

C 3
NEW SOUTH WALES.

VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE ASSEMBLY,

DURING THE SESSION

OF

1858.

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN THREE VOLUMES.

VOL. III.

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(Arranged as the Papers should be bound.)

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TO THE

VOTES AND PROCEEDINGS

OF THE

SESSION OF 1858,

AND TO THE

PAPERS ORDERED TO BE PRINTED DURING THE SESSION.

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1858.

NEW SOUTH WALES.

ABSTRACTS

OF THE

PUBLIC ACCOUNTS

OF THE

Colony of New South Wales,

FOR THE YEAR

1857,

CONSISTING OF SEPARATE STATEMENTS, UNDER THE
FOLLOWING HEADS, VIZ.:—

GENERAL ACCOUNT CURRENT.—CIVIL LIST GRANTS.—
CONSOLIDATED REVENUE FUND.—ASSESSMENT ON SHEEP, 19 Vict., No. 27.—
CLERGY AND SCHOOL LANDS' REVENUE.—POLICE REWARD FUND, 16 Vict., No. 33.—
POLICE SUPERANNUATION FUND, 16 Vict., No. 33.—SPECIAL RECEIPTS.—
TRUST MONEYS' DEPOSITS, 20 Vict., No. 11.—MINT BULLION.—
COLONIAL AGENT GENERAL.—SALES OF DEBENTURES IN ENGLAND.—
LOANS OUTSTANDING ON 31st DECEMBER, 1857.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
11TH MAY, 1858.

SYDNEY :

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PHILLIP-STREET.

1858.

NEW SOUTH WALES.

GENERAL ACCOUNT CURRENT

OF THE

REVENUES AND RECEIPTS

OF THE

COLONY OF NEW SOUTH WALES,

AND OF THEIR

EXPENDITURE

IN THE YEAR

1857.

GENERAL ACCOUNT CURRENT OF THE REVENUE AND RECEIPTS OF THE COLONY

Dr.

RECEIPTS.	AMOUNT.	TOTAL.
To BALANCES AT THE CREDIT OF THE FOLLOWING ACCOUNTS on the 31st December, 1856, viz. :—		
Consolidated Revenue Fund—		
In the Treasury, Sydney £72,151 18 10		
In the Bank of New South Wales, London Branch 4,285 0 8		
	76,436 19 6	
Loans' Account—		
In the Treasury, Sydney 94,579 9 4		
In the Bank of New South Wales, London Branch 22,387 10 0		
	116,966 19 4	
Clergy and School Lands' Revenue Account	8,395 12 6	
Police Reward Fund	* 8,837 13 2	
Police Superannuation Fund	† 6,950 9 8	
Special Receipts' Account	90,651 19 4	
		308,239 13 1
To RECEIPTS IN THE YEAR 1857, as per the following State- ments, viz. :—		
Consolidated Revenue Fund, Statement No. 1	1,161,651 6 2	
Loans' Account, „ No. 3	345,575 6 4	
Assessment on Sheep Account	16,594 1 1	
Clergy and School Lands' Revenue Account	6,852 10 1	
Police Reward Fund	2,886 15 8	
Police Superannuation Fund	2,293 6 11	
Special Receipts' Account.	37,560 6 6	
Trust Moneys' Deposit Account	97,639 18 4	
		1,671,053 11 1
To ISSUES ON ACCOUNT ADJUSTED—		
Balance of Adjustments over Remittances to the Colonial Agent General, on the following Accounts, viz. :—		
Consolidated Revenue Fund	798 3 3	
Loans' Account	4,983 15 10	
Balance of Adjustments over Advances to Public Officers on the following Accounts, viz. :—		
Loans' Account	2,577 2 1	
Clergy and School Lands' Revenue	428 2 10	
Police Superannuation Fund	236 19 9	
		8,824 3 9
TOTAL	£	1,988,117 7 11

* Includes £8,000 invested in Debentures.

† Includes £5,500 invested in Debentures.

Audit Office, Sydney, New South Wales,
23th April, 1858.

OF NEW SOUTH WALES, AND OF THEIR EXPENDITURE IN THE YEAR 1857.

Cr.

DISBURSEMENTS.	AMOUNT.	TOTAL.
By PAYMENTS IN THE YEAR 1857, UNDER THE FOLLOWING ACCOUNTS, viz. :—		
Consolidated Revenue Fund, Statement No. 2	1,098,771 4 5	
Loans' Account " No. 3	438,333 2 3	
Assessment on Sheep Account	6,339 11 8	
Clergy and School Lands' Revenue Account	1,200 16 7	
Police Reward Fund	533 17 7	
Police Superannuation Fund	943 5 1	
Special Receipts' Account	45,605 11 8	
Trust Moneys' Deposit Account	43,129 9 9	
		1,634,856 19 0
By ISSUES ON ACCOUNT—		
Consolidated Revenue, as per Account Current	84,227 0 11	
Police Reward Fund—		
Balances of Advances to Public Officers, over Adjustments	129 7 6	
Police Superannuation Fund—		
Remittance to the Colonial Agent General to pay Pensions	21 5 10	
		84,377 14 3
By BALANCES AT THE CREDIT OF THE FOLLOWING ACCOUNTS, on the 31st December, 1857, viz. :—		
Consolidated Revenue Fund	55,888 3 7	
Loans' Account	31,570 1 4	
Assessment on Sheep Account	10,254 9 5	
Clergy and School Lands' Revenue Account	14,475 8 10	
Police Reward Fund	11,061 3 9	
Police Superannuation Fund	8,516 5 0	
Special Receipts' Account	82,606 14 2	
Trust Moneys' Deposit Account	54,510 8 7	
		268,882 14 8
TOTAL	£	1,988,117 7 11

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

CIVIL LIST GRANTS.

APPROPRIATION AND EXPENDITURE

OUT OF THE

CONSOLIDATED REVENUE FUND,

UNDER

18 & 19 VICT., CAP. 54. (SCHEDULE 1, SEC. 49.)

FOR THE YEAR

1857.

NEW SOUTH WALES.

Schedule J, 18 and 19 Victoria, Cap. 54.

IN ACCOUNT WITH THE CONSOLIDATED REVENUE FUND, 1ST JANUARY TO 31ST DECEMBER, 1857.

16-

Cr.			Dr.		
RECEIPTS.	1856.	1857.	DISBURSEMENTS.	1856.	1857.
To Amount transferred from the Consolidated Revenue Fund	1,779 3 4	18,837 10 0	By Amount of Payments, as per Account of Consolidated Revenue Fund, to 31st December, 1857 ...	1,779 3 4	18,837 10 0
To Balance of the Annual Amount provided by the Schedule A .....	.....	3,512 10 0	By Balance of Charges on Account of 1857, payable in 1858 .....	.....	1,712 10 0
			By Balance reverted to the Consolidated Revenue Fund .....	.....	1,800 0 0
TOTALS.....£	1,779 3 4	22,350 0 0	TOTALS.....£	1,779 3 4	22,350 0 0

Audit Office, Sydney, New South Wales,
6th March, 1858.

W. C. MAYNE,
Auditor General.

STATEMENT shewing the Particulars of Salaries provided by Schedule A, annexed to the Act 18 & 19 Victoriae, cap. 54, of the Salaries actually drawn or payable for the Years 1856-7, and of the Amount which has reverted to the Consolidated Revenue Fund for 1857.

SALARIES PROVIDED AND PAYABLE FROM		OFFICERS.	PERIOD FOR WHICH DRAWN.		AMOUNT DRAWN.		PAYABLE IN 1858	BALANCE REVERTED TO THE	REMARKS.
BALANCES OF 1856.	RESERVE FOR 1857.		From	To	For 1856.	For 1857.	ON ACCOUNT OF 1857.	CONSOLIDATED REVENUE FUND FOR 1857.	
583 6 8	7,000 0 0	His Excellency the Governor General	1 Dec. 1856	30 Nov. 1857	583 6 8	6,416 13 4	583 6 8	{ Salary of Master in Equity, lapsed from 1st January, 1856, by the Appointment of S. F. Milford, Esq., as Puisne Judge.
166 13 4	2,000 0 0	The Chief Justice	"	"	166 13 4	1,833 6 8	166 13 4	.....
250 0 0	2,000 0 0	The two Puisne Judges	"	"	250 0 0	2,750 0 0	250 0 0	.....
125 0 0	1,500 0 0	The Judge for Moreton Bay	"	"	125 0 0	1,375 0 0	125 0 0	.....
166 13 4	2,000 0 0	Colonial Secretary	"	"	166 13 4	1,833 6 8	166 13 4	.....
104 3 4	1,250 0 0	Colonial Treasurer	"	"	104 3 4	1,145 16 8	104 3 4	.....
75 0 0	900 0 0	Auditor General	"	"	75 0 0	825 0 0	75 0 0	.....
125 0 0	1,500 0 0	Attorney General	"	"	125 0 0	1,375 0 0	125 0 0	.....
83 6 8	1,000 0 0	Solicitor General	"	"	83 6 8	916 13 4	83 6 8	.....
33 6 8	400 0 0	Governor's Private Secretary	"	"	33 6 8	366 13 4	33 6 8	.....
	1,000 0 0	{ Master in Equity and Curator of Intestate Estates, and Chief Commissioner of Insolvent Estates .....	"	"	.....	.....	.....	1,000 0 0
66 13 4	800 0 0	{ Chairman of Quarter Sessions and Commissioner of Court of Requests	1 Dec. 1856	31 Dec. 1856	66 13 4	800 0 0		{ Salary of Chairman of Quarter Sessions, lapsed by the Appointment of Thomas Callaghan, Esq., to that office, in the room of Alfred Cheeke, Esq.
1,779 3 4	22,350 0 0	TOTALS.....	£		1,779 3 4	18,837 10 0	1,712 10 0	1,900 0 0	

W. G. MAYNE

Audit Office, Sydney, New South Wales
6th March, 1858

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

Schedule B, 18 and 19 Victoria, Cap. 54.

IN ACCOUNT WITH THE CONSOLIDATED REVENUE FUND, 1ST JANUARY TO 31ST DECEMBER, 1857.

Dr.

Cr.

RECEIPTS.	1856.	1857.	DISBURSEMENTS.	1856.	1857.
To Amount transferred from the Consolidated Revenue Fund	1,151 7 7	6,612 8 11	By Amount of Payments as per Account of Consolidated Revenue Fund, for 1857	1,151 7 7	6,612 8 11
To Balance of the Annual Amount provided by the Schedule B	13 12 6	7,337 11 1	By Balance of Charges on Account of 1856 and 1857, payable in 1858	13 12 6	2,221 16 11
			By Balance reverted to the Consolidated Revenue Fund ... ..	.....	5,115 14 2
TOTALS £	1,165 0 1	13,950 0 0	TOTALS £	1,165 0 1	13,950 0 0

Audit Office, Sydney, New South Wales,
29th January, 1858.

NOTE.—For particulars see next page.

W. C. MAYNE,
Auditor General.

STATEMENT showing the Particulars of Pensions provided by Schedule B, annexed to the Act 18 & 19 Victoria, Cap 54, of the Pensions actually drawn or payable for the Years 1856-7, and of the Amount which has reverted to the Consolidated Revenue Fund for 1857.

PENSIONS PROVIDED AND PAYABLE FROM.		PARTIES.	PERIOD FOR WHICH DRAWN.		AMOUNT DRAWN.		PAYABLE IN 1858, ON ACCOUNT OF 1856-7.	TOTAL PAID AND PAYABLE.		BALANCE REVERTED TO THE CONSOLIDATED REVENUE FUND.		REMARKS.
Balances of 1856.	Reserve for 1857.		From	To	For 1856.	For 1857.		For 1856.	For 1857.	For 1856.	For 1857.	
	4,550 0 0	PENSIONS TO JUDGES.									4,550 0 0	
		Judges of the Supreme Court										
		PENSIONS TO POLITICAL OFFICERS.										
166 13 4	2,000 0 0	E. Deas Thomson, Esq., C.B., late Colonial Secretary	1 Dec., 1856	30 Nov., 1857	166 13 4	1,833 6 8	166 13 4	166 13 4	2,000 0 0			
83 0 8	1,000 0 0	C. D. Riddell, Esq., late Colonial Treasurer	"	30 June, 1857	83 0 8	500 0 0	500 0 0	83 0 8	1,000 0 0			
75 0 0	900 0 0	F. L. S. Moreweather, Esq., late Auditor General	"	30 Nov., 1857	75 0 0	825 0 0	75 0 0	75 0 0	900 0 0			
100 0 0	1,200 0 0	J. H. Plunkett, Esq., Q.C., late Attorney General	"	"	100 0 0	1,100 0 0	100 0 0	100 0 0	1,200 0 0			
	800 0 0	W. M. Manning, Esq., Q.C., late Solicitor General	26 May, 1857	30 June, 1857		80 8 8	400 0 0		480 8 8			Attorney General, from 3rd October, 1856, to 26th May, 1857.
		PENSIONS TO SUPERANNUATED OFFICERS AND OTHERS.										
94 15 10	379 3 4	William Lithgow, late Auditor General	1 Oct., 1856	30 Sept., 1857	94 15 10	284 7 6	94 15 10	94 15 10	379 3 4			
25 0 0	300 0 0	William Carter, late Registrar General	1 Dec., 1856	30 Nov., 1857	25 0 0	275 0 0	25 0 0	25 0 0	300 0 0			
50 0 0	200 0 0	J. Nicholson, late Harbour Master	1 Oct., 1856	30 Sept., 1857	50 0 0	150 0 0	50 0 0	50 0 0	200 0 0			
65 12 6	222 10 0	G. B. White, late Surveyor	"	"	55 12 6	166 17 6	55 12 6	55 12 6	222 10 0			
15 11 1	186 13 4	G. W. Newcombe, late Clerk in the Colonial Secretary's Office	1 Dec., 1856	30 Nov., 1857	15 11 1	171 1 1	15 11 1	15 11 1	186 13 4			
41 15 0	167 0 0	James Larmer, late Surveyor	1 Oct., 1856	30 Sept., 1857	41 15 0	125 5 0	41 15 0	41 15 0	167 0 0			
19 15 0	79 0 0	B. P. Griffin, late Clerk in the Colonial Treasury	"	"	19 15 0	59 5 0	19 15 0	19 15 0	79 0 0			
17 10 0	70 0 0	James Warner, late Assistant Surveyor	"	"	17 10 0	52 10 0	17 10 0	17 10 0	70 0 0			
6 18 3	27 13 0	H. McKenny, late Matron Protestant Orphan School	"	"	6 18 3	20 14 9	6 18 3	6 18 3	27 13 0			
	21 5 6	W. Taylor, late Clerk of Petty Sessions, Wollongong									21 5 6	Appointed Messenger to the Legislative Council, on 9th June, 1856.
1 16 8	22 0 0	S. M. Burrows, late Foreman of Colonial Stores	1 Dec., 1856	30 Nov., 1857	1 16 8	20 3 4	1 16 8	1 16 8	22 0 0			
3 16 3	7 12 6	Richard Williams, late Coast Wailer, Customs	1 July, 1856	30 June, 1857	3 16 3	3 16 3	3 16 3	3 16 3	7 12 6			
25 0 0	100 0 0	S. Milham, Widow of Surgeon Milham	1 Oct., 1856	30 Sept., 1857	25 0 0	75 0 0	25 0 0	25 0 0	100 0 0			
13 16 0	54 15 0	J. Graves, late Sergeant, Gold Guards	"	"	13 16 0	40 19 0	13 16 0	13 16 0	54 15 0			
8 16 5	35 5 8	W. Galvin, late Messenger, Legislative Council	"	"	8 16 5	29 9 3	8 16 5	8 16 5	35 5 8			
7 8 3	20 13 1	N. Robinson, late Constable, Police, Sydney	"	"	7 8 3	22 4 9	7 8 3	7 8 3	20 13 1			
5 15 0	23 0 0	J. Proctor, " " " "	"	"	5 15 0	19 3 4	5 15 0	5 15 0	23 0 0			
5 14 0	22 16 3	T. Williams, " " " Windsor	"	31 Oct., 1857	5 14 0	17 2 0	5 14 0	5 14 0	22 16 3			Deceased.
3 11 11	14 19 9	W. Callaghan, " " " Sydney	"	30 Sept., 1857	3 11 11	11 4 9	3 11 11	3 11 11	14 19 9			
2 14 6	14 18 3	E. Wilson, " " " Penrith	"	"	2 14 6	11 3 6	2 14 6	2 14 6	14 18 3			
3 14 1	14 16 6	J. Moore, late Keeper of Supreme Court House	"	"	3 14 1	12 2 3	3 14 1	3 14 1	14 16 6			
6 0 0	12 10 0	B. Naughton, late Constable, Police, Sydney	1 July, 1856	"	6 0 0	9 7 6	6 0 0	6 0 0	12 10 0			
2 6 0	9 2 6	B. Nichols, " " " "	1 Oct., 1856	"	2 6 0	6 16 6	2 6 0	2 6 0	9 2 6			
105 18 4	200 4 2	Rev. F. Wilkinson, late Colonial Chaplain	"	"	105 18 4	105 18 4	105 18 4	105 18 4	200 4 2			
35 14 2	71 8 0	W. H. Kerr, late Chief Commissioner of Insolvent Estates	1 July, 1856	30 June, 1857	35 14 2	35 14 2	35 14 2	35 14 2	71 8 0			
35 8 4	92 1 8	J. Townsend, late Clerk in the Colonial Secretary's Office	"	"	35 8 4	49 11 8	35 8 4	35 8 4	92 1 8			
26 0 0	62 0 0	F. Gosling, late Clerk in the General Post Office	1 July, 1856	30 June, 1857	26 0 0	26 0 0	26 0 0	26 0 0	62 0 0			
100 0 0	200 0 0	Mrs. Smith, Widow of Judge Advocate Bent	"	"	100 0 0	100 0 0	100 0 0	100 0 0	200 0 0			
4 12 0	9 2 6	T. Beran, late Trooper, Mounted Police	"	"	4 12 0	4 12 0	4 12 0	4 12 0	9 2 6			
	283 0 8	T. S. Townsend, late Surveyor	10 Dec., 1856	"		171 6 11	111 13 9		283 0 8			
13 12 6		Maria Peony, Gratuity as Matron of Gaol at Brisbane, one month's pay for every year of Service					13 12 6	13 12 6				
	37 1 11	R. S. Webb, late Chief Clerk, Customs Department				37 1 11			37 1 11			
	29 12 5	Michael Doyle, late Messenger in the Colonial Treasury	1 April, 1857	30 Sept., 1857		19 5 0			29 12 5			
	48 12 4	N. Lender, late Clerk in the Court of Requests	1 Feb., 1857	"		35 7 0			48 12 4			
	69 0 5	R. Ormiston, late Chief Clerk, Central Police Office	16 March, 1857	"		66 11 0			69 0 5			
	71 0 0	Colin McKenzie, late Clerk in the Supreme Court	1 Jan., 1856	"		52 10 0			71 0 0			
	46 15 9	Merion Moriarty, late Port Master	25 July, 1857	31 Dec., 1857					46 15 9			
	34 1 9	J. J. Galloway, late District Surveyor							34 1 9			
	9 13 6	Edward Hullock, late Turnkey, Bathurst Gaol							9 13 6			
	10 10 3	John Bailey, late Coxswain, Customs Department							10 10 3			
	217 19 8	Balance unappropriated									217 19 8	
£1,165 0 1	13,050 0 0	TOTALS			1,161 7 7	6,612 8 11	2,235 9 5	1,166 0 1	8,834 8 10		5,115 14 2	

NEW SOUTH WALES.

Schedule C. 48 and 49 Victoria, Cap. 54.

IN ACCOUNT WITH THE CONSOLIDATED REVENUE FUND, 1ST JANUARY, TO 31ST DECEMBER, 1857.

Dr.

Cr.

RECEIPTS.	1856.	1857.	DISBURSEMENTS.	1856.	1857.
To Balance at the Credit of the Schedule C on the 31st December, 1856	5,788 16 9		By Amount of Payments, as per Account of Consolidated Revenue Fund	5,524 1 9	23,919 7 6
To Surcharge recovered	1 4 9		By Advances unadjusted, viz. :—		
To Revenue derived from the Bishopthorpe Estate for 1857... ..		500 0 0	Presbyterian Church £300 19 3		
To Amount transferred from the Consolidated Revenue Fund and apportioned to the undermentioned Communion, according to the Census of 1851, viz. :—			Wesleyan Methodist Mission 461 5 2		762 4 5
Church of England		14,634 6 5	By Amount of Charges on Account of 1856 and 1857, payable in 1858, less £762 4s. 5d. advanced on Account	200 10 9	3,818 8 1
Presbyterian Church		2,852 15 11			
Wesleyan Methodist Mission		1,572 10 6			
Roman Catholic Church		8,940 7 2			
TOTALS £	5,785 1 6	28,500 0 0	TOTALS £	5,785 1 6	28,500 0 0

Audit Office, Sydney, New South Wales
26th March, 1858.

W. C. MAYNE,
Auditor General.

SCHEDULE C.

STATEMENT of the Expenditure, from the Colonial Treasury, of the Amount appropriated for defraying the Expenses of the several Services and Purposes specified in the Schedule C annexed to the Act 18 and 19 Victoria, caput 54, in the Year 1857.

STATION.	NAME.	SALARIES.	ALLOWANCES.		CONTINGENT CHARGES.	Special Payments out of the Unexpended Balances on 31 Dec., 1856.	TOTAL AMOUNT PAID.			TOTAL.
			In lieu of Forage for one Horse.	For Travelling Expenses.			For the Service of the Year 1856.	For the Service of the Year 1857.	TOTAL.	
CHURCH OF ENGLAND.										
Diocese of Sydney.										
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
The Bishop of Sydney and Metropolitan	The Right Reverend F. Barker, D.D.	1,600 0 0	.....	.....	.....	.....	125 0 0	1,375 0 0	1,500 0 0	
St. Phillip's, Sydney	The Venerable Archdeacon W. Cowper	460 0 0	.....	.....	.....	.....	58 6 8	421 13 4	460 0 0	
St. James', "	Revd. Robert Allwood, B.A.	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
St. Andrew's, "	" George King	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
St. Lawrence's, "	" W. H. Walsh, M.A.	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Trinity, "	" Foster Ashwin	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
St. Leonard's	" W. B. Clarke, M.A.	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Camperdown	" C. C. Kemp	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Ashfield and Enfield	" T. H. Wilkinson	150 0 0	.....	.....	.....	.....	12 10 0	137 10 0	150 0 0	
	" Thomas Steele, L.L.D.	14 9 4	.....	.....	.....	.....	14 9 4	.....	14 9 4	
	succeeded by									
Cook's River	" E. Syngé	100 0 0	.....	.....	.....	9 13 0	9 13 0	100 0 0	109 13 0	
	succeeded by									
	" E. J. Nixon	83 6 8	.....	.....	.....	.....	.....	83 6 8	83 6 8	
Hunter's Hill and Lane Cove	" G. E. Turner, S.C.L.	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Parramatta	" R. L. King	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Marsfield	" W. F. Gore	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Prospect	" Thomas Denkin	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Liverpool	" C. F. D. Priddle	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
	" Thomas Reddall	24 14 7	.....	.....	.....	.....	16 13 4	8 1 3	24 14 7	
	succeeded by									
Campbelltown	" G. M. Betts	41 18 8	.....	.....	.....	.....	.....	41 18 8	41 18 8	
	succeeded by									
	" Edward Smith	133 6 8	.....	.....	.....	.....	.....	133 6 8	133 6 8	
Narellan	" Thomas Hassall, M.A.	250 0 0	45 12 6	.....	.....	.....	32 6 8	263 5 10	255 12 6	
Camden	" Edward Rogers	200 0 0	.....	7 10 0	.....	.....	21 3 4	183 6 8	207 10 0	
Carried forward..... £		5,157 15 11	45 12 6	7 10 0	.....	9 13 0	456 9 0	4,764 2 5	5,220 11 5	

STATEMENT OF EXPENDITURE UNDER SCHEDULE C.—Continued.

STATION.	NAME.	SALARIES.	ALLOWANCES.		CONTINGENT CHARGES.	Special Payments out of the Unexpended Balances on 31 Dec., 1856.	TOTAL AMOUNT PAID.			TOTAL.
			In lieu of Forage for one Horse.	For Travelling Expenses.			For the Service of the Year 1856.	For the Service of the Year 1857.	TOTAL.	
CHURCH OF ENGLAND—Continued.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Diocese of Sydney—Continued.	Brought forward.....	£ 5,157 15 11	45 12 6	7 10 0	.....	9 13 0	456 9 0	4,764 2 5	5,320 11 5	
Mulgoa	Rev. George Vidal	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Windsor	" H. T. Stiles, M.A.	250 0 0	45 12 6	.....	.....	.....	32 6 8	263 5 10	295 12 6	
Richmond and Kurrajong	" John Elder	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Pitt Town and Wilberforce	" T. C. Ewing	150 0 0	.....	.....	.....	.....	16 13 4	183 6 8	150 0 0	
	succeeded by									
Sutton Forest and Berrima	" T. Wilson	33 6 8	.....	.....	.....	.....	.....	33 6 8	33 6 8	
Goulburn	" William Stone, B.A.	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Berrima	" William Sowerby	200 0 0	.....	5 0 0	.....	.....	21 13 4	183 6 8	205 0 0	
	" J. S. Hassall	150 0 0	.....	7 0 0	.....	.....	19 10 0	137 10 0	157 0 0	
	" Robert Cartwright	18 10 11	.....	.....	.....	.....	18 10 11	.....	18 10 11	
	succeeded by									
Gunning and Collector	" A. D. Soares	37 10 0	.....	.....	.....	.....	.....	37 10 0	37 10 0	
	succeeded by									
Yass	" D. P. M. Hulbert	100 0 0	.....	.....	.....	.....	.....	100 0 0	100 0 0	
	" C. F. Brigstocke	200 0 0	.....	5 0 0	.....	.....	.....	183 6 8	205 0 0	
Queanbeyan	" Edward Smith	66 13 4	.....	5 0 0	.....	.....	21 13 4	50 0 0	71 13 4	
	succeeded by									
Braidwood	" A. D. Soares	133 6 8	.....	.....	.....	.....	.....	133 6 8	133 6 8	
Wollongong	" James Allan	166 13 4	.....	.....	.....	.....	16 13 4	150 0 0	166 13 4	
Appin	" M. D. Meares, M.A.	187 10 0	45 12 6	.....	.....	.....	32 6 8	200 15 10	233 2 6	
Pearlth and South Creek	" H. D. D. Sparling, B.A.	150 0 0	.....	.....	.....	.....	12 10 0	137 10 0	150 0 0	
Mudgee	" Elijah Smith	200 0 0	11 10 0	.....	.....	.....	28 3 4	183 6 8	211 10 0	
Bungonia	" James Günther	150 0 0	.....	7 10 0	.....	.....	20 0 0	137 10 0	157 10 0	
Denham Court	" E. B. Procter	200 0 0	.....	.....	.....	.....	16 13 4	143 6 8	200 0 0	
Wellington	" G. N. Woodd	200 0 0	.....	.....	.....	.....	16 13 4	143 6 8	200 0 0	
Bathurst	" William Watson	100 0 0	.....	.....	.....	.....	50 0 0	50 0 0	100 0 0	
Kelso	" Thomas Sharpe	200 0 0	45 12 6	.....	.....	.....	28 3 4	217 9 2	245 12 6	
	" William Lisle	200 0 0	.....	7 10 0	.....	.....	24 3 4	183 6 8	207 10 0	
Carcoar	" P. P. Agnew .....	.....	.....	7 10 0	.....	.....	7 10 0	.....	7 10 0	
	" H. Tingeombe	200 0 0	.....	7 10 0	.....	.....	24 3 4	183 6 8	207 10 0	
St. John's, Canbury	" P. G. Smith	150 0 0	.....	5 0 0	.....	.....	17 10 0	137 10 0	155 0 0	
Dapto	" W. W. Simpson	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Cooma, Maneroo, and Auckland	" T. Drutt	91 13 4	.....	.....	.....	.....	8 6 8	83 6 8	91 13 4	
St. Mark's, Alexandria	" G. F. McArthur	150 0 0	.....	.....	.....	.....	12 10 0	137 10 0	150 0 0	
Bahnain	" W. Stack	166 13 4	.....	.....	.....	.....	.....	166 13 4	166 13 4	
Chippendale	" A. H. Stephen	137 10 0	.....	.....	.....	.....	.....	137 10 0	137 10 0	
Burwood	" M. D. Meares	62 10 0	.....	.....	.....	.....	.....	62 10 0	62 10 0	
	Total, Diocese of Sydney, carried forward	10,009 13 6	194 0 0	64 10 0	.....	9 13 0	990 9 11	9,287 6 7	10,277 16 6	10,277 16 6

STATEMENT OF EXPENDITURE UNDER SCHEDULE C.—Continued.

STATION.	NAME.	SALARIES.	ALLOWANCES.		CONTINGENT CHARGES.	Special Payments out of the Unexpended Balances on 31 Dec., 1856.	TOTAL AMOUNT PAID.			TOTAL.
			In lieu of Forage for one Horse.	For Travelling Expenses.			For the Service of the Year 1856.	For the Service of the Year 1857.	TOTAL.	
CHURCH OF ENGLAND—Continued.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	Brought forward	10,000 13 6	194 0 0	64 10 0	.....	9 13 0	990 9 11	9,287 6 7	10,277 16 6	10,277 16 6
<i>Diocese of Newcastle.</i>										
Bishop of Newcastle	The Right Rev. W. Tyrrell, D.D. ..	500 0 0	.....	.....	.....	.....	41 13 4	458 6 8	500 0 0	
Gosford	Rev. Alfred Glennie	200 0 0	.....	5 0 0	.....	.....	21 13 4	183 6 8	205 0 0	
Newcastle	" C. P. N. Wilton, M.A.	250 0 0	45 12 6	.....	.....	.....	32 6 8	263 5 10	295 12 6	
East Maitland	" G. K. Rusden, M.A.	200 0 0	45 12 6	.....	.....	.....	28 8 4	217 9 2	245 12 6	
West Maitland	" Robert Chapman	200 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
	" Lovick Tyrrell	50 0 0	.....	.....	.....	.....	16 13 4	33 6 8	50 0 0	
Raymond Terrace	" succeeded by .....	.....	.....	.....	.....	.....	.....	150 0 0	150 0 0	
	" J. R. Blomfield	150 0 0	.....	.....	.....	.....	12 10 0	137 10 0	150 0 0	
Hexham and Alnwick	" R. T. Bolton, M.A.	150 0 0	.....	.....	.....	.....	26 13 4	183 6 8	210 0 0	
Scone	" Coles Child	200 0 0	.....	10 0 0	.....	.....	26 13 4	183 6 8	210 0 0	
Paterson	" F. W. Addams	200 0 0	.....	10 0 0	.....	.....	31 13 4	116 13 4	148 6 8	
	" R. G. Boodie, M.A.	133 6 8	.....	15 0 0	.....	.....	.....	.....	.....
Muswellbrook	" succeeded by .....	.....	.....	.....	.....	.....	.....	66 13 4	66 13 4	
	" J. A. Greaves	66 13 4	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Singleton	" James Blackwood	200 0 0	.....	10 0 0	.....	.....	26 13 4	183 6 8	210 0 0	
Falbrook and Jerry's Plains	" Joseph Cooper	200 0 0	.....	.....	.....	.....	8 6 8	91 13 4	100 0 0	
Armidale	" S. Hungerford	100 0 0	.....	.....	.....	.....	16 13 4	33 6 8	50 0 0	
	" J. R. Blomfield	50 0 0	.....	.....	.....	.....	.....	.....	.....
Morpeth, Hinton, and Middlehope	" succeeded by .....	.....	.....	.....	.....	.....	.....	83 6 8	83 6 8	
	" Lovick Tyrrell	83 6 8	.....	.....	.....	.....	.....	.....	.....
	" succeeded by .....	.....	.....	.....	.....	.....	.....	50 0 0	50 0 0	
	" R. G. Boodie, M.A.	50 0 0	.....	.....	.....	.....	16 13 4	183 6 8	200 0 0	
Port Macquarie	" John Cross	200 0 0	.....	.....	.....	.....	50 18 3	112 10 0	163 8 3	
	" Thomas O'Reilly	152 18 3	.....	10 10 0	.....	.....	25 0 0	75 0 0	100 0 0	
Clarence River	" A. E. Selwyn	100 0 0	.....	.....	.....	.....	8 6 8	91 13 4	100 0 0	
Brisbane	" E. K. Yeatman	100 0 0	.....	.....	.....	.....	12 10 0	137 10 0	150 0 0	
Wollombi	" J. F. R. Whinfield	150 0 0	.....	.....	.....	.....	50 0 0	50 0 0	100 0 0	
Tamworth	" E. Williams	100 0 0	.....	.....	.....	.....	50 0 0	50 0 0	100 0 0	
Dungog	" Arthur Wayn	100 0 0	.....	.....	36 10 0	.....	25 15 10	210 14 2	236 10 0	
Lower Hawkesbury	" Thomas Horton	200 0 0	.....	.....	.....	.....	.....	.....	.....
	Total, Diocese of Newcastle .. £	4,086 4 11	91 5 0	60 10 0	36 10 0	.....	562 4 1	3,712 5 10	4,274 9 11	4,274 9 11
	Carried forward	£ 14,005 18 5	285 5 0	125 0 0	36 10 0	9 13 0	1,552 14 0	12,999 12 5	14,552 6 5	14,552 6 5

STATEMENT OF EXPENDITURE UNDER SCHEDULE C.—Continued.

STATION.	NAME.	SALARIES.	ALLOWANCES.		CONTINGENT CHARGES.	Special Payments out of the Unexpended Balances on 31 Dec., 1856.	TOTAL AMOUNT PAID.			TOTAL.
			In lieu of Forage for one Horse.	For Travelling Expenses.			For the Service of the Year 1856.	For the Service of the Year 1857.	TOTAL.	
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
PRESBYTERIAN CHURCH.	Brought forward.....	14,095 18 5	285 5 0	125 0 0	36 10 0	9 13 0	1,562 14 0	12,999 12 5	14,562 6 5	14,562 6 5
Pitt-street, Sydney	Revd. James Fullerton, L.L.D.	233 6 8	.....	.....	.....	.....	50 0 0	183 6 8	233 6 8	
St. Andrew's, Sydney	" John Dougall	233 6 8	.....	.....	.....	.....	50 0 0	183 6 8	233 6 8	
Woolloomooloo	" John McGibbon	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Paddington	" James Milne	119 0 0	.....	.....	.....	.....	25 10 0	93 10 0	119 0 0	
Parramatta	" James Coutts	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Windsor	" Mathew Adam	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Campbelltown	" William McKee	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Goulburn	" William Ross	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Wollongong	" Cunningham Atchison	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Maitland	" William Purves	233 6 8	.....	.....	.....	.....	50 0 0	183 6 8	233 6 8	
Paterson	" Thomas Stirtan	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Patrick's Plains	" James S. White	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Hinton	" Robert Blain	233 6 8	.....	.....	.....	.....	50 0 0	183 6 8	233 6 8	
Portland Head	" George M'Fie	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Bathurst	" James B. Laughton	193 15 0	.....	.....	.....	.....	56 5 0	137 10 0	193 15 0	
Port Macquarie	" Edward Holland	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Newcastle	" James Nimmo	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Ipswich	" W. L. Nelson	175 0 0	.....	.....	.....	.....	37 10 0	137 10 0	175 0 0	
Half salary to the Rev. K. D. Smythe .....	.....	45 4 11	.....	.....	.....	.....	45 4 11	.....	45 4 11	
	Total, Presbyterian Church.....£	3,391 6 7	.....	.....	.....	.....	776 19 11	2,614 6 8	3,391 6 7	3,391 6 7
WESLEYAN METHODIST MISSION.										
Sydney	Revd. H. H. Gaud	187 10 0	.....	.....	.....	.....	37 10 0	150 0 0	187 10 0	
"	" Thomas A. Adams	50 0 0	.....	.....	.....	.....	50 0 0	.....	50 0 0	
Parramatta	" succeeded by .....	.....	.....	.....	.....	.....	.....	.....	.....
"	" Stephen Rabone	200 0 0	.....	.....	.....	.....	.....	200 0 0	200 0 0	
"	" William A. Quick	37 10 0	.....	.....	.....	.....	37 10 0	.....	37 10 0	
West Maitland	" succeeded by .....	.....	.....	.....	.....	.....	.....	.....	.....
"	" Benjamin Chapman	150 0 0	.....	.....	.....	.....	.....	150 0 0	150 0 0	
Bathurst	" Joseph Oram	187 10 0	.....	.....	.....	.....	37 10 0	150 0 0	187 10 0	
"	" Stephen Rabone .....	.....	.....	.....	.....	.....	.....	.....	.....
Sydney	" J. G. Millard .....	.....	.....	.....	.....	.....	172 10 6	172 10 6	172 10 6	
"	" John Watsford .....	.....	.....	.....	.....	.....	150 0 0	150 0 0	150 0 0	
Newtown	" Benjamin Chapman .....	.....	.....	.....	.....	.....	150 0 0	150 0 0	150 0 0	
Wollongong	" Samuel Wilkinson .....	.....	.....	.....	.....	.....	150 0 0	150 0 0	150 0 0	
Camden	" C. W. Rigg .....	.....	.....	.....	.....	.....	150 0 0	150 0 0	150 0 0	
	Total, Wesleyan Methodist Mission £	812 10 0	.....	.....	.....	922 10 6	1,085 0 6	650 0 0	1,735 0 6	1,735 0 6
	Carried forward.....£	18,299 15 0	285 5 0	125 0 0	36 10 0	932 3 6	3,414 14 5	16,263 19 1	19,678 13 6	19,678 13 6

STATEMENT OF EXPENDITURE UNDER SCHEDULE C.—Continued.

STATION.	NAME.	SALARIES.	ALLOWANCES.		CONTINGENT CHARGES.	Special Payments out of the Unexpended Balances on 31 Dec., 1856.	TOTAL AMOUNT PAID.			TOTAL.
			In lieu of Forage for one Horse.	For Travelling Expenses.			For the Service of the Year 1856.	For the Service of the Year 1857.	TOTAL.	
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
ROMAN CATHOLIC CHURCH.	Brought forward	18,299 15 0	285 5 0	125 0 0	36 10 0	932 3 6	3,414 14 5	16,263 19 1	19,678 13 6	19,678 13 6
Archbishop	Most Revd. John Bede Polding	800 0 0								
Vicar General	Right Revd. Henry G. Gregory	300 0 0					66 13 4	733 6 8	800 0 0	
St. Mary's, Sydney	Revd. John McEnroe	200 0 0					25 0 0	275 0 0	300 0 0	
St. Patrick's, Sydney	" Jerome Keating	200 0 0					16 13 4	183 6 8	200 0 0	
St. Benedict's, Sydney	" Michael Corish	200 0 0					16 13 4	183 6 8	200 0 0	
	" D. V. M. O'Connell	166 13 4					16 13 4	183 6 8	200 0 0	
Surry Hills	succeeded by						16 13 4	150 0 0	166 13 4	
Balmain	" John Sheridan	33 6 8						33 6 8	33 6 8	
	" J. J. Therry	150 0 0					12 10 0	137 10 0	150 0 0	
Petersham	" J. McGirr	87 10 0					25 0 0	62 10 0	87 10 0	
	succeeded by									
Ryde	" Patrick Birch	75 0 0						75 0 0	75 0 0	
Parramatta	" J. G. Rocher	150 0 0					12 10 0	137 10 0	150 0 0	
Windsor	" N. J. Coffey	191 13 4					16 13 4	175 0 0	191 13 4	
Penrith	" Patrick Hallinan	200 0 0					16 13 4	183 6 8	200 0 0	
Hartley	" Michael Brennan	200 0 0					16 13 4	183 6 8	200 0 0	
Bathurst	" Peter O'Farrell	150 0 0					12 10 0	137 10 0	150 0 0	
Kelso	" John Grant	200 0 0		16 0 0			32 13 4	183 6 8	216 0 0	
Carcoar	" James Phelan	200 0 0					16 13 4	183 6 8	200 0 0	
Mudgee	" Bernard Murphy	200 0 0		9 0 0			25 13 4	183 6 8	209 0 0	
Liverpool	" Calaghan McCarthy	150 0 0		10 0 0			22 10 0	137 10 0	160 0 0	
Campbelltown	" Charles Lovat	200 0 0					16 13 4	183 6 8	200 0 0	
	" J. P. Roche	200 0 0					16 13 4	183 6 8	200 0 0	
Appin	" Luke Hand	166 13 4					16 13 4	150 0 0	166 13 4	
	succeeded by									
	" John Maher	8 6 8						8 6 8	8 6 8	
Berrima	" Cornelius Twomey	75 0 0					12 10 0	62 10 0	75 0 0	
	succeeded by									
Goulburn	" Patrick Magennis	75 0 0						75 0 0	75 0 0	
Quacanbeyan	" Richard Walsh	200 0 0		14 0 0			30 13 4	183 6 8	214 0 0	
	" M. Kavanagh	200 0 0		10 0 0			26 13 4	183 6 8	210 0 0	
Yass	" Patrick Magennis	100 0 0		10 0 0			26 13 4	83 6 8	110 0 0	
	succeeded by									
	" Michael McAlroy	100 0 0						100 0 0	100 0 0	
Albury	" John Maher	75 0 0					12 10 0	62 10 0	75 0 0	
	succeeded by									
Wollongong	" Cornelius Twomey	75 0 0						75 0 0	75 0 0	
Kiama	" J. C. Sumner	200 0 0					16 13 4	183 6 8	200 0 0	
	" Peter Young	150 0 0		10 0 0			22 10 0	137 10 0	160 0 0	
	Carried forward	5,679 3 4		79 0 0			566 10 0	7,191 13 4	5,758 3 4	
	Carried forward	18,299 15 0	285 5 0	125 0 0	36 10 0	932 3 6	3,414 14 5	16,263 19 1	19,678 13 6	19,678 13 6

STATEMENT OF EXPENDITURE UNDER SCHEDULE C.—Continued.

STATION.	NAME.	SALARIES.	ALLOWANCES.		CONTINGENT CHARGES.	Special Payments out of the Unexpended Balances on 31 Dec., 1856.	TOTAL AMOUNT PAID.			TOTAL.
			In lieu of Forage for one Horse.	For Travelling Expenses.			For the Service of the Year 1856.	For the Service of the Year 1857.	TOTAL.	
ROMAN CATHOLIC CHURCH— Continued.	Brought forward.....	£ 18,299 15 0	£ 285 5 0	£ 125 0 0	£ 35 10 0	£ 932 3 6	£ 3,414 14 5	£ 16,263 19 1	£ 19,678 13 6	£ 19,678 13 6
Millenderry	Brought forward.....	£ 5,679 3 4		£ 79 0 0			£ 566 10 0	£ 5,191 13 4	£ 5,758 3 4	
Brisbane Water	Rev. W. N. Johnson	150 0 0		12 0 0			24 10 0	137 10 0	162 0 0	
Newcastle	Henry Woolfrey	150 0 0		10 0 0			22 10 0	137 10 0	160 0 0	
	C. V. Dowling	150 0 0					12 10 0	137 10 0	150 0 0	
	C. B. Quinn			10 0 0			10 0 0		10 0 0	
Raymond Terrace	J. Martin	87 10 0				8 18 6	33 18 6	62 10 0	96 8 6	
	succeeded by									
East Maitland	Eugene Luckie	75 0 0						75 0 0	75 0 0	
West Maitland	John Kenny	200 0 0		8 0 0			24 13 4	183 6 8	208 0 0	
	J. T. Lynch	200 0 0		10 0 0			26 13 4	183 6 8	210 0 0	
Singleton	John Rigney	141 13 4		30 0 0			46 13 4	125 0 0	171 13 4	
	succeeded by									
Macdonald River	James Hanly	58 6 8		20 0 0			20 0 0	58 6 8	78 6 8	
	Henry Gamett	87 10 0					12 10 0	75 0 0	87 10 0	
Moreton Bay	James Hanly	106 5 0					12 10 0	93 15 0	106 5 0	
	succeeded by									
Ipswich	John Rigney	43 15 0						43 15 0	43 15 0	
St. Leonard's	William McGinty	150 0 0		8 0 0			20 10 0	137 10 0	158 0 0	
	Peter Powell	150 0 0					12 10 0	137 10 0	150 0 0	
Armidale	Timothy McCarthy	150 0 0		13 0 0			25 10 0	137 10 0	163 0 0	
	J. Dunne						134 0 0	134 0 0	134 0 0	
Orange	J. White						137 18 10	137 18 10	137 18 10	
Cooma	C. B. Quinn						200 0 0		200 0 0	
Port Macquarie	J. Quinlivan						166 0 0	166 0 0	166 0 0	
Towards the erection of Churches at	Ryde						400 0 0	400 0 0	400 0 0	
	Camden						200 0 0	200 0 0	200 0 0	
Amount applied to meet additions to Stipends of Roman Catholic Clergy- men unprovided for by the Supplement to Schedule C for 1857					738 15 1			738 15 1	738 15 1	
TOTAL, ROMAN CATHOLIC CHURCH.....		£ 7,579 3 4		200 0 0	738 15 1	1,216 17 4	2,109 7 4	7,655 8 5	9,764 15 9	9,764 15 9
Advances unadjusted .. { Presbyterian Church					300 19 3			300 19 3	300 19 3	
{ Wesleyan Methodist Mission					461 5 2			461 5 2	461 5 2	762 4 5
TOTAL EXPENDITURE.....		£ 25,878 18 4	285 5 0	325 0 0	1,537 9 6	2,179 0 10	5,524 1 9	24,681 11 11	30,205 13 8	30,205 13 8
RECEIPTS.										
Amount appropriated by Schedule C of the Act 18 & 19 Victoria, caput 54, for the period from 1st January to 31st December, 1857										23,000 0 0
Amount paid into the Colonial Treasury, on account of Revenue derived from Bishopthorpe Estate, for 1857										500 0 0
Surcharge recovered										1 4 0
Balance at the Credit of Schedule C on 31st December, 1856										5,783 16 9
										34,285 1 6
BALANCE AT THE CREDIT OF SCHEDULE C ON 31ST DECEMBER, 1857										£ 4,079 7 10

Audit Office, Sydney, New South Wales,
27th February, 1858.

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

CONSOLIDATED REVENUE FUND.

ACCOUNT

OF

RECEIPTS AND DISBURSEMENTS

IN THE YEAR

1857.

CONSOLIDATED REVENUE FUND ACCOUNT CURRENT FOR THE YEAR 1857.

Dr.

Cr.

RECEIPTS.	AMOUNT.	DISBURSEMENTS.	AMOUNT.
REVENUE ACCOUNT.		REVENUE ACCOUNT.	
To Balance at the Credit of the Consolidated Revenue Account, on the 31st December, 1856... ..	76,436 19 6	By Payments in the year 1857, as per Statement No. 2... ..	1,098,771 4 5
To Receipts in the year 1857, as per Statement No. 1.	1,161,651 6 2	By Issues on Account—	
To Issues on Account adjusted—		Advance to the Government Commercial Agents	
Balance of Adjustments over Remittances to the Colonial Agent		to purchase Stores in England	3,024 14 0
General	798 3 3	Advance to the Australian Joint Stock Bank, to	
		pay Interest on Debentures, due 1st January,	
		1858	21,634 15 9
		Balance of Advances on account of Roads and	
		Bridges over Adjustments	17,733 8 3
		Balance of Advances to Public Officers over Ad-	
		justments	41,834 2 11
			84,227 0 11
		By Balance at the credit of the Consolidated Revenue Account, on the	
		31st December, 1857	55,888 3 7
TOTAL, REVENUE ACCOUNT	£ 1,238,886 8 11	TOTAL, REVENUE ACCOUNT	£ 1,238,886 8 11
LOANS' ACCOUNT.		LOANS' ACCOUNT.	
To Balance at the Credit of the Loans' Account on the 31st December, 1856	116,966 19 4	By Payments in the year 1857, as per Statement No. 3... ..	438,333 2 3
To Receipts in the year 1857, as per Statement No. 3.	345,575 6 4	By Balance at the Credit of the Loans' Account on the 31st December, 1857	31,570 1 4
To Issues on Account adjusted " " "	7,360 17 11		
TOTAL, LOANS' ACCOUNT... ..	£ 469,903 3 7	TOTAL, LOANS' ACCOUNT... ..	£ 469,903 3 7
TOTAL, CONSOLIDATED REVENUE FUND	£ 1,708,789 12 6	TOTAL, CONSOLIDATED REVENUE FUND	£ 1,708,789 12 6

Audit Office, Sydney, New South Wales,
31st March, 1858.

W. C. MAYNE,
Auditor General.

No. 1.

STATEMENT OF RECEIPTS
IN THE YEAR 1857,
ON ACCOUNT OF THE CONSOLIDATED REVENUE FUND.

HEAD OF REVENUE.	AMOUNT.	TOTAL.
CUSTOMS.		
Spirits	294,567 15 11	
Wine	27,529 5 4	
Ale, Porter, and Beer of all sorts	10,041 13 9	
Tobacco	79,049 10 2	
Tea	24,466 7 10	
Sugar and Molasses	88,407 18 6	
Coffee, Chocolate, and Cocoa... ..	8,877 9 1	
Currants, Raisins, and other Dried Fruits, and all other Articles	164 9 6	533,104 10 1
DUTY ON SPIRITS DISTILLED IN THE COLONY		63,477 10 4
GOLD.		
Duty on Gold { Collected by the Collector of Customs	4,066 9 8	
{ Collected by the Deputy Master of the Royal Mint	12,244 6 7	
Miners' Rights... ..	4,241 10 0	
Business Licenses	1,999 0 0	
Leases of Auriferous Tracts	250 10 0	
Fees for Escort and Conveyance of Gold, &c.	3,774 0 2	
Licenses to Dig and Search for Gold	2,797 15 0	29,373 11 5
MINT RECEIPTS		10,840 14 10
LAND REVENUE.		
Proceeds of Land Sales	210,333 17 3	
Rents of Land	62,703 9 0	
Quit Rents	224 9 0	
Redemption of Quit Rents	92 8 11	
Survey of Runs	528 16 0	273,883 0 2
RENTS—EXCLUSIVE OF LAND.		
Tolls and Ferries	1,467 4 0	
Wharves	7,889 16 11	
Military Canteen, Sydney	708 0 2	
Government Buildings and Premises	1,089 9 6	11,154 10 7
LICENSES.		
To Wholesale Spirit Dealers... ..	6,950 0 0	
To Auctioneers	1,803 3 1	
To Bonded Storekeepers	4,632 0 0	
To Retail Fermented and Spirituous Liquors	45,568 0 0	
Night Licenses to Publicans, and for Billiard Tables	3,530 0 0	
To Distillers and Rectifiers	49 6 0	
To Hawkers and Pedlars	254 9 7	
To Pawnbrokers	160 0 0	
To cut Timber, and make Bricks, &c., on Crown Lands	2,690 10 0	
All other Licenses	85 4 6	65,722 13 2
Carried forward... ..	£	987,556 10 7

STATEMENT OF RECEIPTS IN THE YEAR 1857,

HEAD OF REVENUE.	AMOUNT.	TOTAL.
Brought forward	£	987,556 10 7
POSTAGE		36,288 12 3
FINES AND FORFEITURES.		
Sheriff	879 13 3	
Courts of Petty Sessions { Within the Settled Districts	2,462 8 11	
{ Beyond the Settled Districts	1,120 9 5	
Water Police Court	157 16 8	
For the Unauthorised Occupation of Crown Lands ..	2,682 12 10	
Crown's share of Seizures by the Departments of Customs and Distilleries	601 8 4	
Proceeds of Sale of Confiscated and Unclaimed Property	183 17 11	
Other Fines	25 0 0	
		8,113 7 4
FEES OF OFFICE.		
On Commissions to Public Officers	168 0 0	
On Certificates of Naturalization	63 8 0	
On Copies and Transcripts of Papers	22 9 0	
On the Preparation of Title Deeds	5,518 10 0	
On the Enrolment of Title Deeds	5,861 12 0	
Registrar General	1,969 3 8	
Registrar of Deeds, &c.	944 15 1	
Prothonotary of Supreme Court	3,043 14 1	
Master in Equity	1,023 7 2	
Curator of Intestate Estates... ..	366 2 10	
Insolvent Courts	1,291 12 6	
Sheriff	1,080 13 0	
Moreton Bay Court Fees	296 7 5	
Courts of Requests	1,701 19 0	
Courts of Petty Sessions { Within the Settled Districts	2,136 10 6	
{ Beyond the Settled Districts	420 19 4	
Water Police Court	422 6 4	
Shipping Masters	2,657 15 0	
Steam Navigation Board { Sydney	159 0 0	
{ Brisbane... ..	4 0 0	
Court of Claims	26 12 6	
On Disputed Claims at the Gold Fields	63 0 0	
		29,241 17 5
RAILWAY TOLLS... ..		9,418 5 2
ASSESSMENT ON STOCK		31,240 18 9
SALE OF GOVERNMENT PROPERTY.		
Cast Horses and Bullocks	548 6 0	
Condemned and Unservicable Articles, Stores, &c....	2,052 6 9	
		2,600 12 9
REIMBURSEMENTS IN AID OF EXPENSES INCURRED BY GOVERNMENT.		
For the treatment of Patients in the Lunatic Asylum	850 4 11	
Collections by the Accountant, Government Printing Office	1,565 6 10	
Rateable proportion of the Expenses payable from the British Treasury on account of Imperial Convicts for the year 1856	4,928 9 7	
Contributions by the Ordnance Department towards the support of the Gunpowder Magazine	98 13 10	
For Arms and Accoutrements lost and destroyed by the Police	5 11 6	
For work performed by Prisoners in Gaol	2,241 9 6	
Amount contributed by the Government of Victoria for maintaining the Light House on Gabo Island	2,467 14 11	
Repayment by the Municipal Council of Sydney of the Interest on Moneys borrowed on account of the Sewerage and Water Works	7,230 18 8	
For advertising Intestate Estates in the <i>London Gazette</i>	20 0 0	
For the Sale of Electoral Lists	1 9 6	
Amount received under the Assisted Immigrants' Employment Act, 16 Vict., No. 42	946 5 11	
For Military Washing and Barrack Damages	65 10 10	
Carried forward	£ 20,421 19 0	
Carried forward... ..	£	1,104,460 4 3

ON ACCOUNT OF CONSOLIDATED REVENUE FUND.

5

HEAD OF REVENUE.	AMOUNT.	TOTAL.
Brought forward	£ 1,104,460 4 3	
REIMBURSEMENTS IN AID OF EXPENSES INCURRED BY GOVERNMENT.—Continued.		
Brought forward	£ 20,421 19 0	
Repayment by the Commissariat, of Expenses incurred on account of the Honorable the East India Company	177 19 9	
Repayment by Purchasers of Government Debentures, of the Interest accrued thereon, at the date of purchase	2,220 2 2	
Contribution by the Proprietors of houses in Richmond Terrace towards the cost of forming a drain in the Government Domain	72 3 10	
Fees collected in the Convict Department of Police	7 5 0	
Other Reimbursements	29 5 0	
		22,928 14 9
AMOUNT OF INTEREST which had accrued on the Debentures sold by the Bank of New South Wales in London, and which formed part of the sum realized by their sale (See separate Statement).	.....	787 15 7
MISCELLANEOUS RECEIPTS.		
Unclaimed Balances of Insolvent Estates	51 15 2	
Store Rent of Gunpowder	1,157 11 3	
Fees on presenting Private Bills to the Parliament... ..	225 0 0	
Fees for Letters of Registration	80 0 0	
Interest on Cash Deposits in the Australian Joint Stock Bank, on account of the Government	3,443 8 8	
Unclaimed Balances in the hands of the Clerk of Petty Sessions, Sydney	61 0 11	
Unclaimed Balances in the hands of the Clerk of the Water Police Office, Sydney	4 17 4	
Bonus paid by G. A. Lloyd & Co. on obtaining the Commercial Agency of the New South Wales Government... ..	1,050 0 0	
Balance refunded of the amount issued for the pay and allowances of the Native Police, Northern Districts, up to 30th September, 1855	718 12 9	
Surcharges Recovered	96 10 1	
Amount of sundry small sums retained in the Pay Branch of the Treasury, temporarily credited to the Consolidated Revenue until claimed	325 16 2	
Other Miscellaneous Receipts	10 13 4	
		7,225 5 8
IMMIGRATION REMITTANCES (including £1,417 10s. transferred from the balance of similar Receipts on 31st December, 1856) ... ..	.....	18,102 5 10
PILOTAGE.		
Port Jackson	2,451 17 1	
Out Ports	1,865 15 0	
		4,317 12 1
ISSUES ON ACCOUNT ADJUSTED.		
Repayment of Advances of Salaries made in England to Engineers engaged for the Railway Commissioners' Staff... ..	475 0 0	
Repayment of Amount advanced in 1856 to meet Claims in excess of the Amount of Assessment received under the Act 19 Victoria, No. 27	2,793 3 3	
		3,268 3 3
SCHEDULE C.		
Revenue (in part) derived from the Bishopthorpe Estate for 1857... ..	500 0 0	
Surcharge recovered on account of the Service of 1856	1 4 9	
		501 4 9
TOTAL	£ 1,161,651 6 2	

No. 2.

ABSTRACT OF DISBURSEMENTS,
IN THE YEAR 1857,
OUT OF THE CONSOLIDATED REVENUE FUND,
AS DETAILED IN THE ANNEXED STATEMENT.

PAGE.	HEAD OF SERVICE.	AMOUNT.
8	I.—SCHEDULES TO IMPERIAL ACT 18 & 19 VICTORIAE, CAP. 54.	57,823 19 1
8	SUPPLEMENTS TO SCHEDULES A, B, AND C.	17,866 6 7
9	II.—EXECUTIVE AND LEGISLATIVE... ..	16,174 10 3
13	III.—THE PRINCIPAL SECRETARY	585,965 5 9
13	IV.—ADMINISTRATION OF JUSTICE	35,740 13 0
14	V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE..	100,978 14 9
15	VI.—SECRETARY FOR LANDS AND PUBLIC WORKS	179,960 14 3
15	VII.—THE AUDITOR GENERAL	5,115 14 3
		£ 949,625 17 11
	UNCLASSIFIED EXPENDITURE:—	
16	Interest 127,347 18 6	
16	Debentures paid off 5,800 0 0	
16	Charges on Collections... .. 2,990 1 3	
17	Revenue and Receipts returned 1,946 2 9	
17	Stores 8,741 17 0	
17	Miscellaneous 4 10 0	
17	Arrear Charges against Schedule A, Parts 1 and 3, and Territorial Revenue 2,314 17 0	
		149,145 6 6
	TOTAL DISBURSEMENTS	£1,098,771 4 5

*Audit Office, Sydney, New South Wales,
31st March, 1857.*

W. C. MAYNE,
Auditor General.

**STATEMENT OF DISBURSEMENTS,
IN THE YEAR 1857,
OUT OF THE CONSOLIDATED REVENUE FUND.**

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF	
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.
I.—Schedules to Imperial Act 18 & 19 Victoria, Cap. 54.							
SCHEDULE A	20,616 13 4	20,616 13 4	1,779 3 4	18,837 10 0
SCHEDULE B	7,763 16 6	7,763 16 6	1,151 7 7	6,612 8 11
SCHEDULE C	29,443 9 3	29,443 9 3	5,524 1 9	23,919 7 6
Total, Schedules A, B, and C.. ..	£	57,823 19 1	57,823 19 1	8,454 12 8	49,369 6 5
SUPPLEMENTS TO SCHEDULES A, B, & C.							
SCHEDULE A.							
Chief Justice, 20 Victoria, No. 5	575 0 0	2,496 10 4	25 0 0	550 0 0
Puisne Judges ditto	1,450 0 0		75 0 0	1,375 0 0
Colonial Treasurer, 20 Victoria, No. 13	371 10 4		142 7 0	229 3 4
Auditor General	100 0 0		8 6 8	91 13 4
SCHEDULE B.							
Lady Forbes, Widow of Sir Francis Forbes, formerly Chief Justice	200 0 0	700 0 0	50 0 0	150 0 0
Lady Dowling, Widow of Sir James Dowling, late Chief Justice	116 13 4		16 13 4	100 0 0
Mrs. Anne Kinchela, Widow of the late Mr. Justice Kinchela	100 0 0		50 0 0	50 0 0
Mrs. Anne Petrie, Daughter of the late Captain Flinders, R.N.	150 0 0		100 0 0	50 0 0
Mr. E. R. Stack, late Master of the Benevolent Asylum	133 6 8		33 6 8	100 0 0
SCHEDULE C.							
Church of England	5,315 4 7	14,669 16 3	501 8 1	4,813 16 6
Presbyterian Church	1,788 15 4		383 6 8	1,405 8 8
Wesleyan Methodist Mission	1,200 0 0		800 0 0	400 0 0
Roman Catholic Church	2,754 1 4		311 1 10	2,442 19 6
Clergymen at the Western Gold Fields	1,954 5 0		205 13 0	1,648 12 0
Clergymen at the Southern Gold Fields	1,457 10 0		220 0 0	1,237 10 0
Jewish Minister, Sydney	200 0 0		50 0 0	150 0 0
Total, Supplements to Schedules A, B, and C	£	17,866 6 7	17,866 6 7	3,072 3 3	14,794 3 4

* The detail of these Payments will be found in the Accounts of the Colonies.

* The detail of these Payments will be found in separate Statements.

STATEMENT OF DISBURSEMENTS, IN THE YEAR 1857,

STATEMENT OF DISBURSEMENTS, &c.—Continued.

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF		
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.	
II.—Executive and Legislative.								
HIS EXCELLENCY THE GOVERNOR GENERAL	769 9 3	1,214 12 11	1,984 2 2	.....	1,984 2 2	239 7 4	1,744 14 10
LEGISLATIVE COUNCIL	3,014 13 0	631 11 7	3,646 4 7	.....	3,646 4 7	84 1 11	3,562 2 8
LEGISLATIVE ASSEMBLY	5,485 3 2	1,007 8 0	6,592 11 2	.....	6,592 11 2	80 12 6	6,511 18 8
LEGISLATIVE COUNCIL AND ASSEMBLY	1,802 19 5	912 5 4	2,715 4 9	.....	2,715 4 9	143 12 11	2,571 11 10
EXECUTIVE COUNCIL	1,214 4 4	22 3 3	1,236 7 7	.....	1,236 7 7	88 1 9	1,148 5 10
Total, Executive and Legislative.. .. .	£ 12,386 9 2	3,788 1 1	16,174 10 3	.....	16,174 10 3	635 16 5	15,638 13 10
III.—The Principal Secretary.								
PRINCIPAL SECRETARY	6,044 19 10	859 6 10	6,404 6 8	.....	6,404 6 8	677 19 1	5,726 7 7
GOVERNMENT RESIDENT, MORETON BAY.. .. .	966 13 4	23 2 11	989 16 3	.....	989 16 3	141 13 4	848 2 11
REGISTRAR GENERAL	3,116 1 5	2,863 9 4	5,979 10 9	.....	5,979 10 9	708 0 5	5,271 10 4
POSTAL ESTABLISHMENT AND SERVICES.								
Post Office	19,508 8 3	4,877 1 9	24,385 10 0	38,186 13 4	62,572 3 4 {	3,550 8 1	20,835 1 11	
Conveyance of Mails.. .. .	.....	.....	.....			11,126 9 11	27,060 3 5
EDUCATIONAL.								
National Schools .. .. .	.....	.....	.....	18,487 5 9	52,535 16 5 {	.....	18,487 5 9
Denominational Schools—								
Church of England .. .. .	.....	.....	.....	9,306 7 7		2,565 9 0	6,740 18 7
Presbyterian .. .. .	.....	.....	.....	1,873 19 6		486 2 0	1,386 17 6
Wesleyan .. .. .	.....	.....	.....	970 0 10		288 6 7	681 14 3
Roman Catholic .. .. .	.....	.....	.....	5,784 4 11		1,446 12 7	4,337 12 4
Expenses of the Board .. .. .	.....	.....	.....	1,012 7 9		242 9 6	799 18 3
Protestant Orphan School	1,023 11 10	3,004 17 3	4,027 9 1	.....		370 7 9	3,657 1 4
Roman Catholic Orphan School	619 18 4	2,550 2 8	3,170 1 0	.....		493 3 2	2,676 17 10
Endowment of the University of Sydney, 14 Victoria, No. 31.. .. .	.....	.....	.....	5,000 0 0		.....	5,000 0 0
Endowment of St. Paul's College, 18 Victoria, No. 37 .. .. .	.....	.....	.....	625 0 0		166 13 4	458 6 8
Endowment of the Sydney Grammar School, 18 Victoria .. .. .	.....	.....	.....	2,260 0 0		750 0 0	1,500 0 0
IMMIGRATION.								
Sydney	2,110 19 11	1,410 1 11	3,521 1 10	.....	137,233 14 7 {	193 11 8	3,327 10 2
Country Districts	305 0 4	1,003 5 6	1,314 5 10			388 0 1	926 5 9	
Quarantine	375 0 0	127 7 5	502 7 5			16 17 6	485 9 11
Remittances to the Land and Emigration Commissioners, for the general purposes of Emigration from the United Kingdom (including £11,964 10s., Immigration Remittances)			120,198 10 0	33,748 3 2	86,450 6 10
Immigration Remittances refunded to Depositors			2,980 2 0	2,980 2 0
Gratuities to Surgeons-Superintendent and others			8,489 18 0	1,041 18 0	7,448 0 0
Commission on Immigration Remittances			227 9 6	227 9 6
Carried forward	£ 34,069 13 3	16,224 15 7	50,294 8 10	215,420 19 2	265,715 8 0	68,402 5 2	207,313 2 10	

STATEMENT OF DISBURSEMENTS, &c.—Continued.

STATEMENT OF DISBURSEMENTS, IN THE YEAR 1857.

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF	
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.
III.—The Principal Secretary—continued.							
Brought forward	£ 31,069 13 8	16,224 15 7	50,294 8 10	215,420 19 2	265,715 8 0	58,402 5 2	207,313 2 10
POLICE.							
Sydney Judicial	2,824 4 2	74 3 2	2,898 7 4	.....	}	7 10 6	2,890 16 10
Water	3,768 11 10	204 16 2	3,973 8 0	.....		157 7 10	3,816 0 2
Metropolitan	13,021 2 2	2,126 1 4	15,447 3 6	.....		391 14 10	15,055 8 8
Horse Patrol	1,433 18 0	1,206 17 8	2,740 15 8	.....		125 16 11	2,614 18 4
District	2,105 15 2	81 2 4	2,186 17 6	.....		1 13 6	2,185 4 0
Within the Settled Districts	43,153 9 1	} 16,017 14 4	82,199 14 8	.....	}	3,927 2 2	72,272 12 6
Beyond the Settled Districts	23,028 11 8		5,774 13 3	.....		1,366 11 3	4,408 1 6
Horse Patrol, Country Districts	2,711 1 8		5,731 13 1	.....		729 4 6	5,002 8 7
Native Police, Northern Districts	2,758 11 10		1,747 1 3	.....		1,238 12 5	508 8 10
Do. Do. arrears of 1854-5 .. ..	.....		1,090 6 2	.....		858 12 3	231 13 11
Do. Southern Districts	512 15 9	577 10 5	1,090 6 2	.....	}	227 12 4	2,843 16 4
Gold Guards and Conveyance	2,033 4 2	1,038 4 6	3,071 8 8	.....		.....	.....
GAOL AND PENAL.							
Sydney	4,132 15 1	4,539 9 7	8,672 4 8	.....	}	942 10 0	7,729 14 8
Parramatta	1,810 17 0	2,556 16 5	4,367 13 5	.....		552 18 1	3,814 15 4
Bathurst	1,319 1 0	1,617 17 2	2,966 18 2	.....		379 8 8	2,587 9 6
Maitland	1,301 0 0	1,140 9 8	2,441 9 8	.....		370 8 0	2,071 1 3
Goulburn	1,170 4 3	681 3 0	1,851 7 3	.....		259 19 6	1,591 7 9
Brisbane	1,393 14 11	724 4 2	2,117 19 1	.....	}	217 6 7	1,900 12 6
Cockatoo Island	3,454 6 9	6,716 18 0	10,171 4 9	.....		69 9 0	10,101 15 9
GOVERNMENT PRINTING AND BOOKBINDING DEPARTMENT.							
Printing	1,400 0 0	11,712 9 8	13,112 9 8	.....	}	501 13 5	12,610 16 3
Bookbinding	784 8 6	853 5 3	1,636 13 9	.....		.....	1,636 13 9
OBSERVATORY	600 0 0	211 1 1	811 1 1	.....	811 1 1	86 2 7	724 18 6
MEDICAL.							
Adviser to the Government	4 3 4	1 4 8	5 8 0	.....	}	5 8 0	.....
Health Officer and Medical Board	1,126 4 8	.....	1,126 4 8	.....		146 11 4	979 13 4
Vaccine Establishments	379 1 0	10 7 0	389 8 0	.....		56 11 0	332 17 0
Lunatic Asylum, Tarban Creek	2,735 3 5	4,916 10 11	7,651 14 4	.....		633 13 1	7,018 1 3
Parramatta	3,362 13 0	9,544 14 0	12,907 7 0	.....		1,012 14 7	11,894 12 5
NAVAL AND MILITARY.							
Naval—Colonial Allowance .. ..	.....	290 5 6	290 5 6	.....	}	290 5 6	.....
Gun Boat, "Spitfire"	17 8 6	16 0 4	33 8 10	.....		33 8 10	.....
Military—Two Companies	8,732 13 10	2,332 17 2	11,165 11 0	.....		1,690 4 11	9,475 6 1
General Service .. ..	.....	13,051 17 4	13,051 17 4	.....		2,645 5 3	10,406 12 1
Royal Artillery	6,071 12 0	3,086 18 1	9,158 10 1	.....		654 8 1	8,504 2 0
Volunteer Corps	199 15 6	338 6 4	538 1 10	.....	}	538 1 10	.....
Carried forward	£ 171,446 1 1	110,176 14 1	281,622 15 2	215,420 19 2	497,043 14 4	84,520 12 5	412,523 1 11

STATEMENT OF DISBURSEMENTS, &c.—Continued.

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF			
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.		
III.—The Principal Secretary—continued.									
Brought forward	£ 171,446 1 1	110,176 14 1	281,622 15 2	215,420 19 2	407,043 14 4	84,520 12 5	412,523 1 11		
GRANTS IN AID OF PUBLIC INSTITUTIONS.									
Australian Museum Endowment Fund, 17 Victoria, No. 2 .. ..	.....	.....	.....	1,250 0 0	3,664 17 6	250 0 0	1,000 0 0
Towards completing the Interior Fittings of the Australian Museum .. ..	.....	.....	.....	1,500 0 0		1,500 0 0	.....	
Sydney Mechanics' School of Arts .. ..	.....	.....	.....	200 0 0		.....	200 0 0
Goulburn School of Arts .. ..	.....	.....	.....	100 0 0		.....	100 0 0
Brisbane School of Arts .. ..	.....	.....	.....	100 0 0		.....	100 0 0
Maitland Mechanics' Institute .. ..	.....	.....	.....	514 17 6		214 17 6	300 0 0
CHARITABLE ALLOWANCES.									
For the support of Paupers in the Colonial Hospitals .. ..	.....	.....	.....	2,040 18 6	4,936 3 6	500 15 2	1,540 3 4
In support of the Establishment of the Benevolent Society, Sydney, on condition of £1,000 being raised by Voluntary Contributions .. ..	.....	.....	.....	4,936 3 6		.....	4,936 3 6
Towards the current expenses of the Benevolent Society, Tamworth .. ..	.....	.....	.....	150 0 0		.....	150 0 0
In aid of the undermentioned Institutions, equal sums having been raised by Private Subscriptions, viz. :—									
The Sydney Infirmary and Dispensary .. ..	.....	.....	.....	700 0 0	12,711 6 6	.....	700 0 0
The Asylum for Destitute Children, Sydney .. ..	.....	.....	.....	1,750 0 0		250 0 0	1,500 0 0
The Benevolent Society, Parramatta .. ..	.....	.....	.....	100 0 0		.....	100 0 0
The Benevolent Society, Singleton and Patrick's Plains .. ..	.....	.....	.....	100 0 0		.....	100 0 0
Erection of a Benevolent Asylum, Penrith .. ..	.....	.....	.....	250 0 0		250 0 0	.....	
Outfit for Hospital at Mudgee .. ..	.....	.....	.....	200 0 0		.....	200 0 0
Outfit for Hospital at Maitland .. ..	.....	.....	.....	200 0 0		.....	200 0 0
The Hospital at	Windsor	199 18 11		50 18 0	49 19 6	149 19 5	
	Bathurst	204 15 0			97 15 6	106 19 6	
	Newcastle	95 0 0			95 0 0	
	Port Macquarie	68 4 6			17 13 7	50 10 10	
	Yass	199 16 1			199 16 1	
	Parramatta .. ..	.....	.....	242 14 4	61 19 6		180 14 10
	Brisbane .. ..	.....	.....	280 4 0	.....		280 4 0
	Goulburn .. ..	.....	.....	294 12 6	66 5 0		228 7 6
	Armidale and New England .. ..	.....	.....	150 0 0	.....		150 0 0
	Mudgee .. ..	.....	.....	100 0 0	.....		100 0 0
Maitland .. ..	.....	.....	448 19 3	.....	50 18 0	398 1 3	
COLONIAL AGENT GENERAL .. ..	.....	.....	.....	400 0 0	400 0 0	100 0 0	300 0 0
ABORIGINES .. ..	.....	.....	.....	1,794 6 0	1,794 6 0	189 7 0	1,604 19 0
Carried forward	£ 171,446 1 1	110,176 14 1	281,622 15 2	233,991 9 2	515,614 4 4	88,414 19 3	427,199 5 1		

OUT OF THE CONSOLIDATED REVENUE FUND.

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STATEMENT OF DISBURSEMENTS, &c.—Continued.

STATEMENT OF DISBURSEMENTS, IN THE YEAR 1857,

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF		
	Salaries.	Contingencies.	TOTAL.			Previous Year.	Current Year.	
III.—The Principal Secretary—continued.								
MISCELLANEOUS	Brought forward £	171,446 1 1	110,176 14 1	281,622 15 2	283,931 9 2	515,614 4 4	88,414 19 8	427,199 5 1
Paper and Parchment for Printing	1,780 18 6	} 20,351 1 5	.....	1,780 18 6	
Expenses attending the preparation of the Electoral Lists	1,291 8 6		69 14 10	1,231 13 8	
Expense of Election of Members to serve in the Legislative Assembly	618 8 1		515 6 10	103 1 3	
Expense of Election of Aldermen and Auditors to serve in the Municipal Council of the City of Sydney, 20 Victoria, No. 36, Section 37	297 9 6		.....	297 9 6	
Allowance to Secretary to Returning Officer, Sydney	20 16 8		4 3 4	16 13 4	
Erecting Pounds, and Allowances to Poundkeepers	10 0 0		.....	10 0 0	
Provisions left on Booby Island, for the relief of Shipwrecked Persons	21 14 0		.....	21 14 0	
In aid of the City Funds	10,000 0 0		.....	10,000 0 0	
Compensation to Public Officers whose situations have been abolished	3,307 8 9		.....	3,307 8 9	
Compensation to Mrs. Redman, in lieu of land required for the line of road to Glebe Island	325 6 3		.....	325 6 3	
Expenses incurred by the Owners of the cutter "Oberon," in that Vessel's search for Mr. Benjamin Boyd, in 1854	300 0 0		.....	300 0 0	
Establishment of Meteorological Stations	10 0 0		.....	10 0 0	
Naval and Military Postage	159 1 5		83 17 9	75 3 8	
Expedition in Search of Dr. Leichhardt	182 5 3		.....	182 5 3	
Expenses incurred for the relief of Sufferers by the late Floods in the Hunter River District	487 9 7		.....	487 9 7	
Contingent Charges on Land and Immigration Debentures paid off in 1857	164 0 2		.....	164 0 2	
Further Expense of taking the Census in 1856	722 1 8		722 1 8	.....
Gratuity to John Doyle, formerly of the Police Force, and lately a Letter Carrier at West Maitland, disabled in the execution of his duty	50 0 0		.....	50 0 0	
Salary of the Master in charge of the gun boat "Spitfire," to 18th March, 1857	44 8 10		.....	44 8 10	
Travelling Expenses of H. H. Browne, Esq., while representing this Colony at a meeting held in Melbourne, respecting a General System of Light Houses	77 14 0		77 14 0	.....
Cost of an action brought against the City Coroner, by Dr. Muller	23 17 0		.....	23 17 0	
Taking and transcribing Evidence before a Board appointed to inquire into certain matters at Cockatoo Island	13 17 6		.....	13 17 6	
Taking and transcribing Evidence before a Board appointed to inquire into charges made against the Portmaster	15 12 9		.....	15 12 9	
Testing Hydrometers and making various Analyses for testing the Strength of Spirits	10 10 0	.....	10 10 0		
Premium to W. G. Mason, for the best model of a Life Boat	15 0 0	.....	15 0 0		
Compromise, in full for damages and costs in an action for Cutting Timber on Private Property, for the Bridge at Windsor	40 0 0	.....	40 0 0		
Carried forward £	171,446 1 1	110,176 14 1	281,622 15 2	253,980 17 7	535,965 5 9	89,877 17 8	445,725 15 1	

STATEMENT OF DISBURSEMENTS, &c.—Continued.

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF	
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.
III.—The Principal Secretary—continued.							
MISCELLANEOUS—Continued.							
Brought forward	£ 171,446 1 1	110,176 14 1	281,622 15 2	253,980 17 7	635,965 5 9	89,877 17 8	445,725 15 1
Hire of the steamer "Black Swan," on the occasion of the wreck of the "Dunbar" .. .. .	.....	.....	.....	20 0 0	.....	.....	20 0 0
Hire of the steamer "William the IV," for the purpose of proceeding in search of a ship reported to be on fire .. .. .	.....	.....	.....	30 0 0	.....	.....	30 0 0
For Advertisements relating to Debentures .. .. .	.....	.....	.....	19 2 10	.....	11 5 4	7 17 6
Expenses incurred by the Owners of the "General Wyndham," through the carelessness of the Pilot .. .. .	.....	.....	.....	14 14 0	.....	.....	14 14 0
Compiling a Statistical Return for the illustration of the proposed Electoral Bill .. .. .	.....	.....	.....	42 0 0	.....	.....	42 0 0
To defray the expenses of Colonel Bloomfield's passage to England, in consequence of having deferred his departure until the return of His Excellency the Governor General from "Norfolk Island" .. .. .	.....	.....	.....	175 0 0	.....	.....	175 0 0
Miscellaneous Items .. .. .	.....	.....	.....	60 16 2	.....	14 13 8	46 2 11
Total, Principal Secretary	£ 171,446 1 1	110,176 14 1	281,622 15 2	254,342 10 7	635,965 5 9	89,903 19 3	446,061 9 6
IV.—Administration of Justice.							
LAW OFFICERS	3,963 5 9	816 9 4	4,779 15 1	.....	4,779 15 1	215 14 8	4,564 0 6
SUPREME AND CIRCUIT COURTS	5,551 13 0	3,010 14 6	8,562 7 6	.....	8,562 7 6	421 4 10	8,171 2 8
MORETON BAY COURT	1,409 3 4	1,179 6 8	2,588 9 7	.....	2,588 9 7	5 3 6	2,583 6 1
SHERIFF	3,718 1 4	2,009 17 4	5,727 18 8	.....	5,727 18 8	419 3 9	5,308 14 11
INSOLVENT COURT	1,279 8 8	5 0 6	1,284 9 2	.....	1,284 9 2	162 11 4	1,121 17 10
QUARTER SESSIONS.. .. .	2,714 0 0	3,896 11 8	6,610 11 8	.....	6,610 11 8	4 13 2	6,605 18 6
COURTS OF REQUESTS	2,853 6 8	241 15 1	3,095 1 9	.....	3,095 1 9	261 5 10	2,833 15 11
CORONERS	690 6 11	2,142 17 1	2,833 4 0	.....	2,833 4 0	817 17 2	2,015 6 10
MISCELLANEOUS.							
Indemnification to Gilbert Elliott, Esq., for Costs incurred in defending an Action brought against him while in the discharge of his official duties as Sheriff of the Colony .. .. .	.....	.....	.....	228 15 7	228 15 7	.....	228 15 7
Total, Administration of Justice	£ 22,179 5 8	13,332 11 9	35,511 17 5	228 15 7	35,740 13 0	2,307 14 3	33,432 18 9

STATEMENT OF DISBURSEMENTS, &c.—Continued.

