER.

Questions:—

1. MR. BURNS to ask THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill for the amendment of the Law relating to Lunacy; and is it their intention that the erection of Lunatic Asylums at Bathurst, Maitland, and Goulburn, for which it is proposed to appropriate £60,000, shall be contingent upon that or some similar measure becoming law?
2. MR. J. SUTTON to ask THE SECRETARY FOR PUBLIC WORKS,—
(1.) Did the present Government make an offer in June last, which was accepted by a Mrs. Williamson, to pay her the sum of £126 6s. 11d. compensation for land taken for the Richmond Railway, in the year 1862?
(2.) If so, why has the money not been paid?

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. SAMUEL to move, That this House do now resolve itself into a Committee of Ways and Means.

FRIDAY, 15 OCTOBER.

Questions:—

1. MR. MCKAY to ask THE SECRETARY FOR PUBLIC WORKS,—When is it the intention of the Government to call for Tenders for the completion of the Great Western Railway from Kelso into Bathurst?
2. MR. J. STEWART to ask THE COLONIAL SECRETARY,—
(1.) What is the total estimated value of all real and personal property vested in the Council of Education?
(2.) To whom this property would belong, if the Council of Education were dissolved?
(3.) How much public money was expended on real property by the late Denominational School Board?
(4.) Since the dissolution of that Board, has any of the real property reverted to the Crown, or been vested in the Council of Education; and if any, what is its estimated value?
3. MR. RYAN to ask THE COLONIAL SECRETARY,—Has a memorial been received by the Government from the residents of Penrith, asking the Government to appoint an additional number of Magistrates in that district; if so, do the Government intend to accede to the prayer of the memorialists?

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Sydney Boundaries Amendment Bill; second reading.
2. Burials Regulation Bill; second reading.
3. Cumberland and Camden Bathurst-burr and Thistle Bill; second reading.
4. Re-erection of Ranken Bridge over Macquarie River; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.
5. Small Debts Recovery Act Amendment Bill; third reading.

NOTICES OF MOTIONS :—

1. MR. LORD to move, That leave be given to introduce a Bill to enable certain electors of the Electoral District of the Bogan to vote at elections.
2. MR. LORD to move, That an address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
3. MR. LYONS to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *viâ* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
4. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.

TUESDAY, 19 OCTOBER.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. STEWART to move,—
 - (1.) That, in the opinion of this House, there ought to be an Act of the Legislature to simplify proceedings in the Supreme Court, in all its jurisdictions, except criminal and admiralty.
 - (2.) That such Act should abolish the distinctions between actions at law and suits in equity; distinctions between Barristers and Solicitors; all special pleadings; all variety of costs; and all Court vacations which delay or defer the business of the Court.
 - (3.) That such Act should provide for one uniform course of procedure; for a plain and concise system of pleading, and for one scale of costs to be paid in all cases, whether as between attorney and client, or between party and party.
 - (4.) That such Act should provide for frequent (or, where needful, continuous) and simultaneous sittings of single Judges for the disposal, as well of issues in law as of issues of fact, either with or without a jury.
 - (5.) That such Act should enable judges, sitting singly, to refer disputed matters of fact, investigation of accounts, and the like, to a referee, or referees, official or extra-official.
 - (6.) That such Act should provide that all matters, by way of appeal, should be heard before a full court of three judges, sitting at stated intervals.
 - (7.) That His Excellency the Governor should be advised to appoint a Commission, with instructions to frame a Bill, founded on the foregoing Resolutions; such Commission to consist of three persons only, and required to complete the Commission before the next meeting of Parliament.
2. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
3. MR. LUCAS to move, That this House will, on Friday, the 15th of October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870 a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudjee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
4. MR. TERRY to move, That this House will, on Friday the 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudjee Road from the village of Cudgegong into Mudjee.
5. MR. BURNS to move, 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 Minutes and Correspondence in reference to the New Refreshment Room, and other additions made to the Parliamentary Buildings since last Session.
6. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
7. MR. LYONS to move, That there be laid on the Table of this House, copies of the following papers, *viz.* :—
 - (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
8. MR. TUNKS to move, That this House will, on Friday, 15th October, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
9. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.

10. MR. GARRETT to move, 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, the whole of the documents concerning the dismissal from the Volunteer Force of Mr. James Calder, junior, a member of No. 4 Battery, V.A.; the subsequent trial, verdict, and Brigade Order thereon; and also the charges made by Mr. Calder against a Commissioned Officer for gross misstatements uttered during the course of the trial,—with the result of the investigation thereon, if any.
11. DR. LANG to move,—
- (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
 - (3.) That the Progress Report brought up 24th March, 1869, on the same subject, together with the Minutes of Proceedings, and of Evidence, be referred to this Committee.
12. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
- (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him

TUESDAY, 26 OCTOBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill; second reading.
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New South Wales.

No. 10.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 13 OCTOBER, 1869.

1. The House met pursuant to adjournment; the Speaker took the Chair.
 Customs Laws Consolidation and Amendment Bill ("Formal" Motion):—Mr. Samuel moved, pursuant to amended Notice No. 1, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
 Question put and passed.
2. Marine Board Bill ("Formal" Motion):—Mr. Samuel moved, pursuant to amended Notice No. 2, That this House will, on Thursday, 21st October, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
 Question put and passed.
3. Future Governors Salaries Reduction Bill ("Formal" Motion):—Mr. Robertson moved, pursuant to Notice No. 4, for leave to introduce a Bill to reduce the Salaries of future Governors.
 Question put and passed.
4. Colonial Produce Distillation Bill ("Formal" Motion):—Mr. Samuel moved, pursuant to amended Notice No. 6, That this House will, on Thursday, 21st October, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
 Question put and passed.
5. Motion Withdrawn:—Mr. J. Stewart withdrew the Motion No. 2, standing in his name on the Notice Paper for to-day.
6. Roberts' Trust Bill:—Mr. Hart, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before the Select Committee, for whose consideration and report this Bill was referred on 8th October, 1869.
 Ordered to be printed.
 Mr. Hart then moved, That the second reading of this Bill (*as amended in Select Committee*) stand an Order of the Day for Friday week.
 Question put and passed.
7. Supply:—Mr. Samuel moved, pursuant to Notice No. 3, That this House do now resolve itself into a Committee of Supply, and that the Governor's Message No. 8, with the accompanying Estimates, be referred thereto.
 Question put and passed.
 Whereupon, on motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.

The Chairman reported that a Point of Order had arisen in the Committee, and obtained leave to sit again so soon as that Point of Order should have been determined in the House.

The Chairman then reported the Point of Order, as follows:—

That, upon a question being moved that the Chairman leave the Chair, after a vote had been proposed, it is in order for any Honorable Member to discuss the whole of the Estimates,—to which course the Chairman objected, giving it as his opinion that the debate must be confined to the vote actually submitted.

The Speaker ruled that, when an item in the Estimates is under consideration, a Member cannot discuss any vote already disposed of, or any vote which is set down for future discussion; but, when a motion is made that the Chairman leave the Chair, the discussion takes a wider range; still, under cover of such a motion, the rule of the House, just stated, cannot be violated.

Whereupon,

Whereupon, on motion of Mr. Samuel, the Committee resumed.

The Chairman reported progress, and obtained leave to sit again to-morrow.

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

Ordered, on motion of the Chairman, That the said Resolution be received to-morrow.

8. Official Salaries Reduction Bill:—Mr. Robertson moved, pursuant to Notice No. 5, for leave to introduce a Bill to reduce certain Official Salaries.
Debate ensued.
Question put and passed.
9. Postponement:—The Order of the Day No. 1 postponed, on motion of Mr. Robertson, to follow after No. 2.
10. Amended Representation Bill:—Mr. Robertson moved, That this Bill be now read a second time.
Debate ensued.
Mr. Lee moved, That this Debate be now adjourned until this day week.
Question put.
The House divided.

Ayes, 19.

Sir James Martin,	Mr. J. Stewart,
Mr. Wilson,	Mr. Lucas,
Mr. Tighe,	Mr. Farnell,
Mr. Bagur,	Mr. Parkes,
Mr. Lec,	Mr. Byrnes,
Mr. Burns,	<i>Tellers.</i>
Mr. J. Suttor,	Mr. Piddington,
Mr. Walker,	Mr. E. Brown.
Mr. Graham,	
Mr. Lord,	
Mr. Dodds,	
Mr. Lyons,	

Noes, 21.

Mr. Robertson,	Mr. Cummings,
Mr. Forster,	Mr. Oatley,
Mr. Samuel,	Mr. R. Stewart,
Mr. Sutherland,	Mr. Church,
Mr. Egan,	Mr. Driver,
Mr. Dignam,	Mr. Burdekin,
Dr. Lang,	Mr. Garrett,
Mr. Cunneen,	<i>Tellers.</i>
Mr. Cooper,	
Mr. Bell,	Mr. Hoskins,
Mr. Lloyd,	Mr. S. Brown.
Mr. Terry,	

Main Question stated.

Debate continued.

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

Question put and negatived.

Main Question stated.

On motion of Mr. Lloyd, Debate adjourned until Wednesday next.

The House adjourned, on motion of Mr. Robertson, at five minutes before Twelve o'clock, until to-morrow at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

THURSDAY, 14 OCTOBER.

Questions:—

- MR. BURNS to ask THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill for the amendment of the Law relating to Lunacy; and is it their intention that the erection of Lunatic Asylums at Bathurst, Maitland, and Goulburn, for which it is proposed to appropriate £60,000, shall be contingent upon that or some similar measure becoming law?
- MR. J. SUTTOR to ask THE SECRETARY FOR PUBLIC WORKS,—
(1.) Did the present Government make an offer in June last, which was accepted by a Mrs. Williamson, to pay her the sum of £126 6s. 11d. compensation for land taken for the Richmond Railway, in the year 1862?
(2.) If so, when will the money be paid?
- MR. FARNELL to ask THE COLONIAL SECRETARY,—
(1.) Has he received any communication from the Secretary of the Yass School of Arts, in reference to placing a sum of money on the Estimates in further aid of the erection of the Yass Mechanics Institute?
(2.) Has an answer been given to the said communication?
(3.) Is it the intention of the Government to place a sum of money on the Supplementary Estimates, in further aid of the erection of the said Mechanics Institute?

Contingent Notice of Motion:—

- MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause:—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If

Conditional purchaser may take possession of land in certain cases.

Proviso.

If there should be two or more claimants for the pre-lease of the same land the surveyor who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Surveyor to make division of disputed land.

GOVERNMENT BUSINESS—NOTICES OF MOTIONS :—

1. MR. SAMUEL to move, That this House do now resolve itself into a Committee of Ways and Means.
2. MR. FORSTER to move, That the Order of the Day for the consideration in Committee of the Whole of the Cemeteries Regulation Bill, which lapsed by the House being counted out on the 12th October, be restored to the Paper, and stand an Order of the Day for to-morrow.

ORDERS OF THE DAY :—

1. Supply ; reception of Resolution from Committee.
2. Supply ; resumption of the Committee.
3. Assisted Immigration Bill ; second reading.
4. Unclaimed Balances Appropriation Bill ; second reading.
5. Mesne Process Amendment Bill ; second reading.
6. Roads Acts Amendment Bill ; to be further considered in Committee.
7. Union-street, Goulburn, resumption and enclosure Bill ; second reading.
8. George-street, Sydney, resumption and enclosure Bill ; second reading.
9. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. STEWART to move, That there be laid upon the Table of this House, copies of the correspondence relating to certain resolutions of the Synod of the Diocese of Sydney, adopted on the 8th of April last, and affirming that it was desirable that the Public Schools Act should be so amended as to entitle Certified Denominational Schools to receive from the Council of Education the same assistance as is afforded to Public Schools.
2. MR. WILSON to move, That the Petition presented by him on 12th October, from certain Residents of Sydney and Suburbs, praying that a Bill may be passed abolishing the punishment of death, be printed.

FRIDAY, 15 OCTOBER.

Questions :—

1. MR. MCKAY to ask THE SECRETARY FOR PUBLIC WORKS,—When is it the intention of the Government to call for Tenders for the completion of the Great Western Railway from Kelso into Bathurst?
2. MR. J. STEWART to ask THE COLONIAL SECRETARY,—
 - (1.) What is the total estimated value of all real and personal property vested in the Council of Education?
 - (2.) To whom this property would belong, if the Council of Education were dissolved?
 - (3.) How much public money was expended on real property by the late Denominational School Board?
 - (4.) Since the dissolution of that Board, has any of the real property reverted to the Crown, or been vested in the Council of Education ; and if any, what is its estimated value?
3. MR. RYAN to ask THE COLONIAL SECRETARY,—Has a memorial been received by the Government from the residents of Penrith, asking the Government to appoint an additional number of Magistrates in that district ; if so, do the Government intend to accede to the prayer of the memorialists?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Sydney Boundaries Amendment Bill ; second reading.
2. Burials Regulation Bill ; second reading.
3. Cumberland and Camden Bathurst-burr and Thistle Bill ; second reading.
4. Re-erection of Ranken Bridge over Macquarie River ; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.
5. Small Debts Recovery Act Amendment Bill ; third reading.

NOTICES OF MOTIONS :—

1. MR. LORD to move, That leave be given to introduce a Bill to enable certain electors of the Electoral District of the Bogan to vote at elections.
2. MR. LORD to move, That an address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police ; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
3. MR. LYONS to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *viâ* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
4. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.

TUESDAY,

TUESDAY, 19 OCTOBER.

Questions :—

1. MR. MACLEAY to ask THE COLONIAL SECRETARY,—
 - (1.) What number of children have attended the Public Schools from the date of the Public Schools Act coming into operation, up to the 30th June of the present year?
 - (2.) What amount of public money has been expended by the Council of Education for Public Schools during that period?
 - (3.) What number of children have attended, and what has been the expenditure of public money for Certified or Denominational Schools during the same period?
2. MR. J. SUTTON to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether the money voted for the Road from Bathurst to Sofala, *via* Wyagdon, during the Sessions of 1867, and 1868, but not expended, is now available for the repairs of the said road?
 - (2.) Whether in the Estimates now before the Assembly, any extra expenditure for the said Road has been contemplated, in consequence of wear and tear caused by the cartage of heavy timber from Wyagdon, for the construction of the Bathurst Bridge?
3. MR. GRAHAM to ask THE SECRETARY FOR PUBLIC WORKS,—When he intends to call for tenders for the additions to, and repairs of, the Court-house at Bombala?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. STEWART to move,—
 - (1.) That, in the opinion of this House, there ought to be an Act of the Legislature to simplify proceedings in the Supreme Court, in all its jurisdictions, except criminal and admiralty.
 - (2.) That such Act should abolish the distinctions between actions at law and suits in equity; distinctions between Barristers and Solicitors; all special pleadings; all variety of costs; and all Court vacations which delay or defer the business of the Court.
 - (3.) That such Act should provide for one uniform course of procedure; for a plain and concise system of pleading, and for one scale of costs to be paid in all cases, whether as between attorney and client, or between party and party.
 - (4.) That such Act should provide for frequent (or, where needful, continuous) and simultaneous sittings of single Judges for the disposal, as well of issues in law as of issues of fact, either with or without a jury.
 - (5.) That such Act should enable judges, sitting singly, to refer disputed matters of fact, investigation of accounts, and the like, to a referee, or referees, official or extra-official.
 - (6.) That such Act should provide that all matters, by way of appeal, should be heard before a full court of three judges, sitting at stated intervals.
 - (7.) That His Excellency the Governor should be advised to appoint a Commission, with instructions to frame a Bill, founded on the foregoing Resolutions; such Commission to consist of three persons only, and required to complete the Commission before the next meeting of Parliament.
2. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
3. MR. LUCAS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
5. MR. BURNS to move, 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 Minutes and Correspondence in reference to the New Refreshment Room, and other additions made to the Parliamentary Buildings since last Session.
6. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
7. MR. LYONS to move, That there be laid on the Table of this House, copies of the following papers, viz. :—
 - (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
8. MR. TENKS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
9. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.

10. MR. GARNETT to move, 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, the whole of the documents concerning the dismissal from the Volunteer Force of Mr. James Calder, junior, a member of No. 4 Battery, V.A.; the subsequent trial, verdict, and Brigade Order thereon; and also the charges made by Mr. Calder against a Commissioned Officer for gross misstatements uttered during the course of the trial,—with the result of the investigation thereon, if any.
11. DR. LANG to move,—
 (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
 (3.) That the Progress Report brought up 24th March, 1869, on the same subject, together with the Minutes of Proceedings, and of Evidence, be referred to this Committee.
12. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him
13. MR. J. SUTTON to move,—
 (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Petition presented to this House, from Messrs. James Reid Maxwell, William Chisholm, John Cummins, and Edward Shorter, respecting losses sustained by them through the insecure state of the Post Office at Sofala, in the year 1862.
 (2.) That such Committee consist of Mr. Piddington, Mr. Burdekin, Mr. Burns, Mr. Driver, Mr. Wisdom, Mr. Egan, Mr. Church, Mr. Farnell, and the Mover.

WEDNESDAY, 20 OCTOBER.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Customs Laws Consolidation and Amendment Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. Amended Representation Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."

THURSDAY, 21 OCTOBER.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Marine Board Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
2. Colonial Produce Distillation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.

FRIDAY, 22 OCTOBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Roberts' Trust Bill (*as amended in Select Committee*); second reading.

TUESDAY, 26 OCTOBER.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. S. BROWN to move, That, in the opinion of this House, the claims of Mr. William Sims Bell, as set forth in the Report of the Select Committee thereon, presented to this House on the 2nd December, 1862, are entitled to the favourable consideration of the Government.

ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill; second reading.



New South Wales.

No. 11.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 14 OCTOBER, 1869.

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

Questions on Notice Paper for to-day :—

- (1.) Lunacy Law Amendment Bill :—Mr. Burns asked the Colonial Secretary, pursuant to Notice No. 1,—When do the Government intend to introduce their Bill for the amendment of the Law relating to Lunacy; and is it their intention that the erection of Lunatic Asylums at Bathurst, Maitland, and Goulburn, for which it is proposed to appropriate £60,000, shall be contingent upon that or some similar measure becoming law?

Mr. Robertson answered,—I scarcely know when it will be most convenient to deal with this matter, but I shall be very glad to let my honorable friend know a few days before it is intended to do so. I really cannot fix periods for different branches of the public business to be proceeded with, but we shall go on with the business as speedily as we can.

- (2.) Compensation to Mrs. Williamson for Land taken for Richmond Railway :—Mr. J. Suttor asked the Secretary for Public Works, pursuant to Notice No. 2,—

(1.) Did the present Government make an offer in June last, which was accepted by Mrs. Williamson, to pay her the sum of £126 Gs. 11d. compensation for land taken for the Richmond Railway, in the year 1862?

(2.) If so, when will the money be paid?

Mr. Sutherland answered,—

(1.) The offer was made to Mrs. Williamson on the 14th July last, and accepted on the 16th of that month.

(2.) The money cannot be paid until the deed of conveyance is executed. The Crown Solicitor is waiting for a reply from Mrs. Williamson's solicitors to a letter he addressed to them on the 6th of the present month relative to her title to the land, until receipt of which he cannot proceed.

- (3.) Yass Mechanics Institute :—Mr. Farnell asked the Colonial Secretary, pursuant to Notice No. 3,—

(1.) Has he received any communication from the Secretary of the Yass School of Arts, in reference to placing a sum of money on the Estimates in further aid of the erection of the Yass Mechanics Institute?

(2.) Has an answer been given to the said communication?

(3.) Is it the intention of the Government to place a sum of money on the Supplementary Estimates, in further aid of the erection of the said Mechanics Institute?

Mr. Robertson answered,—

(1.) Yes.

(2.) The answer was not sent to the Secretary, but to Mr. Brown—one of the deputation appointed to wait upon me on the subject.

(3.) The sum of £300 will be provided on the Estimates.

2. Proposed Division of the Electorate of the Glebe :—Mr. J. Stewart presented a Petition from certain inhabitants of the Borough of Balmain, referring to the Amended Representation Bill now before Parliament, and stating that the large population of the Borough fairly warrants a division of the Electorate to which they are attached, so that, in future, one Member may represent the Glebe, and another represent Balmain; and praying a favourable consideration of the case.
Petition received.

3. Proposed New Electorate of Ryde :—Mr. Tunks presented a Petition from certain residents of the proposed new Electorate of Ryde, alleging that they have distinct local interests which cannot be represented in Parliament because of their connexion with the Electorates of St. Leonards and Central Cumberland; and praying that the District in which they reside,—embracing the Parish of Hunter's Hill and the eastern portion of the Field of Mars,—may be erected into the proposed new Electorate.
Petition received.

4. Paper:—Mr. Forster laid upon the Table a document headed "Tenders for New Runs, 1848-69."
Ordered to be printed.
5. George Swinnerton Yarnton:—Mr. Cunneen presented a Petition from George Swinnerton Yarnton, of Sydney, Solicitor, representing that in the month of February, 1859, he accepted the office of Registrar of the Metropolitan District Court; that in the month of January of the present year he was removed from this office, provision for his salary having ceased; that he has made repeated applications for compensation for loss of office, but without success; and praying a favourable consideration of his case, with a view to relief.
Petition received.
6. Ways and Means ("Formal" Motion):—Mr. Samuel moved, pursuant to Notice No. 1, That this House do now resolve itself into a Committee of Ways and Means.
Question put and passed.
Whereupon, on motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.
The Chairman reported progress, and obtained leave to sit again at a later hour of the day.
7. Cemeteries Regulation Bill ("Formal" Motion):—Mr. Forster moved, pursuant to Notice No. 2, That the Order of the Day for the consideration in Committee of the Whole of the Cemeteries Regulation Bill, which lapsed by the House being counted out on the 12th October, be restored to the Paper, and stand an Order of the Day for to-morrow.
Question put and passed.
8. Proposed Amendment of Public Schools Act ("Formal" Motion):—Mr. J. Stewart moved, pursuant to Notice No. 1, That there be laid upon the Table of this House, copies of the correspondence relating to certain resolutions of the Synod of the Diocese of Sydney, adopted on the 8th of April last, and affirming that it was desirable that the Public Schools Act should be so amended as to entitle Certified Denominational Schools to receive from the Council of Education the same assistance as is afforded to Public Schools.
Question put and passed.
9. Abolition of Capital Punishment ("Formal" Motion):—Mr. Wilson moved, pursuant to Notice No. 2, That the Petition presented by him on 12th October, from certain Residents of Sydney and Suburbs, praying that a Bill may be passed abolishing the punishment of death, be printed.
Question put and passed.
Ordered to be printed.
10. Supply:—The Order of the Day No. 1, for the reception of a Resolution from the Committee, having been read, the Chairman reported from the Committee of Supply a Resolution, which was read a first time, as follows:—
(1.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,530 to defray the salaries and contingencies of the establishment of His Excellency the Governor, for the year 1870.
Resolution then, on motion of Mr. Samuel, read a second time and agreed to.
11. Postponements:—The Orders of the Day Nos. 2 to 9 postponed, respectively, to follow consecutively the Order of the Day for the Resumption of the Committee of Ways and Means. (*See entry 6 above.*)
12. Ways and Means (*See entry 6 above*):—The Order of the Day for the Resumption of the Committee of Ways and Means having been read,—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
13. Postponement:—The Order of the Day No. 2 further postponed, on motion of Mr. Samuel, until Wednesday next.
14. Assisted Immigration Bill:—Mr. Robertson moved, That this Bill be "now" read a second time.
Debate ensued.
Mr. Parkes moved, That the question be amended, by omitting the word "now," with a view to adding at the end the words "this day six months."
Question,—That the word proposed to be omitted stand part of the Question.
Debate continued.
Mr. Burdekin moved, That this Debate be now adjourned until to-morrow.
Question put.
The House divided.

Ayes, 26.

Mr. Robertson,	Mr. Cooper,
Mr. Samuel,	Mr. Egan,
Mr. Forster,	Mr. Lord,
Mr. Sutherland,	Mr. Dodds,
Mr. Burdekin,	Mr. Gordon,
Mr. Hoskins,	Mr. Dignam,
Mr. Garrett,	Mr. Driver,
Mr. Cummings,	Mr. Morrice,
Dr. Lang,	Mr. Cunneen,
Mr. J. Stewart,	Mr. Alexander,
Mr. Terry,	<i>Tellers.</i>
Mr. R. Stewart,	
Mr. Lloyd,	Mr. Hart,
Mr. Bell,	Mr. Church.

Noes, 19.

Sir James Martin,	Mr. Piddington,
Mr. Wilson,	Mr. Tighe,
Mr. Byrnes,	Mr. Farnell,
Mr. Eagar,	<i>Tellers.</i>
Mr. Parkes,	
Mr. Hill,	Mr. Lucas,
Mr. Tunks,	Mr. Walker.
Mr. McKay,	
Mr. Burns,	
Mr. Lyons,	
Mr. J. Suttor,	
Mr. W. Suttor,	
Mr. Oatley,	
Mr. Graham,	

15. Postponements:—The undermentioned Orders of the Day postponed, respectively, by the Members named:—
No. 4. By Mr. Samuel, until Wednesday next.
No. 5. By Mr. Samuel, until Thursday next.
No. 6. By Mr. Forster, to follow after No. 9.
16. Union-street, Goulburn, resumption and enclosure Bill (Order No. 7):—Mr. Forster moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time.

On motion of Mr. Forster, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.

The Chairman having reported the Bill without amendment, the House adopted that Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

17. George-street, Sydney, resumption and enclosure Bill (Order No. 8):—Mr. Forster moved, That this Bill be now read a second time.

Question put and passed.

Bill read a second time.

On motion of Mr. Forster, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.

The Chairman having reported the Bill without amendment, the House adopted that Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

The House adjourned, on motion of Mr. Robertson, at four minutes after Eleven o'clock, until to-morrow at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

FRIDAY, 15 OCTOBER.

Questions:—

1. MR. MCKAY *to ask* THE SECRETARY FOR PUBLIC WORKS;—When is it the intention of the Government to call for Tenders for the completion of the Great Western Railway from Kelso into Bathurst?
2. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—
 - (1.) What is the total estimated value of all real and personal property vested in the Council of Education?
 - (2.) To whom this property would belong, if the Council of Education were dissolved?
 - (3.) How much public money was expended on real property by the late Denominational School Board?
 - (4.) Since the dissolution of that Board, has any of the real property reverted to the Crown, or been vested in the Council of Education; and if any, what is its estimated value?
3. MR. RYAN *to ask* THE COLONIAL SECRETARY,—Has a memorial been received by the Government from the residents of Penrith, asking the Government to appoint an additional number of Magistrates in that district; if so, do the Government intend to accede to the prayer of the memorialists?
4. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether Government is aware who were the charterers of the "Young Australian" on the voyage when the outrage occurred for which Hovell and Rangi were tried?
5. MR. W. SUTTOR *to ask* THE COLONIAL SECRETARY,—If he will be kind enough to state what arrangements, if any, the Government have made towards securing the services of a Police Magistrate at Sofala, Tambaroora, and Hargraves?

Contingent Notice of Motion:—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause:—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

Conditional purchaser may take possession of land in certain cases.

Proviso.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Surveyor to make division of disputed land.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Sydney Boundaries Amendment Bill; second reading.
2. Burials Regulation Bill; second reading.
3. Cumberland and Camden Bathurst-burr and Thistle Bill; second reading.
4. Re-erection of Ranken Bridge over Macquarie River; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.
5. Small Debts Recovery Act Amendment Bill; third reading.

NOTICES

NOTICES OF MOTIONS :—

1. MR. LORD to move, That leave be given to introduce a Bill to enable certain electors of the Electoral District of the Bogan to vote at elections.
2. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
3. MR. LYONS to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
4. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.
5. MR. J. STEWART to move, That the Petition presented by him on the 14th October, from residents of Balmain, praying for a division of the Glebe Electorate, be printed.
6. MR. TUNKS to move, That the Petition presented by him on the 14th October, relative to the proposed new Electorate of Ryde, be printed.
7. MR. CUNNEEN to move, That the Petition presented by him on the 14th October, from George Swinnerton Yarnton, be printed.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Cemeteries Regulation Bill ; to be further considered in Committee.
2. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
3. Union-street, Goulburn, resumption and enclosure Bill ; third reading.
4. George-street, Sydney, resumption and enclosure Bill ; third reading.
5. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
6. Roads Acts Amendment Bill ; to be further considered in Committee.

TUESDAY, 19 OCTOBER.

Questions :—

1. MR. MACLEAY to ask THE COLONIAL SECRETARY,—
 - (1.) What number of children have attended the Public Schools from the date of the Public Schools Act coming into operation, up to the 30th June of the present year?
 - (2.) What amount of public money has been expended by the Council of Education for Public Schools during that period?
 - (3.) What number of children have attended, and what has been the expenditure of public money for Certified or Denominational Schools during the same period?
2. MR. J. SUTTOR to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether the money voted for the Road from Bathurst to Sofala, *via* Wyagdon, during the Sessions of 1867, and 1868, but not expended, is now available for the repairs of the said road?
 - (2.) Whether in the Estimates now before the Assembly, any extra expenditure for the said Road has been contemplated, in consequence of wear and tear caused by the cartage of heavy timber from Wyagdon, for the construction of the Bathurst Bridge?
3. MR. GRAHAM to ask THE SECRETARY FOR PUBLIC WORKS,—When he intends to call for tenders for the additions to, and repairs of, the Court-house at Bombala?
4. MR. BELL to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to establish Public Industrial Schools in any of the interior Towns of the Northern Districts of the Colony, in accordance with the Act 30th Victoria, No. 2?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. STEWART to move,—
 - (1.) That, in the opinion of this House, there ought to be an Act of the Legislature to simplify proceedings in the Supreme Court, in all its jurisdictions, except criminal and admiralty.
 - (2.) That such Act should abolish the distinctions between actions at law and suits in equity; distinctions between Barristers and Solicitors; all special pleadings; all variety of costs; and all Court vacations which delay or defer the business of the Court.
 - (3.) That such Act should provide for one uniform course of procedure; for a plain and concise system of pleading, and for one scale of costs to be paid in all cases, whether as between attorney and client, or between party and party.
 - (4.) That such Act should provide for frequent (or, where needful, continuous) and simultaneous sittings of single Judges for the disposal, as well of issues in law as of issues of fact, either with or without a jury.
 - (5.) That such Act should enable judges, sitting singly, to refer disputed matters of fact, investigation of accounts, and the like, to a referee, or referees, official or extra-official.
 - (6.) That such Act should provide that all matters, by way of appeal, should be heard before a full court of three judges, sitting at stated intervals.
 - (7.) That His Excellency the Governor should be advised to appoint a Commission, with instructions to frame a Bill, founded on the foregoing Resolutions; such Commission to consist of three persons only, and required to complete the Commission before the next meeting of Parliament.

2. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
3. MR. LUCAS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
5. MR. BURNS to move, 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 Minutes and Correspondence in reference to the New Refreshment Room, and other additions made to the Parliamentary Buildings since last Session.
6. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
7. MR. LYONS to move, That there be laid on the Table of this House, copies of the following papers, viz. :—
 - (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
8. MR. TUNKS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
9. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
10. MR. GARRETT to move, 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, the whole of the documents concerning the dismissal from the Volunteer Force of Mr. James Calder, junior, a member of No. 4 Battery, V.A.; the subsequent trial, verdict, and Brigade Order thereon; and also the charges made by Mr. Calder against a Commissioned Officer for gross misstatements uttered during the course of the trial,—with the result of the investigation thereon, if any.
11. DR. LANG to move,—
 - (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
 - (3.) That the Progress Report brought up 24th March, 1869, on the same subject, together with the Minutes of Proceedings, and of Evidence, be referred to this Committee.
12. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
13. MR. J. SUTTON to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Petition presented to this House, from Messrs. James Reid Maxwell, William Chisholm, John Cummins, and Edward Shorter, respecting losses sustained by them through the insecure state of the Post Office at Sofala, in the year 1862.
 - (2.) That such Committee consist of Mr. Piddington, Mr. Burdekin, Mr. Burns, Mr. Driver, Mr. Wisdom, Mr. Egan, Mr. Church, Mr. Farnell, and the Mover.
14. MR. LUCAS to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of the Depositions taken at the Police Office, Singleton, on the 3rd day of December, 1867, in the case of Rodd v. Collins.

WEDNESDAY, 20 OCTOBER.

Question :—

1. MR. ALEXANDER to ask THE COLONIAL SECRETARY,—What action the Government intend to take with regard to the Petition of Richard Peard, late constable in the Police Force, Goulburn ?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
3. Ways and Means ; resumption of the Committee.
4. Supply ; resumption of the Committee.
5. Unclaimed Balances Appropriation Bill ; second reading.

THURSDAY, 21 OCTOBER.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
2. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
3. Mesne Process Amendment Bill ; second reading.

FRIDAY, 22 OCTOBER.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Roberts' Trust Bill (*as amended in Select Committee*) ; second reading.

TUESDAY, 26 OCTOBER.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. S. BROWN to move, That, in the opinion of this House, the claims of Mr. William Sims Bell, as set forth in the Report of the Select Committee thereon, presented to this House on the 2nd December, 1862, are entitled to the favourable consideration of the Government.

ORDER OF THE DAY :—

1. Maitland District Council Dissolution Bill ; second reading.

New South Wales.

No. 12.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 15 OCTOBER, 1869.

There being only Nineteen Members present, exclusive of the Speaker, namely,—Mr. Alexander, Mr. Dodds, Mr. Farnell, Mr. Forster, Mr. Garrett, Mr. Graham, Mr. Hoskins, Mr. Lord, Mr. Lucas, Mr. Macleay, Mr. McKay, Mr. Oatley, Mr. Parkes, Mr. Robertson, Mr. Samuel, Mr. J. Stewart, Mr. R. Stewart, Mr. Sutherland, and Mr. W. Suttor,—the Speaker adjourned the House, at half-past Three o'clock, until Tuesday next, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS
OF THE DAY.

TUESDAY, 19 OCTOBER.