STATEMENT OF DISBURSEMENTS, IN THE YEAR 1857.

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF	
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.
V.—Treasurer and Secretary for Finance and Trade.							
TREASURY	6,386 3 8	770 1 10	7,156 5 6	.....	7,156 5 6	307 11 0	6,848 14 6
CUSTOMS.							
Establishment	18,209 3 3	4,128 5 4	22,337 8 7	.....	41,824 2 2 {	308 0 7	22,029 8 0
Drawbacks and Refund of Duties .. .. .	.....	.....	.....	19,486 13 7		.....	19,486 13 7
COLONIAL DISTILLERIES	1,837 14 5	55 4 9	1,892 19 2	.....	1,892 19 2	348 19 3	1,543 19 11
SYDNEY BRANCH OF THE ROYAL MINT	9,464 9 11	2,891 15 5	12,356 5 4	.....	12,356 5 4	23 8 3	12,332 17 1
GOLD RECEIVERS	93 15 0	.....	93 15 0	.....	93 15 0	25 0 0	68 15 0
POSTAGE STAMP PRINTING OFFICE .. .. .	.....	1,454 9 2	1,454 9 2	.....	1,454 9 2	284 0 0	1,170 9 2
COLONIAL STOREKEEPER	2,410 0 0	1,957 1 11	4,367 1 11	.....	4,367 1 11	4 6 8	4,362 15 3
GUNPOWDER MAGAZINE	251 19 0	682 4 2	934 3 2	.....	934 3 2	251 10 0	682 13 2
SHIPPING MASTERS—							
Sydney	1,472 3 11	211 5 8	1,683 9 7	.....	1,816 17 7 {	224 15 11	1,458 13 8
Newcastle	94 3 4	1 14 8	95 18 0	.....		22 11 4	73 6 8
Moreton Bay	37 10 0	.....	37 10 0	.....		.....	37 10 0
LIGHT NAVIGATION AND PILOT BOARD.. .. .	1,075 0 4	212 16 2	1,287 16 6	.....	21,684 18 11 {	112 19 9	1,174 16 9
Port Master	3,635 15 0	233 16 9	3,869 11 9	.....		328 17 1	3,540 14 8
Telegraph Stations	718 3 6	90 19 6	809 3 0	.....		70 16 5	738 6 7
Light House, South Head	433 12 7	277 15 9	711 8 4	.....		68 13 2	642 15 2
Floating Light, Port Jackson	517 19 9	440 15 8	958 15 5	.....		207 4 1	751 11 4
Do. Moreton Bay	665 7 4	1,072 12 9	1,738 0 1	.....		480 3 9	1,257 16 4
Light House, Moreton Bay	519 13 5	573 5 9	1,092 19 2	.....		24 13 5	1,068 5 9
Do. Gabo Island	566 6 1	619 16 7	1,186 2 8	.....		104 9 1	1,081 13 7
Do. Newcastle	78 13 4	19 10 0	98 3 4	.....		.....	98 3 4
Harbour Master, Newcastle	1,858 13 5	504 7 4	2,363 0 9	.....		279 5 5	2,093 15 4
Do. Moreton Bay	2,103 18 6	586 0 5	2,689 18 11	.....		229 11 10	2,460 7 1
Pilots, Port Jackson .. .. .	.....	.....	.....	927 0 6		68 1 3	858 19 3
Pilot at Wollongong	104 4 11	155 8 5	260 13 4	.....		10 18 9	249 14 7
Pilot Station, Manning River	699 13 9	62 7 5	762 1 2	.....		115 5 5	646 15 9
Do. McLeay River	364 9 10	211 19 2	576 9 0	.....		75 7 6	501 1 6
Pilot at Kiama	104 4 11	.....	104 4 11	.....		8 18 3	95 6 8
Pilot Station, Port Macquarie	670 2 5	94 4 3	764 6 8	.....		113 2 2	651 4 6
Do. Clarence River	680 12 3	97 16 2	778 8 5	.....		25 14 3	682 14 2
Do. Richmond River	658 7 11	48 7 1	706 15 0	.....		103 9 7	603 5 5
MISCELLANEOUS.							
For the maintenance and conveyance of Shipwrecked Seamen in distress .. .. .	.....	.....	.....	166 11 11	7,397 16 10 {	.....	166 11 11
Premiums on Bills of Exchange purchased for remittance to England .. .. .	.....	.....	.....	6,147 5 5		1,180 18 3	4,966 7 2
For the employment of the Steam Dredge .. .. .	.....	.....	.....	1,083 19 6		.....	1,083 19 6
Total, Treasurer and Secretary for Finance and Trade	£ 55,712 1 9	17,455 2 1	73,167 3 10	27,811 10 11	100,978 14 9	5,478 12 5	95,500 2 4

STATEMENT OF DISBURSEMENTS, &c.—Continued.

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF	
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.
VE.—Secretary for Lands and Public Works.							
SECRETARY FOR LANDS AND PUBLIC WORKS	4,510 6 11	581 7 1	5,091 14 0	.....	5,091 14 0	173 6 9	4,921 7 3
BOARD OF WORKS	1,812 10 0	.....	1,812 10 0	.....	1,812 10 0	.....	1,812 10 0
SURVEY AND MANAGEMENT OF CROWN LANDS.							
Survey	16,419 15 3	19,093 11 5	35,513 6 8	.....	46,473 18 7 {	7,377 17 8	28,135 9 0
Management	9,240 9 0	1,719 2 11	10,959 11 11	.....		1,073 8 3	9,881 3 8
CHIEF COMMISSIONER OF ROADS AND RAILWAYS.							
Roads and Bridges	2,233 6 8	375 0 0	2,608 6 8	.....	2,608 6 8	.....	2,608 6 8
COLONIAL ARCHITECT	2,268 12 3	571 6 7	2,839 18 10	.....	2,839 18 10	258 16 2	2,581 2 8
PORT CURTIS ESTABLISHMENT	1,306 6 6	66 1 9	1,372 8 3	.....	1,372 8 3	586 7 1	786 1 2
GOLD FIELDS.							
Within the Settled Districts—Western	4,707 13 5	3,574 4 0	8,281 17 5	.....	15,345 12 9 {	1,434 16 10	6,847 0 7
Southern	1,618 13 10	823 16 7	2,441 10 5	.....		483 2 5	1,934 8 0
Beyond the Settled Districts	3,251 10 5	1,301 14 6	4,552 4 11	.....		625 7 3	3,960 17 8
BOTANIC GARDENS.							
Sydney	550 0 0	1,492 9 7	2,042 9 7	.....	2,542 9 5 {	88 0 8	1,954 8 11
Brisbane	212 10 0	287 9 10	499 19 10	.....		71 6 1	428 13 9
GOVERNMENT DOMAINS AND HYDE PARK	258 0 0	795 8 8	1,053 8 8	.....	1,053 8 8	17 15 2	1,035 13 6
EXAMINER OF COAL FIELDS AND COAL MINES	614 10 0	40 17 0	655 7 0	.....	655 7 0	37 0 0	618 7 0
COURT OF CLAIMS .. .. .	.....	.....	.....	123 18 0	123 18 0	4 4 0	119 14 0
COMMISSION ON SALES OF LAND, RENTS OF OFFICES, ADVERTISING, &c. ..	.....	.....	.....	6,448 16 5	6,448 16 5	2,428 13 11	4,020 2 6
PUBLIC WORKS AND BUILDINGS (for particulars see Appendix, page 18) ..	.....	.....	.....	36,531 15 6	36,531 15 6	13,034 7 7	23,497 7 11
ROADS AND BRIDGES (for particulars see Appendix, page 19) .. .. .	.....	.....	.....	57,058 10 2	57,058 10 2	13,567 6 0	43,491 4 2
Total, Secretary for Lands and Public Works	£ 49,064 4 3	30,733 9 11	79,797 14 2	100,163 0 1	179,960 14 3	41,296 15 10	138,663 18 5
VII.—The Auditor General.							
THE AUDITOR GENERAL'S DEPARTMENT	4,822 15 2	292 19 1	5,115 14 3	.....	5,115 14 3	100 2 10	5,015 11 5

STATEMENT OF DISBURSEMENTS, &c.—Continued.

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF	
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.
Unclassified Expenditure.							
INTEREST.							
On Land and Immigration Debentures	22,792 4 10	125,316 16 6	.....	22,792 4 10
Railway Debentures	63,821 16 8		.....	63,821 16 8
Public Works' Loan Debentures	20,298 18 3		.....	20,298 18 3
Sewerage Debentures	11,390 2 4		.....	11,390 2 4
Water Supply Debentures	7,013 14 5		.....	7,013 14 5
Land and Immigration Deposits	1 13 8	1 13 8	1 13 8	.....
Cash Credit Accounts with the Banks in 1855-6	2,029 8 4	2,029 8 4	2,029 8 4	.....
	127,317 18 6	127,317 18 6	2,031 2 0	125,316 16 6
REPAYMENT OF LOANS.							
Land and Immigration Debentures paid off	5,800 0 0	5,800 0 0	.....	5,800 0 0
CHARGES ON COLLECTIONS.							
Commission—							
On the Sale of Government Property	0 11 3	663 13 9	.....	0 11 3
On the collection of Intestate Estates	186 2 1		.....	186 2 1
On the collection of Quit Rents	38 8 10		.....	38 8 10
On the collection of Murray River Customs by the Government of South Australia	388 7 7		.....	388 7 7
Advertising	50 4 0		.....	50 4 0
Pilotage.							
Remuneration to Pilots, Port Jackson	2,239 12 9	2,239 12 9	.....	2,239 12 9
Miscellaneous.							
Law expenses in the case <i>Quin v. Rolfe</i>	3 0 0	86 14 9	.....	3 0 0
Reward for the Seizure of an Illicit Still	25 0 0		.....	25 0 0
Payment of a Claim against Cockerell's Confiscated Estate	7 2 3		.....	7 2 3
Expense of the conveyance of Gold Coin from the Mint to the Bank of New South Wales	15 12 6		.....	15 12 6
Value of Gold Coins taken from the general circulation of the Colony, for transmission to England	36 0 0		.....	36 0 0
	2,990 1 3	2,990 1 3	.....	.....
Carried forward £	136,137 19 9	136,137 19 9	2,031 2 0	134,106 17 9

STATEMENT OF DISBURSEMENTS, &c.—Continued.

HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL PAYMENTS.	CHARGED ON APPROPRIATIONS OF	
	Salaries.	Contingencies.	TOTAL.			Previous Years.	Current Year.
Unclassified Expenditure—Continued.							
Brought forward £	136,137 19 9	136,137 19 9	2,031 2 0	134,106 17 9
REVENUE AND RECEIPTS RETURNED.							
Amount of Postage Stamps received in payment of Revenue..	345 0 1	1,946 2 9	.....	345 0 1
Fines and Forfeitures	450 10 9		.....	450 10 9
Estreated Recognizances	131 6 10		.....	131 6 10
Fines imposed under the "Scab in Sheep" Act	103 9 0		.....	103 9 0
Assessment on Stock	21 4 1		.....	21 4 1
Amount paid in excess for the purchase of Land	15 0 0		.....	15 0 0
Rent of Land resumed by the Government	25 18 11		.....	25 18 11
Overpayments by the Commissariat, for Expenses incurred on account of the North Australian Expedition	664 13 4		.....	664 13 4
Sums deposited in the Treasury to defray the expenses of obtaining Letters of Registration granted under the Act of Council, 16 Victoria, No. 24	36 17 0		.....	36 17 0
Fines imposed for Slaughtering Cattle without license	20 0 0		.....	20 0 0
Fines for imperfect Weights	13 19 6	.....	13 19 6	
Licenses to Publicans	80 0 0	.....	80 0 0	
Other miscellaneous Receipts refunded	38 3 3	.....	38 3 3	
STORES.							
Standard Weights and Measures	2,375 0 0	8,741 17 0	2,375 0 0	.....
Reserve Store of Gunpowder	6,352 10 0		6,352 10 0	.....
Other Stores	14 7 0		14 7 0	.....
MISCELLANEOUS.							
Binding and Lettering the Public Accounts	4 10 0	4 10 0	4 10 0	.....
ARREAR CHARGES against the following Accounts, the Balances at their credit having been transferred to the Consolidated Revenue Fund in 1856, viz.:—							
SCHEDULE A, PART 1	522 5 11	2,314 17 0	522 5 11	.....
SCHEDULE A, PART 3	1,657 18 0		1,657 18 0	.....
TERRITORIAL REVENUE..	134 13 1		134 13 1	.....
Total, Unclassified Expenditure £							
Gross Total £	315,610 17 1	175,778 18 0	491,389 15 1	607,381 9 4	1,098,771 4 5	164,341 19 11	934,429 4 6

Audit Office, Sydney, New South Wales,
31st March, 1858.

W. C. MAYNE,
Auditor General.

OUT OF THE CONSOLIDATED REVENUE FUND.

APPENDIX TO THE STATEMENT OF DISBURSEMENTS OUT OF THE CONSOLIDATED REVENUE FUND FOR THE YEAR 1857.

STATEMENT of the Expenses of the Erection and Repairs of COLONIAL PUBLIC BUILDINGS, and of the Construction and Repairs of ROADS and BRIDGES, and of other PUBLIC WORKS, defrayed from the Colonial Treasury of New South Wales during the Year 1857.

PARTICULARS.	CHARGED ON APPROPRIATIONS OF		TOTAL.
	Previous Years.	Current Year.	
PUBLIC WORKS AND BUILDINGS.			
WORKS.			
Repairs and Alterations to the Steam Dredge and Punts	335 0 10	917 16 10	1,282 17 8
Repairs to the Semi-Circular Quay .. .. .	.....	1,660 13 3	1,660 13 3
Casual Repairs to Do. ....	.....	77 2 0	77 2 0
Constructing a Dam at Tarban Creek	400 0 0	15 0 3	415 0 3
Forming an Entrance into the Government Domain, from Palmer-street .. .. .	.....	164 15 0	164 15 0
Improvement of Hyde Park under the Superintendence of the Committee of Management	213 1 5	999 15 11	1,212 17 4
Repairing the Gates and Fences, Botanic Gardens and Domains .. .. .	.....	180 12 0	180 12 0
Depositing Silt on the reclaimed space in the Botanic Gardens .. .. .	.....	193 6 8	193 6 8
Expense of Covering in a portion of the Tank Stream .. .. .	.....	869 11 0	869 11 0
Surveying and Improving the Navigation of the Shoalhaven River .. .. .	.....	19 2 6	19 2 6
Constructing Electric Telegraph between Sydney and the South Head .. .. .	.....	523 1 5	523 1 5
Laying down Water Pipes to Government House .. .. .	.....	86 11 2	86 11 2
Erecting New Light House, Inner South Reef .. .. .	.....	1 10 0	1 10 0
Repairing the Dam at Parramatta .. .. .	.....	198 11 7	198 11 7
Public Abattoir, Glebe Island	2 19 4	.....	2 19 4
Repairing Queen's Wharf at Morpeth	400 0 0	.....	400 0 0
Improving the Navigation of the Rivers Brisbane and Bremer	225 0 0	.....	225 0 0
Repairing the Jetty, Cleveland Point, Moreton Bay	183 13 10	.....	183 13 10
Erection of a Light House at Cape Moreton	928 2 11	.....	928 2 11
Repairing the Dam over George's River at Liverpool	1,034 13 3	.....	1,034 13 3
Fencing the Cemetery at Orange	140 0 0	.....	140 0 0
Fencing the Cemetery at Albany	50 0 0	.....	50 0 0
Forming a Dam across the River Bremer	231 15 4	.....	231 15 4
TOTAL, WORKS	£ 4,144 6 11	5,942 15 7	10,087 2 6
BUILDINGS.			
Additions, Alterations, and Gas Fittings, Government House, Sydney	1,013 6 5	.....	1,013 6 5
Repairing and replacing Furniture in the Public Rooms at Government House	1,144 1 7	276 12 11	1,420 14 6
Erection of a Cottage in the Kitchen Garden, Inner Domain	113 0 0	.....	113 0 0
Instruments and Buildings for Meteorological Stations	287 15 8	.....	287 15 8
Additions and Repairs to the Lunatic Asylum, Parramatta	600 0 0	530 16 9	1,130 16 9
Works at the Protestant Orphan School, Parramatta	187 13 7	25 3 7	212 17 2
Works at the Roman Catholic Orphan School, ditto	196 15 0	.....	196 15 0
Incidental Repairs to the Victoria Barracks	50 5 5	.....	50 5 5
Repairs to Batteries	15 18 6	.....	15 18 6
Painting the Military Barracks at Newcastle	176 0 0	.....	176 0 0
Repairs to Military Buildings, Sydney and Country Districts	235 16 9	1,297 7 10	1,533 4 7
Lighting Lamps, Sweeping Chimneys, &c., at the Victoria Barracks .. .. .	.....	540 17 10	540 17 10
Employment of Prisoners sentenced to hard labor—			
Darlinghurst Gaol	199 4 7	1,709 19 11	1,909 4 6
Parramatta Gaol	189 13 2	994 17 6	1,184 10 8
Completing Bathurst Gaol	10 0 0	.....	10 0 0
Morpeth	641 9 6	.....	641 9 6
Collector	403 6 0	24 0 0	427 6 0
Watch House at	6 3 4	.....	6 3 4
Muswellbrook	500 0 0	.....	500 0 0
Armidale	100 0 0	.....	100 0 0
Parramatta	80 0 0	.....	80 0 0
Ipswich	96 5 0	.....	96 5 0
Court and Watch House at	348 7 0	.....	348 7 0
Orange	60 0 0	.....	60 0 0
Port Curtis	200 0 0	.....	200 0 0
Bambala	315 0 0	.....	315 0 0
Rocky River .. .. .	.....	148 10 0	148 10 0
Court House at	3 19 4	.....	3 19 4
Goulburn	572 16 2	.....	572 16 2
Singleton	446 4 0	.....	446 4 0
Newcastle .. .. .	.....	270 0 0	270 0 0
Police Buildings at Lower Condamine	5 10 5	.....	5 10 5
Do. at Stony Creek	439 17 3	.....	439 17 3
Buildings, &c., for Horse Patrol, Country Districts	40 3 5	.....	40 3 5
Repairs and Alterations, Police Buildings Within the Settled Districts	27 6 10	.....	27 6 10
Furniture and Fittings, do. do. do.	10 8 9	.....	10 8 9
Repairs and Alterations, Police Buildings Beyond the Settled Districts .. .. .	.....	149 17 8	149 17 8
Furniture and Fittings, do. do. do.	10 11 7	9,971 18 2	9,982 9 9
Fixing Steam Engine, Government Printing Office	163 1 5	1,614 10 2	1,777 11 7
Casual Repairs and Alterations to Public Buildings generally .. .. .	.....	.....	.....
Furniture and Fittings for Public Offices .. .. .	.....	.....	.....
TOTAL, BUILDINGS	£ 8,890 0 8	17,554 12 4	26,444 13 0
TOTAL, WORKS AND BUILDINGS	£ 13,034 7 7	23,497 7 11	36,531 15 6

APPENDIX TO STATEMENT OF DISBURSEMENTS FOR 1857.—Continued.

19

PARTICULARS.	CHARGED ON APPROPRIATIONS OF		TOTAL.
	Previous Years.	Current Year.	
ROADS AND BRIDGES.			
Constructing, Upholding, and Repairing the Public Roads, Bridges, and Ferries, on which Tolls have been established	262 16 5	74 15 0	337 11 5
Making and Repairing the Public Roads and Bridges on which Tolls are not established, viz.:—			
Great Western Roads	1,615 14 10	12,266 14 10	13,882 9 8
Great Southern Roads	2,575 15 4	12,040 13 10	14,616 9 2
Great Northern Roads	71 10 11	9,129 7 9	9,200 18 8
Moreton Bay Roads	1,882 15 4	1,517 9 6	3,400 1 10
Making and Repairing the Main Leading Thoroughfares beyond the Settled Districts	1,294 6 7		1,294 6 7
Repairing Camden Bridge		353 3 5	353 3 5
Repairing Roads and Bridges in the District of Sofala		106 0 0	106 0 0
Repairing the Main North Road at Warland's Flat		891 19 2	891 19 2
Repairing the Road from Bathurst to Wellington		428 10 3	428 10 3
Repairing the Roads and Bridges in the Wollombi District	61 0 1	511 4 7	572 4 8
Employment of Prisoners on the streets of Brisbane	148 5 6	200 13 0	348 18 6
Allowance to the Keeper of the Punt, George's River	8 15 0	26 5 0	35 0 0
For the Supervision of the undermentioned Roads, viz.:—			
Western Road, from Parramatta to Bathurst	41 13 4		41 13 4
Southern Road, from Saltpan Creek to Goulburn	41 13 4		41 13 4
Northern Road, from Murrumbidgee to the Gap at Murrumbidgee	41 13 4		41 13 4
Moreton Bay Road, from Brisbane to the Gap leading to Drayton	41 13 4		41 13 4
Fencing the Road through the Point Piper Estate	740 14 6		740 14 6
Lighting the Government Lamps, Sydney	34 5 0	313 10 0	347 15 0
Repairing the Approaches to the Ferries at Brisbane	21 15 8		21 15 8
Repairing Roads and Bridges damaged by the recent Floods		2,031 8 10	2,031 8 10
Road between Armidale and Grafton	98 4 6		98 4 6
Road from Sydney to Illawarra	11 10 0		11 10 0
Randwick and Cooee Road	3 9 7	409 15 9	413 5 4
Road from Braidwood to the River Clyde		133 10 3	133 10 3
Improving the Streets in the Town of Ipswich	36 0 0		36 0 0
Constructing and Repairing the undermentioned Bridges, viz.:—			
The Victoria Bridge, Maitland		20 18 0	20 18 0
The Denison Bridge, Bathurst		20 12 0	20 12 0
Bridge near the Menangle Ford		14 13 0	14 13 0
Do. over Stanley Creek, near Durandur	14 3 4		14 3 4
Do. at Quenbeyan	700 0 0		700 0 0
Do. over the Macquarie River, Illawarra	7 12 6		7 12 6
Do. at Windsor	811 17 7		811 17 7
TOTAL, ROADS AND BRIDGES	£ 13,667 6 0	43,491 4 2	57,158 10 2

No. 3.

S T A T E M E N T
OF
RECEIPTS AND DISBURSEMENTS
IN THE YEAR 1857,
ON ACCOUNT OF PUBLIC WORKS PROVIDED FOR BY LOANS SECURED
ON THE CONSOLIDATED REVENUE FUND.

STATEMENT of RECEIPTS and DISBURSEMENTS on Account of PUBLIC
in the

RECEIPTS.		TOTAL.
17 VICTORIA, No. 34. Proceeds of £10 Sewerage Debentures to the amount of £6,550, bearing Interest at 5 per cent. per annum, negotiated in the Colony.	6,549 0 0	
17 VICTORIA, No. 35. Proceeds of Water Supply Debentures to the amount of £31,800, bearing Interest at 5 per cent. per annum, negotiated in the Colony.	31,316 0 0	
18 VICTORIA, No. 40. Balance of proceeds of Railway Debentures to the amount of £33,800, bearing Interest at 5 per cent. per annum, negotiated through the Agency of the Bank of New South Wales in London, after deducting the sum of £29,970, advanced by that Bank in 1856.	877 4 5	
19 VICTORIA, Nos. 38 & 40. Proceeds of Public Works Debentures to the amount of £70,800, bearing Interest at 5 per cent. per annum, negotiated in the Colony.	70,830 10 0	
20 VICTORIA, No. 1. Proceeds of Debentures to the amount of £16,500, issued to pay off Land and Immigration Debentures, and bearing interest at 5 per cent. per annum, negotiated in the Colony.	15,672 16 9	
20 VICTORIA, No. 16. Proceeds of Debentures to the amount of £132,300, issued to pay off certain Debentures, which fell due in 1857, and bearing Interest at 5 per cent. per annum, negotiated in the Colony.	130,311 0 0	
REIMBURSEMENTS IN AID. Proportion of the salary of the Civil Engineer, while acting as Chief Commissioner of Railways, repaid and transferred to the credit of the Fitz Roy Dry Dock ...	373 15 9	
SALE OF GOVERNMENT PROPERTY. Condemned and Unserviceable Articles and Stores, sold on account of Works for the Defences of Port Jackson.	144 19 5	
RECEIPT ON ACCOUNT. Amount advanced by the Oriental Bank Corporation upon Public Works Debentures, to the amount of £100,000, issued to that Institution for negotiation in London.	90,000 0 0	
ISSUES ON ACCOUNT ADJUSTED. Balance of Adjustments over Advances to Public Officers £2,377 2 1 Balance of Adjustments over Remittances to the Colonial Agent General 4,983 15 10	7,360 17 11	
TOTAL RECEIPTS	£ 352,936 4 3	
BALANCE at the Credit of the LOANS' ACCOUNT, on the 31st December, 1856	116,966 19 4	
TOTAL	£ 469,903 3 7	

WORKS, provided for by Loans secured on the Consolidated Revenue Fund. 23
year 1857.

DISBURSEMENTS.	AMOUNT.	TOTAL.
17 VICTORIA, Nos. 34 AND 35; 18 VICTORIA, No. 36; 19 VICTORIA, No. 42; AND 20 VICTORIA, No. 40. Sewerage of the City Supply of Water to the City of Sydney	25,000 0 0 30,000 0 0	55,000 0 0
18 VICTORIA, No. 35. Light House, Cape Moreton Signal House, Newcastle New Water Police Watch House, Sydney Police Station, Southern end of Sydney Court House, Camden Watch House, Ipswich Bridge, Gunning Bridge, Queanbeyan	207 2 9 396 19 0 2,100 0 0 187 19 4 1,666 0 0 1,600 0 0 66 3 4 2,985 7 9	9,209 12 2
18 VICTORIA, No. 40; 19 VICTORIA, No. 40; 20 VICTORIA, No. 1; AND 20 VICTORIA, No. 34. Railway Works (including £10,000 advanced to the Government Commercial Agents for the purchase of Railway materials in England) ... ..	.....	142,715 16 11
19 VICTORIA, No. 38. St. Paul's Affiliated College Building Fund... ..	.....	6,000 0 0
19 VICTORIA, No. 40. Improving the Navigation of the River Hunter and the Port of Newcastle Defences of Port Jackson Building for a Time Ball, erection of an Observatory and Residence for the Astronomer Court House, Wollongong Light House, Newcastle Houses of Parliament Steam Dredge, Brisbane Fitz Roy Dry Dock Surveys, Experiments, and Preparations for the Extension of Railways	7,780 12 7 22,539 1 3 3,476 8 3 1,000 0 0 155 13 8 5,115 2 10 57 16 1 7,362 8 6 12,622 0 0	60,109 3 2
20 VICTORIA, No. 1. Land and Immigration Debentures paid off... .. Interest on the same, from 1st January to 21st November, 1856 Premium of 1 per cent. on the principal sum of £15,000 allowed to the Holders upon their receiving New Debentures in payment of Principal and Interest	15,000 0 0 522 16 9 150 0 0	15,672 16 9
20 VICTORIA, No. 16. Land and Immigration Debentures paid off... .. Premium on Remittances to the Colonial Agent General	130,400 0 0 500 0 0	130,900 0 0
20 VICTORIA, No. 33. Constructing Electric Telegraph between Sydney and Albury Defences of Port Jackson Formation of a Dockyard, and erection of Buildings and Machinery at the Fitz Roy Dry Dock Erection of a Light House, Newcastle Additional accommodation at the Sydney Infirmary Repairs and additions to the Immigration Depot, Brisbane... .. Removing obstructions to the navigation of the Rivers Brisbane and Bremer Construction of Bridges over certain crossings in the Moreton Bay District Repairs of the Roads, Little Liverpool Range Repairs of the Streets, Brisbane Road between Brisbane and Ipswich Bridge over Norman Creek	1,940 16 7 5,641 16 3 2,135 10 3 1,536 19 10 700 0 0 2,339 18 10 120 0 0 780 12 7 123 9 4 1,131 19 3 701 14 2 9 0 0	17,161 17 1
CHARGES on the Sale of Railway Debentures to the amount of £33,300 negotiated through the Agency of the Bank of New South Wales in London, viz.:— Bank Commission 1 per cent. Broker's Commission $\frac{1}{2}$ per cent. Interest on Treasury Drafts prior to sale of Debentures	333 0 0 83 5 0 1,147 11 2	1,563 16 2
TOTAL DISBURSEMENTS	£	438,333 2 3
BALANCE at the credit of the LOANS' ACCOUNT on the 31st December, 1857 ... ..	...	31,570 1 4
TOTAL	£	469,903 3 7

NOTE.—The amount of Loans contracted by the Colony to the 31st December, 1857, on the security of the Consolidated Revenue Fund, was £2,300,150, of which the particulars are given in a separate Statement.

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

ASSESSMENT ON SHEEP.

18 VICTORIA, No. 26, and 19 VICTORIA, No. 27.

ACCOUNT

OF

RECEIPTS AND DISBURSEMENTS

IN THE YEAR

1857.

STATEMENT of Receipts and Disbursements by the COLONIAL TREASURER, under

RECEIPTS.																			
NAME OF DISTRICT.													AMOUNT.						
Avisford	...	...	...	...	...	...	...	...	...	...	...	...	3	0	0
Albert	...	...	...	...	...	...	...	...	...	...	...	...	198	17	1
Bathurst	...	...	...	...	...	...	...	...	...	...	...	...	344	12	6
Bligh	...	...	...	...	...	...	...	...	...	...	...	...	381	3	1
Berrima	...	...	...	...	...	...	...	...	...	...	...	...	6	19	0
Braidwood	...	...	...	...	...	...	...	...	...	...	...	...	102	7	6
Brisbane	...	...	...	...	...	...	...	...	...	...	...	...	68	9	5
Camden and Picton	...	...	...	...	...	...	...	...	...	...	...	...	4	3	8
Clarence River	...	...	...	...	...	...	...	...	...	...	...	...	166	16	11
Carcoar	...	...	...	...	...	...	...	...	...	...	...	...	243	16	1
Cassilis	...	...	...	...	...	...	...	...	...	...	...	...	310	8	11
Darling Downs	...	...	...	...	...	...	...	...	...	...	...	...	2,528	19	1
Dungog	...	...	...	...	...	...	...	...	...	...	...	...	57	5	4
Goulburn	...	...	...	...	...	...	...	...	...	...	...	...	293	12	11
Gwydir	...	...	...	...	...	...	...	...	...	...	...	...	580	16	11
Hartley	...	...	...	...	...	...	...	...	...	...	...	...	89	0	10
Ipswich	...	...	...	...	...	...	...	...	...	...	...	...	584	7	7
Lower Darling	...	...	...	...	...	...	...	...	...	...	...	...	210	9	11
Liverpool Plains	...	...	...	...	...	...	...	...	...	...	...	...	1,193	0	0
Lachlan	...	...	...	...	...	...	...	...	...	...	...	...	769	5	9
Leichhardt	...	...	...	...	...	...	...	...	...	...	...	...	228	17	11
Mudgee	...	...	...	...	...	...	...	...	...	...	...	...	156	13	6
Molong	...	...	...	...	...	...	...	...	...	...	...	...	43	8	8
Murrurundi	...	...	...	...	...	...	...	...	...	...	...	...	34	15	11
Maranoa	...	...	...	...	...	...	...	...	...	...	...	...	116	15	8
Muswellbrook	...	...	...	...	...	...	...	...	...	...	...	...	115	4	3
Maneroo	...	...	...	...	...	...	...	...	...	...	...	...	857	8	1
Moreton Bay	...	...	...	...	...	...	...	...	...	...	...	...	174	19	3
Murrumbidgee	...	...	...	...	...	...	...	...	...	...	...	...	1,026	13	7
M'Leay	...	...	...	...	...	...	...	...	...	...	...	...	19	8	8
New England	...	...	...	...	...	...	...	...	...	...	...	...	2,097	10	3
Orange	...	...	...	...	...	...	...	...	...	...	...	...	89	7	6
Paterson	...	...	...	...	...	...	...	...	...	...	...	...	9	10	4
Penrith	...	...	...	...	...	...	...	...	...	...	...	...	2	5	0
Port Macquarie	...	...	...	...	...	...	...	...	...	...	...	...	4	12	8
Port Curtis	...	...	...	...	...	...	...	...	...	...	...	...	180	12	10
Queanbeyan	...	...	...	...	...	...	...	...	...	...	...	...	338	15	4
Rylstone	...	...	...	...	...	...	...	...	...	...	...	...	200	9	0
Singleton	...	...	...	...	...	...	...	...	...	...	...	...	148	11	5
Scone	...	...	...	...	...	...	...	...	...	...	...	...	238	12	10
Sofala	...	...	...	...	...	...	...	...	...	...	...	...	11	6	0
Shoalhaven	...	...	...	...	...	...	...	...	...	...	...	...	17	17	9
Tambaroora	...	...	...	...	...	...	...	...	...	...	...	...	8	0	0
Wellington (beyond the Settled Districts)	...	...	...	...	...	...	...	...	...	...	...	...	566	4	5
Wellington (within the Settled Districts)...	...	...	...	...	...	...	...	...	...	...	...	...	153	14	0
Wingham	...	...	...	...	...	...	...	...	...	...	...	...	2	9	3
Wollombi	...	...	...	...	...	...	...	...	...	...	...	...	2	0	0
Yass	...	...	...	...	...	...	...	...	...	...	...	...	208	4	2
Wide Bay and Burnett	...	...	...	...	...	...	...	...	...	...	...	...	1,502	0	4
TOTAL													£	16,594	1	1

SHEEP ACCOUNT.

the Acts of Council, 18 Victoria, No. 26, and 19 Victoria, No. 27, in the Year 1857.

DISBURSEMENTS.				
NAME OF PARTY COMPENSATED.	NAME OF DISTRICT.	NUMBER OF SHEEP DESTROYED.	AMOUNT PAID IN COMPENSATION.	TOTAL.
Lucy Howell.....	Camden	4,474	894 16 0	1,182 16 0
George Sykes	Goulburn	1,440	288 0 0	
		5,914	.....
SALARIES OF INSPECTORS.				
NAME.	DISTRICT OF WHICH INSPECTOR.	AMOUNT.		
D. Keefe.....	Lachlan	87	10	0
L. Markham	New England.....	200	0	0
D. Gunn	Deniliquin	200	0	0
H. Neweomen.....	Murrurundi	80	0	0
G. Appel.....	Brisbane.....	80	0	0
J. T. Baker.....	Murrumbidgee	200	0	0
T. P. Buckley.....	Queanbeyan	80	0	0
F. Sands	Wellington.....	50	0	0
F. W. Charteris.....	Goulburn	75	0	0
T. Boyle	Liverpool Plains ...	100	0	0
(succeeded by)				
George Wilson		109	13	7
G. Hazard	Warialda	180	4	10
R. Popham	Maneroo	183	6	8
J. Sheppard	Berrima	25	0	0
T. Lavers	Gloucester and Macquarie.....	50	0	0
Thomas Turner	Yass	75	0	0
H. McGowan	Patrick's Plains.....	45	16	8
S. Ayres	Mudgee	50	0	0
Robert Meston	Darling Downs	170	1	8
C. P. Byrne	Wee Waa	166	13	4
W. Mackie	Carcoar	45	0	0
				2,259 6 9
CONTINGENT CHARGES.				
Edward Ryan.....	Lachlan	Assessment returned	31	3 0
W. Clements	Sydney	Examining 294 Sheep ...	7	7 0
W. C. Bundock	Clarence River	Penalty returned	5	7 5
Robert Bennett	Bligh	Assessment and Penalty returned.....	60	8 3
				104 5 8
By Repayment of Amount advanced in 1856 from the Consolidated Revenue Fund to meet Claims in excess of the Amount of Assessment received during that year				2,793 3 3
TOTAL EXPENDITURE £				6,339 11 8
BY BALANCE, CASH IN THE TREASURY, 31st December, 1857				10,254 9 5
TOTAL £				16,594 1 1

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

Clergy and School Lands Revenue.
ACCOUNT OF RECEIPTS AND DISBURSEMENTS IN THE YEAR 1857.

RECEIPTS.	TOTAL.	DISBURSEMENTS.	AMOUNT.	TOTAL.
		EXPENSES OF MANAGEMENT.		
Collections by the Agent for the Clergy and School Lands	£ s. d. 6,852 10 1	Salary of the Agent	£ s. d. 131 5 0	£ s. d.
Advances on account—Balance of Adjustments over Advances in 1857...	428 2 10	Office Contingencies	8 0 0	
		Commission on Collections... ..	206 6 7	
		Expense of destroying Thistles on Lands near Picton	10 11 6	456 3 1
		ISSUES FOR CHURCH PURPOSES.		
		Salary of Gael Chaplain, Church of England	6 5 0	
		Towards the erection of a Presbyterian Church at Paddington	295 17 2	302 2 2
		ISSUES FOR SCHOOL PURPOSES.		
		Church of England Schools	230 18 10	
		Roman Catholic Schools	211 12 6	442 11 4
BALANCE IN THE TREASURY ON 31ST DECEMBER, 1856	8,395 12 6	BALANCE IN THE TREASURY ON 31ST DECEMBER, 1857 ... £	14,475 8 10	
TOTAL	15,676 5 5	TOTAL	15,676 5 5	

The Balance of Cash in the Treasury, as above shewn	£14,475 8 10
Was liable for outstanding Charges to the amount of.....	8,079 1 10
Leaving a net Balance of	6,396 7 0
Applicable to Church Purposes	4,568 16 6
School Purposes	1,827 10 6

Audit Office, Sydney, New South Wales,
1st February, 1858.

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

POLICE REWARD FUND.—16 VICTORIA, No. 33.

ACCOUNT of Sums received by the Colonial Treasurer, for and in respect of the Police Reward Fund, and of the Appropriation of the same, to the 31st December, 1857.

PARTICULARS.	COLONIAL TREASURER.	
	Tr.	Cr.
To Balance on 31st December, 1856:—		
Cash in the Treasury	837 13 2	
Public Works Loan Debentures... ..	4,000 0 0	
	4,837 13 2	
To Sums received in 1857	2,209 4 0	
Interest on Debentures	662 11 8	
Debentures Deposited in 1857	5,500 0 0	
Inspector General of Police, for Advances made by him to meet claims on the Police Reward Fund	308 17 7	
By Amount paid—		
As Gratuities on leaving the Police Force:—		
Alexander Kennedy, Sydney Police		83 1 9
W. M'Mahon, ditto		52 0 6
As Gratuities to the Widows of deceased Constables, viz:—		
Margaret Wood, widow of Chief Constable Wood of the Maitland Police		62 10 0
Ann Kendall, widow of Chief Constable Kendall of the Penrith Police		40 0 0
Elizabeth Webber, widow of Chief Constable Webber of the Queanbeyan Police		25 0 0
Margaret Harthill, widow of Constable Harthill, of the Bathurst Police		16 13 4
Faithful Hastings, widow of Constable Hastings of the Burnett Police		4 12 0
As Rewards for Meritorious Services in the apprehension of Prisoners &c., viz:—		
John Horrigan, Police, Gladstone		5 0 0
William Hobbs, Chief Constable, Windsor		5 0 0
Edward Murphy, ditto, Tumut		15 0 0
As Rewards to the Maitland Police, for their praiseworthy conduct during the recent floods in the Hunter River District, viz:—		
Henry Garvin, Chief Constable		20 0 0
John Lee, District Constable		15 0 0
Thomas Kerrigan, Sergeant		15 0 0
Roger Kennedy, ditto		15 0 0
Edward Kedwell, Constable		10 0 0
Joseph Davis, ditto		10 0 0
Edward McLean, ditto		10 0 0
James Arthur, ditto		10 0 0
Patrick Dwyer, ditto		10 0 0
Patrick Morris, ditto		10 0 0
Adam Stout, ditto		10 0 0
William Smith, ditto		10 0 0
William Talbot, ditto		10 0 0
John McNeil, ditto		10 0 0
John Agnew, ditto		10 0 0
Francis Collins, ditto		10 0 0
John Little, ditto		10 0 0
Thomas Watson, ditto		10 0 0
Oliver Elliott, ditto		10 0 0
Thomas Rayfield, ditto		10 0 0
By Amount paid for £1,500 Water Supply Debentures, purchased at 99 per cent., as an Investment on account of the Police Reward Fund		1,485 0 0
By Repayment of Advances made in 1856, on account of the Police Reward Fund, by the Inspector General of Police		438 5 1
By Balances on 31st December, 1857:—		
Cash in the Treasury	1,561 3 9	
Public Works Loan Debentures	4,000 0 0	
Railway Debentures	4,000 0 0	
Water Supply Debentures	1,500 0 0	
		11,061 3 9
£	13,518 6 5	13,518 6 5

*Audit Office, Sydney, New South Wales,
24th February, 1858.*

*W. C. MAYNE,
Auditor General.*

NEW SOUTH WALES.

POLICE SUPERANNUATION FUND.—16 VICTORIA, No. 33.

ACCOUNT of Sums received by the Colonial Treasurer, for and in respect of the Police Superannuation Fund, and of the Appropriation of the same, to the 31st December, 1857.

PARTICULARS.	COLONIAL TREASURER.	
	Dr.	Cr.
	£ s. d.	£ s. d.
To Balance on 31st December, 1856 :—		
Cash in the Treasury	£1,450 9 3	
Railway Debentures	1,500 0 0	
Public Works Loan Debentures	2,000 0 0	
	4,950 9 3	
To Sums received in 1857	1,790 6 3	
Interest on Debentures	488 0 8	
Debentures deposited in 1857	3,500 0 0	
Inspector General of Police for Advances made by him to meet claims on the Police Superannuation Fund	662 18 7	
By Amount of Pension paid :—		
Sergeant Peter Coyle		25 1 0
Constable Owen Laraghy		45 18 6
Constable Charles Hotham		17 1 10
Constable John Marsh		36 10 0
Sergeant William Carroll		21 5 10
Constable William B. Hutchinson		9 4 0
Constable James Shanahan		63 3 9
Chief Constable Thomas M'Gee		41 5 0
Chief Inspector John Wearin		93 13 0
Inspector Thomas J. Powell		27 4 6
Inspector William Holmes		75 10 0
Chief Constable John M'Alister		55 0 0
Constable John Harris		57 0 4
Constable Alexander Ross		57 0 4
Constable Matthew Carroll		48 18 9
Constable Denis Regan		42 14 0
Constable Charles Lucas		43 14 4
Constable James Smith		19 16 0
Constable James Gallagher		32 15 9
Constable Edward M'Cormick		20 6 8
Constable Patrick Duan		9 3 0
Constable James Egan		25 3 3
By Portions of Gratuities on abolition of office :—		
Inspector W. A. Douglas		15 5 4
Sub-Inspector W. E. Hilliard		5 14 11
By Commutation of Pension, William B. Hutchinson		54 15 0
By Remittance to the Colonial Agent General to make payments in England		21 5 10
By Repayment of Advances made in 1856 by the Inspector General of Police on account of the Police Superannuation Fund		425 18 10
By Amount paid for £1,500 Water Supply Debentures purchased at 99 per cent. as an Investment on account of do.		1,485 0 0
By Balance on the 31st December, 1857 :—		
Cash in the Treasury	£1,516 5 0	
Railway Debentures	3,500 0 0	
Public Works' Loan Debentures	2,000 0 0	
Water Supply Debentures	1,500 0 0	
	8,516 5 0	
	£ 11,391 14 9	11,391 14 9

Audit Office, Sydney, New South Wales,
24th February, 1858.

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

SPECIAL RECEIPTS' ACCOUNT.

ACCOUNT of SPECIAL RECEIPTS, and of the RE-ISSUES therefrom, by the COLONIAL TREASURER, in the Year 1857.

PARTICULARS.	RECEIPTS.			Re-issues in the Year 1857.	Balances in the Treasury on the 31st December, 1857.
	Balances in the Treasury on the 31st December, 1856.	Receipts in the Year 1857.	TOTAL.		
Savings' Bank Deposits	60,000 0 0	.....	60,000 0 0	.....	60,000 0 0
Imperial Postage.....	6,229 5 5	307 5 9	6,536 11 2	6,475 4 8	61 6 6
Fines under the Mercantile Marine Act.....	10 0 0	.....	10 0 0	10 0 0	.....
Paris Exhibition Commissioners.....	30 12 0	.....	30 12 0	30 12 0	.....
Shipping Master, Sydney—Seamen's Wages.....	110 10 11	537 18 10	648 9 9	495 4 2	153 5 7
Immigration Remittances	2,463 18 0	.....	2,463 18 0	2,463 18 0	.....
Poundage.....	16,566 16 9	6,673 7 10	23,240 4 7	6,465 9 5	16,774 15 2
Revenue Suspense—Old Account	1,188 1 6	.....	1,188 1 6	360 0 0	828 1 6
Ditto. New Account.....	2,503 9 9	20,514 5 1	32,017 14 10	27,916 9 5	4,101 5 5
Amount taken from William Ramsay, and lodged in the Treasury, pending his trial for horse-stealing	299 5 0	.....	299 5 0	299 5 0	.....
Contractor for the construction of certain Works for the Defences of the Harbour—Security	500 0 0	.....	500 0 0	.....	500 0 0
Contractor for the construction of certain Works of Defence on Pinchgut Island—Security	250 0 0	.....	250 0 0	250 0 0	.....
Contractor for the erection of the Light House on Cape Morston—Security	500 0 0	.....	500 0 0	500 0 0	.....
Surry Hills Church Fund .....	.....	527 9 0	527 9 0	339 9 0	188 0 0
TOTALS..... £	90,651 19 4	37,560 6 6	128,212 5 10	45,605 11 8	82,606 14 2

Audit Office, Sydney, New South Wales,
18th February, 1858.W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

TRUST MONEYS' DEPOSIT ACCOUNT.

STATEMENT of TRUST MONEYS deposited in the COLONIAL TREASURY, and of Re-Issues therefrom, under the Act 20 Victoria, No. 11, up to 31st December, 1857.

OFFICER DEPOSITING.												DEPOSITS.	Re-ISSUES.	BALANCES IN THE TREASURY ON THE 31st DECEMBER, 1857.
Master in Equity	...	...	...	...	...	...	...	...	...	...	...	32,467 17 3	9,414 3 7	23,053 13 8
Curator of Intestate Estates	...	...	...	...	...	...	...	...	...	...	...	20,733 11 2	1,071 17 5	19,661 13 9
Prothonotary of the Supreme Court	...	...	...	...	...	...	...	...	...	...	...	1,238 19 6	198 14 11	1,040 4 7
Official Assignees in Insolvency ...	J. P. Mackenzie	...	...	...	...	...	...	...	...	...	...	10,091 6 0	8,384 0 4	1,707 5 8
	John Morris	...	...	...	...	...	...	...	...	...	...	10,633 6 6	4,632 18 1	6,000 8 5
	F. W. Perry	...	...	...	...	...	...	...	...	...	...	16,005 1 5	14,376 13 6	1,628 7 11
	Adam Wilson	...	...	...	...	...	...	...	...	...	...	6,469 16 6	5,051 1 11	1,418 14 7
TOTALS ..												£ 97,639 18 4	43,129 9 9	54,510 8 7

Audit Office, Sydney, New South Wales,
9th March, 1858.

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

MINT BULLION ACCOUNT.

STATEMENT of Issues and Re-Issues to the Deputy Master of the Royal Mint, from the Balance of Deposits in the Colonial Treasury, at the credit of the Savings' Bank of New South Wales, for the purchase of Gold Bullion imported into the Mint for Coinage, for the year 1857.

PARTICULARS.	COLONIAL TREASURER.	
	Dr.	Cr.
JANUARY, 1857.		
To Balance, Cash in the Treasury on 31st } December, 1856.....	17,248 19 0	
To Repayments of Coin by the Deputy Master ...	57,500 0 0	
By Re-Issues to ditto		65,000 0 0
FEBRUARY.		
To Repayments	30,000 0 0	
By Re-Issues		35,000 0 0
MARCH.		
To Repayments	50,000 0 0	
By Re-Issues		50,000 0 0
APRIL.		
To Repayments	35,000 0 0	
By Re-Issues		25,000 0 0
MAY.		
To Repayments	40,000 0 0	
By Re-Issues		50,000 0 0
JUNE.		
To Repayments	50,000 0 0	
By Re-Issues		20,000 0 0
JULY.		
To Repayments	30,000 0 0	
By Re-Issues		45,000 0 0
AUGUST.		
To Repayments	56,500 0 0	
By Re-Issues		76,000 0 0
SEPTEMBER.		
To Repayments	82,500 0 0	
By Re-Issues		82,000 0 0
OCTOBER.		
To Repayments	115,000 0 0	
By Re-Issues		115,000 0 0
NOVEMBER.		
To Repayments	60,000 0 0	
By Re-Issues		60,000 0 0
DECEMBER.		
To Repayments	161,000 0 0	
By Re-Issues		160,000 0 0
By Balance, Cash in the Treasury on the 31st } December, 1857.....		1,748 19 0
	£ 784,748 19 0	784,748 19 0

Audit Office, Sydney, New South Wales,
19th January, 1858.

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

COLONIAL AGENT GENERAL.

STATEMENT

OF

RECEIPTS AND EXPENDITURE

FROM 1ST OCTOBER, 1856, TO 30TH SEPTEMBER,

1857.

*STATEMENT of Receipts and Expenditure by Edward Barnard, Esquire, Colonial
1st October, 1856, to 30th September, 1857, the*

RECEIPTS.	TOTAL.
Balance in hand 30th September, 1856	15,748 3 7
Amount of sums remitted from the Colony... ..	46,896 16 10
Received from Mr. Winkley, London, value of a Case of waste Paper Baskets, lost at his Wharf	2 9 9
Drawback on Stationery, shipped in September by the "Nourmahal"	16 7 11
Interest on £23,000 Exchequer Bills, for 364 days, less Income Tax	813 18 11
Repayment by the Honorable the East India Company of the expense of forwarding 25 Merino Rams to Calcutta	173 10 0
Proceeds of the Sale of Exchequer Bills to the amount of £23,000	23,017 9 4
Value of Coins forwarded to the Royal Mint, London, from the Sydney Branch, for Assay ...	421 0 0
Drawback on Stationery shipped in April by the "Dunbar"	14 14 6
Interest on Debentures, charged in error to the Government of New South Wales, refunded ...	30 17 11
Carried forward £	87,135 8 9

Agent General, on Account of the Colony of New South Wales, for the period from the latest date to which his Accounts have been received.

EXPENDITURE.	AMOUNT.	TOTAL.
Pension of C. D. Riddell, Esq., late Colonial Treasurer, from 1st February to 30th June, 1857	416 13 4	
Pension of W. M. Manning, Esq., late Solicitor General, from 25th May to 30th June, 1857	80 8 8	497 2 0
Half Salary of Captain Martindale, R.E., Chief Commissioner of Railways, from 16th January to 15th March, 1857	100 0 0	
Half Salary of T. H. B. Venour, Esq., Shipping Master, Sydney, from 24th July to 23rd September, 1856	33 6 8	
Half Salary of Revd. K. D. Smythe, Presbyterian Clergyman, from 1st January, 1855, to 30th June, 1856	112 10 0	245 16 8
Captain Hawkins, R.E., late Officer Commanding the Sappers and Miners engaged in Railway Surveys, balance of pay, at £1 2s. 8d. per diem ... ..	.....	20 12 8
Pension to Revd. F. Wilkinson, late Colonial Chaplain, from 1st July, 1856 to 30th June, 1857 (including arrears, £23 5s.)	211 16 8	
to Mrs. Eliza Smith, late Mrs. Bent, from 1st July, 1856, to 30th June, 1857... ..	200 0 0	
to W. H. Kerr, Esq., late Chief Commissioner of Insolvent Estates, from 1st July, 1856, to 30th June, 1857	71 8 4	
to F. Gosling, late Clerk in the General Post Office, from 1st July, 1856, to 30th June, 1857... ..	52 0 0	
to J. Townshend, late Clerk in the Colonial Secretary's Office, from 1st July, 1856, to 30th June, 1857	85 0 0	
to T. S. Townsend, late Surveyor, from 10th December, 1855, to 30th June, 1857... ..	171 6 11	
to the late R. T. Webb, late Chief Clerk in the Customs, from 1st January to 19th July, 1857	37 1 11	
to T. Bovan, late Trooper in the Mounted Police, from 1st July, 1856, to 30th June, 1857	9 2 6	837 16 4
to Lady Dowling, Widow of Sir James Dowling, late Chief Justice, from 1st February to 30th June, 1857	83 6 8	
to Mrs. Anne Kinchela, Widow of the late Mr. Justice Kinchela, from 1st July, 1856, to 30th June, 1857	100 0 0	
to Mrs. Anne Petric, Daughter of the late Captain Flinders, R.N., from 1st January, 1856, to 30th June, 1857	150 0 0	333 6 8
Salary of Edward Barnard, Esq., and Allowance for Clerks, Office, &c., from 1st October, 1856, to 30th September, 1857	400 0 0	
Postages from 1st July, 1856, to 30th June, 1857	8 2 9	408 2 9
Parliamentary Papers for 1857	16 2 0	
Acts of Parliament, Army and Navy Lists, &c.... ..	26 9 7	
Freight, Insurance, and Packing... ..	31 17 6	74 9 1
Printing Postage Stamps... ..	104 0 0	
Embossing Machine, and Materials for making Postage Stamps	651 0 0	
Paper for do	24 2 5	
Freight and Insurance	46 18 7	826 1 0
Registrar General's Reports of Births, Marriages, and Deaths, 1840 to 1855	2 11 0	
Freight	1 7 0	3 18 0
Instruments for the Railway Department	815 10 0	
Books for the Railway Commissioners	248 10 10	
Stationery for the Railway Department... ..	451 2 2	
Freight and Insurance	48 6 8	1,563 9 8
Instruments, &c., for the Survey Department	1,109 10 8	
Freight	3 9 6	1,113 0 2
Carried forward	£	5,923 15 0

STATEMENT—Continued.

RECEIPTS—Continued.	TOTAL.
Brought forward £	87,135 8 9
TOTAL RECEIPTS... .. £	87,135 8 9
BALANCE DUE TO THE COLONIAL AGENT GENERAL, 30TH SEPTEMBER, 1857... .. £	4,126 3 7
TOTAL £	91,261 12 4

STATEMENT—Continued.

EXPENDITURE—Continued.				AMOUNT.	TOTAL.
Brought forward...	...	...	£	.....	5,923 15 0
Machinery for the Workshops at the Fitz Roy Dry Dock	...	...	...	3,423 18 0	
Superintending the execution of the Order	...	...	...	97 11 0	
Freight and Insurance	...	...	...	1,140 15 7	
					4,662 4 7
Articles for a Voltaic Battery for Works at the River Brisbane	...	...	...	50 12 4	
Freight and Insurance	...	...	...	7 8 9	
					57 16 1
Passages of one National School Teacher and Family, per "Commodore Perry."	...	...	...	75 0 0	
Advertisements inserted in the <i>London Gazette</i>	...	...	...	.....	65 10 0
Allowance to Mrs. Baines, from 1st July, 1856, to 30th June, 1857	...	...	...	.....	50 0 0
Instruments for the Observatory...	...	...	...	.....	243 2 6
Instruments for the Inspector of Distilleries	...	...	...	.....	20 5 0
Measures for the Customs' Department	...	...	...	.....	3 18 6
Articles for the Assay Department, Royal Mint, Sydney Branch	...	...	...	.....	19 2 5
Ordnance Stores for 1854	...	...	...	.....	5,824 9 4
Clothing for Police, 1855	...	...	...	.....	7,256 2 6
Clothing for Police, 1856	...	...	...	.....	5,181 19 7
Clothing for Convicts, 1855	...	...	...	.....	3,551 10 11
General Stores for 1855	...	...	...	.....	7,253 18 8
Gunpowder to form a Reserve Store	...	...	...	.....	6,352 10 0
Cost of Bill Stamps	...	...	...	.....	13 13 0
Land and Immigration Debentures paid off	...	...	...	.....	20,000 0 0
Interest on the following Debentures, viz. :—					
Land and Immigration, from 1st July, 1856, to 30th June, 1857	...	...	...	6,231 16 8	
Railway .. 1st July, 1856, to 30th June, 1857	...	...	...	13,436 7 8	
Public Works ... 1st July, 1856, to 30th June, 1857	...	...	...	1,027 12 1	
Sewerage ... 1st July, 1856, to 30th June, 1857	...	...	...	1,674 9 10	
Water ... 1st July, 1856, to 30th June, 1857	...	...	...	2,336 8 0	
					24,706 14 3
TOTAL EXPENDITURE ...				£	91,261 12 4

Audit Office, Sydney, New South Wales,
24th February, 1858.

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

STATEMENT shewing the RESULT OF SALES of the DEBENTURES remaining in the hands of the BANK OF NEW SOUTH WALES, on the 31st December, 1856, for negotiation in ENGLAND, through the London Branch of that Establishment.

DESCRIPTION OF DEBENTURES.	Amount of Principal.	Rate $\frac{7}{8}$ cent. at which sold.	Gross Proceeds.	Accrued Interest at date of Sale.	Amount Realised.	Net Rate $\frac{7}{8}$ cent. Realised.	CHARGES.					Charges in Excess of Amount Realised.
							Advances of 90 $\frac{7}{8}$ cent. Repaid.	Broker's Commission @ $\frac{1}{4}$ $\frac{7}{8}$ cent.	Bank Commission @ 1 $\frac{1}{2}$ cent.	Interest on Treasury Drafts prior to Sale of Debentures.	Total.	
RAILWAY DEBENTURES. 18 VICTORIA, No. 40.....	22,000 0 0	95	20,900 0 0	515 6 10	20,384 13 2	92 13 1	19,800 0 0	55 0 0	220 0 0	754 0 7	20,829 0 7	444 7 5
	11,300 0 0	95	10,735 0 0	272 8 9	10,462 11 3	92 11 9	10,170 0 0	28 5 0	113 0 0	393 10 7	10,704 13 7	242 4 4
TOTAL.....£	33,300 0 0	.....	31,635 0 0	787 15 7	30,847 4 5	.....	29,970 0 0	83 5 0	333 0 0	1,147 11 2	31,533 16 2	686 11 9

Audit Office, Sydney, New South Wales,
19th January, 1858.

W. C. MAYNE,
Auditor General.

NEW SOUTH WALES.

STATEMENT

OF THE

PARTICULARS OF LOANS

WHICH REMAINED UNPAID ON THE

31st DECEMBER, 1857.

STATEMENT OF THE PARTICULARS OF LOANS (SECURED PRINCIPAL AND INTEREST UPON
UNPAID ON THE

SERVICES FOR WHICH LOANS HAVE BEEN CONTRACTED.	PARTICULARS			
	YEAR OF REPAYMENT.		PRINCIPAL AMOUNT OF DEBENTURES ISSUED.	
	At the option of the Government.	At the option of the Lender.	Amount of each Issue.	Total Issues for each Service.
Immigration	1856 1857 1857 1858	1858 1859 1859 1860	50,000 50,000 60,000 53,000	213,000
16TH VICTORIA, No. 39. Loans to the Sydney Railway Com- pany	12 months' notice 1861 1862 1862 1860	1873 1873 1874 1874 1860	20,000 30,000 138,500 11,500 17,500	217,500
18TH VICTORIA, No. 40. Purchase of the Hunter River and Sydney Railway Companies properties.....	1860 1860 Permanent. 1858 1860 1861	1860 1860 1860 1860 1861	55,000 175,700 2,700 3,100 19,900 38,100	233,400
Railway Works	1866 1871 1876 1876	1866 1866 1871 1876 1876	139,000 100,000 100,000 33,300	433,400
20TH VICTORIA, No. 1. Railway Works	1876	1876	203,000	203,000
To pay off Land and Immigration Debentures	1876	1876	70,500	70,500
20TH VICTORIA, No. 16. To pay off Land and Immigration Debentures	1877	1877	132,300	132,300
18TH VICTORIA, No. 35; 19TH VICTORIA, Nos. 38 & 40; AND 20TH VICTORIA, No. 33. Permanent Public Works.....	1860 1866 1876 1876 1882 1873	1860 1866 1876 1876 Interminable 1873	21,000 12,800 150,000 116,400 70,800 100,000	471,000
17TH VICTORIA, No. 34. Sydney Sewerage	3 months' notice 1860 1866 1876 1882	1859 1860 1866 1876 Interminable	10,000 44,900 97,500 25,900 6,550	184,850
17TH VICTORIA, No. 35. Sydney Water Supply	3 months' notice 1860 1866 1876 1877 1862	1859 1860 1866 1876 1877 1862	10,000 18,000 50,700 36,700 30,800 1,000	147,200
				£ 2,306,150

* Advance of 90 per cent. by the Oriental Bank Corporation, London—no report of

*Audit Office, Sydney, New South Wales,
16th March, 1858.*

THE CONSOLIDATED REVENUE FUND OF THE COLONY OF NEW SOUTH WALES) WHICH REMAINED
31st DECEMBER, 1857.

OF LOANS.		PARTICULARS OF INTEREST.	
PROCEEDS.		RATE.	ANNUAL AMOUNT.
Proceeds of each Issue of Debentures.	Total Proceeds of Loans for each Service.		On each Loan. On Total Loan for each Service.
105,320 17 6	218,192 5 2	2½d. per diem per cent.	4,182 5 10
60,746 5 0		2½d. do.	2,509 7 6
52,125 2 8		2½d. do.	2,619 12 8½
		3½d. do.	
53,431 13 4	223,936 3 4	3½d. per diem per cent.	988 10 10
		3½d. do.	1,482 16 3
153,933 10 0		3½d. do.	6,845 13 0½
16,571 0 0		2½d. do.	480 19 3½
		3½d. do.	864 19 5½
55,000 0 0	224,733 18 8	3½d. per diem per cent.	2,718 9 9½
167,033 18 8		3½d. do.	8,684 6 9½
2,700 0 0		5 per cent. per annum.	135 0 0
		3½d. per cent. per diem.	153 4 5½
21,952 0 0	405,371 12 11	3½d. do.	933 11 11½
38,100 0 0		3½d. do.	1,833 3 5½
		5 per cent. per annum.	6,950 0 0
314,472 8 6		5 do.	5,000 0 0
30,847 4 5		5 do.	5,000 0 0
		5 do.	1,665 0 0
199,997 10 0	267,097 16 2	5 per cent. per annum.	10,150 0 0
67,100 6 2		5 do.	3,525 0 0
130,311 0 0	130,311 0 0	5 per cent. per annum.	6,615 0 0
20,250 0 0	438,989 8 10	3½d. per diem per cent.	1,037 19 4½
150,977 16 4		5 per cent. per annum.	7,500 0 0
107,431 2 6		5 do.	5,820 0 0
70,330 10 0		5 do.	3,549 0 0
* 90,000 0 0		5 do.	5,000 0 0
10,000 0 0	177,132 1 9	4 per cent. per annum.	400 0 0
42,980 0 0		3½d. per diem per cent.	2,219 5 6½
93,936 19 3		5 per cent. per annum.	4,875 0 0
23,666 2 6		5 do.	1,295 0 0
6,549 0 0		5 do.	327 10 0
10,000 0 0	140,230 18 5	4 per cent. per annum.	400 0 0
17,380 0 0		3½d. per diem per cent.	889 13 9
48,000 5 11		5 per cent. per annum.	2,535 0 0
33,534 12 6		5 do.	1,835 0 0
30,336 0 0		5 do.	1,540 0 0
980 0 0		5 do.	50 0 0
2,225,995 5 3	2,225,995 5 3		£ 113,341 10 0
			113,341 10 0

the sale of, these Debentures having reached the Colony at this date.

W. C. MAYNE,
Auditor General.

1858.

Legislative Assembly.

NEW SOUTH WALES.

Finance, 1857-8.

STATEMENTS OF ACCOUNT

HAVING REFERENCE TO

THE WAYS AND MEANS

FOR

1857-8.

Laid upon the Table by the Minister for Finance and Trade,
7TH APRIL, 1858.



ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
7TH APRIL, 1858.

SYDNEY :

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

FINANCE, 1857-8.

No. 1.

BALANCE SHEET shewing the ACTUAL DEFICIT of REVENUE on the 31st of December, 1856, and the ESTIMATED DEFICIT on 31st December, 1857.

Dr.		£ s. d.		Cr.
To Estimated Cash Deficit of Revenue Proper, } exclusively of Loans on 31st December, 1856 }	151,623 4 5		By Revenue and Receipts actually collected to 31st December, 1857 } (Statement annexed)	£ s. d. 1,179,104 6 10
Increase in Revenue over Estimate	31,279 9 9			
	<hr/>	120,343 14 8		
Amount of Appropriation for 1857	1,103,940 15 11			
Not likely to be required	30,000 0 0			
	<hr/>	1,073,940 15 11		
Supplementary Estimate for 1857, as voted.....	49,894 17 2			
Additional do. do. do.	30,590 4 7			
	<hr/>	80,485 1 9	Estimated Deficit on 31st December, 1857	95,665 5 6
	<hr/>	£ 1,274,769 12 4		<hr/>
				£ 1,274,769 12 4

Estimated Deficit on 1st January, 1858..... £95,665 5 6

R. CAMPBELL.

*The Treasury, New South Wales,
31 March, 1858.*

FINANCE, 1857-8.

No. 2.

REVENUE and RECEIPTS from 1ST JANUARY to 31ST DECEMBER, 1857.

REVENUE.										£	s.	d.
Customs										583,216	17	7
Duty on Colonial Spirits										63,477	10	4
Gold Licenses, Royalty, &c.										2,797	15	0
Duty on Gold										16,198	8	9
Miners' Rights, &c.										6,491	0	0
Fees for Escort and Conveyance of Gold										3,774	0	2
Mint Receipts										10,840	14	10
Land Sales										210,333	17	3
Immigration Remittances										18,162	5	10
Rents of Land										62,703	9	0
Quit Rents										224	9	0
Redemption of Quit Rents										92	8	11
Survey of Land										528	16	0
Rents, Exclusive of Land										11,154	10	7
Licenses										65,717	3	2
Postage										36,288	12	3
Fines and Forfeitures										8,113	7	4
Fees of Office										29,248	17	5
Railway Tolls										9,418	5	2
Assessment on Stock										31,240	18	9
Sale of Government Property										2,000	12	9
Reimbursements in aid of Expenses										12,518	9	6
Miscellaneous Receipts										3,064	9	0
Interest on Bank Deposits										3,443	8	8
Balances in the Hands of Public Officers refunded										11,237	6	2
Assisted Immigrants' Fund										946	5	11
Accrued Interest on Debentures at time of issue										2,018	16	7
										1,155,852	15	11
OTHER RECEIPTS.												
Colonial Agent's Stock Account										9,881	19	10
Interest on City Debentures										7,432	4	3
Transfers from other Revenues										874	3	11
Advances to Public Officers, &c., refunded										5,063	2	11
TOTAL... ..									£	1,179,104	6	10

The Treasury, New South Wales,
31 March, 1858.

R. CAMPBELL.

No. 3.

ESTIMATED ACCOUNT CURRENT OF REVENUE AND EXPENDITURE, carried to 31 December, 1858.

62-B

To Estimated Deficiency on 1 January	£ s. d. 95,665 5 6	By Estimated Revenue, as per Statement of Ways and Means, viz. :—	£ s. d.
Consolidated Revenue,—Estimates laid before the Assembly* ...	1,266,238 8 6	To be collected under existing Laws* 1,233,561 0 0 Do. proposed Assessment... 114,000 0 0	1,347,561 0 0
Loans proposed to be raised—		Loans proposed to be realized for Railway extension, and to pay off Debentures.....	797,000 0 0
Railway Extension 732,000 0 0		Do. authorized to be raised to cover the deficit of Revenue to 1856, of £150,000, now reduced to	95,665 5 6
To pay off Debentures falling due 65,000 0 0	797,000 0 0		
	2,158,908 14 0		
Apparent Balance to Cr. of Consolidated Revenue, 31 December ...	81,322 11 6	* This includes gross receipts of Railway Tolls, £82,000.	
*This includes £35,000 to pay off Debentures, and £66,800, Working Expenses of Railways.	£ 2,240,226 5 6	£ 2,240,226 5 6	
		Apparent Balance to Cr. of Consolidated Revenue on 1 January, 1859	81,322 11 6

FINANCE, 1857-8.

The Treasury, New South Wales,
31 March, 1858.

R. CAMPBELL.

ESTIMATES FOR THE YEAR 1858.

DEPARTMENT.	SERVICE.	AMOUNT.	TOTAL.
		£ s. d.	£ s. d.
	Schedules A. B. C. ....	.....	75,461 14 8
	Executive and Legislative.....	.....	19,035 7 4
Chief Secretary	Departmental Salaries and Con- tingencies.....	15,041 7 9	
Secretary for Finance & Trade...	Do. do.	12,224 6 10	
Secretary for Lands and Public Works	Do. do.	74,586 10 9	
Auditor General	Do. do.	5,042 0 0	106,894 5 4
Chief Secretary	Postal	88,537 0 0	
	Educational	48,916 18 4	
	Immigration	118,604 0 0	
	Municipal Institutions	10,000 0 0	
	Grants in aid, &c.	1,800 0 0	
	Printing, &c.	14,087 10 0	
	Lunatic Asylum and Medical Officer.	27,090 4 5	
	Charitable Allowances	13,186 3 6	
	Aborigines	2,000 0 0	
	Military, and 2 Companies, Artillery	18,945 1 2	
	Police..... 170,144 1 5		
	Gaols	35,684 11 3	
		205,828 12 8	
	Miscellaneous.....	3,700 0 0	
	Unforeseen Expenses.....	2,000 0 0	554,695 10 1
	Administration of Justice.....	41,310 2 0	
	Prison Labor	3,400 0 0	44,710 2 0
Secretary for Finance and Trade	Customs..... 25,960 10 0		
	Drawbacks	20,000 0 0	
	Distilleries	2,409 7 0	
		48,369 17 0	
	Mint	11,466 10 5	
	Gold Receivers ... 175 0 0		
		11,641 10 5	
	Shipping Masters	2,006 9 4	
	Light Houses, Steam Navigation Board, {Pilots and Harbour Masters.	21,719 10 0	
	Port Curtis Establishment.....		
	Miscellaneous	30 0 0	83,767 6 9
Secretary for Land and Public Works	Gold Fields	20,131 17 4	
	Railways, exclusive of Loans	65,000 0 0	
	Roads.....	83,462 10 0	
	Telegraphs.....	0 0 0	
	Public Works		
	Buildings, Repairs, &c. 57,483 0 0		
	Steam Dredge ... 2,000 0 0		
		59,483 0 0	
	Lighting Public Lamps.....	350 0 0	
	Government Domain and Botanic Gardens	4,135 15 0	
	Surveyor of Coal Fields	680 0 0	
	Compensation to Rawlings.....	431 0 0	233,674 2 4
	Interest on Outstanding Deben- tures, &c. ....	.....	140,000 0 0
	Endowments .....	.....	8,000 0 0
		£	1,266,238 8 6

No. 5.

LOANS' ACCOUNT
BALANCE SHEET,
FROM JANUARY TO DECEMBER,
1857.

Dr.		No. 5.							LOANS' ACCOUNT.				
RECEIPTS.										AMOUNTS.			
To—													
Balance on 31st December, 1856										£	94,567	12	6
17 VICTORIA, No. 34 :— Proceeds of Debentures sold											6,549	0	0
17 VICTORIA, No. 35 :— Proceeds of Debentures sold											31,316	0	0
19 VICTORIA, Nos. 38 & 40 :— Proceeds of Debentures sold											160,330	10	0
20 VICTORIA, No. 1 :— Proceeds of Debentures sold											15,000	0	0
20 VICTORIA, No. 16 :— Proceeds of Debentures sold											130,311	0	0
Transfer from Consolidated Revenue											26	15	3
Repayments—													
19 Victoria, Nos. 38 & 40											115	8	7
20 Victoria, No. 33											381	4	10
20 Victoria, No. 34											29	10	10
											526	4	3
TOTAL...										£	438,627	2	0

*The Treasury, New South Wales,
31 March, 1858.*

JANUARY TO DECEMBER, 1857.

Gr.

PAYMENTS.										AMOUNTS.			
By—													
17	VICTORIA, No. 34 :— Sydney Sewerage										25,000	0	0
17	VICTORIA, No. 35 :— Sydney Water Works										30,000	0	0
18	VICTORIA, No. 35 :— New Water Police Watch House										2,100	0	0
	Watch House, Ipswich										1,600	0	0
	Court House, Camden										1,666	0	0
	Police Station, South Sydney										187	19	4
	Light House, Cape Moreton										213	17	9
	Signal House, Newcastle										396	19	0
	Bridge, Queanbeyan										2,709	6	9
	Bridge, Gunning										66	3	4
											8,940	6	2
19	VICTORIA, Nos. 38 & 40 :— Improvements, River Hunter... ..										8,830	12	7
	Works of Defence, Sydney Harbour... ..										19,909	16	2
	Legislative Council Buildings										4,920	0	0
	Water Supply, Gladstone										164	3	1
	Fitz Roy Dock, Cockatoo										2,969	8	10
	Railway Surveys										13,286	2	5
	Observatory and Time Ball										3,233	5	9
	St. Paul's College										6,000	0	0
	Court House, Wollongong										1,000	0	0
	Site for Light House, Newcastle										170	8	8
											60,483	17	6
20	VICTORIA, No. 1 :— Land and Immigration Debentures paid off										15,000	0	0
20	VICTORIA, No. 1 :— Railway Works, &c.										114,997	10	0
20	VICTORIA, No. 33 :— Removing obstructions, Rivers Brisbane and Bremer										250	0	0
	Repair of Streets of Brisbane... ..										2,000	0	0
	Watch House, Gatton... ..										450	0	0
	Roadway and Tank, Drayton... ..										500	0	0
	Repair of the Streets at Ipswich										2,000	0	0
	Electric Telegraph between Sydney and Melbourne... ..										2,717	0	0
	Bridge over Laidley Creek										500	0	0
	Bridge over Breakfast Creek										1,500	0	0
	Additional Accommodation, Sydney Infirmary										3,500	0	0
	Asylum for Destitute Children										5,000	0	0
	Light House, Newcastle										1,522	4	10
	Defences of Port Jackson										5,616	7	9
	Dockyard, Buildings, and Machinery, Dry Dock, Cockatoo										1,840	14	10
	Public Wharf, Maryborough										500	0	0
	Bridge at Ipswich										150	0	0
	Immigration Depot, Brisbane... ..										2,000	0	0
	Court and Watch House, Maryborough										1,000	0	0
	Roads, Upper Dawson and Fitz Roy Rivers										200	0	0
											31,246	7	5
20	VICTORIA, No. 16 :— Land and Immigration Debentures paid off, &c.										130,900	0	0
20	VICTORIA, No. 34 :— Railways										12,174	19	5
TRANSFER to Consolidated Revenue										14	18	5	
										428,757	18	11	
Balance on 31 December, 1857										9,869	3	1	
TOTAL										£ 438,627	2	0	

R. CAMPBELL.

No. 6.

STATEMENT of the Estimated REVENUE derivable from LAND and RENTS, and of the EXPENSES chargeable thereon, for 1858.

PARTICULARS.							AMOUNT.		PARTICULARS.							AMOUNT.	
REVENUE.							£	s. d.	CHARGES.							£	s. d.
Land Revenue ...	...	...	...	...	...	...	400,750	0 0	Secretary for Lands and Public Works ...	...	...	...	...	...	...	6,214	14 0
Rents—Exclusive of Land ...	...	...	...	...	...	...	16,600	0 0	Survey and Management of Crown Lands ...	...	...	...	...	...	...	53,132	16 9
									Commission on Land Sales, &c. ...	...	...	...	...	...	...	4,000	0 0
									Emigration from the United Kingdom ...	...	...	...	...	...	...	50,000	0 0
									Immigration Agent, Sydney ...	...	...	...	...	...	...	6,210	15 0
									Quarantine ...	...	...	...	...	...	...	2,393	5 0
									Roads and Bridges, Harbor Works, and River Navigation ...	...	...	...	...	...	...	99,894	10 0
									Endowments, Municipal Bodies ...	...	...	...	...	...	...	10,000	0 0
									Native Police ...	...	...	...	...	...	...	17,696	18 4
									Aborigines ...	...	...	...	...	...	...	2,000	0 0
									Interest on Loans (deducting the Interest payable on Corporation Debentures, and the net balance of Railway Tolls ...)	...	...	...	...	...	...	104,800	0 0
									Balance available for other purposes ...	...	...	...	...	...	...	61,007	0 11
TOTAL ...	...	...	...	...	...	...	£	417,350	0 0	TOTAL ...	...	...	...	...	...	£	417,350 0 0

The Treasury, New South Wales,
31 March, 1858.

R. CAMPBELL.

No. 7.

STATEMENT, shewing the Total Debt of the Colony; the Sums authorised to be Raised by certain of the Loan Acts; and of the Amounts Raised under each of those Acts respectively, on the 31st of December, 1857.

SERVICES.	AMOUNTS AUTHORISED TO BE RAISED.	AMOUNTS RAISED.	BALANCES TO BE RAISED.	TOTAL DEBT.	REMARKS.
LAND AND IMMIGRATION—					
DEBENTURES.....	.....	.....	.....	213,000 0 0	
SYDNEY RAILWAY CO. ....	.....	.....	.....	217,500 0 0	
PUBLIC WORKS—					
18 Vic., 35	178,750 0 0	72,450 0 0	106,300 0 0	79,000 0 0	
RAILWAYS—					
18 Vic., 40 .....	.....	.....	.....	666,800 0 0	
PUBLIC WORKS—					
19 Vic., 38 & 40	385,323 0 0	362,081 12 6	23,241 7 6	392,000 0 0	
SYDNEY SEWERAGE—					
17 Vic., 34	200,000 0 0	170,945 2 6	29,054 17 6	184,850 0 0	{ Including £6,550 of £10 Debentures actually sold.
SYDNEY WATER—					
17 Vic., 35	200,000 0 0	138,058 12 6	61,941 7 6	147,400 0 0	
L. & I. DEBENTURES—					
20 Vic., No. 1	73,776 0 0	70,500 0 0	3,276 0 0	70,500 0 0	
RAILWAYS—					
20 Vic., 1	200,000 0 0	199,997 10 0	2 10 0	203,000 0 0	
L. & I. DEBENTURES—					
20 Vic., 16	130,400 0 0	130,311 0 0	89 0 0	132,300 0 0	
DEFICIT—					
20 Vic., 20	160,000 0 0	.....	160,000 0 0	.....
PUBLIC WORKS—					
20 Vic., 33	107,717 18 11	.....	107,717 18 11	.....
RAILWAYS—					
20 Vic., 34	300,000 0 0	.....	300,000 0 0	.....
	£ 1,925,966 18 11	1,114,313 17 6	781,623 1 5	2,306,350 0 0	

NOTE.—It is likely that a further sum of £60,000 will have to be raised, being £20,000 each for the Affiliated Colleges in connection with the Presbyterian, Wesleyan, and Roman Catholic Churches, 19 Victoria, 38.

The Treasury, New South Wales,
31 March, 1858.

R. CAMPBELL,
Treasurer.

1858.

Legislative Assembly.

NEW SOUTH WALES.

GOVERNMENT DEBENTURES.

(CORRESPONDENCE BETWEEN COLONIAL TREASURER AND THE ORIENTAL BANK.)

Ordered by the Legislative Assembly to be Printed, 30 March, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly,
dated 26 March, 1858, that there be laid upon the Table of the
House,—

“Copies of all Correspondence which may have taken place
“between the Colonial Treasurer and the Oriental Bank upon
“the subject of the Sale of, and Advances upon, Government
“Debentures, from 23rd April, 1857, to 24th March, 1858.”

SCHEDULE:

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1.	The Honorable the Treasurer to G. K. Ingelow, Esq., 21 May, 1857	3
2.	Same to same, 23 May, 1857	4
3.	G. K. Ingelow, Esq., to the Honorable the Treasurer, 13 July, 1857	5
4.	Treasury Minute, 16 July, 1857	6
5.	The Honorable the Treasurer to G. K. Ingelow, Esq., 17 July, 1857	6
6.	Same to same, 17 August, 1857	6
7.	The Secretary to the Treasury to G. K. Ingelow, Esq., 2 September, 1857	7
8.	The Honorable the Treasurer to G. K. Ingelow, Esq., 5 September, 1857	7
9.	Same to same, 5 September, 1857	8
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12.	Same to same, 3 October, 1857	9
13.	G. K. Ingelow, Esq., to the Honorable the Treasurer, 5 October, 1857	9
14.	The Honorable the Treasurer to G. K. Ingelow, Esq., 5 October, 1857	10
15.	G. K. Ingelow, Esq., to the Honorable the Treasurer, 5 October, 1857	10
16.	The Honorable the Treasurer to G. K. Ingelow, Esq., 6 October, 1857	10
17.	The Secretary to the Treasury to G. K. Ingelow, Esq., 8 October, 1857	11
18.	Same to same, 8 October, 1857	11
19.	Same to same, 10 October, 1857	11
20.	G. K. Ingelow, Esq., to the Honorable the Treasurer, 21 October, 1857	11
21.	Minute of Colonial Treasurer, 22 October, 1857	12
22.	The Honorable the Treasurer to G. K. Ingelow, Esq., 5 November, 1857	13
23.	Proceedings of the Executive Council on 26 October, 1857, with respect to arrangements with Oriental Bank for Colonial Agency	14
24.	The Secretary to the Treasury to G. K. Ingelow, Esq., 7 November, 1857	14
25.	The Honorable the Treasurer to W. W. Cargill, Esq., 7 November, 1857	15
26.	The Secretary to the Treasury to G. K. Ingelow, Esq., 7 November, 1857	15
27.	Same to same, 9 November, 1857	16
28.	The Honorable the Treasurer to G. K. Ingelow, Esq., 1 February, 1858	16
29.	The Secretary to the Treasury to G. K. Ingelow, Esq., 6 February, 1858	16
30.	The Honorable the Treasurer to G. K. Ingelow, Esq., 4 February, 1858	17
31.	G. K. Ingelow, Esq., to the Honorable the Treasurer, 5 February, 1858	17
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33.	G. K. Ingelow, Esq., to the Honorable the Treasurer, 6 February, 1858	18
34.	Same to same, 8 February, 1858	19
35.	The Honorable the Treasurer to G. K. Ingelow, Esq., 10 February, 1858	20
36.	G. K. Ingelow, Esq., to the Honorable the Treasurer, 12 February, 1858	20
37.	Same to same, 19 February, 1858	21
38.	The Honorable the Treasurer to G. K. Ingelow, Esq., 22 February, 1858	21
39.	Archd. Stewart, Esq., to the Honorable the Treasurer, 23 February, 1858	22
40.	The Honorable the Treasurer to G. K. Ingelow, Esq., 4 March, 1858	22
41.	G. K. Ingelow, Esq., to the Honorable the Treasurer, 8 March, 1858	22
42.	Same to same, 10 March, 1858	23
43.	Same to same, 18 March, 1858	23
44.	Same to same, 19 March, 1858	24

GOVERNMENT DEBENTURES.

No. 1.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

The Treasury, New South Wales,

21 May, 1857.

SIR,

The time has now arrived when I propose to give effect to the arrangement entered into between the Government and the Oriental Bank.

I would, before proceeding to the subject matter in hand, acknowledge, briefly, your letter of 23rd April, in the contents of which I generally concur.

The spirit of the agreement between us shall, in all cases, be strictly acted up to and I approve of your having thus placed on record your remarks upon the contingencies which may arise to affect, from time to time, the terms on which the Bank are to be called upon to advance upon Government Debentures transmitted to London for sale. I am now to inform you that this Government propose to make the following payments, in London, through the Agency of the Oriental Bank, advices to be forwarded per "Simla" steamer, to-morrow :—

The Colonial Agent General, to meet Debentures falling due on 13th August, 1857	£ 50,000
The same, to provide for Stores for the Colonial Service	5,000
	<u>£55,000</u>
Her Majesty's Land and Emigration Commissioners, London	15,000
The Commissioners of Railways, for transmission to Messrs. P. W. Flower & Co., London ...	20,000
Ninety thousand pounds—say	<u>£ 90,000</u>

I have obtained from the Executive Council authority to issue Debentures, secured upon the Consolidated Revenue of the Colony, under the Acts 19 Victoria, Nos. 38 and 40, to the extent of £100,000, and, in terms of our agreement, I could now call upon the Oriental Bank to place in London, at the disposal of this Government, the sum of £90,000, or 90 per cent. on the nominal value of these Debentures; but the advices from home by the "Simla" being so far unsatisfactory, that we are not aware of any recent actual sales of Government Debentures by which we can fix the London market value, (owing to temporary and local causes affecting the money market of England at that date), I do not intend to avail myself of the advances to nearly its full extent.

But I propose to place in your hands, for remittance to London, Oriental Bank Bills for £50,000, payment for which is now made to you here, at the exchange of the day, and to transmit the Debentures for £100,000 for sale in the London market, (provided the price be satisfactory), in terms following, that is to say :—

The total sum which may be required at present being only £40,000 in excess of the remittance in Bills, I propose that no more than that amount of Debentures shall, *under any circumstances, be disposed of on worse terms than 95 per cent.*, that being the limit agreed upon in case the last quoted rate shall have been par.

But, inasmuch as the payments to—

The Emigration Commissioners.....	£15,000
The Colonial Agent General—Stores	5,000
The Agents of the Commissioners of Railways...	20,000
	<u>£40,000</u>

will

will not, in all probability, be called for immediately, and possibly not for several weeks after advice reaching home, it will be very desirable that no forced sales of any portion of these Debentures should be made in London.

This being the first transaction under the new arrangement, I am most anxious to introduce those Securities, not only under the most favorable auspices, which I feel confident they will secure by the Agency and care of the Oriental Bank, but also in such a way as to shew that we do not desire to realize unless the market be favorable.

Should the money market in London allow of these Debentures assuming their proper position on the Stock Exchange, which I do not think I overrate when I calculate upon their being steadily realizable at *par*, the Bank may sell the whole amount; but, in that case, you will please instruct the London Branch to place at interest upon notice (say not less than 10 nor more than 30 days) the whole sum of Sixty Thousand Pounds; that is to say, the value of Debentures over and above the £40,000 now intended to be provided for.

Further Remittances to England will be shortly required, and I shall be guided by the advices which we may receive in the meantime as to the mode in which they will be made.

In now opening the business with the Oriental Bank, I would beg to impress upon you the great importance of bringing out these Securities in London in the best possible way; and I feel certain that every attention to the interests of this Government will be bestowed upon this subject by your powerful institution.

I am, &c.,

G. K. INGELow, Esq.,

STUART A. DONALDSON.

Manager of the

Oriental Bank Corporation.

P.S.—I wish to add—1st. That although included in the requisition to-day, the Letter of Credit for Twenty Thousand Pounds, for the Commissioners for Railways, will not be taken up for this Mail.

2nd. That, in order to adhere to the Regulations with respect to Debentures transmitted to England, by which it is understood that six months notice must, in every case, be given before interest be claimed in London, the Coupons for interest on the Debentures now handed to you, due on 1st July, 1857, have been cut off, and are retained in the Treasury here.

The first interest accruing on these Debentures will, therefore, be the half-year's interest due 1st January, 1858.

STUART A. DONALDSON.

No. 2.

THE HONORABLE THE TREASURER to G. K. INGELow, Esq.

The Treasury, New South Wales,

23 May, 1857.

SIR,

Referring to my letter No. 1 of this date, I now hand you herewith the following Bills and Securities for transmission to the Oriental Bank, London, for the credit of the Government of New South Wales.

£50,000.

Bills of Exchange for Fifty Thousand Pounds, drawn by the Oriental Bank, Sydney, in favor of, and on the Oriental Bank, London, on account of the Government of New South Wales, at thirty days after sight.

£100,000.

New South Wales Government Debentures for One Hundred Thousand Pounds, issued under the Acts of Parliament of New South Wales, 19 Vict., Nos. 38 and 40, viz.:—

SERIES M.

Nos. 2,001 @ 2,200, of £100 each, dated 1st January, 1857 ... 20,000 0 0
(Interest in London, from 1 July, 1857)

SERIES N.

Nos. 2,032 @ 2,151, of £500 each, Interest 5 per cent.; 25
years or more, at will of Government ... 60,000 0 0

SERIES O.

Nos. 2,001 @ 2,020, of £1,000 each ... 20,000 0 0

TOTAL ... £100,000 0 0

The receipt whereof please acknowledge.

GOVERNMENT DEBENTURES.

5

I have now to request the issue of the following Letters of Credit, in duplicate, in favor of—

Edward Barnard, Esq., Colonial Agent General for	...	...	50,000	0	0
Ditto.	ditto.	...	5,000	0	0
The Commissioners of Railways, Sydney, for transmission to Messrs. P. W. Flower & Co., London, for	...	...	20,000	0	0
Her Majesty's Land and Emigration Commissioners, Park-street, London	...	...	15,000	0	0
			<u>£90,000</u>	<u>0</u>	<u>0</u>

I have, &c.,

G. K. INGELow, Esq.,
Manager, Oriental Bank.

STUART A. DONALDSON.

[Memorandum enclosed in No 2.]

I take this opportunity of suggesting, as a matter of form, that the following be the mode of recording our money transactions with the "Oriental Bank" here.

1. A Pass Book shall be kept written up, and regularly delivered to the Treasurer's order, from time to time.

2. In this book shall be credited all moneys handed to the Bank for transmission to London.

In the case of Bills, the full amount of such Drafts in this instance ... £50,000

In the case of Debentures, the full amount, in an inner column, with the rate of advance agreed, carried out, in this instance, 90 per cent ... £90,000

3. In delivery of all Letters of Credit, their amount shall be entered in the Pass Book to the debit of the account, and a cheque may pass, should you deem it desirable, in each case, for the amount so appropriated.

4. In case of directions to pay Pensions or other sums, the amount of which will not be certainly ascertained until the party entitled shall have received the same in London, I do not propose that any entry shall be made in the Pass Book.

5. But regularly at the expiration of each half-yearly period, which I propose to fix in the Colony at 30th June and 31st December, in each year, the Pass Book shall be written up from the London Account of the "Oriental Bank," such account being furnished, in duplicate, to the Treasurer, from time to time, as the same may be received.

STUART A. DONALDSON.

No. 3.

G. K. INGELow, Esq., to THE HONORABLE THE TREASURER.

Oriental Bank Corporation,
Sydney, 13 July, 1857.

Sir,

I beg to hand, for the information of the Government, the following extract from our London advices by last Mail.

"At present, New South Wales Government Debentures are all but unsaleable, "94½ having been offered for those of 1876, while for the series of 1882 we could find no "buyer at any price."

This advice is altogether unconnected with the £100,000 of Debentures subsequently forwarded on account of the Government, and refers solely to some Debentures of the two classes forwarded by a previous Mail from this Office, with a view to test the London market.

As there does not appear to be any reasonable probability of any such change taking place in England, either from money becoming cheap, or from a more favorable tone prevailing (at present) in respect to these particular securities, as would enable the Bank to negotiate that portion of those now in its hands against which credits have been granted, and a limit of 95 per cent. given for sale, I would beg to suggest the desirability of measures being taken to prevent the loss which would arise from the high rate of interest chargeable on the advances made on the securities, and the sacrifice that would have to be made before they could be disposed of in England.

I have, &c.,

GEO. K. INGELow,
Manager.

THE HONORABLE
THE TREASURER.

40—B

No. 4.

No. 4.

TREASURY MINUTE.

16 July, 1857.

THE recent advices from London render it extremely doubtful if the Debentures of this Colony will be saleable there, excepting at a very heavy discount.

Of the payments in London provided for through the Oriental Bank, the sum of £40,000 (Forty thousand Pounds) has been represented by Debentures transmitted for sale under the arrangement with that institution; but with injunctions *not to force a sale at a price lower than 95 per cent.*

As it appears very likely, in the present and prospective state of the money markets of Europe, that the market for Colonial stocks will not improve soon, and as we strengthen the hands of our agent (the Oriental Bank) as well as improve the character of our securities, by not offering for sale our Debentures in a very adverse market, I propose to remit, in Bills of Exchange, £40,000 (Forty thousand Pounds) by the "Columbian's" mail, replacing the sum, as soon as may be deemed expedient, by the sale of Debentures in the Colony. By this means the Oriental Bank will hold the whole of the £100,000 Debentures untouched for better times.

I circulate this for the approval of His Excellency the Governor General, after the Members of the Government have minuted their opinions.

STUART A. DONALDSON.

No. 5.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

The Treasury, New South Wales,

17 July, 1857.

SIR,

I beg to enclose herewith Bills of Exchange for £40,000, (Forty thousand Pounds,) drawn by the Oriental Bank, Sydney, at thirty days sight, in favor of the Oriental Bank, London, with a request that they may be transmitted to England, to the credit of this Government, in order to prevent the necessity for selling Debentures at an unfavorable rate—the last advices leading me to suppose that such may be the state of the English money market.

This remittance is made to cover the whole demand made upon the Oriental Bank for credits issued,—the whole £100,000 of Debentures handed to them for sale remaining untouched.

I am, &c.,

G. K. INGELOW, Esq.,
Manager, Oriental Bank,
Sydney.

STUART A. DONALDSON,

No. 6.

THE HONORABLE THE TREASURER, to G. K. INGELOW, Esq.

The Treasury, New South Wales,

17 August, 1857.

SIR,

With reference to the first paragraph of the agreement under which your Bank undertook to transact the Banking Agency of this Government in London, I now beg to hand you, enclosed, a list of Debentures current in England, as a preliminary step to further arrangements, which will be made to enable the Bank to prepare for the payment of the interest thereon, which will fall due on 1 January, 1858.

You will perceive that the form of Debentures issued by the New South Wales Government has varied on several occasions since the commencement of the issue in 1853.

As it is desirable that the Bank should be in possession of all these forms, I now hand you copies of all the various documents by which the public debt is, at present, represented. They are numbered 1 to 13, for future reference.

You will perceive that the Debentures issued by the Government since February, 1857, are different from all others in these three particulars:—

1.

1. They are payable after the expiration of 25 years from the date of issue, at the option of *the Government only*.
2. They are accompanied by 20 years' Coupons for interest payable half-yearly.
3. They are distinguished by a series *letter and number* peculiar to the issue under each Act specified.

Whether the issue of Debentures of this character be continued or not, the system of attaching a series letter and number to the issue under each Act will doubtless be persevered in, as it appears to afford a great check to forgery and to fraud in the peculation of the Coupons.

In order that you may be advised of the letters and numbers attached to each set of Debentures granted since this plan came into operation, I hand you, herewith, a complete list of the same, with a request that you will draw the particular attention of the Bank in London to this arrangement, which is similar to that adopted in many of the European Loans upon Debentures and Scrip.

Supplementary lists will be furnished to you from time to time.

I shall shortly have occasion to address you again upon this matter, and am, &c.,

STUART A. DONALDSON.

G. K. INGELOW, Esq.,

Manager, Oriental Bank.

No. 7.

THE SECRETARY TO THE TREASURY to G. K. INGELOW, Esq.

The Treasury, New South Wales,

2 September, 1857.

SIR,

In transmitting to you the enclosed List of Colonial Pensions, Salaries, &c., payable in London for the half-year ending 31 December, 1857, I am directed to request that you will invite your London Bank to place themselves in communication with Mr. Barnard on the subject.

I have, &c.,

HENRY LANE.

GEO. K. INGELOW, Esq.,

Manager, Oriental Bank Corporation.

No. 8.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

The Treasury, New South Wales,

5 September, 1857.

SIR,

I beg to hand you, enclosed, Bills of Exchange for the sum of Sixty-five thousand one hundred and eighteen pounds, drawn upon the Oriental Bank Corporation, London, at sixty days' sight, and have to request the issue of the following Letters of Credit, viz. :—

In favor of the Bank of New South Wales, London, payable on the 31st December, 1857, for	£17,000
In favor of the Oriental Bank Corporation, London, for.....	18,000
In favor of H. M. Colonial Land and Emigration Commissioners ...	15,000
Do. do. do.	1,118
Lloyd, Beilby & Co, London	10,000
And in favor of the Oriental Bank Corporation, London, for	4,000
	<hr/> £65,118 <hr/>

Special communication will be made to you respecting those of the Letters of Credit which are intended for the Bank in London, and I shall feel obliged by your expediting their preparation as much as convenient.

I am, &c.,

STUART A. DONALDSON.

G. K. INGELOW, Esq.,

Manager, Oriental Bank Corporation.

No. 9.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

*The Treasury, New South Wales,
5 September, 1857.*

SIR,

Referring to my letter of this date, No. 1049, I beg to hand you herewith a further set of Bills of Exchange on London for £500, at sixty days' sight, for which amount you will have the goodness to issue a Letter of Credit on the Oriental Bank Corporation, London, in favor of Messrs. Lloyd, Beilby & Co., London.

I am, &c.,

STUART A. DONALDSON.

G. K. INGELOW, Esq.,

Manager, Oriental Bank Corporation.

No. 10.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

*The Treasury, New South Wales,
5 September, 1857.*

SIR,

With reference to my letter of the 17th ultimo, forwarding a list of New South Wales Government Debentures current in England, I now beg to enclose a Letter of Credit (No. 7-7) for £18,000 issued by your establishment in favor of the Oriental Bank Corporation, and to request that you will transmit the same to London by this Mail, for the purpose of being applied in the payment of the interest due 1st January, 1858, on the Debentures above referred to.

This remittance is intended to be applied towards covering the interest due on Debentures to the amount of £735,740, which has hitherto been paid by Mr. Barnard, the Agent General. The interest on the £680,000 Debentures negotiated through the Bank of New South Wales will, at the request of that institution, continue to be paid at their Banking House in London.

Requesting the favor of an acknowledgment of the enclosure,

I am, &c.,

STUART A. DONALDSON.

GEO. K. INGELOW, Esq.,

Manager, Oriental Bank.

No. 11.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

*The Treasury, New South Wales,
5 September, 1857.*

SIR,

I beg to enclose herewith Letter of Credit, No. 7-11, for £4,000, on your London Establishment, and to request that you will cause that amount to be placed to the credit of this Government with the Oriental Bank, London, and to be held at the disposal of the undermentioned parties, for the services hereafter described:—

Messrs. Lloyd, Beilby, & Co., for the purchase of	
Naval Stores	£2,000
The Master of the Mint (Purchase of Automaton	
Balance)	240
	<hr/>
	2,240
The Residue of	1,760 is
	<hr/>
	£4,000

intended to cover demands

upon your London Branch, for the payment of Pensions, &c., of which a list has already been forwarded to you, and respecting which the late Agent General, Mr. Barnard, has been requested to afford the Bank all necessary information, as regards autographs and other particulars, by which to identify the recipients forms of vouchers prescribed by the regulations, &c.

Requesting the favor of an acknowledgment of the enclosure,

I am, &c.,

STUART A. DONALDSON.

G. K. INGELOW, Esq.,

Manager, Oriental Bank Corporation.

No. 12.

THE HONORABLE THE TREASURER to G. K. INGELOW, ESQ.

The Treasury, New South Wales,

3 October, 1857.

SIR,

By the Mail which leaves here on the 11th instant, this Government are desirous of having placed to their credit in London a sum of from £27,000 to £30,000.

As no advices have yet been received here respecting the £100,000 in Debentures placed in your hands on the 21st May last, to be transmitted to London for sale at certain stated limits, and as the last advices from there show that it was not likely that the securities could be sold at the limits given, I do not deem it advisable to take any advances at present on account of these Debentures. I am, therefore, desirous of knowing on what terms you will, under these circumstances, be prepared to place a sum, say not exceeding £30,000, to the credit of this Government in London, to be drawn against by the Mail which leaves Sydney on the 11th instant.

I am, &c.,

R. JONES,

Treasurer.

GEO. K. INGELOW, ESQ.,
Manager, Oriental Bank,
Sydney.

No. 13.

G. K. INGELOW, ESQ., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,**Sydney, 5 October, 1857.*

SIR,

I beg to acknowledge receipt of your letter of the 3rd instant, stating that the Government are desirous of having a sum of about £30,000 placed at their disposal in London by the out-going Mail, and that, as the securities now in the Bank's hands are not likely to be sold at the limit given, you desire to know on what terms such credit can be granted.

The securities in the Bank's hands in London are not now held for sale, or any portion of them, under the terms of the agreement. When first handed over, the Bank agreed to grant credits to the extent of £40,000 at a limit of 95 per cent., (the last then received London price for Terminable Debentures being par), but a subsequent advice showing that this limit was not only too high to admit of their being disposed of, but that they were reported as unsaleable, the credits were paid off.

It does not appear that the Government is now in a position to take any credits against these securities, as it would be necessary, in the first place, to fix a limit for sale 5 per cent. below the last London quotation.

I propose, therefore, that the Government shall cause to be prepared Debentures of a terminable character for a sufficient amount to cover the above-required advance, and that a limit be fixed for the sale, in accordance with the terms of the agreement.

Should this plan not be acceptable, owing to the short time now remaining before the departure of the Mail for the consideration of the matter, and the preparation of the documents, I then propose that the Government transfer a like sum of money to their credit in this office, to lie here as a part of their cash balance in the Colony, and bearing interest at the rate they now receive elsewhere—this sum to remain untouched until there has been sufficient time for the preparation of other arrangements.

I have, &c.,

GEO. K. INGELOW,

Manager,

THE HONORABLE
THE TREASURER.

No. 14.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

*The Treasury, New South Wales,
5 October, 1857.*

SIR,

In your reply, of this day's date, to my letter of the 3rd instant, you propose, if the time should be too short to prepare Terminable Debentures for the Mail of the 11th instant, that the Government should place a sum of say £30,000 to their credit in your Bank here, to lie there as part of their cash balance, and bearing interest at the rate they now receive from the Joint Stock Bank, to remain untouched until other arrangements are made to cover the amount; but you omit to state what you will be prepared to do in the event of the Government acting on your suggestion. Will you now be good enough to supply this omission?

I have, &c.,

R. JONES,

Treasurer.

GEO. K. INGELOW, Esq.,

Manager, Oriental Bank Corporation.

No. 15.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,
Sydney, 5 October, 1857.*

SIR,

In reply to your letter, No. 1055, just received. As the second suggestion in my former letter—of making a deposit here—was offered in case the other plan, of handing in Terminable Securities with a limit for sale, should not be deemed acceptable, I intended the Government to understand that we would issue credits against the security of such deposit.

If the Government should afterwards determine upon the issue of Terminable Debentures to the Bank, to cover the amount of these credits, the deposit, with the accrued interest, will, of course, be again at the disposal of the Government; or, if the Government should determine upon meeting the credits by purchasing the Bank's Drafts on London, then this deposit can be applied in payment of such Bills. In either case the plan is offered as an alternative by which the requisite credits can be granted, and, at the same time, the Government obtain leisure to consider upon the best course to be finally adopted.

I have, &c.,

GEO. K. INGELOW,

Manager.

THE HONORABLE

THE TREASURER.

No. 16.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

*The Treasury, New South Wales,
6 October, 1857.*

SIR,

As it will not be convenient to prepare Terminable Debentures for transmission to London by the Mail of the 11th instant, I have given instructions for the preparation of a Warrant to enable me to forward to you a cheque on the Joint Stock Bank, Sydney, for the sum of Thirty thousand Pounds, which, when received, I will thank you to place to the credit of the Government here, on the terms stated in your letter of yesterday's date, with a view to the like amount being placed at the disposal of this Government in London.

In the course of the next two or three days particulars will be furnished to you of the letters of credit we require on London.

I am, &c.,

R. JONES,

Treasurer.

GEO. K. INGELOW, Esq.

No. 17.

No. 17.

THE SECRETARY TO THE TREASURY to G. K. INGELOW, ESQ.

The Treasury, New South Wales,

8 October, 1857.

SIR,

Referring to the letter of the Honorable the Treasurer dated 6th instant, I am now directed to enclose cheque on the Australian Joint Stock Bank for the sum of £30,000, with a view to the like amount being placed to the credit of this Government in your London Establishment.

Against this deposit it is proposed to draw separate cheques for the amounts of the several Letters of Credit required, respecting which a further communication will be made to you without delay.

I have, &c.,

HENRY LANE.

GEO. K. INGELOW, ESQ.

No. 18.

THE SECRETARY TO THE TREASURY to G. K. INGELOW, ESQ.

The Treasury, New South Wales,

8 October, 1857.

SIR,

Pursuant to my letter of this date, No. 1,089, I now beg to hand you cheques on your Bank amounting to £27,622 14s., and to request the issue of the following Letters of Credit on the Oriental Bank Corporation, London:—

H. M. Colonial Land and Emigration Commissioners, the sum of	£18,093	0	0
Messieurs P. W. Flower and Co., London	...	...	7,000 0 0
Messieurs Lloyd, Beilby and Co., London	...	...	2,524 14 0
			<u>£27,622 14 0</u>

I have, &c.,

HENRY LANE.

GEO. K. INGELOW, ESQ.

No. 19.

THE SECRETARY TO THE TREASURY to G. K. INGELOW, ESQ.

The Treasury, New South Wales,

10 October, 1857.

SIR,

With reference to my letter of yesterday's date, No. 1,092, I am directed to enclose an additional cheque for £1,234, drawn against the deposit of £30,000, and to request the favour of your preparing a Letter of Credit in favour of H. M. Colonial Land and Emigration Commissioners in time to be forwarded by this Mail.

I have, &c.,

HENRY LANE.

GEO. K. INGELOW, ESQ.

No. 20.

G. K. INGELOW, ESQ., to THE HONORABLE THE TREASURER.

Oriental Bank Corporation,

Sydney, 21 October, 1857.

SIR,

I beg to hand, for your information, copy of an extract from the Minutes of the Court of Directors of this Bank of the 6th August, on the subject of the Financial Agency.

Whilst the Court confirm the arrangement generally, they do so, you will find, subject to explanation on three points. The first point they advert to, namely, arranging the form to the satisfaction of the public, is one which arises from the very necessity of the case, and which it is indispensable should be attended to.

The

The second point regards the mode of transmitting the Securities; any risk attending such transmission the Directors think it reasonable should be borne by the Government.

The third point is one which it was necessary they should arrange on a definite plan; and, although they state that it is not the custom of the Bank of England and private bankers to allow interest on current accounts, nor for the Joint Stock Banks to do so beyond a limited extent, and only at rates varying from 1 to 2 per cent. per annum, they agree to allow interest on any balance lying in their hands at 1 per cent. below the Bank of England rate of discount, charging on any overdraft 1 per cent. above that rate. As regards the £100,000 of Interminable Debentures, forwarded for sale on the 23rd May last, they have for the present retained them, but expect that the Government will take immediate steps for replacing them with other Debentures in the "usual form." Their letter was written when they had advice of credits to the extent of £40,000 against these Securities. Those credits having been subsequently paid off, the remarks are applicable to the credits granted last Mail and to others which may hereafter be required. I presume, in using the expression "usual form," they refer to Securities redeemable at the option of the holder on the expiry of a term of years.

I would suggest, as regards the transmission of the Securities, that the Government send forward the originals at least one Mail before they require the credits, the following Mail taking duplicates, thus any contingent inconvenience arising from the loss of one set of Securities in transit would be remedied.

The quotation of New South Wales Redeemable Debentures was 97 @ 98, but these rates are only for small amounts. A large sum could not be disposed of, unless ample time was given for the negotiation, except at a considerable reduction on these quotations.

I have, &c.,

GEO. K. INGELOW,
Manager.

THE HONORABLE,
THE TREASURER.

[Enclosure in No. 20.]

EXTRACT from the Minutes of the Court of Directors of the Oriental Bank Corporation, London, dated 6th August, 1857.

"Submitted—

"Copies of Correspondence between the Secretary for Finance and Trade of the New South Wales Government and the Manager of our Sydney Branch, on the subject of an English Agency.

"Resolved:—

"That the arrangement with the New South Wales Government, whereby this Corporation is appointed the English Financial Agents for the New South Wales Government, be, and it is hereby approved, and confirmed, subject to the following conditions and explanations on certain points, viz.:—

"I. That the tenor of the Debentures to be offered for sale is to be modified to suit the London Market, there being at present a positive objection to those in the form now received from Sydney, which are payable only at the option of the New South Wales Government.

"II. That all Debentures to be placed in our hands for sale are to be transmitted by the Government direct to this Office, and only a note of the same given to the Manager in Sydney by the Financial Secretary. The extent of credit agreed upon will take effect on the receipt, at this Office, of the Debentures so transmitted.

"III. That as the custom of London Bankers regarding interest varies considerably, it is understood that daily current interest will be allowed on the credit balance of 1 per cent. per annum under the Bank of England rate of discount; on the other hand, that interest will be charged on any debit balance, at 1 per cent. over the Bank of England rate of discount of the day."

(A true Copy.)

W. W. CARGILL,
Chief Manager.

No. 21.

The Oriental Bank Agency.

I submit for the consideration of their Excellencies the Administrators of the Government and the Executive Council the accompanying letter from the Sydney Manager of the Oriental Bank, transmitting extract from the Minutes of the Court of Directors, London, dated

dated August 6th, 1857, approving and confirming the arrangement made by the Sydney Manager with this Government, subject to three conditions specified in such extract.

1. As the Interminable Debentures are unsaleable, I recommend that the £100,000 in these securities, now lodged with the Oriental Bank, London, be replaced by Terminable Debentures to a like amount, having a currency of fifteen years, and with the interest and principal payable in Sydney or London; and I request authority to issue these Debentures accordingly for transmission by the November Mail.

2. Condition II is not an unreasonable one, and I recommend that it be acceded to.

3. Condition III I regard as an equitable and satisfactory arrangement, as to the interest to be received and paid; I, therefore, recommend that it be acceded to.

R. J.

Treasury, 22 October, 1857.

No. 22.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

*The Treasury, New South Wales,
5 November, 1857.*

SIR,

I beg to acknowledge the receipt of your letter of the 21st ultimo, enclosing extract from the Minutes of the Court of Directors of the Oriental Bank Corporation, London, of 6th August last, respecting the arrangements made between the Bank and this Government, for the transaction of their English Banking Agency.

In reply, I beg to acquaint you that I submitted your letter, with its enclosure, for the consideration of the Executive Council, and I now enclose a copy of the Minute of Proceedings thereon, for the information of yourself and the Court of Directors.

In conformity with the authority conveyed to me in that Minute, by their Excellencies the Administrators of the Government and the Executive Council, I propose transmitting, by the Mail of the 11th instant the sum of £100,000 in Debentures, terminable on the 1st January, 1873, principal and interest payable in Sydney or London—the interest accruing from the 1st January, 1858.

These Debentures being intended to replace the Interminable Debentures to a like amount now held by the Bank in London, on account of this Government, I have to request that you will have the goodness to advise the Court of Directors to that effect, and desire them to cause these Interminable Debentures to be sent back by return Mail.

With reference to your suggestion, to issue duplicates of Debentures, the Government are not prepared to act thereon; the risk of loss is so very slight, and the inconvenience and labor arising from the preparation of duplicates would be so great, that they think it inexpedient to adopt that course.

As regards the probable rate obtainable for the Debentures now proposed to be transmitted, the Government are not prepared to authorise their sale at a price lower than 95 per cent., but the Bank are hereby authorised to dispose of any amount they may be able to sell at and above that figure; and it is hoped that, as the English Money Market is getting easier, there will be no difficulty in disposing of the Debentures now transmitted at rates at least equal to those last advised.

The Government do not, at present, contemplate taking any further advances against the Debentures to be remitted by this Mail.

In conclusion I beg to state, that if there should be any difficulty in disposing of Debentures, at the limit given, to the amount already advanced on the Debentures now held, the Government will be prepared to repay the £30,000, or make arrangements that will allow of the Bank disposing of Debentures to that amount.

I have, &c.,

R. JONES.
Treasurer.

GEO. K. INGELOW, Esq.,
Manager, Oriental Bank, Sydney.

No. 23.

PROCEEDINGS of the Executive Council on the 26th October, 1857, with respect to the arrangement with the Oriental Bank for Colonial Agency.

Minute No. 57-52. Confirmed 2nd November, 1857.

REFERRING to the Proceedings on the 21st April last, with respect to the establishment of a Banking Agency in London, their Excellencies the Administrators of the Government lay before the Council a letter from the Sydney Manager of the Oriental Bank, transmitting the copy of an extract from the Minute of the Court of Directors in London, approving and confirming the arrangement made by him with this Government, subject to the following conditions, viz :—

- 1st. That the tenor of the Debentures to be offered for sale be modified to suit the London market, there being, at present, a positive objection to the Interminable Debentures.
 - 2nd. That all Debentures to be placed in the hands of the Bank for sale be transmitted by the Government direct to the Office in London, and only a note of the same given to the Sydney Manager by the Colonial Treasurer. The extent of credit agreed upon to take effect on the receipt, at the said Office, of the Debentures so transmitted.
 - 3rd. That, as the Custom of London Bankers regarding interest varies considerably, it be understood that current daily interest will be allowed on the credit balance at 1 per cent. per annum under the Bank of England rate of discount, and, on the other hand, that interest will be charged on any debit balance at 1 per cent. over the Bank of England rate of discount of the day.
2. Having carefully weighed the reasons urged by the Court of Directors, and their Sydney Manager, for proposing the modification of the original arrangement involved in these conditions, the Council advise in respect of them as follows :—

- 1st. That as the Interminable Debentures are not suited to the London market, the securities of that description, now lodged with the Oriental Bank in London, amounting to £100,000, be replaced by Terminable Debentures to a like amount, having a currency of 15 years, and with the interest and principal payable in Sydney or London, and that their Excellencies the Administrators of the Government should issue fresh Debentures accordingly, for transmission by the November Mail.
- 2nd. That Condition No. II be acceded to, and that Condition No. III, which they regard as an equitable and satisfactory arrangement, as to the interest to be received and paid, be also acceded to.

EDWARD C. MEREWETHER,
Clerk of the Council.

*Executive Council Office,
Sydney, 4 November, 1857.*

No. 24.

THE SECRETARY TO THE TREASURY to G. K. INGELOW, Esq.

The Treasury, New South Wales,

7 November, 1857.

SIR,

I am directed to submit, for the purpose of being noted in your office,—

Four Hundred Terminable Government Debentures, of fifteen years currency, with Interest at five per cent. per annum, from 1st January next. Principal and Interest payable either in Sydney or in London.

Series T.	Nos. 1 to 250 of £100	...	...	...	25,000	0	0
" U.	" 1 to 150 of £500	...	...	...	75,000	0	0
					£160,000	0	0

Amounting to One hundred thousand Pounds,

and to advise you of the Honorable the Treasurer's intention to transmit these Securities, per steamer "City of Sydney," to the Chief Manager of your Bank, in London, for the purpose of being substituted for those forwarded for sale in May last, to the form of which, it is stated, by the Court of Directors that there, at present, exists a positive objection in the London Market.

I have, &c.,

G. K. INGELOW, Esq.,
Manager, Oriental Bank, Sydney.

HENRY LANE.

No. 25.

THE HONORABLE THE TREASURER to W. W. CARGILL, Esq.

The Treasury, New South Wales,

7 November, 1857.

SIR,

In terms of the second condition expressed in the Copy of an Extract from the Minutes of the Court of Directors of your Bank, dated from London, 6th August, 1857, and conveyed to me by letter from your Sydney Manager, No. 7-16, dated the 21st ultimo, I have the honor to transmit herewith,—

400 Terminable New South Wales Government Debentures, amounting to (£100,000)

One hundred thousand Pounds,

for the purpose of replacing the Interminable Debentures, of like amount, which were forwarded for sale on the 23rd May last, and are now held by your Bank in London, on account of this Government.

You will have the goodness to acknowledge the receipt of the accompanying Debentures, and to cause those at present retained by you to be returned to the Colony by the first eligible opportunity.

I have, &c.,

W. W. CARGILL, Esq.,

Chief Manager of the

Oriental Bank Corporation, London.

R. JONES,

Treasurer.

SCHEDULE of DEBENTURES referred to in the Colonial Treasurer's letter of 7th November, 1857, as transmitted per Mail Steamer "City of Sydney" to the Chief Manager of the Oriental Bank Corporation, London.

New South Wales Government Debentures, terminable on 1st January, 1873, with interest at 5 per cent. per annum, from 1st January, 1858,—the principal and interest payable either in Sydney or London:—

Series T—Numbers 1 to 250, of £100 each £25,000

Series U—Numbers 1 to 150, of £500 each 75,000

£100,000

Amounting to One hundred thousand Pounds.

No. 26.

THE SECRETARY TO THE TREASURY to G. K. INGELOW, Esq.

*The Treasury, New South Wales,**Sydney, 7 November, 1857.*

SIR,

I am directed to enclose a set of Bills of Exchange for £16,000, drawn by Lieut. Colonel Robbins, of the Bengal Army, on the Honorable the Court of Directors of the East India Company, in favor of the Colonial Treasurer of New South Wales, and to request that you will place the amount of the Bills, less your commission of one-half per cent., to the credit of this Government, in your Bank in London.

I am also directed to request that you will furnish me with a Letter of Credit on your Bank in London, in favor of Her Majesty's Land and Emigration Commissioners, Park-street, Westminster, for the sum of £8,000, and to inform you that the remaining moiety of the £16,000 will be hereafter drawn for as the necessities of the Government may require.

I am further directed to request, that as, from advices lately received, there is reason to suppose that the sum of £8,000, about to be placed at the disposal of the Commissioners, may, possibly, prove insufficient to meet engagements actually entered into by the Commissioners carrying on Emigration from the United Kingdom, you will have the goodness to notify to your London establishment the wish of this Government, that, in the event of this being the case, the Cheques and Drafts of the Emigration Commissioners should be duly honored, to the extent of £10,000, in addition to the £8,000 herein referred to, to be charged against any funds the Bank may have standing to the credit of this Government; or if there be no such credits, to be then charged as advances on the Debentures transmitted by this Mail.

I have, &c.,

G. K. INGELOW, Esq.,

Manager of the Oriental Bank.

HENRY LANE.

No. 27.

THE SECRETARY TO THE TREASURY to G. K. INGELOW, Esq.

The Treasury, New South Wales,

9 November, 1857.

SIR,

With reference to my letter of the 7th instant, accompanying the Terminable Debentures for £100,000 sent by this Government, to replace those of like amount transmitted to London in May last, I am directed by the Treasurer to request, that you will invite the Chief Manager's attention to the statement made on the face of each of these documents, to the effect that, "when the Debenture is issued, the place at which the purchaser wishes the interest first falling due to be paid shall be stamped or written thereon, and any change in the place of payment of interest be registered at the Office of the Banking Agents six months prior to the date on which such interest shall be payable, and the substitution of one place for the other endorsed on the Debenture," and that you will impress upon Mr. Cargill the necessity for careful compliance with these conditions, in every instance of sales or transfers being effected through the agency of the Bank in London.

I have, &c.,

HENRY LANE.

G. K. INGELOW, Esq.,

Manager, Oriental Bank, Sydney.

P.S.—It may not be unnecessary to add, that notification to you of the intended transfer of Debentures from London to Sydney should at once be made, with a view to the payment of the interest in the latter place being duly provided.

No. 28.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

The Treasury, New South Wales,

1 February, 1858.

SIR,

I do myself the honor to invite attention to your two letters addressed to my predecessor, dated the 5th October, 1857, wherein you proposed, with the view of placing Thirty thousand Pounds at their disposal in the London Oriental Bank, the Colonial Government should deposit a like sum to their credit in the Sydney Branch, and that, on the Government placing Terminable Debentures in your hands, this Thirty thousand Pounds might, if requisite, be applied in the purchase of Bills of Exchange to meet any credits that may have been issued in London against the security of the deposit.

This proposal, in reference to the deposit of the Thirty thousand Pounds and to the issue of the Debentures, was agreed to by my predecessor, and, in further compliance with the terms thereof,—

I have now to inform you that at an early opportunity I intend to forward a cheque on the Oriental Bank, Sydney, for the purchase of your Drafts at 30 days, in order that the sum of (£29,000) Twenty-nine thousand Pounds may be transferred to your London Establishment to cover the advances there made on the security of the aforesaid deposit.

I have, &c.,

R. CAMPBELL.

GEO. K. INGELOW, Esq.

Manager, Oriental Bank Corporation.

No. 29.

THE SECRETARY TO THE TREASURY to G. K. INGELOW, Esq.

The Treasury, New South Wales,

6 February, 1858.

SIR,

I have the honor to enclose herewith a set of Bills of Exchange on London for the sum of £29,000, and to request that you will have the goodness to transmit the same to the Chief Manager of the Oriental Bank Corporation, London, for the purpose of being applied as explained in the letter from this Department, dated 1 February, No. 16.

An acknowledgment of the enclosure is requested.

I have, &c.,

HENRY LANE.

GEO. K. INGELOW, Esq.

Manager, Oriental Bank Corporation.

No. 30.

THE HONORABLE THE TREASURER to G. K. INGELOW, ESQ.

The Treasury, New South Wales,

4 February, 1858.

SIR,

I have the honor to inform you that this Government will require, for the payment of their expenses in London, a sum of Eighteen thousand seven hundred and ninety-^{£18,791 7s. 2d.} one pounds seven shillings and two-pence of the amount (£90,000) placed to the credit of the Colony on account of the Terminable Debentures for One hundred thousand Pounds transmitted for sale by my predecessor on the 7th November, 1857. I have, accordingly, to enclose cheques Nos. 40 to 43 for the respective sums of £7,500, £1,079, £10,000, and £212 7s. 2d., and to request that you will at once supply me with Letters of Credit on the Court of Directors in London in favor of:—

The Colonial Land and Emigration Commissioners	...	£ 7,500	0	0	
Do.	do.	...	1,079	0	0
Ed. Barnard, Esq., late Colonial Agent General	...	10,000	0	0	
The Oriental Bank Corporation, London	...	212	7	2	

In all £18,791 7 2

charging the same against the aforesaid £90,000 held by your London Bank at the disposal of the Colonial Government.

I have, &c.,

RT. CAMPBELL.

GEO. K. INGELOW, ESQ.,

Manager, Oriental Bank Corporation.

No. 31.

G. K. INGELOW, ESQ., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,**Sydney, 5 February, 1858.*

SIR,

I acknowledge receipt of your letter, 58-19, of 4th instant, stating that the Government will require certain credits in London, aggregating £18,791 7s. 2d., against the Terminable Debentures for £100,000, transmitted for sale on the 7th November last.

2. Reference to this letter (1,112 of 5th November,) will show that the Government obtained no credit against these Securities, not being prepared to authorize their sale at any limit below the then ruling quotation for New South Wales Debentures (in small amounts) in London.

3. The limit then named by the Government for the sale of the £100,000 was 95—a rate which later advices show to be above the price they will realize, leaving altogether out of the question the margin the Bank are entitled to demand between the last London quotation and the limit to be given for sale.

4. Before entertaining the question of granting credits in London against Government Debentures, I beg to receive your views on this important preliminary matter, namely—the limit for sale to be given to the Bank, in London.

I have, &c.,

GEO. K. INGELOW,

Manager.

THE HONORABLE

THE TREASURER.

No. 32.

THE HONORABLE THE TREASURER to G. K. INGELOW, ESQ.

The Treasury, New South Wales,

5 February, 1858.

SIR,

Replying to your letter of this date upon the subject of the credits required by this Government against the Terminable Debentures of £100,000, transmitted for sale on 7th November last, it would appear that the limit at which the Government are prepared to sanction the sale of these Debentures was fixed by my predecessor, in his letter of 5th

November last, at 95 per cent., being in terms of the original agreement, under which I now propose to draw.

The continual fluctuations in the prices of Securities in the London market justify my assuming that this limit of 95 per cent. will be obtained; but as the question cannot be discussed until the arrival of the April Mail, it appears to me premature at present to enter upon the consideration of the subject of altering the limit given to the Bank, in London.

Under the circumstances of my asking the Bank to negotiate a new set of Debentures, I admit that this question respecting the limit for sale might be fairly submitted for consideration, but, in the present state of the matter, I conceive it to be irrelevant.

I have, &c.,

R. CAMPBELL.

GEO. K. INGELOW, ESQ.,

Manager, Oriental Bank.

No. 33.

G. K. INGELOW, ESQ., to THE HONORABLE THE TREASURER.

Oriental Bank Corporation,

Sydney, 6 February 1858.

SIR,

In reply to your letter No. 58-20, I beg to state that your predecessor in office did not fix a limit of 95 per cent. on the sale of the £100,000 of Terminable Debentures in terms of the original agreement. By reference to the correspondence at that date, you will find that the Government declined taking advances at all on these Securities in terms of the agreement or on any terms at all; but preferred adopting another course altogether, namely, that of obtaining credits against a deposit of cash, leaving the securities entirely free, and instructing their sale at or above a certain rate then named by themselves. To that limit the Bank was no party, and it was free to the Government to have fixed any rate they chose on the sale.

2nd. Government now, for the first time, wish to obtain credits on the securities deposited in the Bank's hands for sale—but consider the question of the limit to be given to the Bank for sale as *irrelevant*.

3rd. I am at a loss to conceive how such a view can be taken, seeing that the whole correspondence which has passed between the Government and the Bank, from the very commencement, will show most clearly that the limit to be given from time to time upon the sale of any securities on which the Bank might be called upon to issue credits, was the most prominent feature in the agreement, and one which was only arranged after considerable discussion.

4th. The terms of this agreement having, at last, been brought to a conclusion betwixt the Government and myself (as the representative of the Bank in the Colony,) was ratified by the Court of Directors in England, with some modifications; and I am certainly not prepared, the more particularly at the present time, to consent to a complete overthrow of the most essential point in that agreement.

5th. I would moreover submit to your consideration the arguments made use of by myself when discussing with your predecessor, Mr. Donaldson, the desirability of the Bank having such a latitude in the disposal of securities as would in all reasonable probability ensure a sale, as it would be highly detrimental to the interests of the Government, should the limit at any time given prevent the negotiation of the securities. I need hardly point out with what force this argument now applies, when the Bank of England minimum rate of discount is 10 per cent., with prospect of its being still higher—under such circumstances the Government would have to pay not less than 11 per cent. upon any advances the Bank might have made in London.

I have, &c.,

GEO. K. INGELOW,

Manager.

THE HONORABLE

THE TREASURER.

No. 34.

G. K. INGELOW, ESQ., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,
Sydney, 8 February, 1858.*

SIR,

As you intimated to me, in the interview I had with you at the Treasury on Saturday, that you considered my demurring to grant credits on London to the Government, against securities, unless the Bank was allowed to open the question of the limit to be fixed for the sale of these securities as tantamount to a repudiation of the terms of the contract between the Government and the Bank, and that you should, therefore, bring the matter in dispute under the notice of your colleagues, this day,—I beg to pen a few remarks, with a view to exhibit, in as condensed a form as possible, the position held by the Bank on the one side, with that which I understand you to hold, as Treasurer, on the other.

The Bank holds that the Government, when requiring credits, on any occasion, against securities, must first fix a limit for sale, "to be computed at a margin of 5 per cent. below the last actual selling rate advised from London," and, that being done, the Bank can be called upon to grant these credits to the extent of 90 per cent. of the nominal value, (if the securities are not quoted below par,) or to such an extent "as will bear such an approximate relation to the limit given for sale, and the last reported London sales (that is on the 11th April, 1857, when the quotation was par,) as now obtains."

3. The whole correspondence shows that this position cannot be controverted, and the first and only transaction, up to this date, entered into under this agreement, fully illustrates the position; thus, your predecessor in office, Mr. Donaldson, when handing the Bank £100,000 of Debentures, gave a limit of 95 for the sale of such portion of them as he then required credits for—the last reported London sale for £100,000 held by the Bank of New South Wales being par, against the remainder (for which he required no credits,) he gave his own limit for sale, which was par, and which had nothing to do with the agreement. On the other side, the position I understand you to assume is that your predecessor, Mr. Jones, having handed to the Bank £100,000 of securities in November last, *against which he took no credits*, and on the sale of which he fixed a limit of 95 per cent., the Bank is now bound to act, as, by their silence, they gave consent to that limit. To which I reply, in the first place, that so long as the Government did not ask for credits against the securities, it was no business of the Bank to interfere in the matter, and that, if we had assumed such a position, we should have laid ourselves open to the reply, that it would be time enough for us to discuss the question when we were called upon to make our advances. If the then Treasurer had fixed a limit of 50 per cent. premium on the sale, we should have made no remark, under the circumstances, but have declined to grant credits if they had been asked for, either at that price or at the 95 per cent., as the latter figure would not have left us the margin of 5 per cent. on the then last reported London sales.

4. But even allowing, for the sake of argument, that we were parties at that time to a limit of 95, and had even granted credits with such a limit, we could not be called upon to do so afterwards to any further extent at the same limit, if, in the mean time, later news had been received from England shewing a fall in the price of securities, as the limit for sale, whenever credits are asked for, must be adjusted to the last reported London rates.

5. What the Bank cannot do is this, that, having granted credits, they cannot call upon the Government to amend their limit for sale until advice reaches the Colony that the first received limit is not obtainable.

6. I beg to express my perfect willingness to meet the wishes of the Government by granting them the credits they ask for, but not whilst the Government hold the position they are now doing. I will not strain any point in the agreement, but, on the contrary, I will waive what may appear any unnecessary precaution on the part of the Bank, or otherwise endeavor to meet their requirements for this Mail.

I have, &c.,

GEO. K. INGELOW,
Manager.THE HONORABLE
THE TREASURER.

No. 35.

No. 35.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

The Treasury, New South Wales,

10 February, 1858.

SIR,

I do myself the honor to inform you, that I have placed myself in communication with the Law Officers of the Crown upon the subject of your letters of the 6th and 8th instant, and especially with reference to the position maintained by you, that the Government, when requiring credits on any occasion against securities, must first fix a limit for sale, to be computed at a margin of 5 per cent. below the last actual selling rate advised from London.

I have just been favored with their opinion upon the terms of the agreement now under discussion; and I am advised, that the liability of the Bank to make advances arises the moment that Debentures are placed with the Bank, and has nothing whatever to do with any limit to be fixed by the Government for the sale of the Debentures; and that if the Bank desires now to make its advances conditional on a limit being fixed, the Bank violates its agreement.

I shall therefore consider it my duty, without delay, to bring the correspondence which has passed between us under the consideration of the Executive Council.

But as the Mail will close to-morrow, and in order to avoid any delay in the arrangements already made for remittances by the "Simla," I now beg to enclose, *under protest*, a cheque for the sum of £18,791 7s. 2d., against which you will have the goodness to furnish me with a Draft at thirty days' sight on your London Office.

The decision of the Government upon the point raised by the Crown Law Officers shall be made known to you as early as possible.

I have, &c.,

RT. CAMPBELL.

GEO. K. INGELOW, Esq.,

Manager, Oriental Bank Corporation.

No. 36.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,**Sydney, 12 February, 1858.*

SIR,

I beg to acknowledge receipt of your letter No. 27, of 10th instant, in which you state that having consulted the Crown Law Officers, they have given it as their opinion that the liability of the Bank to make advances on Debentures "has nothing whatever to do with any limit to be fixed by the Government for sale," and that, therefore, if the Bank desires now to make a limit for sale one of the conditions on which it will make the advances, it violates its agreement.

2. The opinion thus communicated to me being in direct opposition to the "Précis of Terms," as drawn up by the Secretary of Finance and Trade of date the 18th April, 1857, I do not see that any conclusion is left open to me to draw than that the Crown Law Officers have not had the opportunity of consulting all the documents relating thereto.

3. I beg, therefore, that when the matter is brought under the consideration of the Executive Council, attention may be drawn to the clause commencing with the words "the limit within which the Debentures are to be held, &c."

4. There is one other point to which I will again refer, and that is the question raised as to whether the Bank was not now bound to act upon a limit for sale as fixed by your predecessor in his letter of 5th November, at 95 per cent., "being in terms of the original agreement."

5. I have had the opportunity of consulting with your predecessor, Mr. Jones, on this point since the date of my last letter, and I find that he entirely confirms the views I have already expressed—namely, that the Bank was no party to that limit—that it was not given with reference to the agreement—and that it was understood that the Bank would not give credits

credits at a limit for sale of 95—that the Government at the time adopted a plan at the suggestion of the Bank, which avoided the discussion of the question, and left it open for consideration should credits be required before the return advices to that Mail had reached the Colony.

6. I am, therefore, thus completely relieved from the conclusion which has been drawn, that I am not now willing to carry out a special arrangement entered into with your predecessor, whilst at the same time the offer I made to you verbally on the 9th instant, to forego, for this Mail, the margin of 5 per cent., which I consider the Bank entitled to receive, and to grant the desired credits at a margin for sale of only $1\frac{1}{2}$ on the last London quotations—(say 92½ against 94)—will show that I had no wish to interpret the agreement in an illiberal spirit.

I have, &c.,

GEO. K. INGELOW,

Manager.

THE HONORABLE

THE TREASURER.

No. 37.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

Oriental Bank Corporation,

Sydney, 19 February, 1858.

SIR,

Referring to the interview which I had with yourself and colleagues on Tuesday last, when the questions at issue between the Government and the Bank on the matters detailed in the late correspondence were discussed, I have to inform you that I am prepared to authorise the cancelment of the Bills of Exchange purchased by you for last Mail, and to return the money paid for the same, on the understanding that the Government withdraw the limit for sale of 95, fixed by your predecessor in office, Mr. Jones, in his letter of 5 November last, on the £100,000 of Debentures then handed in for transmission to London, the Bank being at liberty to proceed, under the terms of the agreement, to the sale of a sufficient quantity of these securities as will provide funds for the advances thus made to the Government.

I have, &c.,

GEO. K. INGELOW,

Manager.

THE HONORABLE

THE TREASURER.

No. 38.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

The Treasury, New South Wales,

22 February, 1858.

SIR,

I have the honor to acknowledge the receipt of your letter of the 19th instant, No. 8-14, in reference to an advance required by me upon the Terminable Debentures for £100,000, which were placed in your hands by my predecessor, Mr. Jones, on the 5th November last, and, in reply, I beg to convey to you the assent of the Government to the cancellation of that part of Mr. Jones' letter which refers to a limit upon the sale of these Debentures, leaving the Bank in London to dispose of them upon the terms fixed in the original agreement.

Any further advances upon these securities that may be required by the Government will, of course, be made upon similar terms.

You will now have the goodness to return me the sum of £18,791 7 2
paid by me under protest, together with the premium thereon of 234 17 10

Amounting together to £19,026 5 0

charging the first-mentioned sum against the Debentures held by your Bank in London, as originally requested in my letter of 4th instant.

I have, &c.,

RT. CAMPBELL.

GEO. K. INGELOW, Esq.,

Manager, Oriental Bank Corporation.

No. 39.

ARCHD. STEWART, Esq., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,**Sydney, 23 February, 1858.*

SIR,

In Mr. Ingelow's absence, I have the honor to acknowledge receipt of your letter of yesterday, cancelling the limit for sale at 95 per cent. of the £100,000 Debentures forwarded to London on the 7th November last, and directing us to proceed in terms of the original agreement to sell a sufficient amount of the said Debentures to meet the credits for £18,791 7s. 2d., issued to you on the 10th instant.

The sum of £19,026 6s. cash which you handed to us in payment of our Draft on London for £18,791 7s. 2d., against which the credits were charged in the first instance, we now return you, as requested, by our cheque in your favor. The entries for the Draft in question have, with exchange, been reversed in your general account, and we shall feel obliged by your sending us your cheques as a voucher.

I have, &c.,

ARCHD. STEWART,

*Pro Manager.*THE HONORABLE
THE TREASURER.

No. 40.

THE HONORABLE THE TREASURER to G. K. INGELOW, Esq.

*The Treasury, New South Wales,**4 March, 1858.*

SIR,

With reference to my letter of the 22nd ultimo, I have the honor to inform you that this Government will require, for the payment of their expenses in London, a further sum of £42,358 12s. 4d., to be charged against the proceeds of the Terminable Debentures for £100,000, transmitted for sale on the 7th November last.

I have accordingly to enclose cheques, No. 57 to 62, for the respective sums of £16,953 1s. 1d., £17,082 10s., £1,141, £5,050, £1,957 1s. 3d., and £175, and to request that you will supply me with Letters of Credit on the Court of Directors in London in favor of—

The Oriental Bank, for Interest on Debentures	16,953	1	1
The Bank of New South Wales, ditto	17,082	10	0
Emigration Commissioners	1,141	0	0
Lloyd, Beilby, and Co.	5,050	0	0
Oriental Bank—Pensions, &c.	1,957	1	3
Master of the Mint—Mint Stores.....	175	0	0
	<hr/>		
	£42,358	12	4

I have, &c.,

RT. CAMPBELL.

G. K. INGELOW, Esq.,
Manager, Oriental Bank Corporation.

No. 41.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,**Sydney, 8 March, 1858.*

SIR,

I acknowledge receipt of your letter, No. 58-60, of 4th instant, in which application is made for further credits on London to the extent of £42,358 12s. 4d., to be charged against proceeds of Debentures forwarded for sale in November last.

The Government have been fully advised as to the position of these Securities, and that they are not negotiable, at present, to anything but a very limited extent—nor were the

the credits applied for last Mail granted by the Bank until after considerable discussion had taken place, and the Government made aware of the impossibility of their relying upon the sale of Debentures. To meet what was represented as a pressing emergency, and on the verbal communication from the Treasurer that no further credits would be asked for, at present, against Debentures, the Bank agreed to return the money previously paid in for the purchase of its Bills on London, and have now to instruct their Head Office to endeavour to dispose of about £30,000 of these Securities.

Under these circumstances the Government will be prepared to learn that I am not disposed to issue the further large sum of credits now applied for, as the Bank is most fully entitled to avail itself of the position afforded to it by the concluding paragraphs of letter of 23rd April, 1857, together with the Treasurer's reply thereto, of date 21st May.

Although the Government do not appear to admit, by their correspondence, the fact of their Securities not being negotiable instruments in London, in any large amount, notwithstanding the continued advices to that effect, which for many months past I have continually pressed upon their consideration, I am still desirous to assist in meeting this further demand. I have already placed myself in communication with the Joint Stock and Bank of New South Wales, with a view to their making, in conjunction with ourselves, a temporary advance to the Government. The result shall be communicated in the course of to-day or to-morrow.

THE HONORABLE
THE TREASURER.

I have, &c.,
GEO. K. INGELOW,
Manager.

No. 42.

G. K. INGELOW, Esq. to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,
Sydney, 10 March, 1858.*

SIR,

Enclosed I beg to hand you the following Letters of Credit on our London Office (in original and duplicate) being a portion of the requirements specified in your letter of the 4th instant.

(L. C.) N. S. W. 8-8. £1,141—in favor of H. M. Land and Emigration Commissioners.
" " 8-9. £5,050—in favor of Messrs. Lloyd Beilby & Co., of London.
" " 8-10. £175—in favor of Master of the Mint.

I have, &c.,
GEO. K. INGELOW,
Manager.

THE HONORABLE
THE TREASURER.

No. 43.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation;
Sydney, 18 March, 1858.*

SIR,

I have the pleasure to advise you, that we are in receipt of information, by this Mail, of a more favorable character than for some time previously, as regards the general aspect of the money market, and the consequent effect upon the position of Colonial Securities, which had been all but unsaleable.

The receipt is acknowledged of the £100,000 of Terminable Bonds transmitted in November last, upon which your predecessor then fixed a limit for sale of 95 per cent.; and although that price was not obtainable at the date of their letter (16th January), the quotation being 93½ to 94½, they hold out the hope that they may be placed at that figure.

Under

Under these circumstances, I have given instructions for the preparation of the credits applied for in your letter of the 4th March, for payment of the interest and pensions due in London on the 1st July next, charging the amount of the same against the anticipated proceeds of the sale of the above-mentioned Bonds.

I have, &c.,

GEO. K. INGELOW,
Manager.

THE HONORABLE
THE TREASURER.

No. 44.

G. K. INGELOW, ESQ., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,
Sydney, 19 March, 1858.*

SIR,

Referring to my letters, No. 8-17 and 8-22, of 10th and 18th instant, I now beg to enclose the following Letters of Credit on our London Office, (in original and duplicate,) being the remainder applied for in your letter, No. 58-60, of 4th March:—

(L. C.)	N. S. W.	£	8-11.	£16,953 1s. 1d.—in favor of the Oriental Bank Corporation, London.
"	"	£	8-12.	£17,082 10s.—in favor of the Bank of New South Wales, London.
"	"	£	8-13.	£1,957 1s. 3d.—in favor of the Oriental Bank Corporation, London.

I have, &c.,

GEO. K. INGELOW,
Manager.

THE HONORABLE
THE TREASURER.

1858.

Legislative Assembly.

NEW SOUTH WALES.

GOVERNMENT DEBENTURES AND TREASURY BILLS.
 (ISSUE OF FROM 1 SEPTEMBER, 1857, TO 31 MARCH, 1858.)

Ordered by the Legislative Assembly to be Printed, 7 April, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly,
 dated 30 March, 1858, that there be laid upon the Table of this
 House,—

“ A Return of all Debentures and Treasury Bills issued from
 “ the Treasury of New South Wales, from 1 September, 1857,
 “ to 31 March, 1858.”

GOVERNMENT DEBENTURES AND TREASURY BILLS.

A RETURN of all Debentures and Treasury Bills issued from the Treasury of New South Wales, from 1 September, 1857, to 31 March, 1858.

DEBENTURES.

TO WHOM ISSUED.	NOTICE IN GAZETTE.	AMOUNT.	RATE.	PROCEEDS.
17 VIC., No. 35.		£		£ s. d.
Jno. Garner	1 Sept., 1857	600	98 per cent.	588 0 0
Waddell & Kidman .....	.....	800	99 per cent.	792 0 0
H. M. Joseph.....	20 Oct., 1857	1,000	98 per cent.	980 0 0
20 VIC., No. 33.				
Oriental Bank, London, to replace a like amount for- warded 23 May, 1857	}	100,000		
		102,400		

TREASURY BILLS.

DATE.	TO WHOM ISSUED.	AMOUNT.	RATE.
1858.		£	
March 3.....	S. Newtown.....	300	Par.
" 6.....	Broughton Testimonial Fund	200	"
" 12.....	G. H. Burns.....	700	"
" 15.....	James Cathels	200	"
" 22.....	William Fife	500	"
" 25.....	D. McIntyre.....	5,000	"
" 26.....	Police Reward Fund	2,000	"
" ".....	Police Superannuation Fund	2,000	"
		10,900	

The Treasury,
1 April, 1858.

RT. CAMPBELL.

1858.

Legislative Assembly.

NEW SOUTH WALES.

TREASURY BILLS.

(AMOUNTS ISSUED, AND DUE DATES OF.)

Ordered by the Legislative Assembly to be Printed, 25 June, 1858.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 22 June, 1858, that there be laid upon the Table of this House,—

“ A Statement shewing the amount issued up to 18th June, 1858, under the Act 21 Victoria, No. 5, which authorised the creation of Treasury Bills, to bear interest at 6 per cent., per annum, specifying the due dates of all such issues of Treasury Bills.” (Mr. Donaldson.)

STATEMENT shewing the Amount of Treasury Bills (Act 21 Victoria, No. 5) issued to the 18th June, 1858, specifying the due date of all such Treasury Bills.

NUMBERS.		DATE OF BILLS.	DUE DATE.	AMOUNTS.		
From	To					
1	59	} March 1, 1858.	} March 1, 1859.	100 each.....	5,900	0 0
60	64			1,000 each ...	5,000	0 0
65	323			100 each.....	25,900	0 0
324	325			1,000 each ...	2,000	0 0
326	.....			800	800	0 0
327	336			100 each.....	1,000	0 0
				£	40,600	0 0

R. CAMPBELL.

The Treasury, New South Wales,
25 June, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

BANK ASSISTANCE TO GOVERNMENT.

(CORRESPONDENCE AND MINUTES RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 7 April, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly on the 30th March, 1858, that there be laid upon the Table of this House,—

“ Copy of all Correspondence which may have taken place
 “ between the Colonial Treasurer and the various Banking
 “ Institutions carrying on business in Sydney, from 8 Sep-
 “ tember, 1857, to 24 March, 1858, upon the subject of the
 “ monetary assistance desired by the Government, together
 “ with copy of any Minutes, which may exist, of a meeting
 “ held at the Treasury, in the month of February or March,
 “ 1858, at which the Representatives of certain Banking
 “ Institutions were invited to be present.”

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BANK ASSISTANCE TO GOVERNMENT.

No. 1.

PROCEEDINGS of the Executive Council on the 31st August, 1857, with respect to the return of Debentures from London.

Minute No. 57-41. Confirmed 7th September, 1857.

At the instance of the Honorable the Colonial Treasurer, His Excellency the Governor General informs the Council that certain Debentures, both Terminable and Intermittent, which had been transferred to the London Register, have recently been presented at the Treasury, and the interest thereon claimed to be paid in the Colony, from which it is inferred that the Money Market in England is not favorable to further sales of Debentures on Government account. Under these circumstances, His Excellency consults the Council as to the propriety of making arrangements for obtaining credit from one of the Banks for such sum as may be considered sufficient to provide, during the next eight months, for the prosecution of Public Works, actually in progress or contracted for, so as to avoid the necessity to borrow money by a further issue of Debentures, in case the Money Market should become so unfavorable as to reduce their market price much below the present rates.

2. Having deliberated upon this matter at some length, the Council express their opinion that, before resorting to other expedients, it would be desirable to test the local Money Market, and recommend, therefore, that the Honorable the Treasurer should, under authority already granted by them, call for Tenders for Debentures to the extent of £25,000; but, should the prices offered not be such as to render it desirable to sell at those rates, they advise that he be then authorized to sell, upon application at the Treasury, Debentures to the extent of £25,000, without competition, and, until further advised, at the rate of £98 for each £100 applied for.

EDWARD C. MEREWETHER,

Clerk of the Council.

Executive Council Office,

Sydney, 9 September, 1857.

No. 57-631.

No. 2.

MINUTE of Colonial Treasurer respecting Advertisement for Tenders for Intermittent Debentures.

I submit, for the information of His Excellency and the Executive Council, a statement shewing that in reply to the advertisement calling for Tenders for the sum of £25,000 in Intermittent Debentures, on or before Thursday last, Tenders were sent in for £3,000, of which £1,400 was accepted at and above 98 per cent., and £1,600 declined.

This, taken in connection with the result of the previous sale, shews that the local demand for our Intermittent Debentures has, for the present, almost ceased. Under these circumstances, I cannot advise that the suggestion of my predecessor, viz., that these Debentures be offered for private sale, at a fixed price, be acted upon. It would not, I think, in the present condition of the money market, lead to the sale of any amount of Debentures, and would have a tendency to depress their value below the present rates.

What the real nature of the engagements of the Government under the Loan Acts is, I am now endeavouring to ascertain. If those of a pressing nature cannot be met by the sale of Debentures, at a price that may be deemed satisfactory, it may become necessary that a temporary loan should be negotiated with one or more of the Banks. But this is a step which should only be resorted to under the pressure of urgent necessity. As a necessity of this kind may arise during the absence of the Governor, it may be advisable to take the sanction of His Excellency for such a step prior to his departure.

So

So soon as I can ascertain the extent of the pressing Loan requirements of the Government, up to the close of the present year, and during the first six months of 1858, I shall be prepared with specific recommendations for meeting these requirements. In the meantime, I may state, for the information of His Excellency and the Council, that I have been informed, by the Manager of the Oriental Bank, that there is scarcely a possibility of any portion of the £100,000 remitted to London in Interminable Debentures being disposed of, and that he advises that these securities should be recalled, and others of a different character substituted for them. Should this course become necessary by the ensuing Mail, who is to sign these Debentures in lieu of His Excellency?

R. J.

September 14, 1857.

No. 3.

EXTRACT from Proceedings on the 14th September, 1857, with respect to the mode of providing Funds for public purposes. Minute No. 57-44.

The Executive Council advise that, if during the next few months it be found that the pressing engagements of the Government under the Loan Acts cannot be met by the sale of Debentures at satisfactory prices, the Treasurer be authorised to negotiate with one or more of the local Banks a temporary credit for an amount not exceeding £200,000.

EDWARD C. MEREWETHER,
Clerk of the Council.

24 September, 1857.—No. 57-671.

No. 4.

G. K. INGELow, Esq, to THE HONORABLE THE TREASURER.

• Oriental Bank Corporation,
Sydney, 13 November, 1857.

DEAR SIR,

I have been, for some little time past, intending to urge upon your attention the necessity which exists, in my opinion, for the adoption of some alteration in the mode by which money is raised on loan.

The course which has been hitherto pursued is one opposed to the usual mode of proceeding where England or any of the Colonies or Foreign States borrowing money in England propose contracting a public loan. There, when the Government propose to borrow money for home service, or offer a guarantee upon any Colonial loan to be raised in England, the whole scheme in its entirety is laid before the public, and who thus have all the data before them necessary to enable any one to form an opinion of the value of the security—the probable position it will bear upon the Stock Exchange—the ability of the Government to meet the additional burden—the effect which the loans will have on other securities of a like character, and so on. Capitalists are then always found who will come forward and tender, whether it is a matter of £100,000 for one of the West India Islands, half a million for Canada or New Zealand, or 10 to 20 millions for extraordinary home charges; but here, on the contrary, there has never been any regular system or plan. The Ministry, from time to time, ask for authority to borrow such sums of money as it may appear desirable or necessary to raise for the public service, and then to make use of that authority, from time to time, as the exigencies of that service require. The public are left entirely in the dark as regards the future—they have no means for forming an opinion as to the amount of loan the Ministry may propose to contract, nor, when that amount has been announced, have they any means of ascertaining when and how the loan will be issued, nor even the terms.

The consequences inevitably resulting from such a course of proceeding are, that all classes of buyers are driven away, whether they are buyers for investment or speculators; such uncertainty attends upon the market value that no one is prepared to make a reasonable offer, and not only that, but all the present holders become anxious to realize, from a fear that they may be left in the back ground in some future movement by the Government. This is the case at the present moment—there are very few buyers, but plenty of sellers; and whilst the present system is pursued, the more the Government attempt to raise money, the greater will be the difficulty experienced in raising it.

In

In lieu, therefore, of the present mode of proceeding, I would suggest the advisability of the Government laying down a definite scheme before they take any further steps for raising money. Let this comprise the total amount proposed to be raised on loan for public works (not mere yearly instalments). Let the public and capitalists have the opportunity of examining this proposed loan, and forming an opinion as to its reasonable or unreasonable character, as regards the position of the Colony, the number of its inhabitants, and the probability of the Revenue of the Colony being able to bear the additional burden. Let it be shown to capitalists at home that the works upon which the money is to be expended are of a nature likely to develop the resources of the Colony; let there be a guarantee that no further sums of money will be raised during the emission of this loan, or any other steps taken to the prejudice of the public creditor; if all this were done, then, I think a negotiation for a considerable sum of money (to be taken up, if it is thought desirable, by instalments,) could be successfully conducted, but until some change of this character is introduced, I feel persuaded that nothing but failure and mortification will be the result. It will be all one whether a resort is had to Exchequer Bills or short dated Debentures, or to a higher rate of interest, or issuing at a heavy discount, for every expedient will drive down the market price outside, and create increased eagerness on the part of present holders to get rid of their securities by underselling the Government.

I am, &c.,

GEO. K. INGELOW.

THE HONORABLE

R. JONES, Esq.

P.S.—There is another point which must be considered, and that is the position of the holders of Interminable Debentures. As it is now thought expedient to abandon that mode of raising money, and resort to some other which may be viewed more favorably by lenders, it is evident that the value of the Interminable Debentures will be depreciated, and that just in proportion to the additional value of the new feature introduced or rather re-introduced. The holders, therefore, of these interminables will form a barrier against the efforts of the Government to raise new loans, as they will be offering their securities at a heavy discount.

The course pursued by the Indian Government to relieve themselves from a like position has been as follows:—

About two years ago, when money was very plentiful, they succeeded in converting their five per cent. paper into fours; but requiring shortly after to raise money when it was scarce, they opened a new loan at five per cent. The fours immediately fell from par to 20 per cent. discount, and all the efforts of the Government were abortive, until they resorted to the expedient of inviting the holders of these depreciated fours to subscribe to the new loan, by agreeing to take half payment of their subscriptions in fours *at par*—that is to say, the holder of £1,000 in four per cent. paper, by bringing with him an additional £1,000 in cash, received £2,000 in five per cents. at par. I think it is worth the consideration of Government whether they had not better issue some such invitation to the holders of the Interminable Debentures here.

G. I.

No. 5.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

Oriental Bank Corporation,

Sydney, 17 November, 1857.

MY DEAR SIR,

I will trouble you with a few more remarks in continuation more particularly of the postscript to my last letter.

I now give you the exact terms which the Government of India lately adopted when requiring to raise money, in order to prevent the holders of securities bearing a lower rate of interest rendering their efforts abortive.

On the 20th July, (the day the Government notification appeared), 5 per cent. was quoted at 1 to 2 dis.; 4 ditto at 17 to 19. Subscriptions to the new five per cent. loan were invited on the following terms:—

56—B

The

The Government to receive,				And issue in exchange:—	
1st.	£50	0	0 in Cash	}	£150 in 5½ per cent. paper at par.
	100	0	0 in 4½ per cent. paper		
2nd.	100	0	0 in Cash	}	£200 in ditto.
	100	0	0 in 4 per cent. paper.		
3rd.	150	0	0 in Cash	}	£250 in ditto.
	100	0	0 in 3½ per cent. paper.		

Now, here the Government had to make a considerable sacrifice, by undoing all their previous work, in lowering the rate of interest on their debt; but it was a sacrifice they could not avoid, and was a lesser one than any they could take which disregarded the position they already occupied with their existing creditors. They had not well weighed the consequences possibly resulting from their (previous) policy, nor had they exercised sufficient foresight when making those alterations.

Now, the position of the Government here is a very similar one—the former Ministry found money here very plentiful, some little time back, and took advantage of that state of matters to issue a security which, whilst going down well at the time, is not saleable now; recourse is, therefore, had to the re-issue of the old description of Debenture, without any regard being paid to the holders of these new (Interminable) securities, and who certainly had purchased under the impression that the Government of the day had well considered their position, and would abide by the change introduced. The holders, therefore, of these Debentures stand in the path of the Government somewhat in the same way as the holders of the “fours” did in India, and they will meet every effort of the Government to raise money by a corresponding effort to dispose of their securities; or, in other words, they will accommodate themselves to the altered state of matters, and will take such a rate, where they want to sell, as will produce to the buyer a better investment than that offered by the Government.

The Government can remedy this evil (and there is, in some measure, a moral obligation to do so,) on far easier terms than the Indian Government had to submit to. You are not called upon, indeed, to make any sacrifice worth mentioning, but only to agree to extinguish a particular form of security for another form bearing the same rate of interest. I need not now go into any calculation as to what I consider would be fair terms between the Government and the holders of these interminables, because I am, on behalf of the Bank, only one holder amongst many; but I am satisfied that with a fair display of moderation on the part of both, that an arrangement might be concluded between the Government and the holders which would be beneficial to both sides.

The difference to the Government between the issue of an interminable and a long dated Terminable Debenture is hardly appreciable, for, at the end of the term of the latter, the Government will take them up either here or in London by the issue of others; and, unless the finances of the Colony are greatly mismanaged during the next 20 years, the ability of the Government to deal in the matter ought to prevent any loss or sacrifice.

I am, &c.,

GEO. K. INGELow.

THE HONORABLE

R. JONES, Esq.

No. 6.

MINUTE of Colonial Treasurer, submitting copy of Bill to authorise issue of Treasury Bills.

I submit, for the information of the Governor General and the Executive Council, a copy of a Bill which I propose to introduce into the Legislative Assembly, to authorise the issue of Treasury Bills to an amount not exceeding £400,000, and I beg to suggest, if the Council concur in the propriety of introducing this measure, that His Excellency will be pleased, on Tuesday next, to transmit a Message to the Assembly, recommending that provision be made by Parliament to authorise the issue of Treasury Bills to the extent above specified.

R. J.

21 November, 1857.

(Here follows draft of Treasury Bills Act.)

The

The Executive Council, concurring in the propriety of introducing the measure within referred to, advise that His Excellency the Governor General should, by Message, submit the subject to the consideration of the Legislative Assembly, and recommend that provision be made by Parliament to authorise the issue of Treasury Bills to the extent specified, viz., £400,000.

EDWARD C. MEREWETHER,

Clerk of the Council.

(Confirmed 30 November, 1857—No. 57-804.)

No. 7.

(CIRCULAR)

The Treasury, New South Wales,
14 December, 1857.

SIR,

The Legislature having passed the Bill to authorise the issue of Treasury Bills to an amount not exceeding £400,000, the Government are desirous of ascertaining whether one, or more, or all of the Banks would be willing to enter into an arrangement to purchase the whole of those Bills which it may be found necessary to issue. I should, therefore, feel obliged if you would bring this subject under the consideration of your Board, and inform me, at your earliest convenience, if they feel disposed to enter into, or join in, such an arrangement.

To assist your Board in deciding whether it will be expedient for your Bank to enter into the arrangement here suggested; I shall briefly explain the views and intentions of the Government in reference to the issue of these Treasury Bills, and the provision to be made for the payment of them as they fall due.

It is intended to issue these Bills (for sums of from £100 upwards) as the requirements of the Government arise. They will have a currency of twelve months, and will bear such rate of interest, not exceeding four pence per centum per diem, as may be agreed upon. It will not be necessary to issue any before the month of February next. From that time the Government will probably require to raise from £25,000 to £40,000 a month—say, on an average, £30,000 a month—until the whole amount be issued, unless, in the mean time, a permanent loan can be negotiated in London.

So soon as the Legislature has decided what amount of loans it will sanction this Session, the Government will make arrangements for negotiating a more permanent loan in London, for the entire amount required by the Colony for a given period, such loan to be paid up in instalments to suit the requirements of the Colony. So much of the permanent loan thus raised as may be necessary to take up the Treasury Bills which may be issued will be applied to this purpose, as these Bills fall due. No portion of the more permanent loan will be offered in Sydney.

The Interest of the Treasury Bills will be provided for out of the Current Revenue of the year in which they fall due.

The Government, in endeavouring to negotiate the temporary loan which it has become necessary to raise on Treasury Bills, in one transaction with the Banks, are mainly influenced by a conviction that such an arrangement will be more convenient for the requirements of the public service, and less disturbing and prejudicial to the ordinary monetary operations of the community, than if these Bills are offered for sale from time to time, as the Debentures have hitherto been.

A Copy of the Treasury Bills' Bill, as passed by the Legislature, is enclosed.

A letter similar to this is being simultaneously addressed to the Managers of all the other Banks in Sydney.

I am, &c ,

R. JONES,

Colonial Treasurer.

THE MANAGER OF THE —

This Circular was addressed to the following Banking Companies:—

Union Bank of Australia.	Oriental Bank.
Australian Joint Stock Bank.	Commercial Bank.
English, Scottish, and Australian	Bank of New South Wales.
Chartered Bank.	London Chartered Bank.
Bank of Australasia.	

No. 8.

No. 8.

Z. INGOLD, ESQ., to THE HONORABLE THE TREASURER.

*Commercial Banking Company,
Sydney, 15 December, 1857.*

SIR,

I beg to acknowledge the receipt of your circular letter of 14th instant, upon the subject of Treasury Bills about to be issued under the Act recently passed.

At to-day's meeting this letter was laid before the Board; but owing to the absence from town of some of the Directors, as well as the importance of the subject, it was deemed advisable to defer any decision until a full Board Meeting can be obtained.

So soon as a decision is arrived at I will again address you.

I am, &c.,

ZACHY. INGOLD,
Manager.

THE HONORABLE
THE COLONIAL TREASURER,
&c., &c., &c.

No. 9.

R. WOODHOUSE, ESQ., to THE HONORABLE THE TREASURER

*The Bank of New South Wales,
Sydney, 16 December, 1857.*

SIR,

Before replying to the immediate subject of your letter of the 14th instant, the receipt of which I have the honor to acknowledge, I am desirous of ascertaining if, in the event of this Board making a satisfactory offer to the Government to negotiate the whole or a portion of the Treasury Bills which it is in contemplation to issue (say £400,000), would the Government be prepared to transfer to the Bank its working account, or such portion thereof as would bear a rateable proportion to the amount which the Bank may offer to advance; or, in other words, would the Government transfer its accounts to the extent of one-fourth, one-third, one-half, or the whole, in the event of the Bank's offer for either of these proportions being accepted.

I have, &c.,

THE HONORABLE
THE COLONIAL TREASURER,
Sydney.

R. WOODHOUSE.

No. 10.

THE HON. THE TREASURER to THE SECRETARY TO THE BANK OF NEW SOUTH WALES.

*The Treasury, New South Wales,
Sydney, 16 December, 1857.*

SIR,

In reply to your letter of this day's date, I beg to say that the arrangements into which the Government have entered with the Australian Joint Stock Bank would make it exceedingly difficult to transfer any portion of its account from that Bank to the Bank of New South Wales.