Questions :—

1. MR. MACLEAY *to ask* THE COLONIAL SECRETARY,—
 - (1.) What number of children have attended the Public Schools from the date of the Public Schools Act coming into operation, up to the 30th June of the present year?
 - (2.) What amount of public money has been expended by the Council of Education for Public Schools during that period?
 - (3.) What number of children have attended, and what has been the expenditure of public money for Certified or Denominational Schools during the same period?
2. MR. J. SUTTOR *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether the money voted for the Road from Bathurst to Sofala, *via* Wyagdon, during the Sessions of 1867, and 1868, but not expended, is now available for the repairs of the said road?
 - (2.) Whether in the Estimates now before the Assembly, any extra expenditure for the said Road has been contemplated, in consequence of wear and tear caused by the cartage of heavy timber from Wyagdon, for the construction of the Bathurst Bridge?
3. MR. GRAHAM *to ask* THE SECRETARY FOR PUBLIC WORKS,—When he intends to call for tenders for the additions to, and repairs of, the Court-house at Bombala?
4. MR. BELL *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to establish Public Industrial Schools in any of the interior Towns of the Northern Districts of the Colony, in accordance with the Act 30th Victoria, No. 2?
5. MR. MCKAY *to ask* THE SECRETARY FOR PUBLIC WORKS,—When is it the intention of the Government to call for Tenders for the completion of the Great Western Railway from Kelso into Bathurst?
6. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—
 - (1.) What is the total estimated value of all real and personal property vested in the Council of Education?
 - (2.) To whom this property would belong, if the Council of Education were dissolved?
 - (3.) How much public money was expended on real property by the late Denominational School Board?
 - (4.) Since the dissolution of that Board, has any of the real property reverted to the Crown, or been vested in the Council of Education; and if any, what is its estimated value?
7. MR. RYAN *to ask* THE COLONIAL SECRETARY,—Has a memorial been received by the Government from the residents of Penrith, asking the Government to appoint an additional number of Magistrates in that district; if so, do the Government intend to accede to the prayer of the memorialists?

8. MR. J. STEWART to ask THE COLONIAL SECRETARY,—Whether Government is aware who were the charterers of the "Young Australian" on the voyage when the outrage occurred for which Hovell and Rangit were tried?
9. MR. W. SUTTON to ask THE COLONIAL SECRETARY,—If he will be kind enough to state what arrangements, if any, the Government have made towards securing the services of a Police Magistrate at Sofala, Tambaroora, and Hargraves?

Contingent Notice of Motion :—

1. MR. LUCAS to move (on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill), That the Bill be recommitted for the purpose of considering the following new Clause :—

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. STEWART to move,—
 - (1.) That, in the opinion of this House, there ought to be an Act of the Legislature to simplify proceedings in the Supreme Court, in all its jurisdictions, except criminal and admiralty.
 - (2.) That such Act should abolish the distinctions between actions at law and suits in equity; distinctions between Barristers and Solicitors; all special pleadings; all variety of costs; and all Court vacations which delay or defer the business of the Court.
 - (3.) That such Act should provide for one uniform course of procedure; for a plain and concise system of pleading, and for one scale of costs to be paid in all cases, whether as between attorney and client, or between party and party.
 - (4.) That such Act should provide for frequent (or, where needful, continuous) and simultaneous sittings of single Judges for the disposal, as well of issues in law as of issues of fact, either with or without a jury.
 - (5.) That such Act should enable judges, sitting singly, to refer disputed matters of fact, investigation of accounts, and the like, to a referee, or referees, official or extra-official.
 - (6.) That such Act should provide that all matters, by way of appeal, should be heard before a full court of three judges, sitting at stated intervals.
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4. MR. TERRY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
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 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.

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 - (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
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12. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
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 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him
13. MR. J. SUTTON to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Petition presented to this House, from Messrs. James Reid Maxwell, William Chisholm, John Cummins, and Edward Shorter, respecting losses sustained by them through the insecure state of the Post Office at Sofala, in the year 1862.
 - (2.) That such Committee consist of Mr. Piddington, Mr. Burdekin, Mr. Burns, Mr. Driver, Mr. Wisdom, Mr. Egan, Mr. Church, Mr. Farnell, and the Mover.
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15. MR. LORD to move, That leave be given to introduce a Bill to enable certain electors of the Electoral District of the Bogan to vote at elections.
16. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
17. MR. LYONS to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
18. MR. R. STEWART to move, That the Return in the case of *Attorney General v. Elliott and others*, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.
19. MR. J. STEWART to move, That the Petition presented by him on the 14th October, from residents of Balmain, praying for a division of the Glebe Electorate, be printed.
20. MR. TUNKS to move, That the Petition presented by him on the 14th October, relative to the proposed new Electorate of Ryde, be printed.
21. MR. CUNNEEN to move, That the Petition presented by him on the 14th October, from George Swinnerton Yarnton, be printed.

ORDERS OF THE DAY:—

1. Sydney Boundaries Amendment Bill; second reading.
2. Burials Regulation Bill; second reading.
3. Cumberland and Camden Bathurst-burr and Thistle Bill; second reading.
4. Re-erection of Ranken Bridge over Macquarie River; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.
5. Small Debts Recovery Act Amendment Bill; third reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Cemeteries Regulation Bill ; to be further considered in Committee.
2. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
3. Union-street, Goulburn, resumption and enclosure Bill ; third reading.
4. George-street, Sydney, resumption and enclosure Bill ; third reading.
5. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
6. Roads Acts Amendment Bill ; to be further considered in Committee.

 WEDNESDAY, 20 OCTOBER.

Question :—

1. MR. ALEXANDER to ask THE COLONIAL SECRETARY,—What action the Government intend to take with regard to the Petition of Richard Peard, late constable in the Police Force, Goulburn ?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
3. Ways and Means ; resumption of the Committee.
4. Supply ; resumption of the Committee.
5. Unclaimed Balances Appropriation Bill ; second reading.

 THURSDAY, 21 OCTOBER.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
2. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
3. Mesne Process Amendment Bill ; second reading.

 FRIDAY, 22 OCTOBER.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Roberts' Trust Bill (*as amended in Select Committee*) ; second reading.

 TUESDAY, 26 OCTOBER.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. S. BROWN to move, That, in the opinion of this House, the claims of Mr. William Sims Bell, as set forth in the Report of the Select Committee thereon, presented to this House on the 2nd December, 1862, are entitled to the favourable consideration of the Government.

ORDER OF THE DAY :—

1. Maitland District Council Dissolution Bill ; second reading.
-

New South Wales.

No. 13.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 19 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) School Statistics:—Mr. Macleay asked the Colonial Secretary, pursuant to Notice No. 1,—

(1.) What number of children have attended the Public Schools from the date of the Public Schools Act coming into operation, up to the 30th June of the present year?

(2.) What amount of public money has been expended by the Council of Education for Public Schools during that period?

(3.) What number of children have attended, and what has been the expenditure of public money for Certified or Denominational Schools during the same period?

Mr. Robertson answered,—I think I shall best furnish the information required by the honorable member, by laying upon the Table the Return I hold in my hand, and moving that it be printed.

- (2.) Road from Bathurst to Sofala, *via* Wyagdon:—Mr. J. Suttor asked the Secretary for Public Works, pursuant to Notice No. 2,—

(1.) Whether the money voted for the Road from Bathurst to Sofala, *via* Wyagdon, during the Sessions of 1867 and 1868, but not expended, is now available for the repairs of the said road?

(2.) Whether in the Estimates now before the Assembly, any extra expenditure for the said Road has been contemplated, in consequence of wear and tear caused by the cartage of heavy timber from Wyagdon, for the construction of the Bathurst Bridge?

Mr. Sutherland answered,—

(1.) The money voted for this Road during 1867 and 1868, has all been expended.

(2.) No extra expenditure is contemplated for this Road in the Estimates now before the Assembly.

- (3.) Additions and Repairs to Court-House, Bombala:—Mr. Graham asked the Secretary for Public Works, pursuant to Notice No. 3,—When he intends to call for tenders for the additions to, and repairs of, the Court-house at Bombala?

Mr. Sutherland answered,—Tenders are invited for repairs and additions to this Court-house, to be opened on the 16th November next.

Mr. Bell not asking the Question No. 4, it dropped.

- (4.) Railway Extension—Kelso to Bathurst:—Mr. McKay, asked the Secretary for Public Works, pursuant to Notice No. 5,—When is it the intention of the Government to call for Tenders for the completion of the Great Western Railway from Kelso into Bathurst?

Mr. Sutherland answered,—Tenders are invited for the extension from Kelso into Bathurst, to be opened on the 16th November next.

- (5.) Property vested in Council of Education:—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 6,—

(1.) What is the total estimated value of all real and personal property vested in the Council of Education?

(2.) To whom this property would belong, if the Council of Education were dissolved?

(3.) How much public money was expended on real property by the late Denominational School Board?

(4.) Since the dissolution of that Board, has any of the real property reverted to the Crown, or been vested in the Council of Education; and if any, what is its estimated value?

Mr. Robertson answered,—

(1.) So far as I am able to learn, the amount would be about £165,000; but the estimated value of property is always a matter of opinion; therefore I cannot say whether it is, or is not, worth that sum.

(2.) As the Government have never had it in contemplation to dissolve or abolish the Council of Education, that matter has never had their consideration.

(3.) So far as I can understand, the Denominational School property amounts to £20,656 8s. 11d. This is a mere estimate; I do not suppose it is very reliable.

(4.) I have not been able to obtain any answer—satisfactory to me, or that would be so to the House, or to the honorable member—to the fourth question.

(6.)

- (6.) Additional Magistrates for Penrith:—*Mr. Lucas*, on behalf of *Mr. Ryan*, asked the Colonial Secretary, pursuant to Notice No. 7,—Has a memorial been received by the Government from the residents of Penrith, asking the Government to appoint an additional number of Magistrates in that district; if so, do the Government intend to accede to the prayer of the memorialists?
Mr. Robertson answered,—I have not been able to discover that a memorial of the kind has been received; but if additional Magistrates are required at Penrith, if suitable persons can be recommended to the Government, there will be no objection to their appointment.
- (7.) Charterers of "Young Australian":—*Mr. J. Stewart* asked the Colonial Secretary, pursuant to Notice No. 8,—Whether Government is aware who were the charterers of the "Young Australian" on the voyage when the outrage occurred for which *Hovell* and *Rangi* were tried?
Mr. Robertson answered,—I am not aware; I have no knowledge.
- (8.) Police Magistrate for Sofala, Tambaroora, and Hargraves:—*Mr. W. Suttor* asked the Colonial Secretary, pursuant to Notice No. 9,—If he will be kind enough to state what arrangements, if any, the Government have made towards securing the services of a Police Magistrate at Sofala, Tambaroora, and Hargraves?
Mr. Robertson answered,—It will be best, in order to give a satisfactory answer to the honorable gentleman, that I should state the arrangements contemplated for other districts in the neighbourhood, as well as for those alluded to by the honorable member. It is intended that there shall be continued Police Magistrates, who will also be Gold Commissioners, at the following places:—*Bathurst*, *Mr. Marsh*; *Sofala*, *Mr. Bridson*; and *Mudgee*, *Mr. Warburton*; and a Clerk of Petty Sessions in the Commission of the Peace appointed for *Trunkay*. *Mr. Marsh* will be charged with the business at *Bathurst*, *Oberon*, and *Rockley*; *Mr. Bridson*, at *Sofala* and *Tambaroora*; and *Mr. Warburton*, at *Mudgee*, *Hargraves*, and *Windeyer*. *Mr. Johnson*, the Gold Commissioner in charge of the Western Gold Fields, is also a Police Magistrate; and in conducting a general personal supervision of the Western Gold Fields, will assist, as opportunity offers, at each of the places to which I have alluded. Thus, within the distance of 75 miles, or thereabouts—namely, from *Bathurst* to *Mudgee*, inclusive—there will be four Police Magistrates, by whom, with the numerous and very efficient unpaid Magistrates resident within those districts, it is hoped the public business will be well performed.
2. Prince Alfred Park Enclosure Bill:—*Mr. Driver* presented a Petition, signed by the Mayor, on behalf of the Municipal Council of the City of Sydney, and bearing the Seal of the Corporation, praying for leave to introduce a Bill to authorize the erection and maintenance of certain buildings in Prince Alfred Park by the Municipal Council of the City of Sydney.
 And *Mr. Driver* having produced the *Government Gazette* and the *Sydney Morning Herald* newspaper, containing Notices for four consecutive weeks in the months of September and October, 1869, of the intention to apply for such Bill,—
 Petition received.
3. Papers:—
 (1.) *Mr. Robertson* laid upon the Table the undermentioned Papers:—
 (1.) Return of Pupils in Public and Certified Denominational Schools, from 1st January, 1867, to 30th June, 1869; and Expenditure upon the same Schools during the same period. (*See Answer to Question 1.*)
 (2.) Return to Order, in reference to "Closing of Registrar General's Office," made by the Legislative Assembly, on motion of *Mr. J. Stewart*, on 1st October, 1869.
 (3.) Report from Agent for Immigration, to 11th April, 1869.
 (4.) Returns under Real Property Act for 1868.
 (5.) Return to Address, in reference to "Friendly Societies," adopted by the Legislative Assembly, on motion of *Mr. Sutherland*, on 10th March, 1868.
 Ordered to be printed.
- (2.) *Mr. Forster* laid upon the Table, Return to Order, in reference to "Cessnock Road," made by the Legislative Assembly, on motion of *Mr. Wilson*, on 29th September, 1869.
 Ordered to be printed, and referred to the Select Committee now sitting on "Grant for Road from West Maitland to Cessnock."
4. Motion Withdrawn:—*Mr. Farnell*, on behalf of *Mr. Burns*, withdrew the Motion No. 5, standing in the name of *Mr. Burns* on the Notice Paper for to-day.
5. Leave of Absence:—*Dr. Lang*, with the concurrence of the House, moved (without notice), That leave of absence for two months be given to the Honorable Member for Canterbury, *Richard Hill*, Esquire, on account of urgent private business.
 Question put and passed.
6. Cumberland and Camden Bathurst-burr and Thistle Bill:—The undermentioned Petitions, praying that this Bill may be passed, were presented by *Mr. Neale*:—
 (1.) From certain Landholders and Residents of the Police District of *Berrima*.
 (2.) From certain Inhabitants and Residents of *Nattai* and its neighbourhood.
 Petitions received.
7. Proposed Division of the Electorate of the Glebe:—*Mr. Eagar* presented a Petition from certain Electors, Freeholders, Leaseholders, and others having interests in the Electorate of the Glebe, praying that, in consideration of the large number of Electors and others resident on the Glebe and *Balmain*, steps may be taken for dividing the Electorate into two separate Electorates, each returning its own Member to the Legislative Assembly.
 Petition received.
8. *Mr. James Calder*, junior ("Formal" Motion):—*Mr. Garrett* moved, pursuant to Notice No. 10, 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, the whole of the documents concerning the dismissal from the Volunteer Force of *Mr. James Calder*, junior, a member of No. 4 Battery, V.A.; the subsequent trial, verdict, and Brigade Order thereon; and also the charges made by *Mr. Calder* against a Commissioned Officer for gross misstatements uttered during the course of the trial,—with the result of the investigation thereon, if any.
 Question put and passed.

9. Bogan Electorate Bill ("Formal" Motion):—Mr. Lord moved, pursuant to amended Notice No. 15, That leave be given to introduce a Bill to enable certain Electors of the Police District of Canonbar to vote during the year 1869-70, for the Electoral District of The Bogan.
Question put and passed.
10. Proposed Division of the Electorate of the Glebe ("Formal" Motion):—Mr. J. Stewart moved, pursuant to Notice No. 19, That the Petition presented by him on the 14th October, from residents of Balmain, praying for a division of the Glebe Electorate, be printed.
Question put and passed.
Ordered to be printed.
11. Proposed New Electorate of Ryde ("Formal" Motion):—Mr. Tunks moved, pursuant to Notice No. 20, That the Petition presented by him on the 14th October, relative to the proposed new Electorate of Ryde, be printed.
Question put and passed.
Ordered to be printed.
12. George Swinnerton Yarnton ("Formal" Motion):—Mr. Garrett, on behalf of Mr. Cunneen, moved, pursuant to Notice No. 21, That the Petition presented by him on the 14th October, from George Swinnerton Yarnton, be printed.
Question put and passed.
Ordered to be printed.
13. Motion Withdrawn:—Mr. Garrett withdrew the Motion No. 6, standing in his name on the Notice Paper for to-day.
14. Small Debts Recovery Act Amendment Bill ("Formal" Order of the Day), on motion of Mr. Byrnes, read a third time, and passed.
Mr. Byrnes then moved, That the Title of this Bill be "*An Act to amend and extend the provisions of the Small Debts Act 10 Vic. No. 10.*"
Question put and passed.
Whereupon Mr. Byrnes moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to amend and extend the provisions of the Small Debts Act 10 Vic. No. 10,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 19th October, 1869.

Speaker.

Question put and passed.

15. George-street, Sydney, resumption and enclosure Bill ("Formal" Order of the Day), on motion of Mr. Forster, read a third time, and passed.
Mr. Forster then moved, That the Title of this Bill be "*An Act to authorize the resumption and enclosure of a portion of George-street in the City of Sydney.*"
Question put and passed.
Whereupon Mr. Forster moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to authorize the resumption and enclosure of a portion of George-street in the City of Sydney,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 19th October, 1869.

Speaker.

Question put and passed.

16. Law Reform—Proceedings in Supreme Court:—Mr. J. Stewart moved, pursuant to Notice No. 1,—
- (1.) That, in the opinion of this "House," there ought to be an Act of the Legislature to simplify proceedings in the Supreme Court, in all its jurisdictions, except criminal and admiralty.
 - (2.) That such Act should abolish the distinctions between actions at law and suits in equity; distinctions between Barristers and Solicitors; all special pleadings; all variety of costs; and all Court vacations which delay or defer the business of the Court.
 - (3.) That such Act should provide for one uniform course of procedure; for a plain and concise system of pleading, and for one scale of costs to be paid in all cases, whether as between attorney and client, or between party and party.
 - (4.) That such Act should provide for frequent (or, where needful, continuous) and simultaneous sittings of single Judges for the disposal, as well of issues in law as of issues of fact, either with or without a jury.
 - (5.) That such Act should enable judges, sitting singly, to refer disputed matters of fact, investigation of accounts, and the like, to a referee, or referees, official or extra-official.
 - (6.) That such Act should provide that all matters, by way of appeal, should be heard before a full court of three judges, sitting at stated intervals.
 - (7.) That His Excellency the Governor should be advised to appoint a Commission, with instructions to frame a Bill, founded on the foregoing Resolutions; such Commission to consist of three persons only, and required to complete the Commission before the next meeting of Parliament.

Debate ensued.

Mr. Robertson moved, That the Question be amended, by omitting all the words after the word "House," in the first line of paragraph (1), with a view of inserting the following words:—"it is desirable that His Excellency the Governor should be advised to appoint a Commission of competent persons, not exceeding five in number, to inquire into the practice and procedure of the Supreme Court, at law and in equity; and also into the advantages and disadvantages likely to result, should it be determined to amalgamate the profession of the law; and to report and advise, within four months from the date of their appointment, upon each branch of the same."

Debate continued.

Question

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

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

Question then,—That in the opinion of this House it is desirable that His Excellency the Governor should be advised to appoint a Commission of competent persons, not exceeding five in number, to inquire into the practice and procedure of the Supreme Court, at law and in equity; and also into the advantages and disadvantages likely to result, should it be determined to amalgamate the profession of the law; and to report and advise, within four months from the date of their appointment, upon each branch of the same,—put and passed.

17. Sydney Infirmary:—Mr. S. Brown proceeding to make the Motion No. 2, standing in his name on the Notice Paper for to-day,—
Notice was taken that there was not a Quorum present.
Whereupon the Speaker counted the House, and there being only Seventeen Members present, exclusive of the Speaker, namely,—Mr. Alexander, Mr. S. Brown, Mr. Church, Mr. Cummings, Mr. Forster, Mr. Graham, Mr. Hoskins, Mr. Lyons, Mr. McKay, Mr. Robertson, Mr. Samuel, Mr. J. Stewart, Mr. Sutherland, Mr. W. Suttor, Mr. J. Suttor, Mr. Terry, and Mr. Tunks,—the Speaker adjourned the House, at Twenty-four minutes before Eight o'clock, until to-morrow, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

WEDNESDAY, 20 OCTOBER.

Question :—

1. MR. ALEXANDER to ask THE COLONIAL SECRETARY,—What action does the Government intend to take with regard to the Petition of Richard Peard, late constable in the Police Force, Goulburn?

Contingent Notice of Motion :—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Customs Laws Consolidation and Amendment Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. Amended Representation Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
3. Ways and Means; resumption of the Committee.
4. Supply; resumption of the Committee.
5. Unclaimed Balances Appropriation Bill; second reading.
6. Cemeteries Regulation Bill; to be further considered in Committee.
7. Assisted Immigration Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
8. Union-street, Goulburn, resumption and enclosure Bill; third reading.
9. Conditional Purchasers Pre-lease Declaratory Bill; third reading.
10. Roads Acts Amendment Bill; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. DRIVER to move for leave to introduce a Bill intituled, A Bill to authorize the erection and maintenance of certain buildings in Prince Alfred Park by the Municipal Council of the City of Sydney.
2. MR. EAGAR to move, That the Petition presented by him on 19th October, from certain Electors and others of the Glebe, praying for the division of that Electorate, be printed.

3. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
4. MR. LUCAS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
5. MR. FERRY to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
6. MR. LYONS to move, That there be laid on the Table of this House, copies of the following papers, viz. :—
 - (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
7. MR. TUNKS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
8. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
9. DR. LANG to move,—
 - (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
 - (3.) That the Progress Report brought up 24th March, 1869, on the same subject, together with the Minutes of Proceedings, and of Evidence, be referred to this Committee.
10. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
11. MR. J. SUTTON to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Petition presented to this House, from Messrs. James Reid Maxwell, William Chisholm, John Cummins, and Edward Shorter, respecting losses sustained by them through the insecure state of the Post Office at Sofala, in the year 1862.
 - (2.) That such Committee consist of Mr. Piddington, Mr. Burdekin, Mr. Burns, Mr. Driver, Mr. Wisdom, Mr. Egan, Mr. Church, Mr. Farnell, and the Mover.
12. MR. LUCAS to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of the Depositions taken at the Police Office, Singleton, on the 3rd day of December, 1867, in the case of Rodd v. Collins.
13. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
14. MR. LYONS to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *viâ* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
15. MR. R. STEWART to move, That the Return in the case of Attorney General v. Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.

ORDERS OF THE DAY:—

1. Sydney Boundaries Amendment Bill; second reading.
2. Burials Regulation Bill; second reading.
3. Cumberland and Camden Bathurst-burr and Thistle Bill; second reading.
4. Re-erection of Ranken Bridge over Macquarie River; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.

THURSDAY, 21 OCTOBER.

Questions:—

1. MR. CUMMINGS to ask THE SECRETARY FOR PUBLIC WORKS,—When will the Government call for Tenders for the construction of the Great Western Line of Railway to Orange?
2. MR. J. STEWART to ask THE COLONIAL SECRETARY,—Is there upon the Records of the Council of Education a Minute or Resolution to the effect that no Clergyman shall be appointed to the Local Boards of the Public Schools?
3. MR. J. STEWART to ask THE COLONIAL SECRETARY,—Whether the Government is aware that the Clerk of Petty Sessions at Murrurundi is absent from his district, and that his duty is performed by a Solicitor practising in the same Court?
4. MR. LYONS to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to call upon the Judges of the Supreme Court to pay the costs of the Appeals to the Privy Council in the cases of Bertrand and Murphy, in accordance with a judicial opinion expressed by Mr. Justice Hargrave when granting a writ of prohibition against the Cowra Bench of Magistrates.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Marine Board Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
2. Colonial Produce Distillation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
3. Mesne Process Amendment Bill; second reading.

FRIDAY, 22 OCTOBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Roberts' Trust Bill (*as amended in Select Committee*); second reading.

NOTICES OF MOTIONS:—

1. MR. BURNS to move, 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 Minutes and Correspondence in reference to the New Refreshment Room, and other additions made to the Parliamentary Buildings since last Session.
2. MR. FARNELL to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The number, and, approximately, the ages of the children in the Protestant and Roman Catholic Orphan Schools, respectively, on the first of January, 1844.
 - (2.) The number of children admitted into the said institutions from 1st January, 1844, to 1st January, 1869, together with the number on the books, their ages, approximately, on the last mentioned date, and by whom their admission was recommended.
 - (3.) The number of children apprenticed, their respective ages when so apprenticed, the period of apprenticeship, and to what trade or calling.
 - (4.) The number of such apprentices who have had paid to their credit into the Savings Bank by their employers the amount of money due to them under the Act 5 William IV, No. 3.
 - (5.) The amount of money (if any) in the Savings Bank unclaimed by the said apprentices.
 - (6.) The number of apprentices who have married with the consent of the Governor, before the expiration of their apprenticeship.
 - (7.) The Return to give particulars for each year, and to distinguish males from females.

TUESDAY, 26 OCTOBER.

Questions:—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether orders have been sent to England for locomotive engines? If so, how many?
 - (2.) If engines are about to be imported instead of being manufactured in the Colony, are they to be inspected by Mr. John Fowler, or some other person in England, or are they to be delivered here subject to the approval of the Engineer-in-Chief for Railways in this Colony?
 - (3.) If any engines are about to be imported, what will be the probable cost of the importation already sent for?
 - (4.) If inspected in England, what will be the per-centage and the gross amount the Colony will have to pay for such inspection?
2. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—If a locomotive engine is being manufactured at the Railway Work-shops at the Redfern Station?

OTHER

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. S. BROWN to move, That, in the opinion of this House, the claims of Mr. William Sims Bell, as set forth in the Report of the Select Committee thereon, presented to this House on the 2nd December, 1862, are entitled to the favourable consideration of the Government.
2. MR. MACLEAY to move,—
 - (1.) That, in the opinion of this House, an extension of the Southern Railway from Goulburn to a navigable part of the Murrumbidgee River has become necessary for the preservation of the revenue, and for the general interests of the Colony; and that such extension should be proceeded with as rapidly as possible.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
3. MR. LUCAS to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of the specifications of the Railway Rolling Stock for the supply of which tenders were called for in the Colony during the last two years. Also, copies of all tenders received for the supply of the above, and all minutes, advertisements, and correspondence relating thereto.
4. MR. PARKES to move, That there be laid upon the Table of this House, within fourteen days, a Return of all seizures made by officers of Customs in the Port of Sydney from January 1st, 1869, to the present date, such Return giving the following particulars in each case:—
 - (1.) A description of the articles seized.
 - (2.) Whether, if the seizure was effected on shipboard, any actual attempt had been made to land the articles without payment of duty.
 - (3.) The amount realized by the sale of the articles.
 - (4.) Whether reference was made to the Colonial Treasurer.
 - (5.) Whether the Collector of Customs derived any direct pecuniary benefit from the confiscation of the articles.
 - (6.) If not sold, where the articles are at the date of this Return.
5. MR. J. STEWART to move, That there be laid upon the Table of this House, Copies of correspondence and documents relating to the payment of travelling expenses incurred by Dr. Badham, in order that he might explain his postal education scheme to the people of the interior.
6. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.

ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill; second reading.



New South Wales.

No. 14.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 20 OCTOBER, 1869.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Question on Notice Paper for to-day :—
Richard Peard :—Mr. Alexander asked the Colonial Secretary, pursuant to Notice,—What action does the Government intend to take with regard to the Petition of Richard Peard, late constable in the Police Force, Goulburn?
Mr. Robertson answered,—The Government have not determined on taking any action in the matter. The correspondence has been laid before Parliament, in return to an Order of the House, dated 13th November, 1867. The facts appear to be, that Peard resigned, in consequence of some erroneous information given, or said to have been given; that medical men declined to certify to his unfitness for duty; that a pension could not be allowed under the Police Superannuation Act; and that he was, therefore, offered restoration to employment, which he declined.
2. Motion Withdrawn :—Mr. S. Brown withdrew the Motion No. 3 standing in his name on the Notice Paper for to-day.
3. Papers :—
(1.) Mr. Samuel laid upon the Table the undermentioned Papers :—
(1.) Estimates of the Ways and Means of the Government of New South Wales for the year 1870.
(2.) Despatches and Minute respecting Expenditure of Public Moneys.
Ordered to be printed.
(2.) Mr. Forster laid upon the Table, Return to Order in reference to "General Cemetery at North Shore," made by the Legislative Assembly, on motion of Mr. Tunks, on 8th October, 1869.
4. Prince Alfred Park Enclosure Bill ("Formal" Motion) :—Mr. Driver moved, pursuant to Notice No. 1, for leave to introduce a Bill intituled, A Bill to authorize the erection and maintenance of certain buildings in Prince Alfred Park by the Municipal Council of the City of Sydney.
Question put and passed.
5. Proposed Division of the Electorate of the Glebe ("Formal" Motion) :—Mr. Eagar moved, pursuant to Notice No. 2, That the Petition presented by him on 19th October, from certain Electors and others of the Glebe, praying for the division of that Electorate, be printed.
Question put and passed.
Ordered to be printed.
6. Rodd v. Collins—Administration of Justice ("Formal" Motion) :—Mr. Lucas moved, pursuant to Notice No. 12, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of the Depositions taken at the Police Office, Singleton, on the 3rd day of December, 1867, in the case of Rodd v. Collins.
Question put and passed.
7. Prince Alfred Park Enclosure Bill :—Mr. Driver having presented this Bill, and produced a Certificate of the payment of Twenty-five Pounds to the credit of the Consolidated Revenue of the Colony, Bill, intituled "A Bill to authorize the erection and maintenance of certain Buildings in Prince Alfred Park by the Municipal Council of the City of Sydney,"—read a first time.
8. Postponements :—The undermentioned Orders of the Day (*Government Business*) were postponed, respectively, on motion of the Members named :—
No. 1. By Mr. Samuel, until Wednesday next.
No. 2. By Mr. Robertson, to follow No. 3.
9. Ways and Means :—The Order of the Day for the resumption of the Committee of Ways and Means having been read,—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.
The Chairman reported progress, and obtained leave to sit again to-morrow.

The House adjourned, on motion of Mr. Robertson, at twenty-seven minutes after Ten o'clock, until to-morrow at three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS
OF THE DAY.

THURSDAY, 21 OCTOBER.

Questions :—

1. MR. CUMMINGS *to ask* THE SECRETARY FOR PUBLIC WORKS,—When will the Government call for Tenders for the construction of the Great Western Line of Railway to Orange?
2. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Is there upon the Records of the Council of Education a Minute or Resolution to the effect that no Clergyman shall be appointed to the Local Boards of the Public Schools?
3. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—Whether the Government is aware that the Clerk of Petty Sessions at Murrurundi is absent from his district, and that his duty is performed by a Solicitor practising in the same Court?
4. MR. LYONS *to ask* THE COLONIAL SECRETARY,—Whether it is the intention of the Government to call upon the Judges of the Supreme Court to pay the costs of the Appeals to the Privy Council in the cases of Bertrand and Murphy, in accordance with a judicial opinion expressed by Mr. Justice Hargrave when granting a writ of prohibition against the Cowra Bench of Magistrates?
5. MR. PARKES *to ask* THE COLONIAL SECRETARY,—
 - (1.) Whether a letter has been addressed by the Government to Mr. Richard O'Sullivan, containing the following passage :—“I am directed by the Colonial Secretary to inform you that it is the determination of the Government to prohibit the excursion to Clontarf, Middle Harbour, on Tuesday, the 19th instant”?
 - (2.) If any such letter has been sent to Mr. O'Sullivan, under what statute was it determined by the Government to prohibit the excursion referred to?
6. MR. J. STEWART *to ask* THE COLONIAL TREASURER,—Whether the present Colonial Treasurer, the Honorable Saul Samuel, was one of the charterers, or was commercially interested in the charter of the “Young Australian” on the voyage of that vessel when the crime was committed for which the prisoners Hovell and Rangit were subsequently tried?

Contingent Notice of Motion :—

1. MR. LUCAS *to move* (on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill), That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land “by right of which the pre-lease is granted” shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Marine Board Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
2. Colonial Produce Distillation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
3. Mesne Process Amendment Bill; second reading.
4. Ways and Means; resumption of the Committee.
5. Amended Representation Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, “That this Bill be now read a second time.”
6. Supply; resumption of the Committee.
7. Unclaimed Balances Appropriation Bill; second reading.
8. Cemeteries Regulation Bill; to be further considered in Committee.
9. Assisted Immigration Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, “That this Bill be ‘now’ read a second time,” upon which Mr. Parkes had moved, by way of amendment, the omission of the word “now” with a view to adding at the end the words “this day six months.”
10. Union-street, Goulburn, resumption and enclosure Bill; third reading.
11. Conditional Purchasers Pre-lease Declaratory Bill; third reading.
12. Roads Acts Amendment Bill; to be further considered in Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. **MR. DRIVER** to move,—
 (1.) That the Prince Alfred Park Enclosure Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
 (2.) That such Committee consist of Mr. Forster, Mr. Lord, Mr. Wilson, Mr. Farnell, Mr. Neale, Mr. R. Stewart, Mr. Oatley, Mr. W. Campbell, and the Mover.
2. **MR. LUCAS** to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
3. **MR. TERRY** to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.
4. **MR. LYONS** to move, That there be laid on the Table of this House, copies of the following papers, viz. :—
 (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 (3.) All minutes and other papers having reference thereto.
 (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
5. **MR. TUNKS** to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
6. **MR. R. STEWART** to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
7. **DR. LANG** to move,—
 (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
 (3.) That the Progress Report brought up 24th March, 1869, on the same subject, together with the Minutes of Proceedings, and of Evidence, be referred to this Committee.
8. **SIR JAMES MARTIN** to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
9. **MR. J. SUTTON** to move,—
 (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Petition presented to this House, from Messrs. James Reid Maxwell, William Chisholm, John Cummins, and Edward Shorter, respecting losses sustained by them through the insecure state of the Post Office at Sofala, in the year 1862.
 (2.) That such Committee consist of Mr. Piddington, Mr. Burdekin, Mr. Burns, Mr. Driver, Mr. Wisdom, Mr. Egan, Mr. Church, Mr. Farnell, and the Mover.
10. **MR. LORD** to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
11. **MR. LYONS** to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
12. **MR. R. STEWART** to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.