The Government would, therefore, prefer that the Bank of New South Wales should deal with the proposal respecting the purchase of Treasury Bills on its own merits.

I have, &c.,

THE SECRETARY TO THE
BANK OF N. S. WALES,
Sydney.

R. JONES.

No. 11.

BANK ASSISTANCE TO GOVERNMENT.

9

No. 11.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,
Sydney, 17 December, 1857.*

SIR,

I beg to acknowledge receipt of your letter, No. 1179, of 14th instant, as also copy of the Act authorizing the issue of Treasury Bills.

The question is asked in this letter, whether this Bank will enter into an arrangement, either by itself or in conjunction with the other Banking Institutions in the Colony, for the purchase of the whole of the Bills to be issued under this authority, say to the extent of £400,000, in instalments of about £80,000 per month.

I have, since the receipt of this communication, endeavoured to ascertain how far a combined movement on the part of the Banks on this question would probably take effect; but I do not find, as the result of these inquiries, that there is any probability of such conclusion being arrived at.

I am not prepared at the present time to enter, on behalf of this Bank, into any negotiation with the Government in which we should be called upon to act otherwise than in conjunction with our neighbours.

I have, &c.,

GEO. K. INGELOW,
Manager.THE HONORABLE
THE TREASURER.

No. 12.

C. ROBERTSON, Esq., to THE HONORABLE THE TREASURER.

*Union Bank of Australia,
Sydney, 21 December, 1857.*

SIR,

In reply to your Circular of the 14th instant, relative to the purchase of Treasury Bills, I have the honor to inform you, that the subject was brought under the consideration of the Board of Directors, who declined to entertain the application.

I have, &c.,

C. ROBERTSON,
Manager.THE HONORABLE
THE COLONIAL TREASURER.

No. 13.

JOHN YOUNG, Esq., to THE HONORABLE THE TREASURER.

*English Scottish and Australian Chartered Bank,
Sydney, 22 December, 1857.*

SIR,

I have the honor to acknowledge the receipt of your letter of the 14th instant, informing me that the Government are desirous of ascertaining whether one or more of the Banks would be willing to enter into an arrangement to purchase the whole of the Treasury Bills which it may be found necessary to issue under the Act which has lately passed the Legislature, authorising the issue of such Bills to an amount not exceeding £400,000.

I beg to state, in reply, that this Bank is not prepared to enter into arrangements binding itself in advance to purchase any amount of the Bills in question, though it is possible it may from time to time, as issues of such Bills are notified, find it convenient to offer terms for the purchase of portions of the same.

I have, &c.,

JOHN YOUNG.

THE HONORABLE
THE COLONIAL TREASURER.

No. 14.

R. WOODHOUSE, ESQ., to THE HONORABLE THE TREASURER.

*Bank of New South Wales,
Sydney, 23 December, 1857.*

SIR,

Having received your reply to my letter of the 16th instant, I now do myself the honor to acquaint you with the decision of the Board of Directors relative to advancing, on the security of Treasury Bills, redeemable in twelve months by means of a permanent loan to be raised in London, as set forth in your circular of the 14th instant, and more particularly in the "Treasury Bills Bill" you were good enough to favor me with, which decision is to, at present, decline to offer to negotiate any portion of the loan or advance.

In coming to this decision, the Board is mainly influenced by the information that the Government cannot, without great difficulty, transfer to the Bank any portion of its accounts, owing to certain arrangements with the Australian Joint Stock Bank; had it been otherwise, and the Government been able to have transferred to this Bank the management of the whole, or a portion of its banking business, the Bank on its part would have been prepared to tender for an equivalent proportion of the proposed issue, or to have entered into any mutually advantageous arrangement for their disposal on behalf of the Government.

I have, &c.,

R. WOODHOUSE,

Secretary.

THE HONORABLE

THE COLONIAL TREASURER.

No. 15.

E. WRENCH, ESQ., to THE HONORABLE THE TREASURER.

*Australian Joint Stock Bank,
Sydney, 23 December, 1857.*

SIR,

I have had the honor to receive your letter, dated the 14th instant, in which you state that you are desirous of ascertaining whether one or more, or all, the Banks would be willing to enter into an arrangement with the Treasury to purchase the whole of the Treasury Bills, not exceeding £400,000, which the Government are authorized by the Legislature to issue.

I have, agreeably with your request, brought the subject under the consideration of the Board of Directors of this Bank, and they have given the matter, as well as the explanation you are pleased to make of the views and intentions of the Government in reference to the issue of these Treasury Bills, their most anxious and deliberate consideration.

With respect to the amount (£400,000) you state that you would not require more than £25,000 to £40,000 per month, or on the average £30,000 per month. The negotiating a loan by the payment of monthly instalments as aforesaid, would be a comparatively easy matter, if the Government Securities had a currency in this Colony the same as they have in Europe and America. The Bank, in such a case, could either hold or dispose of them, from time to time, as the state of their finances or the value of money may render most advisable, and such a loan could be negotiated by the Banks without at all interfering with the usual course of their business. But to negotiate a loan, payable as you state by instalments of about £30,000 a month, without being able to re-negotiate any portion of the same, would necessitate the Bank to set apart within the term of eleven months no less a sum than £330,000; and this our Directors regret, that in justice to our shareholders and the customers of the Bank, they do not feel themselves in a position to do.

Although I have, agreeably with your request, waited on the Managers of the several Banks, I have not been able to learn the intentions of their respective Boards with respect to the proposed loan; but I am instructed by my Directors to say that this Bank will cheerfully join with the other Sydney Banks in supplying the Government with such funds as they may now require, and would subscribe their quota towards the amount of loan proposed to be raised by Treasury Bills.

I

I am further requested by my Directors to suggest, for your consideration, whether it would not be more to the interest of the Government to place the Treasury Bills in the hands of this Bank for negotiation, rather than offer them to the Banks generally for absolute purchase. If this suggestion were acceded to, this Bank would strive to give them a currency, by making advances on them to a certain extent, at a fair rate of interest, in like manner as the Bank of England is required by its Charter to act with Exchequer Bills. So soon as it became generally known that liberal advances could be obtained, any moment, at moderate interest, on the security of Treasury Bills, a currency would be given to them, and, once establish a currency for Government Securities, it would, in my opinion, be easier to negotiate loans for tens of thousands of pounds than it is now for hundreds. The reason is obvious—an investment in Government Securities is now nearly as much a dead weight (so far as respects its convertibility) as an investment in houses or land. Indeed houses or lands in some situations would be far more ready of sale, and cause infinitely more competition, than Government Debentures; but as real property can be purchased to produce a much higher rate of interest than that payable on Government Securities, it naturally follows that the former will be purchased in preference to the latter, by the great majority of those who have money to invest. This is the reason that Government Securities are so much neglected by the capitalists in this Colony; but if they were convertible into cash, at a moment's notice, a low rate of interest would satisfy the capitalist, where scarcely any rate of interest would tempt many of them to lock up a large portion of their funds in what is termed a dead weight, or, in other words, a security which there was a difficulty in realizing. The British Government finds no difficulty in raising, within a very limited term, loans equal to double the amount of the coined gold and silver in the United Kingdom, and this without any serious derangement of the money market. The reason is, that the loan itself answers almost all the functions of money; and although it may be contracted for by only one or more persons, it soon becomes absorbed by the vast numbers throughout the United Kingdom. An amount in the Funds could be realized and converted into sovereigns in London very nearly as speedily as a cheque could be cashed at a Banker's; hence money invested in the British Funds and money deposited at a Banker's in London are nearly synonymous. I believe it is possible to give a currency to the Government Debentures of this Colony which would make them as available for conversion into cash, at a moment's notice, as are the British Funds. If this were the case, the Government would not have the least difficulty in raising, in the Colony, whatever sums they might require for public works. All classes should also have the privilege of investing their savings in Government Securities; and the Government should certainly not refuse to receive Debentures for small sums as cash in payment for land at their public and other sales. The more opportunities there are of making use of Government Securities as cash, the more freely they will be purchased, and the more reluctantly they will be parted with. Men do not draw their balances out of a Bank because they *can* do so; but it is because they can do so *at any moment* that they let them remain until they are actually required. When the Prussian Government wished to make its Treasury Notes a circulating medium, it was not by making them a legal tender, but by compelling all persons having payments to make to the Government to do so by at least one third part of their own Treasury Notes, which were in sums as low as one dollar (3s.) The result was, that the Treasury Notes, although bearing no interest, were for many years at a premium; and, notwithstanding coin could be obtained for them at a moment's notice, none was ever, or hardly ever, applied for.

I have to apologize for writing you at this length, but the importance of the subject must plead my excuse.

In conclusion, I have only to request that you will freely command the services of this Bank whenever you may require them.

I have, &c.,

E. WRENCH,

General Manager.

THE HONORABLE

THE COLONIAL TREASURER.

No. 16.

J. HENDERSON, ESQ., to THE HONORABLE THE SECRETARY FOR FINANCE AND TRADE.

*Bank of Australasia,
Sydney, New South Wales,
24 December, 1857.*

SIR,

I beg to acknowledge the receipt of your letter of the 14th instant, intimating the intention of the Government to issue Treasury Bills to the extent of four hundred thousand pounds (£400,000), and inquiring whether one or all the Banks would be willing to enter into an arrangement to purchase the whole of that amount.

Having placed your letter before the Local Board of this Bank, I am directed to inform you, that as the time of re-payment of the Bills in question is somewhat indefinite, I decline, for the present, to enter into an arrangement for purchasing them.

I have, &c.,

J. HENDERSON,
Manager.

THE HONORABLE

THE SECRETARY FOR FINANCE AND TRADE.

No. 17.

ROBERT NAPIER, ESQ., to THE HONORABLE THE TREASURER.

*London Chartered Bank of Australia,
Sydney, 28 December, 1857.*

SIR,

In replying to your despatch of the 14th instant, on the subject of Treasury Bills, and after consultation with the authorities of this Bank in the Colonies, we find that as the Bank resources are in active employment in the transaction of ordinary banking business, any operations on our part in the contemplated issue of Treasury Bills by the Government of New South Wales would not be suitable to our arrangements.

I have, &c.,

ROBERT NAPIER.

THE HONORABLE

THE COLONIAL TREASURER.

No. 18.

Z. INGOLD, ESQ., to THE HONORABLE THE TREASURER.

*Commercial Banking Company,
Sydney, 29 December, 1857.*

SIR,

Referring to my letter of the 15th instant, I beg to inform you that the Directors of this Bank have given their utmost consideration to your Circular of 14th instant respecting Treasury Bills.

With every desire to promote the welfare of the public service, the Directors feel that they cannot, in justice to the interests of their proprietors, undertake to provide the moneys you require from February next, nor have they any reason to suppose that all the other Banks in this City will co-operate with them in carrying out their wishes.

I am, &c.,

ZY. INGOLD,
Manager.

THE HONORABLE

THE COLONIAL TREASURER.

No. 19.

No. 19.

A. H. RICHARDSON, Esq., to THE HONORABLE THE TREASURER.

*Australian Joint Stock Bank,
Sydney, 15 January, 1858.*

SIR,

I have the honor to acquaint you that I have submitted to the Board of Directors of this Bank the purport of your observations at the interview with which I was favored at the Treasury yesterday, relative to the advances required by Government for the service of the current year, to the amount of the loan for £400,000, authorized to be raised on Exchequer Bills—that is, to the extent of say, £30,000 per month during the ensuing twelve months.

The Directors have again given their serious consideration to this important matter, and, while they desire me to request you will be pleased to refer to a letter from the Bank under date of 23rd ultimo, addressed to the Honorable Richard Jones, Esq., the then Treasurer, they wish to renew the proposition there made to place at disposal of the Government the services of the Bank for negotiation of the Exchequer Bill Loan, upon the Bills being handed to the Bank for the purpose. In that event the Bank would lend its utmost endeavours to give a currency to the Bills with the public, and, by making liberal advances upon them, at a moderate rate of interest, from time to time, and in such sums as it could conveniently spare, to render the security generally acceptable and popular; and, by these means, it is probable the requirements of the Government would be satisfied. Moreover, the Bank would, as already intimated, cheerfully join with the other Sydney Banks in aiding the Government by purchasing an equal proportion of the Exchequer Bills; but without such concurrent action on the part of the Banks generally, this Bank would not feel justified in locking up the large sum of, say, £330,000 which could not, as you will readily suppose, be withdrawn from its ordinary and legitimate business without great injury to itself and the public.

I have, &c.,

A. H. RICHARDSON,
General Manager.THE HONORABLE,
THE COLONIAL TREASURER.

No. 20.

THE HONORABLE THE TREASURER to THE SECRETARY TO THE BANK OF NEW SOUTH WALES.

*The Treasury, New South Wales,
19 January, 1858.*

SIR,

The recency of my appointment to the Treasury, coupled with the frequent claims upon my time caused by the business attendant upon the late election, have hitherto prevented my entering upon a careful consideration of your letters of 16th and 23rd ultimo, addressed to my predecessor, on the subject of the proposed loan of £400,000, to be raised by the issue of Treasury Bills, in terms of the Act of the Colonial Parliament, 21 Victoria, of 18th December, 1857. I now have the honor to inform you, that the Government are prepared to receive any proposals, in reference to this loan, which the Bank may be desirous to make; and I beg, therefore, to be favored with the views of the Directors as to the terms which should form the basis of an agreement for the negotiation, by you, of these Treasury Bills, in order that I may at once submit the same for the decision of the Executive Government. It would appear, from your letter of the 23rd ultimo, that the Bank is under the impression that some difficulty exists to the transfer, either in whole or in part, of the Government business from the Joint Stock Bank to the Bank of New South Wales. This difficulty, however, I beg to state, is met by the provision, that the agreement at present subsisting between the Government and that Bank can be terminated at any time, upon either party giving three months' notice.

I have, &c.,

R. WOODHOUSE, Esq.,
Secretary to the Bank of N. S. Wales.

RT. CAMPBELL.

No. 21.

R. WOODHOUSE, Esq., to THE HON. THE MINISTER FOR FINANCE.

*Bank of New South Wales,
Sydney, 26 January, 1858.*

SIR,

I have laid your letter of the 19th instant before the Board of Directors, and have to express regret that the recent monetary intelligence from England by the "Simla" will not warrant the Board to, at present, make any proposal, or enter into any arrangement, for the advance of the large sum required by the Government on the security of its Treasury Bills, as indicated in your predecessor's letter of the 16th ultimo, and that the views previously entertained and alluded to in the closing paragraph of my letter of the 23rd ultimo is now obliged to be abandoned.

I have, &c.,

THE HONORABLE
THE MINISTER FOR FINANCE,
Treasury.

R. WOODHOUSE,
Secretary.

No. 22.

THE HONORABLE THE TREASURER to THE GOVERNOR GENERAL.

*The Treasury, New South Wales,
28 January, 1858.*

SIR,

I do myself the honor to state, for the information of your Excellency, that it is the intention of myself and colleagues to terminate the arrangement at present subsisting with the Australian Joint Stock Bank, under which that institution is charged with the conduct of the local monetary transactions of the Government, by giving the required notice of three months, as stipulated for in the agreement sanctioned by the Minute of the Executive Council of 15th September, 1856.

This step, it is believed, will materially assist in facilitating the negotiation, with the Sydney Banks, of the Loan of £400,000, proposed to be raised by the issue of Treasury Bills, under the provisions of the Act 21 Victoria, dated 18th December, 1857.

It was intended to obtain the sanction of your Excellency in Council to this measure, at the next meeting on Monday, the first proximo; as, however, it is essential that the notice should issue from this Office not later than the 30th instant, I have the honor to request your Excellency's consent to such being at once given, in anticipation of the formal concurrence of the Executive Council on Monday next.

I have, &c.,

HIS EXCELLENCY

RT. CAMPBELL.

SIR WILLIAM T. DENISON, K.C.B.,
GOVERNOR GENERAL,
&c., &c., &c.

For the reasons herein stated, the Executive Council express their concurrence in the propriety of the steps which have been taken in this matter.

EDWARD C. MEREWETHER,
Clerk of the Executive Council.

(Confirmed 8 February, 1858—No. 58-66.)

No. 23.

THE HONORABLE THE TREASURER to A. H. RICHARDSON, Esq.

*The Treasury, New South Wales,
28 January, 1858.*

SIR,

With reference to my letter of the 16th September, 1856, conveying to your Bank the approval by the Government of the terms and conditions upon which the Australian Joint Stock Bank undertook to transact the local monetary business of the Government, and to allow interest at the rate of four per cent. per annum on the minimum balance at the credit

credit of the Government in each week, I now hereby give you notice that it is the intention of the Government to terminate the said agreement with your Bank at the expiration of three calendar months from the 1st February next.

I have, &c.,

RT. CAMPBELL,

Treasurer.

A. H. RICHARDSON, Esq.,

General Manager, Australian Joint Stock Bank.

No. 24.

MINUTE of Colonial Treasurer respecting proposed Loan of £400,000.

The Treasurer begs to acquaint His Excellency the Governor General and the Executive Council that, in reply to a communication made by him to the Bank of New South Wales, on the subject of the proposed loan of £400,000, he has received a letter from the Secretary to that Institution, wherein he is informed that the recent monetary intelligence from England by the "Simla" does not warrant the Board to make any proposal at present, or enter into any arrangement, for the advance of the large sum required by the Government on the security of its Treasury Bills; and that the views previously entertained by the Bank on the subject must now be abandoned.

This circumstance, together with the alleged inability of the other Banks to assist the Government on this occasion, obliges the Treasurer to have recourse to another measure for the raising of the funds required to meet the obligations now pressing, which had been previously incurred. The Treasurer therefore proposes to advertise for the sale of Bills directly from the Treasury, in terms of the Act of Parliament, 21 Vict., of 18th December, 1857.

The Bills not to be sold below par, and to bear interest at 4d. per centum per diem, payable half-yearly.

The Bills to be dated 1st February, 1858, and will be payable in twelve months; after the expiration of twelve months, the Bills will be received by the Collector of Customs in payment of Revenue, and also by any persons authorised to receive the purchase money for land sold, or any rent or assessment payable to the Crown.

The Bills to be signed by the Treasurer, the Auditor General, and the Secretary to the Treasury.

The Treasurer submits the form of a notice inviting applications for the purchase of such Bills, to the extent of £100,000 in the first instance, which he intends for insertion in the *Government Gazette*, and the daily newspapers. The Treasurer requests the sanction of His Excellency in Council to the above proposal.

RT. CAMPBELL.

The Treasury, New South Wales,

1 February, 1858.

No. 25.

PROCEEDINGS of the Executive Council on the 22nd February, 1858, with the respect to the issue of Treasury Bills.

Minute No. 58-10. Confirmed 1st March, 1858.

His Excellency the Governor General lays before the Council a Minute by the Honorable the Colonial Treasurer, intimating that he has been unable to enter into any arrangement with the Directors of the Bank of New South Wales, with whom he has been specially in treaty, or with the Directors of the other Banking Establishments in Sydney, for the advance of the amount required by the Government on the security of its Treasury Bills; and that, under such circumstances, it is necessary to have recourse to some other measure for raising the Funds required to meet pressing obligations already incurred. With this view he therefore proposes to advertise the sale of Bills directly from the Treasury, in terms of the Act of the Colonial Parliament, dated 18th December, 1857, and requests the sanction of the Council to the course.

2. Having deliberated upon this proposal, the Council advise that the Honorable the Treasurer should, by notice to be published in the *Government Gazette*, invite application for the purchase of Treasury Bills to the extent of £100,000, such Bills to bear date the 1st March, and to be issued on the terms set forth in the annexure hereto.

EDWARD C. MEREWETHER,

Clerk of the Council.

Executive Council Office,

Sydney, 3 March, 1858.—No. 58-120.

No. 26.

PROCEEDINGS of the Executive Council on 1st March, 1858, with respect to the signing of Treasury Bills.

Minute No. 58-11.

REFERRING to the proceedings at their last meeting with respect to the sale of Treasury Bills, His Excellency the Governor General invites the attention of the Council to the terms of the 3rd Clause of the Act of the Colonial Parliament, passed during the last Session, and dated the 18th December, 1857, by which it is provided that the Treasury Bills to be issued under the authority of that Act shall be signed by such persons as the Governor in Council shall direct and authorize, besides the Auditor General, by whom all shall be signed.

2nd. Whereupon the Council advise that the Honorable the Colonial Treasurer be directed and authorized to sign such Bills accordingly; and that, in further pursuance of the provisions of the said Act, the name of that Officer be registered in the Treasury, and published in the *Government Gazette*, before any Treasury Bills so signed be issued.

EDWARD C. MEREWETHER,

Clerk of the Council.

Executive Council Office,

Sydney, 4 March, 1858.—No. 58-125.

No. 27.

(CIRCULAR.)

With reference to Mr. Jones' circular of the 14th December last, respecting the purchase and negotiation, by the Banks, of the Treasury Bills, the Colonial Treasurer particularly requests that the Manager of _____ will favor him with his attendance at the Treasury on Tuesday, the 9th instant, at 3 p.m., for the purpose of conferring as to the course most advisable to be taken by the Government for borrowing, temporarily, the funds required to meet the pressing obligations incurred in former years on account of the Public Service.

The Managers of the other Banks have been invited to the conference.

The Treasury, 6 March, 1858.

HENRY LANE.

TO MANAGER OF THE

This circular was addressed to the following Banking Companies:—

English, Scottish, and Australian Chartered Bank	} Inspectors and Managers.
Union Bank of Australia	
Bank of Australasia	
Australian Joint Stock Bank	General Manager.
Oriental Bank Corporation	Manager.
London Chartered Bank	Managing Director.
Commercial Bank	Manager.
Bank of New South Wales	Inspector and Secretary.

No. 28.

Z. INGOLD, ESQ., to THE HONORABLE THE TREASURER.

Commercial Banking Company,

Sydney, 11 March, 1858.

SIR,

Being unable to attend your meeting fixed for to-day, I beg leave to state the views of this Bank respecting your proposals for borrowing all or part of the sum of £400,000.

Our

Our interview on Tuesday last failed in eliciting either the general or particular intentions of the Government as to the initiation of any measures for providing the means of redeeming this loan at the expiry of the twelve months for which you propose to borrow it.

This Bank has the utmost desire to promote the public welfare by assisting your Government to meet present engagements, but our duty, as custodiers of private deposits, compels us to have a definite and clear arrangement made for the re-payment of our advances at the stipulated period. Until this assurance is obtained we dare not entertain your proposals.

If this objection is removed, we then consider the sum of £400,000 to be much larger than we could, in justice to the mercantile interests of the Colony, undertake at this period to supply our quota of; because the demands now made upon us for legitimate assistance are so excessively heavy, that we find it absolutely necessary to have our resources at command. Nevertheless, to prevent the confusion and embarrassment which would ensue, if the Government are not in a position to meet their pressing engagements, we are willing, upon being furnished with clear proofs of their intention to make adequate provision for the re-payment thereof, to unite with the other Banks in a loan of the amount which may be absolutely required for that purpose; deferring the consideration of the full loan for £400,000 until the Government have submitted their financial scheme to Parliament, and the Ways and Means of the current year are decided.

I have, &c.,

ZACHY. INGOLD,
Manager.

THE HONORABLE
THE COLONIAL TREASURER,
Sydney.

No. 29.

RESOLUTION of Inspectors and Managers of various Banks, respecting Advances required by the Government.

The following Resolution,—stated to have been unanimously adopted at a Meeting of Inspectors and Managers of the various Banks, and to convey their deliberate answer to the Private Circular issued from the Treasury,—was put into the Colonial Treasurer's hands by the Manager of the Bank of Australasia (Mr. Henderson), in the presence of Mr. Woodhouse and Mr. McMullen.

Sydney, 11 March, 1858.

"At a meeting of the representatives of the Banks, held this day, it was resolved,—

"That in the absence of satisfactory security for the due repayment of the advances now required by the Government, they are reluctantly compelled, in justice to the various interests confided to their charge, to decline making any loans in the mode proposed by the "Honorable the Colonial Treasurer."

Subsequently the following letters were received from the Joint Stock and Oriental Banks.

No. 30.

A. H. RICHARDSON, Esq., to THE HONORABLE THE TREASURER.

Australian Joint Stock Bank,

Sydney, 12 March, 1858.

SIR,

I have the honor to inform you, that the Board of Directors of this Bank, having taken into consideration the Resolution passed by the representatives of the Banks generally, and sent up to the Treasury yesterday, relative to the temporary advance required by the Government, have instructed me to acquaint you that they do not concur in the tenor and import of that Resolution.

On the contrary, placing full reliance on the undertaking of the Government, they are of opinion that the advance sought ought to have been granted by the Banks, and that no reasonable exception could be taken to the security.

I have, &c.,

A. H. RICHARDSON,
General Manager.

THE HONORABLE
THE COLONIAL TREASURER.

No. 31.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,
Sydney, 13 March, 1858.*

MY DEAR SIR,

As there appears to be an impression on your mind that the Resolution handed in to you at the Treasury on Thursday last by a deputation from the representatives of the Banks here was unanimously agreed to, (although I feel persuaded there was no intention to convey such an impression,) I beg to state that such was not the case, as I was of opinion that it would have been a more politic proceeding on the part of the Banks to have granted the Government such measure of assistance as would have afforded time for the initiation and carrying out of such measures as would relieve them from their present position.

I am, &c.,

GEO. K. INGELOW.

THE HONORABLE

ROBERT CAMPBELL, Esq.

No. 32.

G. K. INGELOW, Esq., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,
Sydney, 16 March, 1858.*

SIR,

We beg, as one of the holders of "Interminable" Debentures, to represent to the Government the position we stand in, and to respectfully urge upon your consideration the reasonableness to us as holders, and the advisability on the part of the Government as borrowers of money, of affording to us that measure of relief we now crave at the hands of the Government.

At the time these securities were issued, it was understood on the part of the public that the Government of this Colony did, and intended to abandon, for the future, the raising of money on securities repayable at a fixed period of time; and presuming, therefore, that no opportunity would be afforded to them of investing money in the old form, they subscribed to this new issue, reasonably anticipating that the securities would pass current with the public generally, and that they would be enabled to dispose of those they held at a rate varying with the market value of money, whenever they should find it convenient to otherwise employ their capital.

We do not assert that any distinct pledge was given at the time that no alteration would be made in the mode by which Government would thereafter raise money; but it was certainly not anticipated, by either the borrower or the lenders, that a few months after the issue of these securities the Government would again revert to the old system, and so leave them in the position of holding securities which are altogether unsaleable; for it is evident, that so long as the public can freely obtain Terminable Debentures, those of the character in question will meet with no market.

In many instances this is a very substantial grievance, as many of the holders purchased only for temporary investments, and are now unable to realize upon almost any terms that can be named; and we submit that it is worthy the consideration of the Government to apply a remedy to such a state of matters.

We would wish to point out to the Government the policy, on their part, of acceding to the proposition now made, as it is a matter of notoriety that the depression now existing in the value of all descriptions of public debt of the Colony, and the extreme unwillingness on the part of the public to take up any amount of securities, even at an advanced rate of interest, and on more favorable terms than has ever hitherto obtained, arises mainly from the fact of the holders of these Interminable Debentures, both within the Colony and in England, continually pressing their securities on the market for sale at a heavy discount, and thus frustrating the endeavours of the Government to raise money, by offering to part with their securities at an enormous sacrifice to the seller. So long as this state of matters continues, the Government will find it impossible to raise money in the market by the sale of Debentures, except upon very unfavorable terms.

We

We ask the Government to grant relief, upon terms which are at the same time advantageous to the Colony in general, taking into consideration the views advanced in the preceding paragraphs, and which would entail no loss whatever to the Colony, even if the correctness of those views are not entertained by the Government.

Our proposition is, that the holders of the Interminable Loan have the option of exchanging the Debentures they hold for those having (25) twenty-five years to run, or, say for such a time as will cause the due date to extend to a more distant period than that of any Terminable Debentures now in existence; and, at the same time, to prevent the possibility of any argument being brought forward from any quarter with a view to show that the interests of this particular class had been more consulted than that of the public generally, let the Government make it a condition that the holders of any such Debentures should, on claiming the conversion, be required to take up, at par, an amount of Terminable Securities exceeding that of the interminable so converted by thirty-three and one-third per centum

I have, &c.,

THE HONORABLE
THE TREASURER.

GEO. K. INGELW,
Manager.

No. 33.

J. L. TRITTON, Esq., to THE HONORABLE THE TREASURER.

27, Bourke-street, Woolloomooloo,
22 March, 1858.

SIR,

In the course of conversation with the Manager of the Joint Stock Bank, I mentioned that I possessed £3,000 of those very unpopular securities—New South Wales Interminable Debentures; when that gentleman intimated to me that it was not unlikely but what the Government would feel disposed to exchange them for other and more popular securities. Acting upon his suggestion, allow me to ask whether the Government will feel disposed to exchange these £3,000 of Interminable Debentures for Exchequer or Treasury Bonds; if so, I shall be happy to take an extra £1,000 worth of Bonds

I am, &c.,

THE HONORABLE ROBT. CAMPBELL,
Treasury.

J. L. TRITTON.

No. 34.

MINUTE of Executive Council respecting arrangement proposed by Manager of Oriental Bank Corporation for exchanging Interminable for Terminable Debentures.

THE Executive Council advise, that it be intimated to Mr. Ingelow that the Government are of opinion that they have not the power to sanction any such arrangement as that proposed by him without the intervention of the Legislature; but that they have now under consideration the propriety of introducing into Parliament, during the present Session, a measure authorizing them to exchange the Interminable Debentures for Terminable Securities, upon fair and equitable terms.

EDWARD C. MEREWETHER,

Clerk of the Council.

(Confirmed 29 March, 1858.—No. 58-180.)

1858.

Legislative Assembly.
NEW SOUTH WALES.

BANK ASSISTANCE TO GOVERNMENT.
(FURTHER CORRESPONDENCE RESPECTING.)

Ordered by the Legislative Assembly to be Printed, 20 May, 1858.

FURTHER RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 30 March, 1858, that there be laid upon the Table of this House,—

“ Copy of all Correspondence which may have taken place
“ between the Colonial Treasurer and the various Banking
“ Institutions carrying on business in Sydney, from 8 September, 1857; to 24 March, 1858, upon the subject of the
“ monetary assistance desired by the Government, together
“ with Copy of any Minutes, which may exist, of a Meeting
“ held at the Treasury, in the month of February or March,
“ 1858, at which the Representatives of certain Banking
“ Institutions were invited to be present.”

BANK ASSISTANCE TO GOVERNMENT.

(No. 29.)

RESOLUTION of Inspectors and Managers of various Banks, respecting Advances required by the Government.

The following Resolution,—stated to have been unanimously adopted at a meeting of Inspectors and Managers of the various Banks, and to convey their deliberate answer to the Private Circular issued from the Treasury,—was put into the Colonial Treasurer's hands by the Manager of the Bank of Australasia (Mr. Henderson), in the presence of Mr. Woodhouse and Mr. McMullen.

Sydney, 11 March, 1858.

At a meeting of the representatives of the Banks, held this day, it was resolved,—

“ That in the absence of satisfactory security for the due repayment of the
“ advances now required by the Government, they are reluctantly com-
“ pelled, in justice to the various interests confided to their charge, to
“ decline making any loans in the mode proposed by the Honorable the
“ Colonial Treasurer.”

Subsequently the following letters were received from the Joint Stock and Oriental Banks.

A. H. RICHARDSON, ESQ., to THE HONORABLE THE TREASURER.

(No. 30.)

*Australian Joint Stock Bank,
Sydney, 12 March, 1858.*

SIR,

I have the honor to inform you, that the Board of Directors of this Bank, having taken into consideration the Resolution passed by the representatives of the Banks generally, and sent up to the Treasury yesterday, relative to the temporary advance required by the Government, have instructed me to acquaint you that they do not concur in the tenor and import of that Resolution.

On the contrary, placing full reliance on the undertaking of the Government, they are of opinion that the advance sought ought to have been granted by the Banks, and that no reasonable exception could be taken to the security.

I have, &c.,

THE HONORABLE
THE COLONIAL TREASURER.

A. H. RICHARDSON,
General Manager.

GEO. K. INGELW, ESQ., to THE HONORABLE THE TREASURER.

*Oriental Bank Corporation,
Sydney, 13 March, 1858.*

MY DEAR SIR,

As there appears to be an impression on your mind that the Resolution handed in to you at the Treasury on Thursday last by a deputation from the representatives of the Banks here, was unanimously agreed to, (although I feel persuaded there was no intention to convey such an impression), I beg to state that such was not the case, as I was of opinion that it would have been a more politic proceeding on the part of the Banks to have granted the Government such measure of assistance as would have afforded time for the initiation and carrying out of such measures as would relieve them from their present position.

I am, &c.,

THE HONORABLE
THE COLONIAL TREASURER.

GEO. K. INGELW.

JAMES

BANK ASSISTANCE TO GOVERNMENT.

3

JAMES HENDERSON, Esq., to THE HONORABLE THE TREASURER.

*Bank of Australasia,
Sydney, New South Wales,*

21 April, 1858.

SIR,

I beg to call your attention to the enclosed extract from the printed Correspondence and Minutes relative to Bank Assistance to Government, just laid before the Legislative Assembly, being convinced that you have unintentionally allowed it to go forth—that when handing you the Resolution therein referred to, in presence of Mr. Woodhouse and Mr. M'Mullen, it was stated to have been unanimously adopted by the meeting.

2. What I said was to the effect that the Resolution embodied the conclusion at which the meeting had arrived, and that although the reasons for arriving at it were various, it was agreed to as being the best that could then be adopted; but I did not say that the Resolution was unanimous, nor were any words used at that interview intended (or, in my opinion, calculated) to convey such an impression, and I am borne out in this statement, not only by the wording of the Resolution itself, which merely says, "it was resolved," but also by Mr. Woodhouse and Mr. M'Mullen, who have each referred to their notes of the proceedings, and who have seen, and approved of this communication.

3. I trust, therefore, that you will take an early opportunity of correcting your statement to the Legislative Assembly, and relieve us from the imputation of having conveyed to you an erroneous impression as to the Resolution arrived at by the Banks.

I have, &c.,

THE HONORABLE
THE COLONIAL TREASURER,
Sydney.

JAS. HENDERSON,
Manager.

THE SECRETARY TO THE TREASURY to JAMES HENDERSON, Esq.

*The Treasury, New South Wales,
26 April, 1858.*

SIR,

I am directed to acknowledge the receipt of your letter of the 21st instant, in which you desire to correct an alleged erroneous impression as to the Resolution arrived at by the Banks on the 11th March upon the proposal made to them by the Government on the preceding day.

The Colonial Treasurer desires me to say that he is still under the impression that the Minute as printed is substantially correct, and in that impression he is confirmed by the recollection of the Colonial Secretary, who was present on the occasion, a copy of whose memorandum upon the subject I am instructed to enclose.

Mr. Campbell regrets that you should consider that what took place is not fairly stated; but, at the same time, he does not clearly perceive that you have any real ground of objection to the Minute, as you admit that, though the reasons for arriving at the conclusion were various, it was agreed to as being the best that could then be adopted.

I have, &c.,

JAMES HENDERSON, Esq.,
Manager, Bank of Australasia.

HENRY LANE.

*Colonial Secretary's Office,
24 April, 1858.*

MEMORANDUM.

I beg to make the following remarks upon the letter from Mr. Henderson, of the Bank of Australasia, to the Treasurer:—

It was unquestionably stated by Mr. Henderson, when he and his associates entered Mr. Campbell's office, that they had been detained beyond the time fixed for meeting us from a desire to bring a result which was the unanimous determination of the Managers of the Banks; and I not only understood this to be the case, from what was stated by Mr. Henderson, when he handed in the Resolution, but, when Mr. Campbell subsequently put a question directly to the point,—whether we were to take the Resolution as the unanimous decision of the Banks,—Mr. Henderson and the other gentlemen were understood by me to answer in the affirmative. I do not now understand exactly what is complained of, as Mr. Henderson rather admits an agreement in the conclusion, though he states the reasons for adopting that conclusion were various: that point is not touched in the printed papers.

C. C.

JAMES

BANK ASSISTANCE TO GOVERNMENT.

JAMES HENDERSON, ESQ. to THE SECRETARY TO THE TREASURY.

*Bank of Australasia,**Sydney, New South Wales,*

26 April, 1858.

SIR,

I have to acknowledge receipt of your letter of this date, stating, in reply to mine of the 21st instant, addressed to the Honorable the Colonial Treasurer, that you are desired by that gentleman to say that he is still under the impression that the Minute, as printed, is substantially correct, in which he is confirmed by the recollection of the Colonial Secretary, (a copy of whose memorandum on the subject, dated the 24th instant, I have also to acknowledge as enclosed,) and that he does not clearly perceive that I have any real ground of objection to the Minute, as I admit that, although the reasons for arriving at the conclusion were various, it was agreed to as being the best that could then be adopted.

2. I regret that the Treasurer still retains an erroneous impression of what took place at the interview of the 11th March; and, with reference to the concluding portion of your letter, I cannot see how my having stated that the Resolution was agreed to as being the best that could then be adopted, at all justifies the presumption that I intended to convey it was unanimous.

3. As to the memorandum of the Colonial Secretary, I am glad to perceive it is dated the 24th instant, for I am able to assert, as well from distinct recollection as from notes of the proceedings taken immediately after, that in one essential particular it is erroneous, namely, where it says that Mr. Campbell put a question directly to the point, whether the Resolution was to be taken as the unanimous decision of the Banks? with reference to which, I have to state positively, that the word "unanimous" was never used during our interview, nor was any question put to me, to Mr. Woodhouse, or to Mr. M'Mullen, to the effect stated in the memorandum.

4. In again conveying to the Treasurer my assurance that nothing was said intending to imply that the Resolution was unanimous, I do not think I exceed proper limits in calling his attention to the fact, that he was perfectly aware of the feelings of the two dissenting Banks, both before and after the 11th March, and in expressing my regret that he did not as soon as he became aware, by the receipt of their letters, that the Resolution was not unanimous, afford me an opportunity of correcting the erroneous impression under which he laboured.

5. In confirmation hereof, I now beg to enclose copy of a letter, just received, from Mr. Woodhouse and Mr. M'Mullen, and also copies of the letters received from those gentlemen in corroboration of my letter of the 21st instant; and have again to request, that the Colonial Treasurer will take an early opportunity of correcting the printed paper that has been laid before the Legislative Assembly.

I have, &c.,

HENRY LANE, ESQ.,

Secretary to the Treasury.

JAS. HENDERSON,

Manager.

Sydney, 26 April, 1858.

Dear Sir,

We have seen and approve of your letter of this date to the Secretary of the Treasury.

James Henderson, Esq.,

Bank of Australasia.

R. WOODHOUSE.
JNO. M'MULLEN.*Bank of New South Wales,
Sydney, 21 April, 1858.*

My Dear Sir,

I have carefully read your letter of to-day's date to the Colonial Treasurer, and cordially approve of it.

No words were used on the occasion of our interview, on the 11th March last, with Mr. Campbell and Mr. Cowper intended to convey that the Resolution handed in was unanimously adopted by the Banks; in fact the terms of the Resolution itself indicated that there were dissentients, and, notwithstanding the pointed way in which the Legislative Assembly paper avers that it was stated to be the unanimous and deliberate resolution of the Banks, I am charitable enough to think that its wording, and what passed in conversation afterwards, were misinterpreted unwittingly, rather than by design.

I

I join with you in the hope that Mr. Campbell will take an early opportunity to explain to the Assembly that both himself and Mr. Cowper misunderstood what was said on the occasion referred to, as it is exceedingly unpleasant to be supposed to have joined in a misrepresentation.

James Henderson, Esq.

I remain, &c.,
R. WOODHOUSE.

*Inspector's Office,
Union Bank of Australia,
Sydney, 21 April, 1858.*

My Dear Sir,

1. I fully approve and confirm your letter of this date to the Treasurer.
2. There was not a word said at our interview which was calculated to convey the impression that the Resolution was unanimous; in fact, as you properly observe, the very wording of it implies the contrary, and I cannot doubt the mistake will be immediately rectified.
3. I say "mistake," for, with you, I feel convinced the Treasurer must have been under the impression that the facts were as stated in the printed paper; but, even so, the pointed manner in which the supposed discrepancy is given to the Legislative Assembly appears to me to have been quite unnecessary.
4. You will see that it is the only matter in this very lengthy document which has been made the subject of special comment, and I cannot help thinking it would have been better had the requirements of the House been fully complied with, by the addition of the Minutes retained of the last two meetings at the Treasury.
5. I think we have a right to complain of this omission. I never heard a question more fairly discussed. The Banks were all desirous to assist the Government, if they could have consistently done so; and if our views, as expressed, were fully represented, the Assembly would be able to form a more correct opinion as to the merits of the case.

I am, &c.,
JNO. M'MULLEN,
Inspector.

James Henderson, Esq.

THE SECRETARY TO THE TREASURY to JAMES HENDERSON, ESQ.

*The Treasury, New South Wales,
28 April, 1858.*

SIR,

I am directed by the Treasurer to acknowledge the receipt of your letter of the 26th instant, and to state in reply that he will, as you desire, lay before the Assembly the whole of the correspondence of which it forms a part.

Mr. Campbell regrets that there should have been any misapprehension as to the meaning of the expression used by you in handing in the Resolution of the 11th March; but he is quite willing to concede that your explanation of that expression was what you intended to convey to him.

He cannot, however, admit that he had any such knowledge of the intentions of any other Banks, in reference to the proposal of the Government, as would guide him in arriving at a contrary conclusion, while all that fell from you seemed to bear out the meaning applied by Mr. Cowper and himself, without conference, to the statement you made.

JAMES HENDERSON, ESQ.,
Manager, Bank of Australasia.

I have, &c.,
HENRY LANE.

1858.

*Legislative Assembly.*NEW SOUTH WALES.

ROADS, FERRIES, AND BRIDGES.(APPLICATIONS FOR MONEY FOR CONSTRUCTION OR REPAIRS OF.)

Ordered by the Legislative Assembly to be Printed, 26 March, 1858.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated 14 August, 1857, that there be laid upon the Table of the House,—

“(1.) A Return of all Applications made during the present and
“ past years for sums of Money to be expended upon the Con-
“ struction or Repairs of Roads, Ferries, and Bridges; specify-
“ ing names of Applicants, and the cases in which such applica-
“ tions have been granted or refused.”

“(2.) A Return of all sums of Money collected by private sub-
“ scription for expenditure upon the Construction or Repairs of
“ Roads, Ferries, and Bridges during the present and past years,
“ to which supplementary aid has been granted by the Govern-
“ ment; specifying localities and purposes as aforesaid.”

RETURN of all Applications for Sums of Money to be expended upon the Construction or Repair of Roads, Ferries, and Bridges, for 1856.

No.	DATE.	NAME OF APPLICANT.	WHERE SITUATED, &c.	Amount asked for.	Amount Granted.	Proposed for 1857.	REMARKS.
	1856.			£	£		
1	Jan. 17.....	W. Winch, East Maitland	Repair of Iron Bark Bridge	Not stated.	250		
2	" 22.....	Police Magistrate, Albury.....	" Roads and Bridges in District	200	200		
3	" 29.....	Bench, Tumut	" Roads and Bridges in District	Not stated.	220		
4	Mar. 31.....	Secretary to Randwick and Coogee Road Trust	Repair of Road	300	400		
5	April 10.....	Government Resident, Moreton Bay.....	Repair of Road, Little Liverpool Range	1,064	Nil.	.....	See 1857, No. 26.
6	" "	" "	Bridge, Western Suburbs, North Brisbane ..	500	Nil.	.....	See 1857, No. 25.
7	" "	" "	" over Norman Creek	1,000	Nil.	1,000	
8	Nov. 7	H. Buckley, Esq., M.P.	" over Norman and Breakfast Creeks....	1,500	Nil.	.....	See 1857, No. 10.
9	July 8.....	Inhabitants, Brisbane	" over Breakfast Creek				
10	April 15.....	" Brisbane	Repairs to Streets, Brisbane	Not stated.	Nil.	2,000	See 1857, No. 77.
11	" 25.....	" Ipswich	" Ipswich	5,000	Nil.	2,000	
12	June 5.....	Warden, Wollongong	Road, Cataract River to Macquarie River	203	203		
13	" 5.....	Road Trust	Repair of Botany and Mudbank Road	Not stated.	Nil.	1,200	
14	" 12.....	Inhabitants, Goulburn	Bridge over the Wollondilly	Not stated.	Nil.		
15	" 21.....	T. A. Murray, Esq., M.P., and others	Crossing-place, Gundaroo River	50	50		
16	July 14.....	Bench of Magistrates, Sofala.....	Repair of Roads in District	200	Nil.		
17	" 22.....	Richard Hargrave, Esq., M.P.	" at the Moonby	1,000	500		
18	" 25.....	T. Barker, Esq., M.P.	" Port Macquarie to				
19	Dec. 9.....	" and Memorialists	" " New England	5,000	Nil.		
20	" 9.....	Inhabitants, Port Macquarie.....	" " "				
21	July 30.....	P. Fagan	Mail Road near Brisbane Water	300	Nil.		
22	Aug. 1.....	P. Faucett, Esq., M.P.	Bridge at Gunning	Not stated.	Nil.		
23	" 1.....	Inhabitants, Clarence Town	Repairs to Roads and Bridges	1,000	450		
24	" 12.....	Daniel Egan, Esq., M.P.	Repair of Road, Eden to Bombala.....				
25	Nov. 13.....	"	" "	Not stated.	500	2,000	
26	Aug. 19.....	Inhabitants, Kurrijong.....	" in District	Not stated.	100		
27	" 20.....	Warden, Newcastle	" Newcastle to Hexham.....	Not stated.	Nil.		
28	" 29.....	Inhabitants, North Grafton	Repair of Road, Grafton to Armidale				
29	Oct. 15.....	" Grafton	" and	5,000	500	1,000	
30	Sept. 4.....	"	" Grafton to Tentersfield.....				
31	" 9.....	" New England					
32	Sept. 2.....	" Moreton Bay and Darling Downs	For a Bridge over Laidley's Creek, and at the two crossing-places at Lockyer's Creek.....	2,500	Nil.	1,500	See 1857, No. 24.
33	" "	" Walcha	Opening Road to Port Stephens	200	Nil.	400	See 1857, No. 1.
34	" 6.....	" Manning River	Road, Manning River to New England.....	2,000	Nil.		
37	" 24.....	Commissioners Parramatta Road Trust.....	Roads in District of Parramatta	Not stated.	309		
38	Sept. 26.....	Bench of Magistrates, Carcoar ..	Road, Carcoar to Bathurst	100	Nil.		

No.	DATE.	NAME OF APPLICANT.	WHERE SITUATED, &c.	Amount asked for.	Amount Granted.	Proposed for 1857.	REMARKS.
				£	£	£	
39	Oct. 14.....	Inhabitants, Braidwood	Braidwood and Clyde River Road.....	Not stated.	2,000		See 1857, No. 64.
40	" "	William Macleay, Esq., M. P.	Gundagai, under Kimo Hill	1,000	Nil.	.....
41	" "	Inhabitants, Orange	Bridges and Streets, Orange.....	Not stated.	Nil.		
42	Dec. 14.....	G. H. Cox, Esq., M. P.	Roads and Bridges of Orange and Mudgee Districts	2,000	Nil.		180.
43	Oct. 15.....	Bench, M'Leay River	For formation of Belgrave-street	180	Nil.		
44	" "	Inhabitants, Collegdor	Bridge, Collegdor, Erection of	500	Nil.		
45	" "	Police Magistrate, Wollombi.....	Roads and Bridges in District	Not stated.	400		1,000
46	" "	F. T. Rusden, Esq., M. P.	Goonoo Goonoo Creek to Tamworth	Not stated.	Nil.		
47	Nov. 1	Tamworth Road Trust	Goonoo Goonoo and Peel River Bridges	170	170		
48	Oct. 15	G. S. Lang, Esq., M. P.	Bridge over Peel River, Tamworth	1,000	Nil.		500
49	" 18	Chairman, South Head Road Trust	" for Repairs to Road	Not stated.	Nil.		
50	" 20	Clerk to Maitland Road Trust	(Estimate) " Maitland to Singleton	Not stated.	Nil.		
51	" 21	Bench, Molong	For Repairs to Roads and Bridges in District ...	Not stated.	Nil.		Placed on Estimates for 1858.
52	" 24	Secretary, Richmond Road Trust.....	" Blacktown Road	Not stated.	Nil.		
53	" 28	Messrs. Garland and M'Leay, M. P.'s	Streets and Great South Road, Gundagai.....	Not stated.	Nil.		
54	" 30	Bench of Magistrates, Stroud	Raymond Terrace to Stroud	200	Nil.		Ditto do.
55	Nov. 1	Inhabitants, Blandford	Maitland to New England	Not stated.	Nil.		
56	" 3 ... {	Edward Flood, Esq., M. P., Windeyer and } Petitioners	Raymond Terrace to New England	400	Nil.		
57	" 4	Bench, Pictou	} Repairs to Menangle Road.....	Not stated.	105		Placed on Estimates for 1858.
58	" 19	" "					
59	" 5	" Carcoar		100	Nil.		
60	" 6	Secretary, Maitland Road Trust	" Morpeth to Black Creek	Not stated.	475		1,500
61	" 7	Bench, Dungog	" Hinton to Chichester.....	Not stated.	Nil.		
62	" 12.....	Commissioner Pearce.....	For Formation, Repairs, &c., to Manly Cove Road	100	Nil.		
63	" 17.....	Warden Paterson	Bridge over Paterson River	1,000	Nil.		Placed on Estimates for 1858.
64	" 20.....	E. C. Close and others	Morpeth to Raymond Terrace	300	Nil.		
65	" 27.....	Richard Hargrave, Esq., M.P.	Repair of Road, Armidale to Kempsey.....	1,500	Nil.		
66	Dec. 4.....	Inhabitants, Paterson and Hinton	" Roads and Bridges in District	Not stated.	Nil.		Placed on Estimates for 1858.
65	" 6.....	" Manning River	" Road, Manning River to	2,000	Nil.		
66	" 9.....	T. Barker, Esq., M.P.	" " New England }				
67	" 13.....	Henry Gordon and Petitioners.....	" " Wollongong to Cordeaux River } by American Creek	Not stated.	Nil.		Placed on Estimates for 1858.
68	" 16.....	Inhabitants, Albury	Bridge over River Murray.....	Not stated.	Nil.		
69	" 16.....	P. Faucett, Esq., M.P.	Fencing the approach to Yass Bridge	Not stated.	£3 15s.		
70	" 29.....	Surveyor General	Road, Sydney to Wollombi	5,000	570		£10,000.
71	" 30.....	J. Bradley	Fencing Road, Point Piper Estate	Not stated.	Nil.		

RETURN of all Applications for Sums of Money to be expended upon the Construction or Repair of Roads, Ferries, and Bridges, for 1857.

No.	Date.	NAME OF APPLICANT.	WHERE SITUATED, &c.	Amount asked for.	Amount granted.	REMARKS.	
	1857.			£	£		
1	January 5.....	A. Hodgson, Esq.	Road, Walcha to Stroud ...	400	400	£200 granted by the Australian Agricultural Company.	
2	" 13.....	D. W. Jamieson.....	Aid for Road	200	762 10s.		
3	" 26.....	Sydney Road Trust	Repairs to Roads in District.....	Not stated.			
4	" 26.....	Warden, Brisbane Water	Mangrove Creek, Brisbane Water and Mac-	Not stated.	500	Being rateable allowance.	
5	April 30.....	Hovenden Hely, Esq.	donald River	Not stated.			
6	February 11...	G. S. Smith, and Inhabitants	Road in Parish of Willoughby.....	Not stated.	Nil.	Being rateable allowance.	
7	" 19...	Honorable J. Macarthur and J. Martin, Esq., M.P.	Bridge, Mount Hunter Creek	300	300		
8	" 25...	Commissioners Road Trust, Parramatta	Portion of Blacktown Road	Not stated.	300		
9	March 6.....	Bench, Shoalhaven	Repairs in District	Not stated.	238	Ditto, for Road to Kiama.	
10	" 11.....	John Richardson, Esq., M.P.	Bridge at Breakfast Creek	1,500	1,500		
11	" 12.....	Rd. Hargrave, Esq., M.P.	Bridge at Muswellbrook	75	75		
12	" 16.....	South Head Road Trust	Aid for Repairs	Not stated.	Nil.	For repairs to Road as far as identical with Great Leading Thoroughfare. Included in rateable allowance. Placed on Estimates for 1858—£1,500. Rateable allowance for Great South Road, Bogolong to Mundarlow, 63 miles.	
13	" 20.....	Inhabitants, Mudgee	Roads and Streets in Township	Not stated.	400		
14	" 23.....	Police Magistrate, Albury	Albury Streets	100	100		
15	" 28.....	Bench, M'Leay River	Kempsey to New England	1,500	Nil.	Rateable allowance for Great South Road, Bogolong to Mundarlow, 63 miles.	
16	" 30.....	Police Magistrate, Gundagai.....	Roads in District	Not stated.	1,130		
17	April 6.....	Bench, Molong	Bridge over Molong Creek	100	100		
18	" 7.....	Warden, Port Macquarie	Ballyngarra to Kempsey	Not stated.	Nil.	Rateable allowance. Voted by Legislature.	
19	" 16.....	H. Wren, Esq., J. P., and	Road from Murimbula to the Maneroo Plains ...	Not stated.	250		
20		J. Manning, Esq., (personal application) }					
21	" 21.....	Inhabitants, Haydon and Murrurundi.....	Bridge over Page	Not stated.	Nil.	Rateable allowance. Voted by Legislature.	
22	"	Commissioners Penrith Road Trust	Western Road Repairs	Not stated.	550		
23	" 22.....	Inhabitants, Orange	Bathurst to Wellington	Not stated.	572		
24	" 23.....	Government Resident, Moreton Bay.....	Lockyer's Creek Bridge	Not stated.	1,000	Ditto.	
25	"	Ditto ditto	Western Suburbs, Brisbane	Not stated.	500		
26	"	Ditto ditto	Little Liverpool Range Road	Not stated.	1,064		

No.	Date.	NAME OF APPLICANT.	WHERE SITUATED, &c.	Amount asked for.	Amount Granted.	REMARKS.
	1857.			£	£	
27	April 23.....	Bench of Magistrates, Drayton.....	Main Thoroughfare in Township of Drayton	Not stated.	500	Voted by Legislature.
28	May 14.....	W. Handcock.....	Ditto ditto ditto	Not stated.	Nil.	
29	April 25.....	Inhabitants, Panbula.....	Panbula Bridge.....	Not stated.	550	
30	" ".....	Wm. Hillyer.....	Road, Saltpan Creek.....	Not stated.	200	Rateable allowance to Cross Roads. Placed on Estimates for 1858, £200, if equal sum be raised by private subscription. £300, on same conditions. Voted by the Legislature. Being rateable allowance.
31	May 1.....	Inhabitants Smithfield and Prospect.....	Smithfield to Parramatta	300	Nil.	
32	" ".....	A. T. Holroyd, Esq., M. P.	Bridge over Vale Creek, Bathurst	300	300	
33	" 7.....	Do.	Road at Cook's River Dam	Not stated.	406	
34	" 11.....	Warden, Wollongong	Roads, Illawarra District	Not stated.	Nil.	
66	July 13.....	Do. do.	District Roads	Not stated.	750	Placed on Estimates for 1858, £1,800. Rateable allowance, Cross Roads to Cowpasture Bridge. £4,350 for Road from Brisbane to Gap leading to Drayton. Rateable allowance. See No. 9. Rateable allowance.
35	May 13.....	Walter Beames	Completion of Abbatoir Road	Not stated.	Nil.	
36	" ".....	William Fowler, Esq., and others.....	Road, Campbelltown to Liverpool.....	Not stated.	200	
37	" 14.....	R. K. Wilson	Ipswich to Drayton	Not stated.	224	
38	" 18.....	Bench, Clarence Town	Hinton and Clarence Town Road.....	Not stated.	196	
39	" 19.....	" Kiama	Kiama to Shoalhaven	Not stated.	600	Rateable allowance, Yass to Bogolong. Rateable allowance. Ditto.
40	" ".....	" Dapto	Do. Dapto.....	Not stated.	Nil.	
41	" 20.....	W. M. Arnold, Esq., M. P.	Durham side, Hinton Ferry	Not stated.	Nil.	
42	" 26.....	H. A. B. Murray	Streets, Scone	Not stated.	220	
43	" ".....	Lessee, Bedlam Ferry	Repair of Hut	Not stated.	200	
44	" 28.....	Bench of Magistrates, Yass	Leading thoroughfares of District.....	Not stated.	140	£8,000, Black Creek to Murrumbidgee.
45	June 8.....	" Raymond Terrace	Road, Raymond Terrace to Stroud	Not stated.	Nil.	
46	" 15.....	T. Barker, Esq., J. P.	Parramatta to Tarban Creek.....	Not stated.	Nil.	
47	" 9.....	J. Shepherd and inhabitants, Ryde	Streets, Tamworth.....	Not stated.	Nil.	
48	" 10.....	S. A. Smith and petitioners	Penrith, Richmond, and Windsor Road	Not stated.	Nil.	
49	" 12.....	John Perry, do.	Road at Warland's Range.....	Not stated.	1,500	
50	" 15.....	A. Loder, Esq., J. P.	Byron's Plains and McLeay River	Not stated.	Nil.	
51	" 16.....	T. G. Rusden, Esq., M. P.				

RETURN &c.—Continued.

No.	Date.	NAME OF APPLICANT.	WHERE SITUATED, &c.	Amount asked for.	Amount Granted.	REMARKS.
	1857.			£	£	
52	June 23.....	R. Owen, for inhabitants	Streets, Wollongong	Not stated.	Nil.	Placed on Estimates for 1858. £250 placed on Estimates for 1858 ... { On condition like sums be raised by private subscription.
53	" "	S. D. Gordon, Esq., M. P.	Bridge over Paterson at Clark's Crossing-place	1,000	Nil.	
54	" 26.....	Edward Flood, Esq., M. P.	Road between the Hunter and Port Stephens ...	Not stated.	.....
55	" "	Inhabitants Durham and Rankin	Streets, Bathurst, Durham-street Bridge	300	.....
56	August 12.....	A. T. Holroyd, Esq., M. P.	Do. do.	200	Nil.	Placed on Estimates for 1858. Being rateable allowance towards Windsor and Eastern Creek.
57	June 27.....	Bench, Port Macquarie.....	Certain Streets in Township.....	Not stated.	Nil.	
58	July 1.....	J. W. Bligh, Esq., M. P., and Memo.	Road, Middle Harbour	Not stated.	100	
59	" 2.....	J. L. Scarvell	McGrath's Hill to Pitt Town Road ...	Not stated.	100	
60	" "	W. Bowman, Esq., M. P.	Roads to join the Mudgee Road	Not stated.	200	
61	" 4.....	Daniel Egan, Esq., M. P.	Bombala to Cooma	Not stated.	Nil.	
62	July 7.....	Inhabitants, Yass	For a new Bridge at Yass.....	Not stated.	Nil.	
63	" 8.....	Commissioner Halloran.....	Punt to ply on River Mary	Not stated.	Nil.	
64	" 10.....	James Garland, Esq., M.P.	Gundagai, under Kimo Hill	1,000	Nil.	
65	" 13.....	Parramatta Road Trust.....	Aid for Road.....	Not stated.	918	
67	" 20.....	Warden, Bathurst.....	Bridge over Evans' Plains Creek	Not stated.	Nil.	Rateable allowance.
68	" "	Bench, Moruya	Ferry rope and punt repairs	12	12	
69	" 21.....	E. O. Weekes, Esq., M.P.....	Streets to Railway Terminus, Maitland	Not stated.	Nil.	
70	" 22.....	Bench, Wellingrove	Repairs to Bridges in District	300	Nil.	
71	" 27.....	Bench, Sofala	Road, Bathurst to Sofala.....	200	150	
72	August 5.....	Do. do.	Road, in District	Not stated.	192	
73	July 29.....	Inhabitants, Merton, Merriwa, &c.	Jerry's Plains to Interior	Not stated.	Nil.	
74	" 31.....	Warden, Newcastle	Cottage Bridge, Maitland Road	Not stated.	Nil.	
75	August 1.....	Government Resident, Moreton Bay.....	Brisbane to Moggill.....	500	Nil.	
76	" "	Bench, Raymond Terrace	Tilligery Creek to Raymond Terrace	Not stated.	Nil.	
77	" "	Inhabitants, Brisbane	Further aid for Streets	2,000	2,000	And rateable allowance.
78	August 11.....	Colonial Architect.....	Bridge at Camden.....	245l. 12s. 9d.	245l. 12s. 9d.	
79	"	Personal application, Richd. Hargrave, Esq., M.P.	Road, Moonbi Pass	Not stated.	100	

1858.

Legislative Assembly.
NEW SOUTH WALES.

GENERAL ROAD VOTE FOR 1858.
(AUTHORISED DISTRIBUTION OF.)

Ordered by the Legislative Assembly to be Printed, 4 August, 1858.

*AUTHORIZED DISTRIBUTION of the General Road Vote for 1858,
so far as relates to CLASSIFIED Roads.*

SOUTHERN ROADS.									
MAIN TRUNK LINE.									
From 5th Milestone, Western Road, to Albury, 380 miles, at £50 per mile ...							...	19,000	0 0
SECONDARY ROADS. <i>Settled Districts.</i>									
Goulburn to Queanbeyan	...	...	...	60	miles				
Braidwood towards Goulburn	...	...	...	30	"				
Marulan to Braidwood	...	...	...	60	"				
Cross Roads to Campbelltown	...	...	...	9	"				
Campbelltown to Picton, by Menangle	...	...	...	19	"				
Campbelltown to Appin	...	...	...	10	"				
Appin to Wollongong	...	...	...	24	"				
Wollongong to Kiama	...	...	...	25	"				
Kiama to Shoalhaven	...	...	...	22	"				
259 miles, at £14 per mile ...							...	3,626	0 0
OTHER ROADS. <i>Beyond the Settled Districts.</i>									
Queanbeyan to Cooma	...	...	...	70	miles				
Cooma to Bombala	...	...	...	54	"				
Bombala to Eden	...	...	...	60	"				
184 miles, at £10 per mile ...							...	1,840	0 0
TOTAL							£	24,466	0 0
WESTERN ROADS.									
MAIN TRUNK LINE.									
Sydney to Wellington, 210 miles, at £50 per mile ...							...	10,500	0 0
SECONDARY ROADS. <i>Settled Districts.</i>									
Bowenfels to Mudgee, 80 miles, at £50 per mile ...							...	4,000	0 0
Bathurst to Carcoar	...	...	...	30	miles				
Carcoar to Canowindra	...	...	...	34	"				
Parramatta to Windsor	...	...	...	19	"				
83 miles, at £14 per mile ...							...	1,162	0 0
TOTAL							£	15,662	0 0
NORTHERN ROADS.									
MAIN TRUNK LINE.									
Morpeth to Armidale, 230 miles, at £50 per mile ...							...	11,500	0 0
SECONDARY ROADS. <i>Settled Districts.</i>									
Newcastle to Maitland	...	...	...	18	miles				
Maitland to Paterson	...	...	...	12	"				
Paterson to Gresford	...	...	...	16	"				
Singleton to Jerry's Plains	...	...	...	20	"				
Jerry's Plains to Merton	...	...	...	15	"				
Merton to Merriwa	...	...	...	36	"				
Merriwa to Cassilis	...	...	...	43	"				
161 miles, at £14 per mile ...							...	2,254	0 0
TOTAL							£	13,754	0 0
MORETON BAY ROADS.									
MAIN TRUNK LINE.									
Brisbane to Drayton Gap, 90 miles, at £50 per mile ...							...	4,500	0 0
SECONDARY ROADS. <i>Settled Districts.</i>									
Ipswich to Spicer's Peak, 48 miles, at £14 per mile ...							...	672	0 0
TOTAL							£	5,172	0 0
RECAPITULATION.									
Southern Lines	...	...	...	...	...	...	24,466	0 0	
Western Lines	...	...	...	...	...	...	15,666	0 0	
Northern Lines	...	...	...	...	...	...	13,754	0 0	
Moreton Bay Lines	...	...	...	...	...	...	5,172	0 0	
Balance available for Special Grants							...	59,058	0 0
TOTAL							£	20,942	0 0
								80,000	0 0

1858.

Legislative Assembly.

NEW SOUTH WALES.

TRUST MONEYS DEPOSIT ACCOUNT.

(STATEMENT OF FROM 15 JUNE, 1857, TO 31 MARCH, 1858.)

Ordered by the Legislative Assembly to be Printed, 23 April, 1858.

The Treasury of New South Wales in Account with the Trust Moneys Deposit Account,
under the Act of Parliament 20 Viet., No. 11, from 15 June, 1857, to 31 March, 1858.

Dr.				Cr.			
	£	s.	d.		£	s.	d.
Master in Equity	34,401	11	7	Master in Equity	16,535	5	2
Curator of Intestate Estates ..	21,255	15	4	Curator of Intestate Estates ..	1,526	5	5
Prothonotary of Supreme Court ..	1,966	9	0	Prothonotary of Supreme Court ..	660	10	7
Chief Commissioner of Insolvent Estates				Chief Commissioner of Insolvent Estates			
F. W. Perry (Official Assignee) ..	18,730	4	1	F. W. Perry (Official Assignee) ..	15,161	17	4
Adam Wilson do. ..	7,975	10	1	Adam Wilson do. ..	5,647	6	1
John Morris do. ..	12,047	3	0	John Morris do. ..	6,064	19	7
J. P. Mackenzie do. ..	11,715	3	4	J. P. Mackenzie do. ..	10,617	5	0
				Balance, on 31 March, 1858 ..	51,878	7	3
TOTAL	£108,091	16	5	TOTAL	£108,091	16	5

*The Treasury, New South Wales,
21 April, 1858.*

RT. CAMPBELL.

1858.

Legislative Assembly.

NEW SOUTH WALES.

EXPENDITURE AUTHORISED AND UNAUTHORISED BY VOTE SINCE
30 APRIL, 1858.

Ordered by the Legislative Assembly to be Printed, 1 July, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 18 June, 1858, That there be laid upon the Table of this House :—

“(1.) A Return of all Moneys paid by the Colonial Treasurer
“since the expiration of the Votes of Credit granted by this
“House, (which extended to the 30th April last, or for the
“first four months of 1858,) distinguishing those payments
“which were included in the Expenditure authorised by these
“Votes of Credit from those which had been made without any
“Legislative authority.

“(2.) A Copy of the Minute of the Executive Council (if any)
“which may have been passed upon the subject of issues out
“of the Consolidated Revenue Fund of the Colony in 1858
“without Legislative sanction.” (*Mr. Donaldson.*)

STATEMENT of Disbursements made by the Colonial Treasurer from 1 May to the 18 June, 1858, distinguishing those payments which were included in the Expenditure authorized by Votes of former years, Votes of Credit, or Resolutions of the Assembly, from those which have been made without any Legislative authority.

SERVICES.	Authorised by votes of former years, and Acts of Parliament.	Expenses authorised by votes of credit at the rates sanctioned for 1857.	Authorised by Resolutions of the Assembly.	Disbursements made at the rates sanctioned for 1857, but unauthorised by either votes of credit or Resolutions of the Assembly.
Schedule A	3,816 13 4	.....	16 13 4	
Schedule B	949 12 9			
Schedule C	3,006 19 6			
Public Worship		1,061 12 3	497 14 7	
Governor General		124 14 10	108 12 1	
Legislative Council			725 0 0	
Legislative Assembly			565 16 8	100 0 0
Legislative Council and Assembly			96 1 8	
Executive Council		461 8 8	442 19 11	
Principal Secretary		65 4 5	75 0 0	
Government Resident, Moreton Bay			491 13 9	
Registrar General	50 0 0		1,898 13 4	
Postal		66 13 4	371 6 8	883 6 8
Educational	68 7 0	4,890 6 8	8,943 1 3	
Immigration and Quarantine		4,195 11 8	17,294 16 2	
Police	1,354 10 5	6,721 12 9	1,639 11 1	
Gaols and Penal	18 12 0	2,366 4 7		
Printing, Postage Stamp, and Book-binding Establishment		50 0 0	2,100 0 0	
Observatory	6 8 0	83 6 0	57 10 0	
Medical		1,186 16 8	1,482 13 8	1,326 8 6
Military		415 11 2		
Charitable Allowances		848 9 2		
Election of Aldermen	0 18 0			
Aborigines		280 19 7		
Municipal Institutions	2,500 0 0		1,117 17 7	
Miscellaneous	72 15 6	10 0 0		402 18 1
Law Officers of the Crown		20 0 0		731 16 8
Supreme and Circuit Court				307 6 8
Moreton Bay Court				378 2 9
Sheriff		480 0 0		102 1 8
Insolvent Court		102 1 8		773 16 8
Quarter Sessions				274 0 0
Court of Requests				27 4 0
Coroners	53 4 2	141 4 9		
Treasury	26 4 6		485 1 8	
Customs and Drawbacks			4,168 0 0	
Colonial Distilleries		145 8 4	135 8 4	
Sydney Branch Royal Mint			1,000 0 0	
Gold Receivers	2 1 8	6 5 0		
Colonial Storekeeper		327 0 0	391 9 6	
Gunpowder Magazine			36 6 8	
Shipping Masters			120 5 0	
Lighthouses, Harbors, and Pilot Establishments	43 11 0	75 0 0	1,398 17 1	
Secretary for Lands and Public Works		125 0 0		425 0 0
Survey and Management of Crown Lands				3,456 5 0
Commission on Sales of Land, Advertising Charges, &c.	319 1 3	376 0 8		295 14 4
Gold Fields		957 12 4		
Gold Contingent		208 0 0		208 0 0
Colonial Architect		19 4 4		
Superintendence of Roads		41 13 4		
Botanic Gardens and Government Domain		75 16 8		166 6 8
Public Roads, Bridges, and Ferries	934 9 3	3,687 5 10		2,891 19 0
Public Works and Buildings	3,810 2 3			105 0 0
Examiners of Coal Fields				421 2 9
Auditor General				
Interest on Debentures	549 8 10			
Endowments	83 6 8			
Pilotage	467 15 0			
TOTALS,.....	18,124 1 1	32,684 0 10	45,660 10 0	13,276 9 5

R. CAMPBELL.

The Treasury,
28th June, 1858.

1858.

Legislative Assembly.
NEW SOUTH WALES.

EXPENDITURE AUTHORIZED AND UNAUTHORIZED
BY VOTE, SINCE 18 JUNE, 1858.

Ordered by the Legislative Assembly to be Printed, 31 August, 1858.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated
13 August, 1858, That there be laid upon the Table of the House,—
“ A Statement in continuation of a Return, dated 18th June
“ last, exhibiting in the same tabular form up to the 6th
“ August, 1858 :—
“ (1.) The sums authorized by Votes of former years, and Acts
“ of Parliament.
“ (2.) The expenses authorized by Votes of Credit, at the rates
“ sanctioned for 1857.
“ (3.) The sums authorized by Resolutions of the Assembly.
“ (4.) Disbursements made at the rates sanctioned for 1857,
“ but unauthorized by either Votes of Credit or Resolutions of
“ the Assembly.”

(*Mr. Donaldson.*)

STATEMENT, in continuation of a Return dated 18 June, 1858, of Disbursements made by the Colonial Treasurer, exhibiting, from the 19th June to the 14th August,—1st. The sums authorized by Votes of former years, and Acts of Parliament;—2nd. The Expenses authorized by Votes of Credit, at the rates sanctioned for 1857;—3rd. The Sums authorized by Resolutions of the Assembly;—4th. Disbursements made at the rates sanctioned for 1857, but unauthorized by either Votes of Credit or Resolutions of the Assembly.

SERVICES.	Authorized by Votes of former years and Acts of Parliament.	Expenses Authorized by Votes of Credit, at the rates sanctioned for 1857.	Authorized by Resolutions of the Assembly.	Disbursements made at the rates sanctioned for 1857, but unauthorized by either Votes of Credit or Resolutions of the Assembly.
Schedule A	3,466 13 4	.....	366 13 4	
Schedule B	1,212 9 7	.....	.....
Pensions under Colonial Acts	83 6 8	.....	.....
Schedule C	5,169 1 1	.....	.....
Public Worship	400 0 0	16 6 8	2,386 11 11	
Governor General	17 4 9	66 5 6	275 14 6	
Legislative Council .....	.....	.....	960 0 0	
Legislative Assembly	6 5 0	.....	1,164 0 0	
Legislative Council and Assembly .....	.....	.....	440 0 0	
Executive Council .....	.....	.....	192 3 4	
Principal Secretary	1 6 6	29 17 6	891 12 11	
Government Resident, Moreton Bay .....	.....	.....	150 0 0	
Registrar General .....	.....	.....	976 15 0	
Postal .....	.....	.....	15,233 13 4	
Educational .....	.....	1,445 16 8	4,333 6 8	
Immigration and Quarantine .....	.....	.....	35,733 15 1	
Police	228 9 3	770 18 9	16,083 5 2	
Gaols and Penal	335 0 0	107 4 0	4,263 6 9	
Printing, Postage and Bookbinding Department .....	.....	.....	2,200 0 0	
Observatory .....	.....	4 5 0	179 4 9	
Medical .....	.....	.....	3,869 1 8	
Military and Naval	611 16 6	74 15 0	.....	2,084 18 7
Charitable Allowances	102 14 9	.....	3,811 3 10	
Grants in aid of Public Institutions .....	.....	.....	150 0 0	
Aborigines	45 17 3	21 13 4	482 15 6	
Miscellaneous	70 14 10	59 8 7	2,272 12 8	
Law Officers of the Crown .....	.....	.....	678 1 8	
Supreme and Circuit Court .....	.....	.....	1,163 13 4	
Moreton Bay Court	100 0 0	.....	714 13 4	
Sheriff .....	.....	.....	1,077 10 0	
Insolvent Court .....	.....	.....	204 3 4	
Quarter Sessions .....	.....	.....	1,100 0 0	
Courts of Request .....	.....	.....	548 8 4	
Coroners	33 14 6	40 19 0	537 13 0	
Treasury .....	.....	.....	987 12 3	
Customs .....	.....	.....	4,226 0 0	
Drawbacks .....	.....	.....	4,150 0 0	
Colonial Distilleries .....	.....	.....	270 16 8	
Sydney Branch Royal Mint .....	.....	.....	1,800 0 0	
Gold Receivers .....	.....	.....	25 0 0	
Colonial Storekeeper .....	.....	.....	782 19 0	
Gunpowder Magazine .....	.....	.....	147 13 8	
Lighthouses, Harbours and Pilot Establishments	58 0 4	.....	4,147 6 7	
Shipping Masters .....	.....	.....	272 5 9	
Secretary for Lands & Public Works .....	.....	.....	1,050 0 0	
Survey and Management of Crown Lands	109 16 0	.....	12,994 17 1	
Commission on Sales of Land, &c.	111 17 5	115 15 0	763 7 3	
Gold Fields	92 4 4	1,115 0 0	7,484 19 0	
Gold Contingent	361 17 10	.....	245 16 8	
Colonial Architect .....	.....	.....	876 15 0	
Superintendence of Roads .....	.....	.....	645 16 8	
Botanic Gardens and Domains .....	.....	.....	776 10 0	
Public Roads, Bridges, and Ferries	2,250 19 1	.....	7,758 7 10	
Public Works and Buildings	3,440 5 8	.....	3,910 4 7	294 0 0
Examiner of Coal Fields .....	.....	.....	110 0 0	
Auditor General .....	.....	.....	761 1 0	
Interest on Debentures	20,066 19 1	.....	.....
Interest on Treasury Bills	825 10 8	.....	.....
Endowments	2,000 0 0	.....	.....
Pilotage	479 13 4	.....	.....
Compensation to P. Rawlings .....	.....	.....	431 0 0	
TOTAL.....£	41,581 17 9	3,858 5 0	157,078 8 4	2,378 18 7

The Treasury,
30th August, 1858.

Rt. CAMPBELL.

1858.

Legislative Assembly.
NEW SOUTH WALES.

WARRANT AUTHORISING EXPENDITURE WITHOUT
PARLIAMENTARY SANCTION.

Ordered by the Legislative Assembly to be Printed, 6 August, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly,
dated 4 August 1858, praying that His Excellency the Governor
General would cause to be laid upon the Table of the House :—

“ A copy of the last Warrant signed by His Excellency the
“ Governor General by which Expenditure has been authorised
“ out of the Consolidated Revenue of the Colony without the
“ sanction of Parliament.” (*Mr. Donaldson.*)

Advance on Account, Payable out of the Consolidated Revenue Fund.

WARRANT No. 263 of 1858.

By His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and Captain General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

To ROBERT CAMPBELL, Esq.,
Colonial Treasurer.

Examined and found correct, (Signed) W. C. MAYNE, Auditor General.	You are hereby authorised to advance to the undermentioned Persons, or to their Assigns, the Sums opposite their several names, to enable them to make payments for the purposes specified in the accompanying letters, and in the manner therein stated, viz. :—		AMOUNT.
	Henry Lane	}	448 13 4
	J. G. N. Gibbes		378 7 8
	John Crook		4,763 0 0
	F. O. Darvall... ..		2,013 17 9
			403 0 0
Obtaining from each of them respectively an obligation to furnish to the Auditor General, immediately after the expiration of this month, an Account Current, supported by satisfactory Vouchers for the expenses charged, and by a Certificate from the proper Officer as respects the Balance of Cash in the Bank ; and also a further obligation to repay into the Treasury, at any time when instructed by competent authority so to do, such Balance as may then remain unexpended by them ; and should they fail to furnish the said Accounts, or to repay the Balance when required, you will, on being duly apprised thereof, suspend all payments to them of any nature whatsoever, whether for Salary or otherwise, until the cause of suspension be removed, or until you receive special authority not to continue it.			

GIVEN under my Hand, at Government House, Sydney, New South Wales
this 28th day of July, in the Year of our Lord 1858.

By His EXCELLENCY'S COMMAND,

(Signed) CHARLES COWPER,
Colonial Secretary.

(Signed) W. DENISON.

A true Copy,
Rt. CAMPBELL.

MEMORANDUM.

Warrant No. 263 of 1858, contains the sum of £378 7s. 8d., advanced to the Secretary to the Treasury to pay the Salaries of the Auditor General's Establishment for the month of July, 1858, for which no vote had been taken up to the 28th July, the date of the Warrant.

R. C.

1858.

Legislative Assembly.

NEW SOUTH WALES.

WEEKLY STATE OF THE TREASURY.

(COMPARATIVE STATEMENT IN REFERENCE TO.)

Ordered by the Legislative Assembly to be Printed, 29 July, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 23 July, 1858, That there be laid upon the Table of this House:—

“ A Return exhibiting the Weekly State of the Treasury at,
 “ or as near as may be at, the following dates:—1 July, 1856,
 “ 1 January, 1857, 1 July, 1857, 1 January, 1858, 1 July, 1858;
 “ specifying all the particulars, on each side of the Accounts,
 “ which are contained in the document called the ‘Weekly State,’
 “ laid before the Colonial Treasurer.”

(*Mr. Donaldson.*)

RETURN exhibiting the WEEKLY STATE of the TREASURY on the 30th JUNE, 1856; 31st DECEMBER, 1856; 30th JUNE, 1857; 31st DECEMBER, 1857; and 30th JUNE, 1858; specifying all the PARTICULARS on each side of the ACCOUNTS, which are contained in the Document called the "WEEKLY STATE," laid before the COLONIAL TREASURER.

	ON 30TH JUNE, 1856.	ON 31ST DEC., 1856.	ON 30TH JUNE, 1857.	ON 31ST DEC., 1857.	ON 30TH JUNE, 1858.		ON 30TH JUNE, 1856.	ON 31ST DEC., 1856.	ON 30TH JUNE, 1857.	ON 31ST DEC., 1857.	ON 30TH JUNE, 1858.
PUBLIC REVENUE ACCOUNTS.						DISTRIBUTION OF THE BALANCES.					
Consolidated Revenue Proper	22,328 12 6	74,957 6 11	45,976 17 6	84,284 0 6	170,662 19 0	In the Bank of New South Wales	17,545 8 7				
Revenue { Loans Account	34,041 18 4	94,567 12 6	101,220 17 3	9,869 3 1		Commercial Bank	17,989 14 0				
Assessment on Sheep, 19 Vic., 27			11,598 0 3	10,254 9 5	9,806 3 5	Bank of Australasia	35,475 16 7				
Schedule A, 13 and 14 Vic., cap. 59	12,133 4 7					Union Bank of Aus- tralia	1,052 11 0				
Schedules A, B, & C, 18 and 19 Vic., cap. 54			119 11 9		96 17 10	London Chartered Bank	18,366 11 4				
Territorial Revenue	3,246 16 2					Joint Stock Bank	24,432 2 11	197,103 19 11	184,486 4 7	83,219 16 10	115,736 13 4
Church and School Estates' Fund	9,242 10 9	8,397 2 6	8,311 1 8	8,012 4 6	4,452 5 9	do. Suspense Acct.		2,503 9 9	2,337 6 3	4,101 5 5	4,829 6 8
						do. Debenture Acct.				6,587 7 9	6,722 13 3
Overdraft on Assessment on Sheep Account	80,993 2 4	177,922 1 11	167,226 8 5	112,419 17 6	185,018 6 0	Oriental Bank, Syd- ney				30,000 0 0	20,000 0 0
Overdraft on Loans Account	2,084 7 3	2,795 1 8			175,814 15 8	do. London			50,000 0 0	69,143 6 0	
						Debentures Suspense Account			10,000 0 0	10,000 0 0	10,000 0 0
	78,908 15 1	175,127 0 8	167,226 8 5	112,419 17 6	9,203 10 4						
LODGMENT ACCOUNTS.							114,862 4 5	199,607 9 8	246,823 10 10	203,051 16 0	157,288 13 3
Immigration Remittances	3,769 10 0	2,507 11 0				Deduct:					
Police Reward Fund	7,868 10 7	4,837 13 2	9,459 8 1	11,061 3 9	12,512 5 4	Overdraft on Oriental Bank, London*					67,468 2 4
Police Superannuation Fund	5,843 8 9	4,950 9 3	6,985 4 1	8,516 5 0	9,552 7 3						89,820 10 11
Poundage Account	15,005 2 9	16,566 16 9	16,231 17 11	16,774 15 2	16,463 15 9	IN THE TREASURY CHEST.					
Imperial Postage	5,481 15 10	6,229 5 5	147 19 5	61 6 6	345 6 9	Securities	7,500 0 0	7,500 0 0	13,500 0 0	16,500 0 0	20,500 0 0
Shipping Master's Account	80 9 1	110 10 11	125 14 6	153 5 7	187 6 11	Cash in hand	137 1 7	8,459 12 9	818 0 11	62 13 0	4,512 2 5
Savings' Bank Deposits	60,000 0 0	60,000 0 0	60,000 0 0	60,000 0 0	40,000 0 0						
Revenue Suspense Acct. (Old.)	2,112 9 7	3,647 18 3	1,088 1 6	828 1 6	805 18 6		7,637 1 7	15,959 12 9	14,318 0 11	16,562 13 0	25,012 2 5
Do. Do. (New.)			2,451 10 0	4,101 5 5	4,829 6 8						
Sundry Deposits	3,409 4 4	1,589 17 0	964 2 9	1,188 0 0	621 8 11	Amount of Savings' Bank Deposits transferred to Mint Bullion Account, Bank of N. S. Wales	122,499 6 0	215,567 2 5	261,141 11 9	219,614 9 0	114,832 13 4
Trust Moneys Deposit Account			46,461 5 1	54,510 8 7	50,311 6 11		60,000 0 0	60,000 0 0	60,000 0 0	60,000 0 0	40,000 0 0
	103,690 10 11	100,440 1 9	143,915 3 4	157,194 11 6	135,629 3 0						
Debentures Suspense Account			10,000 0 0	10,000 0 0	10,000 0 0						
TOTAL BALANCES.....£	182,499 6 0	275,567 2 5	321,141 11 9	279,614 9 0	154,832 13 4	TOTALS.....£	182,499 6 0	275,567 2 5	321,141 11 9	279,614 9 0	154,832 13 4

* Pending the Receipt of Account Sales of Debentures to the amount of £100,000, forwarded for sale in London, on the 11th May, 1858.

The Treasury, New South Wales,
26 July, 1858.

RT. CAMPBELL.

BALANCES in the TREASURY, NEW SOUTH WALES, on the 7th day of NOVEMBER, 1856

PUBLIC REVENUE ACCOUNTS.			DISTRIBUTION OF THE BALANCES.		
Consolidated Revenue { Revenue Proper	127,473 10 10		In the Union Bank of Australia.....	30 8 0	
Assessment on Sheep, 19 Vict., 27			In the Joint Stock Bank	161,285 15 5	
Schedule A., 13 and 14 Vic., cap. 59.	11,043 13 7		In the Suspense Account.....	1,503 19 11	162,820 3 4
Territorial Revenue	1,895 5 9	148,340 12 2			
Church and School Estates Fund ..	7,928 2 0				
Overdraft on Consolidated Revenue	14,077 16 7				
Overdraft on Assessment on Sheep	2,385 10 8	16,463 7 3			
		131,877 4 11			
LODGMET ACCOUNTS.			IN THE TREASURY CHEST.		
Immigration Remittances	2,026 7 0		Securities.....	7,500 0 0	7,500 0 0
Police Reward Fund.....	4,607 17 11		Cash in hand	124 7 10	124 7 10
Police Superannuation Fund	4,771 14 1				
Poundage Account	16,423 17 1				
Imperial Postage	5,978 4 11				
Shipping Master's Account.....	73 14 10				
Savings' Bank Deposits	60,000 0 0				
Revenue Suspense Account.....	2,692 1 5				
Sundry Deposits	1,993 9 0	98,567 6 3			
					170,444 11 2
			Amount of Savings' Bank Deposits transferred to Mint Bullion Account, Bank of New } South Wales		60,000 0 0
TOTAL BALANCE.....£		230,444 11 2	TOTAL.....£		230,444 11 2

RT. CAMPBELL.

BALANCES in the TREASURY, NEW SOUTH WALES, on the 15th day of APRIL, 1857.

PUBLIC REVENUE ACCOUNTS.			DISTRIBUTION OF THE BALANCES.		
Consolidated Revenue	{ Revenue Proper .....	.....	In the Joint Stock Bank	144,388 12 8	145,499 13 0
	{ Loans Account	112,317 10 2	In the Suspense Account	1,111 0 4	
Assessment on Sheep, 19 Vic., 27		136 1 10			
Schedules A, B, and C, 18 and 19 Vict., cap. 54		138 6 9			
Church and School Estates Fund		8,311 1 8			
		120,903 0 5			
<i>Deduct :—</i>					
Overdraft on Consolidated Revenue		1,067 16 6			
		1,067 16 6			
		119,835 3 11			
LODGMET ACCOUNTS.			IN THE TREASURY CHEST.		
Police Reward Fund	5,602 17 4		Securities	7,500 0 0	7,500 0 0
Police Superannuation Fund	5,275 7 9				
Poundage Account	16,895 5 4		Cash in hand	128 12 5	128 12 5
Imperial Postage	3,085 13 9				
Shipping Master's Account	150 12 9				
Savings' Bank Deposits	60,000 0 0				
Revenue Suspense Account, (Old)	1,148 1 6				
Revenue Suspense Account, (New)	1,111 0 4				
Sundry Deposits	1,024 2 9				
		93,293 1 6			
					153,128 5 5
			Amount of Savings' Bank Deposits transferred to Mint Bullion Account, in Bank of New South Wales	60,000 0 0	
TOTAL BALANCE	£	213,128 5 5	TOTAL	£	213,128 5 5

RT. CAMPBELL.

1858.

Legislative Assembly.
NEW SOUTH WALES.

ESTIMATES FOR 1857-8.

Ordered by the Legislative Assembly to be Printed, 26 March, 1858.

W. DENISON,
Governor General.

Message No. 1.

In compliance with the 54th Clause of the Constitution Act, and in accordance with his opening Speech, the Governor General invites the Legislative Assembly to make provision for the Public Service, agreeably to the Supplementary Estimates for 1857, and the Estimates for 1858, which were submitted and partly voted during the last Session of the first Parliament, with such modifications as are explained in the memorandum which accompanies the copies of these Estimates herewith transmitted.

As the Vote of Credit obtained from the last Parliament will be exhausted on the 31st of March current, and, as considerable sums will be falling due instantly, thereafter, especially for the Mail Contract Service, the Governor General invites the prompt attention of the Assembly to the pressing necessity which exists for perfecting the appropriation of the sums granted in the last Session, and for making immediate provision for those other services for which grants will be asked in accordance with the sums set out in these Estimates.

Government House,
26th March, 1858.

ESTIMATES FOR 1857-8.

MEMORANDUM, explanatory of the alterations proposed to be made in the Estimates of Expenditure for the year 1858, which were laid before the Assembly, on 3rd November, 1857:—

III.—PRINCIPAL SECRETARY,—as proposed in the Estimates now before the Assembly £644,678 16 3

Military—Two Companies and General Service—

Original Estimate 18,293 14 10

Amended do. 8,351 16 5

9,941 18 5

£634,736 17 10

V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE,—as proposed in the Estimates before the Assembly. £98,648 13 7

Steam Navigation Board and Superintendent—

Original Estimate 4,400 0 0

Amended do. 3,743 0 0

657 0 0

£97,991 13 7

VI.—SECRETARY FOR LANDS AND PUBLIC WORKS,—as proposed in the Estimates before the Assembly £1,069,766 18 10

Survey and Management of Crown Lands—

Original Estimate... 56,601 12 6

Amended do. ... 53,132 16 9

3,468 15 9

Railways—

Original Estimate... 821,100 0 0

Amended do. ... 797,000 0 0

24,100 0 0

Roads—

Original Estimate... 88,650 0 0

Amended do. ... 88,112 10 0

537 10 0

28,106 5 9

£1,041,660 13 1

The Treasury,
26 March, 1858.

R. CAMPBELL.

1858.

Legislative Assembly.

NEW SOUTH WALES.

AMENDED ESTIMATE

FOR THE

DEPARTMENT OF THE SECRETARY FOR LANDS AND PUBLIC WORKS.

*Ordered by the Legislative Assembly to be Printed, 30 June, 1858.*W. DENISON,
Governor General.*Message No. 11*

With reference to Message No. 1, dated 26th March, 1858, transmitting Memorandum Explanatory of certain Alterations proposed to be made in the Estimates of Expenditure for the year 1858, the Governor General now submits an Amended Estimate of the Establishments and Services comprised in Item No. VI, "LANDS AND PUBLIC WORKS;" for the purpose of being substituted for that laid before the Legislative Assembly, in the Message referred to.

The amount of the Estimate, Item No. VI, submitted by the Memorandum of 26 March, was	...	...	...	...	...	£1,041,660	13	1
that as Amended	...	...	...	...	...	1,026,307	1	4
Shewing a further decrease in the Estimate originally laid before	...	...	...	...	...
the Assembly of	...	...	...	...	...	£15,353	11	9

Government House,
30 June, 1858.

VI.

Secretary for Lands and Public Works.

STATEMENT OF THE ESTIMATE FOR 1858, COMPARED WITH
THAT FOR 1857.

PAGE.	DEPARTMENT.	1857.	1858.	COMPARED WITH 1857.	
				INCREASE.	DECREASE.
68	Secretary for Lands and Public Works	6,114 14 0	6,214 14 0	100 0 0	
69	Survey and Management of Crown Lands...	59,856 17 0	50,291 10 0	...	9,565 7 0
69	Commission on Sales of Land, &c. ...	4,000 0 0	4,000 0 0		
	Gold Fields—				
70	Within the Settled Districts ...	11,392 4 7			
	Beyond do. ...	5,250 0 0			
		16,642 4 7	17,581 17 4	939 12 9	
70	Contingent ...	2,500 0 0	2,500 0 0		
	Internal Communications comprising Railways—				
71	Working Expenses ...	...	65,000 0 0	65,000 0 0	
72	Extension and Trial Surveys (Loan) ...	...	8,000 0 0	8,000 0 0	
72	Extensions of Existing Lines (Loan) ...	300,000 0 0	712,000 0 0	412,000 0 0	
	Roads—				
73	Salaries and Contingencies ...	3,250 0 0	4,400 0 0	1,150 0 0	
73	Construction and Maintenance	55,548 8 8	84,000 0 0	28,451 16 4	
73	Do. (Loan)	14,814 0 0	...	...	14,814 0 0
	Electric Telegraph—				
74	Electric Telegraph. (Loan) ...	38,000 0 0	...	...	38,000 0 0
	Harbours and River Navigation—				
74	Salaries and Contingencies ...	...	1,350 0 0	1,350 0 0	
74	Public Works ...	5,936 0 0	10,432 0 0	4,496 0 0	
74	Do. (Loan)	32,113 18 11	...	...	32,113 18 11
	Colonial Architect—				
75	Salaries and Contingencies ...	4,824 0 0	5,189 0 0	365 0 0	
76	Public Buildings ...	25,595 0 0	40,015 0 0	14,420 0 0	
76	Do. (Loan)	21,790 0 0	...	...	21,790 0 0
76	Miscellaneous Public Works ...	2,669 11 0	10,386 0 3	7,716 9 0	
76	Do. (Loan)	1,000 0 0	...	...	1,000 0 0
	Botanic Gardens—				
77	Sydney ...	2,029 0 0	2,023 0 0	...	6 0 0
77	Brisbane ...	550 0 0	550 0 0		
77	Government Domains and Hyde Park	1,169 0 0	1,263 0 0	94 0 0	
77	Coal Fields, &c. ...	680 0 0	680 0 0		
77	Miscellaneous ...	...	431 0 0	431 0 0	
		599,082 9 2	1,026,307 1 4	544,513 18 1	117,289 5 11
	Deduct Decrease ...	...	...	117,289 5 11	
	Increase, compared with 1857 ...	...	...	427,224 12 2	

The Treasury, New South Wales,
30th June, 1858.

RT. CAMPBELL.

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

The Secretary for Lands and Public Works.

SALARIES.

Secretary for Lands and Public Works	...	...	...	...	...	...	...	1,500	0	0	
Under Secretary	...	...	...	...	...	...	...	800	0	0	
Chief Clerk	...	...	...	...	...	...	...	500	0	0	
Clerk	...	...	...	...	...	...	1	400	0	0	
Clerks, at £350	...	...	...	...	...	...	2	700	0	0	
Do. £250	...	...	...	...	...	...	3	750	0	0	
Do. £200	...	...	...	...	...	...	2	400	0	0	
Do. £150	...	...	...	...	...	...	2	300	0	0	
Messenger	...	...	...	...	...	...	...	103	14	0	
Do.	...	...	...	...	...	...	...	100	0	0	
Office Keeper	...	...	...	...	...	...	...	61	0	0	5,614 14 0

CONTINGENCIES.

Rent of Office	...	...	...	...	...	...	...	400	0	0	
Furniture	...	...	...	...	...	...	...	50	0	0	
Stationery	...	...	...	...	...	...	...	50	0	0	
Fuel and Light	...	...	...	...	...	...	...	50	0	0	
Postage	...	...	...	...	...	...	...	20	0	0	
Incidental Expenses	...	...	...	...	...	...	...	30	0	0	600 0 0
TOTAL	...	...	...	...	...	...	...	£	6,214	14	0

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

Survey and Management of Crown Lands.

SALARIES.						No.	Rate.	
Surveyor General	...	...	...	...	...	...	.....	1,100 0 0 ^(a)
Deputy Surveyor General	...	...	...	...	...	...	.....	800 0 0
District Surveyors	...	...	...	...	...	4	780	3,120 0 0 ^(b)
Commissioners of Crown Lands	...	...	...	...	...	1	550	550 0 0
Do. do.	...	...	...	...	...	2	500	1,000 0 0
Do. do.	...	...	...	...	...	5	450	2,250 0 0
Surveyors, 1st class	...	...	...	...	...	6	680	4,080 0 0 ^(c)
Do. 2nd class	...	...	...	...	...	8	580	4,640 0 0 ^(d)
Chief Draftsman	...	...	...	...	...	...	.....	650 0 0
Draftsmen, 1st class	...	...	...	...	...	1	400	400 0 0
Do. do.	...	...	...	...	...	2	375	750 0 0
Do. 2nd class	...	...	...	...	...	4	300	1,200 0 0
Do. 3rd class	...	...	...	...	...	4	240	960 0 0
Do. 4th class	...	...	...	...	...	2	220	440 0 0
Do. do.	...	...	...	...	...	3	200	600 0 0
Preparation of Maps for Publication	...	...	...	...	...	...	600	600 0 0
Description Writers	...	...	...	...	...	2	150	300 0 0
Chief Clerk (Secretary and Cashier)	...	...	...	...	...	...	650	650 0 0
Accountant	...	...	...	...	...	1	400	400 0 0
Clerk, 1st class	...	...	...	...	...	1	400	400 0 0
Do. 2nd do.	...	...	...	...	...	1	355	355 0 0
Do. 2nd do.	...	...	...	...	...	4	300	1,200 0 0
Do. 3rd do.	...	...	...	...	...	3	245	735 0 0
Do. 3rd do.	...	...	...	...	...	5	200	1,000 0 0
Do. 3rd do.	...	...	...	...	...	4	185	740 0 0
Preparation of Deeds	...	...	...	...	...	1	350	350 0 0
Messengers	...	...	...	...	...	2	100	200 0 0
Housekeeper	...	...	...	...	...	...	50	50 0 0
Wages to Surveyors' Labourers	...	...	...	...	...	82	73	5,986 0 0
Fees to Licensed Surveyors	...	...	...	...	...	...	.....	10,000 0 0
Commissioner for Cumberland	...	...	...	...	...	1	200	200 0 0
Troopers	...	...	...	...	...	13	£182 10s.	2,372 10 0 ^(e)
Do. do.	...	...	...	...	...	1	73	73 0 0 ^(f)
Officekeepers and Servants for Commissioners...	...	...	...	...	...	8	40	320 0 0 ^(g)
								48,471 10 0
CONTINGENCIES.								
Repairs and Rent	...	...	...	...	...	.....	.....	250 0 0
Purchase of Parchment and Stationery	...	...	...	...	...	.....	.....	500 0 0
Drawing Instruments and Materials	...	...	...	...	...	.....	.....	200 0 0
Passage and Freight	...	...	...	...	...	.....	.....	200 0 0
Fuel and Light...	...	...	...	...	...	.....	.....	70 0 0
Furniture	...	...	...	...	...	.....	.....	100 0 0
Postage and Incidental Expenses	...	...	...	...	...	.....	.....	500 0 0

TOTAL, SURVEY AND MANAGEMENT £ 50,291 10 0

COMMISSION ON SALES OF LAND, &c. £ 4,000 0 0

(a) Including forage allowance.

(b) Including £500 salary and £280 allowance for equipment, viz. :—

Interest on purchase and wear and tear	£100
Provisions for self	25
Forage for three horses	125
Horse-shoeing	10
Wear and tear of surveying instruments	10
Stationery and postage	5
Contingencies	5
	£280

(c) Including £400 salary and £280 allowance.

(d) Including £300 salary and £280 allowance.

(e) The following is the proposed distribution of the Troopers :—

District of Port Curtis	1
" Wide Bay and Burnett	3
" Leichhardt	3
" Maranoa	2
" Wellington and Bligh	1
" Murrumbidgee and Lachlan	1
" Lower Darling	1
" Albert	1
	13

(f) Provided to mount occasionally one of the men engaged as a boatman.

(g) To be rationed by the Commissioners.

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

GOLD FIELDS.

Commissioners, at £500	...	...	...	...	...	3	1,500	0	0
Assistant Commissioners, at £450	...	...	...	...	...	5	2,250	0	0
Sub-Commissioner	...	...	...	...	...	...	275	0	0
Do. being Clerks of Petty Sessions and Gold Receivers, at £100	...	...	...	...	...	5	500	0	0
Serjeant-Major, at 7s. 3d. per diem	...	...	...	...	...	1	132	6	3
Serjeants, at 6s.	...	...	...	...	...	13	1,423	10	0
Corporals, at 5s. 4d.	...	...	...	...	...	5	486	13	4
Troopers, at 4s. 9d.	...	...	...	...	...	42	3,640	17	6
Native Trooper, at 1s.	...	...	...	...	...	1	18	5	0

10,226 12 1

CONTINGENCIES.

Provisions	...	...	...	...	...	...	1,539	17	6
Allowance to 1 Serjeant and 2 Troopers on Escort Duty, at 1s. per diem	...	...	...	...	...	...	54	15	0
Fuel and Light	...	...	...	...	...	...	75	4	0
Forage	...	...	...	...	...	...	3,645	10	0
Horse Medicines and Farriery	...	...	...	...	...	...	87	0	0
Clothing, Saddlery, and Equipments	...	...	...	...	...	...	250	0	0
Medical Attendance on Police	...	...	...	...	...	...	75	0	0
Stationery and Postage	...	...	...	...	...	...	206	10	0
Stores and Carriage	...	...	...	...	...	...	420	0	0
Horse-shoeing, and Repairs of Saddlery and Equipments	...	...	...	...	...	...	180	0	0
Remount Horses	...	...	...	...	...	...	120	0	0
Blacksmiths' Work	...	...	...	...	...	...	20	0	0
Agistment of Police Horses	...	...	...	...	...	...	20	0	0
Rent	...	...	...	...	...	...	65	0	0
Repairs to Buildings	...	...	...	...	...	...	335	0	0
Furniture	...	...	...	...	...	...	16	0	0
Travelling Expenses of Police	...	...	...	...	...	...	20	0	0
Incidental Expenses	...	...	...	...	...	...	225	8	9

7,355 5 3

TOTAL £ 17,581 17 4

GOLD CONTINGENT.

To meet unforeseen Expenses in case of emergency at the Gold Fields, to be hereafter accounted for

£2,500 0 0

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

Department of Internal Communications, comprising
Railways, Surveys, Roads, Electric Telegraph,
Harbours and River Navigation.

RAILWAYS.

SALARIES.

Chief Commissioner	...	...	...	...	1,500	0	0
Secretary ...	...	...	...	...	600	0	0
Engineer in Chief...	...	...	...	...	1,500	0	0
Accountant	...	...	...	...	500	0	0
Traffic Manager*	...	...	...	...	400	0	0
Messenger ...	...	...	...	...	104	0	0
Do.	...	...	...	...	100	0	0
Housekeeper	...	...	...	...	46	0	0
Clerk ...	...	} Secretary's	{	...	300	0	0
Do. ...	...			...	200	0	0
Clerk ...	...	} Accountant's	{	...	300	0	0
Clerks, at £180	3	540	0	0
Storekeeper	400	0	0
Foreman of Stores	200	0	0
Ticket Printer	...	} Audit Branch	{	...	200	0	0	
Assistant Engineer	700	0	0
Do.	...	} Engineer	{	...	450	0	0	
Do.	400	0	0
Draftsman	500	0	0
Do.	350	0	0
Clerk	...	} Branch	{	...	250	0	0	
			

9,540 0 0

CONTINGENCIES.

Law Expenses	...	...	...	1,000	0	0
Rent	...	...	...	650	0	0
Travelling Expenses	...	...	...	410	0	0
Office Contingencies, including Furniture, Fuel, Stationery, and Postage	...	...	...	400	0	0

2,460 0 0

12,000 0 0

WORKING EXPENSES of 54 miles of Railway.

Repairs to permanent Way including Buildings	...	...	...	11,000	0	0
Wages to Station Masters and Clerks, Foremen, Workmen employed in repairs to Rolling Stock, Engine Drivers, Firemen, Fitters, Cleaners, Guards, and Porters	...	...	...	27,000	0	0
Materials and General Stores, Firewood, Oil, Tal- low, and Waste	...	...	...	15,000	0	0

53,000 0 0

53,060 0 0

TOTAL, RAILWAYS £ 65,000 0 0

* With one per cent upon net receipts until the income amounts to £700 per annum.

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

Internal Communications—continued.

RAILWAYS.

SALARIES.

1 Surveyor	500 0 0
Detachment of Royal Engineers. Regimental Pay	451 13 9

951 13 9

ALLOWANCES.

Detachment of Royal Engineers. Working Pay	1,180 18 6
Colonial Allowance	173 7 6
Ration Allowance	599 4 2
Fuel, Light, and Water	54 0 0

2,007 10 2

CONTINGENCIES.

Field Expenses of Surveyor and Assistants	500 0 0
Detachment of Royal Engineers. Field Allowance... ..	187 16 0
Forage for Horses	300 0 0
Equipment	250 0 0
Medical Attendance	60 0 0
Incidental Expenses *	250 0 0
Chainmen's Wages, 20 at £45	900 0 0
Rations to Chainmen, 20 at £27 7s. 6d.	547 10 0

2,995 6 0

Contingent Sum to provide such further assistance as may prove necessary when the Surveys are in progress, and returns of Existing Traffic, and any other unforeseen or incidental Expenses

2,045 10 1

2,045 10 1

VOTE TO BE PROVIDED BY LOAN

£

8,000 0 0

EXTENSION OF EXISTING LINES.—(TO BE PROVIDED FOR BY LOAN.)

West Maitland to Singleton, including land, 27½ miles	312,000 0 0
Campbelltown to Menangle, including land, 5½ miles	65,000 0 0
Menangle to Picton, including land, 14½ miles	178,000 0 0
Parramatta to Penrith, including land, 20 miles	189,000 0 0
Rolling Stock for Picton Line	29,000 0 0
Rolling Stock for Penrith Line	28,500 0 0
Tramway from Redfern to the Circular Quay	6,000 0 0
Rolling Stock for Tramway	1,500 0 0
Contingent Sum for unforeseen and incidental expenses, as additional sidings, stations, &c., on existing lines, as required	10,000 0 0

TOTAL, including an assumed Sum for Land 819,000 0 0

Deduct, Vote for Rails in 1857 107,000 0 0

VOTE TO BE PROVIDED BY LOAN

£ 712,000 0 0

* Including Postage, Shoeing Horses, Fares for Coach Hire, Cartage when removing Camps, Trifling Expenditure on Barracks, and a sum of £12 10s. to the Officer commanding the detachment, for repair of arms, and other Military Contingencies.

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

Internal Communications—continued.

ROADS.

SALARIES.

Assistant Engineer	700	0	0	
Clerk of Works	450	0	0	
Surveyors 4	2,000	0	0	
Clerk	350	0	0	3,500 0 0

CONTINGENCIES.

Travelling Expenses, Assistant Engineer, and Clerk of Works 2	400	0	0	
Do. Surveyors 4	400	0	0	
Other Contingencies	100	0	0	900 0 0

TOTAL... .. £ 4,400 0 0

CONSTRUCTION AND MAINTENANCE OF ROADS AND BRIDGES.

For the constructin, maintenance, and repair of Public Roads, Bridges, and Ferries	80,000	0	0	
For the formation of the Road from the Dapto Road (at Figtree Bridge) to the Cordeaux River	400	0	0	
For the construction of a Bridge over the Paterson at Clark's Crossing-place	1,000	0	0	
For the construction of a Bridge over the Peel at Tamworth	1,400	0	0	
For opening up a Road through Manly Cove	100	0	0	
For the formation of a Road from the navigable portion of the Hunter to Port Stephens, on condition that the like sum is raised by private contribution	250	0	0	
For the construction of a Bridge over the Vale Creek, on same condition	300	0	0	
For the construction of a Bridge over Prospect Creek, and the repairs of the Road from Smithfield to Parramatta, on same condition... ..	250	0	0	
To provide a Punt at Aberdeen, on the Northern Road	300	0	0	

TOTAL... .. £ 84,000 0 0

N.B.—Should the entire main thoroughfares be placed under this Department, the above staff will require to be proportioned to the work ordered.

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

Internal Communications—continued.

ELECTRIC TELEGRAPH.

(No Vote is required for this Service in 1858, it being anticipated that all Expenses will be covered from the Vote for the year 1857.)

HARBOURS AND RIVER NAVIGATION.

SALARIES.*

Assistant Engineer	700	0	0	
Draughtsmen	350	0	0	
				1,050 0 0

CONTINGENCIES.

Travelling Allowances	200	0	0	
Other Contingencies	100	0	0	
				300 0 0

TOTAL £ 1,350 0 0

PUBLIC WORKS CONNECTED WITH HARBOURS AND RIVER NAVIGATION.

To placing Beacons for crossing the Bar at Wide Bay, and Buoys in the Channel of the River Mary... ..	500	0	0	
To improve the Navigation of the Rivers Murray and Murrumbidgee	2,000	0	0	
For providing gun-carriages and platforms for Defences, Port Jackson, Lantern on Fort Denison, &c.	800	0	0	
For the Defences of Port Jackson, a further sum of... ..	3,000	0	0	
For the construction of the Dry Dock, Cockatoo Island, and for the employment of the Convicts there (as per Schedule)† a further sum of	4,132	0	0	
TOTAL				£ 10,432 0 0

† (SCHEDULE REFERRED TO.)

Civil Engineer	630	0	0
Clerk (3rd class) ..	190	0	0
Foreman Engineer	284	0	0
Foreman of Works	190	0	0
Foremen of Works, at £164 2	328	0	0
Foreman of Works	146	0	0
Two Boatmen, at £104 each	208	0	0
Task-work Clerk	20	0	0
2,800 yards cubic excavation, surface, at 4s.	560	0	0
2,320 do. do. below surface, at 5s.	580	0	0
6,700 cubic feet masonry, at 1s. 6d.	502	0	0
Removal of present Water Tank and Filtering Bed	300	0	0
Contingencies (one-tenth)	194	0	0
	4,132	0	0

* N.B.—The Staff required must depend upon the character and extent of the works sanctioned.

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

Colonial Architect.

SALARIES.

Colonial Architect	1,000	0	0
First Clerk of Works	600	0	0
Clerks of Works, at £400	800	0	0
Do.	300	0	0
First Foreman of Works	250	0	0
Second do.	250	0	0
Draughtsman	250	0	0
Chief Clerk	450	0	0
Clerk (2nd class) ...	300	0	0
Do. (3rd class) ...	250	0	0
Messenger	84	0	0
Office Keeper... ..	40	0	0
			4,574 0 0

CONTINGENCIES.

Forage for the horses of the Architect and the first Clerk of Works	100	0	0
Travelling Expenses of the Architect and Officers of the Department, when proceeding to inspect Public Works and Buildings	300	0	0
Fuel, Light, and Water	15	0	0
Postage	15	0	0
Stationery (including Drawing Material)	50	0	0
Advertising (Tenders for Public Works, &c.)	85	0	0
Incidental Expenses	50	0	0
			615 0 0
TOTAL£			5,189 0 0

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

Colonial Architect.—continued.

PUBLIC WORKS AND BUILDINGS.

For ordinary repairs, alterations, and additions to Public Buildings generally	6,000	0	0
The like in respect to Police Buildings, Country Districts... ..	1,500	0	0
For additions and repairs to the Lunatic Asylum, Tarban Creek ...	6,000	0	0
the Prisoners' Barracks, Cockatoo Island	150	0	0
For the repair of the Victoria Barracks and the various Military Buildings in Sydney and the Country Districts	1,500	0	0
For lighting Lamps, sweeping Chimnies, &c., at the Victoria Barracks	250	0	0
For special repairs to the Court and Watch House, Wee Waa ...	250	0	0
The like in respect of Court and Watch House, Raymond Terrace...	350	0	0
Court and Watch House, Moulamein	300	0	0
Court and Watch House, Tenterfield	250	0	0
To provide Furniture and Fittings for Public Offices generally ...	1,500	0	0
Furniture for Police Buildings, Country Districts	450	0	0
For the erection of Court Houses of the 1st class at Armidale and Gundagai, at £2,000 each	4,000	0	0
For the erection of Court Houses of the 2nd class at Gayndah, Moama, Kiama, Campbelltown, Wellington, and Tumut, at £800 each	4,800	0	0
(Previous votes of £800 for Gundagai, £500 for Kiama, and £700 for Wellington, being considered cancelled.)			
For the erection of Court Houses of the 3rd class at Coonabarrabran, and Condamine, at £400 each... ..	800	0	0
For the erection of Watch-houses at the following places:—Wellington, Gayndah, Tamworth, Moama, Condamine, Mundooran, Gulligal (further sum), Clerkness, Bendemeer, Moonbi, Cowra, and Gunnadah (Namoi), at £400 each	4,800	0	0
Towards the erection of Gaol Buildings (in connexion with the extension of criminal jurisdiction in Country Districts) ...	6,000	0	0
For the erection of a Watch House at Bargo, the further sum of...	50	0	0
For additions to Quarters for the Gaoler, Goulburn Gaol	500	0	0
For the erection of Sheds for Customs' Officers, Circular Quay ...	215	0	0
For lighting the Government Lamps in Sydney	350	0	0
		40,015	0 0

MISCELLANEOUS PUBLIC WORKS.

For keeping in repair the Fences of the Domain and Botanic Gardens	200	0	0
To be expended under the superintendence of the Hyde Park Committee	1,000	0	0
For attending to the Sluices, Cook's River Dam	36	0	0
For providing materials and implements for the employment of prisoners in Darlinghurst Gaol	2,000	0	0
The like in respect of prisoners in Parramatta Gaol	1,000	0	0
For the employment of prisoners on the streets of Brisbane ...	250	0	0
" " the streets of Ipswich	150	0	0
For additional planting and fences at Newcastle Sandhills ...	100	0	0
For the completion of the Abattoir, Glebe Island	3,850	0	0
For the completion of the Road to the Abattoir, Glebe Island ...	1,800	0	0
		10,386	0 0

1858.

NEW SOUTH WALES.

STATEMENTS
EXPLANATORY OF ESTIMATES

No. VI.

Secretary for Lands and Public Works.

LAI'D UPON THE TABLE OF THE HOUSE,
BY THE SECRETARY FOR LANDS AND PUBLIC WORKS,
ON 30TH JUNE, 1858.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
30TH JUNE, 1858.

SYDNEY :

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

The Secretary for Lands and Public Works.
Survey and Management of Crown Lands.
Gold Fields.
Department of Internal Communications.
Colonial Architect.
Botanic Gardens &c.

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

2

AMOUNT APPROPRIATED FOR 1857.			ESTIMATE FOR 1858, AS SUBMITTED BY THE PARKER MINISTRY.			THE SECRETARY FOR LANDS AND PUBLIC WORKS.			ORIGINAL ESTIMATE FOR 1858, AS SUBMITTED BY THE COWPER MINISTRY.			REVISED ESTIMATE FOR 1858, AS NOW SUBMITTED.			
No.	Rate.	Amount.	No.	Rate.	Amount.				No.	Rate.	Amount.	No.	Rate.	Amount.	
...	1,500 0 0	...	.....	1,500 0 0	Secretary for Lands and Public Works	...	...	...	.....	1,500 0 0	...	.....	1,500 0 0	
...	800 0 0	...	.....	800 0 0	Under Secretary	...	...	...	.....	800 0 0	...	.....	800 0 0	
...	400 0 0	...	.....	500 0 0	Chief Clerk	...	...	...	.....	500 0 0	...	.....	500 0 0	
...	400 0 0	...	.....	500 0 0	Clerk	...	...	...	.....	400 0 0	...	.....	400 0 0	
...	275 0 0	...	.....	400 0 0	Do.	...	...	...	.....	350 0 0	...	.....	350 0 0	
...	275 0 0	...	.....	400 0 0	Do.	...	...	...	.....	350 0 0	...	.....	350 0 0	
...	260 0 0	...	.....	300 0 0	Do.	...	...	...	.....	250 0 0	...	.....	250 0 0	
...	215 0 0	...	.....	300 0 0	Do.	...	...	...	.....	250 0 0	...	.....	250 0 0	
...	175 0 0	...	.....	300 0 0	Do.	...	...	...	.....	250 0 0	...	.....	250 0 0	
...	175 0 0	...	.....	200 0 0	Do.	...	...	...	.....	200 0 0	...	.....	200 0 0	
...	175 0 0	...	.....	200 0 0	Do.	...	...	...	.....	200 0 0	...	.....	200 0 0	
...	175 0 0	...	.....	175 0 0	Do.	...	...	...	.....	200 0 0	...	.....	200 0 0	
...	2	150	300 0 0	Do.	2	150	300 0 0	2	150	300 0 0
...	103 14 0	...	.....	103 14 0	Messenger	...	...	...	...	103 14 0	...	.....	103 14 0	
...	100 0 0	...	.....	100 0 0	Do.	...	...	...	...	100 0 0	...	.....	100 0 0	
...	61 0 0	...	.....	61 0 0	Officekeeper	...	...	...	...	61 0 0	...	.....	61 0 0	
		5,264 14 0			6,339 14 0						5,614 14 0			5,614 14 0	
		400 0 0			.....	Rent of Office	...	...	...					400 0 0
		250 0 0			50 0 0	Furniture	...	...	...					50 0 0
		100 0 0			50 0 0	Stationery	...	...	...					50 0 0
		100 0 0			100 0 0	Fuel and Light, £50; Postage, £20; Incidental } Expenses, £30	...	...	...					100 0 0
		850 0 0			200 0 0						600 0 0			600 0 0	
Total... £		6,114 14 0	Total... £		6,539 14 0				Total... £		6,214 14 0	Total... £		6,214 14 0	

No. VI.—Secretary for Lands and Public Works.

3

AMOUNT APPROPRIATED FOR 1857.			ESTIMATE FOR 1858, AS SUBMITTED BY THE PARKER MINISTRY.			SURVEY AND MANAGEMENT OF CROWN LANDS.	ORIGINAL ESTIMATE FOR 1858, AS SUBMITTED BY THE COWPER MINISTRY.			REVISED ESTIMATE FOR 1858, AS NOW SUBMITTED.			INCREASE ON REVISED ESTI- MATE AS COM- PARED WITH THE ORIGINAL.	DECREASE ON REVISED ESTI- MATE AS COM- PARED WITH THE ORIGINAL.
No.	Rate.	Amount.	No.	Rate.	Amount.		No.	Rate.	Amount.	No.	Rate.	Amount.		
...	...	1,050 0 0	...	...	1,050 0 0	SALARIES.	...	...	1,050 0 0	...	...	1,100 0 0 ^(a)	50 0 0	
...	...	775 0 0	...	...	775 0 0	Surveyor General ...	...	...	775 0 0	...	...	800 0 0	25 0 0	
4	500	2,000 0 0	7	500	3,500 0 0	Deputy Surveyor General ...	...	...	3,500 0 0	4	780	3,120 0 0 ^(b)		380 0 0
...	...	550 0 0	5	500	2,500 0 0	District Surveyors ...	7	500	3,500 0 0	...	...	550 0 0		1,950 0 0
2	475	950 0 0	...	...	...	Commissioners of Crown Lands	5	500	2,500 0 0	2	500	1,000 0 0	1,000 0 0	
12	400	4,800 0 0	...	...	...	Do. do.	...	...	...	5	450	2,250 0 0	2,250 0 0	
4	400	1,600 0 0	7	400	2,800 0 0	Do. do.	...	...	...	6	680	4,080 0 0 ^(c)	1,280 0 0	
7	300	2,100 0 0	7	300	2,100 0 0	Surveyors, 1st class, ...	7	400	2,800 0 0	8	580	4,640 0 0 ^(d)	2,540 0 0	
...	...	500 0 0	...	...	...	Do. 2nd class ...	7	300	2,100 0 0	...	...	650 0 0		
2	375	750 0 0	2	375	750 0 0	Chief Draftsman ...	...	...	650 0 0	...	...	400 0 0		
...	...	320 0 0	4	300	1,200 0 0	Draftsmen, 1st class ...	1	400	400 0 0	2	375	750 0 0		
2	300	600 0 0	4	240	960 0 0	Do. do.	2	375	750 0 0	4	300	1,200 0 0		
5	240	1,200 0 0	2	220	440 0 0	Do. 2nd class ...	4	300	1,200 0 0	4	240	960 0 0		
5	220	1,100 0 0	2	200	400 0 0	Do. 3rd class ...	4	240	960 0 0	2	220	440 0 0		
...	...	...	...	...	...	Do. 4th class ...	2	220	440 0 0	3	200	600 0 0	200 0 0	
...	...	...	...	...	...	Do. do.	2	200	400 0 0	...	...	600 0 0		
...	...	...	...	...	...	Preparation of Maps for Publication ...	...	...	600 0 0	...	...	300 0 0		
...	...	...	2	150	300 0 0	Description Writers ...	2	150	300 0 0	2	150	300 0 0		
...	...	630 0 0	...	...	650 0 0	Chief Clerk (Secretary and Cashier) ...	...	...	650 0 0	...	...	650 0 0		
...	...	...	...	...	...	Accountant ...	...	...	400 0 0	...	...	400 0 0		
...	...	...	2	400	800 0 0	Clerk 1st class ...	...	...	400 0 0	...	...	400 0 0		
2	355	710 0 0	...	...	355 0 0	Do. 2nd do. ...	1	...	355 0 0	...	...	355 0 0		
...	...	285 0 0	3	300	900 0 0	Do. 2nd do. ...	3	300	900 0 0	4	300	1,200 0 0	300 0 0	
3	275	825 0 0	3	245	735 0 0	Do. 3rd do. ...	3	245	735 0 0	3	245	735 0 0		
...	...	245 0 0	5	200	1,000 0 0	Do. 3rd do. ...	5	200	1,000 0 0	5	200	1,000 0 0		740 0 0
6	200	1,200 0 0	8	185	1,480 0 0	Do. 3rd do. ...	8	185	1,480 0 0	4	185	740 0 0		
8	185	1,480 0 0	...	...	350 0 0	Preparation of Deeds ...	...	...	350 0 0	...	...	350 0 0		
...	...	...	...	...	...	Plan Mounter ...	...	...	...	...	...	...		100 0 0
2	110	210 0 0	3	100	300 0 0	Messengers ...	3	100	300 0 0	2	100	200 0 0		
...	...	50 0 0	...	...	50 0 0	Housekeeper ...	...	...	50 0 0	...	...	50 0 0		
15	parties	3,000 0 0	21	parties	4,200 0 0	Wages to Surveyors' Labourers ...	21	parties	4,200 0 0	82	73	5,986 0 0	1,786 0 0	
...	...	18,500 0 0	...	...	10,000 0 0	Fees to Licensed Surveyors ...	...	...	10,000 0 0	...	...	10,000 0 0	200 0 0	
...	...	...	...	...	...	Commissioner for Cumberland...	...	...	...	...	...	200 0 0		
10	5s. 6d.	1,003 17 0	15	5s. 6d.	1,506 12 6	Troopers ...	15	5s. 6d.	1,505 12 6	13	182 10	2,372 10 0 ^(e)	866 17 6	
...	...	...	...	...	...	Do. do.	...	...	...	...	...	73 0 0 ^(f)	73 0 0	
...	...	...	...	...	...	Officekeepers and Servants for Com- missioners...	...	...	...	8	40	320 0 0 ^(g)	320 0 0	265 0 0
2	132 10	265 0 0	2	132 10	265 0 0	Rangers ...	2	132 10	265 0 0	...	...	...
...	...	47,548 17 0	...	...	41,016 12 6		...	...	41,015 12 6	...	...	48,471 10 0		
...	...	750 0 0	...	...	454 7 6	CONTINGENCIES.	...	...	454 7 6	...	...	...		454 7 6
...	...	...	...	...	45 12 6	Allowances for Travelling ...	...	...	45 12 6	...	...	...		45 12 6
...	...	1,369 5 0	...	...	3,449 5 0	Allowance for a Horse for the Surveyor General ...	...	...	3,449 5 0	...	...	...		3,449 2 0
...	...	1,000 0 0	...	...	1,095 0 0	Forage for Surveyors' Horses in the Field ...	...	...	1,095 0 0	...	...	...		1,095 0 0
...	...	2,463 15 0	...	...	3,449 5 0	Allowance for fencing Paddocks and Forage for Commissioners' and Troopers' Horses ...	...	...	3,449 5 0	...	...	...		3,449 5 0
...	...	285 0 0	...	...	547 10 0	Provisions for Parties in the Field ...	...	...	547 10 0	...	...	...		547 10 0
...	...	200 0 0	...	...	200 0 0	Allowance for Provisions to Com- missioners and Troopers ...	...	...	200 0 0	...	...	...		200 0 0
...	...	200 0 0	...	...	250 0 0	Saddlery, Arms, and Ammunition for Troopers ...	...	...	250 0 0	...	...	...		250 0 0
...	...	100 0 0	...	...	1,225 0 0	Uniform Clothing for Troopers ...	...	...	1,225 0 0	...	...	250 0 0		975 0 0
...	...	1,000 0 0	...	...	2,100 0 0	Remount Horses ...	...	...	2,100 0 0	...	...	...		2,100 0 0
...	...	1,980 0 0	...	...	650 0 0	Buildings, Repairs, and Rent... Allowance to purchase and maintain Equipment ...	...	...	650 0 0	...	...	500 0 0		150 0 0
...	...	500 0 0	...	...	500 0 0	Purchase of Parchment and Stationery ...	...	...	500 0 0	...	...	...		500 0 0
...	...	500 0 0	...	...	300 0 0	Lithographing ...	...	...	300 0 0	...	...	...		300 0 0
...	...	200 0 0	...	...	200 0 0	Purchase of Surveying Instruments ...	...	...	200 0 0	...	...	200 0 0		250 0 0
...	...	230 0 0	...	...	250 0 0	Drawing Instruments and Materials ...	...	...	250 0 0	...	...	...
...	...	215 0 0	...	...	200 0 0	Horse-shoeing ...	...	...	200 0 0	...	...	200 0 0		
...	...	75 0 0	...	...	70 0 0	Passage and Freight ...	...	...	70 0 0	...	...	70 0 0		
...	...	100 0 0	...	...	100 0 0	Fuel and Light ...	...	...	100 0 0	...	...	100 0 0		
...	...	490 0 0	...	...	500 0 0	Furniture ...	...	...	500 0 0	...	...	500 0 0		
...	...	...	...	...	...	Postage and Incidental Expenses ...	...	...	...	...	...	...
...	...	12,308 0 0	...	...	15,586 0 0		...	...	15,586 0 0	...	...	1,820 0 0	10,890 17 6	17,201 0 0
...	...	£ 59,856 17 0	...	...	£ 56,602 12 6	TOTAL, SURVEY AND MANAGEMENT ...	...	...	£ 56,601 12 6	...	...	£ 50,291 10 0	Increase ...£	10,890 17 6
...	...	£ 4,000 0 0	...	...	£ 4,000 0 0	COMMISSION ON SALES OF LAND, &c.	...	...	£ 4,000 0 0	...	...	4,000 0 0	Total Decrease£	6,310 2 6

(a) Including forage allowance.
(b) Including £500 salary and £280 allowance for equipment, viz.:-
Interest on purchase and wear and tear ... £100
Provisions for self ... 25
Forage for three horses ... 135
Horse-shoeing ... 10
Wear and tear of surveying instruments... 10
Stationery and postage ... 5
Contingencies ... 5
£280

(c) Including £400 salary and £280 allowance.
(d) Including £300 salary and £280 allowance.

(e) The following is the proposed distribution of the Troopers:-
District of Port Curtis ... 1
" Wide Bay and Burnett ... 3
" Leichhardt ... 3
" Maranoa ... 1
" Wellington and Bligh ... 1
" Murrumbidgee and Lachlan ... 1
" Lower Darling ... 1
" Albert ... 1
8 13

(f) Provided to mount occasionally one of the men engaged as a boatman.
(g) To be rationed by the Commissioners.

AMOUNT APPROPRIATED FOR 1857.			ESTIMATE FOR 1858, AS SUBMITTED BY THE PARKER MINISTRY.			GOLD FIELDS.	ORIGINAL ESTIMATE FOR 1858, AS SUBMITTED BY THE COWPER MINISTRY.			REVISED ESTIMATE FOR 1858, AS NOW SUBMITTED.			INCREASE ON REVISED ESTIMATE AS COMPARED WITH THE ORIGINAL.	DECREASE ON REVISED ESTIMATE AS COMPARED WITH THE ORIGINAL.
No.	Rate.	Amount.	No.	Rate.	Amount.		No.	Rate.	Amount.	No.	Rate.	Amount.		
5	496	2,480 0 0	2	550	1,100 0 0	SALARIES.	2	550	1,100 0 0	3	500	1,500 0 0	400 0 0	.....
3	350	1,050 0 0	6	450	2,700 0 0	Commissioners	6	450	2,700 0 0	5	450	2,250 0 0	.....	450 0 0
...	.....	275 0 0	...	.....	275 0 0	Assistant Commissioners... ..	...	.....	275 0 0	...	.....	275 0 0	.....	.....
2	100	200 0 0	5	100	500 0 0	Sub-Commissioner ... ..	...	.....	275 0 0	...	.....	275 0 0	.....	.....
2	175	350 0 0	...	.....	.....	Do. being Clerks of Petty	5	100	500 0 0	5	100	500 0 0	.....	.....
...	.....	132 6 3	...	.....	132 6 3	Sessions and Gold Receivers ... ..	...	.....	132 6 3	...	.....	132 6 3	.....	.....
10	6s. 0d.	1,209 1 3	13	6s. 0d.	1,423 10 0	Clerks	13	6s. 0d.	1,423 10 0	13	6s. 0d.	1,423 10 0	.....	.....
1	6s. 3d.	584 0 0	5	5s. 4d.	486 13 4	Serjeant-Major ... ..	...	.....	486 13 4	5	5s. 4d.	486 13 4	.....	.....
6	5s. 4d.	3,467 10 0	42	4s. 9d.	3,640 17 6	Serjeants	5	5s. 4d.	486 13 4	5	5s. 4d.	486 13 4	.....	.....
40	4s. 9d.	18 5 0	...	.....	18 5 0	Corporals	42	4s. 9d.	3,640 17 6	42	4s. 9d.	3,640 17 6	.....	.....
...	.....	9,766 2 6	...	.....	10,276 12 1	Troopers ... ..	...	.....	18 5 0	...	.....	18 5 0	.....	.....
...	.....	1,782 18 4	...	.....	1,539 17 6	Native Trooper ... ..	...	.....	10,276 12 1	...	.....	10,226 12 1	.....	.....
...	.....	80 0 0	...	.....	54 15 0	CONTINGENCIES.	...	.....	1,539 17 6	...	.....	1,539 17 6	.....	.....
...	.....	3,281 15 0	...	.....	75 4 0	Provisions ... ..	...	.....	54 15 0	...	.....	54 15 0	.....	.....
...	.....	110 0 0	...	.....	3,645 10 0	Allowance to 1 Sergeant and 2 Troopers	...	.....	75 4 0	...	.....	75 4 0	.....	.....
...	.....	282 0 0	...	.....	87 0 0	on Escort duty, at 1s per diem ... ..	...	.....	3,645 10 0	...	.....	3,645 10 0	.....	.....
...	.....	100 0 0	...	.....	250 0 0	Fuel and Light ... ..	...	.....	87 0 0	...	.....	87 0 0	.....	.....
...	.....	205 0 0	...	.....	75 0 0	Forage ... ..	...	.....	250 0 0	...	.....	250 0 0	.....	.....
...	.....	399 0 0	...	.....	206 10 0	Horse Medicines and Farriery ... ..	...	.....	75 0 0	...	.....	75 0 0	.....	.....
...	.....	180 0 0	...	.....	420 0 0	Clothing, Saddlery, and Equipments ... ..	...	.....	206 10 0	...	.....	206 10 0	.....	.....
...	.....	120 0 0	...	.....	180 0 0	Medical Attendance on Police ... ..	...	.....	420 0 0	...	.....	420 0 0	.....	.....
...	.....	20 0 0	...	.....	120 0 0	Stationery and Postage ... ..	...	.....	180 0 0	...	.....	180 0 0	.....	.....
...	.....	20 0 0	...	.....	20 0 0	Stores and Carriage ... ..	...	.....	120 0 0	...	.....	120 0 0	.....	.....
...	.....	65 0 0	...	.....	20 0 0	Horse-shoeing, and Repairs of Saddlery	...	.....	20 0 0	...	.....	20 0 0	.....	.....
...	.....	335 0 0	...	.....	225 8 9	and Equipments ... ..	...	.....	65 0 0	...	.....	65 0 0	.....	.....
...	.....	16 0 0	...	.....	7,355 5 3	Remount Horses ... ..	...	.....	335 0 0	...	.....	335 0 0	.....	.....
...	.....	20 0 0	...	.....	16 0 0	Blacksmiths' Work ... ..	...	.....	16 0 0	...	.....	16 0 0	.....	.....
...	.....	230 8 9	...	.....	20 0 0	Agistment of Police Horses ... ..	...	.....	20 0 0	...	.....	20 0 0	.....	.....
...	.....	6,876 2 1	...	.....	225 8 9	Rent ... ..	...	.....	225 8 9	...	.....	225 8 9	.....	.....
Total ... £	16,642 4 7	£	17,631 17 4	TOTAL	£	17,631 17 4	Repairs to Buildings ... ..	...	7,355 5 3	...	£	17,581 17 4	400 0 0	450 0 0
GOLD CONTINGENT.														400 0 0
To meet unforeseen Expenses in case of emergency at the														Deduct Increase.
Gold Fields, to be hereafter accounted for ...														400 0 0
£	2,500 0 0	£	2,500 0 0	£	2,500 0 0	£	2,500 0 0	£	2,500 0 0	£	2,500 0 0	£	2,500 0 0	Decrease £
														50 0 0

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AMOUNT APPROPRIATED FOR 1857.			ESTIMATE FOR 1858, AS SUBMITTED BY THE PARKER MINISTRY.			COLONIAL ARCHITECT.			ORIGINAL ESTIMATE FOR 1858, AS SUBMITTED BY THE COWPER MINISTRY.			REVISED ESTIMATE FOR 1858, AS NOW SUBMITTED.			INCREASE ON REVISED ESTIMATE AS COMPARED WITH THE ORIGINAL.	DECREASE ON REVISED ESTIMATE AS COMPARED WITH THE ORIGINAL.
No.	Rate.	Amount.	No.	Rate.	Amount.				No.	Rate.	Amount.	No.	Rate.	Amount.		
...	1,000 0 0	...	.....	1,000 0 0	SALARIES.			...	.....	1,000 0 0	...	.....	1,000 0 0	.....	.....
...	600 0 0	...	.....	600 0 0	Colonial Architect	...	...	...	.....	600 0 0	...	.....	600 0 0	.....	.....
2	400	800 0 0	2	400	800 0 0	First Clerk of Works	...	...	2	400	800 0 0	2	400	800 0 0	.....	.....
...	300 0 0	Clerks of Works	...	...	...	.....	300 0 0	...	.....	300 0 0	.....	.....
...	300 0 0	Do.	...	...	...	.....	300 0 0	...	.....	300 0 0	.....	.....
...	250 0 0	...	.....	250 0 0	First Foreman of Works	...	...	...	.....	250 0 0	...	.....	250 0 0	.....	.....
...	250 0 0	...	.....	250 0 0	Second do.	...	...	...	.....	250 0 0	...	.....	250 0 0	.....	.....
...	300 0 0	...	.....	250 0 0	Draughtsman	...	...	...	.....	250 0 0	...	.....	250 0 0	.....	.....
...	450 0 0	...	.....	500 0 0	Chief Clerk	...	...	...	.....	500 0 0	...	.....	450 0 0	.....	50 0 0
...	300 0 0	...	.....	300 0 0	Clerk	...	(2nd class)	...	.....	300 0 0	...	.....	300 0 0	.....	.....
...	230 0 0	...	.....	250 0 0	Do.	...	(3rd class)	...	.....	250 0 0	...	.....	250 0 0	.....	.....
...	84 0 0	...	.....	84 0 0	Messenger	...	...	...	.....	84 0 0	...	.....	84 0 0	.....	.....
...	40 0 0	...	.....	40 0 0	Office Keeper	...	...	...	.....	40 0 0	...	.....	40 0 0	.....	.....
...	4,304 0 0	...	.....	4,624 0 0				...	.....	4,624 0 0	...	.....	4,574 0 0	.....	.....
...	100 0 0	...	.....	100 0 0	CONTINGENCIES.			...	.....	100 0 0	...	.....	100 0 0	.....	.....
...	300 0 0	...	.....	300 0 0	Forage for the horses of the Colonial Architect and the first Clerk of Works	...	...	...	.....	300 0 0	...	.....	300 0 0	.....	.....
...	15 0 0	...	.....	15 0 0	Travelling Expenses of the Colonial Architect and Officers of the Department, when proceeding to inspect Public Works and Buildings...	...	...	...	.....	15 0 0	...	.....	15 0 0	.....	.....
...	15 0 0	...	.....	15 0 0	Fuel, Light, and Water	...	...	...	.....	15 0 0	...	.....	15 0 0	.....	.....
...	40 0 0	...	.....	50 0 0	Postage	...	...	...	.....	50 0 0	...	.....	50 0 0	.....	.....
...	85 0 0	Stationery (including Drawing Material).	...	...	...	.....	85 0 0	...	.....	85 0 0	.....	.....
...	50 0 0	...	.....	50 0 0	Advertising (Tenders for Public Works, &c.)	...	...	...	.....	50 0 0	...	.....	50 0 0	.....	.....
...	520 0 0	...	.....	615 0 0	Incidental Expenses	...	...	...	.....	615 0 0	...	.....	615 0 0	.....	.....
TOTAL...£		4,824 0 0	£		5,239 0 0	TOTAL	£	5,239 0 0	...	£	5,189 0 0	50 0 0

No. VI.—Secretary for Lands and Public Works.

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AMOUNT APPROPRIATED FOR 1857.			ESTIMATE FOR 1858, AS SUBMITTED BY THE PARKER MINISTRY.			BOTANIC GARDENS.	ORIGINAL ESTIMATE FOR 1858, AS SUBMITTED BY THE COWPER MINISTRY.			REVISED ESTIMAE FOR 1858, AS NOW SUBMITTED.			INCREASE ON REVISED. ESTIMATE AS COMPARED WITH THE ORIGINAL.	DECREASE ON REVISED ESTIMATE AS COMPARED WITH THE ORIGINAL.
No.	Rate.	Amount.	No.	Rate.	Amount.		No.	Rate.	Amount.	No.	Rate.	Amount.		
...	350 0 0	...	.....	350 0 0	SYDNEY.	...	.....	350 0 0	...	.....	350 0 0		
...	200 0 0	...	.....	200 0 0	Director ... ..	...	.....	200 0 0	...	.....	200 0 0		
		550 0 0			550 0 0	Overseer ... ..	...	.....	550 0 0	...	.....	550 0 0		
...	1,000 0 0	...	.....	1,000 0 0	CONTINGENCIES.	...	.....	1,000 0 0	...	.....	1,000 0 0		
...	100 0 0	...	.....	100 0 0	Wages to Gardeners and Laborers ...	...	.....	100 0 0	...	.....	100 0 0		
...	56 0 0	...	.....	63 17 6	Travelling and other Expenses of the Director in the discharge of his duties ...	...	.....	63 17 6	...	.....	50 0 0	.....	13 17 6
...	40 0 0	...	.....	40 0 0	Forage for one Horse ... ..	...	.....	40 0 0	...	.....	40 0 0		
...	20 0 0	...	.....	20 0 0	Cases for Plants, and to meet the expense of transmission ... ..	...	.....	20 0 0	...	.....	20 0 0		
...	50 0 0	...	.....	50 0 0	Fuel to heat Plant-house during Winter .	...	.....	50 0 0	...	.....	50 0 0		
...	10 0 0	...	.....	10 0 0	Towards the formation of a Public Botanical Library ... ..	...	.....	10 0 0	...	.....	10 0 0		
...	100 0 0	...	.....	100 0 0	Purchase of Manure ... ..	...	.....	100 0 0	...	.....	100 0 0		
...	100 0 0	...	.....	100 0 0	Incidental Expenses ... ..	...	.....	100 0 0	...	.....	100 0 0		
...	3 0 0	...	.....	3 0 0	Stores ... ..	...	.....	3 0 0	...	.....	3 0 0		
...	30 0 0	Postage ... ..	...	.....	30 0 0	...	.....	.....	.....	30 0 0
...	20 0 0	To keep in repair Plant Poles and Frames .	...	.....	20 0 0	...	.....	.....	.....	20 0 0
		1,479 0 0			1,536 17 6	Bricks for guttering sides of Walks ...	...	.....	1,536 17 6	...	.....	1,473 0 0		
£		2,029 0 0	£		2,086 17 6	TOTAL, SYDNEY	£		2,086 17 6	£		2,023 0 0		
...	200 0 0	...	.....	200 0 0	BRISBANE.	...	.....	200 0 0	...	.....	200 0 0		
...	300 0 0	...	.....	300 0 0	Superintendent ... ..	...	.....	300 0 0	...	.....	300 0 0		
...	50 0 0	...	.....	150 0 0	Wages to Laborers ... ..	...	.....	150 0 0	...	.....	50 0 0	.....	100 0 0
£		550 0 0	£		650 0 0	Incidental Expenses ... ..	...	.....	650 0 0	...	.....	550 0 0		163 17 6
						TOTAL, BRISBANE	£		650 0 0	£		550 0 0		
...	150 0 0	...	.....	150 0 0	GOVERNMENT DOMAINS AND HYDE PARK.	...	.....	150 0 0	...	.....	150 0 0		
...	108 0 0	...	.....	108 0 0	General Overseer... ..	...	.....	108 0 0	...	.....	108 0 0		
...	600 0 0	...	.....	600 0 0	Bailliff ... ..	...	.....	600 0 0	...	.....	600 0 0		
...	56 0 0	...	.....	63 17 6	Wages to Laborers ... ..	...	.....	63 17 6	...	.....	50 0 0	.....	13 17 6
...	15 0 0	...	.....	15 0 0	Forage for one Horse ... ..	...	.....	15 0 0	...	.....	15 0 0		
...	40 0 0	...	.....	40 0 0	Incidental Expenses ... ..	...	.....	40 0 0	...	.....	40 0 0		
...	200 0 0	...	.....	200 0 0	Stores ... ..	...	.....	200 0 0	...	.....	200 0 0		
...	To purchase Iron Hurdles to fence round young Plantations ... ..	...	.....	.....	...	.....	100 0 0	100 0 0	
...	60 0 0	To make the Road from the Baths to Palmer-street ... ..	...	.....	60 0 0	...	.....	.....	.....	60 0 0
...	87 0 0	To gravel and keep in repair the Roads in the Inner and Outer Domains ...	...	.....	87 0 0	...	.....	.....	.....	87 0 0
...	75 0 0	To widen and gravel Road to the Entrance to the Domains... ..	...	.....	75 0 0	...	.....	.....	.....	75 0 0
£		1,169 0 0	£		1,398 17 6	To make the Road from the Baths to Lower Domain Lodge ... ..	...	.....	1,398 17 6	...	.....	1,263 0 0	Increase ...	235 17 6
						TOTAL	£		1,398 17 6	£		1,263 0 0	Decrease ...	100 0 0
...	630 0 0	...	.....	630 0 0	EXAMINER OF COAL MINES AND COAL FIELDS.	...	.....	630 0 0	...	.....	630 0 0		
...	25 0 0	...	.....	25 0 0	Allowance of £2 2s. per diem, while actually employed (say, 300 days) ...	...	.....	25 0 0	...	.....	25 0 0		
...	25 0 0	...	.....	25 0 0	Incidental Expenses ... ..	...	.....	25 0 0	...	.....	25 0 0		
£		680 0 0	£		680 0 0	Horse Hire ... ..	...	.....	680 0 0	...	.....	680 0 0		
						TOTAL	£		680 0 0	£		680 0 0		
						MISCELLANEOUS.								
						Compensation to Mr. Peter Rawlings, for the loss which he sustained by the line of Railway being carried through his property	£		431 0 0	.....		431 0 0		

1858.

Legislative Assembly.

NEW SOUTH WALES.

ADDITIONAL ESTIMATE FOR 1858.

Ordered by the Legislative Assembly to be Printed, 17 August, 1858.

W. DENISON,
Governor General.

Message No. 20.

In accordance with the provision contained in the 54th Clause of the Constitution Act, and in reference to Message No. 1, of the 26th March last, the Governor General herewith submits for the consideration of the Legislative Assembly an Additional Estimate of Expenditure for the present year.

*Government House,
Sydney, 17 August, 1858.*

ADDITIONAL ESTIMATES OF EXPENDITURE OF THE GOVERNMENT OF NEW SOUTH WALES, FOR 1858.

No. II.—EXECUTIVE AND LEGISLATIVE.				
LEGISLATIVE COUNCIL.				
Gratuity to John Murray Bate on his retirement from the Office of 1st Clerk, owing to ill health, being one month's pay for every year of service				170 3 4
LEGISLATIVE ASSEMBLY.				
Gratuity equal to three months' pay to John Baxter, late Principal Messenger				37 10 0
Paging 100 sets of the Votes and Proceedings, 1857				21 10 6
				59 0 6
No. III.—PRINCIPAL SECRETARY.				
REGISTRAR GENERAL.				
Allowance to District Registrars, a further sum				100 0 0
POST OFFICE.				
Conveyance of Mails within and beyond the Settled Districts, a further sum				8,500 0 0
Receiving and delivering Mails from and to the Hunter, after the usual Post Office hours				100 0 0
New Boat				50 0 0
Stamps, Types, and Seals, and Mail Boxes				300 0 0
For providing Mail Boxes, 1857-8				210 0 0
Gratuities for Ships' Mails, Foreign and Coastwise, a further sum ...				300 0 0
Letter carrier at Ipswich, from 1 July				60 0 0
Expense of Supplementary English Mails, and the trans-shipment of English Mails at Melbourne				500 0 0
				10,020 0 0
IMMIGRATION.				
Repairs to the Hospital Hulk "Harmony," Quarantine Station ...				600 0 0
Sydney Depot—				
Clerk, from £225 to £255				30 0 0
Do. from £150 to £200				50 0 0
				80 0 0
				680 0 0
POLICE, SYDNEY.				
Estimated deficiency in the amount voted for City Constabulary, for the year 1857.				523 15 1
CONTINGENCIES, SYDNEY DISTRICT POLICE.				
Towards expense of keeping Horses for the Inspector and 1 Serjeant, at £20 each				40 0 0
Provisions and Light				20 0 0
Removing and destroying by fire the carcasses of animals dying on the Public Highways				50 0 0
Arms, Ammunition, Accoutrements, Bedding and Barrack Utensils ...				50 0 0
Clothing				200 0 0
Incidental Expenses				50 0 0
				410 0 0
WATER POLICE.				
Estimated deficiency in the amount voted for 1857				105 18 4
POLICE, COUNTRY DISTRICTS.				
Clerk of Petty Sessions, Parramatta, further sum				25 0 0
Ordinary Constables at 5s. 6d. each, per diem—				
Ipswich				1 100 7 6
Parramatta				1 100 7 6
Port Stephens				1 100 7 6
Castlereagh River				3 301 2 6
Grafton				1 100 7 6
Illawarra				1 100 7 6
				803 0 0
Allowance in lieu of Forage to Clerk of Petty Sessions, Shoalhaven, to enable him to attend the Court at Ulladulla				50 0 0
Chief Constable, Queanbeyan, advanced from the second to the first class				35 0 0
District Constable, Condobolin, at 6s. 8d.				114 1 3
Two Ordinary Constables, at 5s. 6d. each				200 15 0
				314 16 3
Ordinary Constable, Moorna, at 5s. 6d.				100 7 6
				1,328 3 9
Carried forward				£ 13,406 1 0

Brought forward						£	13,406	1	0
NATIVE POLICE.									
Claim of Mr. William Carter against Mr. Frederick Walker, late Commandant ...							20	0	0
GOLD GUARDS AND CONVEYANCE.									
<i>Northern Road.</i>									
Hanging Rock to Tamworth:—									
Serjeant, at 10s. 6d.							191	12	6
Trooper, at 7s.							127	15	0
Forage							112	0	0
Clothing and Incidental Expenses							40	0	0
							471	7	6
DARLINGHURST GAOL.									
Coffins and Burials, 1857							14	8	0
Stores for 1857							412	11	11
							426	19	11
LUNATIC ASYLUM, PARRAMATTA.									
Additional Attendant							68	0	0
MILITARY.									
Passage to England of Colonel Bloomfield of the 11th Regiment ...							175	0	0
Allowance in lieu of Quarters to the Brigade Major, at £200 per annum, for 3½ months							58	6	8
							233	6	8
(To be substituted for the amount proposed on the Original Estimates.)									
TWO COMPANIES MAINTAINED AT THE EXPENSE OF THE COLONY.									
(Proportion for three and a-half Months.)									
Colonel, at £500 per annum—proportion for						Imperial Pay.	Colonial Allowance.		
200 Rank and File						32 8 2			
Major, at 16s. and 7s. per diem						85 3 4	38 3 0		
Captains, at 11s. 7d. and 5s. 8d.						123 6 4	61 15 4		
Lieutenants, at 6s. 6d. and 5s.						69 4 0	54 10 0		
Ensigns, at 5s. 3d. and 5s.						55 17 10	54 10 0		
Assistant Surgeon, at 7s. 6d. and 5s.						39 18 5	27 5 0		
Color Serjeants, at 2s. 4d. and 1s.						24 16 9	10 18 0		
Serjeants, at 1s. 10d. and 1s.						78 1 5	43 12 0		
Corporals, at 1s. 4d. and 1s.						70 19 5	54 10 0		
Drummers, at 1s. 1d. and 6d.						23 1 3	10 18 0		
Privates, at 1s. and 6d.						1,011 7 1	517 15 0		
Additional and Good Conduct pay						47 6 9			
						1,661 10 9	873 16 4		
							2,535 7 1		
<i>Under Military Regulations.</i>							25 15 11		
Allowances to Acting Staff Officers							21 5 10		
Contingent allowance to Captains							5 6 6		
Agency for two Companies, at 6d. each, per diem							10 7 10		
Agency, at 1½d. in the pound, upon pay and annual allowances							0 12 11		
Agents' Postage and Stationery							5 17 6		
Allowance to Non-commissioned Officers acting as Provost-Serjeants							0 1 11		
Allowance for Stationery, &c., for Barrack Libraries							1 12 8		
Allowance to Schoolmaster							1 18 10		
Allowance to Schoolmistress							1 3 2		
Regimental Postage and Stationery									
Provisions						484 10 3			
Forage						24 16 9			
Fuel and Light						75 18 4			
							535 5 4		
							609 8 5		
Assistant Provost-Serjeant, at 1s. per diem							5 6 6		
							3,150	2	0
Carried forward						£	17,775	17	1

Brought forward				£	17,775	17	1
GENERAL SERVICE OF THE MILITARY.							
<i>Under Military Regulations.</i>							
Barrack Serjeant, at 4s. and 2s. 6d. per diem				118	12	6	
Barrack Librarian, at 6d.				9	2	6	
				127	15	0	
<i>Lodging Allowance.</i>							
Major of Brigade, at 9s. 6d. per diem.				173	7	6	
Commissariat Staff, at 6s. 8d.				243	6	8	
For Officers arriving at the Station, entitled under the Regulations				60	0	0	
Local increased rate to one Clerk, provided by the Colony so long as the double rate is continued, at 2s. 8d. per diem				48	13	4	
				525	7	6	
<i>Colonial Allowance to Her Majesty's Land Forces stationed in New South Wales, according to the following scale:—</i>							
Senior Officer in Command, at 11s. 3d. per diem				1	205	6	3
Officers on the General Staff, at 7s.				2	255	10	0
Proportion for 3½ months.	Regimental and Brevet:—						
	Colonel or Lieutenant Colonel			at 8s. 0d. per diem	2	87	4 0
	Captains, Paymasters, and Surgeon			5s. 8d.	6	185	6 0
	Lieutenants, Adjutant, Assistant Surgeon, and Quarter Master			5s. 0d.	17	463	5 0
	Ensigns			5s. 0d.	4	109	0 0
	Serjeant Major and Quarter Master						
	Serjeant			2s. 6d.	2	27	5 0
	Serjeants and Corporals			1s. 0d.	52	283	8 0
	Privates			0s. 6d.	454	1,237	3 0
						2,853	7 3
Proportion for 8½ months.	Major, at 7s. 0d. per diem					90	9 10
	Captains, at 5s. 8d.				2	146	12 6
	Lieutenants, at 5s. 0d.				2	129	5 6
	Ensigns, at 5s. 0d.				2	129	5 6
	Assistant Surgeon, at 5s. 0d.				1	64	12 9
	Color Serjeants, at 1s.				2	23	17 2
	Serjeants, at 1s.				8	95	4 8
	Corporals, at 1s.				10	119	1 10
	Drummers, at 6d.				4	25	18 4
	Privates, at 6d.				190	1,228	1 6
						2,052	9 7
<i>Departmental:—</i>							
Assistant Commissary General, at 7s. 0d. per diem, (proportion for 3½ months.)				1	38	3	0
Deputy Storekeeper, at 7s. 0d. per diem				1	127	15	0
Deputy Assistant Commissary Generals				2	206	16	8
Foreman of Magazine				1	91	5	0
Clerk				1	91	5	0
Acting Chaplain						91	5 0
First Clerk to the Brigade Major, at 2s. 6d.						45	12 6
Second do. 1s. 0d.						18	5 0
Assistant Clerk to Commissariat						100	0 0
Provost Serjeant, at 1s.						18	5 0
						828	12 2
Barrack Supplies				(proportion for 3½ months.)		65	6 8
Washing and Repairing Bedding				ditto		107	18 4
Postage				ditto		29	3 4
						202	8 4
Proportion of the contingencies for 8½ months						657	4 1
Carried forward				£	25,023	1	0
					7,247	3	11

Brought forward				£	25,023	1	0
NAVAL ALLOWANCE.							
Captain, at 15s. per diem	1	273	15	0			
Lieutenants, at 5s. per diem	3	273	15	0			
Master, at 5s. per diem	1	91	5	0			
Chaplain, at 5s. per diem	1	91	5	0			
Surgeon, at 5s. per diem	1	91	5	0			
Paymaster, at 5s. per diem	1	91	5	0			
Mates, at 3s. per diem	2	109	10	0			
2nd Master, at 3s. per diem	1	54	15	0			
Marine Officer, at 3s. per diem	1	54	15	0			
Assistant Surgeon, at 3s. per diem	1	54	15	0			
Midshipmen, at 1s. 6d. per diem	6	164	5	0			
Master's Assistant, at 1s. 6d. per diem	1	27	7	6			
Clerks, at 1s. 6d. per diem	2	54	15	0			
Warrant Officers, at 1s. 6d. per diem	3	82	2	6			
Naval Cadets, at 1s. 6d. per diem	3	82	2	6			
Chief Petty Officers, at 1s. 3d. per diem	3	68	8	9			
1st Class Petty Officers, at 1s. per diem	26	474	10	0			
2nd Class Petty Officers, at 10d. per diem	10	152	1	8			
Leading Seamen, at 8d. per diem	8	97	6	8			
Seamen, at 6d. per diem	95	866	17	6			
Serjeant, at 1s. 3d. per diem	1	22	16	3			
Corporals, at 10d. per diem	3	45	12	6			
Private Marines, at 6d. per diem	24	219	0	0			
1st Class Boys, at 3d. per diem	20	91	5	0			
2nd Class Boys, at 2d. per diem	13	39	10	10			
					3,674	6	8

ROYAL ARTILLERY.

HEAD ARTILLERY.			
Furniture for the Officers' Mess Room and Quarters, and for the Office	210	0	0
Stores	100	0	0
Mess allowance to the Officers	37	10	0
Allowance to Non-Commissioned Officer in charge of Medicine Chest, at 6d. per diem	9	2	6
Allowance to Medical Practitioner to attend on the sick of the Departmental Staff, and the Men, Women, and Children of the Royal Artillery, at 10s. per diem, from 4 May	120	10	0
	<hr/>	<hr/>	<hr/>
	477	2	6

(To be substituted for amount proposed in Original Estimates.)

	Imperial Pay.	Colonial Allowance.
First Captain, at 12s. 2d. and 5s. 8d.	222 0 10	103 8 4
Second Captain, at 11s. 1d. and 5s. 8d.	202 5 5	103 8 4
First Lieutenants, at 6s. 10d. and 5s.	219 8 4	182 10 0
Staff Serjeants, at 3s. 2d. and 2s. 6d.	115 11 8	91 5 0
Serjeants, at 2s. 8d. and 1s.	194 13 4	73 0 0
Corporals, at 2s. 2d. and 1s.	197 14 2	91 5 0
Bombardiers, at 2s. and 1s.	146 0 0	73 0 0
Gunners and Drivers, at 1s. 3½d. and 6d. 95	2,203 6 1	866 17 6
Trumpeters, at 1s. 3½d. and 6d	46 7 9	18 5 0
Additional good conduct pay	83 0 0	.....
	3,660 7 7	1,602 19 2
Working Pay ... ..	.....	200 0 0
Allowance to Officer Commanding, at 6s. 3d. diem	.....	109 10 0
Contingent Allowance ... ..	.....	45 12 6
Allowance to Acting Adjutant and Quarter Master	.....	54 15 0
Do. to Head Clerk...	.....	18 5 0
Do. to Second Clerk ... ..	.....	9 2 6
Provisions ... ..	.....	1,122 17 6
Fuel, Light, and Water ... ..	.....	233 18 7
Forage ... ..	.....	170 6 8
Clothing ... ..	.....	350 0 0
Stationery ... ..	.....	50 0 0
Postage ... ..	.....	20 0 0
For the apprehension of Deserters ... ..	.....	100 0 0
	2,284 7 9	
	3,660 7 7	4,087 6 11
		7,747 14 6
Carried forward	£	36,922 4 8

ADDITIONAL ESTIMATES, 1858.