ORDERS OF THE DAY:—

1. Sydney Boundaries Amendment Bill; second reading.
2. Burials Regulation Bill; second reading.
3. Cumberland and Camden Bathurst-burr and Thistle Bill; second reading.
4. Re-erection of Ranken Bridge over Macquarie River; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.

FRIDAY, 22 OCTOBER.

Question:—

1. MR. BYRNES to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Does the Government contemplate giving Mr. Whitton, or any of his officers, additional pay or compensation for the increased duties devolving upon them in consequence of the Maintenance of Existing Lines and Locomotive Department having been thrown upon them; and if so, what amount?
 - (2.) Were not Mr. Whitton and Mr. Mason fully occupied in supervising the construction of lines in progress, and in surveying the contemplated extensions, previous to such additional duties being cast upon them?

OTHER BUSINESS—ORDER OF THE DAY:—

1. Roberts' Trust Bill (*as amended in Select Committee*); second reading.

NOTICES OF MOTIONS:—

1. MR. BURNS to move, 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 Minutes and Correspondence in reference to the New Refreshment Room, and other additions made to the Parliamentary Buildings since last Session.
2. MR. FARNELL to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The number, and, approximately, the ages of the children in the Protestant and Roman Catholic Orphan Schools, respectively, on the first of January, 1844.
 - (2.) The number of children admitted into the said institutions from 1st January, 1844, to 1st January, 1869, together with the number on the books, their ages, approximately, on the last mentioned date, and by whom their admission was recommended.
 - (3.) The number of children apprenticed, their respective ages when so apprenticed, the period of apprenticeship, and to what trade or calling.
 - (4.) The number of such apprentices who have had paid to their credit into the Savings Bank by their employers the amount of money due to them under the Act 5 William IV, No. 3.
 - (5.) The amount of money (if any) in the Savings Bank unclaimed by the said apprentices.
 - (6.) The number of apprentices who have married with the consent of the Governor, before the expiration of their apprenticeship.
 - (7.) The Return to give particulars for each year, and to distinguish males from females.

TUESDAY, 26 OCTOBER.

Questions:—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether orders have been sent to England for locomotive engines? If so, how many?
 - (2.) If engines are about to be imported instead of being manufactured in the Colony, are they to be inspected by Mr. John Fowler, or some other person in England, or are they to be delivered here subject to the approval of the Engineer-in-Chief for Railways in this Colony?
 - (3.) If any engines are about to be imported, what will be the probable cost of the importation already sent for?
 - (4.) If inspected in England, what will be the per-centage and the gross amount the Colony will have to pay for such inspection?
2. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—If a locomotive engine is being manufactured at the Railway Work-shops at the Redfern Station?

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. S. BROWN to move, That, in the opinion of this House, the claims of Mr. William Sims Bell, as set forth in the Report of the Select Committee thereon, presented to this House on the 2nd December, 1862, are entitled to the favourable consideration of the Government.
2. MR. MACLEAY to move,—
 - (1.) That, in the opinion of this House, an extension of the Southern Railway from Goulburn to a navigable part of the Murrumbidgee River has become necessary for the preservation of the revenue, and for the general interests of the Colony; and that such extension should be proceeded with as rapidly as possible.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
3. MR. LUCAS to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of the specifications of the Railway Rolling Stock for the supply of which tenders were called for in the Colony during the last two years. Also, copies of all tenders received for the supply of the above, and all minutes, advertisements, and correspondence relating thereto.

4. MR. PARKES to move, That there be laid upon the Table of this House, within fourteen days, a Return of all seizures made by officers of Customs in the Port of Sydney from January 1st, 1869, to the present date, such Return giving the following particulars in each case :—
 - (1.) A description of the articles seized.
 - (2.) Whether, if the seizure was effected on shipboard, any actual attempt had been made to land the articles without payment of duty.
 - (3.) The amount realized by the sale of the articles.
 - (4.) Whether reference was made to the Colonial Treasurer.
 - (5.) Whether the Collector of Customs derived any direct pecuniary benefit from the confiscation of the articles.
 - (6.) If not sold, where the articles are at the date of this Return.
5. MR. J. STEWART to move, That there be laid upon the Table of this House, Copies of correspondence and documents relating to the payment of travelling expenses incurred by Dr. Badham, in order that he might explain his postal education scheme to the people of the interior.
6. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
7. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.

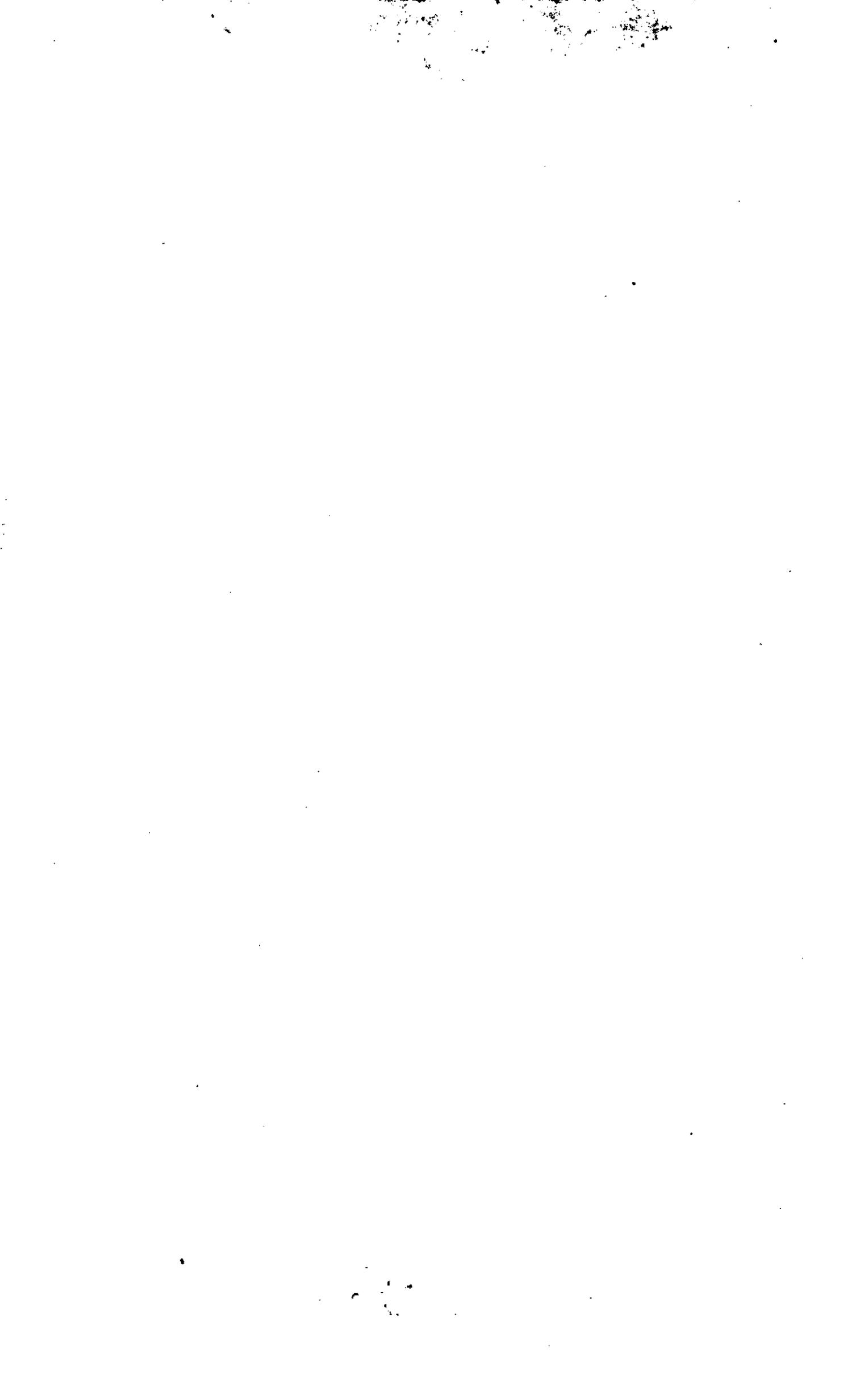
ORDER OF THE DAY :—

1. Maitland District Council Dissolution Bill ; second reading.

WEDNESDAY, 27 OCTOBER.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.



New South Wales.

No. 15.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 21 OCTOBER, 1869.

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

Questions on Notice Paper for to-day :—

Mr. Cummings withdrew the Question No. 1.

- (1.) Local Boards for Public Schools :—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 2,—Is there upon the Records of the Council of Education a Minute or Resolution to the effect that no Clergyman shall be appointed to the Local Boards of the Public Schools? Mr. Robertson answered,—I understand there is.
- (2.) Clerk of Petty Sessions at Murrurundi :—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 3,—Whether the Government is aware that the Clerk of Petty Sessions at Murrurundi is absent from his district, and that his duty is performed by a Solicitor practising in the same Court? Mr. Robertson answered,—Leave of absence was granted to the Clerk of Petty Sessions at Murrurundi for nine days, from the 8th instant, on the recommendation of the Bench, who stated that arrangements had been made for the due performance of his duties during his absence. He had to attend the Circuit Court at Maitland as a witness, and desired to come on to Sydney.
- (3.) Appeals to Privy Council—*Regina v. Bertrand*, and *Regina v. Murphy* :—Mr. Lyons asked the Colonial Secretary, pursuant to Notice No. 4,—Whether it is the intention of the Government to call upon the Judges of the Supreme Court to pay the costs of the Appeals to the Privy Council in the cases of *Bertrand* and *Murphy*, in accordance with a judicial opinion expressed by Mr. Justice Hargrave when granting a writ of prohibition against the Cowra Bench of Magistrates? Mr. Robertson answered,—Certainly not.
- (4.) Proposed Excursion to Clontarf, Middle Harbour :—Mr. Parkes asked the Colonial Secretary, pursuant to Notice No. 5,—
- (1.) Whether a letter has been addressed by the Government to Mr. Richard O'Sullivan, containing the following passage :—"I am directed by the Colonial Secretary to inform you that it is the determination of the Government to prohibit the excursion to Clontarf, Middle Harbour, on Tuesday, the 19th instant"?
- (2.) If any such letter has been sent to Mr. O'Sullivan, under what statute was it determined by the Government to prohibit the excursion referred to? Mr. Robertson answered,—
- (1.) A letter was written to Mr. Richard O'Sullivan, and I will presently lay the letter, and that gentleman's answer, on the Table of the House.
- (2.) On examination of the papers, the honorable member will see that no statute was referred to.
- (5.) Charterers of the "Young Australian" :—Mr. J. Stewart asked the Colonial Treasurer, pursuant to Notice No. 6,—Whether the present Colonial Treasurer, the Honorable Saul Samuel, was one of the charterers, or was commercially interested in the charter of the "Young Australian" on the voyage of that vessel when the crime was committed for which the prisoners Hovell and Rangit were subsequently tried? Mr. Samuel answered,—I might refuse to reply to this question, as relating entirely to my private affairs, into which neither the honorable member nor this House has any right to inquire; but, as my silence might be misrepresented, I beg to state that long before I became a Member of this Government, I arranged to join, with several other gentlemen, in procuring sulphur from one of the South Sea Islands; that the "Young Australian" was chartered for that purpose, and loaded from this port, with a general cargo, for Fiji, where she was, as I am informed, re-chartered for one voyage to convey natives from other islands to Fiji, through and with the sanction of the British Consul. The vessel was not fitted out, when she left here, for carrying passengers; and I had nothing to do with her management, or the management of the speculation,—by which I am a heavy loser. I have had a very slight knowledge of Hovell, but have heard a very high character of him. The vessel returned here loaded with sulphur and other produce, as originally contemplated.

2. Cumberland and Camden Bathurst-burr and Thistle Bill:—Mr. Morrice presented a Petition from certain Inhabitants of Bowral and its neighbourhood, praying that this Bill may be passed into law. Petition received.
3. Papers:—Mr. Forster laid upon the Table the undermentioned Papers:—
 (1.) Return to Order in reference to "Crown Lands (held under Pastoral Occupation)," made by the Legislative Assembly, on motion of Mr. J. Stewart, on 24th March, 1869.
 (2.) Abstract of Crown Lands authorized to be dedicated to Religious and Public purposes, in accordance with section 5 of 25 Vic. No. 1.
 Ordered to be printed.
4. General Cemetery at North Shore:—Mr. Forster, *with the concurrence of the House*, moved (without notice), That the Return to Order in reference to "General Cemetery at North Shore," laid upon the Table by him on the 20th October, 1869, be printed.
 Question put and passed.
 Ordered to be printed.
5. Cumberland and Camden Bathurst-burr and Thistle Bill:—Mr. Lyons presented a Petition from Clements Lester, of Denham Court, in the Colony of New South Wales, praying that this Bill may be so amended as to exempt all Government Leaseholders from its operation.
 Petition received.
6. Bogan Electorate Bill:—Mr. Lord having presented this Bill, Bill, intituled "*A Bill to enable certain Electors within the Police District of Canonbar to vote during the year 1869-1870 for the Electoral District of the Bogan*,"—read a first time.
 Ordered to be printed, and read a second time on Tuesday next.
7. Union-street, Goulburn, resumption and enclosure Bill ("*Formal*" Order of the Day),—on motion of Mr. Forster, read a third time and passed.
 Mr. Forster then moved, That the Title of this Bill be "*An Act to authorize the resumption and enclosure of a portion of Union-street in the City of Goulburn*."
 Question put and passed.
 Whereupon Mr. Forster moved, That this Bill be carried to the Legislative Council, with the following Message:—
 MR. PRESIDENT,
 The Legislative Assembly having this day passed a Bill, intituled "*An Act to authorize the resumption and enclosure of a portion of Union-street in the City of Goulburn*," presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 21st October, 1869. Speaker.
- Question put and passed.
8. Prince Alfred Park Enclosure Bill ("*Formal*" Motion):—Mr. Driver moved, pursuant to Notice No. 1,—
 (1.) That the Prince Alfred Park Enclosure Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
 (2.) That such Committee consist of Mr. Forster, Mr. Lord, Mr. Wilson, Mr. Farnell, Mr. Neale, Mr. R. Stewart, Mr. Oatley, Mr. W. Campbell, and the Mover.
 Question put and passed.
9. Papers:—Mr. Robertson laid upon the Table the undermentioned Papers:—
 (1.) Return to Order in reference to "Proposed Amendment of Real Property Act," made by the Legislative Assembly, on motion of Mr. J. Stewart, on 1st October, 1869.
 (2.) Sydney Water Supply—Report of the Commission appointed to inquire into the supply of Water to Sydney and Suburbs.
 (3.) Correspondence respecting the proposed Excursion to Clontarf, Middle Harbour, on 19th October, 1869. (*See Answer to Question 4.*)
 Ordered to be printed.
10. Postponements:—On motion of Mr. Samuel, the Orders of the Day Nos. 1, 2, and 3 (*Government Business*), were postponed respectively until Wednesday next.
11. Ways and Means:—The Order of the Day for the Resumption of the Committee of Ways and Means having been read,—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.
 The Chairman reported progress, and obtained leave to sit again to-morrow.
 The House adjourned, on motion of Mr. Robertson, at nineteen minutes after Eleven o'clock, until To-morrow, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

FRIDAY, 22 OCTOBER.

Questions :—

1. MR. BYRNES *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) Does the Government contemplate giving Mr. Whitton, or any of his officers, additional pay or compensation for the increased duties devolving upon them in consequence of the Maintenance of Existing Lines and Locomotive Department having been thrown upon them; and if so, what amount?
(2.) Were not Mr. Whitton and Mr. Mason fully occupied in supervising the construction of lines in progress, and in surveying the contemplated extensions, previous to such additional duties being cast upon them?
2. MR. CUMMINGS *to ask* THE SECRETARY FOR PUBLIC WORKS,—When will the Government call for Tenders for the construction of the Great Western Line of Railway to Orange?
3. MR. MORRICE *to ask* THE COLONIAL SECRETARY,—Has the Hon. Geoffrey Eagar, M.P., been employed by the Council of Education; if so, in what capacity, what remuneration, and for what period?

Contingent Notice of Motion :—

1. MR. LUCAS *to move* (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

Conditional purchaser may take possession of land in certain cases.

Proviso.

If there should be two or more claimants for the pre-lease of the same land the surveyor who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Surveyor to make division of disputed land.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Roberts' Trust Bill (*as amended in Select Committee*); second reading.
2. Sydney Boundaries Amendment Bill; second reading.
3. Burials Regulation Bill; second reading.
4. Cumberland and Camden Bathurst-burr and Thistle Bill; second reading.
5. Re-erection of Ranken Bridge over Macquarie River; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River.

NOTICES OF MOTIONS :—

1. MR. BURNS *to move*, 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 Minutes and Correspondence in reference to the New Refreshment Room, and other additions made to the Parliamentary Buildings since last Session.
2. MR. FARNELL *to move*, That there be laid upon the Table of this House, a Return showing,—
(1.) The number, and, approximately, the ages of the children in the Protestant and Roman Catholic Orphan Schools, respectively, on the first of January, 1844.
(2.) The number of children admitted into the said institutions from 1st January, 1844, to 1st January, 1869, together with the number on the books, their ages, approximately, on the last mentioned date, and by whom their admission was recommended.
(3.) The number of children apprenticed, their respective ages when so apprenticed, the period of apprenticeship, and to what trade or calling.
(4.) The number of such apprentices who have had paid to their credit into the Savings Bank by their employers the amount of money due to them under the Act 5 William IV, No. 3
(5.) The amount of money (if any) in the Savings Bank unclaimed by the said apprentices.
(6.) The number of apprentices who have married with the consent of the Governor, before the expiration of their apprenticeship.
(7.) The Return to give particulars for each year, and to distinguish males from females.
3. MR. LUCAS *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £4,000, for building a Bridge over the Cudgegong Creek, on the Mudgee Road, and the repairs of that road from the Cudgegong Creek to Piper's Flat.
4. MR. TERRY *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will please to cause to be placed on the Estimates for the year 1870, a sum not exceeding £2,000 for the repairs of the Mudgee Road from the village of Cudgegong into Mudgee.

5. **MR. LYONS** to move, That there be laid on the Table of this House, copies of the following papers, viz. :—
- (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
6. **MR. TUNKS** to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
7. **MR. R. STEWART** to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
- (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
8. **DR. LANG** to move,—
- (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
 - (3.) That the Progress Report brought up 24th March, 1869, on the same subject, together with the Minutes of Proceedings, and of Evidence, be referred to this Committee.
9. **SIR JAMES MARTIN** to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
- (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
10. **MR. J. SUTTON** to move,—
- (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Petition presented to this House, from Messrs. James Reid Maxwell, William Chisholm, John Cummins, and Edward Shorter, respecting losses sustained by them through the insecure state of the Post Office at Sofala, in the year 1862.
 - (2.) That such Committee consist of Mr. Piddington, Mr. Burdekin, Mr. Burns, Mr. Driver, Mr. Wisdom, Mr. Egan, Mr. Church, Mr. Farnell, and the Mover.
11. **MR. LORD** to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
12. **MR. LYONS** to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *viâ* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
13. **MR. R. STEWART** to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means; resumption of the Committee.
2. Amended Representation Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
3. Supply; resumption of the Committee.
4. Unclaimed Balances Appropriation Bill; second reading.
5. Cemeteries Regulation Bill; to be further considered in Committee.
6. Assisted Immigration Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
7. Conditional Purchasers Pre-lease Declaratory Bill; third reading.
8. Roads Acts Amendment Bill; to be further considered in Committee.

TUESDAY, 26 OCTOBER.

Questions:—

1. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether orders have been sent to England for locomotive engines? If so, how many?
 - (2.) If engines are about to be imported instead of being manufactured in the Colony, are they to be inspected by Mr. John Fowler, or some other person in England, or are they to be delivered here subject to the approval of the Engineer-in-Chief for Railways in this Colony?
 - (3.) If any engines are about to be imported, what will be the probable cost of the importation already sent for?
 - (4.) If inspected in England, what will be the per-centage and the gross amount the Colony will have to pay for such inspection?
2. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—If a locomotive engine is being manufactured at the Railway Work-shops at the Redfern Station?
3. MR. BURNS *to ask* THE SECRETARY FOR LANDS,—Whether any, and if any, what decision has been arrived at in the matter of the memorial of the settlers of Knockfin and neighbourhood, for the construction of a Causeway, or other improved means of transit for passengers and goods, across the Hunter at Windermere Ford?
4. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) How many yards of rock and earth, respectively, were paid for excavating in Nos. 11, 12, 13, 14, and 15 cuttings, on No. 4 Section of the Great Western Railway?
 - (2.) The like information with regard to the station, yard, and site for the turn-table at One-tree Hill?

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. S. BROWN *to move*, That, in the opinion of this House, the claims of Mr. William Sims Bell, as set forth in the Report of the Select Committee thereon, presented to this House on the 2nd December, 1862, are entitled to the favourable consideration of the Government.
2. MR. MACLEAY *to move*,—
 - (1.) That, in the opinion of this House, an extension of the Southern Railway from Goulburn to a navigable part of the Murrumbidgee River has become necessary for the preservation of the revenue, and for the general interests of the Colony; and that such extension should be proceeded with as rapidly as possible.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
3. MR. LUCAS *to move*, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of the specifications of the Railway Rolling Stock for the supply of which tenders were called for in the Colony during the last two years. Also, copies of all tenders received for the supply of the above, and all minutes, advertisements, and correspondence relating thereto.
4. MR. PARKES *to move*, That there be laid upon the Table of this House, within fourteen days, a Return of all seizures made by officers of Customs in the Port of Sydney from January 1st, 1869, to the present date, such Return giving the following particulars in each case:—
 - (1.) A description of the articles seized.
 - (2.) Whether, if the seizure was effected on shipboard, any actual attempt had been made to land the articles without payment of duty.
 - (3.) The amount realized by the sale of the articles.
 - (4.) Whether reference was made to the Colonial Treasurer.
 - (5.) Whether the Collector of Customs derived any direct pecuniary benefit from the confiscation of the articles.
 - (6.) If not sold, where the articles are at the date of this Return.
5. MR. J. STEWART *to move*, That there be laid upon the Table of this House, Copies of correspondence and documents relating to the payment of travelling expenses incurred by Dr. Badham, in order that he might explain his postal education scheme to the people of the interior.
6. MR. GARRETT *to move*, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
7. MR. S. BROWN *to move*, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.

ORDERS OF THE DAY:—

1. Maitland District Council Dissolution Bill; second reading.
2. Bogan Electorate Bill; second reading.

WEDNESDAY, 27 OCTOBER.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Customs Laws Consolidation and Amendment Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. Marine Board Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
3. Colonial Produce Distillation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
4. Mesne Process Amendment Bill; second reading.

TUESDAY,

TUESDAY, 2 NOVEMBER.

OTHER BUSINESS—NOTICE OF MOTION:—

1. Mr. J. SUTTON to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.

[6d.]

New South Wales.

No. 16.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 22 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Additional Pay to certain Officers of the Railway Department:—Mr. Byrnes asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) Does the Government contemplate giving Mr. Whitton, or any of his officers, additional pay or compensation for the increased duties devolving upon them in consequence of the Maintenance of Existing Lines and Locomotive Department having been thrown upon them; and if so, what amount?

(2.) Were not Mr. Whitton and Mr. Mason fully occupied in supervising the construction of lines in progress, and in surveying the contemplated extensions, previous to such additional duties being cast upon them?

Mr. Sutherland answered,—

(1.) No.

(2.) Yes; but, with a view to carry out the expressed wishes of the Government for retrenchment, these officers, by re-arrangement in the Department, and by working after office hours, were enabled to undertake and carry out these additional duties.

- (2.) Railway Extension to Orange:—Mr. Cummings asked the Secretary for Public Works, pursuant to Notice No. 2,—When will the Government call for Tenders for the construction of the Great Western Line of Railway to Orange?

Mr. Sutherland answered,—As soon as the Estimates are passed, the Government will make the necessary preparations for carrying out the work.

- (3.) Employment of the Hon. Geoffrey Eagar, M.P., by the Council of Education:—Mr. Morrice asked the Colonial Secretary, pursuant to Notice No. 3,—Has the Hon. Geoffrey Eagar, M.P., been employed by the Council of Education; if so, in what capacity, what remuneration, and for what period?

Mr. Robertson answered,—As to whether Mr. Eagar has been employed by the Council of Education? my answer is, Yes. In answer to the question, "in what capacity?"—as an Accountant. In reply to the question, "what remuneration?"—my answer is, £100. In reply to the question, "for what period?"—I think four or five months. But as I prefer to lay the Council's own statement of the matter before the House—as they enter somewhat elaborately into their reasons—I wish to lay this Paper from the Council of Education upon the Table, and move that it be printed.

2. Paper:—Mr. Robertson laid upon the Table a document relative to the employment of the Hon. Geoffrey Eagar, M.P., by the Council of Education,—

And the same having been read by the Clerk, by direction of the Speaker,—
Ordered to be printed.

3. Prince Alfred Park Enclosure Bill:—Mr. Driver, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on 21st October, 1869.

Ordered to be printed.

Mr. Driver then moved, That the second reading of this Bill (*as agreed to in Select Committee*) stand an Order of the Day for Tuesday next.

Question put and passed.

4. New Refreshment Room, and Additions to Parliamentary Buildings ("*Formal*" Motion):—Mr. Burns moved, pursuant to Notice No. 1, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Minutes and Correspondence in reference to the New Refreshment Room, and other additions made to the Parliamentary Buildings since last Session.

Question put and passed.

5. Protestant and Roman Catholic Orphan Schools ("*Formal*" *Motion*):—Mr. Farnell moved, pursuant to Notice No. 2, That there be laid upon the Table of this House, a Return showing,—
- (1.) The number, and, approximately, the ages of the children in the Protestant and Roman Catholic Orphan Schools, respectively, on the first of January, 1844.
 - (2.) The number of children admitted into the said institutions from 1st January, 1844, to 1st January, 1869, together with the number on the books, their ages, approximately, on the last mentioned date, and by whom their admission was recommended.
 - (3.) The number of children apprenticed, their respective ages when so apprenticed, the period of apprenticeship, and to what trade or calling.
 - (4.) The number of such apprentices who have had paid to their credit into the Savings Bank by their employers the amount of money due to them under the Act 5 William IV, No. 3
 - (5.) The amount of money (if any) in the Savings Bank unclaimed by the said apprentices.
 - (6.) The number of apprentices who have married with the consent of the Governor, before the expiration of their apprenticeship.
 - (7.) The Return to give particulars for each year, and to distinguish males from females.
- Question put and passed.
6. Motion Withdrawn:—*Mr. Farnell*, on behalf of Mr. Tunks, withdrew the Motion No. 6, standing in the name of Mr. Tunks on the Notice Paper for to-day.
7. Roberts' Trust Bill (*as amended in Select Committee*):—Mr. Hart moved, That this Bill be now read a second time.
- Question put and passed.
Bill read a second time.
- On motion of Mr. Hart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider the Bill.
- The Chairman having reported the Bill without Amendment, the House adopted that Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
8. Sydney Boundaries Amendment Bill:—Mr. Hart moved, That this Bill be now read a second time.
- Question put and passed.
Bill read a second time.
- On motion of Mr. Hart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider the Bill.
- The Chairman having reported the Bill without Amendment, the House adopted that Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
9. Postponement:—The Order of the Day for the second reading of the Burials Regulation Bill postponed, on motion of Mr. Farnell, until Friday next.
10. Cumberland and Camden Bathurst-burr and Thistle Bill:—Mr. Roberts moved, "That" this Bill be now read a second time.
- Debate ensued.
- Mr. Lee moved, That the Question be amended, by the omission of all the words after the word "That," with a view to insert the following words, viz.:—"this Bill be referred to a Select Committee for consideration and report.
- "(2.) That such Committee consist of the following Members, viz.:—Mr. Forster, Mr. Burns, Mr. Lyons, Mr. Lackey, Mr. Roberts, Mr. Morrice, Mr. Hoskins, Mr. Farnell, Mr. Tunks, and "the Mover, and have power to send for persons and papers."
- Debate continued.
- Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
- Question,—That the words proposed to be inserted be so inserted,—put and passed.
- Whereupon Question,—(1.) That this Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of the following Members, viz.:—Mr. Forster, Mr. Burns, Mr. Lyons, Mr. Lackey, Mr. Roberts, Mr. Morrice, Mr. Hoskins, Mr. Farnell, Mr. Tunks, and the Mover, and have power to send for persons and papers,—put and passed.
11. Re-erection of Ranken Bridge over Macquarie River:—The Order of the Day for the consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £4,000 for the re-erection of the Ranken Bridge over the Macquarie River,—having been read,—On motion of Mr. J. Sutor, the Speaker left the Chair, and the House resolved itself into the said Committee.
- The Chairman reported that the Committee had agreed to a Resolution.
- Ordered*, on motion of the Chairman, that the reception of the Resolution stand an Order of the Day for Tuesday next.
12. Bridge over Cudgegong Creek, and Repairs of Mudgee Road:—Mr. Lucas moved, pursuant to amended Notice No. 3, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £5,000, in addition to the sum annually voted for the Mudgee Road, for building a Bridge over the Cudgegong Creek; and any balance which may remain after building the said Bridge shall be expended upon those portions of the road where repairs are most necessary.
- Debate ensued.
- Question put and passed.
13. Postponement:—Mr. R. Stewart postponed the Motion No. 13, standing in his name on the Notice Paper for to-day, until Tuesday next.
14. Motion Dropped:—Mr. Terry not making the Motion No. 4, standing in his name on the Notice Paper for to-day, it dropped.

15. Railways and Rolling Stock—Report of Commission:—Mr. Lyons moved, pursuant to Notice No. 5, That there be laid upon the Table of this House, copies of the following papers, viz. :—
- (1.) Report of any Commission which may have been appointed by the Government to inquire into the state of the existing lines of Railways and Rolling-stock, up to the time of the present officer taking charge of that branch of the Railway Department.
 - (2.) A report or reports of any officer or officers in the Public Service on the same subject.
 - (3.) All minutes and other papers having reference thereto.
 - (4.) All minutes and other papers having reference to the removal of the late Locomotive Superintendent and Engineer for Existing Lines, and the appointment of any officer or officers to succeed him.
- Debate ensued.
Question put and passed.
16. Payment of Country Members of Assembly :—Mr. R. Stewart proceeding to make the Motion No. 7, standing in his name on the Notice Paper for to-day,—
Notice was taken that there was not a Quorum present.
Whereupon, the Speaker counted the House, and there being only Sixteen Members present, exclusive of the Speaker, namely,—Mr. Burns, Mr. Church, Mr. Cummings, Mr. Forster, Mr. Graham, Mr. Hoskins, Mr. Kelly, Mr. Lyons, Mr. Morrice, Mr. Robertson, Mr. Samuel, Mr. R. Stewart, Mr. Stimpson, Mr. Sutherland, Mr. W. Suttor, and Mr. J. Suttor,—the Speaker adjourned the House, at ten minutes before Eleven o'clock, until Tuesday next, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

TUESDAY, 26 OCTOBER.

Questions :—

1. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether orders have been sent to England for locomotive engines? If so, how many?
 - (2.) If engines are about to be imported instead of being manufactured in the Colony, are they to be inspected by Mr. John Fowler, or some other person in England, or are they to be delivered here subject to the approval of the Engineer-in-Chief for Railways in this Colony?
 - (3.) If any engines are about to be imported, what will be the probable cost of the importation already sent for?
 - (4.) If inspected in England, what will be the per-centage and the gross amount the Colony will have to pay for such inspection?
2. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—If a locomotive engine is being manufactured at the Railway Work-shops at the Redfern Station?
3. MR. BURNS *to ask* THE SECRETARY FOR LANDS,—Whether any, and if any, what decision has been arrived at in the matter of the memorial of the settlers of Knockfin and neighbourhood, for the construction of a Causeway, or other improved means of transit for passengers and goods, across the Hunter at Windermere Ford?
4. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) How many yards of rock and earth, respectively, were paid for excavating in Nos. 11, 12, 13, 14, and 15 cuttings, on No. 4 Section of the Great Western Railway?
 - (2.) The like information with regard to the station, yard, and site for the turn-table at One-tree Hill?
5. MR. NEALE *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to take any immediate measures for carrying out the recommendation of the Sydney Water Commission, as contained in their Report, laid upon the Table of this House on the 21st instant?
6. MR. LEE *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether the Government are aware that Mr. Moriarty, Engineer for Harbours and Rivers, is in the habit of receiving private pupils for instruction?
 - (2.) If so, do the Government sanction this proceeding on the part of a Government officer receiving a high salary?
7. MR. DRIVER *to ask* THE SECRETARY FOR LANDS,—
 - (1.) Has any surveyor been directed to inquire into the Petition praying for the opening of a road from Rockley to Swallow's Nest; if so, when?
 - (2.) Has any report been received from such surveyor; and if not, what is the cause of the delay?
 - (3.) Is it likely that the road will be opened; and if so, when?
8. MR. DRIVER *to ask* THE SECRETARY FOR LANDS,—
 - (1.) Have any steps been taken in reference to an application of the Trustees of the road, known as the Bathurst and Caloola Road to Limekilns, for increased allowance in respect of such road?
 - (2.) Has any, and what decision, been arrived at in reference thereto?
9. MR. STIMPSON *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Do the Government intend to erect a bridge over the Belubla River, at or near Canowindra; if so, when?
 - (2.) Are the Government aware that a sum of money was voted by Parliament some years ago for that purpose?

10. MR. FARNELL to ask THE SECRETARY FOR LANDS,—

- (1.) Is he aware that in the year 1870 several Volunteers will be entitled to grants of fifty acres of land?
- (2.) Is it the intention of the Government to issue grants to those Volunteers who are entitled to receive them?
- (3.) Whether land orders, to the extent of fifty acres, will be issued and received in payment, or part payment, of purchased land to the amount of £50; or are the Volunteers, who are entitled to grants, to select land under the 13th clause of the Crown Lands Alienation Act of 1861, and to comply with the terms and conditions of that Act; or in what way is it intended to deal with the Volunteers in reference to their claims to grants of land under the Act of Parliament 31 Vic. No. 5?