5

Brought forward				£	36,922	4	8
VOLUNTEER CORPS.							
(To be substituted for amount proposed on General Estimates.)							
To meet Expenses					500	0	0
CHARITABLE ALLOWANCES.							
In further aid of the Erection of the New Wing of the Sydney Infirmary, on condition that the Directors will incur the liability of finishing the Wing with the aid of this amount ...							
				2,000	0	0	
In aid of the Hospital, Wagga Wagga, on condition of an equal amount being raised by private subscriptions ...							
				200	0	0	
In aid of the Hospital, Mudgee, on like condition ...							
				100	0	0	
In aid of the Tamworth Benevolent Society, on the like condition...							
				150	0	0	
In aid of the Erection of a Public Hospital at Muswellbrook, on the like condition ...							
				400	0	0	
In aid of the Erection of a Public Hospital at Braidwood, on the like condition ...							
				300	0	0	
In aid of an Outfit for Public Hospital Penrith ...							
				200	0	0	
Completing the building of the Asylum for Destitute Children ...							
				2,500	0	0	
					5,850	0	0
GRANTS IN AID OF PUBLIC INSTITUTIONS.							
Purchase of Scientific Works for the Museum ...							
				500	0	0	
For the purchase, for the use of the Museum, of a Collection of Scientific Works, which formed the library of the late Wm. Swainson, Esq., F.R.S....							
				97	0	0	
In aid of a Building Fund for the School of Arts, Grafton, on condition of an equal amount being raised by private subscriptions.							
				100	0	0	
In aid of the erection of the Mechanics' Institute at Maitland, on the like condition ...							
				500	0	0	
					1,197	0	0
MISCELLANEOUS SERVICES.							
Expenses in the matter of an Appeal to the Privy Council by Mr. Robertson, against an Order for removing him from the office of Commissioner of Crown Lands ...							
				250	0	0	
Deficiency in the Votes for Electoral purposes, 1856-7 ...							
				500	0	0	
Preliminary expenses of initiating Municipal Institutions ...							
				500	0	0	
Deficiency in the amount voted for Paper and Parchment for Printing for the Public Service generally ...							
				438	17	8	
Towards the relief of unemployed laborers in the City of Sydney...							
				900	0	0	
Allowance to the late Colonial Agent General (E. Barnard) for one year, in order that he may give any assistance which may be required by the Oriental Bank and Messrs. Lloyd, Beilby, & Co.							
				300	0	0	
Expense of firing the Noon Gun ...							
				92	15	0	
Compensation to the Secretary of the Lord Bishop of Sydney, for personal cost and labor in keeping up and maintaining the Records of Marriages, Baptisms, and Burials, relating to the United Church of England and Ireland, on the transfer of these Records to the Office of the Registrar General. (Resolution of Assembly)...							
				2,500	0	0	
					5,481	12	8
No. IV.—ADMINISTRATION OF JUSTICE.							
SUPREME COURT.							
Expenses of the passage and residence in Sydney of Mr. Justice Milford while assisting to despatch the business of the Supreme Court ...							
					88	0	0
MORETON BAY COURT.							
Crown Prosecutor, from £300 to £500 ...							
				200	0	0	
District Sheriff, from £300 to £450 ...							
				150	0	0	
					350	0	0
DISTRICT COURTS.—(From 1st November.)							
(To be substituted for amount proposed on Original Estimates.)							
Judges, at £1,000 ...							
				3	500	0	0
Crown Prosecutors, at £500...							
				3	250	0	0
Clerks of the Peace and Registrars, at £100 ...							
				3	50	0	0
Registrars, at £50 ...							
				9	75	0	0
Bailiffs, at £50 ...							
				12	100	0	0
Travelling Expenses of Judges and Crown Prosecutors ...							
					375	0	0
Allowances to Witnesses and Jurors ...							
					330	0	0
Stationery and other Incidental Expenses ...							
					20	0	0
					1,700	0	0
SHERIFF.							
Third Assistant Bailiff, at £120 per annum, from 1 August...							
					50	0	0
CORONERS.							
Stationery for Coroner, Sydney ...							
					10	0	0
Carried forward					£	52,148	17 4

Brought forward	...	...	...	...	£	52,118 17 4
No. V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.						
THE TREASURY.						
Increase to Salary of Clerk acting as Auctioneer	...	...	...	...	...	50 0 0
SYDNEY MINT.						
Additional Police Constable, at 6s. per diem	...	...	...	...	...	109 10 0
COLONIAL STOREKEEPER.						
To purchase Stamps, Tools, &c., for Inspectors of Weights and Measures, to enable them to carry out the provisions of the Act of Council 16 Vict., 24	...	...	...	...	1,000 0 0	
To reimburse the Assistant Military Storekeeper, the amount paid by him to the Agents of the ship "Hannah Fowkes," for general average on stores shipped at Woolwich, for the service of this Colony	...	...	...	...	109 11 10	
						1,109 11 10
COLONIAL DISTILLERIES.						
Occasional Assistance, 1857	...	...	...	...	...	25 17 6
GOLD RECEIVERS.						
Mudgee, at £25 per annum, from 1 November, 1857, to 31 December, 1858	...	...	...	...	...	29 3 4
GUNPOWDER MAGAZINE.						
Compensation to Importers of Gunpowder, which had been stored in the Floating Magazine "Lady Mary," and there damaged by leakage in the deck of that vessel	...	...	...	...	...	25 16 8
SHIPPING MASTER, SYDNEY.						
Additional Clerk, 1857	...	...	...	...	...	175 0 0
LIGHT HOUSES.						
<i>South Head.</i>						
For the purchase of two Iron Tanks	...	...	74	0	0	
Repairs to the Machinery	...	...	40	0	0	
					114 0 0	
<i>Gabo Island.</i>						
Deficiency in the amount voted for 1857	...	...	...	...	802 0 8	
<i>Newcastle.</i>						
For the purchase of an Iron Tank	...	...	...	...	40 0 0	
						956 0 8
PILOTS, PORT JACKSON.						
For supplementing the Incomes of the Pilots, and for employment of Assistant Harbour Masters	...	...	...	...	...	760 0 0
TELEGRAPH STATIONS.						
For the purchase of two Iron Tanks	...	...	...	...	...	74 0 0
FLOATING LIGHT, PORT JACKSON.						
Repairs and Stores for the Light Ship "Bramble"	...	...	...	...	...	274 0 0
FLOATING LIGHT, MORETON BAY.						
Repairs to the Light Ship "Rose"	...	...	...	...	625 0 0	
Deficiency in the amount voted for 1857	...	...	...	...	301 19 9	
						926 19 9
PILOT, WOLLONGONG.						
Expense of laying down new Moorings in the Harbour, Wollongong	...	...	...	...	...	414 3 6
STEAM TUG, NEWCASTLE.						
Purchase of a Boat...	...	...	...	...	8,500 0 0	
Maintenance and working	...	...	...	...	1,200 0 0	
						9,700 0 0
MISCELLANEOUS.						
Gratuity to the Widow of the late Mr. Pilot Hawkes, who was drowned whilst in the discharge of his duty	...	...	...	...	250 0 0	
Premiums on Bills of Exchange purchased for remittance to England:—						
Deficiency in the amount voted for 1857...	...	...	...	...	2,515 9 0	
Service of 1858	...	...	...	...	1,500 0 0	
Deficiency in the amount voted for the Reserve Store of Gunpowder	...	...	...	...	1,352 10 0	
Repairs to the Steam Dredge, Sydney Cove	...	...	...	...	900 0 0	
						6,517 19 0
Carried forward	...	...	...	...	£	73,296 19 7

Brought forward £ 73,293 19 7

No. VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

SURVEY AND MANAGEMENT OF CROWN LANDS.

Gratuities to Commissioners of Crown Lands on reduction of Office	1,900	0	0
Deficiency in vote for Department of Chief Commissioner for 1857...	300	0	0
Wages of Servants employed in lieu of Troopers	547	8	0
To meet deficiency in amount voted for Licensed Surveyors (1858)	15,000	0	0
Cost of Lithographing Charts of Port Jackson	110	0	0

17,857 8 0

COMMISSION ON SALES OF LAND, RENTS OF OFFICES, ADVERTISING, &c.

To meet estimated deficiency in amount voted for 1857 ...	2,300	0	0
For the service 1858, a further sum of	1,000	0	0

3,300 0 0

RAILWAYS.

Repairs to the Great Southern Railway			
--	--	--	--

8,000 0 0

ROADS.

Travelling Allowances to the Road Surveyors, for the year 1856, 4 at £100 per annum, each	400	0	0
For a Cut at Warland's Range, on the Great Northern Road ...	600	0	0
For the construction of a Road from Armidale to the Macleay River	1,500	0	0
To meet probable cost of opening new Streets through Crown Lands in the City of Sydney	1,500	0	0
For the repair of the Road approaching Peat's Ferry	200	0	0
For the formation of a Cut at Kenny's Hill, on the Road from Campbelltown to Camden	1,500	0	0

5,700 0 0

BRIDGES.

For the construction of a Bridge over the Cudgegong at Mudgee	1,000	0	0
For the construction of a Bridge over the Mulwarrie	410	0	0
For the construction of a Bridge over Wollombi Brook, (Jerry's Plains)	300	0	0
For the construction of a Bridge over Gilmore's Creek	300	0	0
For the construction of a Bridge over the Tamut	100	0	0
For the repair of Berrima Bridge	400	0	0
For repairs effected to Denison Bridge, the further sum of ...	142	4	6
For the construction of a Bridge over Jordan's Creek, Durham-street, Bathurst	150	0	0

2,802 4 6

FERRIES.

For a Punt to ply on the River Mary	150	0	0
For the Maintenance of a Punt, Peat's Ferry	50	0	0
To provide a Boat for the Crossing-place on the Macquarie River at Wellington	100	0	0

300 0 0

BUILDINGS.

For the erection of a Powder Magazine, Brisbane	400	0	0
For additions and repairs, Lunatic Asylum, Parramatta	800	0	0
For rebuilding Parapet Wall of Barrack, Kerribilli	600	0	0
For the replacing a Boundary Wall at Dawes' Battery	220	0	0
For alterations and repairs to the General Post Office, Sydney ...	563	0	0
For the Erection of a Court House, Glen Innes	600	0	0
For alterations to the Court House, Bathurst	400	0	0
For the erection of a Lock-up at Shell Harbour	300	0	0
For erection and repair of Police Buildings, Adelong	230	0	0
For the erection of Police Buildings, Merindoo	120	0	0
For completion of Court and Watch House, Paterson, the further sum of	114	0	0
For repairs to Court and Watch House, Brisbane Water	250	0	0
For the erection of a Lock-up at Condobolin, on the Lachlan ...	400	0	0
For repairs and additions to the Court House, Molong	100	0	0
For the erection of a Watch House, Ipswich, the further sum of ...	80	0	0
For completion of the Infirmary, Protestant Orphan School, Parra- matta	200	0	0
For additions to the Government Printing Office	210	0	0
For painting exterior of Hornby Light House, clearing and fencing ground, and for supply of Tanks and Spouting for the collection of fresh water	300	0	0
For the erection of a Shed for Government Boats, Sydney Cove ...	200	0	0
For the erection of Shed at Camp Cove for Life Boat	250	0	0
For additions to Signal Station, Fort Phillip	200	0	0
For erection of Cottage, Garden Island, for Naval Working Parties.	200	0	0
For laying on Water and completing Fittings, Australian Museum..	410	0	0

7,147 0 0

Carried forward £ 118,403 12 1

Brought forward	...	...	..	...	£	118,403	12	1
DAMS.								
For the purchase of Land adjoining Lunatic Asylum, Tarban Creek, for Supply of Water	...	...	...	...	150	0	0	
For Fencing round Reservoir, Brisbane	...	...	...	...	100	0	0	
For constructing a New Water Reservoir, Eden	...	...	...	...	50	0	0	
								300 0 0
WHARFS, HARBORS, &c.								
For removal of impediments to Navigation of the Bremer and Brisbane Rivers, the further sum of	...	...	...	...	500	0	0	
For repair of Mason's Work, Harbor of Wollongong	...	...	...	...	150	0	0	
								650 0 0
MISCELLANEOUS.								
For grassing Sand Hills, near Sydney	...	...	...	...	300	0	0	
For enclosing Wynyard Square with Iron Fence	...	...	...	...	150	0	0	
For compensation to Mr. David Cross, for Buildings erected by him at Wiseman's Ferry, as per Resolution of the Assembly	...	...	...	...	150	0	0	
								600 0 0
GOLD FIELDS.								
Salary of Chinese Interpreter, from 1st May, at £150 per annum	...	...	...	...				100 0 0
TO BE PROVIDED FOR BY LOAN.								
For the erection of an Electric Telegraph from Sydney to Bathurst	10,500	0	0					
For the erection of an Electric Telegraph from Sydney to Newcastle, by way of Windsor, Wollumbi, and Maitland	13,000	0	0					
Towards the construction of a Bridge over the Murray, at Albury...	10,000	0	0					
For the erection of an additional Powder Magazine, at Goat Island	3,000	0	0					
For the construction of a Dam at West Maitland	2,000	0	0					
For the re-construction of the Semi-Circular Quay, Sydney	16,900	0	0					
								55,400 0 0
TOTAL	...	...	...	...	£	175,453	12	1

RT. CAMPBELL,

Treasurer.

The Treasury, New South Wales,
16th August, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

SUPPLEMENTARY ESTIMATE FOR 1858.

Ordered by the Legislative Assembly to be Printed, 8 October, 1858.

W. DENISON,
Governor General.

Message No. 20.

In accordance with the provision contained in the 54th Clause of the Constitution Act, the Governor General herewith submits for the consideration of the Legislative Assembly, a Supplementary Estimate of Expenditure for the present year.

*Government House,
Sydney, 8 October, 1858.*

PRINCIPAL SECRETARY.			
CHARITABLE ALLOWANCES.			
Inspector of Charitable Institutions, at £100 per annum, from 1 October ...	25	0	0
GRANTS IN AID OF PUBLIC INSTITUTIONS.			
In aid of the Bathurst School of Arts, on condition of an equal amount being raised by private subscriptions, until a building be erected ...	100	0	0
MISCELLANEOUS.			
Compensation for Sheep destroyed under the Seab Act of 1854, viz. :—			
To Mr. William Bowman, for 3,279 Sheep ...	655	16	0
To Mr. A. C. Bartlett, 1,927 Sheep ...	385	8	0
(Resolution of the Assembly.)	1,041	4	0
Deficiency in the vote for Electoral purposes, 1858... ..	1,200	0	0
Towards the relief of Unemployed Laborers in the City of Sydney, a farther sum	600	0	0
	2,841	4	0
ADMINISTRATION OF JUSTICE.			
SUPREME AND CIRCUIT COURTS.			
Allowances to Witnesses	1,700	0	0
MORETON BAY COURT.			
Allowances to Witnesses and Jurors	300	0	0
TREASURER AND SECRETARY FOR FINANCE AND TRADE.			
CUSTOMS.			
Additional Clerk, Newcastle, from 8 September, at £125	39	4	8
HARBOUR MASTER, NEWCASTLE.			
Construction of two Buoys, at £35 each	70	0	0
LIGHT, FORT DENISON.			
Serjeant of Royal Artillery in charge of Light, at 2s. 6d., from 21 June	24	5	0
Private do Assistant, at 1s. 6d., „	14	11	0
Oil, Wicks, and Incidental Expenses	90	0	0
	128	16	0
MISCELLANEOUS.			
Gratuity to Alexander Livingstone, on his retirement from the office of Harbour Master, Newcastle, being one month's pay for every year of service	276	18	2
To restore, to the individuals from whom it was taken, that portion of the proceeds of the Gold remaining in possession of the Government which had been seized on board the "Ethereal" and "Mary Nicholson"	3,280	1	5
	3,556	19	7
SECRETARY FOR LANDS AND PUBLIC WORKS.			
Lighting the Government Lamps, Sydney, a farther sum of	60	0	0
PORT CURTIS.			
Towards meeting expenses consequent upon the discovery of Gold upon the Fitzroy River, Port Curtis... ..	10,000	0	0
TOTAL	£	18,821	4 3

1858.

Legislative Assembly.

NEW SOUTH WALES.

ADDITIONAL SUPPLEMENTARY ESTIMATE FOR 1858.

Ordered by the Legislative Assembly to be Printed, 2 November, 1858.

W. DENISON,
Governor General.

Message No. 42.

In accordance with the provision contained in the 54th clause of the Constitution Act, and with reference to Message No. 29, dated 8th October last, the Governor General herewith submits, for the consideration of the Legislative Assembly, an Additional Supplementary Estimate of Expenditure for the present year.

Government House,
Sydney, 2 November, 1858.

ADDITIONAL SUPPLEMENTARY ESTIMATE FOR 1858.

PRINCIPAL SECRETARY.			
CHARITABLE ALLOWANCES.			
Towards the Building and Outfit of an Hospital at Deniliquin, an equal amount having been raised by private subscriptions	700	0	0
MISCELLANEOUS.			
Towards the Relief of Unemployed Laborers in the City of Sydney, for the purpose of closing the Accounts of the Committee ...	210	18	4
Naval Postage	30	0	0
	240	18	4
TREASURER AND SECRETARY FOR FINANCE AND TRADE.			
STEAM NAVIGATION AND PILOT BOARD.			
Chairman, at £100, from 1 April	75	0	0
HARBOUR MASTER, NEWCASTLE.			
Buoys and other contingent expenses, a further sum of	130	0	0
HARBOUR MASTER, MORETON BAY.			
For providing a buoy as beacon to replace light-ship "Rose" ..	128	0	0
Buoy for the entrance to "Freeman's Channel"	65	0	0
Moorings for same	30	0	0
	223	0	0
STEAM DREDGE.			
Hire of Tug, and additional Punts attached to the Steam Dredge, employed in depositing silt at the Botanic Gardens	1,000	0	0
Purchase of six Punts, at £150 each	900	0	0
	1,900	0	0
SECRETARY FOR LANDS AND PUBLIC WORKS.			
WORKS AND BUILDINGS.			
For the erection of Quarters for the Gold Commissioner at Tumut, together with Stables, &c.	200	0	0
For additions to the Custom House, Brisbane... ..	300	0	0
Additions to the Office of the Surveyor General	2,500	0	0
Alterations to the Commissariat Stores, a further sum of	1,000	0	0
	4,000	0	0
MISCELLANEOUS.			
To meet the expenses of an inquiry about to be made by Robert Meston, Esq., having reference to the prevalent disease amongst sheep and cattle, in certain portions of the Colony, generally known as the Cumberland disease	150	0	0
TOTAL	£ 7,418	18	4

Rt. CAMPBELL.

*The Treasury, New South Wales,
2nd November, 1858.*

NEW SOUTH WALES.

Legislative Assembly.

EXPLANATORY ABSTRACTS,

Nos. I. and II.,

OF THE

AMOUNTS RESPECTIVELY ESTIMATED, VOTED,

AND

EMBODIED IN THE APPROPRIATION ACT,

22 VICTORIÆ, No. XXI,

FOR THE SERVICE OF THE YEAR 1857-8,

WITH

NOTES EXPLANATORY.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1859.

NEW SOUTH WALES.

Legislative Assembly.

No. I.

EXPLANATORY ABSTRACT of the EXPENDITURE of the COLONIAL GOVERNMENT for the undermentioned Services for the Year 1858, as respectively Estimated, Voted, and Embodied in the Appropriation Act, 22 Victoria, No. 21.

ORIGINAL ESTIMATE.		AMOUNTS ESTIMATED.					AMOUNTS VOTED.					Notes Explanatory of Alterations.	Page
Page.	NUMBER AND HEAD OF SERVICE.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL ESTIMATED.	ESTABLISHMENTS.			OTHER SERVICES.	TOTAL VOTED.		
		Salaries.	Contingencies.	TOTAL.			Salaries.	Contingencies.	In gross and unapportioned.					TOTAL.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		
7	I.—Supplements to Schedules A, B, and C, to Schedule (1) of Act of Imperial Parliament, 18 and 19 Vict., cap. 54:—												
8	Schedule A.....				100 0 0	100 0 0					100 0 0		
8	Schedule B.....				733 6 8	733 6 8					733 6 8		
10	Schedule C.....				14,328 8 0	14,328 8 0					14,328 8 0		
					15,161 14 8	15,161 14 8					15,161 14 8		
13	II.—Executive and Legislative:—												
14	Governor General.....	770 9 9	1,546 0 0	2,316 9 9		2,316 9 9	770 9 9	1,546 0 0			2,316 9 9		
15	Legislative Council.....	4,684 15 0	580 0 0	5,264 15 0		5,264 15 0	4,384 15 0	580 0 0			4,964 15 0		
16	Legislative Assembly.....	5,890 0 0	1,127 0 0	7,017 0 0		7,017 0 0	5,890 0 0	1,148 10 6			7,038 10 6		
16	Legislative Council and Assembly.....	2,313 0 0	916 15 7	3,229 15 7		3,229 15 7	2,313 0 0	916 15 7			3,229 15 7		
16	Executive Council.....	1,178 0 0	29 7 0	1,207 7 0		1,207 7 0	1,178 0 0	29 7 0			1,207 7 0		
				19,035 7 4		19,035 7 4					18,756 17 10		
17	III.—The Principal Secretary:—												
18	Principal Secretary.....	5,508 13 9	785 0 0	6,293 13 9		6,293 13 9	5,508 13 9	785 0 0			6,293 13 9		
18	Government Resident, Moreton Bay.....	900 0 0	83 0 0	983 0 0		983 0 0	900 0 0	83 0 0			983 0 0		
19	Registrar General.....	2,910 0 0	3,511 0 0	6,421 0 0		6,421 0 0	2,910 0 0	3,611 0 0			6,521 0 0		
20	Postal.....	22,280 0 0	3,207 0 0	25,487 0 0	63,050 0 0	88,537 0 0	21,880 0 0	3,777 0 0		72,500 0 0	98,157 0 0		
20	Educational.....			48,916 18 4		48,916 18 4	1,878 13 4	7,038 5 0	40,000 0 0		48,916 18 4		
22	Immigration and Quarantine.....	3,064 0 0	5,540 0 0	8,604 0 0	175,000 0 0	183,604 0 0	2,914 0 0	5,840 0 0			183,754 0 0		
23	Police.....			170,144 1 5		170,144 1 5	73,271 1 4	28,875 1 10	62,226 5 0	5,000 0 0	169,372 8 2		
35	Gaol and Penal.....			35,684 11 3		35,684 11 3	10,801 13 9	12,688 19 11	13,932 13 0		37,423 6 8		
39	Printing, Lithographing, and Binding.....			14,087 10 0		14,087 10 0					14,087 10 0		
39	Observatory.....	1,240 0 0	103 14 0	1,343 14 0		1,343 14 0	1,240 0 0	103 14 0			1,343 14 0		
40	Medical.....	7,510 7 6	19,679 16 11	27,090 4 5		27,090 4 5	7,578 7 6	19,579 16 11			27,158 4 5		
42	Military (including Royal Artillery and Volun- teer Corps).....				28,886 19 7	28,886 19 7					19,157 18 4		
											3,704 6 8		
45	Naval.....				13,186 3 6	13,186 3 6					19,736 3 6		
46	Charitable Allowances.....				1,800 0 0	1,800 0 0					3,097 0 0		
46	Grants in aid of Public Institutions.....				2,000 0 0	2,000 0 0					2,000 0 0		
46	Aborigines.....				10,000 0 0	10,000 0 0					10,000 0 0		
46	Municipal Institutions (City of Sydney).....				5,700 0 0	5,700 0 0					11,884 0 4		
46	Miscellaneous.....												
				373,942 12 9	270,736 3 6	644,678 16 3					341,510 15 4	322,079 3 10	663,589 19 2
47	IV.—Administration of Justice:—												
48	Law Officers.....	3,817 0 0	1,110 0 0	4,927 0 0		4,927 0 0	3,817 0 0	1,110 0 0			4,927 0 0		
48	Supreme and Circuit Courts.....	5,182 0 0	3,725 0 0	8,907 0 0		8,907 0 0	5,182 0 0	3,513 0 0			10,695 0 0		
49	Moreton Bay Court.....	2,308 0 0	1,057 0 0	3,365 0 0		3,365 0 0	2,658 0 0	1,357 0 0			4,015 0 0		
49	District Courts.....			3,755 0 0		3,755 0 0					1,700 0 0		
50	Sheriff.....	3,390 0 0	2,223 2 0	5,613 2 0		5,613 2 0	3,440 0 0	2,223 2 0			5,663 2 0		
50	Insolvent Court.....	1,280 0 0	22 0 0	1,302 0 0		1,302 0 0	1,280 0 0	22 0 0			1,302 0 0		
51	Quarter Sessions.....	2,714 0 0	3,945 0 0	6,659 0 0		6,659 0 0	2,714 0 0	3,945 0 0			6,659 0 0		
51	Courts of Requests.....	3,015 0 0	278 0 0	3,293 0 0		3,293 0 0	3,015 0 0	278 0 0			3,293 0 0		
52	Court of Claims.....				300 0 0	300 0 0					300 0 0		
52	Coroners.....	784 0 0	2,405 0 0	3,189 0 0		3,189 0 0	784 0 0	2,415 0 0			3,199 0 0		
				41,010 2 0	300 0 0	41,310 2 0					39,753 2 0	2,000 0 0	41,753 2 0

53	V.—Treasurer and Secretary for Finance & Trade:—	6,592 0 0	438 0 0	7,030 0 0	.....	7,030 0 0	6,147 0 0	438 0 0	.....	6,585 0 0	.....	6,585 0 0	14
54	Treasury	21,122 0 0	4,838 10 0	25,960 10 0	20,000 0 0	45,960 10 0	.....	.....	24,670 15 0	24,670 15 0	20,000 0 0	44,670 15 0	14
55	Customs (including drawbacks and refund of)	1,625 0 0	284 7 0	1,909 7 0	500 0 0	2,409 7 0	.....	.....	2,243 4 6	2,243 4 6	.....	2,243 4 6	14
56	Duties	9,066 10 2	2,400 0 3	11,466 10 5	.....	11,466 10 5	9,176 0 2	2,400 0 3	.....	11,576 0 5	.....	11,576 0 5	15
57	Distilleries	125 0 0	50 0 0	175 0 0	.....	175 0 0	154 3 4	50 0 0	.....	204 3 4	.....	204 3 4	16
58	Mint	2,410 0 0	2,035 0 0	4,445 0 0	.....	4,445 0 0	2,410 0 0	3,144 11 10	.....	5,554 11 10	.....	5,554 11 10	16
59	Gold Receivers	228 2 6	521 4 4	749 6 10	.....	749 6 10	.....	.....	736 4 4	25 16 8	.....	762 1 0	16
60	Colonial Storekeeper .....	.....	.....	2,006 9 4	.....	2,006 9 4	.....	.....	.....	1,872 0 0	.....	1,872 0 0	16
61	Gunpowder Magazine .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	16
62	Shipping Masters	15,835 0 0	5,237 10 0	21,072 10 0	604 0 0	21,676 10 0	10,905 16 0	4,328 3 6	7,553 0 7	22,787 0 1	1,364 0 0	24,151 0 1	16,17
63	Lighthouses, Harbours, and Pilot Department	460 0 0	240 0 0	700 0 0	.....	700 0 0	460 0 0	240 0 0	.....	700 0 0	.....	700 0 0	18
64	Port Curtis .....	.....	.....	2,030 0 0	.....	2,030 0 0	.....	.....	.....	.....	14,004 18 7	14,004 18 7	18
65	Miscellaneous .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	18
66	.....	.....	.....	75,514 13 7	23,134 0 0	98,648 13 7	.....	.....	.....	76,928 19 6	35,394 15 3	112,323 14 9	19
67	VI.—Secretary for Lands and Public Works:—	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	20
68	Secretary for Lands and Public Works	5,614 14 0	600 0 0	6,214 14 0	.....	6,214 14 0	5,614 14 0	600 0 0	.....	6,214 14 0	.....	6,214 14 0	20
69	Survey and Management of Crown Lands, (including Commission on Sales, &c.)	41,015 12 6	15,586 0 0	56,601 12 6	4,000 0 0	60,601 12 6	48,421 10 0	1,820 0 0	.....	50,241 10 0	25,157 8 0	75,398 18 0	21
70	Gold Fields, (including "Gold Contingent.")	10,276 12 1	7,355 5 3	17,631 17 4	2,500 0 0	20,131 17 4	10,326 12 1	7,355 5 3	.....	17,681 17 4	2,500 0 0	20,181 17 4	22
71	INTERNAL COMMUNICATIONS:—	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23
72	Railways .....	.....	.....	6,800 0 0	60,000 0 0	66,800 0 0	9,540 0 0	2,460 0 0	.....	12,000 0 0	61,000 0 0	78,000 0 0	24
73	Roads	3,750 0 0	900 0 0	4,650 0 0	84,000 0 0	88,650 0 0	3,900 0 0	900 0 0	.....	4,800 0 0	92,402 4 6	97,202 4 6	24
74	Harbours and River Navigation	1,050 0 0	300 0 0	1,350 0 0	10,432 0 0	11,782 0 0	1,050 0 0	300 0 0	.....	1,350 0 0	10,432 0 0	11,782 0 0	24
75	Colonial Architect	4,624 0 0	616 0 0	5,239 0 0	50,801 0 0	56,040 0 0	4,674 0 0	616 0 0	.....	5,189 0 0	62,358 0 0	67,547 0 0	24
76	Botanic Gardens (Sydney and Brisbane)	750 0 0	1,986 17 6	2,736 17 6	.....	2,736 17 6	750 0 0	1,823 0 0	.....	2,573 0 0	.....	2,573 0 0	24
77	Government Domains and Hyde Park	258 0 0	1,140 17 6	1,398 17 6	.....	1,398 17 6	258 0 0	1,005 0 0	.....	1,263 0 0	.....	1,263 0 0	24
78	Examiner of Coal Fields and Coal Mines .....	.....	.....	680 0 0	.....	680 0 0	.....	.....	.....	680 0 0	.....	680 0 0	24
79	Miscellaneous .....	.....	.....	431 0 0	.....	431 0 0	.....	.....	.....	7,181 0 0	.....	7,181 0 0	24
80	.....	.....	.....	103,302 18 10	212,164 0 0	315,466 18 10	.....	.....	.....	109,174 1 4	253,849 12 6	363,023 13 10	24
81	VII.—The Auditor General	4,867 0 0	175 0 0	5,042 0 0	.....	5,042 0 0	4,867 0 0	175 0 0	.....	5,042 0 0	.....	5,042 0 0	24
82	TOTAL ESTIMATED .....	.....	.....	617,847 14 6	521,495 18 2	1,139,343 12 8	.....	.....	.....	.....	.....	.....	24
83	Excess of Expenditure authorised under various Messages from the Crown, as shewn by the "Notes Explanatory," hereto appended, over Expenditure originally estimated .....	.....	.....	.....	.....	80,307 9 7	.....	.....	.....	.....	.....	.....	24
84	GROSS TOTAL .....	.....	.....	.....	.....	1,219,651 2 3	.....	.....	.....	.....	.....	.....	24
85	.....	.....	.....	.....	.....	.....	Total voted, and embodied in Appropriation Act .....	.....	.....	591,165 16 0	628,485 6 3	1,219,651 2 3	24

MEMORANDUM.—The Sums not embodied in the Appropriation Act, 22 Vict., No. 21, but which form part of the Expenditure for the year 1858, will (with the exception of £57,950, appropriated under the Schedules to the Constitution Act, and Interest and Endowments sanctioned under various Acts of past Sessions,) be found set out in the undermentioned Acts of the present Session, viz:—

District Courts Act, 22 Vict., No. 18.
Government Loans Act, (to pay of Debentures) 22 Vict., No. 5.
Municipalities Act, 22 Vict., No. 13.

Railway and other Public Works Loan Act, 22 Vict., No. 22.
Scab in Sheep Prevention Act, 22 Vict., No. 10.
Steam Postal Communication Act, 22 Vict., No. 15.

Legislative Assembly Offices,
Sydney, 26 November, 1858.

R. O'CONNOR,
Clerk of the Legislative Assembly.

NOTES

NOTES EXPLANATORY of the Alterations made in the Original Estimates for 1858, in their Progress through Committee.

	ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
	Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
II.—Executive and Legislative.						
LEGISLATIVE COUNCIL.						
Amount of Estimate	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
REDUCED. By negative.—“SALARIES.”—By the amounts proposed respectively for the Clerk Assistant, from £500 to £400, £100; for the First Clerk, from £400 to £300, £100; for the Second Clerk, from £300 to £250, £50; and for the Usher of the Black Rod, from £400 to £350, £50	4,684 15 0	580 0 0	.....	5,264 15 0	.....	5,264 15 0
Expenditure Authorized	300 0 0	.....	.....	300 0 0	.....	300 0 0
	4,384 15 0	.....	.....	4,964 15 0	.....	4,964 15 0
LEGISLATIVE ASSEMBLY.						
Amount of Estimate	5,890 0 0	1,127 0 0	.....	7,017 0 0	.....	7,017 0 0
INCREASED. By Message No. 20.—“CONTINGENCIES.”—For paging 100 sets of Votes and Proceedings, 1857 .....	.....	21 10 6	.....	21 10 6	.....	21 10 6
Expenditure Authorized	5,890 0 0	1,148 10 6	.....	7,038 10 6	.....	7,038 10 6
III.—The Principal Secretary.						
REGISTRAR GENERAL.						
Amount of Estimate	2,910 0 0	3,511 0 0	.....	6,421 0 0	.....	6,421 0 0
INCREASED. By Message No. 20.—“CONTINGENCIES.”—Allowance to District Registrars, a further sum of .....	.....	100 0 0	.....	100 0 0	.....	100 0 0
Expenditure Authorized	2,910 0 0	3,611 0 0	6,521 0 0	6,521 0 0

NOTES EXPLANATORY, &c., Continued.

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					ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
					Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
					£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
III.—The Principal Secretary.—continued.										
POST OFFICE.										
Amount of Estimate					22,280 0 0	3,207 0 0	.....	25,487 0 0	.....	25,487 0 0
INCREASED.										
By Message No. 20.—"CONTINGENCIES."—By Stamps, Types, and Seals, and Mail Boxes, £300; for providing Mail Boxes, 1857-8, £210; for Letter Carrier at Ipswich, from 1 July, £60 .....					.....	570 0 0	.....	570 0 0	.....	570 0 0
Expenditure Proposed					22,280 0 0	3,777 0 0	.....	26,057 0 0	.....	26,057 0 0
REDUCED.										
By withdrawal.—"SALARIES."—By conversion of the item "Railway Guards (Southern and Northern) at £150 (2), £300," into "Mail Guards at £150 (6), £900"; and the items of "3 Inspectors, £1,500," into "1 Inspector, £500."					400 0 0	.....	.....	400 0 0	.....	400 0 0
Expenditure Authorized					21,880 0 0	3,777 0 0	.....	25,657 0 0	.....	25,657 0 0
CONVEYANCE OF MAILS.										
Amount of Estimate .....					.....	.....	.....	.....	68,050 0 0	68,050 0 0
INCREASED.										
By Message No. 20.—By Conveyance of Mails within the Settled Districts, a further sum of £8,500; Receiving and delivering Mails from and to the Hunter, after the usual Post Office hours, £100; New Boat, £50; Gratuities for Ships' Mails, Foreign and Coastwise, a further sum of £300; and expense of supplementary English Mails and the trans-shipment of English Mails at Melbourne, £600 .....					.....	.....	.....	.....	9,450 0 0	9,450 0 0
Expenditure Authorized .....					.....	.....	.....	.....	72,500 0 0	72,500 0 0
IMMIGRATION.										
Amount of Estimate					2,670 15 0	3,540 0 0	.....	6,210 15 0	175,000 0 0	181,210 15 0
INCREASED.										
By Message No. 20.—"SALARIES."—Clerk from £225 to £255, £30; Ditto, from £150 to £200, £50					80 0 0	.....	.....	80 0 0	.....	80 0 0
Expenditure Proposed					2,750 15 0	3,540 0 0	.....	6,290 15 0	.....	181,290 15 0
REDUCED.										
By negative.—"SALARIES."—The amount proposed for Agent for Immigration, Sydney, from £700, to £650, £50. By withdrawal.—"SALARIES Sydney."—The amounts respectively proposed, as follows:—Clerk of 1st Class, from £400 to £350, £50; 1st Clerk of 3rd Class, from £255 to £250, £5; 3rd Clerk of 3rd Class, from £250 to £225, £25; 4th Clerk of 3rd Class, from £200 to £150, £50. Brisbane.—Assistant Immigration Agent, from £250 to £200, £50.—"CONTINGENCIES."—The amount proposed to provide additional clerical assistance, from £500 to £200, £300					230 0 0	300 0 0	530 0 0	530 0 0
Expenditure Authorized					2,520 15 0	3,240 0 0	5,760 15 0	180,760 15 0

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NOTES EXPLANATORY, &c., Continued.

	ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
	Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
III.—The Principal Secretary,—continued.						
QUARANTINE.						
Amount of Estimate.....	393 5 0	2,000 0 0	.....	2,393 5 0	.....	2,393 5 0
INCREASED. By Message No. 20.—"CONTINGENCIES."—Repairs to the Hulk "Harmony," Quarantine Station .....	.....	600 0 0	.....	600 0 0	.....	600 0 0
Expenditure Authorized	393 5 0	2,600 0 0	.....	2,993 5 0	.....	2,993 5 0
POLICE.						
Amount of Estimate	121,189 2 11	42,954 18 6	.....	165,144 1 5	5,000 0 0	170,144 1 5
REDUCED. Inspector General and Metropolitan Superintendent.—"SALARIES."—By <i>Supersedure</i> (see below).—By the Original Estimate, as detailed	2,866 5 0	.....	.....	2,866 5 0	.....	2,866 5 0
Metropolitan and District Contingencies.—By ditto .....	.....	3,162 0 0	.....	3,162 0 0	.....	3,162 0 0
Horse Patrol, Sydney.—"SALARIES" and "CONTINGENCIES."—By ditto	2,091 2 11	1,873 0 0	.....	3,964 2 11	.....	3,964 2 11
Clerks of Petty Sessions (within the Settled Districts).—"SALARIES."—By <i>withdrawal</i> .—Clerk at Maitland, West, £175; Clerk at Parramatta, £25	200 0 0	.....	.....	200 0 0	.....	200 0 0
Ordinary Constables.—"SALARIES."—By <i>supersedure</i> (see below).—By the Original Estimate, as detailed.....	37,947 16 8	.....	.....	37,947 16 8	.....	37,947 16 8
Native Police.—"SALARIES" and "CONTINGENCIES."—By ditto	6,934 3 4	10,762 15 0	.....	17,696 18 4	.....	17,696 18 4
Amount of Reductions	50,039 7 11	15,797 15 0	.....	65,837 2 11	.....	65,837 2 11
Balance	71,149 15 0	28,157 3 6	.....	99,306 18 6	5,000 0 0	104,306 18 6
INCREASED. Water Police, Sydney.—By Message No. 20.—"CONTINGENCIES."—Estimated deficiency in the amount voted for 1857 .....	.....	105 18 4	.....	105 18 4	.....	105 18 4
Inspector General and Metropolitan Superintendent.—"SALARIES."—By vote in gross in substitution for original detailed Estimate (see above) .....	.....	.....	2,350 0 0	2,350 0 0	.....	2,350 0 0
City and District Constabulary.—By Message No. 20.—"SALARIES."—Estimated deficiency in the amount voted for City Constabulary, for the year 1859, £323 15s. 1d.—Metropolitan and District Contingencies.—By vote in gross in substitution for original detailed Estimate (see above), £2,635 11s. 7d.—By Message No. 20.—Towards Expense of keeping Horses for the Inspector and 1 Sergeant, at £20 each, £40; Provisions and Light, £20; removing and destroying by fire the carcasses of animals dying on the public highways, £50; Arms, Ammunition, Accoutrements, Bedding, and Barrack Utensils, £50; Clothing, £200; and Incidental Expenses, £50.—Total £410	523 15 1	410 0 0	2,635 11 7	3,569 6 8	.....	3,569 6 8
Horse Patrol, Sydney.—By vote in substitution for original detailed Estimate (see above) .....	.....	.....	3,676 7 11	3,676 7 11	.....	3,676 7 11
Clerks of Petty Sessions.—By Message No. 20.—(Within the Settled Districts) "SALARIES."—Clerk of Petty Sessions, Parramatta, £25.—(Beyond the Settled District.) "CONTINGENCIES."—Allowance in lieu of Forage to Clerk of Petty Sessions, Shoalhaven, to enable him to attend the Court at Ulladulla, £50	25 0 0	50 0 0	.....	75 0 0	.....	75 0 0

NOTES EXPLANATORY, &c., Continued.

	ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
	Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
<i>Chief Constables.</i> —By Message No. 20.—(<i>Within the Settled Districts</i>).—Chief Constable, Queanbeyan, advanced from the second to the first class (£140 to £175)	35 0 0	.....	.....	35 0 0	.....	35 0 0
<i>District Constables.</i> —By Message No. 20.—(<i>Beyond the Settled Districts</i>).—1 District Constable at Condobolin, at 6s. 3d	114 1 3	.....	.....	114 1 3	.....	114 1 3
<i>Ordinary Constables.</i> —By vote in gross, in substitution for original detailed Estimate, (see above), £37,044 9s. 2d. By Message No. 20.—“SALARIES.”—11 Ordinary Constables, each at 5s. 6d. p. r. diem, as follows:—1 at Ipswich; 1 at Penrith; 1 at Port Stephens; 3 at Castlereagh River; 1 at Grafton; 1 at Illawarra; 2 at Condobolin; and 1 at Moorna.—£1,104 2s. 6d.	1,104 2 6	.....	37,044 9 2	38,148 11 8	.....	38,148 11 8
<i>Native Police.</i> —By vote, in gross, in substitution for original detailed Estimate, (see above) .....	.....	.....	16,519 16 4	16,519 16 4	.....	16,519 16 4
<i>Gold Guards and Conveyance.</i> —By Message No. 20.—(<i>Hanging Rock to Tamworth</i>).—“SALARIES.”—Sergeant, at 10s. 6d., £191 12s. 6d.; Trooper, at 7s., £127 16s.—£319 7s. 6d.—“CONTINGENCIES.”—Forage, £112; Clothing and Incidental Expenses, £40—£152	319 7 6	152 0 0	.....	471 7 6	.....	471 7 6
Expenditure Authorized	73,271 1 4	28,875 1 10	62,226 5 0	164,372 8 2	5,000 0 0	169,372 8 2
GAOLS AND PENAL.						
Amount of Estimate	14,144 6 3	21,540 5 0	.....	35,684 11 3	.....	35,684 11 3
REDUCED. <i>Penal (Cockatoo Island).</i> —By supersdure (see below).—By the Original Estimate, as detailed	3,342 12 6	9,278 5 0	.....	12,620 17 6	.....	12,620 17 6
Balance	10,801 13 9	12,262 0 0	.....	23,063 13 9	.....	23,063 13 9
INCREASED. <i>Sydney Gaol.</i> —By Message No. 20.—“CONTINGENCIES.”—Coffins and Burials, 1857, £14 9s.; Stores for 1857, £412 11s. 11d. ....	.....	426 19 11	.....	426 19 11	.....	426 19 11
<i>Penal (Cockatoo Island).</i> —By vote, in gross, in substitution for Original detailed Estimate (see above) £9,316 19s. 3d.—Added by Message No. 4, £4,615 13s. 9d. ....	.....	.....	13,932 13 0	13,932 13 0	.....	13,932 13 0
Expenditure Authorized	10,801 13 9	12,688 19 11	13,932 13 0	37,423 6 8	.....	37,423 6 8
MEDICAL.						
Amount of Estimate	7,510 7 6	19,579 16 11	.....	27,090 4 5	.....	27,090 4 5
INCREASED. <i>Lunatic Asylum, Parramatta.</i> —By Message No. 20.—“SALARIES.”—Additional Attendant	68 0 0	.....	.....	68 0 0	.....	68 0 0
Expenditure Authorized	7,578 7 6	19,579 16 11	.....	27,158 4 5	.....	27,158 4 5

GO

MILITARY (including Royal Artillery and Volunteer Corps).

Amount of Estimate (as originally proposed and afterwards withdrawn).....

Expenditure authorized, on amended Estimate, proposed in Message No. 20, viz. :—

Two Companies maintained at the expense of the Colony—(Proportion for three and a-half Months):—

	Imperial Pay.	Colonial Allowance.
Colonel, at £500 per annum—proportion for 200 rank & file	32 8 2	
Major, at 16s. and 7s. per diem	85 3 4	38 3 0
Captains, at 11s. 7d. and 5s. 8d.	123 6 4	61 15 4
Lieutenants, at 6s. 6d. and 5s.	69 4 0	54 10 0
Ensigns, at 5s. 3d. and 5s.	55 17 10	54 10 0
Assistant Surgeon, at 7s. 6d. and 5s.	39 18 5	27 5 0
Color Serjeants, at 2s. 4d. and 1s.	24 16 9	10 18 0
Serjeants, at 1s. 10d. and 1s.	78 1 5	43 12 0
Corporals, at 1s. 4d. and 1s.	70 13 5	54 10 0
Drummers, at 1s. 1d. and 6d.	28 1 3	10 18 0
Privates, at 1s. and 6d.	1,011 7 1	517 15 0
Additional and good conduct pay	47 6 9	

1,661 10 9	873 16 4
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2,535 7 1

Under Military Regulations.

Military Regulations.	
Allowances to Acting Staff Officers	25 15 11
Contingent allowance to Captains	21 5 10
Agency for two Companies, at 6d. each, per diem.....	5 6 6
Agency, at 1½d. in the pound, upon pay and annual allowances.....	10 7 10
Agents' Postage and Stationery.....	0 12 11
Allowance to Non-commissioned Officers acting as Provost-Serjeants	6 17 6
Allowance for Stationery, &c., for Barrack Libraries	0 1 11
Allowance to Schoolmaster.....	1 12 8
Allowance to Schoolmistress	1 18 10
Regimental Postage and Stationery	1 3 2
Provisions, £434 10s. 3d.; Forage, £24 16s. 9d.; Fuel and Light, £75 18s. 4d.	535 5 4
Assistant Provost-Serjeant, at 1s. per diem	609 8 5
	5 6 6

Assistant Provost-Serjeant, at 1s. per diem	5	6	6
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3,150 2 0

[illegible]

616-C

First Captain, at 12s. 2d. and 5s. 8d.	
Second Captain, at 11s. 1d. and 5s. 8d.	
First Lieutenants, at 6s. 10d. and 5s.	2
Staff Serjeants, at 3s. 2d. and 2s. 6d.	2

Carried forward

Amount of (Original) Estimate carried forward

[illegible]

NOTES-EXPLANATORY, &c., Continued.

III.—The Principal Secretary,—continued.

MILITARY (including Royal Artillery and Volunteer Corps)—continued.

Amount of (Original) Estimate brought forward.

Royal Artillery—continued.

	Imperial Pay.	Colonial Allowance.
Brought forward	759 6 3	480 11 8
Serjeants, at 2s. 8d. and 1s. 4	194 13 4	73 0 0
Corporals, at 2s. 2d. and 1s. 5	197 14 2	91 5 0
Bombardiers, at 2s. and 1s. 4	146 0 0	73 0 0
Gunners and Drivers, at 1s. 3d. and 6d. 95	2,203 6 1	866 17 6
Trumpeters, at 1s. 3d. and 6d. 2	46 7 9	18 5 0
Additional good conduct pay	83 0 0	.....
	3,660 7 7	1,602 19 2
Working Pay .....	.....	200 0 0
Allowance to Officer Commanding, at 6s. 7d. diem .....	.....	109 10 0
Contingent Allowance .....	.....	45 12 6
Allowance to Acting Adjutant and Quarter Master .....	.....	51 15 0
Do. to Head Clerk .....	.....	18 5 0
Do. to Second Clerk .....	.....	9 2 6
Provisions .....	.....	1,122 17 6
Fuel, Light, and Water .....	.....	233 13 7
Forage .....	.....	170 6 8
Clothing .....	.....	350 0 0
Stationery .....	.....	50 0 0
Postage .....	.....	20 0 0
For the apprehension of Deserters .....	.....	100 0 0
	.....	2,284 7 9
	3,660 7 7	4,087 6 11

8.224 17 0

Volunteer Corps.—(To be substituted for amount proposed on General Estimates.)—To meet Expenses, £500..

Amount of Reductions.

[illegible]

NOTES EXPLANATORY, &c., Continued.

III.—The Principal Secretary,—continued.

NAVAL ALLOWANCE.

Expenditure authorized—being amount of Estimate proposed in Message No. 20 (*this Service not being provided for in the Estimates in Chief*):—Captain, at 15s. per diem (1), £273 15s.; Lieutenants, at 5s. per diem (3), £273 15s.; Master, at 5s. per diem (1), £91 5s.; Chaplain, at 5s. per diem (1), £91 5s.; Surgeon, at 5s. per diem (1), £91 5s.; Paymaster, at 5s. per diem (1), £91 5s.; Mates, at 3s. per diem (2), £109 10s.; 2nd Master, at 3s. per diem (1), £34 15s.; Marine Officer, at 3s. per diem (1), £54 15s.; Assistant Surgeon, at 3s. per diem (1), £34 15s.; Midshipmen, at 1s. 6d. per diem (6), £164 5s.; Master's Assistant, at 1s. 6d. per diem (1), £27 7s. 6d.; Clerks, at 1s. 6d. per diem (2), £51 15s.; Warrant Officers, at 1s. 6d. per diem (3), £81 2s. 6d.; Naval Cadets, at 1s. 6d. per diem (3), £82 2s. 6d.; Chief Petty Officers, at 1s. 3d. per diem (3), £68 8s. 9d.; 1st Class Petty Officers, at 1s. per diem (26), £474 10s.; 2nd Class Petty Officers, at 0. per diem (10), £152 1s. 8d.; Leading Stamen, at 8d. per diem (8), £97 6s. 8d.; Seamen, at 6d. per diem (95), £856 17s. 6d.; Sergeant, at 1s. 3d. per diem (1), £22 15s. 3d.; Corporals, at 10d. per diem (3), £45 12s. 6d.; Private Marines, at 6d. per diem (24), £219; 1st Class Boys, at 3d. per diem (20), £91 5s.; 2nd Class Boys, at 2d. per diem (13), £39 10s. 10d.; added by Message No. 42, Naval Postage, £30

CHARITABLE ALLOWANCES.

INCREASED.

Amount of Estimate

By Message No. 20, viz.:—In further aid of the erection of the New Wing of the Sydney Infirmary, on condition that the Directors will incur the liability of finishing the Wing with the aid of this amount, £2,000; in aid of the Hospital, Wagga Wagga, on condition of an equal amount being raised by private subscriptions, £200; in aid of the Hospital, Mudgee, on the like condition, £100; in aid of the Tamworth Benevolent Society, on the like condition, £150; in aid of the erection of a Public Hospital at Muswellbrook, on the like condition, £400; in aid of the erection of a Public Hospital at Braidwood, on the like condition, £300; in aid of an Outfit for Public Hospital Penrith, on the like condition, £200; completing the building of the Asylum for Destitute Children, £2,500

By Message, No. 42, Towards the building and Outfit of an Hospital at Deniliquin, an equal amount having been raised by private subscriptions

Expenditure Authorized

ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
.....	3,704 6 8	3,704 6 8
.....
.....	13,186 3 6	13,186 3 6
.....
.....	5,850 0 0	5,850 0 0
.....	700 0 0	700 0 0
.....	19,736 3 6

NOTES EXPLANATORY, &c., Continued.

III.—The Principal Secretary,—continued.	ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
	Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
GRANTS IN AID OF PUBLIC INSTITUTIONS.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Amount of Estimate.....	1,800 0 0	1,800 0 0
INCREASED. By Message No. 20:—Purchase of Scientific Works for the Museum, £500; for the purchase, for the use of the Museum, of a Collection of Scientific Works, which formed the library of the late William Swainson, Esq., F.R.S., £27; in aid of a Building Fund for the School of Arts, Grafton, on condition of an equal amount being raised by private subscriptions, £100; in aid of the erection of the Mechanics' Institute at Maitland, on the like condition, £500	1,197 0 0	1,197 0 0
By Message No. 29:—In aid of the Bathurst School of Arts, on condition of an equal amount being raised by private subscriptions, until a building be erected	100 0 0	100 0 0
Expenditure Authorised.....	3,097 0 0	3,097 0 0
MISCELLANEOUS SERVICES.						
Amount of Estimate	5,700 0 0	5,700 0 0
INCREASED. By Message No. 20, viz.:—Gratuity to John Murray Bate on his retirement from the Office of 1st Clerk of Legislative Council Establishment, owing to ill health, being one month's pay for every year of service, £179 3s. 4d.; gratuity, equal to three months' pay, to John Baxter, late Principal Messenger of Legislative Assembly Establishment, £37 10s.; claim of Mr. William Carter against Mr. Frederick Walker, late Commandant of Native Police, £20; expenses in the matter of an Appeal to the Privy Council by Mr. Robertson, against an order for removing him from the office of Commissioner of Crown Lands, £163 12s.; deficiency in the Votes for Electoral purposes, 1856-7, £500; preliminary expenses of initiating Municipal Institutions, £500; deficiency in the amount voted for Paper and Parchment for Printing for the Public Service generally, £438 17s. 8d.; towards the relief of unemployed laborers in the City of Sydney, £900; allowance to the late Colonial Agent General (E. Barnard) for one year, in order that he may give any assistance which may be required by the Oriental Bank and Messrs. Lloyd, Beilby, & Co., £300; expense of firing the Noon Gun, £92 15s.	3,121 18 0	3,121 18 0
By Message No. 29, viz.:— Compensation for Sheep destroyed under the Scab Act of 1854, viz.:—To Mr. William Bowman for 3,279 sheep, £635 16s.; to Mr. A. U. Bartlett, 1,927 sheep, £385 8s.; £1,041 4s.—Deficiency in the vote for Electoral purposes, 1858, £1,200; towards the relief of Unemployed Laborers in the City of Sydney, a further sum of £600	2,841 4 0	2,841 4 0
By Message No. 42, viz.:— Towards the relief of Unemployed Laborers in the City of Sydney, for the purpose of closing the Accounts of the Committee	210 18 4	210 18 4
Expenditure Authorized	11,884 0 4	11,884 0 4

NOTES EXPLANATORY, &c., Continued.

		ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
		Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
IV.—Administration of Justice.							
SUPREME AND CIRCUIT COURTS.							
Amount of Estimate		5,182 0 0	3,725 0 0	.....	8,907 0 0	.....	8,907 0 0
INCREASED.	"CONTINGENCIES."—By Message No. 20.—Expenses of the Passage and Residence in Sydney of Mr. Justice Milford, while assisting to dispatch the business of the Supreme Court, £88.—By Message No. 29. Allowances to Witnesses, £1,700.....	.....	1,788 0 0	.....	1,788 0 0	.....	1,788 0 0
Expenditure Authorized		5,182 0 0	5,513 0 0	.....	10,695 0 0	.....	10,695 0 0
MORETON BAY COURT.							
Amount of Estimate		2,308 0 0	1,057 0 0	.....	3,365 0 0	.....	3,365 0 0
INCREASED.	By Message No. 20.—"SALARIES."—Crown Prosecutor, from £300 to £500, £200; District Sheriff, from £300 to £450, £150, Total £350.—By Message No. 29. "CONTINGENCIES."—Allowances to Witnesses and Jurors, £300.	350 0 0	300 0 0	.....	650 0 0	.....	650 0 0
Expenditure Authorized		2,658 0 0	1,357 0 0	.....	4,015 0 0	.....	4,015 0 0
DISTRICT COURTS.							
Amount of Estimate (as originally proposed and afterwards withdrawn).....		.....	.....	.....	3,765 0 0	.....	3,765 0 0
Expenditure authorized on amended Estimate proposed in Message No. 20, viz.:— (From 1st November).—Judges, at £1,000, (3), £500; Crown Prosecutors, at £500, (3), £250; Clerks of the Peace and Registrars, at £100, (3), £50; Registrars, at £50, (9), £75; Bailiffs, at £50, (12), £100; Travelling Expenses of Judges and Crown Prosecutors, £375; Allowances to Witnesses and Jurors, £330; Stationery and other Incidental Expenses, £20. ....		.....	.....	.....	1,700 0 0	.....	1,700 0 0
Amount of Reductions .....		.....	.....	.....	2,065 0 0	.....	2,065 0 0
SHERIFF.							
Amount of Estimate		3,390 0 0	2,223 2 0	.....	5,613 2 0	.....	5,613 2 0
INCREASED.	By Message No. 20.—"SALARIES."—Third Assistant Bailiff, at £120 per annum, from 1st August.....	50 0 0	.....	.....	50 0 0	.....	50 0 0
Expenditure Authorized.....		3,440 0 0	2,223 2 0	.....	5,663 2 0	.....	5,663 2 0

NOTES EXPLANATORY, &c., Continued.

		ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
		Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
IV.—Administration of Justice,—continued.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
CORONERS.							
Amount of Estimate		784 0 0	2,405 0 0	.....	3,189 0 0	.....	3,189 0 0
INCREASED. By Message No. 20.—"CONTINGENCIES."—Stationery for Coroner, Sydney .....		.....	10 0 0	.....	10 0 0	.....	10 0 0
Expenditure Authorized		784 0 0	2,415 0 0	.....	3,199 0 0	.....	3,199 0 0
V.—Treasurer and Secretary for Finance and Trade.							
TREASURY.							
Amount of Estimate		6,592 0 0	438 0 0	.....	7,030 0 0	.....	7,030 0 0
REDUCED. By <i>withdrawal</i> .—"SALARIES."—Chief Clerk of Revenue Branch, from £530 to £400, £130; 2nd Clerk of 2nd Class, £315; 2 Clerks of 2nd Class, from £600, to 1 at £300 and £1 at £250, £50.		495 0 0	.....	.....	495 0 0	.....	495 0 0
Expenditure Proposed		6,097 0 0	438 0 0	.....	6,535 0 0	.....	6,535 0 0
INCREASED. By Message No. 20.—"SALARIES."—Increase to Salary of Clerk acting as Auctioneer		50 0 0	.....	.....	50 0 0	.....	50 0 0
Expenditure Authorized		6,147 0 0	438 0 0	.....	6,585 0 0	.....	6,585 0 0
CUSTOMS.							
Amount of Estimate, in detail, as originally proposed, (but afterwards, by <i>withdrawal</i> , superseded by a sum <i>in gross</i>), (see below.)		21,122 0 0	4,838 10 0	.....	25,960 10 0	.....	25,960 10 0
Expenditure Authorized, <i>in gross</i> , in substitution for Original Estimate .....		.....	.....	24,670 15 0	24,670 15 0	.....	24,670 15 0
Amount of Reductions .....		.....	.....	.....	1,289 15 0	.....	1,289 15 0
COLONIAL DISTILLERIES.							
Amount of Estimate, in detail, as originally proposed, (but afterwards, by <i>withdrawal</i> , superseded by a sum, <i>in gross</i>), (see below.)		1,625 0 0	284 7 0	.....	1,909 7 0	500 0 0	2,409 7 0
Expenditure Authorized, <i>in gross</i> , in substitution for Original Estimate .....		.....	.....	.....	.....	.....	2,217 7 0
Added by Message No. 20.—Occasional Assistance, 1857 .....		.....	.....	.....	.....	.....	25 17 6
Total Expenditure Authorized .....		.....	.....	.....	.....	.....	2,243 4 6
Amount of Reductions .....		.....	.....	.....	.....	.....	166 2 6

NOTES EXPLANATORY, &c., Continued.

		ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
		Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
SYDNEY BRANCH OF THE ROYAL MINT.							
Amount of Estimate		9,066 10 2	2,400 0 3	.....	11,466 10 5	.....	11,466 10 5
INCREASED.	By Message No. 20.—"SALARIES."—Additional Police Constable, at 6s. per diem	109 10 0	.....	.....	109 10 0	.....	109 10 0
Expenditure Authorized		9,176 0 2	2,400 0 3	.....	11,576 0 5	.....	11,576 0 5
GOLD RECEIVERS.							
Amount of Estimate		125 0 0	50 0 0	.....	175 0 0	.....	175 0 0
INCREASED.	By Message No. 20.—"SALARIES."—Mudgee, at £25 per annum, from 1st November, 1857, to 31st December, 1858	29 3 4	.....	.....	29 3 4	.....	29 3 4
Expenditure Authorized		154 3 4	50 0 0	.....	204 3 4	.....	204 3 4
COLONIAL STOREKEEPER.							
Amount of Estimate		2,410 0 0	2,035 0 0	.....	4,445 0 0	.....	4,445 0 0
INCREASED.	By Message No. 20.—"CONTINGENCIES."—To purchase Stamps, Tools, &c., for Inspectors of Weights and Measures, to enable them to carry out the provisions of the Act of Council 16 Vict., 24, £1,000; to reimburse the Assistant Military Storekeeper the amount paid by him to the Agents of the ship "Hannah Fownes," for general average on stores shipped at Woolwich, for the service of this Colony £109 11s. 10d. ....	.....	1,109 11 10	.....	1,109 11 10	.....	1,109 11 10
Expenditure Authorized		2,410 0 0	3,144 11 10	.....	5,554 11 10	.....	5,554 11 10
GUNPOWDER MAGAZINE.							
Amount of Estimate, in detail, as originally proposed, (but afterwards, by withdrawal, superseded by a sum <i>in gross</i> , (see below)		228 2 6	521 4 4	.....	749 6 10	.....	749 6 10
Expenditure authorized, <i>in gross</i> , in substitution for Original Estimate .....		.....	.....	736 4 4	736 4 4	.....	736 4 4
Added by Message No. 20.—Compensation to Importers of Gunpowder, which had been stored in the Floating Magazine "Lady Mary," and there damaged by leakage in the deck of that vessel .....		.....	.....	.....	.....	25 16 8	25 16 8
Total Expenditure Authorized .....		.....	.....	.....	736 4 4	25 16 8	762 1 0
Amount of Increase .....		.....	.....	.....	.....	.....	12 14 2

NOTES EXPLANATORY, &c., Continued.

V.—Treasurer and Secretary for Finance and Trade,—continued.				ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
				SALARIES.	CONTINGENCIES.	In gross and unapportioned.		TOTAL.	
				£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
SHIPPING MASTERS.									
Amount of Estimate							2,006 9 4		2,006 9 4
REDUCED. By <i>supersedure</i> (see below). The entire Estimate for Sydney							1,874 9 4		1,874 9 4
Expenditure Proposed							132 0 0		132 0 0
INCREASED. By amount voted for "Sydney" in gross, in substitution for detailed Estimate						1,565 0 0	1,565 0 0		1,565 0 0
By Message No. 20.—"Sydney."—Additional Clerk, 1867				175 0 0			175 0 0		175 0 0
Expenditure Authorized							1,872 0 0		1,872 0 0
Amount of Reductions							134 9 4		134 9 4
LIGHT HOUSES, HARBORS, AND PILOT DEPARTMENT.									
Amount of Estimate				15,835 0 0	5,237 10 0		21,072 10 0	604 0 0	21,676 10 0
REDUCED. Steam Navigation Board and Superintendent. By <i>supersedure</i> (see below). The entire Estimate as originally proposed				3,580 0 0	820 0 0		4,400 0 0		4,400 0 0
Light House, South Head. Ditto				432 0 0	410 0 0		842 0 0		842 0 0
Floating Light, Moreton Bay. Ditto				600 0 0	345 10 0		945 10 0		945 10 0
Light House, Gabo Island. Ditto				648 0 0	660 0 0		1,298 0 0		1,298 0 0
Light House, Newcastle. Ditto				450 0 0	400 0 0		850 0 0		850 0 0
Harbor Master, Newcastle. Ditto				2,055 0 0	179 0 0		2,234 0 0		2,234 0 0
Light House, Inner South Head. By negative.—"SALARIES."—Principal Light Keeper, from £200 to £180, £20; First Assistant, from £150 to £84, £66; and Second Ditto, from £100 to £84, £16				102 0 0			102 0 0		102 0 0
Harbor Master, Moreton Bay. By withdrawal.—"SALARIES."—Master of the Buoy Boat, from £120 to £96				24 0 0			24 0 0		24 0 0
Amount of Reductions				7,991 0 0	2,804 10 0		10,695 10 0		10,695 10 0
Balance				7,944 0 0	2,433 0 0		10,377 0 0	604 0 0	10,981 0 0

NOTES EXPLANATORY, &c., Continued.

11-19-11

INCREASED.

Steam Navigation Board and Harbor Master. By amount authorized on amended Estimate, viz. :—

STEAM NAVIGATION BOARD AND HARBOR MASTER.

(Substituted in Committee of Supply for the amount (£4,400) proposed in the Original Estimate for 1858, page 60.)

PARTICULARS.	Quarter ended 31 March.			9 Months ending 31 December.			TOTAL FOR THE YEAR.
	No.	Rate.	Amount.	No.	Rate.	Amount.	
SALARIES.							
Superintendent	1	600	150 0 0	.....	.....	.....	150 0 0
Secretary and Accountant	1	400	100 0 0	.....	.....	.....	100 0 0
Harbor Master	1	400	100 0 0	1	400	300 0 0	300 0 0
Deputy Harbor Master	1	400	100 0 0	.....	.....	.....	100 0 0
Assistant Harbor Masters	3	300	225 0 0	.....	.....	.....	225 0 0
* Clerk	1	250	62 10 0	1	350	262 10 0	324 0 0
Do.	1	200	50 0 0	1	200	150 0 0	200 0 0
Engineer Surveyor	1	375	93 15 0	1	375	281 5 0	375 0 0
Shipwright do.	1	175	43 15 0	1	175	131 5 0	175 0 0
Boatmen	8	104	205 0 0	6	104	468 0 0	676 0 0
Messenger	1	120	30 0 0	1	52	30 0 0	82 0 0
Occasional Coxswain to Governor	1	60s. a-month.	9 0 0	1	36	27 0 0	36 0 0
General's Barge	8	40s. "	48 0 0	8	21	144 0 0	192 0 0
Occasional Crew to do. ....	.....	.....	1,120 0 0	.....	.....	1,803 0 0	2,923 0 0
CONTINGENCIES.							
Fees for attendance to non-official Members, at £1 1s. for each sitting .....	.....	.....	75 0 0	.....	.....	225 0 0	300 0 0
Travelling Expenses of Harbor Master and Surveyors .....	.....	.....	62 10 0	.....	.....	187 10 0	250 0 0
Stationery .....	.....	.....	12 10 0	.....	.....	37 10 0	50 0 0
Postage .....	.....	.....	5 0 0	.....	.....	15 0 0	20 0 0
Repairs to Boats .....	.....	.....	12 10 0	.....	.....	37 10 0	50 0 0
Stores .....	.....	.....	25 0 0	.....	.....	75 0 0	100 0 0
Incidental Expenses .....	.....	.....	12 10 0	.....	.....	37 10 0	50 0 0
	.....	.....	205 0 0	.....	.....	615 0 0	820 0 0
TOTAL .....	£	.....	1,325 0 0	.....	.....	2,418 0 0	3,743 0 0

* To perform the duties of Secretary to the Board.

Carried forward

ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
2,923 0 0	820 0 0	.....	3,743 0 0	.....	3,743 0 0
10,867 0 0	3,253 0 0	.....	14,120 0 0	604 0 0	14,724 0 0

NOTES EXPLANATORY, &c., Continued.

										ESTABLISHMENTS.				OTHER SERVICES.			TOTAL.												
										Salaries.		Contingencies.		In gross and unapportioned.		TOTAL.													
										£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.								
										10,867	0 0	3,253	0 0			14,120	0 0	604	0 0	14,724	0 0								
V.—Treasurer and Secretary for Finance and Trade,—continued.																													
LIGHT HOUSES, HARBORS, AND PILOT DEPARTMENT,—continued.																													
INCREASED—continued.																													
Brought forward																													
Light House, South Head. By amount voted in gross, in substitution for original detailed Estimate, £768.																													
By Message No. 20.—For the purchase of 2 Iron Tanks, £74; Repairs to the Machinery, £40; £114																													
Light, Fort Denison. (New Establishment.) By Message No. 29																													
Floating Light, Port Jackson. By Message No. 20.—Repairs and Stores for Light Ship "Bramble"																													
Floating Light, Moreton Bay. By amount voted in gross, in substitution for original detailed Estimate, £929 10s. By Message No. 20 (as reduced by Government)—Repairs to Light Ship "Rose," £432 10s. 2d.;																													
Deficiency in amount voted for 1857, £301 19s. 9d.; £734 9s. 11d.																													
Light House, Gabo Island. By amount voted in gross, in substitution for original detailed Estimate, £1,000.																													
By Message No. 20.—Deficiency in amount voted for 1857, £802 0s. 8d.; Total, £1,802 0s. 8d., voted with																													
the following Rider:—"As the contribution of this Colony, to meet one-half of the actual expense																													
"incurred by the Government of Victoria in the maintenance of this Establishment"																													
Light House, Newcastle. By amount voted in gross, in substitution for original detailed Estimate, £748. By																													
Message No. 20.—For the purchase of an Iron Tank, £40																													
Harbor Master, Newcastle. By amount voted in gross, in substitution for original detailed Estimate, £2,217.																													
By Message No. 29.—Construction of 2 Buoys, at £35 each, £70; by Message No. 42.—Buoys and other																													
Contingent Expenses, a further sum of £130																													
Harbor Master, Moreton Bay. By Message No. 42.—"CONTINGENCIES."—For providing a Buoy as Beacon, to replace																													
Light-ship "Rose," £128; Buoy for the entrance to "Freeman's Channel," £65; Moorings for same, £30																													
Pilots, Port Jackson. (New item.) By Message No. 20.—For supplementing the incomes of the Pilots, and																													
for the employment of Assistant Harbor Masters																													
Pilot at Wollongong. By Message No. 20.—"CONTINGENCIES."—Expenses of laying down new Moorings in																													
Wollongong Harbor																													
Telegraph Stations. By Message No. 20.—"CONTINGENCIES."—For the purchase of two Iron Tanks																													
Expenditure Authorized																													
* MISCELLANEOUS.																													
INCREASED.																													
Amount of Estimate																													
By Message No. 20.—Gratuity to the Widow of the late Mr. Pilot Hawkes, who was drowned whilst in the																													
discharge of his duty, £250; Premiums on Bills of Exchange purchased for remittance to England:—																													
Deficiency in the amount voted for 1857, £2,615 9s.—Service of 1858, £1,500; Deficiency in the amount																													
voted for the Reserve Store of Gunpowder, £1,352 10s.; Repairs to the Steam Dredge, Sydney Cove, £900																													
By Message No. 29.—Gratuity to Alexander Livingstone, on his retirement from the office of Harbour Master,																													
Newcastle, being one month's pay for every year of service, £276 18s. 2d.; to restore to the individuals																													
from whom it was taken, that portion of the proceeds of the Gold remaining in possession of the Govern-																													
ment which had been seized on board the "Ethereal" and "Mary Nicholson," £3,280 1s. 5d.																													
By Message No. 42.—"STEAM DREDGE."—Hire of Tug, and additional Punt attached to the Steam Dredge,																													
employed in depositing silt at the Botanic Gardens, £1,000; Purchase of six Punt, at £150 each, £900 ..																													
Expenditure Authorized																													

NOTES EXPLANATORY, &c., Continued.

VI.—Secretary for Lands and Public Works.	ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
	Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
SURVEY AND MANAGEMENT OF CROWN LANDS.						
Amount of Estimate, as originally proposed and afterwards superseded by Message No. 11 (see below)	41,015 12 6	15,586 0 0	.....	56,601 12 6	.....	56,601 12 6
Expenditure authorized on amended Estimate, submitted with Message No. 11, viz.:—"SALARIES."— Surveyor General, £1,050; Deputy Surveyor General, £800; District Surveyors, at £780, (4), £3,120; Commissioners of Crown Lands, at £550, (1), £550; Ditto, ditto, at £500, (2), £1,000; Ditto, ditto, at £450, (5), £2,250; Surveyors, 1st class, at £680, (6), £4,080; Ditto, 2nd class at £580, (8), £4,640; Chief Draftsman, £650; Draftsmen, 1st class, at £400, (1), £400; Ditto, ditto, at £375, (2), £750; Ditto, 2nd class, at £300, (4), £1,200; Ditto, 3rd class, at £240, (4), £960; Ditto, 4th class, at £220, (2), £440; Ditto, ditto, at £200, (3), £600; Preparation of Maps for publication, £600; Description Writers, at £150, (2), £300; Chief Clerk (Secretary and Cashier), £650; Accountant, £400; Clerk, 1st class, £400; Ditto, 2nd class, £355; Clerks, 2nd class, at £300, (4), £1,200; Ditto, 3rd class, at £245, (3), £735; Ditto, ditto, at £200, (5), £1,000; Ditto, ditto, at £185, (4), £740; Preparation of Deeds, £350; Messengers, at £100, (2), £200; Housekeeper, £50; Wages to Surveyors' Laborers, at £73, (82), £5,986; Fees to Licensed Surveyors, £10,000; Commissioner for Cumberland, £200; Troopers, at £182 10s., (18), £2,372 10s.; Ditto, ditto, at £78, (1), £78; Officekeepers and Servants for Commissioners, at £40, (8), £320; £48,421 10s.— "CONTINGENCIES."—Repairs and Rent, £250; Purchase of Parchment and Stationery, £500; Drawing Instruments and Materials, £200; Passage and Freight, £200; Fuel and Light, £70; Furniture, £100; Postage and Incidental Expenses, £500; £1,820.—Total Survey and Management, £50,241 10s. Added by Message No. 20.—Gratuities to Commissioners of Crown Lands on reduction of Office, £1,900; Deficiency in vote for Department of Chief Commissioner for 1857, £300; Wages of Servants employed in lieu of Troopers, £547 8s.; To meet deficiency in amount voted for Licensed Surveyors (1858) £15,000; Cost of Lithographing Charts of Port Jackson, £110	48,421 10 0	1,820 0 0	.....	50,241 10 0	.....	50,241 10 0
Total Expenditure Authorized	48,421 10 0	1,820 0 0	.....	50,241 10 0	17,857 8 0	68,098 18 0
Amount of Increase .....	.....	.....	.....	.....	.....	11,497 5 6
COMMISSION ON SALES OF LAND, &c.						
Amount of Estimate .....	.....	.....	.....	.....	4,000 0 0	4,000 0 0
By Message No. 20.—To meet estimated deficiency in amount voted for 1857, £2,300; for the service of 1858, a further sum of £1,000 .....	.....	.....	.....	.....	3,300 0 0	3,300 0 0
Expenditure Authorized .....	.....	.....	.....	.....	7,300 0 0	7,300 0 0

NOTES EXPLANATORY, &c., Continued.

VI.—Secretary for Lands and Public Works,—continued.

GOLD FIELDS (including "GOLD CONTINGENT.")
 Amount of Estimate, as originally proposed, and afterwards superseded by Message No. 11 (see below).....

Expenditure authorized on amended Estimate, submitted with Message No. 11, viz.:—*Gold Fields.*—*"SALARIES,"* Commissioners, at £500, (3), £1,500; Assistant Commissioners, at £450, (5), £2,250; Sub-Commissioner, £275; Do., being Clerks of Petty Sessions and Gold Receivers, at £100, (5), £500; Sergeant-Major, at 7s. 3d. per diem, (1), £132 6s. 3d.; Sergeants, at 6s., (13), £1,423 10s.; Corporals, at 5s. 4d., (5), £480 13s. 4d.; Troopers, at 4s. 9d., (42), £3,640 17s. 6d.; Native Trooper, at 1s., (1), £18 5s.; £10,226 12s. 1d. *"CONTINGENCIES,"* Provisions, £1,539 17s. 6d.; Allowance to 1 Sergeant and 2 Troopers on Escort Duty, at 1s. per diem, £54 15s.; Fuel and Light, £75 4s.; Forage, £3,645 10s.; Horse Medicines, and Farriery, £87; Clothing, Saddlery, and Equipments, £250; Medical Attendance on Police, £75; Stationery and Postage, £206 10s.; Stores and Carriage, £420; Horse-shoeing, and Repairs of Saddlery and Equipments, £180; Remount Horses, £120; Blacksmiths' Work, £20; Agistment of Police Horses, 20; Rent, £65; Repairs to Buildings, £335; Furniture, £16; Travelling Expenses of Police, £20; Incidental Expenses, £225 8s. 9d.; £7,355 5s. 3d.—Total, £17,581 17s. 4d. *Gold Contingent.*—To meet unforeseen Expenses in cases of emergency at the Gold Fields, to be hereafter accounted for, £2,500.....

Added by Message No. 20.—*"SALARIES,"* Salary of Chinese Interpreter, from 1st May, at £150 per annum ..

Total Expenditure Authorized

Amount of Increase

DEPARTMENT OF INTERNAL COMMUNICATIONS.

Railways.—Amount of Estimate, originally proposed, and afterwards superseded by Message No. 11, (see below).....

Expenditure authorized on Amended Estimate, submitted with Message No. 11, viz.:—*"SALARIES,"* Chief Commissioner, £1,500; Secretary, £600; Engineer-in-Chief, £1,300; Accountant, £500; Traffic Manager, £400; Messenger, £104; Messenger, £100; Housekeeper, £46. *Secretary's Branch*—Clerk, ££300; Clerk, £200. *Accountant's and Audit Branch*—Clerk, £300; Clerks, at £180, (3) £540; Storekeeper, £400; Foreman of Stores, £200; Ticket Printer, £200. *Engineer Branch*—Assistant Engineer, £700; Assistant Engineer, £450; Assistant Engineer, £400; Draftsman, £500; Draftsman, £350; Clerk, £250; £9,540.—*"CONTINGENCIES,"* Law Expenses, £1,000; Rent, £650; Travelling Expenses, £410; Office Contingencies, including Furniture, Fuel, Stationery, and Postage, £400; £2,460.—*"WORKING EXPENSES"* Repairs to permanent Way including Buildings, £11,000; Wages to Station of 54 miles of Railway.—Repairs to permanent Way including Buildings, £11,000; Wages to Station Masters and Clerks, Foremen, Workmen employed in repairs to Rolling Stock, Engine Drivers, Firemen, Fitters, Cleaners, Guards, and Porters; £27,000; Materials and General Stores, Firewood, Oil, Tallow, and Waste, £15,000; £53,000.....

Added by Message No. 20.—Repairs to the Great Southern Railway.....

Total Expenditure Authorized.....

Amount of Increase

ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
SALARIES.	CONTINGENCIES.	In gross and unapportioned.	TOTAL.		
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
10,276 12 1	7,355 5 3	.....	17,631 17 4	2,500 0 0	20,131 17 4
10,226 12 1	7,355 5 3	.....	17,581 17 4	2,500 0 0	20,081 17 4
100 0 0	.....	.....	100 0 0	.....	100 0 0
10,326 12 1	7,355 5 3	.....	17,681 17 4	2,500 0 0	20,181 17 4
.....	.....	.....	.....	.....	50 0 0
.....	.....	.....	6,800 0 0	60,000 0 0	66,800 0 0
9,540 0 0	2,460 0 0	.....	12,000 0 0	53,000 0 0	65,000 0 0
.....	.....	.....	.....	8,000 0 0	8,000 0 0
9,540 0 0	2,460 0 0	.....	12,000 0 0	61,000 0 0	73,000 0 0
.....	.....	.....	.....	.....	6,200 0 0

* With one per cent upon net receipts until the income amounts to £700 per annum.

NOTES EXPLANATORY, &c., Continued.

VI.—Secretary for Lands and Public Works,—continued.

DEPARTMENT OF INTERNAL COMMUNICATIONS—continued.

Roads.—Amount of Estimate originally proposed, and afterwards superseded by Message No. 11, (see below)...

Expenditure Authorized on Amended Estimate, submitted with Message No. 11, viz.:—"SALARIES."—Assistant Engineer, £700; Clerk of Works, £450; Surveyors, (4) £2,000; Clerk, £350: £3,500.—"CONTINGENCIES."—Travelling Expenses, Assistant Engineer, and Clerk of Works, (2) £400; Travelling Expenses, Surveyors, (4) £400; Other Contingencies, £100: £900.—Total £4,400.—*Construction and Maintenance of Roads and Bridges.*—For the construction, maintenance, and repair of Public Roads, Bridges, and Ferries, £80,000; For the formation of the Road from the Dapto Road (at Figtree Bridge) to the Cordeaux River, £400; For the construction of a Bridge over the Paterson at Clark's Crossing-place, £1,000; For the construction of a Bridge over the Peel at Tamworth, £1,400; For opening up a Road through Manly Cove, £100; For the formation of a Road from the navigable portion of the Hunter to Port Stephens, on condition that the like sum is raised by private contribution, £250; For the construction of a Bridge over the Vale Creek, on same condition, £300; For the construction of a Bridge over Prospect Creek, and the repairs of the Road from Smithfield to Parramatta, on same condition, £250; To provide a Punt at Aberdeen, on the Northern Road, £300: £84,000

Added by Message No. 20.—"CONTINGENCIES."—Travelling Allowance to Road Surveyors, for the year 1856, (4) at £100 per annum each, £400.—"OTHER SERVICES."—For a Cut at Warland's Range, on the Great Northern Road, £600; for the construction of a Road from Armidale to the Macleay River, £1,500; to meet probable cost of opening new Streets through Crown Lands in the City of Sydney, £1,500; for the repair of the Road approaching Peat's Ferry, £200; for the formation of a Cut at Kenny's Hill, on the Road from Campbelltown to Camden, £1,500; for the construction of a Bridge over the Cudgegong at Mudgee, £1,000; for the construction of a Bridge over the Mulwarrie, £410; for the construction of a Bridge over Wollombi Brook (Jerry's Plains), £300; for the construction of a Bridge over Gilmore's Creek, £300; for the construction of a Bridge over the Tumut, £100; for repair of the Berrima Bridge, £400; for repairs effected to Denison Bridge, the further sum of £142 4s. 6d.; for the construction of a Bridge over Jordan's Creek, Durham-street, Bathurst, £150; for a Punt to ply on the River Mary, £150; for the maintenance of a Punt, Peat's Ferry, £50; to provide a Boat for the Crossing-place on the Macquarie River at Wellington, £100 £8,402 4s. 6d.

Total Expenditure Authorized

Amount of Increase

ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
SALARIES.	CONTINGENCIES.	In gross and unapportioned.	TOTAL.		
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
3,750 0 0	900 0 0	.....	4,650 0 0	84,000 0 0	88,650 0 0
3,500 0 0	900 0 0	.....	4,400 0 0	84,000 0 0	88,400 0 0
400 0 0	.....	.....	400 0 0	8,402 4 6	8,802 4 6
3,900 0 0	900 0 0	.....	4,800 0 0	92,402 4 6	97,202 4 6
.....	.....	.....	.....	.....	8,552 4 0

NOTES EXPLANATORY, &c., Continued.

<p align="center">VI.—Secretary for Lands and Public Works,—continued.</p> <p align="center">COLONIAL ARCHITECT.</p>	ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
	Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Amount of Estimate originally proposed, and afterwards superseded by Message No. 11.—(See below.)	4,624 0 0	616 0 0	.....	5,239 0 0	50,801 0 0	56,040 0 0
<p>Expenditure authorized, on amended Estimate, submitted with Message No. 11:—</p> <p>"SALARIES."—Colonial Architect, £1,000; First Clerk of Works, £600; Clerks of Works, at £400 (2), £800; ditto (1), £300; First Foreman of Works, £250; Second ditto, £250; Draughtsman, £250; Chief Clerk, £450; Clerk (2nd class), £300; ditto (3rd class), £250; Messenger, £84; Office Keeper, £40 : £4,574.—</p> <p>"CONTINGENCIES."—Forage for the horses of the Architect and the first Clerk of Works, £100; Travelling Expenses of the Architect and Officers of the Department, when proceeding to inspect Public Works and Buildings, £300; Fuel, Light, and Water, £15; Postage, £15; Stationery (including Drawing Material), £50; Advertising (Tenders for Public Works, &c.), £85; Incidental Expenses, £50 : £615.—Total, £5,189.</p> <p><i>Public Works and Buildings.</i>—For ordinary repairs, alterations, and additions to Public Buildings generally, £6,000; the like in respect to Police Buildings, Country Districts, £1,500; for additions and repairs to the Lunatic Asylum, Tarban Creek, £6,000; for additions to the Prisoners' Barracks, Cockatoo Island, £150; for the repair of the Victoria Barracks and the various Military Buildings in Sydney and the Country Districts, £1,500; for lighting Lamps, sweeping Chimneys, &c., at the Victoria Barracks, £250; for special repairs to the Court and Watch House, Wes Waa, £250; the like in respect of Court and Watch House, Raymond Terrace, £350; ditto, Court and Watch House, Moulamein, £300; ditto, Court and Watch House, Tenterfield, £250; to provide Furniture and Fittings for Public Offices generally, £1,500; Furniture for Police Buildings, Country Districts, £450; for the erection of Court Houses of the 1st class at Armidale and Gundagai, at £2,000 each, £4,000; for the erection of Court Houses of the 2nd class at Gayndah, Moama, Kiama, Campbelltown, Wellington, and Tumut, at £800 each, £4,800; (previous votes of £800 for Gundagai, £500 for Kiama, and £700 for Wellington, being considered cancelled); for the erection of Court Houses of the 3rd class at Coonabarrabran, and Condamine, at £400 each, £800; for the erection of Watch Houses at the following places:—Wellington, Gayndah, Tamworth, Moama, Condamine, Mundooran, Gulligal (further sum), Clerkness, Bendemeer, Moonbi, Cowra, and Gunnadah (Namei), at £400 each, £4,800; towards the erection of Gaol Buildings (in connexion with the extension of criminal jurisdiction in Country Districts), £6,000; for the erection of a Watch House at Bargo, the further sum of £50; for additions to Quarters for the Gaoler, Goulburn Gaol, £500; for the erection of Sheds for Customs Officers, Circular Quay, £215; for lighting the Government Lamps in Sydney, £350 : £40,015.</p>						

NOTES EXPLANATORY, &c., Continued.

	ESTABLISHMENT.				OTHER SERVICES.	TOTAL.
	Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
<i>Miscellaneous Public Works.</i> —For keeping in repair the Fences of the Domain and Botanic Gardens, £200; to be expended under the superintendence of the Hyde Park Committee, £1,000; for attending to the Sluices, Cook's River Dam, £36; for providing materials and implements for the employment of prisoners in Darlinghurst Gaol, £2,000; the like in respect of prisoners in Parramatta Gaol, £1,000; for the employment of prisoners on the streets of Brisbane, £250; ditto on the streets of Ipswich, £160; for additional planting and fences at Newcastle Sandhills, £100; for the completion of the Abattoir, Glebe Island, £3,850; for the completion of the Road to the Abattoir, Glebe Island, £1,800 : £10,386.....	4,574 0 0	615 0 0	.....	5,189 0 0	50,401 0 0	55,590 0 0
Added by Message No. 20, "Other Services," viz.:—For the erection of a Powder Magazine, Brisbane, £400; for additions and repairs, Lunatic Asylum, Parramatta £800; for rebuilding Parapet Wall of Barrack, Kerribilli, £600; for the replacing a Boundary Wall, Dawes' Battery, £220; for alterations and repairs, General Post Office, Sydney, £563; for the erection of a Court House, Glen Innes, £600; for alterations to the Court House, Bathurst, £400; for the erection of a Lock-up at Shell Harbour, £300; for erection and repair of Police Buildings, Adelong, £230; for the erection of Police Buildings, Merindoo, £120; for completion of Court and Watch House, Paterson, the further sum of £114; for repairs to Court and Watch House, Brisbane Water, £250; for the erection of a Lock-up at Condobolin, on the Lachlan, £400; for repairs and addition to the Court House, Molong, £100; for the erection of a Watch House, Ipswich, the further sum of £80; for completion of the Infirmary, Protestant Orphan School, Parramatta, £200; for additions to the Government Printing Office, £210; for painting exterior of Hornby Light House, clearing and fencing ground, and for supply of Tanks and Spouting for the collection of fresh water, £300; for the erection of a Shed for Government Boats, Sydney Cove, £200; for the erection of a Shed at Camp Cove for Life Boat, £250; for additions to Signal Station, Fort Phillip, £200; for laying on Water and completing Fittings, Australian Museum, £410; for the purchase of Land adjoining Lunatic Asylum, Tarban Creek, for supply of Water, £150; for fencing round Reservoir, Brisbane, £100; for constructing a new Water Reservoir, Eden, £50; for removal of impediments to Navigation of the Bremer and Brisbane Rivers, the further sum of £500; for repair of Masons' Work, Harbour of Wollongong, £150.....	.....	.....	.....	.....	7,897 0 0 60 0 0	7,897 0 0 60 0 0
Added by Message No. 29, "Other Services," Lighting the Government Lamps, Sydney, a further sum of .....	.....	.....	.....	.....	.....	.....
Added by Message No. 42, "Other Services," viz.:—For the erection of Quarters for the Gold Commissioner at Tumut, together with Stables, &c., £200; for additions to the Custom House, Brisbane, £300; additions to the Office of the Surveyor General, £2,500; alterations to the Commissariat Stores, a further sum of £1,000 .....	.....	.....	.....	.....	4,000 0 0	4,000 0 0
Total Expenditure Authorized.....	4,574 0 0	615 0 0	.....	5,189 0 0	62,358 0 0	67,547 0 0
Amount of Increase .....	.....	.....	.....	.....	.....	11,507 0 0

NOTES EXPLANATORY, &c., Continued.

VI.—Secretary for Lands and Public Works,—continued.	ESTABLISHMENTS.				OTHER SERVICES.	TOTAL.
	Salaries.	Contingencies.	In gross and unapportioned.	TOTAL.		
BOTANIC GARDENS—(Sydney and Brisbane):	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Amount of Estimate originally proposed, and afterwards superseded by Message No. 11.—(See below)	750 0 0	1,986 17 6	.....	2,736 17 6	.....	2,736 17 6
Expenditure authorized on Amended Estimate submitted with Message No. 11:— Sydney—Director, £350; Overseer, £200: £550.—“CONTINGENCIES.”—Wages to Gardeners and Laborers, £1,000; Travelling and other Expenses of the Director in the discharge of his duties, £100; Forage for one Horse, £50; Cases for Plants, and to meet the expenses of transmission, £40; Fuel to heat Plant-house during Winter, £20; towards the formation of a Public Botanical Library, £50; purchase of manure, £10; Incidental Expenses, £100; Stores, £100; Postage, £3: £1,173.—Total, £2,023. Brisbane.—Superintendent, £200; wages to Laborers, £300; Incidental Expenses, £50.—Total, £550.....	750 0 0	1,823 0 0	.....	2,573 0 0	.....	2,573 0 0
Amount of Reduction .....	.....	.....	.....	.....	.....	163 17 6
GOVERNMENT DOMAINS AND HYDE PARK.						
Amount of Estimate originally proposed, and afterwards superseded by Message No. 11.—(See below)	258 0 0	1,140 17 6	.....	1,398 17 6	.....	1,398 17 6
Expenditure authorized on Amended Estimate submitted with Message No. 11:— General Overseer, £150; Bailiff, £108; wages to Laborers, £600; Forage for one Horse, £50; Incidental Expenses, £15; Stores, £40; to purchase Iron Hurdles to fence round young Plantations, £200; to make the Road from the Baths to Palmer-street £100.—£1,263	258 0 0	1,005 0 0	.....	1,263 0 0	.....	1,263 0 0
Amount of Reduction .....	.....	.....	.....	.....	.....	135 17 6
MISCELLANEOUS.						
Amount of Estimate .....	.....	.....	.....	.....	431 0 0	431 0 0
INCREASED. By Message No. 20, viz.:—For grassing Sand Hills, near Sydney, £300; for enclosing Wynyard Square with Iron Fence, £150; for compensation to Mr. David Cross, for Buildings erected by him at Wiseman's Ferry, as per Resolution of the Assembly, £150 .....	.....	.....	.....	.....	600 0 0	600 0 0
By Message No. 29.—(Reduced by negative vote).—Towards meeting expenses consequent upon the Discovery of Gold upon the Fitz Roy River, Port Curtis .....	.....	.....	.....	.....	6,000 0 0	6,000 0 0
By Message No. 42.—To meet the expenses of an inquiry about to be made by Robert Meston, Esq., having reference to the prevalent disease amongst sheep and cattle, in certain portions of the Colony, generally known as the Cumberland Disease .....	.....	.....	.....	.....	150 0 0	150 0 0
Expenditure Authorized .....	.....	.....	.....	.....	7,181 0 0	7,181 0 0

No. II.

EXPLANATORY ABSTRACT of the Amounts respectively Estimated, Voted, and Embodied in the Appropriation Act, 22 Victoria, No. XXI, for the Supplementary Service of the Year 1857.

Amount of Estimate	£52,757 10 8
Amount Voted, and embodied in Appropriation Act	80,485 1 9
Excess of Expenditure, authorized by various Messages from the Crown, (as shewn below), over Expenditure originally Estimated.....	27,727 11 1
<i>Notes Explanatory of Alterations made in the Original Supplementary Estimate, in its progress through Committee of Supply.</i>	
Gross Amount of Supplementary Estimate	52,757 10 8
REDUCED.	
<i>Registrar General.</i> —By withdrawal.—The amount proposed for Second Messenger, from £104 18s. 9d. to £70 8s. 9d.....	34 10 0
<i>Police, Sydney.</i> —By withdrawal.—The amount proposed to indemnify Captain M'Eric, Inspector-General, for Costs and Damages in an action brought against him in the Supreme Court, as Metropolitan Superintendent of Police.....	183 10 6
<i>Police, Country Districts.</i> —By negative.—The amount proposed for two Additional Ordinary Constables at Eden	200 15 0
<i>Military.</i> —By negative.—The amount proposed as Allowance to the Assistant Commissary General, for the additional trouble and responsibility imposed by the transfer to him of the Payment of the Colonial Pay and Allowances of the Military Force, from 1st April, at £100 per annum	75 0 0
<i>Charitable Allowances.</i> —By negative.—The amount proposed for the completion of the Bethel Union Church, in Sydney Cove, for the use of Seamen of All Nations, upon Condition that an equal amount be raised by private Contributions	1,000 0 0
<i>Public Buildings.</i> —By withdrawal.—The amount proposed for fixing Steam Engine, Govern- ment Printing Office, from £300 to £150.....	150 0 0
<i>Roads and Bridges.</i> —By withdrawal.—The amounts proposed, respectively, for the Construc- tion of a Causeway at Falbrook, £700; and for the formation of Detour of the Northern Road at Murrumbidgee, £500	1,200 0 0
<i>(Surveyor General and Commissioner of Crown Lands.</i> —The word "Burnett" substituted "for Leichhardt" in the "Wide Bay" Item.)	18 16 0
<i>Botanic Gardens, Sydney.</i> —By withdrawal.—By the entire Item	2,862 13 6
Amount of Reduction	49,894 17 2
Expenditure Proposed	
INCREASED.	
By Message No. 5, viz. :—	
<i>The Judges.</i> —Addition to the Salaries of Their Honors, viz. :—Chief Justice from £2,000 to £2,600;—£600; Puisne Judges, each, from £1,500 to £2,000 (3).—£1,500	£2,100 0 0
<i>Legislative Assembly.</i> —Increase to the Salary of the First Clerk Assistant, from £500 to £600..	100 0 0
<i>Police.</i> —Allowance in lieu of forage to the Clerk of Petty Sessions, Binalong	20 0 0
<i>The Printing Office.</i> —To meet deficiency in the sum voted for Wages to Workmen and Apprentices, and for the purchase of additional Type	2,500 0 0
<i>Military.</i> —Colonial Allowance to Her Majesty's 77th Regiment, from 27 September to 23 October, 1857, £800; Lodging Allowance to Officers of the Royal Artillery, from 27 July, viz. :—2 Captains, at 8s. 2d. per diem, 129 Os. 8d.; 2 Lieutenants, at 6s. 8d., £105 6s. 8d.	1,034 7 4
<i>Grants in aid of Public Institutions.</i> —In aid of the Building Fund of the Bathurst School of Arts, on condition that an equal sum be raised by private contribution, £1,000; In aid of the Building Fund of the Parramatta School of Arts, on the like condition, £500....	1,500 0 0
<i>Miscellaneous.</i> —Gratuity to John Doyle, formerly of the Police Force, and lately a Letter Carrier at West Maitland, disabled in the execution of his duty, £50; To defray the expenses of an expedition in search of Dr. Leichhardt, £4,500; To defray expenses incurred for the relief of Sufferers by the late floods in the Hunter River District, £600; For the erection of a Tablet over the remains of the Sufferers by the Wrecks of the "Dunbar" and "Catherine Adamson," a sum not exceeding, £150	5,300 0 0
<i>Supreme and Circuit Courts.</i> —To meet deficiency in the amount voted for Allowances to Witnesses	1,000 0 0
<i>Moreton Bay Court.</i> —For the purchase of an Iron Safe for holding Deeds, and of a Cash Box, for the Registrar of the Court	27 0 0
<i>Sheriff.</i> —To meet deficiency in the amount voted for Allowances to Jurors	600 0 0
<i>Quarter Sessions.</i> —To meet deficiency in the amount voted for Allowances to Witnesses and Jurors, and for Travelling Expenses	1,800 0 0
<i>Treasury.</i> —To meet claim for re-payment to Mrs. Catherine Donihoe of a like sum lodged by her in the Treasury, in 1853.....	6 0 0
<i>Gunpowder Magazine.</i> —Rent of brig "Lady Mary," employed as a temporary Floating Magazine, from 1 July to 31 December	150 0 0
<i>Light, Pilot, and Navigation Board.</i> —Iron safe, stationery, and other articles required for the Board, on its first establishment, £50.— <i>Superintendent's Department:</i> For the purchase of a Life Boat, to be procured from England, £100; for the purchase of Manby's Mortar and Apparatus, to be procured from England, £150.— <i>Harbour Master, Newcastle:</i> For the purchase of a Life Boat, to be procured from England, £100.— <i>Harbour Master, Moreton Bay:</i> For repairs and alterations to the Buoy Boat "Spitfire," £167 9s. 3d.— <i>Floating Light, Moreton Bay:</i> For the purchase of a Boat, £43	610 9 3
<i>Public Works and Buildings, &c.</i> —For the construction of a New Lighthouse on the Inner South Reef, Port Jackson, £2,800; for the erection of Obelisks as leading marks to assist in the navigation of the various channels in Port Jackson, £500; for the construc- tion of the Electric Telegraph between Sydney and the South Head, £700; for the survey of the lands adjacent to the River Hunter, with a view to ascertain whether any measures can be adopted to lessen the injury from floods in future, £1,000; for the repairs of the damages done to Roads and Bridges by the recent floods, £5,000; for additions and repairs to the Court House, Brisbane, a further sum of £148 10s.; for repairs to the Main North Road at Warland's Flat, £1,000; for repairs to Road between Rinalong and Bowling, £100; for repairs on the Binalong and Burrowa Road, £100; for repairs to Road from Binalong to Murrumbidgee, £100; for sundry small repairs to Public Roads, Bridges, and Ferries, £100; for the repairs of the Bathurst Road, £1,000; to cover expense of depositing silt on the reclaimed space in the Botanic Gardens, £1,203 18s. ..	13,842 8 0
	30,590 4 7
Expenditure Authorized.....	£80,485 1 9

1858.

Legislative Assembly.
NEW SOUTH WALES.

SPECIMENS OF GOLD FOR PARIS EXHIBITION.

(ADVANCES FROM TREASURY FOR PURCHASE OF.)

Ordered by the Legislative Assembly to be Printed, 15 October, 1858.

STATEMENT of Advances made from the Treasury for the purchase of Specimens of Gold for transmission to the Paris Universal Exhibition, and of the adjustment thereof.

1854.			1856.		
August 16 ...	Amount placed in the Commercial Bank to the credit of the Paris Exhibition Commissioners.....	5,000 0 0		Amount credited by the Colonial Agent General, being the proceeds of the sale of the Gold exhibited.....	3,530 13 6
			December 4...	Balance of cash repaid by the Commissioners 1,050 16 3	
				<i>Less—</i>	
				Outstanding claim for Gold purchased ... 7 10 0	1,043 6 3
				Amount voted on Additional Estimates for 1857, for "loss " on the sale of the Gold transmitted to the Paris Exhi- " bition."	426 0 3
	TOTAL.....£	5,000 0 0		TOTAL.....£	5,000 0 0

*The Treasury, New South Wales,
15 October, 1858.*

R. CAMPBELL.

1858.

Legislative Assembly.
NEW SOUTH WALES.

COLLECTION OF ARTICLES FOR PARIS EXHIBITION.
(APPROPRIATIONS AND DISBURSEMENTS FOR.)

Ordered by the Legislative Assembly to be Printed, 15 October, 1858.

STATEMENT shewing the Appropriations made by the late Legislative Council for the Collection and transmission of Articles to the Paris Universal Exhibition, and the Disbursements made from the Treasury for the like service.

		1854.		
Amount voted by the Legislative Council, on the General Estimates for 1855, to meet the Expense of the Collection and transmission to France of any Articles the produce or manufacture of this Colony, intended for the Universal Exhibition to be held in Paris in May, 1855.....	3,000 0 0	Feb. 15 ...	Amount placed in the Bank of Australasia to the Credit of the Paris Exhibition Commissioners	3,000 0 0
Do. do. on Supplementary Estimates for 1854.....	3,000 0 0	1855.		
		Jan. 10 ...	Do. do. do.	3,000 0 0
TOTAL.....£	6,000 0 0		TOTAL.....£	*6,000 0 0

• No account of the Disbursement by the Commissioners of this amount has been received.

R. CAMPBELL.

*The Treasury, New South Wales,
15 October, 1858.*

1858.

Legislative Assembly.

NEW SOUTH WALES.

PARIS EXHIBITION.

(RECEIPTS AND EXPENDITURE OF SYDNEY COMMISSION IN REFERENCE TO.)

Ordered by the Legislative Assembly to be Printed, 19 November, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly,
dated 19 October, 1858, praying that His Excellency the Governor
General would be pleased to cause to be laid upon the Table of this
House,—

“ A full account of Receipts and Expenditure, both Colonial
“ and European, by the Sydney Commission for furnishing
“ Specimens of Colonial Productions to the Paris Exposition of
“ 1855.”

(*Mr. Donaldson.*)

PARIS EXHIBITION.

SIR ALFRED STEPHEN to THE AUDITOR GENERAL.

Supreme Court,
18 October, 1858.

SIR,

It is with great regret that I find myself still unable to comply with the request so properly made, and now reiterated by you, to be furnished with the accounts of the disbursements of the moneys issued to the Paris Exhibition Commissioners; but I trust that the explanation which follows will wholly exonerate myself from all blame in the matter, and I doubt not that an equally satisfactory explanation can be afforded by the Finance Committee of the Board, to whom the duty of keeping, or at least of making up the accounts, belongs; that which follows will, indeed, tend to a great extent to afford that explanation.

The expenditure within the Colony was under the supervision, and almost exclusively the control of that Committee, consisting of Mr. Merewether, Mr. Thacker, Mr. Gilbert Smith, Mr. James Donaldson, Mr. Kemp, Mr. Riddell, and Mr. Knox. No money was paid without the authority of the Board, of course; but previously the Finance Committee examined the details, and I think in every instance one member of it countersigned each cheque and voucher. I had personally nothing to do with this department. It unfortunately happens, however, that only two out of the seven members were in the Colony at the date of your first application, and that circumstance has occasioned, I understand, much difficulty; another has been the division of the expenditure into so many heads, as, for instance, the expenditure for medals, the expenditure for freight and carriage of the articles sent and returned respectively, the expenditure for salaries, and the expenditure in Paris, in addition to which there have been the receipt of money for sales there, and the repayment of several of the sums to the owners in the Colony, the expenditure and receipts on account of the exhibition at the Museum, and the expenditure on account of the woods; but above all there has been a difficulty in closing the accounts because of the continued neglect of parties to claim the amounts of sales due to them, although repeatedly advertised.

Sir William Macarthur's accounts, I should state, and all Mr. Bousfield's accounts, to the smallest item, have long been rendered to the Board, so that no difficulty exists in that quarter.

The whole, I believe, are now in the hands of an Accountant, and I trust will be shortly completed.

I have, &c.,

ALFRED STEPHEN,
Chairman of the Board.

THE AUDITOR GENERAL.

SIR ALFRED STEPHEN to THE COLONIAL TREASURER.

Hyde Park,
4 November, 1858.

SIR,

I am at length enabled to send you the Accounts of the Paris Exhibition Commissioners.

After careful examination by accountants employed for this purpose, these accounts have been framed under various heads, so as to classify the expenditure, from the books and vouchers kept by the Secretary to the Board here and in Paris; and, finally, having been in their present shape approved of by the Finance Committee, they will, I trust, be found complete.

2. Various circumstances have concurred to induce delay in the preparation or eventual settlement of these accounts, the principal of which have been explained by me in a former communication.

Among

PARIS EXHIBITION.

3

Among the causes are, not only the difficulties induced by absence from the Colony at different periods of some of our most active members, and by unavoidable changes in the employment of Assistant Secretaries after the Secretary's departure, but more recently the time occupied in settling the claims of many individuals in respect of articles sent to Paris and there sold, or for other reasons not returned. The difficulties attending the adjustment of these have been very great.

3. It may be desirable to explain what has been the course of the Commissioners in respect of their expenditure. With the exception of a sum of £200 for procuring woods in the Northern Districts, and the sum of £7 8s. 5d. for certain petty expenses, voted at one of the first meetings of the Board, and also with the exception of the sums returned to exhibitors, as just mentioned, and the moneys remitted to London for medals, and to Paris for the expenses of the Commission there, no sum was ever paid, or sanctioned by the Commissioners, unless under warrants passed and signed at a meeting of the Board, upon the recommendation of their Committee of Finance.

All gold purchases, on the other hand, were made on the recommendation, and under the superintendence of the Committee on Minerals. In these warrants the several items recommended were inserted in detail, and cheques on one of the Banks for the amount sanctioned—(the general funds being deposited in one Bank, and the gold fund in another, for greater distinctness)—were then signed by two Commissioners, usually members of the Committee, and countersigned by the Secretary. It was that gentleman's duty to attend all meetings, equally of the Board and of the Committees, and to enter the proceedings of both in a book kept for that purpose; and the payments, as made, were afterwards entered by him in the cash book. A similar course as to the preparation of warrants, and the entry of all payments in a cash book, appears to have been invariably pursued in Paris, under the direction of Sir William Macarthur, to whose able exertions and never flagging zeal in its service the Colony is so much indebted. The Secretary kept also, in Paris, an account of all sums received for articles, including minerals, sold there.

4. From these several warrants, and the various cheques given, and the entries in those books, the journal and ledger 1 and 2, which accompany this letter (the latter book being the one referred to by its pages in the general balance sheet,) have been compiled; and by reference to these, and to the books marked 3 and 4—being those kept in Paris—every item of receipt and expenditure, with the particular appropriation in each case, appears to me to be ascertainable. The general balance sheet is a summary of these items under separate heads; and the other balance sheet contains an account, in like manner, of the purchases and disposal of the gold. The book No. 4 contains also information respecting sundry contributions, and their disposal, not immediately bearing on the accounts.

5. From the statement made in the preceding paragraph, however, that every item of expenditure is shewn in detail, there is one exception, *i. e.*, in respect of a sum of £64 10s., paid by a cheque, dated 4 April, 1855. That cheque appears to have been authorised by warrant No. 36, and it was signed by two members of the Finance Committee, and countersigned (the Board having at that time no Secretary) by myself. The warrant, however, has by some means been mislaid, and the particulars of that appropriation, therefore, cannot now be afforded.

6. It was the wish of the Board that the accounts should be accompanied by a Report, showing the proceedings of the Commission in this Colony and at Paris; and placing on record more formally than has yet been attempted the awards of medals and other honorable acknowledgments to exhibitors or inhabitants of this Colony by the Imperial Commission, or by this Colonial Board; but it has been found impossible hitherto to accomplish the duty; and, if it be thought that this was more peculiarly my province as Chairman, I can truly assert that other and more urgent claims on me, to an extent not foreseen or expected when I accepted the post, have, from time to time, prevented me from undertaking the task.

I am, &c.,

ALFRED STEPHEN.

THE HONORABLE

THE COLONIAL TREASURER.

PARIS EXHIBITION.

ACCOUNT Current of EXPENDITURE and RECEIPTS for GOLD by the Paris Exhibition Commissioners for New South Wales.

Dr.			Cr.		
1854. Aug. 16	To Colonial Treasury. Amount voted by the Legislative Council	5,000 0 0	1854. Aug. 22 to 1855. April 5	{ By amount expended in the purchase of Gold Collections, as per Journal, folios 20 and 22 .. }	3,938 3 9
			1856. Dec. 5	Colonial Treasury—amount refunded	1,050 16 3
			1858. Nov. 4	Do. do.	11 0 0
		£ 5,000 0 0			£ 5,000 0 0

E. & O. E.

JAMES L. LAWRENCE,
Accountant.

Sydney, 4 November, 1858.

MEMO.:

As I understand the Journal, the £3,938 3s. 9d. is the actual cost of the Gold purchases, including freight and insurance, and deducting £140 17s. 9d., proceeds of sales of portions to the Mint and Museum, and that £140 17s. 9d. being paid into the Bank forms part of the £1,050 16s. 3d. returned to the Treasury, the sales by the Paris Commissioners—the details of which are in their "Gold Account" book, page 40, sent herewith—amounted to £3,734 8s. 3.; but the expenses (commission, exchange, &c., as there enumerated), were £203 14s. 9d.,—leaving net proceeds, £3,530 13s. 6d., which Sir William Macarthur handed over to the Colonial Agent.

From this statement, the loss would seem to be £407 10s. 3d. on the Gold exhibited; but this sum must be reduced by £66 2s. 1d., mistakenly debited to those expenses in the Paris Account, and afterwards credited in the "General Account" of the Paris Commission, which see.

A. S.

BALANCE SHEET of the SYDNEY COMMISSION of the PARIS EXHIBITION.

Dr.			Cr.		
Ledger Folio. 18	To Colonial Treasury	6,000 0 0	Ledger Folio. 6	Expenditure of the Commissioners in New South Wales:—	
			8	By Wood Collections	746 3 0
			9	" Local Exhibition*	1,025 4 1
			10	" Medals and Awards	642 11 9
			11	" Freights, Insurance, and Shipping Expenses	521 16 3
			12	" Office Rent	92 5 0
			13	" Office Furniture	9 16 6
			14	" Office Expenses	13 14 6
			16	" Salaries	594 11 7
			22	" Printing, Advertising, and Stationery	497 6 6
				" Miscellaneous Expenses	197 0 11
					4,240 10 1
			4	Expenditure of the Commissioners in England and France	1,746 1 1
			2	Sydney Commissioners' Balance in hand	13 8 10
		£ 6,000 0 0			£ 6,000 0 0

Sydney, N. S. W.,
25 October, 1858.JAMES LISTER LAWRENCE,
Accountant.

* Gross Expenditure was	£1,648 13 9
Less Admission Tickets and Collection at the doors of the Museum	£577 18 0
Sales of Fittings, &c.	45 11 8
	623 9 8
	£1,025 4 1

ABSTRACT

PARIS EXHIBITION.

5

ABSTRACT of the EXPENDITURE of the NEW SOUTH WALES PARIS EXHIBITION
COMMISSIONERS in England and France.

HEADS OF DISBURSEMENTS.	AMOUNT.
Salary of the Secretary, from 1st January, 1855, to 31st May, 1856	850 0 0
Freight, Insurance, Shipping, and other Expenses	107 13 8
Medals	187 6 0
Awards and Gratuities	63 1 9
Rent	73 4 0
Furniture, Fittings, and repairs to Contributions, &c.	375 0 6
Stationery, Printing, &c.	10 18 8
Miscellaneous	78 16 6
TOTAL.....	1,746 1 1

W. C. MAYNE,
A. G.

Audit Office, Sydney,
15 November, 1858.

The Accounts Current of the Paris Exhibition Commissioners have been examined and the entries therein are found to correspond with those shewn in the account books transmitted to me for examination. As it will occupy a considerable time to examine these books thoroughly, and to distribute the expenditure in Europe into the several heads of salaries, &c., it may be as well, perhaps, to furnish these papers as they are for the information of Parliament, and, if necessary, a more detailed account could be given at a future time, after audit.

B. C. 12 Nov., 1858.

W. C. MAYNE,
A. G.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RETRENCHMENT IN THE PUBLIC EXPENDITURE.

PROGRESS REPORT

FROM THE

SELECT COMMITTEE

ON

RETRENCHMENT IN THE PUBLIC EXPENDITURE;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

29 October, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

—o—
1858.

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EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES No. 14. TUESDAY, 20 APRIL, 1858.

5. Retrenchment in the Public Expenditure:—Mr. Parkes moved, pursuant to notice, "That" this House, having in view the present circumstances of the Colony, and the necessity for retrenchment in the public expenditure, resolves—

(1) That a re-organization of the Departments which shall place the duties of public employment more equally under the control of Ministers, and secure their more economical performance, is urgently required, and ought not to be delayed.

(2.) That in the preparation of the Estimates of Expenditure for the ensuing year all salaries above £250 per annum ought to be subjected to a rateable reduction according to amount, in each case considered in reference to the nature of the service performed.

(3.) That the salaries paid to the Responsible Ministers of the Crown ought to be equal in amount, and not higher than £1,200 per annum.

(4.) That an Address, embodying the foregoing Resolutions, be presented to His Excellency the Governor General, praying that the same may be submitted for the early consideration of the Executive Council.

Mr. Cowper moved, That the Question be amended by the omission of all the words following the word "That," at the commencement, with a view to the insertion in their place of the words, "a Select Committee be appointed to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, and that such Committee have power to send for persons and papers.

"(2.) That the Committee consist of ten Members, viz.:—Mr. Robertson, Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Jones, Mr. Parkes, Mr. Piddington, Mr. Smith, Mr. Weekes, and the Mover."

Debate ensued.

And the Original Question being, by consent, amended in section (2), so as to stand thus:—

"(2.) That the Estimates of Expenditure for the ensuing year, ought to be framed upon a basis of reduction according to amount, in each case considered in reference to the nature of the service performed;"—

And it being agreed to put the proposed Resolutions in the Original Question *seriatim*, in case the proposed amendment be negatived,—

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

The House divided.

Ayes, 19.

Mr. Arnold,
Mr. Thornton,
Mr. Smith,
Mr. Wild,
Mr. Tooth,
Mr. G. Macleay,
Mr. W. Macleay,
Mr. Forster,
Mr. Lloyd,
Mr. Taylor,
Mr. Moriarty,
Mr. Egan,
Mr. Hodgson,
Mr. Hay,
Mr. Macarthur,
Mr. Flood,
Mr. Donaldson,
Mr. Williamson, } Tellers.
Mr. Parkes,

Noes, 25.

Mr. Cowper,
Mr. Robertson,
Mr. R. Campbell,
Mr. Owen,
Mr. Richardson,
Mr. Gordon,
Mr. Cribb,
Mr. Weekes,
Mr. Oakes,
Mr. Lee,
Mr. Dickson,
Mr. Marks,
Mr. Jamison,
Mr. Dalley,
Mr. Scott,
Mr. White,
Mr. Jenkins,
Mr. Rotton,
Mr. Jones,
Mr. Byrnes,
Mr. Piddington,
Mr. J. Campbell,
Mr. Murray,
Mr. Suttor, } Tellers.
Mr. Faucett,

Question,—That the words proposed to be inserted in place of the words omitted, be so inserted,—put and passed;—

Whereupon Question,—

(1.) That a Select Committee be appointed to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, and that such Committee have power to send for persons and papers;—

(2.) That the Committee consist of ten Members, viz.:—Mr. Robertson, Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Jones, Mr. Parkes, Mr. Piddington, Mr. Smith, Mr. Weekes, and the Mover,—put and passed.

VOTES No. 28. FRIDAY, 14 MAY, 1858.

6. Attendance of President of the Legislative Council:—Mr. Cowper moved, without previous notice, That the following Message be carried to the Legislative Council:—

The Legislative Assembly having appointed a Select Committee to inquire into and report upon what changes can be made in the Public Departments, with a view to promote their efficiency and reduce their cost to the public, with power to send for persons and papers, and such Committee being desirous to examine the
Honorable

Honorable the President on the subject of their inquiry, as regards the department of the Legislative Council, begs, in due form, to request that the Legislative Council will give leave to the Honorable the President to attend such Committee accordingly, for the purpose aforesaid, on such day and days as shall be arranged between him and such Committee.

*Legislative Assembly Chamber,
Sydney, 14 May, 1858.*

Speaker.

Question put and passed.

VOTES NO. 30. WEDNESDAY, 19 MAY, 1858.

10. Messages from the Legislative Council:—The Speaker reported that whilst the House was in Committee, the following Messages were received from the Legislative Council:—

(1.) Attendance of President of Legislative Council:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly dated the 14th instant, requesting leave for the Honorable the President of the Legislative Council to attend and be examined before a Committee of the Legislative Assembly, on "Retrenchment in Public Expenditure," the Council acquaints the Legislative Assembly that leave has been granted to the President to attend and be examined by the said Committee, if he think fit.

*Legislative Council Chamber,
Sydney, 19 May, 1858.*

W. W. BURTON,
President.

* * * * *

VOTES NO. 48. TUESDAY, 22 JUNE, 1858.

16. Attendance of Clerk of Legislative Council:—Mr. Cowper moved, That the following Message be carried to the Legislative Council:—

The Legislative Assembly having appointed a Select Committee to inquire into and report upon Retrenchment in the Public Expenditure, and that Committee being desirous to examine the Clerk of the Legislative Council in reference thereto, begs to request that the Legislative Council will give leave to its said Clerk to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,
Sydney, 22 June, 1858.*

Speaker.

Question put and passed.

VOTES, NO. 51. FRIDAY, 25 JUNE, 1858.

13. Messages from the Legislative Council:—The Speaker reported, That during the Debate on the motion for the third reading of the Deserted Wives and Children's Act Amendment Bill, the following Messages were received from the Legislative Council:—

* * * * *

(2.) Attendance of Clerk of Legislative Council:—

MR. SPEAKER,

In answer to the Message of the Legislative Assembly, dated the 22nd instant, requesting leave for the Clerk of the Legislative Council to attend and be examined before a Committee of the Legislative Assembly, upon Retrenchment in the Public Expenditure, the Council acquaints the Legislative Assembly that leave has been granted to the Clerk of the Legislative Council to attend and be examined by the said Committee.

*Legislative Council Chamber,
Sydney, 24 June, 1858.*

W. W. BURTON,
President.

* * * * *

VOTES, NO. 81. TUESDAY, 24 AUGUST, 1858.

9. Clerks of Petty Sessions at Deniliquin and Moulamein:—Mr. George Macleay moved, pursuant to notice, That the Petition of the Magistrates, Stockholders, and other residents in the Police District of Deniliquin and Moulamein, for and on behalf of the Clerks of Petty Sessions of those Districts, presented on the 9th of January, 1857, be referred to the Select Committee on "Retrenchment in Public Expenditure," now sitting.

Question put and passed.

VOTES, NO. 111. FRIDAY, 29 OCTOBER, 1858.

2. Retrenchment in the Public Expenditure:—Mr. Cowper, as Chairman, brought up a Progress Report from, and laid upon the Table the Evidence taken before the Select Committee appointed on the 20th April, 1858, to inquire and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, with power to send for persons and papers—together with Minutes of Proceedings and Appendices.

Ordered to be printed, (except certain Schedules forming a portion of the "Separate Appendix" to the Report.)

1858.

 RETRENCHMENT IN THE PUBLIC EXPENDITURE

 PROGRESS REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 20th April, 1858, "to inquire into and report what changes can be made in the respective Departments of the Government, with a view to promoting their efficiency, and at the same time reducing their cost to the public, and that such Committee have power to send for persons and papers;"—and to whom was referred on the 24th August last, "the Petition of the Magistrates, Stockholders, and other residents in the Police Districts of Deniliquin and Moulamein, for and on behalf of the Clerks of Petty Sessions of those Districts,"—have agreed to the following Progress Report:—

In the consideration of the matters referred to them, your Committee have taken the evidence of several witnesses; but the importance and extent of the subject,—the present incomplete state of the inquiry,—and the advanced period of the Session, will render its completion therein altogether impossible; and they therefore deem it advisable to submit at once to your Honorable House the evidence which has been taken by them, and to recommend a resumption of the inquiry at an early period during the ensuing Session.

CHARLES COWPER,

Chairman.

Legislative Assembly Chamber,

Sydney, 29 October, 1858.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 6 MAY, 1858.

MEMBERS PRESENT:—

Mr. Cowper,
Mr. Parkes,
Mr. Robertson,

Mr. Donaldson,
Mr. Piddington,
Mr. Forster.

Mr. Cowper was called to the Chair.

By direction of the Chairman, Resolution of the House appointing the Committee read by the Clerk.

Committee deliberated, and it was *Resolved*:—

“That before determining on any definite course of action to be pursued by the Committee with reference to this inquiry, it is expedient to request a full attendance of the Members thereof.”

[Adjourned till Thursday next, at Ten o'clock.]

THURSDAY, 13 MAY, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Parkes,
Mr. Forster,

Mr. Flood,
Mr. Jones,

Mr. Robertson.

Committee met, pursuant to a Resolution agreed to at their last meeting, to determine as to their course of proceedings.

The Chairman having before him the Report of the Select Committee of the House of Commons on “Miscellaneous Expenditure” in 1848, and on “Official Salaries” in 1851, read certain portions thereof.

Committee deliberated, and it was *Resolved*:—

- “1. That for the purposes of this inquiry it is expedient to take evidence.
- “2. That the Heads and certain of the Officers in each of the Public Departments be first examined, and then such persons, engaged in the principal Mercantile, Banking, and other business establishments of the Colony, as to the Committee may seem expedient.”

The Chairman having laid before the Committee a form of Schedule, prepared by the Clerk of Select Committees, a copy of which he proposed transmitting to each of the Public Departments, to be there *filled in* for the information of the Committee,—read the various headings thereof, viz.:—

1. No.
2. Nature of office, and where employed,
3. Name of Holder,
4. Whether holding any other office, and, if so, what?
5. Epitome of duties,
6. Date of appointment to public service,
7. Date of appointment to present office,
8. Total length of service,

SALARY.

9. Rate received on appointment to public service,
10. Rate received on appointment to present office,
11. Rate now received,
12. Whether in receipt of any other remuneration, and, if so, what?
13. Total,
14. Contingencies,
15. Total expense of department,
16. Whether provided with quarters,
17. Remarks,—

and desired the opinion of the Committee thereupon.

Committee deliberated.

Motion made (Mr. Flood) and *Question*,—“That in this form of Schedule after the heading ‘Epitome of Duties,’ there be inserted the following heading, viz.:—

“If any arrears of Business, of what nature, and from what cause arising”—
agreed to.

Deliberation continued.

Motion

Motion made (Mr. Jones) and Question, "That the form of Schedule, as amended, be forthwith transmitted to the Colonial Secretary, with a letter stating the desire of the Committee that he should cause copies thereof, as soon as may be, to be sent to the several Public Departments in the Colony, with an instruction to comply with its requirements, as far as practicable; but that it is not intended to prevent the Departments from preparing any further information which may prove useful in bringing the labors of the Committee to a complete and satisfactory issue, provided such information is concise in form and speedily supplied"—*agreed to.*

Committee then deliberated as to the expediency of adjourning the inquiry till the production of these Returns, and being of opinion that such a course of proceeding was unnecessary,—

Motion made and Question—"That the Honorable the President of the Legislative Council, the Honorable the Speaker of the Legislative Assembly, and the Private Secretary, be requested to attend before the Committee, on Wednesday next, for the purpose of being examined"—*agreed to.*

[Adjourned till Wednesday next, at Ten o'clock.]

WEDNESDAY, 19 MAY, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Parkes,	Mr. Robertson,
Mr. Piddington,	Mr. Donaldson,
Mr. Forster,	Mr. Jones.

By direction of the Chairman, Letter from the Clerk of the Legislative Assembly to the Honorable the Colonial Secretary, dated 13th instant, in accordance with the terms of the Resolution agreed to by the Committee at their last meeting on motion of Mr. Jones,—read by the Clerk.

Ordered to be printed in Appendix. (Vide Separate Appendix A.)

The Chairman at the same time laid before the Committee a Proof of the Schedule referred to in the above-mentioned letter.

The Honorable Sir W. W. Burton, Knight, President of the Legislative Council, attending by permission of the Council, and the Honorable Sir Daniel Cooper, Knight, Speaker of the Legislative Assembly, examined.

Committee then deliberated as to the expediency of taking all the necessary evidence upon, and coming to certain Resolutions relative to each Department, separately and conclusively, proceeding through the various Departments *seriatim*, in the order they stand in the Estimates for 1858.

Deliberation adjourned.

[Adjourned till Thursday, 27th instant, at Eleven o'clock]

THURSDAY, 27 MAY, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Jones,	Mr. Smith,
Mr. Forster,	Mr. Piddington,
Mr. Donaldson,	Mr. Weekes,
Mr. Parkes.	

Committee further deliberated as to the expediency of taking all the necessary evidence upon, and coming to select certain Resolutions relative to, each Department separately and conclusively; proceeding through the various Departments *seriatim* in the order they stand in the Estimates for 1858.

Deliberation again adjourned.

Mr. Alfred Denison, Private Secretary to the Governor General,

Mr. E. C. Merewether, Clerk of the Executive Council, and

Mr. William Elyard, Principal Under Secretary,—

severally examined.

[Adjourned till Friday, 25 proximo, at Eleven o'clock.]

FRIDAY, 25 JUNE, 1858.

MEMBERS PRESENT:—

Mr. Cowper,	Mr. Weekes.
-------------	-------------

Mr. W. Elyard was in attendance as a witness, but a quorum of the Committee was not present.

[Adjourned till Thursday next at Eleven o'clock.]

THURSDAY,

THURSDAY, 1 JULY, 1858.

MEMBERS PRESENT:—

Mr. Forster, | Mr. Piddington.

Mr. W. Elyard and Mr. W. Macpherson were in attendance as witnesses, but a quorum of the Committee was not present.

[Adjourned]

TUESDAY, 20 JULY, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Forster, | Mr. Piddington.

Mr. William Elyard further examined.

Mr. William Macpherson, Clerk of the Legislative Council, examined.

[Adjourned till to-morrow at Eleven o'clock.]

WEDNESDAY, 21 JULY, 1858.

MEMBER PRESENT:—

Mr. Cowper.

Mr. R. O'Connor and Mr. W. H. Christie were in attendance as witnesses, but a quorum of the Committee was not present.

[Adjourned till Wednesday next, at Eleven o'clock.]

WEDNESDAY, 28 JULY, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Piddington, | Mr. Parkes,
Mr. Forster.

The Chairman laid before the Committee:—

1. Letter from the Principal Under Secretary to the Clerk of the Legislative Assembly, dated 20th instant, in reply to a communication from that officer of the 13th May last, transmitting certain *filled in* forms of Schedule from the Department of the Principal Secretary, and twenty-four of the Departments immediately under his control, with a list specifying the said twenty-four Departments, appended thereto.
2. Further letter from the Principal Under Secretary, dated 24th instant, transmitting copy of a communication from the Under Secretary for Lands and Public Works, together with certain *filled in* forms of Schedule from his own Department and twelve of the Departments immediately under his control, with a list specifying the said twelve Departments, appended thereto.

Ordered, that these letters, together with the lists appended thereto, be printed in the Appendix. (*Vide separate Appendices B and C.*)

Committee then deliberated as to the expediency of ordering the printing of the forms of Schedule,—and it was Resolved:—

“That it would be inexpedient to incur the expense of printing the Schedules prior to ascertaining their practical utility for the conduct of the inquiry.”

Mr. R. O'Connor, Clerk of the Legislative Assembly, examined.

During his examination the witness handed in a *filled in* form of Schedule of the Department of the Legislative Assembly.

[Adjourned till Friday next, at Eleven o'clock.]

FRIDAY, 30 JULY, 1858.

MEMBERS PRESENT:—

Mr. Cowper, | Mr. Piddington.

Mr. W. H. Christie was in attendance as a witness, but a Quorum of the Committee not being present,—

[Adjourned till Wednesday next, at Eleven o'clock.]

WEDNESDAY,

WEDNESDAY, 4 AUGUST, 1858.

MEMBERS PRESENT :—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Forster,	|	Mr. Robertson,
Mr. Piddington,	|	Mr. Jones,
Mr. Parkes.		

Major W. H. Christie, Postmaster General, examined.

[Adjourned till Tuesday next, at *Eleven* o'clock.]

TUESDAY, 10 AUGUST, 1858.

MEMBERS PRESENT :—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Parkes,	|	Mr. Jones.
-------------	--	------------

Mr. C. Rolleston, Registrar General, and Mr. H. H. Browne, Immigration Agent, examined.

[Adjourned till Thursday next, at *Eleven* o'clock.]

THURSDAY, 12 AUGUST, 1858.

MEMBERS PRESENT :—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Piddington,	|	Mr. Forster.
-----------------	--	--------------

Captain M'Levie, Inspector General of Police, examined.

[Adjourned till Tuesday next, at *Eleven* o'clock.]

TUESDAY, 17 AUGUST, 1858.

MEMBERS PRESENT :—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Piddington,	|	Mr. Jones,
Mr. Forster.		

Mr. David Forbes, Police Magistrate, Sydney, and Mr. Samuel North, Water Police Magistrate, Sydney, examined.

[Adjourned till Friday next, at *Eleven* o'clock.]

FRIDAY, 20 AUGUST, 1858.

MEMBERS PRESENT :—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Jones,	|	Mr. Forster.
------------	--	--------------

Mr. J. O'Neil Brennan, the Sheriff, examined.

[Adjourned till Tuesday next, at *Eleven* o'clock.]

TUESDAY, 24 AUGUST, 1858.

MEMBERS PRESENT :—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Jones,	|	Mr. Parkes,
Mr. Piddington.		

The Chairman laid before the Committee :—

Further letter from Principal Under Secretary, dated 20th August, 1858, transmitting copy of communication from Inspector General of Police, covering certain filled in forms of Schedule from the Department of the Metropolitan Police, and 67 of the Rural Police Districts.

Ordered, that the letter be printed in the Appendix. (*Vide "Separate Appendix D."*)
Dr. Alleyne, Health Officer, and Mr. W. Hanson, Government Printer, examined.

[Adjourned till Friday next, at *Eleven* o'clock.]

FRIDAY, 27 AUGUST, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Forster, | Mr. Jones.

The Chairman laid before the Committee:—

Further letter from Principal Under Secretary, dated 23rd August, 1858, transmitting *filled in* form of Schedule of the Department of "Internal Communications."*Ordered*, that the letter be printed in the Appendix. (*Vide "Separate Appendix E."*)

By direction of the Chairman, Resolution of the House referring to the Committee on 24th instant,—

"A Petition from certain Magistrates, Stockholders, and other Residents in the
 "Police Districts of Deulliquin and Moulamein, against any reduction in the
 "Salaries of the Clerks of Petty Sessions of those Districts, presented to the
 "House by Mr. George Macleay, on 7 January, 1857,"—

read by the Clerk.

Mr. R. A. Hunt, Superintendent of the Letter Branch in the General Post Office, examined:—

Dr. Campbell and Dr. Greenup were also in attendance as witnesses, but the Committee being unable to proceed to their examination *this day*,—It was *Resolved*:—

"That Dr. Campbell and Dr. Greenup be summoned before the Committee, as
 "witnesses, for Thursday next."

[Adjourned till Thursday next, at *Eleven o'clock*.]

THURSDAY, 2 SEPTEMBER, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Jones, | Mr. Forster,
Mr. Piddington.

The Chairman laid before the Committee:—

Further letter from Principal Under Secretary, dated 27th August, 1858, transmitting *filled in* form of Schedule of the Department of the "Legislative Council."*Ordered*, that the letter be printed in the Appendix. (*Vide "Separate Appendix F."*)

The Chairman also laid before the Committee:—

Scale showing the linear proportion of the different branches of public expenditure
 in the United Kingdom for the year 1825, prepared by Mr. John Thompson,
 Deputy Surveyor General for the Home Government, and transmitted by him
 for the information of the Committee.

Dr. F. Campbell, Medical Superintendent of the Lunatic Asylum, Tarban, and

Dr. R. Greenup, Medical Superintendent of the Lunatic Asylum, Parramatta,—
examined.[Adjourned till Wednesday next at *Eleven o'clock*.]

WEDNESDAY, 8 SEPTEMBER, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Jones, | Mr. Forster,
Mr. Piddington.

The Chairman laid before the Committee:—

Further letter from Principal Under Secretary, dated 2nd September, 1858, transmitting two *filled in* forms of Schedule of the Police Departments at "Glen Innes" and "Shoalhaven."*Ordered*, that the letter be printed in the Appendix. (*Vide separate Appendix G.*)

Captain W. C. Mayne, Auditor General, examined.

Committee deliberated, and it was *Resolved*:—

"1. That it is expedient to proceed now to take evidence with respect to the
 "departments under the Administrative control of the Treasurer and Secretary
 "for Finance and Trade.

"2. That Henry Lane, Esquire, Secretary to the Treasury, be summoned before
 "the Committee as a witness for Wednesday next."

[Adjourned till Wednesday next at *Eleven o'clock*.]

WEDNESDAY, 15 SEPTEMBER, 1858.

The meeting of the Committee convened for *this day* lapsed, in consequence of the
 adjournment of the House from Tuesday the 14th to Thursday the 16th instant.

THURSDAY,

THURSDAY, 23 SEPTEMBER, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Piddington, | Mr. Robertson,
Mr. Donaldson.

The Chairman laid before the Committee:—

Letter from Secretary to the Treasury, dated 10th instant, transmitting *filled in* forms of Schedule from the various Departments (*with the exception of the "Colonial Storekeeper's" Department*) immediately under the control of the Minister for Finance and Trade.

Further letter from Secretary to the Treasury, dated 13th instant, transmitting *filled in* form of Schedule of the "Colonial Storekeeper's" Department.

Further letter from Principal Under Secretary, dated 14th instant, transmitting *filled in* form of Schedule of Police District of "Tamworth."

Ordered, that these letters be printed in the Appendix. (*Vide "Separate Appendices H, I, & J."*)

Committee then further deliberated as to the expediency of printing the forms of Schedule,—and it was *Resolved*:—

- "1. That, as these forms of Schedule contain information which may prove of great value to the Members of the House in the consideration of the Estimates for 1859, as well as to the public at large, it is expedient that the same be printed."
- "2. That, nevertheless, as it is understood that the said forms cannot be printed in time to form part of the volumes of 'Votes and Proceedings' of the present Session, it is advisable, in laying the same upon the Table of the House, not to move for their printing, but that the Principal Secretary should, on an early day during the ensuing Session, make a motion to that effect."

Mr. Henry Lane, Secretary to the Treasury, examined.

During his examination the witness handed in a *filled in* form of Schedule of the Department of the "Colonial Treasury."

Committee deliberated.

[Adjourned.]

THURSDAY, 21 OCTOBER, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Donaldson, | Mr. Piddington,
Mr. Jones, | Mr. Forster.

The Chairman stated that he caused the present meeting of the Committee to be convened for the purpose of ascertaining their opinion as to whether it would be the more expedient course to take further evidence, or to at once report the evidence already taken to the House.

Committee deliberated, and it was *Resolved*:—

- "1. That at this late period of the Session it is inexpedient to take further evidence with reference to this inquiry."
- "2. That in the opinion of this Committee the importance and extent of the subject,—the present incomplete state of the inquiry,—and the advanced period of the Session, render its completion therein impracticable, and it is advisable therefore to submit at once to the House the evidence taken, with a recommendation that the inquiry be resumed at an early period during the ensuing Session."
- "3. That the Chairman do prepare a Progress Report for the consideration of the Committee, embodying the purport of these Resolutions."

[Adjourned, till Thursday next, at Eleven o'clock.]

THURSDAY, 28 OCTOBER, 1858.

MEMBERS PRESENT:—

The Honorable Charles Cowper, Esquire, in the Chair.

Mr. Jones, | Mr. Piddington,
Mr. Robertson.

The Chairman laid before the Committee:—

Further letter from Principal Under Secretary, dated 22nd instant, transmitting copy of communication from the Secretary to the Crown Law Officers, covering certain *filled in* forms of Schedule of the Department of the Crown Law Officers, and 15 of the Departments immediately under their control,—with a list specifying the said Departments appended thereto.

Ordered, that these letters, together with the list appended thereto, be printed in the Appendix. (*Vide "Separate Appendix K, Nos. 1 and 2."*)

The Chairman then laid before the Committee a Draft Progress Report.

Report read, and agreed to without amendment.

Whereupon Motion made and Question—"That this Draft Report be the Progress Report of the Committee"—*agreed to*.

Chairman requested to Report Progress to the House.

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1858.

Legislative Assembly.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

RETRENCHMENT IN THE PUBLIC EXPENDITURE.

WEDNESDAY, 19 MAY, 1858.

Present:—

Mr. COWPER,
Mr. DONALDSON,
Mr. FLOOD,
Mr. FORSTER,

Mr. JONES,
Mr. HAY,
Mr. PARKES,
Mr. PIDDINGTON,

Mr. ROBERTSON.

C. COWPER, Esq., IN THE CHAIR.

The Honorable Sir William Westbrooke Burton, Knt., President of the Legislative Council,
examined:—

1. *By the Chairman:* I presume, Sir William, you understand the object of the inquiry to be pursued by this Committee? I think it is embodied in your Resolution; and I hope I need scarcely say to you, that you will find me at all times ready to co-operate with your House, in any measure to introduce economy into the department to which I belong. If there is any point upon which it can be introduced I shall be most happy indeed to assist in it; but, at the same time, I think the mode in which the expenses of the establishment has been cast has been very well considered, and that the department has been cast upon as economical a system as the respectability of the establishment would admit. This I may generally say; but there are some minor points upon which I think, perhaps, a little more economy might still be exercised. You provide for a staff of clerks which I think amply sufficient for conducting the business; but you provide for contingencies two extra copying clerks, which I do not think necessary; I think five clerks quite competent to do the whole business of the department, both in session and in recess. We have usually employed only one of these extra copying clerks; and there is one in the office now, not under my appointment. I have given directions that no one shall be appointed for the future but upon my sanction; but an arrangement had been made before I took office, by which the first clerk of the department, who was in a very bad state of health, was allowed a very liberal leave of absence—I think for six months—at the end of which period he was expected to resign. I believe that was an arrangement of my predecessor and of the Government. I should not have approved of it myself, or have recommended it to the Government; because, I think if a gentleman's health is so bad as that, resignation at the time is the proper course, and that he should not be borne upon the establishment; but the result has been, that one of these extra clerks has been called into the department, to help to perform the duty of the office. That I disapprove of, as I believe there was no other call for him than to make up for the services of the gentleman who was absent. I shall therefore recommend upon that point—and I take the liberty of doing so now—that instead of two extra copying clerks being attached to the establishment, it should be understood, or perhaps entered upon the Estimates, that whenever extra services require them they may be employed; that there should not be two extra copying clerks to be called in whenever the Clerk of the Council thinks fit, but if there be a real necessity for additional assistance, through the President it should be asked for and granted. Then I take the liberty of mentioning to the Committee that I think in casting the salaries for the officers of the Legislative Council, one principle has been lost sight of. A certain economy has been introduced, but

Sir W. W.
Burton, Knt.
19 May, 1858.

Sir W. W.
Burton, Knt.

19 May, 1858.

but I think not a consistent one—I mean not consistent with the liberality of the House that has assessed these salaries—and that is, that the clerks are assessed at a lower rate than those of the Legislative Assembly. I think that is a grievance, and I have had the honor of addressing you, as the head of the Government, upon that subject, and I can only say that in making that address to you, I only did what I thought was my duty to the officers of the establishment, and I shall expect from the Government they will do that which is right. I have done my duty in simply representing the facts, but I do think where equal duties are performed they should be admitted, and that the officers who do them should be equally compensated. The clerks of the Legislative Council are assessed at lower salaries than those of the Legislative Assembly. The work these gentlemen have to do is of a similar character, the responsibilities, the attainments required in their situations are all similar, and they must necessarily be occupied in the business of their respective departments during the whole of their time. It is very true that the labors of the clerks in one house are excessively in advance of the labors of the other in point of amount, arising from various circumstances, but that is met by the corresponding increase in the number of persons employed to do the work, so that it does not really fall more heavily upon the clerks of one establishment than upon the clerks of the other. And then I must say that I would commit it to the liberality and generous feeling, which may always be associated with strict economy, of the Legislative Assembly, that they would consider that these two Houses are equal in importance, and that the employment in one is of equal importance with the employment in the other, and that where no overwhelming reason exists, the officers of the two establishments should be treated *pari passu*, that they should be equal in their emoluments as in the duties which have to be performed by them. The duties of both are very laborious, and they do occupy the whole of their time during the Session. The Legislative Assembly, sitting to a much later time of night than the Legislative Council, occupy their clerks at the Table a very great deal longer time than our own are engaged there, but our clerks are engaged after the House has risen in the business, I mean in getting up the records, sending them away to the printer; so that, although the business of the House may terminate at nine, or half-past nine o'clock, they are not away from the office until twelve or one o'clock. So that, in comparing the labors of the clerks of the two Houses, there is really no great difference. It is, no doubt, a harder case for a man to be deprived of his rest until one or two o'clock than to be deprived of it until twelve or one; but I mean you obtain enough of a man's services if after nine o'clock you keep him at his papers until twelve or half-past twelve; one so occupied may be considered as performing a full day's work. In the recess there is a period of time when the labors of all are very small. The three permanent clerks—as the Clerk, the Clerk Assistant, and the First Clerk—might be supposed during these periods capable of doing the whole of the business of the office. The recess has not, in my experience, lasted more than about six weeks—that is, some period of relaxation. Then there are two junior clerks, who are absolutely necessary during all the session, and I suppose the same remark applies to both Houses of the Parliament; but their labors are not so important during the recess but that they might be laid upon other persons. But as to these, I apprehend that an establishment such as either of these Houses of Parliament should not be dependent upon temporary clerks to do the work—that these persons should not be turned adrift after the labor of the session is over. You must employ persons who will rise in the department by acquaintance with the duties, and who certainly could not be called upon to work and be paid for their services only during the session; and so, I say, although three clerks might in the recess do all the work, still, the five being necessary for the session, and the five altogether not too large a number for that business, these ought all to be considered permanent clerks, and I do not think the department admits of the reduction of putting these two junior clerks upon mere sessional employment. I hope I explain myself sufficiently upon that point. I mean, when you employ a man for an office like that of a clerk of the Assembly or Council, the whole energies of his mind are applied to that department; and if he is to be turned out at the end of the session—if he is to be only a sessionally employed person—you might get some one inexperienced in the duties for an officer; a man who is employed only half a year, and paid for half a year, will not be likely to devote his services to such employment. I suppose no establishment in the place would be provided with clerks upon the understanding that when the press of business was over they would be dismissed. Therefore, without being asked any questions by you as to specific items, I have thought fit to lay before you these few remarks, out of which you may elicit matter for questions. My general impression is, as I have stated, that the establishment is as economically fixed as it could fairly be, and all the guiding principles I have spoken of as to the permanent establishment apply in the same way to the Legislative Assembly. I am sure the gentlemen on the establishment of the Legislative Council will be perfectly satisfied, and I, as President, shall be perfectly satisfied, with their being upon the same footing as gentlemen holding corresponding offices in the Legislative Assembly; and I think that is a principle you and your colleagues will have pleasure in carrying out.

2. Are the Committee then to understand you that five clerks on the permanent establishment are absolutely necessary? I think them absolutely necessary in this way—they are absolutely necessary certainly during the session; I cannot say that their whole time is occupied during the recess, but what I meant to convey was, that you cannot employ half a man's time—you must employ him as a clerk upon the establishment or not—if he is to be dismissed at the end of the session you lose the services of one who might otherwise be trained to the duties of the department. Gentlemen obtain these appointments for their maintenance, and they do get such maintenance as £250 a year will give them; but if there is to be employment only during the session, I think a very different class of men will be put into their places, and the work will not be satisfactorily done. Now, the two junior clerks are of course in expectation that by changes in the office they might

might rise, but if they were only employed as sessional clerks they would be put in a very different position. The same remarks apply to those who are similarly employed in the Legislative Assembly; they are no more employed in the recess than these are in the Legislative Council, and what would be the consequence of turning adrift, I may say, for that period so many gentlemen who are depending upon the office not only for employment but for the means of living? I therefore say it is absolutely necessary for the service of Parliament that they should be retained, although not employed, for the whole period.

Sir W. W.
Burton, Knt.
19 May, 1858.

3. With regard to the Clerk of the Council, Mr. Macpherson, do you find at his time of life and in his present circumstances, he is able to perform what may be considered a fair share of the duties properly attached to his office, or, may not the performance of part of the duty that should be attended to by the Chief Clerk render the position of the subordinate officers more onerous? Mr. Macpherson is an exceedingly old officer of the Government, perhaps none of us remember the beginning of his employment. I remember twenty-six years ago he was in office, a very laborious clerk to the Executive Council, and his habits are such, of such a plodding and correct nature, that he is a most valuable person. Although very old, and now becoming very infirm, Mr. Macpherson is quite capable of performing all those duties belonging to his position, excepting such as depend upon distinct articulation—as reading from the Table. As to putting his duties upon any one else, with the view of lessening his salary, I know of none that could be imposed upon others, excepting that of reading from the Table.

4. The object I have in view in carrying out the inquiry is to ascertain whether the expenditure might be lessened, and the efficiency of the service might be promoted. I wished to learn whether Mr. Macpherson might be retained in office, at his present salary, or whether the time might not have arrived when, by an equitable arrangement as regards Mr. Macpherson, the public service might not be performed in a more efficient manner, and probably at a less cost? I do not think you could employ an efficient officer in that position at a less cost, and I think Mr. Macpherson, although old, is efficient—not so efficient as a younger man might be; he has not the bodily activity or energy of a younger man, but he applies himself most closely to his duties, and I know that he does not leave the office until twelve or half-past twelve at night. Of course if I were commencing the establishment I would not put a man of Mr. Macpherson's age into the office, but would ask the Government to pension him. I do not know who commenced making the appointments, but I would not have acquiesced in this if I had been here, simply on account of the place requiring a man of more energy—still Mr. Macpherson is perfectly effective.

5. You would not, then, at the present moment, suggest his retirement? No; that is, as President of the Council I see nothing in the conduct of his duty that would make me desirous of his retirement. If Mr. Macpherson desired his retirement, and the Government desired it, and if an arrangement were made between them, I should be happy to see it, if it were on terms that pleased both; but I should be sorry to see Mr. Macpherson put out of his employment, certainly, upon the ground of inefficiency.

6. With regard to the emoluments—do you think the salaries are excessive, or more than a fair remuneration for the duties these gentlemen perform? I think they are moderate—that the gentlemen are only fairly remunerated for the duty they perform. They are less than the salaries paid to the officers of the Assembly, and you do not require a better class of men in the Assembly than in the Council.

7. The number of records kept in the Council is much smaller than the number kept in the Assembly? Very much smaller, and the business is very much smaller. The notices of motion are more numerous, and the business of your House is larger, and always will be in a representative body than in a body like the Council, but still you want the men to do the work. I cannot say that I think any salary is too high. The salary of the Chairman of Committees is the same in both Houses. The Clerk of the Assembly has £100 a year more than the Clerk of the Council. I do not think that unreasonable, because his labors are greater; still, I must say, it would have been a fairer mode of assessing the salaries of both officers to have put them both on the same footing. The Clerk Assistant has £400 a year in the Council and £600 in the Assembly; then there is a second Clerk Assistant in the Assembly, which office does not exist in the other House; then the Clerk of Records receives £400 in the Assembly, and but £300 in the Council. The other clerks receive £300 in the Assembly and £250 in the Council. Then the Assembly has a clerk in charge of printed papers, and extra clerks in the contingencies as well, which we have not; so that whilst I say the business is considerably greater the establishment is correspondingly greater. No man does more in one, I think, than in the other, though I have no doubt each gentleman does all he can. As far as the Legislative Council is concerned, I am satisfied the emoluments of the officers are not excessive, and with regard to the subordinate officers, I may say there is no reason apparent to me why we should not be allowed an assistant messenger as well as the other House. I see one assistant messenger and the President's messenger at 3s. a day, why that has been so assessed I know not I am sure.

8. Do I understand you that you do not consider the President's messenger necessary? I do indeed. I think we should have two messengers, as the Assembly has—they have two assistant messengers, and a principal messenger, and we have one assistant messenger and a President's messenger, at 3s. a day.

9. In your opinion the strength of five clerks in the Council is not more than the relative number of eight in the Assembly, as far as you are aware of the duties to be performed by those gentlemen? That is my opinion.

10. There is one item of expense which does not appear in this estimate—I allude to the item of printing—since you addressed me on that subject, have your views at all altered, or do you still think a considerable reduction might be made in the number of papers? My views have not been altered, but I have been very considerably overruled. My attention was called to the matter as involving a very considerable waste in the printing department, and

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and I had a conference with the Speaker and Mr. O'Connor on the subject, but the opinions on that side of the House were so strong against ours, in maintaining that the parts of the printing I proposed to dispense with could not be dispensed with, that I have been disappointed in carrying out my intention; but there will be a saving carried out in my department, as I still entertain the opinion that a considerable saving may be made, although not to the extent I had hoped.

11. You were under the impression that nearly half might be dispensed with? I was, but I was overruled. I thought that for proofs to be published as well as other copies of the Minutes was a double expense, and that half that might be dispensed with. I was answered upon that, the proofs could by no means be dispensed with, because they only could be got out early in the morning, to apprise gentlemen of the business that was coming on during the day. Then the papers laid upon the Table by command, and which both Houses print, I objected to that, but was met upon that with the statement that these papers are really printed before they come, so that there is no reprinting. The printer, however, explained, that by this plan a much larger number is printed than is reasonable, and that a large number are sent out to persons. I was not before aware of the liberality of Government in this respect; everybody seems supplied with copies of papers, which increases the expense very prodigiously; I think that, however, is a matter with which the Government have more to do with than we. I am answered by the Speaker and Mr. O'Connor, that the House of Assembly will not suffer their papers to be less than they are.

12. I think I understood that four hundred copies of parliamentary papers are struck off, irrespectively of proofs—you think that number not necessary? I think three hundred would be quite enough. I did think two hundred would be sufficient; however, upon that subject I would rather say, generally, that I still am of opinion that a reduction may be made in these points. I am prepared to make it, and will send a letter to the Government, in the course of a day or two, in which I will state the final result of what I am able to effect.

13. I think I understood from your note that there is a large accumulation of papers in the office—the waste paper office as it is called—in store for future requirements, that have hitherto not been required? Yes, I understand it is so, and those cases upstairs contain them.

14. Do you think, from your observation during the short time you have been in the office, that this extra number is likely to be called for, for many years to come? No. I think there is a fondness for accumulating these papers, which I cannot account for, except in the same way as I should account for some men having a miserly attachment to their gold. Some old clerks have a fondness for keeping old papers, and it would almost break their hearts to take them away; still I think they ought to be taken away.

15. *By Mr. Jones:* What are the ordinary hours of attendance of the various clerks connected with the Council during the time the House is in session? I am there very rarely later than nine or half-past nine, and they are in attendance during the whole sitting of the House, and do not leave the office until half-past eleven or twelve.

16. At what hour do they go to the office? At half-past nine, or ten.

17. And attend during the actual sitting of the House? Yes; and after the rising of the House, in perfecting the papers.

18. What are these hours during the session, on days when the Council does not sit? I should say they are from ten to five.

19. And during the recess, what are their hours, in general? The same—from ten to five; but, occasionally, they have leave in the recess, one at a time.

20. I understand you to say that the services of the whole of these five clerks are absolutely required during the session? Yes.

21. During the recess, is there supposed to be work for the whole? There is supposed to be work for the whole of them. I desired each gentleman to give me a précis of his duties. They have done so, and I have them here. (*The President handed in the same. Vide Appendix A.*)

22. Do you believe there are any peculiar qualifications required in the clerks of the Council other than would be required to fit them for the business of any private mercantile or banking establishment? None at all. I should say that the clerks in both Houses require similar qualifications, that is all.

23. Do you think there is any special qualification required in a clerk of the Council that would not be required in a large mercantile or banking establishment? Certainly not. I think the qualifications required in the clerks of one establishment are pretty much the same as those required in clerks of the other: they require neither law-latin nor French.

24. No special qualifications of any kind? No.

25. Is the Usher of the Black Rod presumed to be in attendance during the recess? No; he only attends at a levee, or anything of that kind. He is the analogous officer to the Serjeant-at-Arms in the Assembly.

26. *By Mr. Piddington:* With reference to the offices and salaries of the Clerk of Council, the Clerk Assistant, and the First Clerk, I wish to ask you whether it is your opinion that it is impossible to secure the services of three gentlemen competent to perform the duties of these three officers unless the amount of salaries at present placed on the Estimates are retained? I do not know that; that requires an acquaintance with the clerical market, of which I have none.

27. Do you believe it to be necessary that these salaries should be voted to secure the services of competent clerks, for the purpose of performing these three specific duties? That is a question for the Legislative Assembly. The Assembly have voted these salaries, and therefore, I take it, they have voted that which they thought reasonable.

28. I merely ask you, as President of the Council, whether, from your experience in that office, and your knowledge of the world, you conceive that these salaries are necessary for the purpose of securing the services of gentlemen competent to perform the duties? I do not

not think so, as a matter of fact, because I think that at whatever amount the Legislative Assembly shall assess the salaries, you will find gentlemen to fill the offices.

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29. I ask you if you could offer the Committee an opinion upon the sum necessary to secure the services of gentlemen competent to perform the duty? That is the very question for the Assembly, and it has no relation to the office at all, but it has relation to what you can get a gentleman to perform the duties of Clerk of the Council for. The Assembly have said £700 a year; if they think that a reasonable sum, am I to say it is not a reasonable sum? and so of the Clerk Assistant, and the First Clerk. I think the Assembly are the best judges of the matter of what are the sums sufficient to secure the efficient services of these gentlemen, and what they will vote for them.

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30. My question was more directed to the obtaining of your opinion with regard to the specific sums already appropriated, not to whether you could go into the question, how much less, or how much more, but whether in your opinion the sums are sufficient for the purpose, or whether you think they could be obtained for less? I am of opinion that they are amply sufficient, for, as I told the Honorable Chairman, I think the salaries are fixed on a fair and moderate, but not expensive scale. As to whether gentlemen could be got upon lower salaries, I have no doubt the answer to that would be that you could get gentlemen at lower salaries; but I do not know as to who or what they would be, or whether the arrangement would be so satisfactory. You will understand that I found the establishment thus, and I cannot say that I have given much consideration to whether the work could be done for less. Perhaps if I were upon a mercantile establishment, and were looking into what these different clerks did, I might not pay out of my own pocket such sums as the Legislature have decided upon. However, it is a hard and difficult thing to come to such questions as these; I am sure you must feel it yourself.

31. I think I understood you to say that the three first clerks were sufficient to perform the duties of the department during the recess? Yes, I did; but at the same time I said this—that as the two others are necessary during the session, it would be unwise to cut them off during the recess.

32. That may be, but certainly, as a matter of fact, you expressed your opinion that the three clerks were amply sufficient during the recess; the other portion of your statement was as to the question of expediency,—as to retaining sessional clerks or permanent officers? Yes; my own opinion is that they should be retained as permanent officers.

33. With respect to the Usher of the Black Rod, is not that officer in attendance upon the Council during its sittings? Yes; his duties are precisely those of the Sergeant-at-Arms, and I suppose he has equal attendance.

34. *By the Chairman:* But he has no duty during the recess? None whatever; he is merely what I should call the Master of Ceremonies.

35. *By Mr. Donaldson:* Do you think an officer of such a character and standing as the Usher of the Black Rod in the House of Lords is essential in the Legislative Council? Yes, I do; looking at it from a higher than a merely utilitarian point of view—looking at it as a matter of state—just as I consider the Sergeant-at-Arms of the Legislative Assembly to be necessary for the state of that House. I think you must have an officer of that kind, and there might be occasions, although they never have occurred, in which his services would be absolutely necessary.

36. *By Mr. Piddington:* Within the walls of the Council during the session, does not the Usher of the Black Rod perform practically similar duties to those of the Sergeant-at-Arms within the walls of the Assembly? Yes.

37. *By the Chairman:* With reference to the short-hand writers' duties, you dissented from the proposition of the Standing Orders Committee of the Assembly—may I ask what your particular views were upon that subject. The Standing Orders Committee wished to retain the same control over the short-hand writers during the recess as during the time the Parliament were sitting. You, as I understood, expressed an opinion in rather a contrary direction? My opinion was expressed in a letter written, by my direction, by the Clerk of the Council to the Clerk of the Assembly, and I have seen a letter from the Speaker in which that is quoted, but the Honorable the Speaker has rather mistaken my view upon that subject. My view is, not that the short-hand writers should not be at the order of the House and of the Government during the recess as well as during the session; I wish to be distinctly understood on the contrary. They are short-hand writers not only to perform the duties the House requires in Committee, but to perform all the duties which the Government requires, which includes more than the session, because Government inquiries are chiefly in the recess. This would require their attendance in recess. My objection was this, that I would not subject these gentlemen—who are professional short-hand writers, brought up to their profession as perfectly and independently of all others, as a barrister is to his—I would not bring them to the position of copying clerks or clerks in the office, but would employ them exclusively in session and in recess as short-hand writers. That was the principal extent of my recommendation. I said I could not approve of a gentleman who had been fifteen years in a known service being placed in the position of a copying clerk; for a gentleman—a clerk in the office—might then say to him, "You are not wanted for short-hand writing to-day, please go and copy that document, and come to-morrow morning and go on with it;" that, I think, would be unbecoming to those who would impose it, and degrading to the short-hand writer.

38. I think the words used in the letter were, that they should be under the same direction and control, and I may say that the Standing Orders Committee never contemplated that they should be called upon to perform ordinary clerical duty? The words are so.

39. Therefore you have no objection to their being required to attend, and to place themselves under the same control during the recess—you do not propose to relieve these gentlemen from the public service during the recess? On the contrary, I suppose the Government would require their services at that time, but still as short-hand writers.

- Sir W. W. Burton, Knt.
19 May, 1853.
40. With regard to the principle of preparing the estimates for the Legislative Council, it has been contended by the President of the Council who preceded you, and by the Speaker of the present Legislative Assembly, that any estimate the President or Speaker laid before the Government should be printed and submitted to the Legislature—what is your opinion as to that? My opinion is that the Government are the custodians of the public purse, and nobody else; and I care not about any recommendation of mine going further than the Government, if the Government do not think proper to adopt it. I think all of us should have that kind of trust in the conduct of the Government to believe that the Government knew better than we what money they could afford to spend, and therefore I should never support such a principle.
41. *By Mr. Piddington*: In reference to this particular question, are you not of opinion with respect to the expenditure of both Houses of Parliament, that the initiative of that expenditure should be retained by the high officers of these Houses on a different principle from that of subordinate departments of Government? I do not think so. I do not think that any public expenditure should be different in the principle of being carried out from another. I think the highest and lowest departments are equally under the superintendence of Government, and there ought to be no distinction made. I do not think the head of a department is to dictate to the Government what the expenses of his department are to be, except in the way of opinion—"I am of opinion that the duties cannot be carried out without you allow me so-and-so." I think the estimate formed of a department is for the instruction of Government, not for their leading and guidance.
42. I ask you, not with regard to the ultimate result—the vote of the Assembly—but whether you view the Houses of Parliament in the same light as you would departments of Government? I do look upon them as departments of Government, except when the action of Government might interfere with the freedom of action of the House. I think if the Government were to impose anything upon either House which that House did not choose to adopt, the House would be perfectly free to act—
43. This is not a question where Government is supposed to impose anything, but whether the initiative of various expenses connected with the dignities and duties of either House ought not to originate with the President of the Council or the Speaker of the Assembly, together with the Standing Orders Committees of the respective Houses appointed to regulate these matters? I think, so far as suggestion—
44. They cannot go farther than suggestion—to control is the ultimate result—the vote of the Assembly? It should end with suggestion; the Government are free to act or not. I maintain the propriety as well as the duty of suggestion would be with me; but the action upon it—the judgment upon it—must all be with the Government. I do not conceive the Government are bound to propose what I recommend.
45. Could you not draw a distinction between the Government advocating, as the Government, any proposition of this nature, emanating from the Government, and laying it before the Legislature as the necessary expenditure recommended by the President or Speaker? I think there is a vast difference, if the Government choose to act as the Duke of Wellington did when he said, "I lay this petition upon the Table, but I do not support the prayer of it."
46. *By the Chairman*: Or to be quiescent merely? Or to be quiescent merely.
47. *By Mr. Piddington*: Do you not think it necessary there should be a strong line of demarcation between the Executive and both Houses of the Legislature, even in financial matters? I think not in financial matters, because the Legislative Assembly have so perfectly the power in their own hands.
48. You seem to misunderstand my question—I mean, not as between the two Houses of the Legislature, but as between the two Houses and the Executive? I speak of the Legislative Assembly, because we have nothing to do with the purse; but I think the Assembly will always take care to have their establishment properly maintained, therefore it is safe. As you have the money you will always vote enough, and not more than enough. (*The President handed in a comparative Statement of Salaries voted for the year 1858 for the officers of the Legislative Council and Legislative Assembly. Vide Appendix B.*)

APPENDIX A.

CLERK OF THE COUNCIL.

The duty of the Clerk of the Council, who is a sworn officer of the House, is to attend the sittings of the Council, and to make true entries of the things then done and passed in the House;—to direct and regulate all proceedings in the office for the proper carrying out of every order relating to the service and requirements of the House;—to personally sign all orders for the attendance of persons and papers, all certificates upon Bills, &c., and generally to carry into effect all directions of the President of the Council;—to be charged with the custody of all its documents and the control of the officers employed in the department; and, as acting Clerk of Parliaments, to authenticate for Royal Assent, and, after Assent or Reservation, to transmit (or otherwise) for registration and publication, such Acts so assented to, reserved, or otherwise disposed of.

The Clerk of the Council is further charged with the control, and is responsible for the correctness, of the accounts, &c., of the joint departments of the Council and Assembly.

CLERK ASSISTANT.

The duty of the Clerk Assistant is to attend the House upon its sittings;—to assist the Clerk in the supervision of all business immediately connected with the Proceedings of the Council, Messages and Addresses to the Governor General, Orders for Papers, printing of Petitions, and compilation of the Minutes of the Council;—to officiate as clerk when the Council is in Committee of the whole, and conjointly with the Chairman of Committees to
note,

note, revise, reprint, and read all the Council Bills during their several amendments and progress through Committee;—to make out the Reports from such Committees, and from Committees of the whole House on Bills, be responsible for their final accuracy, private certification by the Chairman of Committees and Clerk of the Council;—to note and furnish schedules of all amendments made in Bills received from the Assembly; to compare all Bills when finally passed by both Houses; and, after Royal Assent, to see that the provisions of the several Registration Acts are implicitly complied with, and due publicity given to such Acts.

To see that the House is in proper order and the Table duly prepared with the necessary papers, books, Bills, &c.;—to regulate and supervise the arrangements for the reception of the Governor General, House of Assembly, and visitors, on occasions of opening and proroguing Parliament.

The preparation of Returns, the compilation of the Sessional Journals of the House, the preparation of Journal Indexes, the Abstracts of Debates and Divisions in Committee of the whole Council, and attendance upon the Standing Orders and Library Committees, form portions also of the duties of the Clerk Assistant.

FIRST CLERK. (UP-STAIRS.)

The First Clerk has the direction of the clerks subordinate to him in their several duties; and is responsible for the correct keeping of the records and accounts, and for the correspondence and general departmental business, and attends the Select Committees, performing the work incidental thereto.

He conducts the business connected with the joint department of the Council and Assembly, which includes the accounts of, and the salaries of, the officers connected with the Libraries, Refreshment Room, and short-hand writers.

He has the arrangement of all Acts of Parliament assented to or reserved with respect to their registration, publication, and transmission to the departments in England through His Excellency the Governor General.

He has to keep Registers of all Bills introduced into the Council and brought from the Assembly, shewing their various stages; and Registers, also, of all Addresses, Orders for Papers, and Messages.

SECOND CLERK.