*Contingent Notice of Motion:—*1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause:—

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. S. BROWN to move, That, in the opinion of this House, the claims of Mr. William Sims Bell, as set forth in the Report of the Select Committee thereon, presented to this House on the 2nd December, 1862, are entitled to the favourable consideration of the Government.
2. MR. MACLEAY to move,—
 - (1.) That, in the opinion of this House, an extension of the Southern Railway from Goulburn to a navigable part of the Murrumbidgee River has become necessary for the preservation of the revenue, and for the general interests of the Colony; and that such extension should be proceeded with as rapidly as possible.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
3. MR. LUCAS to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—Copies of the specifications of the Railway Rolling Stock for the supply of which tenders were called for in the Colony during the last two years. Also, copies of all tenders received for the supply of the above, and all minutes, advertisements, and correspondence relating thereto.
4. MR. PARKES to move, That there be laid upon the Table of this House, within fourteen days, a Return of all seizures made by officers of Customs in the Port of Sydney from January 1st, 1869, to the present date, such Return giving the following particulars in each case:—
 - (1.) A description of the articles seized.
 - (2.) Whether, if the seizure was effected on shipboard, any actual attempt had been made to land the articles without payment of duty.
 - (3.) The amount realized by the sale of the articles.
 - (4.) Whether reference was made to the Colonial Treasurer.
 - (5.) Whether the Collector of Customs derived any direct pecuniary benefit from the confiscation of the articles.
 - (6.) If not sold, where the articles are at the date of this Return.
5. MR. J. STEWART to move, That there be laid upon the Table of this House, Copies of correspondence and documents relating to the payment of travelling expenses incurred by Dr. Badham, in order that he might explain his postal education scheme to the people of the interior.
6. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
7. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
8. MR. LACEY to move for leave to introduce a Bill to amend the Act 26 Vic. No. 16, intituled the Sale of Colonial Wines Regulation Act.
9. MR. TUNKS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
10. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, be printed.

11. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
12. DR. LANG to move,—
 - (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 - (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
 - (3.) That the Progress Report brought up 24th March, 1869, on the same subject, together with the Minutes of Proceedings, and of Evidence, be referred to this Committee.
13. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard ; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
14. MR. J. SUTTON to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Petition presented to this House, from Messrs. James Reid Maxwell, William Chisholm, John Cummins, and Edward Shorter, respecting losses sustained by them through the insecure state of the Post Office at Sofala, in the year 1862.
 - (2.) That such Committee consist of Mr. Piddington, Mr. Burdekin, Mr. Burns, Mr. Driver, Mr. Wisdom, Mr. Egan, Mr. Church, Mr. Farnell, and the Mover.
15. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
16. MR. LYONS to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.

ORDERS OF THE DAY :—

1. Maitland District Council Dissolution Bill ; second reading.
2. Bogan Electorate Bill ; second reading.
3. Prince Alfred Park Enclosure Bill (*as agreed to in Select Committee*) ; second reading.
4. Roberts' Trust Bill ; third reading.
5. Sydney Boundaries Amendment Bill ; third reading.
6. Re-erection of Ranken Bridge over Macquarie River ; reception of Resolution from Committee of the Whole.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means ; resumption of the Committee.
2. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
3. Supply ; resumption of the Committee.
4. Unclaimed Balances Appropriation Bill ; second reading.
5. Cemeteries Regulation Bill ; to be further considered in Committee.
6. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
7. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
8. Roads Acts Amendment Bill ; to be further considered in Committee.

WEDNESDAY, 27 OCTOBER.

Question :—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether he will lay on the Table of this House, a copy of the original specification of the works now in course of construction at Newcastle, for shipping coal from shoots ; also, a copy of the advertisements calling for tenders ?

(2.)

- (2.) Will the honorable gentleman inform the House—
 The names of the tenderers?
 The amount of the respective tenders?
 The amount already expended?
 The probable amount it will yet cost to complete the works?
 The date the tender was accepted?
 The period in which the contractor agreed to complete the contract?
 The probable time it will yet take to complete the contract?
- (3.) Have the Government made any provision for sidings; if so, when, and where?
- (4.) Did the Government make application to the A. A. Company, or any other person, for land for sidings or other purposes for affording the necessary accommodation to persons shipping coal from the Government shoots at Newcastle; if so, when was the application made, and where is the ground selected?
- (5.) How much ground is required?
- (6.) What is it likely to cost?
- (7.) When did the Government discover that they required more land for Railway purposes in connection with the abovementioned shoots?

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Customs Laws Consolidation and Amendment Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. Marine Board Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
3. Colonial Produce Distillation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
4. Mesne Process Amendment Bill; second reading.

FRIDAY, 29 OCTOBER.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Burials Regulation Bill; second reading.
2. Bridge over Cudgegong Creek, and repairs of Mudgee Road; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1870, a sum not exceeding £5,000, in addition to the sum annually voted for the Mudgee Road, for building a Bridge over the Cudgegong Creek; and any balance which may remain after building the said Bridge shall be expended upon those portions of the Road where repairs are most necessary.

TUESDAY, 2 NOVEMBER.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. J. SUTTON to move,—
 (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.

New South Wales.

No. 17.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 26 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Locomotive Engines:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 1,—

- (1.) Whether orders have been sent to England for locomotive engines? If so, how many?
 (2.) If engines are about to be imported instead of being manufactured in the Colony, are they to be inspected by Mr. John Fowler, or some other person in England, or are they to be delivered here subject to the approval of the Engineer-in-Chief for Railways in this Colony?
 (3.) If any engines are about to be imported, what will be the probable cost of the importation already sent for?
 (4.) If inspected in England, what will be the per-centage and the gross amount the Colony will have to pay for such inspection?

Mr. Sutherland answered,—

- (1.) Yes, for four.
 (2.) The four engines, referred to in the answer to the above question, will be inspected, as heretofore, in England.
 (3.) The probable cost of the four engines to be imported will be £11,000.
 (4.) The per-centage for inspection in England will be $2\frac{1}{2}$ on English cost, or about £240 in gross.

- (2.) Locomotive Engine:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 2,—If a locomotive engine is being manufactured at the Railway Work-shops at the Redfern Station?

Mr. Sutherland answered,—Yes.

- (3.) Causeway across the Hunter at Windermere Ford:—Mr. Burns asked the Secretary for Lands, pursuant to Notice No. 3,—Whether any, and if any, what decision has been arrived at in the matter of the memorial of the settlers of Knockfin and neighbourhood, for the construction of a Causeway, or other improved means of transit for passengers and goods, across the Hunter at Windermere Ford?

Mr. Forster answered,—This matter is at present under consideration. A sum of money has, however, been placed on the Estimates to improve the Kaloudah crossing,—or that at Windermere, as may be found advisable; but the expenditure of this amount will have to be deferred until floods or freshes in the river prove whether the Kaloudah crossing will be suitable for the purpose.

- (4.) Excavating for Great Western Railway:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 4,—

- (1.) How many yards of rock and earth, respectively, were paid for excavating in Nos. 11, 12, 13, 14, and 15 cuttings, on No. 4 Section of the Great Western Railway?
 (2.) The like information with regard to the station, yard, and site for the turn-table at One-tree Hill?

Mr. Sutherland answered,—

(1.) Cutting No. 11	...	...	303 cubic yards of earth,	943 cubic yards of rock.
Cutting No. 12	...	...	893 " earth,	819 " rock.
Cutting No. 13	...	...	4,493 " earth,	17,697 " rock.
Cuttings Nos. 14 and 15	...	...	6,752 " earth,	25,948 " rock.

(2.) Information cannot be furnished separately, the quantity being included in cuttings 14 and 15. The turn-table—121 cubic yards of earth, and 153 cubic yards of rock.

(5.)

(5.) Sydney Water Commission :—Mr. Neale asked the Colonial Secretary, pursuant to Notice No. 5,—Is it the intention of the Government to take any immediate measures for carrying out the recommendation of the Sydney Water Commission, as contained in their Report, laid upon the Table of this House on the 21st instant?

Mr. Robertson answered,—The question the honorable member has asked me is one of very great importance. The Report to which he alludes is of very great length, and will require very serious consideration, which the Government have not had time to give to it, as it has been a very short time in their possession. But I may say this,—that I have, to-day, at the request of the Secretary for Lands, reserved from sale the lands necessary for the purpose.

(6.) Mr. Moriarty, Engineer for Harbours and Rivers :—Mr. Lee asked the Secretary for Public Works, pursuant to Notice No. 6,—

(1.) Whether the Government are aware that Mr. Moriarty, Engineer for Harbours and Rivers, is in the habit of receiving private pupils for instruction?

(2.) If so, do the Government sanction this proceeding on the part of a Government officer receiving a high salary?

Mr. Sutherland answered,—

(1.) The Government have not been formally made aware of it; but the Engineer for Harbours and Rivers reports that he had the sanction of the Minister of Works for the time to receive private pupils.

(2.) The matter has not been submitted for the consideration of the Government, but it is my intention to bring the matter before them at an early period.

(7.) Road from Rockley to Swallow's Nest :—Mr. Driver asked the Secretary for Lands, pursuant to Notice No. 7,—

(1.) Has any surveyor been directed to inquire into the Petition praying for the opening of a road from Rockley to Swallow's Nest; if so, when?

(2.) Has any report been received from such surveyor; and if not, what is the cause of the delay?

(3.) Is it likely that the road will be opened; and if so, when?

Mr. Forster answered,—

(1.) Yes, in May last.

(2.) None, yet. The surveyor has been much occupied with other matters, but expects to be engaged in the survey next week.

(3.) As it is very doubtful if the importance of the road will warrant the outlay, it would be unwise to give any positive answer as to the probable time when the road will be opened.

(8.) Bathurst and Caloola Road to Limekilns :—Mr. Driver asked the Secretary for Lands, pursuant to Notice No. 8,—

(1.) Have any steps been taken in reference to an application of the Trustees of the road, known as the Bathurst and Caloola Road to Limekilns, for increased allowance in respect of such road?

(2.) Has any, and what decision, been arrived at in reference thereto?

Mr. Forster answered,—

(1.) Yes. The report of the District Surveyor has been obtained. He recommends a grant of £50, but no higher rate of classification.

(2.) The matter has been only submitted to me this morning; but upon the information before me, I am disposed to concur with the recommendation of the District Surveyor.

(9.) Bridge over Belubla River at Canowindra :—Mr. Stimpson asked the Secretary for Public Works, pursuant to Notice No. 9,—

(1.) Do the Government intend to erect a bridge over the Belubla River, at or near Canowindra; if so, when?

(2.) Are the Government aware that a sum of money was voted by Parliament some years ago for that purpose?

Mr. Sutherland answered,—

(1.) The consideration as to whether a sum shall be placed on the Estimates for a Bridge at Canowindra has been postponed, with many similar cases, until proper designs and estimates can be prepared.

(2.) It does not appear that any amount was ever voted for this bridge.

(10.) Grants of Land to Volunteers :—Mr. Farnell asked the Secretary for Lands, pursuant to Notice No. 10,—

(1.) Is he aware that in the year 1870 several Volunteers will be entitled to grants of fifty acres of land?

(2.) Is it the intention of the Government to issue grants to those Volunteers who are entitled to receive them?

(3.) Whether land orders, to the extent of fifty acres, will be issued and received in payment, or part payment, of purchased land to the amount of £50; or are the Volunteers, who are entitled to grants, to select land under the 13th clause of the Crown Lands Alienation Act of 1861, and to comply with the terms and conditions of that Act; or in what way is it intended to deal with the Volunteers in reference to their claims to grants of land under the Act of Parliament 31 Vic. No. 5?

Mr. Forster answered,—

(1.) The Government have no official information on the subject; but there is every reason to believe the honorable member's supposition is correct.

(2.) The Government will, of course, issue grants to all entitled, upon proper application being made.

(3.) The Government do not at present contemplate the issue of such land orders, or the enforcement of any conditions which are not authorized by law.

2. Future Governors Salaries Reduction Bill :—Mr. Robertson having presented this Bill, Bill, intituled "A Bill to reduce the Salaries of future Governors,"—read a first time.
Ordered to be printed, and read a second time on Thursday next.

3. Paper :—Mr. Robertson laid upon the Table the Thirteenth Annual Report from the Registrar General on Vital Statistics.
Ordered to be printed.

4. Official Salaries Reduction Bill :—Mr. Robertson having *presented* this Bill, Bill, intituled “ *A Bill to reduce certain official Salaries,* ”—read a first time.
Ordered to be printed, and read a second time on Thursday next.
5. John Wright :—Mr. Ryan presented a Petition from John Wright, of Rooty Hill, farmer, representing that in the month of January, 1867, he became the Lessee of the Rope’s Creek Toll Gate, at which time the approaches to the Nepean River and the Punt were in good order; that subsequently the Punt was destroyed, thereby causing considerable loss to him; and praying that his case may receive favorable consideration, with a view to relief.
Petition received.
6. Railway Rolling Stock (“ *Formal* ” *Motion*) :—Mr. Lucas moved, pursuant to Notice No. 3, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the specifications of the Railway Rolling Stock for the supply of which tenders were called for in the Colony during the last two years. Also, copies of all tenders received for the supply of the above, and all minutes, advertisements, and correspondence relating thereto.
Question put and passed.
7. Motions Withdrawn :—The undermentioned Motions, on the Notice Paper for to-day, were withdrawn, respectively, by the Members named :—
No. 6. By Mr. Garrett.
No. 11. By Mr. R. Stewart.
No. 13. By *Mr. Wilson*, on behalf of Sir James Martin.
8. Sale of Colonial Wines Regulation Act Amendment Bill (“ *Formal* ” *Motion*) :—Mr. Lackey moved, pursuant to Notice No. 8, for leave to introduce a Bill to amend the Act 26 Vic. No. 16, intituled the Sale of Colonial Wines Regulation Act.
Question put and passed.
9. Roberts’ Trust Bill (“ *Formal* ” *Order of the Day*),—on motion of Mr. Hart, read a third time, and *passed*.
Mr. Hart then moved, That the Title of this Bill be “ *An Act to enable the Trustees of the Will of Joseph Roberts deceased to sell certain Trust Real Estate and divide the proceeds of sale.* ”
Question put and passed.
Whereupon Mr. Hart moved, That this 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 Trustees of the Will of Joseph Roberts deceased to sell certain Trust Real Estate and divide the proceeds of sale,* ” 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, 26th October, 1869. Speaker.
- Question put and passed.
10. Motion for Adjournment :—Mr. Farnell moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
11. Mr. William Sims Bell :—Mr. S. Brown moved, pursuant to Notice No. 1, That, in the opinion of this House, the claims of Mr. William Sims Bell, as set forth in the Report of the Select Committee thereon, presented to this House on the 2nd December, 1862, are entitled to the favourable consideration of the Government.
Debate ensued.
Question put.
The House divided.
- | | |
|---|---|
| Ayes, 16. | Noes, 14. |
| <p>Mr. Robertson,
Mr. Egan,
Mr. Sutherland,
Mr. Hart,
Dr. Lang,
Mr. Lord,
Mr. Stimpson,
Mr. Kelly,
Mr. Macleay,</p> | <p>Mr. Ryan,
Mr. Bell,
Mr. Alexander,
Mr. Cunneen,
Mr. Garrett,
<i>Tellers.</i>
Mr. Cummings,
Mr. S. Brown.</p> |
| <p>Mr. Forster,
Mr. Samuel,
Mr. Driver,
Mr. Lyons,
Mr. Lackey,
Mr. J. Suttor,
Mr. McKay,
Mr. Lee,
Mr. Graham,</p> | <p>Mr. J. Stewart,
Mr. Farnell,
Mr. Parkes,
<i>Tellers.</i>
Mr. Hoskins,
Mr. Burns.</p> |
12. Proposed Railway Extension from Goulburn to the Murrumbidgee River :—Mr. Macleay moved, pursuant to Notice No. 2,—
(1.) That, in the opinion of this House, an extension of the Southern Railway from Goulburn to a navigable part of the Murrumbidgee River has become necessary for the preservation of the revenue, and for the general interests of the Colony; and that such extension should be proceeded with as rapidly as possible.
(2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
Debate ensued.
Mr. Robertson moved the Previous Question.
Debate continued.
Previous Question,—That that Question be now put,—put and negatived.
13. Seizures made by Customs Officers in Port of Sydney :—Mr. Parkes moved, pursuant to Notice No. 4, That there be laid upon the Table of this House, within fourteen days, a Return of all seizures made by officers of Customs in the Port of Sydney from January 1st, 1869, to the present date, such Return giving the following particulars in each case :—
(1.) A description of the articles seized.
(2.) Whether, if the seizure was effected on shipboard, any actual attempt had been made to land the articles without payment of duty.
(3.) The amount realized by the sale of the articles.
(4.) Whether reference was made to the Colonial Treasurer.

- (5.) Whether the Collector of Customs derived any direct pecuniary benefit from the confiscation of the articles.
 (6.) If not sold, where the articles are at the date of this Return.
 Debate ensued.
 Question put and passed.
14. Paper:—Mr. Samuel laid upon the Table, Return to Order in reference to "Seizures made by Customs Officers in Port of Sydney," made by the Legislative Assembly, on motion of Mr. Parkes, on 26th. October, 1869.
 Ordered to be printed.
15. Travelling Expenses of Dr. Badham:—Mr. J. Stewart moved, pursuant to Notice No. 5, That there be laid upon the Table of this House, Copies of correspondence and documents relating to the payment of travelling expenses incurred by Dr. Badham, in order that he might explain his postal education scheme to the people of the interior.
 Debate ensued.
 Question put.
 The House divided.

Ayes, 21.

Mr. Robertson,	Mr. Oatley,
Mr. Sutherland,	Mr. Tunks,
Mr. Forster,	Mr. R. Stewart,
Mr. Samuel,	Mr. J. Stewart,
Mr. Wilson,	Mr. Farnell,
Mr. Byrnes,	Mr. Cummings,
Mr. Hoskins,	Mr. Eagar,
Mr. J. Suttor,	<i>Tellers.</i>
Mr. Lloyd,	Mr. Burns,
Mr. Lord,	Mr. Piddington.
Mr. Stimpson,	
Mr. Bell,	

Nocs, 12.

Mr. Burdekin,	<i>Tellers.</i>
Mr. Alexander,	Mr. McKay,
Dr. Lang,	Mr. S. Brown.
Mr. Garrett,	
Mr. Cunneen,	
Mr. Kelly,	
Mr. Morrice,	
Mr. Macleay,	
Mr. Driver,	
Mr. Egan,	

16. Motions Withdrawn:—The undermentioned Motions on the Notice Paper for to-day, were withdrawn, respectively, by the Members named, viz.:—
 No. 7. By Mr. S. Brown.
 No. 10. By Mr. R. Stewart.
17. Public Wharf at Blue's Point, St. Leonards:—Mr. Tunks moved, pursuant to Notice No. 9, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
 Question put and passed.
18. Mr. Thomas Scott—Sugar Cultivation:—Dr. Lang moved, pursuant to Notice No. 12,—
 (1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane, and the manufacture of Sugar, be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
 (2.) That such Committee consist of Mr. Burns, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover.
 (3.) That the Progress Report brought up 24th March, 1869, on the same subject, together with the Minutes of Proceedings and of Evidence, be referred to this Committee.
 Question put and passed.
19. Alleged Losses in consequence of insecurity of Post Office, Sofala:—Mr. J. Suttor moved, pursuant to Notice No. 14,—
 (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Petition presented to this House, from Messrs. James Reid Maxwell, William Chisholm, John Cummins, and Edward Shorter, respecting losses sustained by them through the insecure state of the Post Office at Sofala, in the year 1862.
 (2.) That such Committee consist of Mr. Piddington, Mr. Burdekin, Mr. Burns, Mr. Driver, Mr. Wisdom, Mr. Egan, Mr. Church, Mr. Farnell, and the Mover.
 Debate ensued.
 Question put and passed.
20. Motion Withdrawn:—Mr. Lord withdrew the Motion No. 15 standing in his name on the Notice Paper for to-day.
21. Road to Gladesville, *via* Balmain and Five Dock:—Mr. Lyons moved, pursuant to Notice No. 16, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates a sum not exceeding £400, to complete the Road to Gladesville, *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
 Question put and passed.
22. Maitland District Council Dissolution Bill:—Mr. Burns moved, That this Bill be now read a second time.
 Debate ensued.
 On motion of Mr. Garrett, Debate adjourned (after Debate) until this day fortnight.
23. Bogan Electorate Bill:—Mr. Lord moved, That this Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Lord, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.
 The Chairman having reported that the Committee had agreed to the Bill without amendment, *but with the Title amended*,—the House adopted that report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

24. Prince Alfred Park Enclosure Bill :—Mr. Driver moved, That this Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 On motion of Mr. Driver, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.
 The Chairman having reported the Bill without Amendment, the House adopted that Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.
 The House adjourned, on motion of Mr. Robertson, at Twenty minutes past Eleven o'clock, until to-morrow, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

WEDNESDAY, 27 OCTOBER.

Questions :—

1. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether he will lay on the Table of this House, a copy of the original specification of the works now in course of construction at Newcastle, for shipping coal from shoots; also, a copy of the advertisements calling for tenders?
 - (2.) Will the honorable gentleman inform the House—
 - The names of the tenderers?
 - The amount of the respective tenders?
 - The amount already expended?
 - The probable amount it will yet cost to complete the works?
 - The date the tender was accepted?
 - The period in which the contractor agreed to complete the contract?
 - The probable time it will yet take to complete the contract?
 - (3.) Have the Government made any provision for sidings; if so, when, and where?
 - (4.) Did the Government make application to the A. A. Company, or any other person, for land for sidings or other purposes for affording the necessary accommodation to persons shipping coal from the Government shoots at Newcastle; if so, when was the application made, and where is the ground situated?
 - (5.) How much ground is required?
 - (6.) What is it likely to cost?
 - (7.) When did the Government discover that they required more land for Railway purposes in connection with the abovementioned shoots?
2. MR. HART *to ask* THE COLONIAL SECRETARY,—Have the Government made any, and if so, what rules or regulations for the supervision of books to be purchased for, or presented to, the Free Public Library?
3. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—
 - (1.) Did he have a conference or interview with Mr. Kenealey, or any other of the liberated Irish prisoners, who lately arrived in Sydney from Western Australia?
 - (2.) If any such conference or interview took place, was it held at the office of a solicitor, who is a member of this House, and was it at the request of the Colonial Secretary or of Mr. Kenealey, or other of the released prisoners?
 - (3.) In such case, did the Colonial Secretary attend in his Ministerial capacity, or as President of the Irish National League?
4. DR. LANG *to ask* THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to bring in a Bill, during the present Session, to enable the Land Titles Department to deal with property held by Trustees?

Contingent Notice of Motion :—

1. MR. LUCAS *to move (on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill)*, That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
2. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
3. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
4. Mesne Process Amendment Bill ; second reading.
5. Ways and Means ; resumption of the Committee.
6. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
7. Supply ; resumption of the Committee.
8. Unclaimed Balances Appropriation Bill ; second reading.
9. Cemeteries Regulation Bill ; to be further considered in Committee.
10. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
11. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
12. Roads Acts Amendment Bill ; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. DRIVER to move, That there be laid upon the Table of this House, copies of all Petitions, Correspondence, and Reports relative to the opening of the Road from Rockley to the Swallow's Nest.
2. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.
3. MR. S. BROWN to move for leave to bring in a Bill to remove disqualifications of Judges, Chairmen of Quarter Sessions, and Justices of the Peace, in certain cases.
4. MR. DRIVER to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report to this House upon, the Petition of Mrs. Mary Fogg, presented to this House on the 5th day of March last.
 - (2.) That such Committee consist of Mr. Robertson, Mr. Farnell, Mr. Hart, Mr. J. Stewart, Mr. Dignam, Mr. Alexander, Mr. Neale, Mr. Burns, Mr. Stimpson, and the Mover.

ORDERS OF THE DAY:—

1. Bogan Electorate Bill ; third reading.
2. Prince Alfred Park Enclosure Bill ; third reading.
3. Sydney Boundaries Amendment Bill ; third reading.
4. Re-erection of Ranken Bridge over Macquarie River ; reception of Resolution from Committee of the Whole.

THURSDAY, 28 OCTOBER.

Questions:—

1. MR. BYRNES to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) How many extra hours, beyond the ordinary office hours, have Mr. Whitton and Mr. Mason devoted to the extra duty cast upon them in supervising the Locomotive Department and the Maintenance of the Existing Lines of Railway ?
 - (2.) Has any of the extra duty been performed by them in ordinary office hours ; if so, what is the time occupied by each of those gentlemen in such extra duty ?
2. MR. HOSKINS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) What is the rate per week charged by the Government as Store Rent for Goods stored at the various Stations on the Great Northern Railway ?
 - (2.) Do the rates charged for the Storage of Goods at the different Stations on the Great Northern Railway vary ; if so, what is the rate per week charged for the Storage of Goods at the Newcastle and Musclebrook Stations respectively ?
3. MR. MORRICE to ask THE COLONIAL SECRETARY,—
 - (1.) With reference to my question, and the reply given thereto by the Honorable the Colonial Secretary on Friday, the 22nd instant.—Was any record kept in the office of the Council of Education of the number of times and the length of period the Hon. Geoffrey Eagar, M.P., attended to investigate the mode of keeping the accounts ; if not, from whom was the information obtained ?
 - (2.) What members of the Council of Education were present when it was determined to employ Mr. Eagar ?
 - (3.) Was there no Accountant in the Public Service who might be considered competent to perform the duty for which the Hon. Geoffrey Eagar, M.P., was employed ?
 - (4.) Was any application made to the Government for the services of any such officer ?

GOVERNMENT

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Future Governors Salaries Reduction Bill; second reading.
2. Official Salaries Reduction Bill; second reading.

FRIDAY, 29 OCTOBER.

Question:—

1. MR. LACKEY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government intend taking any steps for the repair of the Dam at George's River, Liverpool; a memorial, asking for these repairs having been submitted to the Government some time back?

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Burials Regulation Bill; second reading.
2. Bridge over Cudgegong Creek, and repairs of Mudgee Road; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1870, a sum not exceeding £5,000, in addition to the sum annually voted for the Mudgee Road, for building a Bridge over the Cudgegong Creek; and any balance which may remain after building the said Bridge shall be expended upon those portions of the Road where repairs are most necessary.
3. Public Wharf at Blue's Point, St. Leonards; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.

NOTICES OF MOTIONS:—

1. MR. CUNNEEN to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the allegations contained in the Petition of George Swinnerton Yarnton, presented to this House on the 14th October.
 - (2.) That such Committee consist of Mr. Robertson, Mr. Tighe, Mr. J. Stewart, Mr. R. Stewart, Mr. Farnell, Mr. Smart, Mr. Tunks, Mr. Neale, and the Mover.
2. MR. MCKAY to move, That there be laid upon the Table of this House,—
 - (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 - (2.) A Return showing the number of passengers carried on said Railway during the said period.
 - (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 - (4.) A similar Return for the Great Northern Railway during the said period.
 - (5.) A similar Return for the Great Southern Railway during the said period.
3. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
4. MR. R. STEWART to move, That the Return in the case of Attorney General v. Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
5. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.

TUESDAY, 2 NOVEMBER.

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. J. SUTTON to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
2. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
3. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.

4. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
- (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
5. MR. MORRICE to move, That there be laid upon the Table of this House,—
- (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 - (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.

ORDER OF THE DAY:—

1. Road to Gladesville, *via* Balmain and Five Dock; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates, a sum not exceeding £400, to complete the Road to Gladesville *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.

TUESDAY, 9 NOVEMBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."

New South Wales.

No. 18.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 27 OCTOBER, 1869.

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

Questions on Notice Paper for to-day :—

(1.) Coal Shoots at Newcastle :—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) Whether he will lay on the Table of this House, a copy of the original specification of the works now in course of construction at Newcastle, for shipping coal from shoots; also, a copy of the advertisements calling for tenders?

(2.) Will the honorable gentleman inform the House—

The names of the tenderers?

The amount of the respective tenders?

The amount already expended?

The probable amount it will yet cost to complete the works?

The date the tender was accepted?

The period in which the contractor agreed to complete the contract?

The probable time it will yet take to complete the contract?

(3.) Have the Government made any provision for sidings; if so, when, and where?

(4.) Did the Government make application to the A. A. Company, or any other person, for land for sidings or other purposes for affording the necessary accommodation to persons shipping coal from the Government shoots at Newcastle; if so, when was the application made, and where is the ground situated?

(5.) How much ground is required?

(6.) What is it likely to cost?

(7.) When did the Government discover that they required more land for Railway purposes in connection with the abovementioned shoots?

Mr. Sutherland answered,—

(1.) Yes; copies will be prepared, and laid on the Table of the House.

(2.) Information will be furnished along with the foregoing.

(3.) Provision for sidings is now being made on the land formerly occupied by the Coal and Copper Company; and further provision is in contemplation on portions of land which the Government propose to obtain from the A. A. Company and the Executors of the late Dr. Mitchell.

(4.) Yes; and to the Executors of the late Dr. Mitchell applications were made on the 14th and 23rd July last, and on the 19th instant. The ground selected is immediately adjoining the Great Northern Railway.

(5.) 1 rood, 38 perches.

(6.) The amount will be fixed by arbitration.

(7.) In July last, it was discovered that a piece of land,—which was, until then, supposed to be the property of the Crown, and to have formed portion of the land formerly occupied by the Coal and Copper Company,—was the property of the late Dr. Mitchell, who had purchased it from the A. A. Company. This land being in the centre of the approaches to the shoots, it will be necessary to purchase it, which the Government propose doing.

(2.) Free Public Library :—Mr. S. Brown, on behalf of Mr. Hart, asked the Colonial Secretary, pursuant to Notice No. 2,—Have the Government made any, and if so, what rules or regulations for the supervision of books to be purchased for, or presented to, the Free Public Library?

Mr. Robertson answered,—The Government have not made any such regulations; it is the intention, however, of the Government, to appoint a Trust for the purpose of dealing with the whole matter, so soon as the time can be arranged for carrying it out. In the meantime, any books that may be presented (and a good many have been presented), will be received by the Librarian.

(3.)

(3.) Liberated State Prisoners:—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 3,—

(1.) Did he have a conference or interview with Mr. Kenealey, or any other of the liberated Irish prisoners, who lately arrived in Sydney from Western Australia?

(2.) If any such conference or interview took place, was it held at the office of a solicitor, who is a member of this House, and was it at the request of the Colonial Secretary or of Mr. Kenealey, or other of the released prisoners?

(3.) In such case, did the Colonial Secretary attend in his Ministerial capacity, or as President of the Irish National League?

Mr. Robertson answered,—Although I am quite sure this question is one that ought not to have been permitted to have been asked, I have no desire to refuse to give it an answer. I would say, in answering it, that throughout the whole time I have held the office of a Responsible Minister in various Governments,—extending in the aggregate to more than seven years,—I have ever believed it to be the duty of a Minister to furnish all proper information, however wanting in form the question of any honorable member might be. Believing, however, that the question of the honorable member has been devised for the purpose of offering me a gratuitous insult, I decline to answer it.

(4.) Power of Land Titles Department to deal with Property held by Trustees:—Dr. Lang asked the Secretary for Lands, pursuant to Notice No. 4,—Whether it is the intention of the Government to bring in a Bill, during the present Session, to enable the Land Titles Department to deal with property held by Trustees?

Mr. Forster answered,—The Government are advised that there is no necessity for such a Bill; but that Deeds issued to Trustees for public purposes can be dealt with under the existing law.

2. Member of Legislative Council as Witness:—Mr. Roberts moved, *without previous Notice*, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to consider and report upon the “Cumberland and Camden Bathurst-burr and Thistle Bill,” and that Committee being desirous to examine the Honorable Sir William Macarthur, Knight, Member of the Legislative Council, in reference thereto, requests that the Legislative Council will give leave to its said Member to attend and be examined by the said Committee, on such day and days as shall be arranged between him and the said Committee.

Legislative Assembly Chamber,
Sydney, 27th October, 1869.

Speaker.

Question put and passed.

3. Road from Rockley to Swallow's Nest (“*Formal*” *Motion*):—Mr. Driver moved, pursuant to Notice No. 1, That there be laid upon the Table of this House, copies of all Petitions, Correspondence, and Reports relative to the opening of the Road from Rockley to the Swallow's Nest.

Question put and passed.

4. Judicial Disqualifications Removal Bill (“*Formal*” *Motion*):—Mr. S. Brown moved, pursuant to Notice No. 3, for leave to bring in a Bill to remove disqualifications of Judges, Chairmen of Quarter Sessions, and Justices of the Peace, in certain cases.

Question put and passed.

5. Petition of Mrs. Mary Fogg (“*Formal*” *Motion*):—Mr. Driver moved, pursuant to Notice No. 4,—
(1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report to this House upon, the Petition of Mrs. Mary Fogg, presented to this House on the 5th day of March last.

(2.) That such Committee consist of Mr. Robertson, Mr. Farnell, Mr. Hart, Mr. J. Stewart, Mr. Dignam, Mr. Alexander, Mr. Neale, Mr. Burns, Mr. Stimpson, and the Mover.

Question put and passed.

6. Bogan Electorate Bill (“*Formal*” *Order of the Day*),—on motion of Mr. Lord, read a third time, and passed.

Mr. Lord then moved, That the Title of this Bill be “*An Act to enable certain Electors within the Police District of Dubbo to vote during the Year 1869–1870 for the Electoral District of The Bogan.*”

Question put and passed.

Whereupon Mr. Lord moved, That this 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 certain Electors within the Police District of Dubbo to vote during the Year 1869–1870 for the Electoral District of the Bogan,*” presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 27th October, 1869.

Speaker.

Question put and passed.

7. Prince Alfred Park Enclosure Bill (“*Formal*” *Order of the Day*),—on motion of Mr. Driver, read a third time, and passed.

Mr. Driver then moved, That the Title of this Bill be “*An Act to authorize the Erection and Maintenance of certain Buildings in Prince Alfred Park by the Municipal Council of the City of Sydney.*”

Question put and passed.

Whereupon Mr. Driver moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled “*An Act to authorize the Erection and Maintenance of certain Buildings in Prince Alfred Park by the Municipal Council of the City of Sydney,*” 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, 27th October, 1869.

Speaker.

Question put and passed.

8. Judicial Disqualifications Removal Bill:—Mr. S. Brown having *presented* this Bill, Bill, intituled “*A Bill to remove disqualifications of Judges Chairmen of Quarter Sessions and Justices of the Peace in certain cases,*”—read a first time.
Ordered to be printed, and that the second reading stand an Order of the Day for Friday next.
9. Postponements:—The Orders of the Day, Nos. 1, 2, 3, and 4 (*Government Business*), postponed, respectively, on motion of Mr. Samuel, until to-morrow.
10. Ways and Means:—The Order of the Day for the resumption of the Committee of Ways and Means having been read,—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.

And the Committee continuing to sit until after Midnight,—

THURSDAY, 28 OCTOBER, 1869, A.M.,—

The Chairman reported progress, and obtained leave to sit again at a later hour of the day.

11. Member of Legislative Council as Witness:—The Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 27th October, 1869, requesting leave for the Honorable Sir William Macarthur, Knight, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly on the “Cumberland and Camden Bathurst-burr and Thistle Bill,” the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

Legislative Council Chamber,
Sydney, 27th October, 1869.

T. A. MURRAY,
President.

The House adjourned, on motion of Mr. Robertson, at fourteen minutes past Two o'clock, A.M., until Three o'clock, P.M., This Day.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

THURSDAY, 28 OCTOBER.

Questions:—

1. MR. BYRNES *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) How many extra hours, beyond the ordinary office hours, have Mr. Whitton and Mr. Mason devoted to the extra duty cast upon them in supervising the Locomotive Department and the Maintenance of the Existing Lines of Railway?
(2.) Has any of the extra duty been performed by them in ordinary office hours; if so, what is the time occupied by each of those gentlemen in such extra duty?
2. MR. HOSKINS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) What is the rate per week charged by the Government as Store Rent for Goods stored at the various Stations on the Great Northern Railway?
(2.) Do the rates charged for the Storage of Goods at the different Stations on the Great Northern Railway vary; if so, what is the rate per week charged for the Storage of Goods at the Newcastle and Musclebrook Stations respectively?
3. MR. MORRICE *to ask* THE COLONIAL SECRETARY,—
(1.) With reference to my question, and the reply given thereto by the Honorable the Colonial Secretary on Friday, the 22nd instant.—Was any record kept in the office of the Council of Education of the number of times and the length of period the Hon. Geoffrey Eagar, M.P., attended to investigate the mode of keeping the accounts; if not, from whom was the information obtained?
(2.) What members of the Council of Education were present when it was determined to employ Mr. Eagar?
(3.) Was there no Accountant in the Public Service who might be considered competent to perform the duty for which the Hon. Geoffrey Eagar, M.P., was employed?
(4.) Was any application made to the Government for the services of any such officer?
4. MR. PIDDINGTON *to ask* THE COLONIAL TREASURER,—
(1.) What is the total annual amount of the deductions from the salaries of Public Officers under the 27th Vic. No. 11, at the present time?
(2.) What is the total annual amount of the pensions payable under the Superannuation Act at the present time?
(3.) What is the amount of the balance now remaining of the public endowment of £10,000, granted under section 16, 27th Vic. No. 11?
5. MR. WILSON *to ask* THE COLONIAL SECRETARY,—How many patients have been discharged from the Lunatic Asylums to the custody of their friends, under the recent Government regulations?

6. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
- (1.) Whether Mr. Mort, or any other person, is importing any locomotive engines for the Govern-ment other than those referred to in his answer on Tuesday last; if so, how many?
 - (2.) What will be the cost of the importation when placed upon our railway ready for work?
 - (3.) Are they to be inspected by Mr. John Fowler, or some person in England, or to be delivered here subject to the approval of our Engineer-in-Chief?
 - (4.) If inspected in England, what will be the per-centage and gross amount the Colony will have to pay for inspection?
7. MR. BYRNES to ask THE SECRETARY FOR PUBLIC WORKS,—What number of accidents have taken place during the last few days on the Southern and Western Lines of Railway, whether in the yard at the Redfern Station, or on either of the lines abovementioned,—with particulars of each accident?
- Contingent Notice of Motion :—*
1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Future Governors Salaries Reduction Bill; second reading.
2. Official Salaries Reduction Bill; second reading.
3. Customs Laws Consolidation and Amendment Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
4. Marine Board Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
5. Colonial Produce Distillation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
6. Mesne Process Amendment Bill; second reading.
7. Ways and Means; resumption of the Committee.
8. Amended Representation Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
9. Supply; resumption of the Committee.
10. Unclaimed Balances Appropriation Bill; second reading.
11. Cemeteries Regulation Bill; to be further considered in Committee.
12. Assisted Immigration Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
13. Conditional Purchasers Pre-lease Declaratory Bill; third reading.
14. Roads Acts Amendment Bill; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. MACLEAY to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the best mode of facilitating inland traffic, and upon the subject of Railway Extension generally.
 - (2.) That such Committee consist of Mr. Sutherland, Mr. Lucas, Mr. Lackey, Mr. Stimpson, Mr. W. Suttor, Mr. Morrice, Mr. Alexander, Mr. Lee, Mr. Hoskins, and the Mover.
2. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

ORDERS OF THE DAY :—

1. Sydney Boundaries Amendment Bill; third reading.
2. Re-erection of Ranken Bridge over Macquarie River; reception of Resolution from Committee of the Whole.

FRIDAY,

FRIDAY, 29 OCTOBER.

Questions :—

1. MR. LACKEY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government intend taking any steps for the repair of the Dam at George's River, Liverpool; a memorial, asking for these repairs having been submitted to the Government some time back?
2. MR. ROBERTS to ask THE SECRETARY FOR PUBLIC WORKS,—If he has any objection to state the number of Tickets issued at all Stations to and from Homebush, during the Race-meetings held at Homebush in the years 1868 and 1869; also, the gross receipts derived from the issue of the said Tickets?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Burials Regulation Bill; second reading.
2. Bridge over Cudgegong Creek, and repairs of Mudgee Road; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1870, a sum not exceeding £5,000, in addition to the sum annually voted for the Mudgee Road, for building a Bridge over the Cudgegong Creek; and any balance which may remain after building the said Bridge shall be expended upon those portions of the Road where repairs are most necessary.
3. Public Wharf at Blue's Point, St. Leonards; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
4. Judicial Disqualifications Removal Bill; second reading.

NOTICES OF MOTIONS :—

1. MR. CUNNEEN to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the allegations contained in the Petition of George Swinnerton Yarnton, presented to this House on the 14th October.
 - (2.) That such Committee consist of Mr. Robertson, Mr. Tighe, Mr. J. Stewart, Mr. R. Stewart, Mr. Farnell, Mr. Smart, Mr. Tunks, Mr. Neale, and the Mover.
2. MR. MCKAY to move, That there be laid upon the Table of this House,—
 - (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 - (2.) A Return showing the number of passengers carried on said Railway during the said period.
 - (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 - (4.) A similar Return for the Great Northern Railway during the said period.
 - (5.) A similar Return for the Great Southern Railway during the said period.
3. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
4. MR. R. STEWART to move, That the Return in the case of Attorney General v. Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
5. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.

TUESDAY, 2 NOVEMBER.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. SUTTON to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
2. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
3. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
4. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.

(2.)

- (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
- (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
- (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
5. MR. MORRICE to move, That there be laid upon the Table of this House,—
- (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
- (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.

ORDER OF THE DAY:—

1. Road to Gladesville, *via* Balmain and Five Dock; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates, a sum not exceeding £400, to complete the Road to Gladesville *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.

TUESDAY, 9 NOVEMBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."
-

New South Wales.

No. 19.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 28 OCTOBER, 1869.

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

Questions on Notice Paper for to-day :—

- (1.) Extra Duty performed by certain Officers of the Railway Department :—Mr. Byrnes asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) How many extra hours, beyond the ordinary office hours, have Mr. Whitton and Mr. Mason devoted to the extra duty cast upon them in supervising the Locomotive Department and the Maintenance of the Existing Lines of Railway?

(2.) Has any of the extra duty been performed by them in ordinary office hours; if so, what is the time occupied by each of those gentlemen in such extra duty?

Mr. Sutherland answered,—

(1 and 2.) Although I am aware that both these officers are repeatedly employed after office hours, as no record has been kept of such extra time, the information asked for cannot be supplied.

Mr. Hoskins withdrew the Question No 2.

- (2.) Employment of the Hon. Geoffrey Eagar, M.P., by the Council of Education :—Mr. Morrice asked the Colonial Secretary, pursuant to Notice No. 3,—

(1.) With reference to my question, and the reply given thereto by the Honorable the Colonial Secretary on Friday, the 22nd instant.—Was any record kept in the office of the Council of Education of the number of times and the length of period the Hon. Geoffrey Eagar, M.P., attended to investigate the mode of keeping the accounts; if not, from whom was the information obtained?

(2.) What Members of the Council of Education were present when it was determined to employ Mr. Eagar?

(3.) Was there no Accountant in the Public Service who might be considered competent to perform the duty for which the Hon. Geoffrey Eagar, M.P., was employed?

(4.) Was any application made to the Government for the services of any such officer?

Mr. Robertson answered,—Having placed myself in communication with the Council of Education, that body has furnished me with the following answers, which it seems to me desirable I should offer to the honorable member :—

“(1.) No written record was kept of Mr. Eagar’s attendance. The information was supplied by the Secretary and Accountant.

“(2.) Mr. Parkes was in the Chair, and Mr. Allen and Mr. Arnold were present.

“(3.) As the Servants of the Council of Education are employed under the provisions of the Public Schools Act, without reference to the Government, it was not considered by the Council that the services of any person in the public service could be made available for this particular duty any more than for other duties.

“(4.) No.”

I have given, as I thought was the most satisfactory mode, the precise answers furnished to me by the Council; but, as I differ from the Council in some regards, and as the questions are put to me, I think it my duty to say that, although the Council have furnished me with the answers I have given, I cannot but think they are in error in their view, as conveyed in the third answer. The 6th clause of the Public Schools Act has the following proviso :—“Provided always and it is hereby declared that the Council of Education shall in all matters be subject to the like control by the Governor and Executive Council as any other Department of the Public Service.” I would add, that

that I regret the Council did not apply to the Government for an Accountant, as a competent Accountant might have been provided for the work; and it seems to me that it might have been done without any extra expenditure.

- (3.) Superannuation Fund:—Mr. Piddington asked the Colonial Treasurer, pursuant to Notice No. 4,—
- (1.) What is the total annual amount of the deductions from the salaries of Public Officers under the 27th Vic. No. 11, at the present time?
 - (2.) What is the total annual amount of the pensions payable under the Superannuation Act at the present time?
 - (3.) What is the amount of the balance now remaining of the public endowment of £10,000, granted under section 16, 27th Vic. No. 11?
- Mr. Samuel answered,—
- (1.) £9,960.
 - (2.) £13,822.
 - (3.) £1,152 10s. 2d., against which there are outstanding claims to the amount of £3,668 14s. 8d., which cannot be liquidated until there are funds.

Mr. Wilson withdrew the Question No. 5.

- (4.) Locomotive Engines:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 6,—
- (1.) Whether Mr. Mort, or any other person, is importing any locomotive engines for the Government other than those referred to in his answer on Tuesday last; if so, how many?
 - (2.) What will be the cost of the importation when placed upon our railway ready for work?
 - (3.) Are they to be inspected by Mr. John Fowler, or some person in England, or to be delivered here subject to the approval of our Engineer-in-Chief?
 - (4.) If inspected in England, what will be the per-centage and gross amount the Colony will have to pay for inspection?
- Mr. Sutherland answered,—
- (1.) The Government have ordered from Messrs. Mort, Vale, and Vesey, six locomotive engines in addition to the ten formerly ordered under their contract with the Government for the supply of rolling stock in the Colony.
 - (2.) The cost of these engines, when placed on the railway ready for work, will be £19,500.
 - (3 and 4.) They will be inspected by the Engineer for inspecting Rolling Stock, &c., in the Colony.
- (5.) Accidents on Railways:—M. Byrnes asked the Secretary for Public Works, pursuant to Notice No. 7,—What number of accidents have taken place during the last few days on the Southern and Western Lines of Railway, whether in the yard at the Redfern Station, or on either of the lines abovementioned,—with particulars of each accident?

Mr. Sutherland answered,—There have been three trifling accidents:—

1. An engine off the points.
2. A slight collision by the ballast train coming into contact with the last carriage of a passenger train in the siding yard.
3. The breaking of an axle of a ballast waggon, near the Ashfield viaduct.

All these cases have been inquired into, and as soon as the evidence can be copied, it will be laid upon the Table of the House.

2. Paper:—Mr. Robertson laid upon the Table, Return to Order in reference to "Proposed Amendment of Public Schools Act," made by the Legislative Assembly, on motion of Mr. J. Stewart, on 14th October, 1869.
Ordered to be printed.
3. Town Hall:—Dr. Lang presented a Petition from certain inhabitants of the City of Sydney and Suburbs, stating that during the late Session of Parliament an Act was passed granting half an acre of land to the Municipal Council of Sydney for the purpose of erecting a Town Hall; that the said Municipal Council have commenced building a Town Hall on more land than granted, thereby subjecting the Citizens to a large penalty, and forfeiture of the land, with the building erected thereon; and praying that steps may be taken to restrain the Municipal Council from building on more than the half-acre of land granted.
Petition received.
4. Railway Extension ("Formal" Motion):—Mr. Macleay moved, pursuant to Notice No. 1,—
- (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the best mode of facilitating inland traffic, and upon the subject of Railway Extension generally.
 - (2.) That such Committee consist of Mr. Sutherland, Mr. Lucas, Mr. Lackey, Mr. Stimpson, Mr. W. Suttor, Mr. Morrice, Mr. Alexander, Mr. Lee, Mr. Hoskins, and the Mover.
- Question put and passed.
5. Postponements:—The Orders of the Day Nos. 1 to 6, inclusive (*Government Business*), postponed, respectively, on motion of Mr. Samuel, until Wednesday next.
6. Ways and Means:—The Order of the Day for the resumption of the Committee of Ways and Means having been read,—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.

And the Committee continuing to sit until after Midnight,—

FRIDAY, 29 OCTOBER, 1869, A.M.,—

The Chairman reported progress, and obtained leave to sit again on Wednesday next.

7. The Agricultural Society's Incorporation Bill:—The Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to incorporate a Society to be called 'The Agricultural Society of New South Wales,'*" presents the same to the Legislative Assembly for its concurrence, accompanied by a Copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon, together with a Copy of the Journals of the Society, volume 1, and No. 1 of volume 2, as containing the Rules and By-laws of the Society.

Legislative Council Chamber,
Sydney, 28th October, 1869.

T. A. MURRAY,
President.

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

Ordered to be printed, and that the second reading stand an Order of the Day for a later hour of the day.

The House adjourned, on motion of Mr. Robertson, at sixteen minutes past Two o'clock, A.M., until Three o'clock, P.M., This Day.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

FRIDAY, 29 OCTOBER.

Questions:—

1. MR. LACKEY to ask THE SECRETARY FOR PUBLIC WORKS,—Whether the Government intend taking any steps for the repair of the Dam at George's River, Liverpool; a memorial, asking for these repairs having been submitted to the Government some time back?
2. MR. ROBERTS to ask THE SECRETARY FOR PUBLIC WORKS,—If he has any objection to state the number of Tickets issued at all Stations to and from Homebush, during the Race-meetings held at Homebush in the years 1868 and 1869; also, the gross receipts derived from the issue of the said Tickets?
3. MR. LEE to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) What number of private pupils has the Engineer for Harbours and Rivers received since permission was given by the Minister to receive one?
 - (2.) What were the dates when the said pupils were received by Mr. Moriarty?
 - (3.) Have they been employed in the Public Department?
 - (4.) If so, have any of them received remuneration for their services in any capacity; and what amount?
4. MR. R. STEWART to ask THE COLONIAL SECRETARY,—
 - (1.) What date were Letters of Administration, in the estate of John Tebbutt, granted to Mr. D. B. Hutchinson, Prothonotary?
 - (2.) When did he collect the first money; what was the amount?
 - (3.) When did he collect the last money; what was the amount?
 - (4.) What has been the whole amount collected?
 - (5.) Why did he discontinue to collect money in this estate?
5. MR. WILSON to ask THE SECRETARY FOR LANDS,—When will Mr. Hensley's commission on the value of the land sold by him at Braidwood, on the 10th, 11th, and 12th of May last, be paid?
6. MR. STIMPSON to ask THE SECRETARY FOR LANDS,—
 - (1.) Do the Government intend to allow the present tenants of the Church and School Lands the same right to purchase their homesteads and the improvements thereon as the Crown tenants?
 - (2.) If so, at what time can the tenants make the application for the purchase?
7. MR. STIMPSON to ask THE SECRETARY FOR LANDS,—Do the Government intend the last Gold Fields Regulations published to apply to the Church and School Lands in the same way as all Crown Lands?

Contingent Notice of Motion:—

1. MR. LUCAS to move (on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill), That the Bill be recommitted for the purpose of considering the following new Clause:—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of one pound mark the four corners of the pre-leased land.

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

OTHER

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Burials Regulation Bill; second reading.
2. Bridge over Cudgegong Creek, and repairs of Mudgee Road; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1870, a sum not exceeding £5,000, in addition to the sum annually voted for the Mudgee Road, for building a Bridge over the Cudgegong Creek; and any balance which may remain after building the said Bridge shall be expended upon those portions of the Road where repairs are most necessary.
3. Public Wharf at Blue's Point, St. Leonards; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards.
4. Judicial Disqualifications Removal Bill; second reading.
5. The Agricultural Society's Incorporation Bill; second reading.
6. Sydney Boundaries Amendment Bill; third reading.
7. Re-erection of Ranken Bridge over Macquarie River; reception of Resolution from Committee of the Whole.

NOTICES OF MOTIONS:—

1. MR. CUNNEEN to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the allegations contained in the Petition of George Swinnerton Yarnton, presented to this House on the 14th October.
 - (2.) That such Committee consist of Mr. Robertson, Mr. Tighe, Mr. J. Stewart, Mr. R. Stewart, Mr. Farnell, Mr. Smart, Mr. Tunks, Mr. Neale, and the Mover.
2. MR. MCKAY to move, That there be laid upon the Table of this House,—
 - (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 - (2.) A Return showing the number of passengers carried on said Railway during the said period.
 - (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 - (4.) A similar Return for the Great Northern Railway during the said period.
 - (5.) A similar Return for the Great Southern Railway during the said period.
3. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary, a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
4. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
5. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
6. MR. LEE to move, That there be laid upon the Table of this House, copies of the following Papers:—
 - (1.) The bond and specification of the conditions and terms of the present contract for working the Newcastle Steam Coal Cranes; also, all correspondence, letters of complaints, and petitions in reference to the management of the said Cranes; and the Railway Store accounts, from May 14, 1868, to October 28, 1869.
 - (2.) The number of tons of coal the Government have received payment for, from the colliery owners or their agents, from May 14, 1868, to October 13, 1869, inclusive; also, the number of tons of coal the Government have paid the contractor for shipping by the Steam Cranes, for the same period.
 - (3.) What number of Cranes, out of the eight, have been broken down at one time during the contract?
7. DR. LANG to move, That the Petition presented by him on the 28th October, from certain inhabitants of the City of Sydney and Suburbs, in reference to the erection of the Town Hall on the land forming part of the Cathedral Close, be printed.
8. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Amended Representation Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
2. Supply; resumption of the Committee.
3. Unclaimed Balances Appropriation Bill; second reading.
4. Cemeteries Regulation Bill; to be further considered in Committee.
5. Assisted Immigration Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
6. Conditional Purchasers Pre-lease Declaratory Bill; third reading.
7. Roads Acts Amendment Bill; to be further considered in Committee.

TUESDAY, 2 NOVEMBER.

Questions :—

1. MR. HOSKINS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) What is the rate per week charged by the Government as Store Rent for Goods stored at the various Stations on the Great Northern Railway?
 - (2.) Do the rates charged for the Storage of Goods at the different Stations on the Great Northern Railway vary; if so, what is the rate per week charged for the Storage of Goods at the Newcastle and Muscleebrook Stations respectively?
2. MR. WILSON to ask THE COLONIAL SECRETARY,—How many patients have been discharged from the Lunatic Asylums to the custody of their friends, under the recent Government regulations?
3. MR. WILSON to ask THE COLONIAL SECRETARY,—
 - (1.) Has Dr. Manning sent to the Government any Report or Reports on the state of Tarban Creek Lunatic Asylum during the year 1869?
 - (2.) If so, when will they be laid on the Table of the House?
4. MR. WILSON to ask THE COLONIAL SECRETARY,—Which of the forty-four suggestions made by Dr. Manning, in his Report on the Hospital for the Insane, Tarban Creek, is it the intention of the Government to adopt?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. SUTTON to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
2. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
3. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
4. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
5. MR. MORRICE to move, That there be laid upon the Table of this House,—
 - (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 - (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.

ORDER OF THE DAY :—

1. Road to Gladesville, *via* Balmain and Five Dock; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates, a sum not exceeding £400, to complete the Road to Gladesville *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.

WEDNESDAY, 3 NOVEMBER.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Future Governors Salaries Reduction Bill; second reading.
2. Official Salaries Reduction Bill; second reading.
3. Customs Laws Consolidation and Amendment Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
4. Marine Board Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.

5. Colonial Produce Distillation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
 6. Mesne Process Amendment Bill; second reading.
 7. Ways and Means; resumption of the Committee.
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TUESDAY, 9 NOVEMBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."
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[6d.]

New South Wales.

No. 20.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 29 OCTOBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Dam at George's River, Liverpool:—Mr. Lackey asked the Secretary for Public Works, pursuant to Notice No. 1,—Whether the Government intend taking any steps for the repair of the Dam at George's River, Liverpool; a memorial, asking for these repairs having been submitted to the Government some time back?

Mr. Sutherland answered,—It is intended to take steps to repair the Dam at George's River.

Mr. Roberts withdrew the Question No. 2.

Mr. Lee withdrew the Question No. 3.

- (2.) Estate of John Tebbutt:—Mr. R. Stewart asked the Colonial Secretary, pursuant to Notice No. 4,—

(1.) What date were Letters of Administration, in the estate of John Tebbutt, granted to Mr. D. B. Hutchinson, Prothonotary?

(2.) When did he collect the first money; what was the amount?

(3.) When did he collect the last money; what was the amount?

(4.) What has been the whole amount collected?

(5.) Why did he discontinue to collect money in this estate?

Mr. Robertson answered,—

(1.) 10th April, 1858.

(2, 3, and 4.) I am unable to give the information asked. Mr. Hutchinson has raised objections to furnish it, which require reference to the Crown Law Officers.

(5.) By the advice of his Counsel, Mr. H. Milford.

- (3.) Commission on Land sold by Mr. Hensley at Braidwood:—Mr. Wilson asked the Secretary for Lands, pursuant to Notice No. 5,—When will Mr. Hensley's commission on the value of the land sold by him at Braidwood, on the 10th, 11th, and 12th of May last, be paid?

Mr. Forster answered,—I am unable to obtain any information on this subject, either in my office or at the Treasury.

- (4.) Church and School Lands Tenants:—Mr. Stimpson asked the Secretary for Lands, pursuant to Notice No. 6,—

(1.) Do the Government intend to allow the present tenants of the Church and School Lands the same right to purchase their homesteads and the improvements thereon as the Crown tenants?

(2.) If so, at what time can the tenants make the application for the purchase?

Mr. Forster answered,—

(1.) His Excellency the Governor has been advised to authorize the extension to Church and School Lands under lease of the principle applicable to ordinary Crown Lands, which permits the lessee to purchase at an appraised price, during the currency of his lease, any portion of the land held thereunder which may have been improved to the extent required by the Alienation Act.

(2.) The applications may be made at any time during the currency of the lease.

- (5.) Gold Fields Regulations:—Mr. Stimpson asked the Secretary for Lands, pursuant to Notice No. 7,—Do the Government intend the last Gold Fields Regulations published to apply to the Church and School Lands in the same way as all Crown Lands?

Mr. Forster answered,—His Excellency the Governor will be advised to authorize the extension to leases of auriferous Church and School Lands the principle of the regulation having reference to leases of auriferous Crown Lands.

2. Proposed Division of the Electorate of Eden:—Mr. Garrett presented a Petition from certain Inhabitants of the Police District of Broulee, stating that by the Electoral Act of 1858, this District was incorporated with the Police District of Eden, to form the Electoral District of Eden; and complaining of the inadequacy of their Parliamentary Representation; and praying that steps may be taken for forming the District of Broulee into a separate Electorate, to be called the Electoral District of Moruya, and entitled to return one Representative to Parliament.
Petition received.

3. Papers :—
- (1.) Mr. Robertson laid upon the Table the undermentioned Papers :—
 - (1.) Letter from Denis Donnelly, Esq., Returning Officer for the Gold Fields West, relative to the number of Voters in that Electorate.
 - (2.) Correspondence respecting the conviction of Hovell and Rangī, for the murder of a South Sea Islander, and the Opinion of the Judges thereon.
Ordered to be printed.
 - (2.) Mr. Samuel laid upon the Table, Return to Address in reference to "Appeals to Privy Council—*Regina v. Bertrand*, and *Regina v. Murphy*," adopted by the Legislative Assembly, on motion of Sir James Martin, on 5th October, 1869.
Ordered to be printed.
 4. Motion Withdrawn :—*Mr. McKay*, on behalf of Mr. R. Stewart, withdrew the Motion No. 4 standing in the name of Mr. R. Stewart on the Notice Paper for to-day.
 5. Newcastle Steam Coal Cranes ("Formal" Motion) :—Mr. Lee moved, pursuant to Notice No. 6, That there be laid upon the Table of this House, copies of the following Papers :—
 - (1.) The bond and specification of the conditions and terms of the present contract for working the Newcastle Steam Coal Cranes; also, all correspondence, letters of complaints, and petitions in reference to the management of the said Cranes; and the Railway Store accounts, from May 14, 1868, to October 28, 1869.
 - (2.) The number of tons of coal the Government have received payment for, from the colliery owners or their agents, from May 14, 1868, to October 13, 1869, inclusive; also, the number of tons of coal the Government have paid the contractor for shipping by the Steam Cranes, for the same period.
 - (3.) What number of Cranes, out of the eight, have been broken down at one time during the contract.
Question put and passed.
 6. Town Hall ("Formal" Motion) :—Dr. Lang moved, pursuant to Notice No. 7, That the Petition presented by him on the 28th October, from certain inhabitants of the City of Sydney and Suburbs, in reference to the erection of the Town Hall on the land forming part of the Cathedral Close, be printed.
Question put and passed.
Ordered to be printed.
 7. Postponement :—The Order of the Day for the second reading of the Burials Regulation Bill postponed, on motion of Mr. Farnell, until this day fortnight.
 8. Bridge over Cudgegong Creek, and Repairs of Mudgee Road :—The Order of the Day for the consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1870, a sum not exceeding £5,000, in addition to the sum annually voted for the Mudgee Road, for building a Bridge over the Cudgegong Creek; and any balance which may remain after building the said Bridge shall be expended upon those portions of the Road where repairs are most necessary,—having been read,—On motion of Mr. Lucas, the Speaker left the Chair, and the House resolved itself into the said Committee. The Chairman reported that the Committee had agreed to a Resolution.
Ordered, on motion of the Chairman, that the reception of the Resolution stand an Order of the Day for Tuesday next.
 9. Public Wharf at Blue's Point, St. Leonards :—The Order of the Day for the consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Estimates for the year 1870, a sum not exceeding £1,000 towards erecting a Public Wharf at Blue's Point, St. Leonards,—having been read,—On motion of Mr. Tunks, the Speaker left the Chair, and the House resolved itself into the said Committee.

The Speaker resumed the Chair.
 10. Judicial Disqualifications Removal Bill :—Mr. S. Brown moved, That this Bill be now read a second time.
Debate ensued.
Question put.
The House divided.

<p>Ayes, 13.</p> <p>Mr. Robertson, Mr. Garrett, Mr. Forster, Mr. S. Brown, Mr. Farnell, Mr. Lloyd, Mr. Lackey, Mr. Hoskins,</p>	<p>Mr. Piddington, Mr. Lucas, Mr. Tighe, <i>Tellers.</i> Mr. J. Stewart, Mr. Roberts.</p>	<p>Noes, 14.</p> <p>Mr. Byrnes, Mr. Wilson, Mr. Parkes, Mr. Sutherland, Mr. J. Suttor, Mr. Terry, Mr. Cummings, Mr. Burdekin,</p>	<p>Mr. Tunks, Mr. Graham, Mr. R. Stewart, Mr. Eagar, <i>Tellers.</i> Mr. McKay, Mr. Driver.</p>
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 11. The Agricultural Society's Incorporation Bill :—Mr. Driver moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.
On motion of Mr. Driver, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.
The Chairman having reported the Bill without Amendment, the House adopted that Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
 12. Postponement :—The Order of the Day for the third reading of the Sydney Boundaries Amendment Bill postponed, on motion of Mr. Garrett, until Tuesday next.

13. Re-erection of Ranken Bridge over Macquarie River :—The Chairman brought up a Resolution from a Committee of the Whole, which was read a first time, as follows :—

Resolved,—

That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates for the year 1870, a sum not exceeding £2,000 for the re-erection of the Ranken Bridge over the Macquarie River.

Resolution then, on motion of Mr. J. Suttor, read a second time and agreed to.

14. Motion Dropped :—Mr. Cunneen not making the Motion No. 1, standing in his name on the Notice Paper for to-day, it dropped.

The House adjourned, on motion of Mr. Sutherland, at sixteen minutes before Seven o'clock, until Tuesday next, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

TUESDAY, 2 NOVEMBER.

Questions :—

1. MR. HOSKINS to ask THE SECRETARY FOR PUBLIC WORKS,—
(1.) What is the rate per week charged by the Government as Store Rent for Goods stored at the various Stations on the Great Northern Railway?
(2.) Do the rates charged for the Storage of Goods at the different Stations on the Great Northern Railway vary; if so, what is the rate per week charged for the Storage of Goods at the Newcastle and Muscleebrook Stations respectively?
2. MR. WILSON to ask THE COLONIAL SECRETARY,—How many patients have been discharged from the Lunatic Asylums to the custody of their friends, under the recent Government regulations?
3. MR. WILSON to ask THE COLONIAL SECRETARY,—
(1.) Has Dr. Manning sent to the Government any Report or Reports on the state of Tarban Creek Lunatic Asylum during the year 1869?
(2.) If so, when will they be laid on the Table of the House?
4. MR. WILSON to ask THE COLONIAL SECRETARY,—Which of the forty-four suggestions made by Dr. Manning, in his Report on the Hospital for the Insane, Tarban Creek, is it the intention of the Government to adopt?
5. MR. ROBERTS to ask THE SECRETARY FOR PUBLIC WORKS,—If he has any objection to state the number of Tickets issued at all Stations to and from Homebush, during the Race-meetings held at Homebush in the years 1868 and 1869; also, the gross receipts derived from the issue of the said Tickets?
6. MR. LEE to ask THE SECRETARY FOR PUBLIC WORKS,—
(1.) What number of private pupils has the Engineer for Harbours and Rivers received since permission was given by the Minister to receive one?
(2.) What were the dates when the said pupils were received by Mr. Moriarty?
(3.) Have they been employed in the Public Department?
(4.) If so, have any of them received remuneration for their services in any capacity; and what amount?
7. MR. S. BROWN to ask THE SECRETARY FOR LANDS,—When the Papers relating to the Bunnawanah Runs, ordered by the House last Session to be produced, will be laid upon the Table?

Contingent Notice of Motion :—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

Conditional purchaser may take possession of land in certain cases.

Proviso.

If there should be two or more claimants for the pre-lease of the same land the surveyor who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Surveyor to make division of disputed land.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. SUTTOR to move,—
(1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
(2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
2. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.

3. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
- (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
4. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
- (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
5. MR. MORRICE to move, That there be laid upon the Table of this House,—
- (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 - (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.
6. MR. GARRETT to move, That the Petition presented by him on 29th October, from certain inhabitants of Broulee, praying additional Representation in Parliament, be printed.
7. MR. R. STEWART to move, That the Return in the case of Attorney General v. Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
8. MR. MCKAY to move, That there be laid upon the Table of this House,—
- (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 - (2.) A Return showing the number of passengers carried on said Railway during the said period.
 - (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 - (4.) A similar Return for the Great Northern Railway during the said period.
 - (5.) A similar Return for the Great Southern Railway during the said period.
9. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
10. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
11. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

ORDERS OF THE DAY :—

1. Road to Gladesville, *viâ* Balmain and Five Dock; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates, a sum not exceeding £400, to complete the Road to Gladesville *viâ* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
2. Bridge over Cudgegong Creek, and repairs of Mudgee Road; reception of Resolution from Committee of the Whole.
3. The Agricultural Society's Incorporation Bill; third reading.
4. Sydney Boundaries Amendment Bill; third reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Amended Representation Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
2. Supply; resumption of the Committee.
3. Unclaimed Balances Appropriation Bill; second reading.
4. Cemeteries Regulation Bill; to be further considered in Committee.
5. Assisted Immigration Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
6. Conditional Purchasers Pre-lease Declaratory Bill; third reading.
7. Roads Acts Amendment Bill; to be further considered in Committee.

WEDNESDAY, 3 NOVEMBER.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move for leave to introduce a Bill to amend the Industrial Schools Act of 1866.

ORDERS OF THE DAY:—

1. Future Governors Salaries Reduction Bill ; second reading.
2. Official Salaries Reduction Bill ; second reading.
3. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
4. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
5. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
6. Mesne Process Amendment Bill ; second reading.
7. Ways and Means ; resumption of the Committee.

 TUESDAY, 9 NOVEMBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill ; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."

 FRIDAY, 12 NOVEMBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Burials Regulation Bill ; second reading.
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New South Wales.

No. 21.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 2 NOVEMBER, 1869.

There being only Eighteen Members present, exclusive of the Speaker, namely,—Mr. Alexander, Mr. Bell, Mr. S. Brown, Mr. Cummings, Mr. Driver, Mr. Egan, Mr. Forster, Mr. Garrett, Mr. Hoskins, Mr. Lloyd, Mr. Macleay, Mr. McKay, Mr. Neale, Mr. Robertson, Mr. Samuel, Mr. B. Stewart, Mr. Stimpson, and Mr. Sutherland,—the Speaker adjourned the House, at half-past Three o'clock, until To-morrow, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

WEDNESDAY, 3 NOVEMBER.

Questions :—

1. MR. HOSKINS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) What is the rate per week charged by the Government as Store Rent for Goods stored at the various Stations on the Great Northern Railway ?
 - (2.) Do the rates charged for the Storage of Goods at the different Stations on the Great Northern Railway vary ; if so, what is the rate per week charged for the Storage of Goods at the Newcastle and Muslebrook Stations respectively ?
2. MR. WILSON *to ask* THE COLONIAL SECRETARY,—How many patients have been discharged from the Lunatic Asylums to the custody of their friends, under the recent Government regulations ?
3. MR. WILSON *to ask* THE COLONIAL SECRETARY,—
 - (1.) Has Dr. Manning sent to the Government any Report or Reports on the state of Tarban Creek Lunatic Asylum during the year 1869 ?
 - (2.) If so, when will they be laid on the Table of the House ?
4. MR. WILSON *to ask* THE COLONIAL SECRETARY,—Which of the forty-four suggestions made by Dr. Manning, in his Report on the Hospital for the Insane, Tarban Creek, is it the intention of the Government to adopt ?
5. MR. ROBERTS *to ask* THE SECRETARY FOR PUBLIC WORKS,—If he has any objection to state the number of Tickets issued at all Stations to and from Homebush, during the Race-meetings held at Homebush in the years 1868 and 1869 ; also, the gross receipts derived from the issue of the said Tickets ?
6. MR. LEE *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) What number of private pupils has the Engineer for Harbours and Rivers received since permission was given by the Minister to receive one ?
 - (2.) What were the dates when the said pupils were received by Mr. Moriarty ?
 - (3.) Have they been employed in the Public Department ?
 - (4.) If so, have any of them received remuneration for their services in any capacity ; and what amount ?
7. MR. S. BROWN *to ask* THE SECRETARY FOR LANDS,—When the Papers relating to the Bunnawanah Runs, ordered by the House last Session to be produced, will be laid upon the Table ?

Contingent

Contingent Notice of Motion :—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be re-committed for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to introduce a Bill to amend the Industrial Schools Act of 1866.

ORDERS OF THE DAY :—

1. Future Governors Salaries Reduction Bill ; second reading.
2. Official Salaries Reduction Bill ; second reading.
3. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
4. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
5. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
6. Mesne Process Amendment Bill ; second reading.
7. Ways and Means ; resumption of the Committee.
8. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
9. Supply ; resumption of the Committee.
10. Unclaimed Balances Appropriation Bill ; second reading.
11. Cemeteries Regulation Bill ; to be further considered in Committee.
12. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
13. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
14. Roads Acts Amendment Bill ; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. J. SUTTON to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
2. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
3. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
4. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard ; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.

5. MR. MORRICE to move, That there be laid upon the Table of this House,—
 - (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 - (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.
6. MR. GARRETT to move, That the Petition presented by him on 29th October, from certain inhabitants of Broulee, praying additional Representation in Parliament, be printed.
7. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
8. MR. MCKAY to move, That there be laid upon the Table of this House,—
 - (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 - (2.) A Return showing the number of passengers carried on said Railway during the said period.
 - (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 - (4.) A similar Return for the Great Northern Railway during the said period.
 - (5.) A similar Return for the Great Southern Railway during the said period.
9. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
10. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
11. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

ORDERS OF THE DAY:—

1. Road to Gladesville, *via* Balmain and Five Dock; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates, a sum not exceeding £400, to complete the Road to Gladesville *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
2. Bridge over Cudgegong Creek, and repairs of Mudgee Road; reception of Resolution from Committee of the Whole.
3. The Agricultural Society's Incorporation Bill; third reading.
4. Sydney Boundaries Amendment Bill; third reading.

TUESDAY, 9 NOVEMBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."

FRIDAY, 12 NOVEMBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Burials Regulation Bill; second reading.



New South Wales.

No. 22.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 3 NOVEMBER, 1869.

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

Questions on Notice Paper for to-day:—

(1.) Storage of Goods at Railway Stations:—Mr. Hoskins asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) What is the rate per week charged by the Government as Store Rent for Goods stored at the various Stations on the Great Northern Railway?

(2.) Do the rates charged for the Storage of Goods at the different Stations on the Great Northern Railway vary; if so, what is the rate per week charged for the Storage of Goods at the Newcastle and Musclebrook Stations respectively?

Mr. Sutherland answered,—

(1.) Should goods not be removed by consignees or agents within a reasonable time after arrival at the terminal station, a charge of (1s.) one shilling per ton per diem is made for storage.

(2.) The rates do not vary at the different stations.

(2.) Patients discharged from Lunatic Asylums:—Mr. Wilson asked the Colonial Secretary, pursuant to Notice No. 2,—How many patients have been discharged from the Lunatic Asylums to the custody of their friends, under the recent Government regulations?

Mr. Robertson answered,—Four patients have been discharged under section 1, and one under section 2 of the recent regulations. Several of the applications have been made by friends, but the sums asked for maintenance have been somewhat higher than the Superintendent has felt justified in recommending.

(3.) Tarban Creek Lunatic Asylum:—Mr. Wilson asked the Colonial Secretary, pursuant to Notice No. 3,—

(1.) Has Dr. Manning sent to the Government any Report or Reports on the state of Tarban Creek Lunatic Asylum during the year 1869?

(2.) If so, when will they be laid on the Table of the House?

Mr. Robertson answered,—No.

(4.) Hospital for the Insane, Tarban Creek:—Mr. Wilson asked the Colonial Secretary, pursuant to Notice No. 4,—Which of the forty-four suggestions made by Dr. Manning, in his Report on the Hospital for the Insane, Tarban Creek, is it the intention of the Government to adopt?

Mr. Robertson answered,—The Government will take time to consider.

Mr. Roberts not asking the Question No 5, it dropped.

Mr. Lee not asking the Question No. 6, it dropped.

Mr. S. Brown not asking the Question No. 7, it dropped.

2. Motion for Adjournment:—Mr. R. Stewart moved, That this House do now adjourn.

Debate ensued.

Question put and negatived.

3. Papers:—

(1.) Mr. Forster laid upon the Table, Return in reference to "Tenders for Runs in the Warrego District," made by the Legislative Assembly, on motion of Mr. S. Brown, on 23rd March, 1869.

Ordered to be printed.

(2.) Mr. Robertson laid upon the Table, Despatches relative to alleged abuses in connection with Polynesian Immigration.

Ordered to be printed.

4. Sale of Colonial Wines Regulation Act Amendment Bill:—Mr. Lackey having presented this Bill, Bill, intituled "*A Bill to amend the Sale of Colonial Wines Regulation Act*,"—read a first time.

Ordered to be printed, and that the second reading stand an Order of the Day for Friday week.

5. Motion Withdrawn:—Mr. J. Suttor withdrew the Motion No. 1 standing in his name on the Notice Paper for to-day.

6. Proposed Division of the Electorate of Eden (*"Formal" Motion*):—Mr. Garrett moved, pursuant to Notice No. 6, That the Petition presented by him on 29th October, from certain inhabitants of Broulee, praying additional Representation in Parliament, be printed.
Question put and passed.
Ordered to be printed.
7. The Agricultural Society's Incorporation Bill (*"Formal" Order of the Day*),—on motion of Mr. Lackey, read a third time, and *passed*.
Mr. Lackey then moved, That the Title of this Bill be "*An Act to incorporate a Society to be called 'The Agricultural Society of New South Wales.'*"
Question put and passed.
Whereupon Mr. Lackey moved, That this Bill be returned to the Legislative Council, with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day agreed to the Bill, intituled "*An Act to incorporate a Society to be called 'The Agricultural Society of New South Wales,'*" returns the same to the Legislative Council without amendment.
Legislative Assembly Chamber,
Sydney, 3rd November, 1869. Speaker.
- Question put and passed.
8. Industrial Schools Act Amendment Bill:—Mr. Robertson moved, pursuant to notice, for leave to introduce a Bill to amend the Industrial Schools Act of 1866.
Question put and passed.
9. Postponements:—The Orders of the Day, Nos. 1 to 6, inclusive (*Government Business*), postponed, respectively, on motion of Mr. Samuel, until to-morrow.
10. Ways and Means:—The Order of the Day for the Resumption of the Committee of Ways and Means having been read,—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.
The Chairman reported the following Point of Order, and obtained leave to sit again at a later hour of the day:—The honorable member for The Clarence had said, in reference to certain remarks of the honorable member for West Sydney (the Hon. Geoffrey Eagar)—"You dare not say that outside the House; if you do I will pull your nose for you." The said words, so used by the honorable member for The Clarence, were taken down, and ordered to be reported to the House.
The honorable member for The Clarence having, upon being called upon by the Speaker, admitted the correctness of the words as reported, withdrew.
Whereupon Mr. Wilson moved, That the words reported as used by the honorable member for The Clarence to the honorable member for West Sydney (the Hon. Geoffrey Eagar), namely,—
"You dare not say that outside the House; if you do I will pull your nose for you,"—are unparliamentary and disorderly, and ought to be withdrawn.
Debate ensued.
Mr. Samuel moved, that the Question be amended, by adding at the end thereof the words "but that the language used by the honorable member for West Sydney (the Hon. Geoffrey Eagar), to the effect that the honorable member for The Clarence was a boaster and a coward, was equally disorderly, and calculated to provoke the disorderly language of the honorable member for The Clarence."
Question,—That the words proposed to be added be so added,—put and passed (after Debate.)

And the House continuing to sit until after midnight,—

THURSDAY, 4 NOVEMBER, 1869, A.M.—

Question then,—That the words reported as used by the honorable member for The Clarence to the honorable member for West Sydney (the Hon. Geoffrey Eagar) namely—"You dare not say that outside the House; if you do I will pull your nose for you,"—are unparliamentary and disorderly, and ought to be withdrawn; but that the language used by the honorable member for West Sydney (the Hon. Geoffrey Eagar) to the effect that the honorable member for The Clarence was a boaster and a coward, was equally disorderly, and calculated to provoke the disorderly language of the honorable member for The Clarence,—put.

The House divided.

Ayes, 16.

Mr. Forster,	Mr. Lucas,
Mr. Wilson,	Sir James Martin,
Mr. Eagar,	<i>Tellers.</i>
Mr. Alexander,	Mr. Farnell,
Mr. Burns,	Mr. Walker.
Mr. Wisdom,	
Mr. J. Suttor,	
Mr. Lloyd,	
Mr. J. Stewart,	
Mr. Windeyer,	
Mr. Parkes,	
Mr. Piddington,	

Noes, 21.

Mr. Samuel,	Mr. Dodds,
Mr. Burdekin,	Mr. Cummings,
Mr. Egan,	Mr. McKay,
Mr. Sutherland,	Mr. Dignam,
Mr. Mucleay,	Mr. Hart,
Mr. Hoskins,	Mr. R. Stewart,
Mr. Neale,	Mr. Cunnocn,
Mr. Garrett,	<i>Tellers.</i>
Mr. Stimpson,	Mr. Church,
Mr. Bell,	Mr. Driver.
Mr. Terry,	
Mr. Morrice,	

On motion of Mr. Samuel, the Speaker left the Chair, and the Committee resumed.
The Chairman reported progress, and obtained leave to sit again at a later hour of the day.

The House adjourned, on motion of Mr. Samuel, at twenty-four minutes before Two o'clock, A.M., until Three o'clock, P.M., This Day.

W. M. ARNOLD,
Speaker.

NOTICES

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS
OF THE DAY.

THURSDAY, 4 NOVEMBER.

Questions :—

1. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill to amend the law relating to Gold Fields?
2. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill to amend the law relating to Marriage?
3. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill to amend the law relating to Municipal Institutions?
4. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill to amend the law relating to Railways?
5. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill to facilitate the artificial Supply of Water?
6. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill amending the Superannuation Act?
7. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill Regulating Commons?
8. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill for the more effectual Audit of Public Accounts?
9. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill for the amendment of the law relating to Lunacy?
10. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill for preventing the spread of Contagious Diseases?
11. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—When do the Government intend to introduce their Bill to amend the law relating to Friendly Societies?

Contingent Notice of Motion :—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

Conditional purchaser may take possession of land in certain cases.

Provide.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Surveyor to make division of disputed land.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Future Governors Salaries Reduction Bill ; second reading.
2. Official Salaries Reduction Bill ; second reading.
3. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
4. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
5. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
6. Mesne Process Amendment Bill ; second reading.
7. Ways and Means ; resumption of the Committee.
8. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
9. Supply ; resumption of the Committee.
10. Unclaimed Balances Appropriation Bill ; second reading.
11. Cemeteries Regulation Bill ; to be further considered in Committee.
12. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
13. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
14. Roads Acts Amendment Bill ; to be further considered in Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The names of all recipients of pensions under the Superannuation Act, with the annual rate of each of their pensions, and the total amount now payable.
 - (2.) The total annual amount of the deductions from the Salaries of Public Officers at the rate of 4 per cent. per annum.
 - (3.) The amount of the balance of the Public Endowment of £10,000, granted under section 16, 27th Vict. No. 11.
 - (4.) The particulars of any outstanding claims under Superannuation Act.
2. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The number of miles of railway open.
 - (2.) The number of passengers.
 - (3.) The tons of goods.
 - (4.) The total earnings for coaching.
 - (5.) The total earnings for goods.
 - (6.) Total combined earnings.
 - (7.) The total expenditure.
 - (8.) The net earnings.
 - (9.) Amount of capital invested.
 - (10.) The rate of interest.
 - (11.) The average working expenses per cent. on earnings—on the Southern, Western, Richmond, and Northern Railways, from 1 January, 1869, to 30 September, 1869.
3. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
4. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
5. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard ; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.
6. MR. MORRICE to move, That there be laid upon the Table of this House,—
 - (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 - (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.
7. MR. R. STEWART to move, That the Return in the case of Attorney General v. Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
8. MR. MCKAY to move, That there be laid upon the Table of this House,—
 - (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 - (2.) A Return showing the number of passengers carried on said Railway during the said period.
 - (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 - (4.) A similar Return for the Great Northern Railway during the said period.
 - (5.) A similar Return for the Great Southern Railway during the said period.
9. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
10. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
11. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

ORDERS

ORDERS OF THE DAY:—

1. Road to Gladesville, *via* Balmain and Five Dock; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates, a sum not exceeding £400, to complete the Road to Gladesville *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
2. Bridge over Cudgegong Creek, and repairs of Mudgee Road; reception of Resolution from Committee of the Whole.
3. Sydney Boundaries Amendment Bill; third reading.

 FRIDAY, 5 NOVEMBER.

Questions:—

1. MR. GARRETT *to ask* THE COLONIAL SECRETARY,—
 - (1.) Has the Council of Education any established rule upon which they act in the appointment of Local Patrons to Public Schools?
 - (2.) If any, what is it?
 - (3.) Does the Council keep a record of the recommendations upon which they make their appointments?
2. MR. WINDEYER *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Has the attention of the Government been directed to the fact that, since the construction of the Northern Railway, a number of trees have grown up close to the line?
 - (2.) Is the Government aware that the down train on the morning of the 24th ultimo, was stopped by a tree blown down during a storm on the previous night; and that as this happened on an incline, there was every danger of an accident occurring?
 - (3.) Will the Government take immediate steps for the clearing of the line and the removal of so obvious a danger?

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. WILSON *to move*, 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, a copy of all the proceedings taken at the Central Police Office on an application to transfer the license held by Adam Orr, of the "European Hotel," Castlereagh-street, to George Perry.

 TUESDAY, 9 NOVEMBER.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Maitland District Council Dissolution Bill; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."

 FRIDAY, 12 NOVEMBER.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Burials Regulation Bill; second reading.
2. Sale of Colonial Wines Regulation Act Amendment Bill; second reading.

NOTICE OF MOTION:—

1. MR. J. SUTTON *to move*,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.

New South Wales.

No. 23.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 4 NOVEMBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Gold Fields Act Amendment Bill:—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 1,—When do the Government intend to introduce their Bill to amend the law relating to Gold Fields?

Mr. Forster answered,—It has not been my fault, nor have the Government been to blame, that this Bill has not yet been laid upon the Table, as was promised, soon after the commencement of the Session. Instructions for the preparation of the Bill were given at least a month, if not more, before the Session began. But when the Bill came into my hands for final approval, I found it wholly unsuitable; and a second draft, prepared from the first, in the course of another fortnight, was still so unsuitable, that it appeared to me necessary to frame the Bill myself, before sending it to the Parliamentary Draftsman. This involved much personal labour, and considerable time. The Bill has been since submitted to another Draftsman, in whom I have every confidence, and will, I am assured, be ready in a few days,—and certainly before there will be any danger of the House being kept idle by having to wait for it, or any other measures.

- (2.) Marriage Law Amendment Bill:—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 2,—When do the Government intend to introduce their Bill to amend the law relating to Marriage?

Mr. Robertson answered,—The Bill for this purpose is quite ready. It is a matter that a large number of people take very great interest in; and I really think, Sir, that when the honorable member makes this inquiry of me, he ought to remember that the real difficulties in the way of the Government are the obstructions which himself and other honorable gentlemen have placed in their way.

- (3.) Municipalities Act Amendment Bill:—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 3,—When do the Government intend to introduce their Bill to amend the law relating to Municipal Institutions?

Mr. Robertson answered,—This Bill is another which is quite ready. It is one the necessity of which was impressed upon me by a deputation of gentlemen representing a great number of Municipalities,—I think every one within thirty or forty miles of Sydney; and it is in the same position as the other. When the Opposition, and my honorable friend as one of the leaders of the Opposition, will permit the Government to go on with the business, they will find the Government prompt in dealing with this question.

- (4.) Railways Act Amendment Bill:—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 4,—When do the Government intend to introduce their Bill to amend the law relating to Railways?

Mr. Robertson answered,—This is another question requiring, as it seems to me, much attention. The late Government—and, I fear, the present—have been acting contrary to law, in allowing honorable gentlemen to travel on the railway without legal authority. The Bill which it is intended by Government to introduce would rectify that and other abuses. The only reason for its not having been introduced is the obstruction with which we are met.

- (5.) Artificial Supply of Water Bill:—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 5,—When do the Government intend to introduce their Bill to facilitate the artificial Supply of Water?

Mr. Robertson answered,—This is another question, than which I hardly know one of more importance. In the tour which I lately had the pleasure of taking to the northern districts of the country, I visited many of the Gold Fields, and I found there that there was a great anxiety that something should be done with regard to the water supply; and knowing, as I did, that there is a very large sum of money—some £14,000 or £15,000—lying unowned in connection with the Mint, money the product of gold sent down to the Mint from time to time, and not claimed, it seemed

to

to me desirable that this money should be used to the advantage of the Gold Fields in providing a water supply. That the water supply might fairly be aided (at least as a loan, till the owners apply for it) by this money—which properly belonged to people connected with the Gold Fields—honorable members will remember that many years ago I introduced a Bill for the purpose of a water supply in the pastoral districts, and that I went farther than my honorable friends desired in describing the nature of this measure with regard to the water supply. I can only say that the reason this Bill has not been introduced, has been the obstruction of the honorable members on the other side.

- (6.) Superannuation Act Amendment Bill :—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 6,—When do the Government intend to introduce their Bill amending the Superannuation Act?

Mr. Robertson answered,—In answer to the honorable member's inquiry, I may say that my honorable friend the Colonial Treasurer is deeply impressed with the importance of this measure, and with the necessity of dealing with it, and he is prepared with a Bill having reference to the matter; but how can he deal with the question, when honorable members, hour after hour, night after night, and week after week, place useless obstructions in our way,—nothing but obstructions. We cannot get on with the public business, although most anxious to do so, and having the necessary measures prepared.

- (7.) Commons Regulation Bill :—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 7,—When do the Government intend to introduce their Bill Regulating Commons?

Mr. Forster answered,—I presume this is another charge against the Government of unfulfilled promises. The Bill has been before the other House about a fortnight.

- (8.) Audit Bill :—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 8,—When do the Government intend to introduce their Bill for the more effectual Audit of Public Accounts?

Mr. Robertson answered,—In reply to the honorable member, I would desire to impress, and I take this opportunity of doing it, upon the honorable member the extreme necessity of a measure of this kind. I am indisposed to make any allusion to what has passed; but I think what has passed has proved that there has been no proper control over the public accounts, and that the Parliament has no means of knowing what is going on with the public money. The present Treasurer, who has always been in the van in proposing some Parliamentary check in this matter, has a Bill prepared, which, when this obstruction ceases, he will bring forward.

- (9.) Lunacy Law Amendment Bill :—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 9,—When do the Government intend to introduce their Bill for the amendment of the law relating to Lunacy?

Mr. Robertson answered,—This is another matter which I do regret to say has been neglected by past Governments for many years. It is one that does require especial care and especial consideration, and is one urgently requiring the attention of the House. Sir, it is no business of mine to reflect upon those who have been charged with this business many years more than I have been, but I am deeply impressed with the necessity of a law of the kind. I think there is now in my office a Bill which has been prepared by Dr. Manning. We have had many interviews upon the matter, and it is now in the hands of that very suitable and highly qualified gentleman. I can scarcely imagine that it can be in better hands than those of Dr. Manning, and I believe I shall be able to bring it forward on Wednesday next, if honorable members will cease their obstruction.

- (10.) Spread of Contagious Diseases Prevention Bill :—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 10,—When do the Government intend to introduce their Bill for preventing the spread of Contagious Diseases?

Mr. Robertson answered,—This is another matter which we tried to deal with in some sort last Session: I refer to the Small Pox Bill, that the House disapproved of; at least a few honorable members talked us out of the measure. We have grown into that state of affairs in the House, that the minority settles the question of what shall, or shall not, pass, by mere talk. I regret it, but so it is. We are about to bring in Bills which will deal with several diseases of the character indicated in the question; and are quite in a position, if honorable members will cease their obstruction, to bring in these measures within the next week.

- (11.) Friendly Societies Act Amendment Bill :—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 11,—When do the Government intend to introduce their Bill to amend the law relating to Friendly Societies?

Mr. Robertson answered,—I hold in my hand the Bill; it is in charge of, and has been prepared I believe by, my honorable friend, the Secretary for Public Works, in conjunction with the representatives of several of these Societies. Here it is, and we are quite ready to bring it in; but how can we bring it in when honorable members do nothing but talk, talk, talk, talk?

2. Maitland Presbyterian Church Land Bill :—Mr. Dodds presented a Petition from John Morrison Saunders, of Maitland, gentleman, and others, praying for leave to bring in a Bill to enable the Trustees of certain church lands at Maitland to appropriate the income derivable from the same for the benefit of the Presbyterian Congregations of Maitland East and Maitland West, and to confer extended powers of leasing on the Trustees, and for other purposes.

And Mr. Dodds having produced the *Government Gazette* and the *Sydney Morning Herald* and *Maitland Mercury* newspapers, containing Notices, for four consecutive weeks, in the months of August and September, 1869, of the intention to apply for such Bill,—
Petition received.

3. Union-street, Goulburn, resumption and enclosure Bill :—The 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 authorize the resumption and enclosure of a portion of Union-street in the City of Goulburn,*" returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 3rd November, 1869.

T. A. MURRAY,
President.

4. Industrial Schools Act Amendment Bill :—Mr. Robertson having *presented* this Bill, Bill, intituled "*A Bill to amend the Industrial Schools Act of 1866*,"—read a first time.
Ordered to be printed, and that the second reading stand an Order of the Day for Wednesday next.
5. Superannuation Fund ("*Formal*" *Motion*) :—Mr. Piddington moved, pursuant to Notice No. 1,—That there be laid upon the Table of this House, a Return showing,—
 - (1.) The names of all recipients of pensions under the Superannuation Act, with the annual rate of each of their pensions, and the total amount now payable.
 - (2.) The total annual amount of the deductions from the Salaries of Public Officers at the rate of 4 per cent. per annum.
 - (3.) The amount of the balance of the Public Endowment of £10,000, granted under section 16, 27th Vict. No. 11.
 - (4.) The particulars of any outstanding claims under Superannuation Act.
 Question put and passed.
6. Postponements :—The undermentioned Orders of the Day postponed, respectively, by Mr. Samuel, as follows :—
 - Nos. 1 to 4, inclusive, until Wednesday next.
 - No. 5, to follow after No. 7.
 - No. 6, to follow after No. 14.
7. Ways and Means :—The Order of the Day for the resumption of the Committee of Ways and Means having been read,—On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into the said Committee.

And the Committee continuing to sit until after Midnight,—

FRIDAY, 5 NOVEMBER, 1869, A.M.,—

The Chairman reported progress, and obtained leave to sit again at a later hour of the day.

The House adjourned, on motion of Mr. Robertson, at seventeen minutes before Two o'clock, A.M., until Three o'clock, P.M., This Day.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

FRIDAY, 5 NOVEMBER.

Questions :—

1. MR. GARRETT *to ask* THE COLONIAL SECRETARY,—
 - (1.) Has the Council of Education any established rule upon which they act in the appointment of Local Patrons to Public Schools?
 - (2.) If any, what is it?
 - (3.) Does the Council keep a record of the recommendations upon which they make their appointments?
2. MR. WINDEYER *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Has the attention of the Government been directed to the fact that, since the construction of the Northern Railway, a number of trees have grown up close to the line?
 - (2.) Is the Government aware that the down train on the morning of the 24th ultimo, was stopped by a tree blown down during a storm on the previous night; and that as this happened on an incline, there was every danger of an accident occurring.
 - (3.) Will the Government take immediate steps for the clearing of the line and the removal of so obvious a danger?
3. MR. WISDOM *to ask* THE COLONIAL SECRETARY,—When will the Return, ordered by the House on the 30th September last, relative to the dismissal, &c., of certain public officers, be laid upon the Table?
4. MR. WALKER *to ask* THE COLONIAL TREASURER,—Are the Government taking—or do they intend taking—any steps to remedy the inconvenience to trade and the general public, in the refusal of the Banks and others to receive in payment the defaced and worn silver coinage at present in circulation?
5. MR. LEE *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) What number of private pupils has the Engineer for Harbours and Rivers received since permission was given by the Minister to receive one?
 - (2.) What were the dates when the said pupils were received by Mr. Moriarty?
 - (3.) Have they been employed in the Public Department?
 - (4.) If so, have any of them received remuneration for their services in any capacity; and what amount?
6. MR. WINDEYER *to ask* THE SECRETARY FOR LANDS,—
 - (1.) Was the draft of the Gold Fields Regulation Bill, with which the Secretary for Lands expressed dissatisfaction when answering a question of the honorable member for the Hawkesbury, yesterday, prepared by either of the Parliamentary Draftsmen, Mr. Oliver, or Mr. Wilkinson?
 - (2.) By whom was such draft Bill prepared?
7. MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—When the Return, relative to Appointments to the Civil Service, ordered on the 8th of October last, will be laid upon the Table?

Contingent

Contingent Notice of Motion :—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

NOTICE OF MOTION FOR SPECIAL ADJOURNMENT :—

1. MR. ROBERTSON to move, That this House, at its rising, do adjourn until Wednesday next.

OTHER BUSINESS—ORDERS OF THE DAY :—

- Road to Gladesville, *via* Balmain and Five Dock ; consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates, a sum not exceeding £400, to complete the Road to Gladesville *via* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route.
- Bridge over Cudgegong Creek, and repairs of Mudgee Road ; reception of Resolution from Committee of the Whole.
- Sydney Boundaries Amendment Bill ; third reading.

NOTICES OF MOTIONS :—

- MR. WILSON to move, 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, a copy of all the proceedings taken at the Central Police Office on an application to transfer the license held by Adam Orr, of the "European Hotel," Castlereagh-street, to George Perry.
- MR. DODDS to move for leave to bring in a Bill to enable the Trustees of certain Church Lands at Maitland to appropriate the income derivable from the same for the benefit of the Presbyterian Congregations of Maitland East and Maitland West, and to confer extended powers of leasing on the Trustees, and for other purposes.
- MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return showing,—
 - The number of miles of railway open.
 - The number of passengers.
 - The tons of goods.
 - The total earnings for coaching.
 - The total earnings for goods.
 - Total combined earnings.
 - The total expenditure.
 - The net earnings.
 - Amount of capital invested.
 - The rate of interest.
 - The average working expenses per cent. on earnings—on the Southern, Western, Richmond, and Northern Railways, from 1 January, 1869, to 30 September, 1869.
- MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
- MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
 - That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
- SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard ; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him.

7. **MR. MORRICE** to move, That there be laid upon the Table of this House,—
 - (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 - (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.
8. **MR. R. STEWART** to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
9. **MR. MCKAY** to move, That there be laid upon the Table of this House,—
 - (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 - (2.) A Return showing the number of passengers carried on said Railway during the said period.
 - (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 - (4.) A similar Return for the Great Northern Railway during the said period.
 - (5.) A similar Return for the Great Southern Railway during the said period.
10. **MR. S. BROWN** to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
11. **MR. LORD** to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
12. **MR. DRIVER** to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. **MR. SUTHERLAND** to move for leave to introduce a Bill to amend the laws relating to Friendly Societies.

ORDERS OF THE DAY :—

1. Ways and Means ; resumption of the Committee.
2. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
3. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
4. Supply ; resumption of the Committee.
5. Unclaimed Balances Appropriation Bill ; second reading.
6. Cemeteries Regulation Bill ; to be further considered in Committee.
7. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
8. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
9. Roads Acts Amendment Bill ; to be further considered in Committee.
10. Mesne Process Amendment Bill ; second reading.

TUESDAY, 9 NOVEMBER.

OTHER BUSINESS—NOTICE OF MOTION :—

1. **DR. LANG** to move,—
 - (1.) That a Select Committee be appointed to take into consideration the Petition from certain of the citizens of Sydney on the subject of the Town Hall now in progress of erection, together with the allegations and suggestions of that Petition, and to report.
 - (2.) That the said Committee consist of the following Members, viz. :—Mr. Eagar, Mr. Lucas, Mr. Neale, Mr. Oatley, Mr. Parkes, Mr. Piddington, Mr. R. Stewart, Mr. Sutherland, Mr. Wilson, and the Mover.

ORDER OF THE DAY :—

1. Maitland District Council Dissolution Bill ; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."

WEDNESDAY,

WEDNESDAY, 10 NOVEMBER.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Industrial Schools Act Amendment Bill ; second reading.
2. Future Governors Salaries Reduction Bill ; second reading.
3. Official Salaries Reduction Bill ; second reading.
4. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
5. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.

FRIDAY, 12 NOVEMBER.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Burials Regulation Bill ; second reading.
2. Sale of Colonial Wines Regulation Act Amendment Bill ; second reading.

NOTICE OF MOTION:—

1. MR. J. SUTTOR to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
-

New South Wales.

No. 24.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 5 NOVEMBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Local Patrons of Public Schools:—Mr. Garrett asked the Colonial Secretary, pursuant to Notice No. 1,—

(1.) Have the Council of Education any established rule upon which they act in the appointment of Local Patrons to Public Schools?

(2.) If any, what is it?

(3.) Do the Council keep a record of the recommendations upon which they make their appointments?

Mr. Samuel answered,—

(1.) As a general rule, the names of gentlemen to form Public School Boards are submitted to the Council of Education by the Inspector of the District where the school is situated. But, occasionally, names are submitted as additional members by the Public School Board itself, or by the Member of Parliament representing the District, or by residents. In such cases, either the Public School Board or the Inspector is referred to, before the names are transmitted to the Government for appointment.

(2.) All letters submitting names for Public School Boards are recorded in the office of the Council of Education.

Mr. Windeyer withdrew the Question No. 2.

Mr. Burns, on behalf of Mr. Wisdom, withdrew the Question No. 3.

- (2.) Defaced Silver Coins:—Mr. Walker asked the Colonial Treasurer, pursuant to Notice No. 4,—Are the Government taking—or do they intend taking—any steps to remedy the inconvenience to trade and the general public, in the refusal of the Banks and others to receive in payment the defaced and worn silver coins at present in circulation?

Mr. Samuel answered,—A similar question to this was put by the honorable member for Illawarra some time last month. The Government have taken steps to remedy the evil which at present exists with regard to the silver currency.

Mr. Lucas, on behalf of Mr. Lee, withdrew the Question No. 5.

- (3.) Gold Fields Act Amendment Bill—Parliamentary Draftsmen:—Mr. Windeyer asked the Secretary for Lands, pursuant to Notice No. 6,—

(1.) Was the draft of the Gold Fields Regulation Bill, with which the Secretary for Lands expressed dissatisfaction when answering a question of the honorable member for the Hawkesbury, yesterday, prepared by either of the Parliamentary Draftsmen, Mr. Oliver, or Mr. Wilkinson?

(2.) By whom was such draft Bill prepared?

Mr. Forster answered,—

(1.) I regret that the honorable member, in referring to what I said yesterday about a draft Bill, namely, that it was “wholly unsuitable,” has thought proper not to quote my precise words, but to adopt the exaggerated phrase that I “expressed dissatisfaction,” which I certainly did not, in those words. However, the draft Bill was not prepared by the gentlemen named, so far as I am aware.

(2.) By Mr. Cansdell, I believe; but it would be unfair to this gentleman to leave it to be inferred, as the honorable gentleman seems to infer, that I intended any complaint against any particular Draftsman, my object being simply to explain the delay, and to relieve the Government from blame.

Mr. J. Stewart withdrew the Question No. 7.

2. Papers:—

- (1.) Mr. Forster laid upon the Table the undermentioned Papers:—

(1.) Abstract of all Sites for Cities, Towns, and Villages, declared under the 4th section of the Act 25 Vic. No. 1, during the period from 1st October to 1st November, 1869.

(2.) Abstract of Crown Lands reserved from sale until surveyed, as the Sites for future Villages, in accordance with the 4th section of the Act 25 Vic. No. 1, during the period from 1st October to 1st November, 1869.

(3.)

(3.) Abstract of Crown Lands reserved from Sale until Surveyed, for the preservation of Water Supply or other Public purposes, in accordance with the 4th section of the Act 25 Vic. No. 1, during the period from 1st October to 1st November, 1869.

(4.) Return to Order in reference to "Trustees of Road from Terara to South Coast Road, Shoalhaven," made by the Legislative Assembly, on motion of Mr. Garrett, on 6th October, 1869.

(5.) Return to Order in reference to "Road from Alwrick to Raymond Terrace and Maitland Road," made by the Legislative Assembly, on motion of Mr. Wisdom, on 30th September, 1869.
Ordered to be printed.

(2.) Mr. Robertson laid upon the Table, By-laws of the Borough of Marrickville.
Ordered to be printed.

3. Maitland Presbyterian Church Land Bill ("*Formal*" *Motion*):—Mr. Dodds moved, pursuant to Notice No. 2, for leave to bring in a Bill to enable the Trustees of certain Church Lands at Maitland to appropriate the income derivable from the same for the benefit of the Presbyterian Congregations of Maitland East and Maitland West, and to confer extended powers of leasing on the Trustees, and for other purposes.
Question put and passed.
4. Special Adjournment:—Mr. Robertson moved, pursuant to notice, That this House, at its rising, do adjourn until Wednesday next.
Debate ensued.
Question put.
The House divided.

Ayes, 27.

Mr. Robertson,	Mr. Windeyer,
Mr. Samuel,	Mr. Bell,
Mr. Sutherland,	Mr. Morrice,
Mr. Egan,	Mr. Farnell,
Mr. Burns,	Mr. Driver,
Mr. Byrnes,	Mr. Tighe,
Mr. Lloyd,	Mr. Burdekin,
Mr. J. Suttor,	Mr. Dignam,
Mr. Dodds,	Mr. Garrett,
Sir James Martin,	Mr. Eagar,
Mr. Lord,	
Mr. Lucas,	<i>Tellers.</i>
Mr. Lyons,	Mr. Lackey,
Mr. R. Stewart,	Mr. Walker.
Mr. Wilson,	

Noes, 10.

Mr. Forster,
Mr. Hart,
Dr. Lang,
Mr. Terry,
Mr. Oatley,
Mr. Cummings,
Mr. McKay,
Mr. S. Brown,
<i>Tellers.</i>
Mr. Hoskins,
Mr. J. Stewart.

5. Motion Withdrawn:—Mr. S. Brown withdrew the Motion No. 10 standing in his name on the Notice Paper for to-day.
6. Maitland Presbyterian Church Land Bill:—Mr. Dodds having *presented* this Bill, and produced a Certificate of the payment of Twenty-five Pounds to the credit of the Consolidated Revenue of the Colony,—Bill, intituled "*A Bill to enable the Trustees of certain church lands at Maitland to appropriate the income derivable from the same for the benefit of the Presbyterian Congregations of Maitland East and Maitland West and to confer extended powers of leasing on the Trustees and for other purposes.*"—read a first time.
7. Road to Gladesville, *viâ* Balmain and Five Dock:—The Order of the Day for the consideration in Committee of the Whole of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates, a sum not exceeding £400, to complete the Road to Gladesville *viâ* Balmain and Five Dock, so as to render available an expenditure already made by the Government of £2,200 on this route,—having been read,—On motion of Mr. Lyons, the Speaker left the Chair, and the House resolved itself into the said Committee.
The Chairman reported that the Committee had agreed to a Resolution.
Ordered, on motion of the Chairman, That the reception of the Resolution stand an Order of the Day for Wednesday next.
8. Bridge over Cudgegong Creek, and Repairs of Mudgee Road:—The Chairman brought up a Resolution from a Committee of the Whole, which was read a first time by the Clerk, as follows:—
Resolved,—That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1870, a sum not exceeding £5,000, in addition to the sum annually voted for the Mudgee Road, for building a Bridge over the Cudgegong Creek; and any balance which may remain after building the said Bridge shall be expended upon those portions of the Road where repairs are most necessary.
Mr. Lucas then moved, That the Resolution be now read a second time.
Question put.
The House divided.

Ayes, 14.

Mr. Lackey,	Dr. Lang,
Mr. Burns,	Mr. Piddington,
Mr. Cummings,	Mr. Wilson,
Mr. Farnell,	Mr. Eagar,
Mr. J. Suttor,	<i>Tellers.</i>
Mr. Morrice,	Mr. Lyons,
Mr. Bell,	Mr. Lucas.
Mr. Terry,	

Noes, 14.

Mr. Forster,	Mr. J. Stewart,
Mr. Samuel,	Mr. Hart,
Mr. Sutherland,	Mr. Driver,
Mr. Egan,	Mr. Garrett,
Mr. Burdekin,	<i>Tellers.</i>
Mr. McKay,	Mr. Hoskins,
Mr. R. Stewart,	Mr. Oatley.
Mr. Dodds,	

The numbers being equal, the Speaker—in order that the subject might be further dealt with by the House—gave his vote with the *Ayes*, and declared the question to have passed in the *affirmative*.

Resolution read a second time.

Whereupon Mr. Lucas moved, That the Resolution be now agreed to.

Question put.

The

The House divided.

Ayes, 17.		Noes, 13.	
Sir James Martin,	Mr. Lucas,	Mr. Forster,	Mr. Garrett,
Mr. Eagar,	Mr. Morrice,	Mr. Samuel,	<i>Tellers.</i>
Mr. Windeyer,	Mr. Piddington,	Mr. Egan,	Mr. Driver,
Mr. Burns,	Mr. Wilson,	Mr. Sutherland,	Mr. J. Stewart.
Mr. Farnell,	Mr. Byrnes,	Mr. Burdekin,	
Mr. Cummings,	<i>Tellers.</i>	Mr. Hoskins,	
Mr. J. Suttor,		Mr. Oatley,	
Mr. Bell,	Mr. Lyons,	Mr. R. Stewart,	
Mr. Terry,	Mr. Lackey.	Mr. Dodds,	
Dr. Lang,		Mr. Hart,	

9. Sydney Boundaries Amendment Bill,—on motion of Mr. Hart, read a third time, and *passed*.
Mr. Hart then moved, That the Title of this Bill be "*An Act to amend the Boundaries of the City of Sydney.*"

Question put and passed.

Whereupon Mr. Hart moved, That this 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 Boundaries of the City of Sydney,*" presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 5th November, 1869.*

Speaker.

Question put and passed.

Notice being taken that there was not a Quorum present, the Speaker counted the House, and there being only Sixteen Members present, exclusive of the Speaker, namely:—Mr. Cummings, Mr. Dodds, Mr. Driver, Mr. Egan, Mr. Farnell, Mr. Forster, Mr. Hoskins, Dr. Lang, Mr. McKay, Mr. Morrice, Mr. Oatley, Mr. Samuel, Mr. J. Stewart, Mr. R. Stewart, Mr. Sutherland, and Mr. Terry,—the Speaker adjourned the House, at seven minutes after Six o'clock, until *Wednesday* next, at Three o'clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

WEDNESDAY, 10 NOVEMBER.

Questions:—

- MR. WINDEYER *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) Has the attention of the Government been directed to the fact that, since the construction of the Northern Railway, a number of trees have grown up close to the line?
(2.) Is the Government aware that the down train on the morning of the 24th ultimo, was stopped by a tree blown down during a storm on the previous night; and that as this happened on an incline, there was every danger of an accident occurring?
(3.) Will the Government take immediate steps for the clearing of the line and the removal of so obvious a danger?
- MR. WISDOM *to ask* THE COLONIAL SECRETARY,—When will the Return, ordered by the House on the 30th September last, relative to the dismissal, &c., of certain public officers, be laid upon the Table?
- MR. LEE *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) What number of private pupils has the Engineer for Harbours and Rivers received since permission was given by the Minister to receive one?
(2.) What were the dates when the said pupils were received by Mr. Moriarty?
(3.) Have they been employed in the Public Department?
(4.) If so, have any of them received remuneration for their services in any capacity; and what amount?
- MR. J. STEWART *to ask* THE COLONIAL SECRETARY,—When the Return, relative to Appointments to the Civil Service, ordered on the 8th of October last, will be laid upon the Table?
- MR. BURNS *to ask* THE COLONIAL SECRETARY,—When it is probable the Report of the Commission on Floods Prevention in the Hunter Districts will be laid upon the Table?
- SIR JAMES MARTIN *to ask* THE COLONIAL TREASURER,—
(1.) Whether the Government have paid James Hoskins, Esq., the sum of £150 as his fee for acting as arbitrator in the matter of the claim made by William Cummings, Esq., for compensation for damage sustained by him in consequence of the gold discovery in 1851?
(2.) If so, when, and out of what fund was such payment made?
(3.) Did His Excellency the Governor sign any warrant authorizing such payment?
- MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) What is the height from the top of high water to the bottom of each coal hopper in each staith at Newcastle?
(2.) Is it intended to haul the coal waggon and coal upon the staiths with locomotive or stationary engines?

Contingent

Contingent Notice of Motion :—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. SUTHERLAND to move for leave to introduce a Bill to amend the laws relating to Friendly Societies.

ORDERS OF THE DAY :—

1. Industrial Schools Act Amendment Bill ; second reading.
2. Future Governors Salaries Reduction Bill ; second reading.
3. Official Salaries Reduction Bill ; second reading.
4. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
5. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
6. Ways and Means ; resumption of the Committee.
7. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
8. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
9. Supply ; resumption of the Committee.
10. Unclaimed Balances Appropriation Bill ; second reading.
11. Cemeteries Regulation Bill ; to be further considered in Committee.
12. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
13. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
14. Roads Acts Amendment Bill ; to be further considered in Committee.
15. Mesne Process Amendment Bill ; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move,—
 - (1.) That a Select Committee be appointed to take into consideration the Petition from certain of the citizens of Sydney on the subject of the Town Hall now in progress of erection, together with the allegations and suggestions of that Petition, and to report.
 - (2.) That the said Committee consist of the following Members, viz. :—Mr. Eagar, Mr. Lucas, Mr. Neale, Mr. Oatley, Mr. Parkes, Mr. Piddington, Mr. R. Stewart, Mr. Sutherland, Mr. Wilson, and the Mover.
2. MR. WILSON to move, 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, a copy of all the proceedings taken at the Central Police Office on an application to transfer the license held by Adam Orr, of the "European Hotel," Castlereagh-street, to George Perry.
3. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The number of miles of railway open.
 - (2.) The number of passengers.
 - (3.) The tons of goods.
 - (4.) The total earnings for coaching.
 - (5.) The total earnings for goods.
 - (6.) Total combined earnings.
 - (7.) The total expenditure.
 - (8.) The net earnings.
 - (9.) Amount of capital invested.
 - (10.) The rate of interest.
 - (11.) The average working expenses per cent. on earnings—on the Southern, Western, Richmond, and Northern Railways, from 1 January, 1869, to 30 September, 1869.
4. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.

5. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
6. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him
7. MR. MORRICE to move, That there be laid upon the Table of this House,—
 (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.
8. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
9. MR. MCKAY to move, That there be laid upon the Table of this House,—
 (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 (2.) A Return showing the number of passengers carried on said Railway during the said period.
 (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 (4.) A similar Return for the Great Northern Railway during the said period.
 (5.) A similar Return for the Great Southern Railway during the said period.
10. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
11. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

ORDERS OF THE DAY:—

1. Maitland District Council Dissolution Bill; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."
2. Road to Gladesville, *via* Balmain and Five Dock; Reception of Resolution from Committee of the Whole.

THURSDAY, 11 NOVEMBER.

Question:—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 (1.) Has any money been voted for Screw Moorings at Newcastle; if so, when, and how much was voted?
 (2.) Did the Engineer for Rivers and Harbours attempt to fix a Screw Mooring at Newcastle; if so, was the attempt successful? If not successful, what was the reason? What has been the cost of the experiment up to this date, including the salary and travelling expenses of the Engineer for Rivers and Harbours, and any officer of his department, while engaged in devising and supervising the experiments?
 (3.) Have tenders been called for fixing Screw Moorings at Newcastle; if so, when were they called, and what is the last date upon which they were or are to be received?

FRIDAY, 12 NOVEMBER.

Question:—

1. MR. BURNS to ask THE SECRETARY FOR PUBLIC WORKS,—
 (1.) How many accidents have occurred on the respective lines of Railway from the 1st January, 1867, to the 30th September, 1869?
 (2.) The estimated value of the damage to property, and the amount paid as compensation for personal injuries on each line during the like period?
 (3.) What account has been debited with the said losses?
 (4.) Is it true that official reports of accidents to locomotives at Redfern Station have not been uniformly furnished with promptitude to the Government at the time of their occurrence?

OTHER

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Burials Regulation Bill ; second reading.
2. Sale of Colonial Wines Regulation Act Amendment Bill ; second reading.

NOTICES OF MOTIONS:—

1. MR. J. SUTTON to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
2. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
3. MR. DONDS to move,—
 - (1.) That the Bill to enable the Trustees of certain Church Lands at Maitland to appropriate the income derivable from the same for the benefit of the Presbyterian Congregations of Maitland East and Maitland West, and to confer extended powers of leasing on the Trustees, and for other purposes, be referred to a Select Committee, for consideration and report.
 - (2.) That such Committee consist of the following Members, viz. :—Mr. Burns, Mr. Farnell, Mr. Gordon, Mr. Graham, Dr. Lang, Mr. McKay, Mr. Nowlan, Mr. R. Stewart, Mr. Tighe, and the Mover.

TUESDAY, 16 NOVEMBER.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. NEALE to move,—
 - (1.) That, in the opinion of this House, it is necessary to the health and safety of the people of the City and Suburbs of Sydney, that the Government should resume the control of the Water Supply, and take immediate measures for carrying into effect the recommendation of the Sydney Water Commission, as contained in their Report laid upon the Table of this House on the 21st October last.
 - (2.) That the foregoing Resolution be presented by Address to His Excellency the Governor.

New South Wales.

No. 25.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 10 NOVEMBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Great Northern Railway:—Mr. Windeyer asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) Has the attention of the Government been directed to the fact that, since the construction of the Northern Railway, a number of trees have grown up close to the line?

(2.) Is the Government aware that the down train on the morning of the 24th ultimo, was stopped by a tree blown down during a storm on the previous night; and that as this happened on an incline, there was every danger of an accident occurring.

(3.) Will the Government take immediate steps for the clearing of the line and the removal of so obvious a danger?

Mr. Sutherland answered,—

(1.) The attention of the Government has recently been drawn to this matter.

(2.) The train was stopped on Maitland side of Woodford in consequence of a small sapling having fallen across the line. No damage was done, and the driver reports that he could have run through the obstruction without danger.

(3.) Every care is taken to remove anything that can prove dangerous to the traffic.

- (2.) Removal of Government Officers:—Mr. Burns, on behalf of Mr. Wisdom, asked the Colonial Secretary, pursuant to Notice No. 2,—When will the Return, ordered by the House on the 30th September last, relative to the dismissal, &c., of certain public officers, be laid upon the Table?

Mr. Robertson answered,—The Return is in hand, and will be presented as soon as completed.

- (3.) Mr. Moriarty, Engineer for Harbours and Rivers:—Mr. Lucas, on behalf of Mr. Lee, asked the Secretary for Public Works, pursuant to Notice No. 3,—

(1.) What number of private pupils has the Engineer for Harbours and Rivers received since permission was given by the Minister to receive one?

(2.) What were the dates when the said pupils were received by Mr. Moriarty?

(3.) Have they been employed in the Public Department?

(4.) If so, have any of them received remuneration for their services in any capacity; and what amount?

Mr. Sutherland answered,—

(1.) Two.

(2.) One was received on the 6th May, 1868. The other in February, 1869; but arrangements for receiving him had been made some months before.

(3.) Yes.

(4.) The first has been employed on the Surveys required for the Sydney Water Commission; and while so engaged, and only while absent from Sydney, has received the amount of his expenses—4s. per day. The latter has received nothing.

- (4.) Appointments to Civil Service since 1st November, 1868:—Mr. J. Stewart asked the Colonial Secretary, pursuant to Notice No. 4,—When the Return, relative to Appointments to the Civil Service, ordered on the 8th of October last, will be laid upon the Table?

Mr. Robertson answered,—The Returns are in hand, and will be presented as soon as they are completed.

- (5.) Floods Prevention in Hunter Districts:—Mr. Burns asked the Colonial Secretary, pursuant to Notice No. 5,—When it is probable the Report of the Commission on Floods Prevention in the Hunter Districts will be laid upon the Table?

Mr. Robertson answered,—Part of the evidence is in the hands of the printer; the residu of the evidence, and the report of the Commission, will be also immediately in his hands; and the report and evidence will be presented on completion.

(6.)

(6.) James Hoskins, Esq.:—Sir James Martin asked the Colonial Treasurer, pursuant to Notice No. 6,—

(1.) Whether the Government have paid James Hoskins, Esq., the sum of £150 as his fee for acting as arbitrator in the matter of the claim made by William Cummings, Esq., for compensation for damage sustained by him in consequence of the gold discovery in 1851?

(2.) If so, when, and out of what fund was such payment made?

(3.) Did His Excellency the Governor sign any warrant authorizing such payment?

Mr. Samuel answered,—

(1.) Yes.

(2.) On 6th October, 1869, out of the vote for unforeseen expenses, pending Parliamentary sanction.

(3.) Paid under authority of Minute of the Executive Council and the Governor's Warrant authorizing payment of expenses for the month of October.

(7.) Coal Staiths, Newcastle:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 7,—

(1.) What is the height from the top of high water to the bottom of each coal hopper in each staith at Newcastle?

(2.) Is it intended to haul the coal waggon and coal upon the staiths with locomotive or stationary engines?

Mr. Sutherland answered,—

	ft.	in.	ft.	in.	ft.	in.
(1.) Shoot No. 1	16	8	14	8	13	2
Shoot No. 2	14	4	12	4	10	10
Shoot No. 3	12	4	10	10		
Shoot No. 4	10	8	9	2		

(2.) With locomotive engines.

2. Papers:—

(1.) Mr. Robertson laid upon the Table the undermentioned Papers:—

(1.) Return to Address in reference to "Rodd v. Collins—Administration of Justice," adopted by the Legislative Assembly, on motion of Mr. Lucas, on 20th October, 1869.

(2.) Despatch respecting loan of Military Tents to the Volunteers.

(3.) Report from Trustees of Australian Museum for 1868.

(4.) Statistical Register of New South Wales for 1868.

Ordered to be printed.

(2.) Mr. Samuel laid upon the Table, Return to Order in reference to "Superannuation Fund," made by the Legislative Assembly, on motion of Mr. Piddington, on 4th November, 1869.

Ordered to be printed.

3. Grant for Road from West Maitland to Cessnock:—

(1.) Mr. Burns presented a Petition from Stephen Scholey, of East Maitland, in the Colony of New South Wales, Warden of the District Council of Maitland, praying that leave be granted to him to be represented by Counsel or Attorney, and to permit the said Counsel or Attorney to examine any witnesses who may attend to give evidence before the Select Committee now sitting on this subject.

(2.) Mr. Hoskins presented a Petition from Joseph Eckford, of West Maitland, praying that leave be granted to him to appear and be heard by himself, Counsel, or Attorney, and that he also have leave to examine witnesses who may give evidence before the Select Committee now sitting on this subject.

Petitions received.

4. Friendly Societies Act Amendment Bill ("Formal" Motion):—Mr. Sutherland moved, pursuant to Notice, for leave to introduce a Bill to amend the laws relating to Friendly Societies.

Question put and passed.

5. Town Hall ("Formal" Motion):—Dr. Lang moved, pursuant to Notice No. 1.—

(1.) That a Select Committee be appointed to take into consideration the Petition from certain of the citizens of Sydney on the subject of the Town Hall now in progress of erection, together with the allegations and suggestions of that Petition, and to report.

(2.) That the said Committee consist of the following Members, viz.:—Mr. Eagar, Mr. Lucas, Mr. Neale, Mr. Oatley, Mr. Parkes, Mr. Piddington, Mr. R. Stewart, Mr. Sutherland, Mr. Wilson, and the Mover.

Question put and passed.

6. Postponements:—The undermentioned Orders of the Day postponed, respectively, by Mr. Samuel, as follows:—

Nos. 1 to 4, inclusive, until to-morrow.

No. 5, to follow after No. 15.

7. Ways and Means:—On the Order of the Day for the resumption of the Committee of Ways and Means being read,—

Mr. Samuel moved, That the Speaker do now leave the Chair.

Debate ensued.

Question put and passed.

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

And the Committee continuing to sit until after Midnight,—

THURSDAY, 11 NOVEMBER, 1869, A.M.—

The Chairman reported progress, and obtained leave to sit again at a later hour of the day.

8. Messages :—The Speaker reported the following Messages from the Legislative Council :—

(1.) Bogan Electorate Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable certain Electors within the Police District of Dubbo to vote during the year 1869-1870 for the Electoral District of The Bogan*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,
Sydney, 10th November, 1869.

T. A. MURRAY,
President.

(2.) Prince Alfred Park Enclosure Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to authorize the Erection and Maintenance of certain Buildings in Prince Alfred Park by the Municipal Council of the City of Sydney*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,
Sydney, 10th November, 1869.

T. A. MURRAY,
President.

The House adjourned, on motion of Mr. Robertson, at twenty-seven minutes before One o'clock, A.M., until Three o'clock, P.M., This Day.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

THURSDAY, 11 NOVEMBER.

Questions :—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Has any money been voted for Screw Moorings at Newcastle; if so, when, and how much was voted?
 - (2.) Did the Engineer for Rivers and Harbours attempt to fix a Screw Mooring at Newcastle; if so, was the attempt successful? If not successful, what was the reason? What has been the cost of the experiment up to this date, including the salary and travelling expenses of the Engineer for Rivers and Harbours, and any officer of his department, while engaged in devising and supervising the experiments?
 - (3.) Have tenders been called for fixing Screw Moorings at Newcastle; if so, when were they called, and what is the last date upon which they were or are to be received?
2. MR. WILSON to ask THE COLONIAL TREASURER,—When will Mr. Hensley's commission on the value of the land sold by him at Braidwood, on the 10th, 11th, and 12th of May last, be paid?
3. MR. BELL to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to establish Public Industrial Schools in any of the interior Towns of the Northern Districts of the Colony, in accordance with the Act 30th Vic. No. 2?
4. MR. WILSON to ask THE SECRETARY FOR PUBLIC WORKS,—Is it the intention of the Government to establish a Refreshment Room at Nattai, or any other Station on the Southern Line of Railway?

Contingent Notice of Motion :—

1. MR. LUCAS to move (on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill), That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

Conditional purchaser may take possession of land in certain cases.

Provido.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of one pound mark the four corners of the pre-leased land.

Surveyor to make division of disputed land.

GOVERNMENT

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Industrial Schools Act Amendment Bill ; second reading.
2. Future Governors Salaries Reduction Bill ; second reading.
3. Official Salaries Reduction Bill ; second reading.
4. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
5. Ways and Means ; resumption of the Committee.
6. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
7. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
8. Supply ; resumption of the Committee.
9. Unclaimed Balances Appropriation Bill ; second reading.
10. Cemeteries Regulation Bill ; to be further considered in Committee.
11. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
12. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
13. Roads Acts Amendment Bill ; to be further considered in Committee.
14. Mesne Process Amendment Bill ; second reading.
15. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.

OTHER BUSINESS—NOTICES OF MOTIONS:—

1. MR. BURNS to move, That leave be given to Stephen Scholey, Esq., Warden of Maitland District Council, to be represented by Counsel or Attorney before the Select Committee on "Grant for Road from West Maitland to Cessnock"; and that the said Counsel or Attorney be permitted to examine the witnesses who may attend to give evidence before the said Select Committee.
2. MR. HOSKINS to move, That leave be given to Joseph Eckford, Esq., to be represented by Counsel, Attorney, or himself, before the Select Committee on "Grant for Road from West Maitland to Cessnock"; and that the said Counsel, Attorney, or the said Joseph Eckford, Esq., be permitted to examine witnesses who may attend to give evidence before the said Select Committee.
3. MR. WILSON to move, 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, a copy of all the proceedings taken at the Central Police Office on an application to transfer the license held by Adam Orr, of the "European Hotel," Castlereagh-street, to George Perry.
4. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The number of miles of railway open.
 - (2.) The number of passengers.
 - (3.) The tons of goods.
 - (4.) The total earnings for coaching.
 - (5.) The total earnings for goods.
 - (6.) Total combined earnings.
 - (7.) The total expenditure.
 - (8.) The net earnings.
 - (9.) Amount of capital invested.
 - (10.) The rate of interest.
 - (11.) The average working expenses per cent. on earnings—on the Southern, Western, Richmond, and Northern Railways, from 1 January, 1869, to 30 September, 1869.
5. MR. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
6. MR. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
7. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard ; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him

8. MR. MORRICE to move, That there be laid upon the Table of this House,—
 (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.
9. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
10. MR. MCKAY to move, That there be laid upon the Table of this House,—
 (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 (2.) A Return showing the number of passengers carried on said Railway during the said period.
 (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 (4.) A similar Return for the Great Northern Railway during the said period.
 (5.) A similar Return for the Great Southern Railway during the said period.
11. MR. LORN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
12. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

ORDERS OF THE DAY:—

1. Maitland District Council Dissolution Bill; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."
2. Road to Gladesville, *via* Balmain and Five Dock; Reception of Resolution from Committee of the Whole.

FRIDAY, 12 NOVEMBER.

Questions:—

1. MR. BURNS to ask THE SECRETARY FOR PUBLIC WORKS,—
 (1.) How many accidents have occurred on the respective lines of Railway from the 1st January, 1867, to the 30th September, 1869?
 (2.) The estimated value of the damage to property, and the amount paid as compensation for personal injuries on each line during the like period?
 (3.) What account has been debited with the said losses?
 (4.) Is it true that official reports of accidents to locomotives at Redfern Station have not been uniformly furnished with promptitude to the Government at the time of their occurrence?
2. MR. BURNS to ask THE SECRETARY FOR LANDS,—What course have the Government taken, or do they intend to take, with reference to the application for a special grant to render passable for goods traffic the road through Day or Thomas' Swamp, between West Maitland and Mulbring?

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Burials Regulation Bill; second reading.
2. Sale of Colonial Wines Regulation Act Amendment Bill; second reading.

NOTICES OF MOTIONS:—

1. MR. J. SUTTON to move,—
 (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
2. MR. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
3. MR. DODDS to move,—
 (1.) That the Bill to enable the Trustees of certain Church Lands at Maitland to appropriate the income derivable from the same for the benefit of the Presbyterian Congregations of Maitland East and Maitland West, and to confer extended powers of leasing on the Trustees, and for other purposes, be referred to a Select Committee, for consideration and report.
 (2.) That such Committee consist of the following Members, *viz.*:—Mr. Burns, Mr. Farnell, Mr. Gordon, Mr. Graham, Dr. Lang, Mr. McKay, Mr. Nowlan, Mr. R. Stewart, Mr. Tighe, and the Mover.
4. MR. CUNNEEN to move,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the allegations contained in the Petition of George Swinnerton Yarnton, presented to this House on the 14th October, 1869.
 (2.) That such Committee consist of Mr. Robertson, Mr. Tighe, Mr. J. Stewart, Mr. R. Stewart, Mr. Farnell, Mr. Smart, Mr. Tunks, Mr. Neale, and the Mover.

TUESDAY,

TUESDAY, 16 NOVEMBER.

Questions :—

1. MR. J. STEWART *to ask* THE POSTMASTER GENERAL,—
 - (1.) Whether *Government Gazettes* are counted as newspapers, or as parcels, in passing through the Post Office?
 - (2.) If counted as newspapers, what number was posted in 1868?
2. MR. J. STEWART *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether the Government has authorized, or intends to authorize, any expenditure of public money during this year, or the next, for repairs or alterations of the Sydney Grammar School?
 - (2.) If so, what sum, and from what vote?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. NEALE *to move*,—
 - (1.) That, in the opinion of this House, it is necessary to the health and safety of the people of the City and Suburbs of Sydney, that the Government should resume the control of the Water Supply, and take immediate measures for carrying into effect the recommendation of the Sydney Water Commission, as contained in their Report laid upon the Table of this House on the 21st October last.
 - (2.) That the foregoing Resolution be presented by Address to His Excellency the Governor.
2. MR. BYRNES *to move*, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The names of all Railway Contractors, the contract or contracts taken by each contractor, inclusive of Extensions, Station Houses, Goods Sheds, Gate Houses, and other Railway Expenditure.
 - (2.) The amount paid on account of each contract, whether under tender or schedule of prices; the number of miles of Railway in progress, and the amount payable on completion of existing contracts, together with costs of station accommodation and Gate Houses.
 - (3.) The total amount to the credit of the Government, applicable to Railway construction.

New South Wales.

No. 26.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 11 NOVEMBER, 1869.

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

Questions on Notice Paper for to-day:—

- (1.) Screw Moorings at Newcastle:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) Has any money been voted for Screw Moorings at Newcastle; if so, when, and how much was voted?

(2.) Did the Engineer for Rivers and Harbours attempt to fix a Screw Mooring at Newcastle; if so, was the attempt successful? If not successful, what was the reason? What has been the cost of the experiment up to this date, including the salary and travelling expenses of the Engineer for Rivers and Harbours, and any officer of his department, while engaged in devising and supervising the experiments?

(3.) Have tenders been called for fixing Screw Moorings at Newcastle; if so, when were they called, and what is the last date upon which they were or are to be received?

Mr. Sutherland answered,—

(1.) Yes; in 1862,—£1,425; and in 1867,—£1,000.

(2.) Yes; and the attempt was successful. The cost of eight Screw Moorings with buoys, chains, screwing apparatus, &c., has been £1,321 1s. 8d.

(3.) No.

- (2.) Commission on Land sold by Mr. Hensley at Braidwood:—Mr. Wilson asked the Colonial Treasurer, pursuant to Notice No. 2,—When will Mr. Hensley's commission on the value of the land sold by him at Braidwood, on the 10th, 11th, and 12th of May last, be paid?

Mr. Samuel answered,—Mr. Hensley's account was received at the Treasury, and forwarded to the Audit Office for the usual certificate that the account sales were rendered and proceeds paid to revenue. It was returned to the Treasury, and sent to the Lands Department on 5th instant for approval of payment of commission at the rate claimed, viz., 5 per cent. on proceeds of sale. On its return, if approved, payment will at once be made.

- (3.) Public Industrial Schools:—Mr. Dodds, on behalf of Mr. Bell, asked the Colonial Secretary, pursuant to Notice No. 3,—Is it the intention of the Government to establish Public Industrial Schools in any of the interior Towns of the Northern Districts of the Colony, in accordance with the Act 30th Vic. No. 2?

Mr. Robertson answered,—No applications have been made; but should applications be made, they will have the consideration of the Government.

- (4.) Railway Refreshment Room:—Mr. Wilson asked the Secretary for Public Works, pursuant to Notice No. 4,—Is it the intention of the Government to establish a Refreshment Room at Nattai, or any other Station on the Southern Line of Railway?

Mr. Sutherland answered,—Yes.

2. Mr. Alexander Walker Scott—Land taken by Hunter River Railway:—Mr. Lee, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose consideration and report this matter was referred on 1st October, 1869, together with Appendix.

Ordered to be printed.

3. Railway Extension:—Mr. Macleay, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose consideration and report this matter was referred on 28th October, 1869, together with Appendix.

Ordered to be printed.

4. Suspension of Standing Orders:—Mr. Samuel, with the concurrence of the House, moved (without notice), That the Standing Orders be suspended, with a view to the passing through all its stages in one day of a Bill to continue the Stamp Duties Acts of 1865.

Question put and passed.

5. Stamp Duties Acts Continuation Bill:—

(1.) Mr. Samuel moved for leave to introduce a Bill to continue "The Stamp Duties Act of 1865," and the Act intituled "An Act to amend the Stamp Duties Act of 1865."
Question put and passed.

(2.) Mr. Samuel having presented this Bill, intituled "*A Bill to continue 'The Stamp Duties Act of 1865,' and the Act intituled 'An Act to amend the Stamp Duties Act of 1865,'*"—read a first time. Ordered to be printed, and that the second reading stand an Order of the Day for this day.

6. Papers:—Mr. Robertson laid upon the Table:—

(1.) Supplementary Abstracts of Disbursements out of the Consolidated Revenue Fund, for the years 1852 to 1864.

Ordered to be printed.

(2.) Electoral Rolls for 1869-70.

7. Postponements:—The undermentioned Orders of the Day postponed, respectively, by Mr. Samuel, as follows:—

Nos. 1 to 4, inclusive, until Wednesday next.

No. 5, to follow after the last Order of the Day.

Nos. 6 and 7, until Wednesday next (after debate).

Nos. 8 to 15, until Wednesday next.

8. Roberts' Trust Bill:—The Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to enable the Trustees of the Will of Joseph Roberts deceased to sell certain Trust Real Estate and divide the proceeds of sale,*" returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,
Sydney, 11th November, 1869.

T. A. MURRAY,
Président.

9. Stamp Duties Acts Continuation Bill:—Mr. Samuel moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 22.

Mr. Samuel,	Mr. Lord,
Mr. Robertson,	Mr. Dodds,
Mr. Forster,	Mr. Bell,
Mr. Egan,	Mr. Burns,
Mr. Tighe,	Mr. Walker,
Mr. Lyons,	Mr. Terry,
Mr. Ryan,	Mr. Piddington,
Dr. Lang,	Mr. Garrett,
Mr. Parkes,	
Mr. Lucas,	<i>Tellers.</i>
Mr. Lee,	Mr. Hart,
Mr. Eagar,	Mr. Lloyd.

Noes, 6.

Mr. J. Campbell,
Mr. J. Stewart,
Mr. Cunneen,
Mr. Driver,
<i>Tellers.</i>
Mr. Farnell,
Mr. De Salis.

Bill read a second time.

On motion of Mr. Samuel, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider the Bill.

The Chairman having reported the Bill without amendment, the House adopted that Report.

Mr. Samuel then moved, That this Bill be now read a third time.

Debate ensued.

Question put.

The House divided.

Ayes, 30.

Mr. Robertson,	Mr. Bell,
Mr. Samuel,	Mr. Piddington,
Mr. Sutherland,	Mr. Lee,
Mr. Egan,	Mr. Isaacs,
Mr. Lyons,	Mr. Lackey,
Mr. Ryan,	Mr. Parkes,
Mr. Phelps,	Mr. Morrice,
Mr. Wilson,	Mr. W. Campbell,
Dr. Lang,	Mr. Burns,
Mr. Eagar,	Mr. Church,
Mr. McKay,	Mr. Hoskins,
Mr. Dodds,	Mr. Forster,
Mr. Graham,	
Sir James Martin,	<i>Tellers.</i>
Mr. Lord,	Mr. Alexander,
Mr. Lloyd,	Mr. Hart.

Noes, 8.

Mr. Tighe,
Mr. J. Stewart,
Mr. Tunks,
Mr. Farnell,
Mr. Cunneen,
Mr. R. Stewart,
<i>Tellers.</i>
Mr. De Salis,
Mr. Driver.

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

Mr. Samuel then moved, That the Title of this Bill be "*An Act to continue 'The Stamp Duties Act of 1865' and the Act intituled 'An Act to amend the Stamp Duties Act of 1865.'*"

Question put and passed.

Whereupon Mr. Samuel moved, That this 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 continue 'The Stamp Duties Act of 1865' and the Act intituled 'An Act to amend the Stamp Duties Act of 1865,'*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 11th November, 1869.

Speaker.

Question put and passed.

10.

10. Messages :—The Speaker reported the following Messages from the Legislative Council :—

(1.) George-street, Sydney, resumption and enclosure Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to authorize the resumption and enclosure of a portion of George-street in the City of Sydney*," returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,
Sydney, 11th November, 1869.

T. A. MURRAY,
President.

(2.) Stamp Duties Acts Continuation Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled "*An Act to continue 'The Stamp Duties Act of 1865' and the Act intituled 'An Act to amend the Stamp Duties Act of 1865'*,"—returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,
Sydney, 11th November, 1869.

T. A. MURRAY,
President.

11. Adjournment :—Mr. Robertson moved, That this House do now adjourn.

Debate ensued.

And the House continuing to sit until after Midnight,—

FRIDAY, 12 NOVEMBER, 1869, A.M.,—

Notice was taken that there was not a Quorum present ;—

Whereupon the Speaker counted the House, and there being only Eighteen Members present, exclusive of the Speaker, namely,—Mr. Burns, Mr. De Salis, Mr. Dodds, Mr. Eagar, Mr. Eckford, Mr. Farnell, Mr. Forster, Mr. Lucas, Mr. Parkes, Mr. Piddington, Mr. Robertson, Mr. Ryan, Mr. Samuel, Mr. Sutherland, Mr. Tunks, Mr. Walker, Mr. Wilson, and Mr. Windeyer,—the Speaker adjourned the House, at twenty-seven minutes before Two o'clock, A.M., until Three o'clock, P.M., This Day.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

FRIDAY, 12 NOVEMBER.

Questions :—

1. MR. BURNS to ask THE SECRETARY FOR PUBLIC WORKS,—

(1.) How many accidents have occurred on the respective lines of Railway from the 1st January, 1867, to the 30th September, 1869 ?

(2.) The estimated value of the damage to property, and the amount paid as compensation for personal injuries on each line during the like period ?

(3.) What account has been debited with the said losses ?

(4.) Is it true that official reports of accidents to locomotives at Redfern Station have not been uniformly furnished with promptitude to the Government at the time of their occurrence ?

2. MR. BURNS to ask THE SECRETARY FOR LANDS,—What course have the Government taken, or do they intend to take, with reference to the application for a special grant to render passable for goods traffic the road through Day or Thomas' Swamp, between West Maitland and Mulbring ?

3. MR. DE SALIS to ask THE SECRETARY FOR LANDS,—

(1.) With reference to the parish road described as "Queanbeyan to Tharwa, with a deviation at A. Cunningham's land," in the *Government Gazette* of 17th September last, declaring the same to be open,—has the Secretary for Lands confirmed the upper or lower track on such road where it crosses the Tuggeranong Valley ?

(2.) Has the Secretary for Lands taken, or does he intend to take, any steps towards closing against the public such of the said two tracks as has not been confirmed ?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Burials Regulation Bill ; second reading.

2. Sale of Colonial Wines Regulation Act Amendment Bill ; second reading.

3. Maitland District Council Dissolution Bill ; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."

4. Road to Gladesville, *via* Balmain and Five Dock ; Reception of Resolution from Committee of the Whole.

NOTICES OF MOTIONS:—

1. **MR. J. SUTOR** to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That at the foregoing Resolution be embodied in an Address to His Excellency the Governor.
2. **MR. S. BROWN** to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
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 - (1.) That the Bill to enable the Trustees of certain Church Lands at Maitland to appropriate the income derivable from the same for the benefit of the Presbyterian Congregations of Maitland East and Maitland West, and to confer extended powers of leasing on the Trustees, and for other purposes, be referred to a Select Committee, for consideration and report.
 - (2.) That such Committee consist of the following Members, viz.:—Mr. Burns, Mr. Farnell, Mr. Gordon, Mr. Graham, Dr. Lang, Mr. McKay, Mr. Nowlan, Mr. R. Stewart, Mr. Tighe, and the Mover.
4. **MR. CUNNEEN** to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the allegations contained in the Petition of George Swinnerton Yarnton, presented to this House on the 14th October, 1869.
 - (2.) That such Committee consist of Mr. Robertson, Mr. Tighe, Mr. J. Stewart, Mr. R. Stewart, Mr. Farnell, Mr. Smart, Mr. Tunks, Mr. Neale, and the Mover.
5. **MR. R. STEWART** to move, That there be laid upon the Table of this House, copies of all Correspondence and Minutes between the Auditor General and Secretary for Public Works; also, between the Secretary for Public Works and all other persons, with reference to the railway accounts and stock in store.
6. **MR. BURNS** to move, That leave be given to Stephen Scholey, Esq., Warden of Maitland District Council, to be represented by Counsel or Attorney before the Select Committee on “Grant for Road from West Maitland to Cessnock”; and that the said Counsel or Attorney be permitted to examine the witnesses who may attend to give evidence before the said Select Committee.
7. **MR. HOSKINS** to move, That leave be given to Joseph Eckford, Esq., to be represented by Counsel, Attorney, or himself, before the Select Committee on “Grant for Road from West Maitland to Cessnock”; and that the said Counsel, Attorney, or the said Joseph Eckford, Esq., be permitted to examine witnesses who may attend to give evidence before the said Select Committee.
8. **MR. WILSON** to move, 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, a copy of all the proceedings taken at the Central Police Office on an application to transfer the license held by Adam Orr, of the “European Hotel,” Castlereagh-street, to George Perry.
9. **MR. PIDDINGTON** to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The number of miles of railway open.
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 - (3.) The tons of goods.
 - (4.) The total earnings for coaching.
 - (5.) The total earnings for goods.
 - (6.) Total combined earnings.
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 - (8.) The net earnings.
 - (9.) Amount of capital invested.
 - (10.) The rate of interest.
 - (11.) The average working expenses per cent. on earnings—on the Southern, Western, Richmond, and Northern Railways, from 1 January, 1869, to 30 September, 1869.
10. **MR. GARRETT** to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
11. **MR. R. STEWART** to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
12. **SIR JAMES MARTIN** to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.
 - (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
 - (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him

13. MR. MORRICE to move, That there be laid upon the Table of this House,—
 (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
 (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.
14. MR. R. STEWART to move, That the Return in the case of Attorney General *v.* Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
15. MR. MCKLAY to move, That there be laid upon the Table of this House,—
 (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
 (2.) A Return showing the number of passengers carried on said Railway during the said period.
 (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
 (4.) A similar Return for the Great Northern Railway during the said period.
 (5.) A similar Return for the Great Southern Railway during the said period.
16. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
17. MR. DRYER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

TUESDAY, 16 NOVEMBER.

Questions :—

1. MR. J. STEWART to ask THE POSTMASTER GENERAL,—
 (1.) Whether *Government Gazettes* are counted as newspapers, or as parcels, in passing through the Post Office?
 (2.) If counted as newspapers, what number was posted in 1868?
2. MR. J. STEWART to ask THE SECRETARY FOR PUBLIC WORKS,—
 (1.) Whether the Government has authorized, or intends to authorize, any expenditure of public money during this year, or the next, for repairs or alterations of the Sydney Grammar School?
 (2.) If so, what sum, and from what vote?
3. MR. R. STEWART to ask THE COLONIAL SECRETARY,—With reference to Question No. 2, on Business Paper, Friday, 29th October, 1869,—what steps have the Government taken with reference to the objection made by the Curator of Intestate Estates (Mr. D. B. Hutchinson) to supply information as to the amount of money collected by him in the intestate estate of John Tebutt?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. NEALE to move,—
 (1.) That, in the opinion of this House, it is necessary to the health and safety of the people of the City and Suburbs of Sydney, that the Government should resume the control of the Water Supply, and take immediate measures for carrying into effect the recommendation of the Sydney Water Commission, as contained in their Report laid upon the Table of this House on the 21st October last.
 (2.) That the foregoing Resolution be presented by Address to His Excellency the Governor.
2. MR. BYRNES to move, That there be laid upon the Table of this House, a Return showing,—
 (1.) The names of all Railway Contractors, the contract or contracts taken by each contractor, inclusive of Extensions, Station Houses, Goods Sheds, Gate Houses, and other Railway Expenditure.
 (2.) The amount paid on account of each contract, whether under tender or schedule of prices; the number of miles of Railway in progress, and the amount payable on completion of existing contracts, together with costs of station accommodation and Gate Houses.
 (3.) The total amount to the credit of the Government, applicable to Railway construction.

WEDNESDAY, 17 NOVEMBER.

Contingent Notice of Motion :—

1. MR. LUCAS to move (*On the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause :—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Industrial Schools Act Amendment Bill ; second reading.
2. Future Governors Salaries Reduction Bill ; second reading.
3. Official Salaries Reduction Bill ; second reading.
4. Customs Laws Consolidation and Amendment Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
5. Colonial Produce Distillation Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
6. Amended Representation Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
7. Supply ; resumption of the Committee.
8. Unclaimed Balances Appropriation Bill ; second reading.
9. Cemeteries Regulation Bill ; to be further considered in Committee.
10. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
11. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
12. Roads Acts Amendment Bill ; to be further considered in Committee.
13. Mesne Process Amendment Bill ; second reading.
14. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
15. Ways and Means ; resumption of the Committee.

New South Wales.

No. 27.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 12 NOVEMBER, 1869.

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

* * * * *

Mr. Driver moved, That no record be made of the Points of Order which have arisen, nor of the Proceedings of the House in reference thereto.

Debate ensued.

Question put.

The House divided.

Ayes, 33.

Mr. Robertson,	Mr. J. Stewart,
Mr. Samuel,	Mr. Wilson,
Mr. Sutherland,	Mr. Piddington,
Mr. Burns,	Mr. Tunks,
Mr. Byrnes,	Mr. Dodds,
Mr. Hart,	Mr. Lucas,
Mr. Lyons,	Mr. Isaacs,
Mr. Lee,	Mr. Garrett,
Mr. Cummings,	Mr. Lackey,
Dr. Lang,	Mr. Eckford,
Mr. Parkes,	Mr. Farnell,
Mr. Windeyer,	Mr. Hoskins,
Mr. De Salis,	Mr. Tighe,
Mr. McKay,	<i>Tellers.</i>
Mr. Neale,	Mr. W. Campbell,
Mr. Eagar,	Mr. Driver.
Mr. Alexander,	
Mr. Bell,	

Noes, 2.

Tellers.

Mr. Forster,
Mr. Cunneen.

2. Papers:—

(1.) Mr. Robertson laid upon the Table, Return to Address in reference to "Cost of Luncheon provided for Volunteers in 1861," adopted by the Legislative Assembly, on motion of Mr. Parkes, on 9th February, 1869,—and moved that the document be printed.

Debate ensued.

Question put and passed.

Ordered to be printed.

(2.) Mr. Forster laid upon the Table, Return to Order in reference to "Mr. William Emery—Conditional Purchase of Crown Lands at Good Dog," made by the Legislative Assembly, on motion of Mr. Garrett, on 18th February, 1869.

3. Motion for Adjournment:—Mr. Robertson moved, That this House do now adjourn.

Debate ensued.

Motion by leave withdrawn.

4. Questions on Notice Paper for to-day:—

(1.) Railway Accidents:—Mr. Burns asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) How many accidents have occurred on the respective lines of Railway from the 1st January, 1867, to the 30th September, 1869?

(2.) The estimated value of the damage to property, and the amount paid as compensation for personal injuries on each line during the like period?

(3.) What account has been debited with the said losses?

(4.) Is it true that official reports of accidents to locomotives at Redfern Station have not been uniformly furnished with promptitude to the Government at the time of their occurrence?

Mr.

Mr. Sutherland answered,—

(1.) So far as the records of the office show, there have been 90 accidents in 1868 and 1869,—41 on the South and West, and 49 on the North. Of that number there were 30 in 1868, and the remainder in 1869. There is no record for 1867.

(2 and 3.) The answers to these questions cannot be obtained at present.

(4.) It is true that accidents have occurred at Redfern Station, and other places, with which the present Commissioner has not been made acquainted; in fact, it appears to have been intended to keep me in ignorance of them. In one case the extent of injury to an engine exceeded £100.

Mr. Burns not asking the Question No. 2, it dropped.

(2.) Parish Road—Queanbeyan to Tharwa :—Mr. De Salis asked the Secretary for Lands, pursuant to Notice No. 3,—

(1.) With reference to the parish road described as “Queanbeyan to Tharwa, with a deviation at A. Cunningham’s land,” in the *Government Gazette* of 17th September last, declaring the same to be open,—has the Secretary for Lands confirmed the upper or lower track on such road where it crosses the Tuggeranong Valley?

(2.) Has the Secretary for Lands taken, or does he intend to take, any steps towards closing against the public such of the said two tracks as has not been confirmed?

Mr. Forster answered,—

(1.) The upper or Lane road has been confirmed.

(2.) No steps have been taken towards closing the lower road. It is not the practice of the Lands Department to enforce rights of road which are considered to be capable of enforcement in a Court of Law.

5. Cumberland and Camden Bathurst-burr and Thistle Bill :—Mr. Lackey, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on 22nd October, 1869, together with Appendix.

Ordered to be printed.

6. Paper :—Mr. Sutherland laid upon the Table, Return to Address in reference to “New Refreshment Room, and Additions to Parliamentary Buildings,” adopted by the Legislative Assembly, on motion of Mr. Burns, on 22nd October, 1869.

Ordered to be printed.

7. Motion for Adjournment :—Mr. Robertson moved, That this House do now adjourn.

Debate ensued.

Notice was taken that there was not a Quorum present :—

Whereupon the Speaker counted the House, and there being only Sixteen Members present, exclusive of the Speaker, namely :—Mr. Burns, Mr. Cunneen, Mr. Dodds, Mr. Driver, Mr. Eagar, Mr. Eckford, Mr. Hoskins, Mr. Lee, Mr. Lloyd, Mr. Lucas, Mr. McKay, Mr. Neale, Mr. Robertson, Mr. Ryan, Mr. Tighe, and Mr. Wilson,—the Speaker adjourned the House, at five minutes before Nine o’clock, until Tuesday next, at Three o’clock.

W. M. ARNOLD,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS OF THE DAY.

TUESDAY, 16 NOVEMBER.

Questions :—

1. MR. J. STEWART *to ask* THE POSTMASTER GENERAL,—
(1.) Whether *Government Gazettes* are counted as newspapers, or as parcels, in passing through the Post Office?
(2.) If counted as newspapers, what number was posted in 1868?
2. MR. J. STEWART *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) Whether the Government has authorized, or intends to authorize, any expenditure of public money during this year, or the next, for repairs or alterations of the Sydney Grammar School?
(2.) If so, what sum, and from what vote?
3. MR. R. STEWART *to ask* THE COLONIAL SECRETARY,—With reference to Question No. 2, on Business Paper, Friday, 29th October, 1869,—what steps have the Government taken with reference to the objection made by the Curator of Intestate Estates (Mr. D. B. Hutchinson) to supply information as to the amount of money collected by him in the intestate estate of John Tebbutt?

OTHER BUSINESS—NOTICES OF MOTIONS :—

1. MR. NEALE *to move*,—
(1.) That, in the opinion of this House, it is necessary to the health and safety of the people of the City and Suburbs of Sydney, that the Government should resume the control of the Water Supply, and take immediate measures for carrying into effect the recommendation of the Sydney Water Commission, as contained in their Report laid upon the Table of this House on the 21st October last.
(2.) That the foregoing Resolution be presented by Address to His Excellency the Governor.

2. Mr. BYRNES to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The names of all Railway Contractors, the contract or contracts taken by each contractor, inclusive of Extensions, Station Houses, Goods Sheds, Gate Houses, and other Railway Expenditure.
 - (2.) The amount paid on account of each contract, whether under tender or schedule of prices; the number of miles of Railway in progress, and the amount payable on completion of existing contracts, together with costs of station accommodation and Gate Houses.
 - (3.) The total amount to the credit of the Government, applicable to Railway construction.
3. Mr. J. SUTTON to move,—
 - (1.) That, having reference to the present financial state of the Colony, it is the opinion of this House, that, after completion of the lines of Railway already authorized, no further Railway Extension should be undertaken by the Government, but be left to private enterprise.
 - (2.) That the foregoing Resolution be embodied in an Address to His Excellency the Governor.
4. Mr. S. BROWN to move, That having considered the papers relating to the Sydney Infirmary,—ordered on the 13th October, 1868, and 19th January, 1869, to be printed,—this House is of opinion that the Government should at once cause to be issued to the Trustees of such Infirmary a grant of the Land situate in Macquarie-street, Sydney, referred to in such papers.
5. Mr. DONNS to move,—
 - (1.) That the Bill to enable the Trustees of certain Church Lands at Maitland to appropriate the income derivable from the same for the benefit of the Presbyterian Congregations of Maitland East and Maitland West, and to confer extended powers of leasing on the Trustees, and for other purposes, be referred to a Select Committee, for consideration and report.
 - (2.) That such Committee consist of the following Members, viz.:—Mr. Burns, Mr. Farnell, Mr. Gordon, Mr. Graham, Dr. Lang, Mr. McKay, Mr. Nowlan, Mr. R. Stewart, Mr. Tighe, and the Mover.
6. Mr. CUNNEEN to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the allegations contained in the Petition of George Swinnerton Yarnton, presented to this House on the 14th October, 1869.
 - (2.) That such Committee consist of Mr. Robertson, Mr. Tighe, Mr. J. Stewart, Mr. R. Stewart, Mr. Farnell, Mr. Smart, Mr. Tunks, Mr. Neale, and the Mover.
7. Mr. R. STEWART to move, That there be laid upon the Table of this House, copies of all Correspondence and Minutes between the Auditor General and Secretary for Public Works; also, between the Secretary for Public Works and all other persons, with reference to the railway accounts and stock in store.
8. Mr. BURNS to move, That leave be given to Stephen Scholey, Esq., Warden of Maitland District Council, to be represented by Counsel or Attorney before the Select Committee on "Grant for Road from West Maitland to Cessnock"; and that the said Counsel or Attorney be permitted to examine the witnesses who may attend to give evidence before the said Select Committee.
9. Mr. HOSKINS to move, That leave be given to Joseph Eckford, Esq., to be represented by Counsel, Attorney, or himself, before the Select Committee on "Grant for Road from West Maitland to Cessnock"; and that the said Counsel, Attorney, or the said Joseph Eckford, Esq., be permitted to examine witnesses who may attend to give evidence before the said Select Committee.
10. Mr. WILSON to move, 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, a copy of all the proceedings taken at the Central Police Office on an application to transfer the license held by Adam Orr, of the "European Hotel," Castlereagh-street, to George Perry.
11. Mr. PRIDDINGTON to move, That there be laid upon the Table of this House, a Return showing,—
 - (1.) The number of miles of railway open.
 - (2.) The number of passengers.
 - (3.) The tons of goods.
 - (4.) The total earnings for coaching.
 - (5.) The total earnings for goods.
 - (6.) Total combined earnings.
 - (7.) The total expenditure.
 - (8.) The net earnings.
 - (9.) Amount of capital invested.
 - (10.) The rate of interest.
 - (11.) The average working expenses per cent. on earnings—on the Southern, Western, Richmond, and Northern Railways, from 1 January, 1869, to 30 September, 1869.
12. Mr. GARRETT to move, That the Report of the Select Committee on the Removal of Mr. Samuel Charles from the Commission of the Peace, presented to this House on the 23rd of March last, be adopted.
13. Mr. R. STEWART to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That it is necessary to the adequate representation of the people in this House that Country Members should be compensated, to meet the cost of their residence in Sydney.
 - (2.) That an Address be presented to His Excellency the Governor, requesting that steps may be taken to carry out the above Resolution.
14. SIR JAMES MARTIN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return setting forth,—
 - (1.) A copy of the letter, dated 19th June, 1865, from the Under Secretary for Lands to the Director of the Botanic Gardens announcing to him the appointment, with the approval of the Executive Council, of Mr. William Heard as Overseer of Haslem's Creek.
 - (2.) A copy of the letter, dated 18th February, 1869, from the Director of the Botanic Gardens to Mr. Heard, informing him, by direction of the Secretary for Lands, that as the office of Overseer at Haslem's Creek was unnecessary, and economy more than ever desirable, his services would be dispensed with at the end of the month.

- (3.) A copy of any minute or letter appointing any one after the 18th February, 1869, to the situation on that date held by Mr. Heard; or, if there is no such letter or minute, a statement of the name of any one appointed to succeed Mr. Heard, with the date of his appointment.
- (4.) Copies of any other minutes or letters, in any Government Department, in reference to the appointment and removal of Mr. Heard, or to the appointment of any one to succeed him
15. MR. MORRICE to move, That there be laid upon the Table of this House,—
- (1.) Copies of any Minute or Minutes of Proceedings before the Council of Education, or of any Vote or Resolution of the said Council, having reference to the employment of the Hon. Geoffrey Eagar, M.P., as Accountant or as Examiner of Accounts by the said Council.
- (2.) Copies of any Correspondence between the Council of Education and any person or persons upon the same subject.
16. MR. R. STEWART to move, That the Return in the case of Attorney General v. Elliott and others, ordered by this House on 23rd February, and laid upon the Table on 25th March, 1869, be printed.
17. MR. MCKAY to move, That there be laid upon the Table of this House,—
- (1.) A Return showing the number of tons of goods carried on the Great Western Railway, from the 1st day of January to the 30th September, 1869.
- (2.) A Return showing the number of passengers carried on said Railway during the said period.
- (3.) A Return showing the gross earnings from all sources on said Railway during the said period.
- (4.) A similar Return for the Great Northern Railway during the said period.
- (5.) A similar Return for the Great Southern Railway during the said period.
18. MR. LORD to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence, Memorials, and Petitions from the different Benches of Magistrates and other parties in the Colony, to the Colonial Secretary and Inspector General of Police; also copies of all Correspondence between the Inspector General of Police and the Colonial Secretary relative to the removal and appointment of Police Magistrates, and to the changes made in the Police Force generally.
19. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimates, a sum not exceeding £1,000 for the purpose of defraying the cost of completing the Captain Cook Statue, now in course of erection in Hyde Park.

ORDERS OF THE DAY:—

1. Burials Regulation Bill; second reading.
2. Sale of Colonial Wines Regulation Act Amendment Bill; second reading.
3. Maitland District Council Dissolution Bill; resumption of the adjourned Debate on the motion of Mr. Burns, "That this Bill be now read a second time."
4. Road to Gladesville, *via* Balmain and Five Dock; Reception of Resolution from Committee of the Whole.

WEDNESDAY, 17 NOVEMBER.

Contingent Notice of Motion:—

1. MR. LUCAS to move (*on the Motion being made for the third reading of the Conditional Purchasers Pre-lease Declaratory Bill*), That the Bill be recommitted for the purpose of considering the following new Clause:—

3. Upon payment to the Land Agent of the district the rent as provided by the fifth section of the twelfth clause of the Crown Lands Occupation Act any conditional purchaser under the Crown Lands Alienation Act shall be entitled to take possession of any unimproved Crown Land which may adjoin his conditional purchase to the extent of three times the number of acres as he may have purchased and as regards this pre-leased land he shall have all the rights and privileges enjoyed by the pastoral tenants of Crown Lands and the pastoral tenant shall cease to have any right to the lands so pre-leased. Provided that such pre-leased land shall if practicable be so taken that one-third shall be situated at the back and one-third at each side of the purchased land by right of which such pre-lease is granted and if not practicable then the pre-leased land shall be so taken as to form together with the purchased land a block as nearly rectangular as possible.

If there should be two or more claimants for the pre-lease of the same land the surveyor who who may be appointed to survey the purchased land "by right of which the pre-lease is granted" shall at the same time make a fair division of such disputed land amongst the respective claimants and shall also at the request of any person concerned and upon receiving a fee of *one pound* mark the four corners of the pre-leased land.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Industrial Schools Act Amendment Bill; second reading.
2. Future Governors Salaries Reduction Bill; second reading.
3. Official Salaries Reduction Bill; second reading.
4. Customs Laws Consolidation and Amendment Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to consolidate and amend the Laws relating to the Customs.
5. Colonial Produce Distillation Bill; consideration in Committee of the Whole of the propriety of introducing a Bill to provide greater facilities for, and to regulate Distillation from, articles the produce of the Colony.
6. Amended Representation Bill; resumption of the adjourned Debate on the motion of Mr. Robertson, "That this Bill be now read a second time."
7. Supply; resumption of the Committee.
8. Unclaimed Balances Appropriation Bill; second reading.
9. Cemeteries Regulation Bill; to be further considered in Committee.

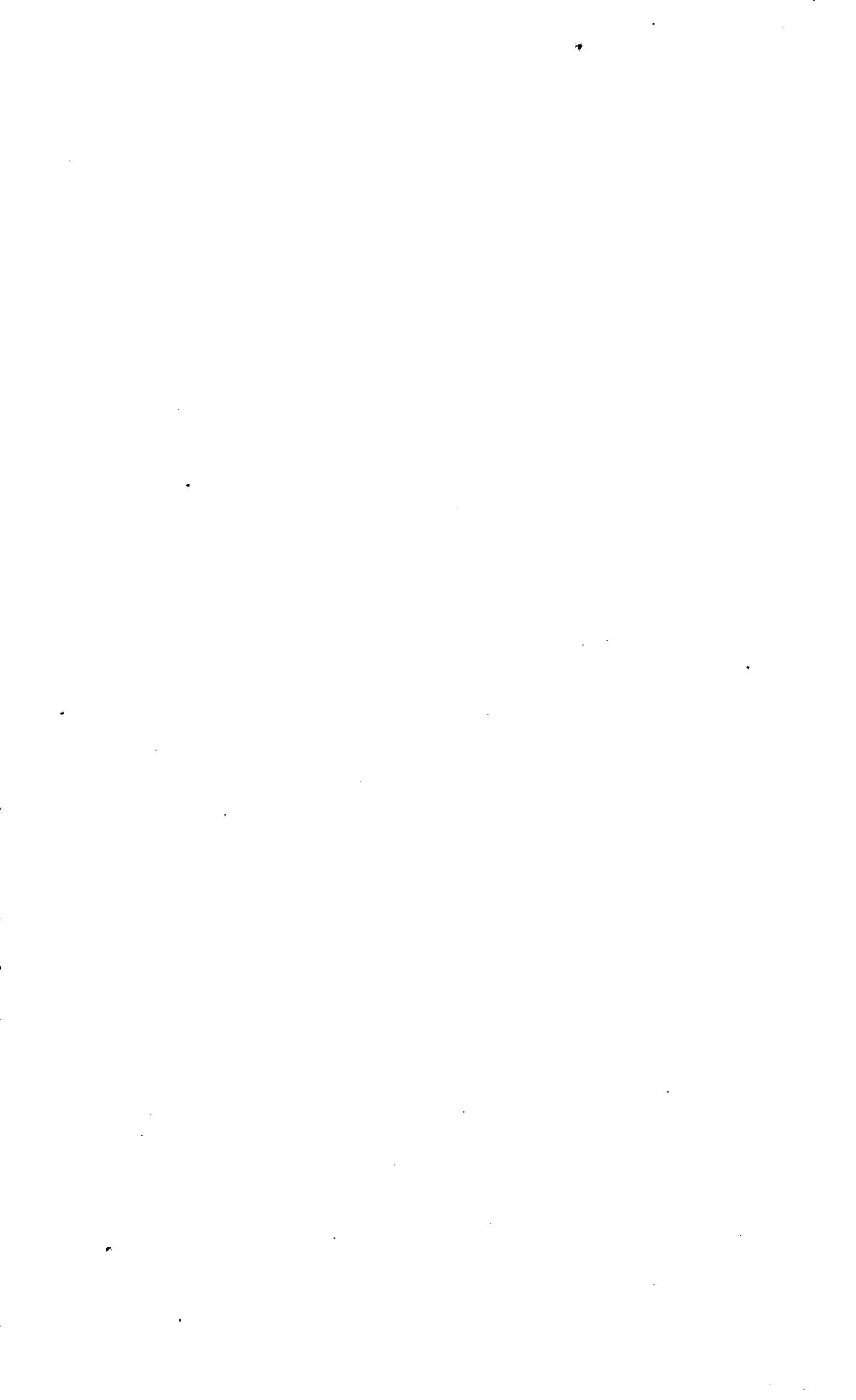
Conditional purchaser may take possession of land in certain cases.

Proviso.

Surveyor to make division of disputed land.

10. Assisted Immigration Bill ; resumption of the adjourned Debate on the motion of Mr. Robertson "That this Bill be 'now' read a second time," upon which Mr. Parkes had moved, by way of amendment, the omission of the word "now" with a view to adding at the end the words "this day six months."
11. Conditional Purchasers Pre-lease Declaratory Bill ; third reading.
12. Roads Acts Amendment Bill ; to be further considered in Committee.
13. Mesne Process Amendment Bill ; second reading.
14. Marine Board Bill ; consideration in Committee of the Whole of the propriety of introducing a Bill to incorporate a Board to be called the Marine Board of New South Wales, to confer certain powers on such Board ; to consolidate and amend the Laws relating to the Regulation of Steam-ships, Pilotage and Pilots, Harbours and Navigable Waters and Navigation, and to make provision for the examination of Masters, Mates, and Engineers, and for other purposes.
15. Ways and Means ; resumption of the Committee.

[6d.]





PROCLAMATION.

NEW SOUTH WALES, } Proclamation by His Excellency the Right Honorable
 to wit. } SOMERSET RICHARD, EARL OF BELMORE, a Member of Her
 Majesty's Most Honorable Privy Council in Ireland, Governor and
 (L.S.) BELMORE, Commander-in-Chief of the Colony of New South Wales, and Vice-
 Governor. Admiral of the same.

WHEREAS by the Bill passed by the Governor and Legislative Council of New Wales, in the seventeenth year of the reign of Her Majesty the Queen, intituled "*An Act to confer a Constitution on New South Wales and to grant a Civil List to Her Majesty*," and assented to by Her Majesty, under the authority of the Act of the Imperial Parliament, passed in the Session of the eighteenth and nineteenth years of the said reign, intituled "*An Act to enable Her Majesty to assent to a Bill as amended of the Legislature of New South Wales to confer a Constitution on New South Wales and to grant a Civil List to Her Majesty*," it was amongst other things enacted, that it should be lawful for the Governor of New South Wales to 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, SOMERSET RICHARD, EARL OF BELMORE, the Governor aforesaid, in pursuance of the power and authority so vested in me, do hereby prorogue the said Legislative Council and Assembly until Wednesday, the 15th day of December next, and the same stand so prorogued accordingly.

Given under my Hand and Seal, at Throsby Park, New South Wales, this thirteenth day of November, in the year of our Lord one thousand eight hundred and sixty-nine, and in the thirty-third year of Her Majesty's reign.

By Command,
 JOHN ROBERTSON.

GOD SAVE THE QUEEN!



PROCLAMATION.

NEW SOUTH WALES, } Proclamation by His Excellency the Right Honorable
 to wit. } SOMERSET RICHARD, EARL OF BELMORE, a Member of Her
 Majesty's Most Honorable Privy Council in Ireland, Governor and
 (J.S.) BELMORE, Commander-in-Chief of the Colony of New South Wales, and Vice-
 Governor. Admiral of the same.

WHEREAS by the Bill passed by the Governor and Legislative Council of New South Wales, in the seventeenth year of the reign of Her Majesty the Queen, intituled "*An Act to confer a Constitution on New South Wales and to grant a Civil List to Her Majesty,*" and assented to by Her Majesty, under the authority of the Act of the Imperial Parliament, passed in the Session of the eighteenth and nineteenth years of the said reign, intituled "*An Act to enable Her Majesty to assent to a Bill as amended of the Legislature of New South Wales to confer a Constitution on New South Wales and to grant a Civil List to Her Majesty,*" it was amongst other things enacted, that it should be lawful for the Governor of New South Wales to dissolve the Legislative Assembly whenever he should deem it expedient: And whereas it is expedient that the said Assembly should be now dissolved: Now therefore I, SOMERSET RICHARD, EARL OF BELMORE, the Governor aforesaid, in pursuance of the power and authority so vested in me, do hereby dissolve the said Legislative Assembly, and the same stands dissolved accordingly.

Given under my Hand and Seal, at Throsby Park, New South Wales, this fifteenth day of November, in the year of our Lord one thousand eight hundred and sixty-nine, and in the thirty-third year of Her Majesty's reign.

By Command,
 JOHN ROBERTSON.

GOD SAVE THE QUEEN!