The Second Clerk is charged with the distribution and proper custody of all the printed papers of the Council, and of such as are supplied by the Assembly; and with the collation of all Council papers for binding.

He has to furnish the Council Table with the Orders of the Day, Bills, papers, stationery, &c., for the use of Members, ready for each day appointed for the meeting of the Council; to keep a Register of all the papers ordered to be printed jointly and severally by the Council and Assembly; to engross Addresses; to assist in the general work of the office, under direction of the First Clerk; to file papers, make indexes, copy papers, and perform other necessary duties, too numerous to detail.

THIRD CLERK.

The Third Clerk is charged with the revision of the press, the details of which are too numerous to be particularised, unless specially desired.

He has to attend for one hour every day in the Library, and to assist, when able, in the general business of the department.

EXTRA CLERKS.

Hitherto two extra clerks have been authorized to be employed, but up to the present time one only has been engaged.

APPENDIX B.

COMPARATIVE Statement of Salaries Voted for the year 1858 for the Officers of the Legislative Council and Legislative Assembly.

COUNCIL.	ASSEMBLY.	DIFFERENCE.
		£ s. d.
President £1,200	Speaker £1,200	.....
Chairman of Committees 500	Chairman of Committees 500	.....
Clerk of the Council 700	Clerk of the Assembly 800	100 0 0
Clerk Assistant 400	Clerk Assistant 600	200 0 0
1st Clerk 300	Second Clerk Assistant 400	100 0 0
2nd Clerk 250	Clerk of Records 400	150 0 0
3rd Clerk 250	Clerk of Printing Branch 300	50 0 0
	Clerk of Select Committees 300	50 0 0
	Copying Clerk 250	250 0 0
	Clerk in Charge of Printed Papers 250	250 0 0
Usher of the Black Rod 350	Sergeant-at-Arms 400	50 0 0
Chief Messenger 150	Principal Messenger 150	.....
Doorkeeper 120	Doorkeeper 120	.....
1 Assistant Messenger 110	2 Assistant Messengers ca. 110	110 0 0
President's Messenger 3s. per diem.*		.....
CONTINGENCIES.		
2 Extra Copying Clerks 150	2 Extra Copying Clerks 175	25 0 0
3 „ Messengers 110	4 „ Messengers 110	55 0 0
		1,640 0 0
	* Deduct President's Messenger's Pay	54 15 0
		£ 1,585 5 0

The

The Honorable Sir Daniel Cooper, Knt., examined:—

The Hon.
Sir D. Cooper,
Knt.

19 May, 1855.

1. *By the Chairman:* The Committee would be glad to hear from you your opinion of the estimate of the Legislative Assembly Department at present established—do you think the number of officers of the Assembly could be reduced, or their salaries at all lowered, without injury to the public service? Before I send in the estimate to the Government I always consult with the Clerk of the House, as I hold the Clerk responsible for all under him; and I hold him responsible that all the work that devolves upon the establishment is done efficiently and properly, and I always go into details with him. Of course I have to depend upon him as to the number of clerks, and the work they have to do, but I always urge upon him the matter of economy, and to do with as few as he possibly can; and I believe now that the number of clerks and messengers is as few as the Assembly can go on with.
2. Do you think it necessary to retain the whole of them during the recess—I mean the fixed establishment? Since I have been Speaker, I have always found—and I attend here almost as regularly in the recess as when the House is sitting—that only one clerk is allowed away at a time—a month or three weeks is allowed, as in other Government departments; and Mr. O'Connor informs me that the others are always kept at work pulling up arrears. Getting the Votes and Proceedings and financial volumes together, arranging the papers, compiling and paging them, and other duties, he says, keeps them fully occupied.
3. The whole of them? The whole of them.
4. Who gives them leave of absence when they apply for it? Mr. O'Connor gives them leave of absence during the recess.
5. Without reference to you? No, he generally speaks to me.
6. He does not officially submit the matter to you? If he gives the leave when I am out of town, when I come back he immediately reports what he has done; he never does anything on his own responsibility.
7. You consider that you really grant the leave? Yes.
8. He would not venture to grant it without your authority? No. Ever since I have been Speaker, whilst I have recognized the Clerk as official head, I have insisted upon being Parliamentary head of the department, and that everything done in it, except the mere minor details, should be reported to me.
9. You think there is full occupation for the whole of the time during the recess? So Mr. O'Connor reports, and I have been very particular in my inquiries about it.
10. You are not prepared to recommend any reduction of the establishment, as it appears on the estimate before you? No; I should not like to recommend any reduction, because, before I sent the estimate, my inquiries were so particular, and whenever I pointed out a reduction, there was always an objection urged against it.
11. And, in your opinion, a valid objection? Yes, always. Our House sits so very late at times, and we are obliged to keep the whole establishment there while the House is sitting, as we do not know at what moment they may be wanted, or documents may be required to be copied.
12. With regard to the remuneration given to these gentlemen, what is your opinion of that remuneration with reference to what, from your connection with many companies in Sydney, you must know to be given to their officers—do you think the officers of the Legislative Assembly are paid higher than officers of equal ability and standing in public companies in Sydney? No, they are not. Many companies pay far higher salaries; they go up to £1,200 and £1,500 a-year in companies.
13. That is where there are large pecuniary responsibilities? There is large responsibility, but no handling of money—no chance of losing by handling of money.
14. You consider these salaries are moderate compared with the salaries of gentlemen holding offices in companies, or large mercantile establishments? I consider them good salaries, but I consider the officers themselves are good.
15. It was upon your application that the Clerk of the Assembly was raised to £800? Yes, I recommended the increase of the salary of the Clerk. I do not think he gets any too much. Of course there is much less responsibility upon the other clerks; but there is a great deal of responsibility with the Chief Clerk.
16. With regard to the Printing Department, do you not think that a good deal of the expense incurred there might be saved to the country in the number of documents printed—the item does not appear in the estimate of this department, but, as you must be aware, it is a heavy item in the Government expenditure? The printing has been under my notice, in consequence of something that took place in the Legislative Council. The President was under the impression that there were a great many documents distributed in duplicate, but, on examination, it was found that there were very few. Mr. O'Connor has a tabular statement shewing the documents distributed, and that statement will also shew where the duplicate distribution took place.
17. We can then get that information in detail from Mr. O'Connor? Yes. The result of that statement was, that it was arranged the Government Printer should try and regulate this distribution, so that there should be no duplicates distributed—still there is a great deal of unnecessary printing connected with the Legislative Assembly.
18. Can you state in what way? I think if there were a Printing Committee many documents which are now printed would not be printed.
19. You do not think the number of copies struck off for Parliament is excessive? No, I do not.
20. You are aware that the Cockatoo Island Report occupied seventy reams of paper? Yes, I know the Report on Cockatoo Island was very expensive; I believe it cost about £300,—but there are a number of unnecessary documents printed. With reference to the number of copies, we have to keep extra copies of all the documents printed in our House, which the clerk who has charge of these papers, puts away—we never know when these may be called for; sometimes the Government here, and sometimes that of neighbouring Colonies send to us for copies

copies—as many as ten at one time have been required—and it is only for the clerk to “pull,” as it is called, these documents and make them up. If only the exact quantity required at the time were printed, and these documents were afterwards wanted, the printer would have to set up the type, and the same expense would have to be incurred as was originally gone to, whereas by having twenty spare copies they last over several years, during which any sudden call may be made for them.

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21. Twenty extra copies one might not object to, but when it comes to the difference between two hundred and four hundred, the expense becomes a serious matter? Mr. O'Connor can give the exact detail. There is, at times, a very great demand for our papers.

22. The Standing Orders Committee have recently had under consideration the department of the short-hand writer? Yes; they have.

23. They have proposed some modification of the system hitherto adopted? The Committee have recommended that there be a short-hand writer expressly for the Legislative Council and one for the Legislative Assembly, and, as most of the duty is likely to devolve upon the short-hand writer connected with the Assembly, that the one getting the highest pay should be attached to the Assembly. The two short-hand writers will be under the direction of the Speaker and President, or the Clerks of each House, and they will also be made use of by both Houses, as occasion may require; that is to say, if the services of the second short-hand writer—the short-hand writer attached to the Council—are required by the Assembly, the Clerk of the Assembly will apply to the Clerk of the Council, and if the short-hand writer to the Council should not be required by a Committee of that House, he will attend the Committee of the Assembly; but, in the event of both short-hand writers being occupied when a requisition of this sort is made, it is intended that short-hand writers shall be employed for the exigency, instead of having a third permanent short-hand writer. I have no doubt in that way expense will be saved.

24. You think the department will work more satisfactorily? I think it will be worked more satisfactorily.

25. I believe I am correct in assuming that it is not the intention of the Standing Orders Committee in requiring that the short-hand writers during the recess shall be at the call of the officers of the House to employ them as ordinary clerks—that was not contemplated? No; it is not intended to employ them as ordinary clerks. The stipulation is, that they shall be under direction as ordinary clerks, but their duty will be merely short-hand writing.

26. *By Mr. Forster:* Has it ever occurred to you, to compare the hours of attendance of the clerks of the two different bodies, of the Legislative Council and the Legislative Assembly—have you ever made any comparison, or been able to do so? I have never made any comparison; but the clerks of the Council must have much less to do than the clerks of the Assembly.

27. The hours of attendance are much less numerous? Yes; because when the Council does not sit the clerks go away at the usual office hours, and the Council sit only three days a week, while the Assembly sit four.

28. Even allowing for the difference in the number of clerks employed, the amount of labor done in the Assembly you take to be far greater, in proportion to the number of clerks, than is the case with the Council? Yes, I am certain of it.

29. Would not that lead to the inference that they have more clerks in the Council than are necessary for the work we naturally suppose them to do, without going into details? I should not like to say that, for I have never gone into the details of the establishment.

30. I am only speaking of a general deduction from what we suppose their duties to be; they may have duties which do not come under your cognizance; but, judging from the hours they occupy in their sittings, and supposing the duties of the clerks to be the same in both Houses, would you not consider that they have rather more clerks than they have business for? I know the clerks of the Assembly are very much pushed to get through their work at times, when the House is sitting late and doing much business; and they have to be very precise in doing their work, to avoid any mistakes. I know the Chief Clerk has generally to remain two or three hours after the house breaks up, and he keeps a portion of the establishment with him, in case he requires their services. The clerks have also to be here at the usual hour in the morning, even if we sit till daylight.

31. Should you not judge, in a general way, that the business done by the clerks of the Assembly is much greater than that done by the clerks of the Council? Yes, generally.

32. Have you any mode of ascertaining whether the average attendance of the officers of the Legislative Assembly is greater than the average attendance of the officers of the Council? The only way I have of judging is, by comparing the time when the Council breaks up with the time when the Assembly breaks up. Our average sitting has been between seven and eight hours, and I should say the average sitting of the Council is not over three hours, and the sittings are only three times a week, instead of four.

33. You say, then, that our average sittings occupy double the time of theirs? They occupy more than double the time of theirs. Our Committees in the day-time are heavier. The general work of the establishment, our correspondence, and all our business, bears the same proportion to theirs as our sittings.

34. Which you think is double, upon the whole? Yes.

35. You stated that you held the Clerk responsible for everything that occurs, and for the efficiency of the department? Yes.

36. In what way is this responsibility enforced after a dissolution, and previous to the meeting of a new Assembly—to whom is he responsible? The responsibility then chiefly devolves upon the Clerk himself.

37. To whom is he considered accountable during that time? You may say he ought not to be responsible exactly to any one; but directly the Parliament meets, if he have neglected his duty, he becomes responsible immediately to the Speaker, or, through the Speaker, to the House. But I may say that, during the time I was not Speaker, after the last dissolution,

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Mr. O'Connor consulted me in just the same way on important matters as if I were Speaker. 38. You have held him responsible for all that occurred during that interval? Yes. The Colonial Secretary is aware that, with the Clerk, I called upon himself during the dissolution. It is a constitutional point that the Government ought to have as little to do with regulations of Parliament, and the officers of Parliament, as possible, and he becomes responsible for his department directly the Parliament meets again, and if any complaints were made they would be inquired into.

39. Supposing the Clerk to commit some wrong act that would require his dismissal, by whom would he be dismissed? The Government would, on its own responsibility, dismiss him at once. I had a little trouble when I was first elected Speaker—the Government wished to make the appointments in the Assembly without reference to the Speaker; I demurred to it, and some rather angry correspondence took place between me and the first Responsible Ministry.

40. I understand you to say, that, from the necessity of the case, the Clerk is held responsible, virtually or practically, to the Executive Government during the interim of a dissolution and general election, but that, to secure the independence of the House, when a Speaker does exist, the responsibility is left to him? In making appointments, the Chief Clerk, who is responsible for all the officers under him, recommends to the Speaker, and the Speaker recommends to the Government. Of course the Speaker keeps a veto over the Clerk, and the Government have a veto over the Speaker; but there is no active interference by either party, either by the Speaker or by the Government, unless there be some grave and substantial objection to the party about to be appointed. I may say I have introduced a difference in the practice of the office—I allow of no order being given to any clerk under the Chief Clerk, except the order goes through the Chief Clerk, so that he knows exactly what work they have to do.

41. *By the Chairman:* In fact he has the subordinate control of the department—you are the Chief Officer of the department, but he is the practical head? Yes, as I have before said, I am the Parliamentary head—he is the Official head. I cannot watch the details as he can.

42. *By Mr. Forster:* With reference to a suggestion of yours about the establishment of a Printing Committee, do you think any danger would arise from the appointment of such Committee, and giving it a power over the printing of documents in particular cases—might it not obstruct that publicity which is so essential to Responsible Government, and so much to the interest of the public to promote—might not the Committee, not understanding the peculiarity of certain cases, prevent documents being printed, of which the individual who placed them on the Table of the House could alone see the value? The Printing Committee would not have the power of determining, conclusively, what should, and what should not, be printed, but it would be their province only in the first instance to say what should be printed; the House would always retain the ultimate power of ordering any paper to be printed.

43. So that the individual bringing in a document would have the power to move the printing of it, even though the Committee should not have so decided? Yes; he could, by motion in the House, obtain the order to print. No Committee can usurp the function of the House; it can only be delegated to the Committee to act under the orders of the House, and the House can order otherwise than they determine, if it thinks proper.

44. With regard to the clerks, has it ever occurred to you to meet with any difficulty in procuring clerks when they have been required—are they easily procured, or is there generally competition for the vacancies? The new clerks that were taken into this establishment came from the Secretary's Office; the Secretary's staff was reduced, and the extra clerks were sent here.

45. Then you have not had sufficient experience to speak to that? I think all the clerks are here that were here when I was first elected Speaker; the only change has, I think, been one of the juniors.

46. Do you think there would be any difficulty in obtaining clerks, supposing vacancies were to occur? There would be plenty of applications, but there would be great difficulty in getting the proper style of men.

47. You think there is some peculiar capability required for a clerk in the Legislative Department, as compared with clerks in other Government offices? Yes. I think they must be very methodical and precise. I think a clerk in the Assembly requires considerable skill, and more reasoning power than is required in ordinary Government offices.

48. Do you think, generally, the subordinate clerks of the Assembly have higher responsibilities than other Government clerks? No, I do not think so.

49. For I observe that considerable stress is laid, in a document handed in to the Committee by Sir William Burton, upon the responsibility of some subordinate clerks in the Council? The great responsibility rests with the Chief Clerk and the Assistant Clerk, who is clerk to the Chairman of Committees. The latter gentleman has considerable responsibility, for he has charge of the Estimates, and he has to be very precise in order to prevent the Estimates from becoming confused.

50. Do you consider the Clerk of the Assembly to stand in rank equivalent with that of an Under Secretary? Yes; and I always cast upon him the same duties that an Under Secretary would have cast upon him.

51. Do you consider his responsibilities and duties to be upon a par with theirs? Yes.

52. And that the office requires a person of equal capacity and intelligence with the gentlemen who fill those offices? Yes; it is an office requiring ready perception, considerable facility in construction, a good general business knowledge, and great accuracy; it requires a great deal of labor and precision to get out the Votes and Proceedings within the short period during which they have to be got out. There is also a great deal of labor in the origination of documents thrown upon the Clerk.

53. I think I understood you to say, that the short-hand writers occupied an anomalous position, as compared with other officers; Yes; as they have carried on their duties, they are between the two Houses, and their responsibility has not been so direct as the responsibility of other officers. The Hon. Sir D. Cooper, Knt.

54. They have not such permanent occupation? A great deal depends upon the sittings of Committees. 19 May, 1858.

55. During the sitting of the House, their labors must be very considerable? No doubt.

56. Much greater than that of the other officers? No doubt, when there are many Committees sitting, their labors must be heavy.

57. Is not that compensated for when the House is not sitting? When the House is not sitting there is no employment for them.

58. Do they receive salaries during the whole period? Yes.

59. They are still attached to the establishment, although they have no employment? Yes.

60. You consider the want of employment during one period as compensated by the greater amount of labor they have to perform when the Committees are sitting? Yes. When an immense quantity of labor is thrown upon a man at one particular period, and he is allowed to remain inactive at another, his health must suffer more than it would do, if the same labor were thrown over a more extended period. +

61. Have you observed that the health of any officer of this department has been affected by the labor to which he has been subjected? Mr. Palmer's health has suffered, occasionally.

62. Has that been attributable to the labor to which he has been subjected? I expect it has been caused by the labor; it has been when the House has been in full work.

63. Is it the practice to allow the short-hand writer to undertake private occupation, apart altogether from his public duties, in times when he is not required? There has not been that control over the short-hand writers in that respect I should like to see. They are paid by the Government for attending inquiries, but I am not aware whether they have earned money from any other source.

64. They have been employed on Government inquiries not connected with the House, and have been paid extra for that duty? Yes, such as the inquiry respecting Cockatoo Island, and inquiries before the Immigration Board, relative to irregularities on board immigrant ships.

65. That arrangement, I understand, does not accord with your opinion? The Standing Orders Committee of the Assembly have recommended that the salaries paid to the short-hand writers should be for work done during the sitting of the House and in recess, either for Parliament or for the Executive Government. The country pays them salaries, and if anything can be saved by including this Executive work in the salaries paid them by the Parliament, the country will be benefited by it. This ought to be considered in passing the estimate if the suggestion be carried out.

66. *By Mr. Parkes:* You spoke of unnecessary printing. I think it would be desirable if the Committee were informed what portion of the printing you deem most unnecessary? Where documents are moved for and laid upon the Table of the House, all the information that the House might require might be selected, and those portions which would not give any information to the House might be dropped out, so that only the necessary portions would be printed. Printing

67. Have you not noticed that there is a very wide difference in the value of these papers; while some are full of general interest, and likely to be permanently called for, others refer only to particular spots, can only be interesting to a few persons, and of no value after the occasion has gone by which called them forth, but which cost quite as much money in printing as more valuable documents? No doubt there is great difference in the value of these documents; some give information only for temporary purposes. In some cases returns are moved for, to obtain information upon subjects respecting which papers have already been published, and the printing Committee, would in such cases be able to drop out any papers already printed, and instead of reprinting them they would put in memoranda shewing where that information might be found; sometimes there are two or three notices on our Votes and Proceedings of motions for papers that are already printed, and a great deal of expense might be saved, and unnecessary trouble to the House and to individual Members, if they could be told where they could get the information required.

68. Do you contemplate if the Printing Committee were regularly appointed sessionally, that all motions made by Members of the Government pro forma that all papers be printed should be dispensed with, and that all papers laid upon the Table should be decided upon by the Committee, as well as the ordinary returns moved for by private Members? The Government papers should be treated as papers moved for by ordinary Members; but the Government would be able to say whether the papers placed on the Table of the House were really valuable or not. In the case of papers moved for by private Members, it would not be known until the papers were seen whether or not it were absolutely necessary to have them printed. +

69. Take two examples—perhaps on one day a return of all correspondence respecting the appointment of a Police Magistrate, and also an elaborate estimate for some public work are laid on the Table, the practical result of sending these to the Committee would be, that the former paper being of little value would not be, and the estimate would be—sure to be—recommended to be printed? If the paper bore particularly on some Bill before the House, or upon some portion of the Estimates, and the information contained in it would be of general interest, or would guide Members to a conclusion as to the Estimate or Bill, the Committee would recommend it to be printed; but sometimes when a correspondence is moved for, it is found that there are letters which absolutely contain nothing at all included in the series; these could be dropped out, and that portion only which was absolutely necessary, printed.

70. *By the Chairman:* There were some filthy allusions contained in some papers printed last year? Yes; in the Report of an inquiry at the Gaol at Moreton Bay there was some very

The Hon. Sir D. Cooper, Knt. very nasty evidence. These papers were sent to the Members with their ordinary papers, and if not looked into by Members, they might have been left lying about in their houses, and children might have had access to them.

19 May, 1858. 71. By Mr. Piddington: Still that might be desirable information to place in the hands of Members? The Committee would have prevented the circulation of improper portions of the evidence.

72. How could they do that without expunging that particular portion? They might expunge that particular portion.

73. By Mr. Parkes: You consider it necessary, not only to save expense, but to save our decency, that this Committee should be appointed? Occasionally.

74. It was stated by Sir William Burton that Parliamentary papers were distributed indiscriminately to strangers as I understood him? It was a statement of that kind which caused the interview between the President and myself, and I thought he was convinced there was not a distribution regardless of economy.

75. So far as your knowledge extends, do you know of any unnecessary distribution beyond the distribution to Members of both Houses? There is a list of fifty-four officers of Government and other parties to whom the papers are sent, and in some of these cases a double distribution has taken place; that is by the Assembly and by the Council, but the Members of each House only get one copy of the documents—that is arranged through the Government Printer. He sends them, and takes care not to send two copies to any one Member; and it has been proposed that he should have the distribution to all the parties who get the documents of Parliament in the same way, and he would see that none of them got duplicate copies.

76. As to the number of copies of each document, generally speaking, do you not think it absolutely necessary that a sufficient number should be reserved to supply any demand that may arise within the next four or five or ten years? I have before stated that it is necessary a certain number should be retained, because we have a constant demand for copies, sometimes from neighbouring Colonies, from Europe, and even from America. Sometimes a Member requires a set of papers, and by having these reserved, the clerk who has charge of them compiles a regular series, whereas if these extra papers had not been retained, and copies were required either by the Government or by the House, it would be necessary to set up the type again.

77. I put my last question more with a view to know whether anything of this kind has come within your knowledge since you have been Speaker:—that copies of an inquiry which had taken place years ago, the report on which had remained a dead letter, have from circumstances of recent interest been in sudden and general demand as a guide to some other inquiry? Occasionally, Mr. O'Connor reports to me, that he has been called upon suddenly for so many as ten copies of papers that were printed some years before.

78. Papers that have become incidentally of importance? Yes.

79. With respect to the Estimate for the Parliamentary Establishment, I should gather from what you have already stated that you think the virtual control of the expenditure incident to carrying on the business of Parliament, should be separate and independent from the control of ordinary departments of the Government? Yes.

80. Because it has been stated by the Honorable President of the other House, that he thinks the preparation of this Estimate should be placed on the same level as the Estimates for ordinary departments. I should be glad if you would state definitely what your opinion upon that point is? I do not think the Government ought to interfere with the Parliament at all. It is always the rule that Parliament regulates itself and its own officers. The Government is only a party for a day, and it is a constitutional point that Parliament shall regulate itself and its own officers, and no Government for the time being shall interfere with either the Parliament or its officers.

81. With regard to the officers of the Assembly immediately under your control, have you inquired as to whether in their duties and authority as you have assigned their duties and authority to them they occupy a similar position to officers in the House of Commons or in other Legislatures? Yes, as far as I can see, the duties of the Clerk, the Clerk Assistant, the Second Clerk, and others, are very similar to the duties of the clerks attached to the House of Commons, and of clerks of the different Assemblies in America—the American principle is something similar to our own.

82. By the Chairman: Have you ever turned your attention to the question as to whether the expenses of the Parliamentary establishment in New South Wales are comparatively more or less than in other Colonies, considering the population and circumstances? The expenses of our Parliament are much less than those of the Victorian Parliament—I think they are £3,000 less.

83. By Mr. Piddington: Do you not think the President of the Legislative Council and the Speaker of the Legislative Assembly should possess the privilege of proposing the officers of their respective Chambers they conceive to be necessary for the proper conduct of the public business, as well as also the sum of money they consider to be necessary to secure the services of competent persons? Yes; I think so.

84. You take that view in connection with the necessity which you think exists to preserve the line of distinction between the Legislative and the Executive? Yes; in the case of the Speaker particularly so, because he is accountable at any moment to the Assembly.

85. Without reference to that particular point. I would put it as a general question? The reason I was so strong in maintaining that position, was because I am responsible to the House, which the President is not.

86. In the event of the proposals being made that these sums of money should be appropriated, these recommendations would be merely in the shape of suggestions, inasmuch as the Assembly in the last resort would decide both as to the number of officers and the amount to be paid to them? The Speaker recommends to the Government, and if they put a less sum on the Estimates than the Speaker recommended, it would be out of the power of the House to increase the amount.

87. But with regard to any possibility of reduction, not of increase? The House would deal with it as with any other department.
88. The House would have authority to reduce the number? Yes, they would have as full power as they have over any other department. The only distinction I draw is between the Speaker as the mouth-piece of the Assembly and the head of a Governmental department is to disconnect him from the Government.
89. Can you speak from your own experience whether all the clerks of the Assembly are necessary for the performance of the duty of the House? Yes; I think we have as few clerks as we can do with.
90. I think you stated that your opinion is that the salaries now received by the clerks of the Assembly were not more than equivalent to the salaries paid to officers in similar positions in public companies? That they were not above the pay of officers in public companies, rather below.
91. Which officers in public companies do you now allude to in making the comparison? I allude particularly to those employed in the Bank of New South Wales, with which I have been connected for about ten years, and they pay their officers rather less than other banking institutions. The Clerk of the Assembly would correspond in position with the Secretary of that institution—the clerk gets £800 a year, and the Secretary £1,200, and a house to live in. He is called the Inspector now.
92. Is it not in the nature of the office held by the gentleman you now allude to, that particular responsibilities connected with pecuniary matters attach to it? I think not; he has charge of all the officers of the Bank—the Bank Board are the really responsible parties.
93. *By Mr. Parkes*: Can you state what are the salaries paid to Secretaries of Insurance Offices? Some £800 a year, some £1,000, and houses to live in, which is a consideration.
94. *By Mr. Piddington*: I gather from your evidence that it is impossible to secure the services of gentlemen competent to perform the duties of the House at a lower rate of remuneration than that now upon the Estimates? I do not think you could get men of the proper class, and of proper ability at less sums.
95. With reference to the short-hand writing department, is it your opinion, as it is proposed that one short-hand writer should be peculiarly attached to one House, and the other to the other, that the officers of the House should treat either of those gentlemen in respect to the services they should render in the recess and out of recess differently from the other? No, I do not; they ought to be exactly the same.
96. *By Mr. Flood*: Is it necessary to have two clerks, besides the Clerk of the House, at the Table in the Legislative Assembly? I think there would be great difficulty at times unless we had an extra clerk.
97. You think his services could not be dispensed with? No; the business in time of pressure would become so much in arrear that I think great confusion might occur if we attempted to dispense with the third clerk. I know the Clerk Assistant has at times great difficulty in keeping up his work, especially when the Estimates are being pushed on rapidly.

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THURSDAY, 27 MAY, 1858.

Present:—

MR. COWPER,
MR. DONALDSON,
MR. FORSTER,
MR. JONES,

MR. PARKES,
MR. PIDDINGTON,
MR. SMITH,
MR. WEEKES.

C. COWPER, Esq., IN THE CHAIR.

Alfred Denison, Esq., called in and examined:—

1. *By the Chairman*: You are Private Secretary to His Excellency the Governor General? A. Denison, Esq.
2. The Committee would be obliged if you would state to them the duties you perform in the fulfilment of that office? The duties I have to perform as Private Secretary are these:—The whole correspondence which occurs between the Governor General and all the different offices, and, in fact, I may say that every single paper which comes to the Governor General, of every kind whatever, passes through my hands, and from the Governor General to the different offices, with the exception of any confidential communications which he may have to make to his Ministers, which he may write and send himself. I have the reading and verbal correction of all the despatches; they are copied by the clerk attached to my office, and then I have to re-read them, and compare them with the original drafts; I see that all the enclosures are correct that come from the different offices, and which I have previously sent for.
3. Do you find that you require the assistance of a clerk to enable you to perform these duties? It is absolutely necessary; and if the conduct and business of the office now and in previous years, and under previous Governors, were compared, it would be found that there is a great deal more done in the Private Secretary's Office now than there ever used to be; for this reason;—I think I may go back as far as the time of Sir George Gipps, when a demand was made to the Secretary of State for the allowance of a clerk to assist Mr. Parker; that was refused, and the result was that there were two clerks in the Colonial Secretary's Office entirely employed in doing nothing whatever but in the business which is done now entirely in my office. It is to be borne in mind that the average number of despatches—I am speaking now rather without book—per month, as something like from

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- twenty-five to thirty; and some of them are very voluminous indeed, and that every despatch has to be written in triplicate. There is the original despatch, the duplicate despatch—that is the despatch which goes by the succeeding mail—and then, thirdly, the entry in the despatch book. Not once in a hundred times is there any demand made upon the Colonial Secretary's Office, with the exception of copies of enclosures which go through that office, and it is the custom that the enclosures are always copied in the Colonial Secretary's Office. In Sir Charles Fitz Roy's time, notwithstanding the Private Secretary had a clerk, all the formal despatches of various kinds that did not require the Governor General's consideration were written in the Colonial Secretary's Office; these are written in mine now. I do not think there is one formal despatch in two months sent up from the Colonial Secretary's Office.
4. Do you find the time of yourself and the clerk is wholly occupied? His time is; he comes at ten and goes away at four; and I know it is repeatedly a question whether he will find time to copy a despatch, and I go to the Governor General and request him to put it off till the next mail, because there is not time to prepare it. Many of these despatches are very voluminous. It may possibly be borne in mind that not very long ago there was a Blue Book Despatch, which was very long and voluminous; there was positively not time to finish it, and I sent it to the office of the Colonial Secretary, with a request that it might be copied. I omitted to put my initials at the bottom of the memorandum, and it was sent back, with a request to know whether it was my demand or the demand of the clerk. The clerk, Mr. Barton, has been eighteen years in the service, and would, if he had been in any other office, have been a first class clerk. His salary is £315 a year, which is, I believe, a slight reduction upon what it was last year.
5. I see by the Estimates that there is also a messenger attached to your office? The messenger, who is entered upon the pay abstract and estimate, is the porter in the hall, whose sole duty it is to attend upon the offices of the Governor General, the office of the Aide-de-camp, the office of the Private Secretary, and the clerk's office, and to show in those who wait upon the Governor General and myself officially; that is his sole duty.
6. Deputations, and persons wishing for official intercourse with His Excellency? Yes; and the moment official hours are over the porter leaves the hall. He is purely an official servant.
7. With regard to the orderlies? With regard to the orderlies, I will give the Committee what information I can about them; but I have nothing whatever to do with the Governor General's Establishment—the whole conduct of it rests entirely with the Aide-de-camp. But, knowing I should come here to-day, I requested the Aide-de-camp to give me what information he could with reference to the orderlies, and I have brought up the pay abstract, in order to furnish that information to the Committee. The mounted orderlies consist of a sergeant, a corporal, and three troopers, who are likewise messengers from the Governor General's and from my office to all the other Government Offices. There is always some official on duty in the hall to carry messages; there is always on duty a mounted man to carry the more distant communications, and there is one who is told off duty in readiness to attend upon the Governor General when he rides out. There is one man who is told off for night duty; and, with reference to the horses, one has to attend in the stable.
8. Are they military men? They are all military men, and for that reason they are very much cheaper, as far as the country is concerned, than they would be if they were civilians. I was speaking with reference to that only yesterday to a gentleman from Victoria, who is staying at Government House, and he tells me that the cost of their mounted messengers, who are from the mounted police, of which there is a very large body—
9. Attached to Sir Henry Barkly? Two are attached personally to him as orderlies, their cost being defrayed from the contingent personal allowance of £5000 a-year to the Governor-in-Chief; but there are likewise mounted police, which is a very large body, and they are used as messengers by the different Ministers, and the Governor, in addition to the two personal attendants, has any number of these mounted policemen to carry communications to different offices, and their cost is estimated at something like twenty-five shillings a day each.
10. If the orderlies employed here are soldiers, do you understand why we provide provisions for them—are they struck off from the military rations? I really cannot tell; all the information I received from Captain Scott, this morning was, that the sergeant received 3s. 8½d. a day; the corporal 2s. 8½d.; and the three troopers 1s. 8½d. each, and rations; the Governor General provides quarters for them in the stable. I am not prepared to give you that information.
11. But they are military men? They are soldiers; and when there is any change in the regiments here, as a kind of matter of course, the orderlies are transferred from one regiment to another. I have nothing whatever to do with the orderlies. Captain Scott is a kind of *ex officio* commandant, and they never come beneath my notice, except with reference to signing their pay abstract, when I inquire whether there is any change in the pay, or in the names of the individuals.
12. Can you state why, as there are only five individuals, forage is asked for for the seven horses? That I think must include the Aide-de-camp's forage; he is allowed forage for two horses. I suppose that is the case, but really I am not aware.
13. For what is the item fuel and light? That is for the offices. The fires are kept up during the office hours and are allowed to go out, or are raked out by the porter, who has the entire charge. It is but fair to say, in addition to his duty of attending in the hall, and introducing every body who comes to the Governor General, or private Secretary, he has the entire charge of cleaning the offices. It is a perfectly distinct department from the house, and the porter has the duty of cleaning all the rooms—the Governor General's, the Aide-de-camp's, the Private Secretary's, and the clerk's offices, the lighting of fires, and every thing of that kind.
14. How is the stationery supplied; is this the mere estimated amount of the stationery received from the Colonial Storekeeper, or do you purchase your stationery? The stationery is

is supplied through the Storekeeper. When stationery is required for the Governor General's offices, I make a requisition and send it down to the Storekeeper, who supplies it. You must allow me to say, that worse stationery it is impossible to get; so difficult is it to get good stationery that Mr. Barton constantly comes to me to complain of the impossibility of writing despatches upon the paper so supplied. Nothing can be worse than the foolscap paper; it is so thin that the despatches can be read through it; quires and quires come so greasy that it is impossible to write upon them.

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15. I believe it is obtained through the Stationery Office in London? I imagine so.

16. What was the expenditure for postage during the last year; I see the sum of £117 is put down here—why was that particular sum fixed upon? I did not come prepared with reference to the item of postage.

17. It seems a curious sum to fix upon—why was it not put down at £110, or £120? I cannot say; the expense of postage is very considerable. The despatch bags go according to weight; and all returns are sent in in duplicate—the enormous Blue Books, volumes of returns, and Legislative Proceedings go home in duplicate. I know it has required a mounted man sometimes to make three trips to carry the despatch bags from the Government House to the Post Office; all these books are charged by weight. With reference to other postage, everything passes through my office, and I make the usual requisition, when I require postage stamps for official purposes, to the Postmaster General; and he sends in a quarterly account to me to fill up, requiring to know how many stamps I have on hand. I make a formal declaration that all the other stamps have been used for official purposes only, and return the account; but I am not prepared to say at all what has been the amount, because these forms are not kept in my office—they are sent from my office to the Postmaster General.

18. The next item is "clothing and saddlery for the orderlies, and mail bags, £120"? That I cannot speak to at all.

19. The item of "incidental expenses, £150"—are you aware what that is appropriated for? I have nothing whatever to do with that; the whole conduct of the Governor General's establishment is under Captain Scott, who would be able to give you all the information you require with reference to everything of that kind, but it is wholly out of my province.

20. The expenditure does not pass through you? Not in the smallest degree of any kind whatever.

21. Are there no incidental expenses which pass through your hands connected with your office as Private Secretary? With the exception of stamps, and things of that kind—stationery and stamps—nothing else.

22. *By Mr. Jones:* What is the nature of the clerk's duties—simply copying? Simply copying.

23. He has no original composition to perform? None; he is a confidential clerk who copies the despatches. He writes out formal despatches—having been so long in the office it is not worth my taking the trouble to write out the drafts; he therefore writes them and submits them to me.

24. Any gentleman who could write a fair hand, and was careful in copying a despatch set before him, would be quite competent to perform the duties of the office? Provided he had other qualities which are very desirable in a position of that kind—great prudence, great discretion, and not too great a tendency to talk. Very great evils have arisen occasionally from the absence of these qualities in persons in such a position.

25. *By Mr. Smith:* He is a person in whom you can place implicit confidence? I never found the smallest reason to complain in any way as regards his discretion, and it must be obvious that that is an important quality—one which is not possessed by the mass.

26. *By Mr. Jones:* You cannot say, of your own knowledge, whether the whole of these orderlies are required for the duties entrusted to them? I do not see how it is possible it could be managed with fewer.

27. *By the Chairman:* They attend His Excellency when he goes out officially? They are invariably in attendance upon him; they are part of the establishment, but their principal duty is to act as messengers.

28. *By Mr. Jones:* Between the office of the Governor General and the various public offices? Not merely the public offices, but in conveying the various communications the Governor General and Private Secretary have to make to all quarters, as far as they are within reach.

29. *By Mr. Forster:* Will you be good enough to state to the Committee what is the nature of that additional business which you say was once done by two clerks in the Colonial Secretary's Office, but is now done by your clerk? It was the copying of despatches. When the Secretary of State, under the former régime refused to allow a clerk to the Governor General's Office, the whole of the copying business not done by the Private Secretary was done in the Colonial Secretary's Office, as well as the whole mass of formal despatches which did not require the consideration of the Governor; now, the whole of that is done in the Private Secretary's Office. Of course I am speaking only from hearsay; but I know the facts very well, having talked over the matter with Mr. Parker, whom I knew intimately when he was Private Secretary to Sir George Gipps, and I know there was a very large amount of business then done in the Colonial Secretary's Office. It was in the latter years of Sir George Gipps' time that a clerk was allowed, and for the last fifteen or sixteen years it has been considered preferable to have a clerk attached to the Governor General's Office, to do what is really the business of the Governor General's Office, than to have a clerk from the Colonial Secretary's Office told off to do the work. I think it will be found, if my memory is not incorrect, that Mr. Vallack was the clerk to whom this duty was allotted.

30. Do you think the present provision sufficient for all the duties of that kind—are you at all obliged to apply to the Colonial Secretary's Office now? No, except in isolated instances. There was a very great pressure in the month in which the Statistical Accounts of the Colony was sent home. The Blue Book Despatch had been copied twice in my office, and had to be copied

A. Denison, Esq.
27 May, 1858. copied a third time; there was a very great pressure at the time, and it was absolutely necessary that the duplicate despatch should follow by the next mail, and I sent to the Colonial Secretary's Office to ask that it might be done there. With the exception of that, I think there is no business which should have been done by the clerk in the Governor General's Office that has been done at the Colonial Secretary's.

31. You are aware that certain new regulations have been published by the Governor General with regard to other offices, as to the hours of attendance—do you consider that these should apply to your office? With regard to the hours of attendance I have made no alteration at all—the clerk comes at ten and leaves at four.

32. You do not consider these new regulations to apply to your office at all? I am far from saying they do not; but I have not made the alteration.

33. With regard to the travelling expenses here allowed, do you consider them quite adequate to the purpose, or are they fully sufficient for the contingency? That does not fall within my province at all. I have nothing to do with the financial part of the Governor General's position. I believe, however, the sum of £500 has never been drawn, but only what is actually expended; and the vouchers, to the best of my belief, are always kept in order to be sent in. It always has been the case with the present Governor General.

34. I merely wished to know whether that was about the sum required? I do not think it has been drawn; although it would have been last year if the Governor General had been able to carry out his views. It has never been exceeded, I think.

35. *By Mr. Piddington*: I think I understood you to say the average number of despatches was from twenty-five to thirty? Sometimes more, sometimes less; I think between twenty and thirty. The number is very large, indeed.

36. That would be scarcely one per day? But it will be borne in mind that they are in triplicate.

37. I suppose it is not the custom of your office to use any mechanical means for economising clerical labor in copying? No; the despatches are copied in the regular formal great despatch books, which do not admit of that.

38. You think mechanical appliances, such as a copying machine, could not be used properly? No, not with reference to despatches.

39. It is your decided opinion that it is necessary to attach a clerk to the office of Private Secretary, for the purpose of transacting the business? It would be wholly impossible for any Private Secretary to do it. There must be one of two things, either a clerk must be told off from the Colonial Secretary's Office to perform the duty, or there must be a clerk attached to the office.

40. You say that with the knowledge of the actual business arising from one despatch a day? Yes, one despatch; but there is other correspondence besides the despatches; he is the copying clerk.

41. Other correspondence with various offices? Yes; documents of one kind and another, of which the Governor General may wish to retain copies, and which it is desirable should be entered in the correspondence book; he has to do that as well. He copies what I do not, but I copy private and confidential letters myself.

42. I suppose it is the practise to send despatches per mail once a month? Yes.

43. So that any arrear of despatch writing might, by a little arrangement, be brought up during the currency of the month; for instance, if you had a heavy despatch, such as that you have alluded to, to be copied at the commencement of the month you would have the entire month before you? Yes; but the original, we will say, is sent off on the 9th May, then it happens that there is a great pressure with original despatches, which the Governor General requires to have sent by the next mail; there may be a vast number of very long despatches, and duplicates to be copied—for the original despatch sent on the 9th May has to be entered in the Governor General's Despatch Book—and he may not have time to write the duplicate despatch which it is absolutely necessary should go by the next mail, to fill up the series.

44. With respect to the postage, I think I understood you to say that in the amount of £117 is included the postage of the Legislative papers? It includes the postage of the despatch bags, which contain all the great returns, and I think the Votes and Proceedings of the Legislative Council and Assembly—these go to the Secretary of State in duplicate.

45. Of course, being so bulky, these would cost something? Yes. The correspondence is very considerable in my office from all parts of the country, and to all parts of the country, as every letter which is received by me, on behalf of the Governor General, is nearly invariably acknowledged by me, if even only the receipt of it.

46. *By the Chairman*: You have alluded to the Blue Book—are you in a position to state to the Committee whether any steps have been taken with a view of getting that document reduced, or whether His Excellency has it in contemplation to make further representations to the Secretary of State upon the subject? I know the Governor General has made a representation to the Secretary of State to reduce the number of returns as much as possible.

Edward C. Merewether, Esq., called in and examined:—

Edward C. Merewether, Esq.
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1. *By the Chairman*: You are Clerk of the Executive Council? I am.

2. The Committee would be glad to have information from you with reference to the duties performed in the office attached to the Executive Council? The establishment consists of myself, a clerk under me, and an extra clerk, who has been employed for no very great length of time, and is only now employed temporarily. The duties I have to perform myself are attending meetings of the Executive Council; these as a general rule occur only once a week—on Monday; but special meetings are occasionally summoned during the week, to consider cases of emergency or matters which could not conveniently be deferred until the regular day of

of meeting. I sit in the Council Chamber and listen to the deliberations of the members upon each subject brought under consideration by His Excellency the Governor General, and take a short note of the decision arrived at, as well as of any particular points dwelt upon by the Council and to be prominently referred to in the minutes; during the week prior to the next meeting I condense each subject into a minute, as brief as is consistent with clearness, together with the decision arrived at by the Council. A good many of the matters laid before the Council are mere matters of form, and minutes in these cases are merely copies or nearly so of previous entries—*mutatis mutandis*. But the mass of cases, however, demand considerable care and attention in extracting the subject and recording the decision thereon, and these are not unfrequently cases of importance submitted to the Council, which entail upon me much labor and careful investigation, as *précis* rarely accompany the papers. The other business I have to transact is to see that the clerk under me extracts correctly the substance of the minutes of the Council according to my directions. I write upon the minute itself whether he shall merely put the substance, or whether he shall copy the whole minute. After he has written it I see that it is really the substance of the decision, sign it and send it to the Governor General for his approval.

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3. That is, a copy of each minute to be transmitted to each Minister to be acted upon? Yes; I send the minute when approved to the special Minister who is to take action upon it. There are cases where there are copies of general regulations, and in these I have to give a full copy to each Minister.

4. Can you state anything in detail as to the number of these minutes? I prepared some short time ago, for the information of the Colonial Secretary, a memorandum stating what the clerical duties of the office are. It will perhaps be well to read from that memorandum; as the duties are there stated as shortly as possible. "The clerical business of the office consists—1st. Registering and noting papers when they come in and the like when sent out."

5. That is all papers from each Minister? Yes. "Making fair copies of the recommendations of the Council, to be acted upon." As a rule and to save clerical labor, the advice only is copied upon the papers; but, in many instances, it is necessary to copy the whole minute, and in cases of general regulations, copies have to be furnished to each of the Ministerial departments. "3rd. Transcribing the minutes in full into the Record Books, and comparing them with the roughs. 4th. Indexing the Registry, Summary, and Minute Books. 5th. Making copies in duplicate of all minutes required by the Governor General, for transmission to the Secretary of State."

6. May I ask if that is still complied with by the Governor General? He frequently writes despatches, enclosing extracts from the minutes, and these are copied in duplicate.

7. Not copies of all the minutes or proceedings of the Council? Not of all the proceedings, but copies of all minutes required by the Governor General connected with his despatches.

8. When he requires them? When he requires them. Copies of minutes required by either branch of the Legislature are also made in my Office. The clerical work further consists in "making weekly lists of all appointments for the Auditor General, of papers for circulation, and in duplicate, of the papers laid before the Council at each meeting." I have had the additional duty lately put upon me of furnishing the Auditor General with a copy of all minutes relating to all matters of finance and expenditure. Then there is the notification of new roads, and objections thereto. The correspondence connected with these is at times very considerable, and gives great trouble, by rendering references back to former proceedings of the Council necessary. There is also the correspondence with their Honors the Judges, in reference to capital convictions. The number of cases laid before the Council in 1853, 1854, and 1855, was 368, 353, and 296 respectively; in 1856 it was 397; during 1857 it was 889; and in the first four months of this year between 240 and 250—maintaining the average; it has a little fallen off since the Parliament met. I may inform the Committee that for many years prior to the establishment of Responsible Government, the office of Clerk of the Executive Council was held in conjunction with some other office, but after the initiation of the new order of things, the business of the Council increased so much, that it was considered expedient to appoint an officer specially to perform the duties, and I was so appointed. Mr. Fitzpatrick, who held the office for nearly a year after the establishment of Responsible Government, commenced with one clerk, but found that assistance insufficient, and ere the Legislative Assembly decided what the staff of the department should be, he had to apply for an additional clerk, who was granted by the Government. The Assembly fixed the establishment at the Clerk of the Council and one assistant clerk, with whom I attempted for some time to perform the business; but I found that everything fell into arrear, and I also had to apply to the Government, who sanctioned the employment of a second assistant clerk. One reason for applying for this additional clerk was, the existence of extensive arrears in the office. On many occasions I have to refer back to old minutes, which are neither indexed nor entered. The earliest minutes of the office bear date 1825, from which period to 1850 they have not been indexed, and during the following years they have not been entered at all; they are merely in a rough state. I have from the end of November 1833 to December 1841 no entries. They are then entered up to October, 1846; but from that date to December, 1847, they are not entered. They are then entered for six months; but from July, 1848, to December of the same year, they are unentered. They are again entered from December, 1848, to May, 1849; but from May to December of that year they are unentered. I need not say that I am not responsible for this irregularity; but it is very desirable that these records should be completed, as, from their not being so, much time is wasted in referring back to them. I think with the establishment I now have, I shall be able to complete the work in the course of a little more than a year.

9. You think you will be able to enter up all these arrears, and complete the record, in about a year? I would rather qualify what I have said. In going back to the time when Mr. Macpherson was Clerk of the Council, he appears in some instances to have doubted what

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what was the intention of the Council, or whether his own impression respecting it was correct, and has left a blank in the entry with a memorandum in pencil to be referred to the Council for decision; in many cases these papers are mislaid, or there is nothing to show where these paragraphs should come in. In Mr. Francis Merewether's time, also, there are many minutes wanting, which I cannot trace; but I think a year or eighteen months will suffice, with the present staff, to enter up all arrears as far as the minutes are perfect, or capable of being made so.

10. At present, what with the arrears and the current business, yourself and two clerks are wholly occupied? Yes; but I do not profess to occupy myself with entering these papers. I do not consider that I am placed in my present position to do clerical duty. When I have time, I compare the minutes with the clerk, because I can take that up and leave it at any moment; but my time is, as a rule, fully occupied. Besides being Clerk of the Executive Council, I am a member of the Land Board for opening tenders; that Board I attend as frequently as I can, but I do not go so much as I ought. In addition to that, I have been employed of late upon various Boards, which have occupied a great deal of time, and have obliged me to take home my legitimate work—scarcely a night passes that I have not to do so. I do not speak of it as complaining of the work, but to shew that my time is fully occupied.

11. Still your time is occupied for the public service? Yes.

12. And the time of your clerk also in your respective duties? Yes; he is at the office at nine o'clock, and frequently remains till five in the evening; and, as far as my frequent absence from the office will permit me to judge, he faithfully performs his duties.

13. You have adopted in your department the new office hours? Yes; in obedience to instructions.

14. What are the duties of the messenger? To carry out papers for circulation, and summonses to the Members of Council. There is a good deal of correspondence at times.

15. He has a very high salary, has he not? Yes; but he is a very old servant of the public, and cannot last very long.

16. How long has he been in the service? Some thirteen years, I think; he is a very old man, and I do not wish to remove him, but as soon as he resigns, or becomes incapable of duty, I propose to reduce the pay of the messenger nearly one-half; £60 or £70, I think, would be sufficient remuneration for the duties to be performed.

17. Who obtains the £18, down in the Estimates, for office-keeping? The same person who looks after the Colonial Secretary's Office; I believe she hires a servant for the purpose. But I may be allowed to observe, that if I had a separate office, which, in the first instance, was intended, somebody must be employed to look after it; it was merely the fact of there being two rooms unoccupied in the Colonial Secretary's Office that led to my having an office under the same roof with him.

18. Your present office is very convenient, is it not? I do not object to it; indeed there is this advantage connected with its position, that I have ready access to papers in the Colonial Secretary's Office.

19. Your stationery, I suppose, like all other Government Departments, you obtain from the Colonial Storekeeper? Yes; and the amount for stationery is cut down to the very lowest; indeed all the contingencies are, I think, put as low as possible.

20. *By Mr. Jones:* What is the nature of the duties of your chief clerk? I gave, just now, the general clerical duties of the office, and he conducts the main part of these. When, also, I have references to make to any foregone proceedings that occurred before my time, as he has been a long time in the office he is of considerable service to me in this respect, and I must lean upon him to a considerable extent for information connected with any such proceedings; he copies the minutes from my original drafts.

21. His duties are chiefly of a copying nature. Yes.

22. Do you occasionally trust to him in composition? Occasionally I give him some of the ordinary minutes, but nothing requiring any great care, or of an important nature.

23. Is anything more than ordinary clerical ability required? A certain degree of secrecy is required, and, of course, confidence reposed.

24. And a certain knowledge of the business of the office? Yes.

25. Beyond that, any one competent to perform an ordinary clerk's duty well would be competent to perform the duty of this clerk of the second class? Yes.

26. *By Mr. Forster:* I think you said you did not consider clerical duties a part of your duty? Yes.

27. I presume you mean to infer by that that you have such a number of other duties to do that you have not time for that? Yes; my time can be more profitably occupied for the public service, and is—

28. Do you mean to say that these other profitable occupations prevent your giving that attention to the duties of your office you could wish? Not quite that; and yet I would go further, and say I do not conceive I am paid the salary attached to my office to be made a copying machine.

29. I do not quite understand you? What I mean is, that although I have arrears of business in my office, which accrued before my time, I do not consider it to be my duty to act as a copying clerk to bring up those arrears.

30. That is to say, your time is better employed? Yes, my time is better employed for the public service.

31. These other duties, such as attendance on Boards, are they included in your office as Clerk of the Executive Council, or are they customarily performed by that officer? It is customary for the Clerk of the Executive Council to be a member of the Land Board.

32. Then, by custom it has become part of the duty? It has; but I am specially appointed a member of the Board.

33. *By the Chairman:* You are permanently on that Board, and occasionally employed in other cases? Yes.

34. *By Mr. Forster:* Do you not think it would add to the efficiency of the Clerk of the Executive Council if he were confined to the performance of the duties of his office? No, I do not. I believe my efficiency is materially increased by the opportunities these Boards afford me of becoming acquainted with public business in other matters, and on that ground I do not cavil at the extra trouble it gives me.

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35. You consider that your time is fully employed by this duty? Yes; I am frequently employed until a late hour at night by the business of the office. The business brought before the Council varies very much; when it is heavy, I am occupied till late at night at home, in consequence of being employed during the day in these extra duties, which is more, I imagine, than is required of me.

36. There is no extra remuneration allowed for attendance at these Boards? For the Land Board I get nothing whatever, and from the others I get nothing but occasional ill-will.

William Elyard, Esq., called in and examined:—

1. *By the Chairman:* You are Under Secretary to the Government? Yes.
2. How long have you been in the public service? Thirty-six years and three months.
3. Will you state to the Committee generally the duties which now devolve upon you in the office you fill at present? I have the general supervision of the department, conducting the correspondence, and assisting in the duties and business generally, subject to the instructions of the Minister on the different cases or matters submitted to him. But it is difficult, of course, to enumerate the various duties or matters that require my personal attention. I am fully occupied during the whole day. All official letters or documents which come into the office, in their progress to the Minister, or to be dealt with in different branches of the office, pass through my hands, and, as I suppose is the case in other establishments than those of the Government where there is a large business, much time is taken up in personal directions relating to it, or to the duties of the persons employed. Independently of papers to be read or attended to by myself, there are other matters which occupy time. I have to give interviews to persons making personal inquiries on matters passing through the department, or connected with the different establishments under the Principal Secretary, and considerable time is occupied in communication with the Minister, in submitting papers to him and taking his instructions upon them. I do not know, however, how I could clearly define all the numerous duties which I have to perform or the various matters which I have to attend to throughout the day.

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27 May, 1868.

4. What is the number of departments under the Principal Secretary? That is fixed by the notice of Administrative Arrangements.

5. What date is that? It is dated 8th October, 1856.

6. Then you have correspondence with all the departments named in that notice? Yes; and with some that are not precisely under the Principal Secretary,—as the Judges of the Supreme Court, the President of the Legislative Council, the Speaker of the Legislative Assembly, &c., with whom there is occasional correspondence. I think the departments, strictly speaking, might be taken at about eighteen, but there are several establishments under one head, as in the case of the Gaols, the number of which does not appear in the notice.

7. Do the Visiting Justices communicate direct to the Colonial Secretary? The Visiting Justices make their reports direct to the Colonial Secretary. They send in monthly reports independently of the reports they make from time to time upon matters which require to be brought under the notice of the Government. The Gaoler is under the control of the Sheriff, and any directions affecting the former go through the Sheriff; but there are many matters of correspondence between the Colonial Secretary and the Visiting Magistrates. When the Sheriff wishes to have the assistance of a Visiting Magistrate in any inquiry, he communicates with him direct. Then the department of the Inspector General of Police forms one item in the notice; but connected with it there are all the Police Establishments in the country, and there are constantly points arising affecting them that have to be submitted by the Inspector General to the Principal Secretary from the different Benches. There is, in addition, considerable correspondence between the Benches and the office, with reference to the establishment of new Courts of Petty Sessions, the increase of the police, the extension or alteration in the districts, and various other matters it would be difficult to enumerate without going very much into detail. This occupies much of the time of the Minister as well as of the establishment. With reference to the Police Department, I may state, that there are now twenty-three Police Magistrates besides the Inspector General of Police, and about sixty-seven clerks, including a few that are provided for in the estimate in addition.

8. You mean Clerks of Benches? Yes; and there will be about eighty Benches, and all of these have more or less correspondence with the Colonial Secretary's Office. On mere police matters the correspondence would be with the Inspector General of Police; but on some of these the Inspector General has to obtain the instructions of the Minister; he has, also, often personal communications with myself and the Minister upon such matters, and with reference to the revision or alteration in regulations, or before submitting reports, or acting upon directions which may have been given to him.

9. What was the strength of the office when Mr. Deas Thomson was the Colonial Secretary? I have taken the strength in 1855, which was the year prior to the introduction of the new arrangements, and there were then thirty-one clerks, that is to say, thirty clerks besides the Chief Clerk.

10. That is yourself? Yes. The expense of the department, as appears by the printed statement, was then £14,201 17s. 11d. At that time, of course, almost everything requiring the instructions or decision of the Government came into the office, including business since assigned to other Ministers. I have not taken a note of the whole expenses in 1856; but

W. Elyard, Esq.
27 May, 1853. but in that year the alterations were going on, and I see a sum of £11,702 15s. 6d. was charged to the office. A portion of the clerks were transferred to other departments; during part of the year these were borne on our establishment, and for the remainder upon others. In 1857, there were fourteen clerks exclusive of myself, the only difference being that I had the designation of Under Secretary, performing generally much the same duty as I had been accustomed to do previously; my office of Chief Clerk having been substituted for that of Assistant Secretary in 1841. My time, however, is now I think more frequently occupied in seeing heads of departments and others than it was formerly. Previous to the recent changes I thought, from the establishment being more limited, with a less number of clerks to superintend, and fewer papers passing through my hands, I should have had more leisure than I had been accustomed to—indeed, I never had any at all and it was with great difficulty I could get through the business I had to attend to; but I have found that, with personal communications, not only with the public, but with the different officers connected with the departments, and with the Minister, my time is fully occupied.

11. As fully as before? As fully as before. I think more so in that way, upon the whole. The Colonial Secretary as a departmental or permanent officer, although charged with large Legislative duties, as the principal representative of the Government under the former system, entered perhaps more into the detail duties of the office, rendering it necessary for persons to see him on some matters on which, in my present position, it is sufficient to refer to me. As the head of a Responsible Ministry, the Principal Secretary, besides extensive Parliamentary and other duties has, of course, his time much taken up in conferences or consultations, with other Ministers, as well as in giving audiences to the public, deputations, &c.

12. Of these thirty clerks who were in the office in Mr. Thomson's time, are all in the public service now, or has there been any actual reduction—have they all been transferred to other departments, or has there been any actual reduction? No; I think there has been no reduction. One or two resigned; but they desired to leave—it was not strictly a reduction.

13. No matter from what cause, are there fewer individuals now in the public departments? No, I do not think there are; for I imagine that besides those transferred from the Colonial Secretary's Office, in some of the new departments additional appointments have been made, so that probably there is an equal number, or it may be more. I do not know that the division has caused any reduction so far. In 1857 there were fourteen clerks, the expense being £8,408 6s. 8d. For 1858 there are thirteen clerks, being one less than placed on the Estimates, because a vacancy which has occurred has not been filled up. Since 1855 the establishment has been reduced by eighteen clerks, seven of these were transferred to the office of Lands and Public Works, five to other departments, one died, and five have resigned, or been appointed Clerks of Petty Sessions. That is the way some of them were provided for when the reductions were made—they were appointed Clerks of Petty Sessions in the country.

14. Still that would be a virtual reduction of the clerical strength in Sydney? Yes. I mentioned that seven were transferred from the Colonial Secretary's Office to Lands and Public Works, when that department was established, but it does not follow that they formed the whole strength of the establishment, and I cannot say whether the number generally is more or less than when there was one chief office for the business, of which a portion has since been placed in other departments. Some additions have arisen from the extension of the Legislature and the population of the Colony.

15. With regard to the duties of Chief Clerk, who has a salary of £630 a-year, what are the duties of this gentleman, who is the head of a branch? He has charge of the chief branch, designated the correspondence and general business branch. That, I think, designates it properly, and it consists, besides Mr. Vallack, of five clerks. Mr. Vallack has the conduct of the branch, prepares letters, reports on papers, references, &c.

16. Does Mr. Vallack have to perform any duties of an original character beyond writing letters on minutes? No—excepting, for instance, preparing schedules of papers moved for in Parliament.

17. That is making a précis? Yes, a précis, or abstract.

18. Condensing the titles of letters or documents? Yes; but it requires considerable care and some experience to do this properly, and he has the general superintendence of the clerks under him.

19. Has he five clerks under him, or four and himself? Five clerks under him. When cases are decided upon by the Minister, or any directions are given upon them by myself, I put them in his hands, and he directs the clerks to act upon them—such clerks as he finds it convenient so to employ; or he attends to them himself. Generally he sees that the business is kept up, that the letters are properly written and despatched when they are given out again. But his duties are very various, including in them much of personal communication with him by gentlemen connected with the departments, who come to make inquiries in matters of detail that they do not find it necessary to refer to me upon.

20. Mr. Vallack has attained his present salary rather by length of service than a necessity to remunerate this office with so high a stipend? Yes. I think you must take that into account in almost all the cases where the salary is larger than it may be considered the same class of duties would otherwise command.

21. How many years has he been in the service? Thirty-one years and five months.

22. His salary has been gradually augmented under the regulations for an annual increase and by promotion? Yes; his salary was originally £100, which has been gradually augmented by annual increase, and by promotion from one class to another, as he became more experienced in the office, had more important duties to discharge, and as vacancies have occurred. He obtained the maximum allowed in the classes, that is, £400 a year; then he received £100 a year as a special case, in consideration of his long service as well as the manner in which his duties have been performed; that, with the temporary increase, made up his salary to £675, which was reduced to £630 when the temporary increase

increase was discontinued as such, and a portion of the amount was amalgamated with and became a part of his fixed salary. It is in that way he has acquired his present rate of salary. I may be allowed to remark, with regard to the salaries that have been arrived at by some of the officers who have served a number of years in the department, that, although it might happen that persons would be found to seek office at much lower rates, independently of what might be considered the proper remuneration for the duties, such appointments would be followed by continued applications for augmentation of pay. The positions which have been acquired by these gentlemen—take for instance the case of Mr. Vallack—are not better than would have been attained by them if they had devoted the same attention in any other line of life. I do not think that they have obtained any advantage beyond what might have been reasonably looked for in other positions by perseverance and attention to business; and if there were no such advantage to be gained from length of service—if no change of position were to be looked forward to—perhaps there would not be the same encouragement to continue in a department, or that attachment to the service which has been generally found to exist amongst those who have now been a long time in it. My object is simply to shew that in other pursuits, independently of the duties performed, parties may look forward to and do acquire some advantage from the continued pursuit of any profession, trade, or whatever it may be; and that these rates viewed in that way are, perhaps, not so much as the same individuals, if they had followed different pursuits, would at this time have been in the receipt of—looking to banks, commercial houses, and other establishments in which gentlemen have continued for a length of time.

W. Elyard,
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23. That is in reference generally to the salaries paid to the officers in your department? In reference to Mr. Vallack in particular, as to the question how he acquired the rate of pay he now receives, but it may be applied generally.

24. The next salary is £400 a-year—what are the duties of the Clerk of Records? They are given in this Return—(referring to a Return)—prepared at the wish of the Committee. "Registration of Addresses and Orders of the Legislative Council and Assembly, Despatches from Secretary of State," registering letters, &c. A short abstract of each despatch is kept in the office in case of its being sent away or otherwise dealt with.

25. Is that in a book? Yes, with an index. These are despatches sent by the Governor General to be acted on by the departments, and many of them are forwarded in original to the other Ministers, a record being kept, by referring to which we know in what department the despatches are to be found.

26. Does not the Governor General send to the Colonial Secretary the duplicate? He sends the original, excepting perhaps those despatches which are of a personal nature, and retains the duplicate.

27. Those that apply to other Ministers are transferred to them, and a short abstract is made in the book in the office? Yes. The Clerk of Records has further to prepare indices to the Registers and also to search for former correspondence. This is a very laborious duty; it always has been so, and will continue to be so in the Record Branch of this department more than in any other, because we have, in addition to the current papers relating to our own duties, a number of papers relating to old cases, which from time to time require to be transferred to the new offices.

28. To the new branches? Yes; to the new divisions of Government. They are furnished as cases arise, either similar to those to which they relate—in which claims are founded upon them—or in which some reference is made to them. For instance, a person claims on some old promise of land, and very likely the documents connected with it are in the Colonial Secretary's Office. The application on the subject is made to the Office of Land and Public Works; but the former papers have to be obtained, and the Clerk of Records, who searches them out, before they are sent away, that we may not lose the clue to them, notes them in the Register. This occupies considerable time.

29. Is that all done by Mr. Goodman? He has two clerks assisting him, but the principal portion of the work is done by him, because his knowledge of the Records, from the time he has been in the office, enables him to do it with much greater facility than any other person could. In fact, it would be very difficult for a stranger to find readily these documents.

30. His duties will gradually decrease, as you get rid of these documents by transferring them to the other departments? No doubt. They have been very heavy, and since the establishment of Responsible Government they have rather increased than otherwise. His other duties are answering references from other departments, notation of papers finally disposed of, collating Parliamentary Papers for binding, distribution of the Acts of Parliament, and general supervision of the duties of the Branch.

31. What do you mean by collating Parliamentary Papers for binding? I refer to the papers of the Imperial Parliament received from England.

32. Are these kept up? There are a great many still to do.

33. You do not bind up all these Blue Books? There are some extra copies sent which are not bound up.

34. By Mr. Piddington: You bind up a copy of each report? Yes; the series of Parliamentary Papers. They are not altogether perfect, and I am not sure that they send out everything. Sometimes these papers are borrowed for public purposes, and it is difficult to get them back again, so as to bind them into volumes. They form an useful record for the Colony. To the letters which are opened in the morning, or throughout the day, a short heading is given, and they are then entered in a Register containing the name of the party from whom received, the dates, the dates of receipt, the numbers of the letters in the register, (which are also put upon the letters themselves,) and brief notes of the contents, so as to identify them. This duty is done chiefly by one of the assistant clerks, Mr. Connell, who also assists in searching for former correspondence. If a letter comes in referring to a previous correspondence, in order that any decision or instruction may be consistent with, or that it may be known what has been done before, the correspondence is searched

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27 May, 1858. searched for and placed with the later letter. When these papers are acted upon, this gentleman also assists Mr. Goodman in noting them in the Register, so that by turning to it you can ascertain how the papers or cases are disposed of; afterwards they are put by in the Record Room. The Registers have each an index, and occasionally there is some small correspondence, informing parties that their letters have been referred to certain other departments. The Record Clerks have also to send away papers, such as Acts of Parliament that come out from England, and are received in the Secretary's Office. Several copies are sent—one copy for the Governor General, one for the Executive Council, one for the Legislative Assembly, and one for the Law Officers. These are the various duties performed by the branch over which Mr. Goodman presides. Besides Mr. Connell, there is another clerk who is in charge of the register of letters, notes original documents sent to other departments, blank cover references, files the *Government Gazette*, &c.

35. *By the Chairman*: In fact he assists Mr. Goodman? Yes, he is under Mr. Goodman's direction, and so also is Mr. Connell. The rule of the office is, that those gentlemen who are at the head of particular branches shall be responsible for the duties performed in them; but although the different clerks so far perform particular duties, they are available for any other business for which they may be required. For instance, if any copying has to be done in a short time, they may all be taken off their ordinary duties and applied to this, and thus they assist each other in getting through any pressure of business.

36. In whose branch are the Returns in answer to Parliamentary Addresses? There is a register kept of these. In addition to the register of despatches and letters, there is a separate register of the Addresses of the Legislative Council, or of the Legislative Assembly; it is more convenient to have two or three books with indices than to enter everything in one.

37. Who prepares the Returns to Addresses? When they are received they are first of all entered in the Register in the Record Branch, they are then submitted to me. If they are Addresses for Correspondence they are sent to Mr. Vallack, who gets the papers from Mr. Goodman, and arranges and submits them to me with a schedule. Sometimes I prepare this schedule myself, at other times he does it. Occasionally I have to obtain instructions, or refer to the head of the department, respecting documents authorised to be furnished, before they are finally prepared to be laid before Parliament.

38. There are two clerks at £375 a-year,—are they under Mr. Vallack, Mr. Goodman, or both? These are both under Mr. Vallack. The duties of one of these gentlemen are correspondence relating chiefly to Appointments, Expenditure, Miscellaneous subjects, Immigration, Schools, Clergy, Police, and other business, as required by the head of the branch. Mr. Allan is also engaged in correspondence relating to Parliamentary Returns, Elections, Acts of Parliament, Sentences of Prisoners, Police, Pardons, Establishment of Petty Sessions, &c. He has also to look over the *Government Gazette*, a proof of which is sent to the office before publication, not that any alteration is generally made in anything sent for publication, but it is to prevent the insertion of anything inconsistent with the character of a *Government Gazette*, such as tradesmen's advertisements. Poundkeepers' advertisements are admitted by payment, as also are announcements of the dissolution of partnerships; but if anything were inserted not such as should appear in such a publication, it would be struck out, or be brought under notice.

39. The Government Printer is required to send to the Colonial Secretary's Office a final copy before publication, that he may get authority before publishing the *Gazette*? Yes; but other departments are responsible for what they send to the *Gazette*. Mr. Gratton, who is one of the clerks at £375 a-year, prepares Commissions, Certificates of Naturalization, indices of letter-book, stamps letters, and keeps account of postage stamps and petty expenses. He attends to the dispatch and making up of any letters for England and other Colonies when the mails leave, and he assists in correspondence and otherwise in the business of the office, as he is required by Mr. Vallack. Then the other two clerks are copying clerks.

40. What salaries do they receive? £175 each, which is the lowest rate at present given, with the exception of one in the Record Room at £150. They copy papers for Parliament, enclosures to the Governor General's despatches, enter letters, place seals to deeds of land sold by the Crown, and assist the corresponding clerks when there are lengthy enclosures for letters. They make up letters, and have also charge of the periodical reports and returns which are made to the office.

41. From the gaols and other Government establishments? Yes; so as to keep them ready for reference.

42. Are not these handed over to Mr. Goodman? They may after a time, but they are now sent to the branch where a list of Returns is kept.

43. Do you find that the whole of these clerks are constantly occupied? Yes; to the best of my knowledge. I make frequent inquiries of the heads of the branches as to their being fully occupied. I have occasion also to be often in different parts of the office, and I have reason to believe that the establishment is as low as it can be—in fact I am never certain what the business will be, because there is a succession of demands upon the office, and I usually find that when the pressure from one thing is got rid of something else occurs, either with reference to the Government or to some matter in the public service, which provides full employment for those who are in the office. I think there will be even additional duties in carrying out some Acts of Parliament now under consideration. For instance, under the Municipal Act there must be a record of certain applications, and that record will have to be kept with some care. In the first instance, too, considerable correspondence will arise out of the establishment of Municipal Bodies.

44. *By Mr. Smith*: These will be temporary duties? Yes; but, probably, next year there will be new duties arising from some other Act, so that there is a succession of new business and duties to be performed, arising from what is done in Parliament as well as from various casual matters that are constantly occurring. For instance, take the case of the unemployed, which is now occupying some attention; a variety of other things arise in a similar way.

45. *By the Chairman:* What do you think has been the effect of extending the office hours—has it enabled you to bring up arrears at all, or have you found the work of the office more slack—it is a virtual extension of how much a day for each clerk? The regulation of course extended the office time one hour.

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46. Besides the lunch time? Besides the lunch time; but in the Colonial Secretary's Office, although it was the practice of some of the clerks to go out to luncheon, it was not general; many did not do it, but took some refreshment in the office, or in the best way they could, as they do now. I think the attendance generally, since the new regulation, has been as regular as could be expected, and I believe, although they felt the inconvenience of coming to the office so early in the morning, they have been desirous of obeying the regulation and acting upon it. Sometimes, perhaps, they may be a few minutes after, and sometimes before nine—seldom extending beyond it a quarter of an hour.

47. Do you find that this virtual addition to the time devoted to office duty of fifteen hours a day has had any marked effect upon the business—it ought to be as good as a couple of clerks to the office? We have one clerk less than we had.

48. Has it had any sensible effect upon the duties of the office? I cannot say that, because the duties vary very much. In an office where the duties are so very uncertain, I do not know that you would observe it, even if there were a greater extension of time. The object is to get the business that comes into the office done; and I believe that, generally, we have been able to do that.

49. Your opinion is that the office strength is not too large? Yes.

50. Do you think, from what you have seen going on for the last two years, that as soon as the Government departments are thoroughly formed, and this constant reference for old documents ceases, it will be necessary to retain the establishment of the Colonial Secretary at the present strength? Yes, I think so; because the correspondence and general business branch of the office is likely to have increased duties, and I do not think they could be well performed with a less establishment than we have now.

51. There is one branch of the office—the Blue Book and Statistical Branch—that is always very much in arrears is it not? It takes a considerable time to prepare the Blue Book.

52. To collect the information you mean? Yes. In the first instance that information has to be written for—that is usually commenced to be done before the termination of the year for which the Blue Book is to be made up; various departments have to be written to, asking them to send in the information necessary for compiling it. The documents sent in, in consequence of such applications, have to be examined, which is usually done by the head of the branch, Mr. Greville, and they often have to undergo a good deal of revision, and to be returned to the departments, or explanations have to be obtained upon them. There is much delay in getting some of this information; for instance, documents from the Audit Office, connected with expenditure, cannot probably be prepared until the Accounts are closed for the past year; the preparation of these documents, in addition to the pressure of their own more immediate duties also, I suppose, creates some delay in rendering them; and it is necessary frequently to remind the departments of what is required to continue or complete the book. After these documents are collected and examined, they have to be copied; and there are three copies made of the Blue Book—two are sent to the Secretary of State, one is the office fair copy, and is laid on the Table of the Legislative Assembly.

53. If these were not required for transmission to the Secretary of State, these two clerks, at all events, would not be necessary? It takes about three months to copy one of these books in its present state, supposing all the information to be arranged for it.

54. Of Mr. Greville himself, or both clerks? No; it is done chiefly by Mr. Newcombe.

55. Mr. Greville does not occupy his time in copying? No; his time is fully occupied in collecting information for the Blue Book and Statistics, and the latter are all printed as he prepares them, so that they are not copied. It is only the manuscript book which is copied by his assistant clerk, and it is done very neatly. Of course, if any of these copies were dispensed with, or should be more limited in their contents, there would not be a necessity for the same amount of clerical assistance. These documents have, however, to be compared, which can only be done by two clerks; so that if one of these at present engaged for this duty were dispensed with, it would be necessary to afford assistance from some other branch of the office.

56. Was it not intended when the office of Registrar General was formed to transfer all the statistics of Government to that department? It is a matter which has been under the consideration of different Governments, whether the Blue Books and Statistics, now prepared in the Colonial Secretary's Office, should not be placed under the Registrar General.

57. Was it not part of the original intention in forming the office of Registrar General, previous to the establishment of Responsible Government, that eventually the statistics of the Colony should be transferred to that office? The Government might have had it in view to make that department eventually the general statistical office of the Colony; but I do not know that it is on record. The Registrar General was first appointed to carry out the new Registration Act for Births, Deaths, and Marriages. Subsequently the business connected with the registration of deeds, and the records of mortgages, transfers of property, &c., formerly transacted in the Supreme Court, has been placed under him, and probably it would be a very desirable arrangement to concentrate everything of that kind in his department, where there would be more facilities for the proper discharge of such duties than in an office where the chief attention is directed to other matters. Of course, if this should be done, that portion or branch of the office might be discontinued.

58. It would, in fact, take away all the correspondence as well as a proportion of your Statistics and Blue Book? No, I do not think it would take away all our correspondence under this head, for the Registrar General's Department being one of those under the control of the Colonial Secretary, applications or references would be made occasionally to him upon the subject; but it would not be to the same extent. That correspondence also is prepared by Mr. Greville, as far as relates to the Blue Book.

59.

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59. Is there ample employment for these messengers? Yes; sometimes we are at a loss for messengers. We used to have three messengers, but one was discontinued in 1857, when the new arrangements were made. They are fully employed, for, besides the mere delivery of official letters and matters they have to attend to in the office, there are constant messages and notes to be sent. Much can be done by means of notes, where official letters are not sent, in making inquiries, and these, although not recorded, form a considerable item of business.
60. Has any other department of Government besides the Colonial Secretary's a watchman, or how is the matter arranged—does that man watch regularly every night? Yes, and he resides close at hand.
61. The office-keeper is resident on the spot—does the watchman also reside on the premises? It is not part of the premises, but it is a Government building, and formerly belonged to the old Treasury.
62. He does live near the place? Yes; he is allowed quarters, immediately adjoining.
63. Has this vote of £250 for extra clerical assistance ever been drawn upon lately? Yes, to a slight extent. There is a young man who is employed in making copies of papers, and rendering other assistance, who is paid at the rate of £20 a-year, as a gratuity; but there was something more last year—I think about £40 were then paid for extra clerical assistance. Of course this extra assistance is limited as much as possible, as the provision is as a contingency for any pressure that cannot be foreseen. The returns that have been called for this session have not hitherto been so heavy as they have been previously, although we have at times had a great deal to do in this way. Still there are one or two to be furnished which will involve much labor, and I have already had applications from the clerks for some assistance for them. I always endeavor, if I can get the work done within any reasonable time, to do it with the establishment of the office.
64. You get your stationery from the Colonial Storekeeper? Yes; it is kept in the Record Room, by Mr. Goodman, and is issued upon the requisition of the heads of the different branches, who submit their requisitions in the first instance to me.
65. Why is this item still continued—"Preparing an Index to the New South Wales Government Gazette, £30"? It was originally allowed to Mr. Newcombe.
66. Who does it now? Mr. Allan. It has been allowed for some years, and is considered an appendage to the salary of the clerk who examines the *Gazette* and prepares the Index.
67. By Mr. Jones: When does he prepare the Index? I am not certain that he does not do part of it during office hours, but I think he keeps up the Index as he goes on, and then arranges it afterwards for printing, which is an extra duty. It was in consideration of that, that the allowance was originally made, not originally to him, but to a gentleman then in the office, who has now left it.

TUESDAY, 20 JULY, 1858.

Present:—

MR. COWPER, | MR. FORSTER,
MR. PIDDINGTON.

THE HON. CHARLES COWPER, Esq., IN THE CHAIR.

W. Elyard, Esq., called in and further examined:—

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1. By the Chairman: Can you state what are the circumstances which interpose such delay in preparing the Blue Book annually—could not some means be devised of obtaining this statistical information from the different sources which it has to be obtained, so that it could be condensed in the Blue Book some months earlier than has hitherto been usual? I think I mentioned, when under examination before, that one cause of delay is the time it takes to obtain the information from other offices. I do not know how far an arrangement might be made to obviate this difficulty; but I think that much of the Blue Book might be so arranged as to be printed.
2. And so reduce the expense of clerical labor; and so, also, that a portion of it might be made available each year, without repeating every year the information given in the preceding books, which has to be copied by the pen? Yes, to some extent. I think also, that a portion of what is comprised in the Blue Book might be omitted. There is a list of buildings and public works in it, and I do not know that there is any utility in retaining this. The chief object of the Blue Book formerly was, as well as it is at present, to furnish the Home Government with information relating to the Colony.
3. To the Secretary of State? Yes. I do not know that any such return as that alluded to would be of any use in the present state of the Colony. If it should be required at any time by the local legislature, a special return could always be prepared. There are also the particulars referring to gaols, which occupy much time in copying, and considerable space: by omitting some of these things, I think the Blue Book might be got out earlier.
4. Could not the various country Benchers and other departments receive circulars before the end of the year, requiring them to send in their returns to the Colonial Secretary's Office soon after the year expired? I believe that is done now. These circulars are generally prepared before the expiration of the year, and I think they are sent out about the beginning of January. It does not, however, depend so much upon this as upon the time taken to collect the information in the different districts. It is frequently necessary to repeat the application for the information before it is obtained from the remote districts.

5. At what time do you receive the information, so that the whole of the Blue Book can be compiled? Some has not yet been received.
6. For last year? We have not got the Emigration Returns. I have had to repeat the application for them, and to urge their being sent in without delay.
7. What reason is urged by that department for not sending in the returns? The reduction in the clerical strength, and the difficulty in getting them prepared.
8. Are they elaborate returns? Not very elaborate when placed in the Blue Book; but I suppose the work in preparing them is very considerable. Statistical work generally does not appear so much when put into shape, although it often occupies a great deal of time in the preparation. You can hardly form an opinion of the time occupied in preparing statistical returns.
9. In the Colonial Secretary's Office what is the strength occupied in this particular duty? We have Mr. Greville.
10. At what salary? Mr. Greville's salary is £550 a-year.
11. What assistance has he? Mr. Newcombe, at a salary of £230 a-year. I think I explained this in my former examination.
12. Generally, you did. Now, with reference to this particular branch, what duties do they perform besides this? This is their chief duty—the Blue-Book, and the Statistics, which form part of the Blue Book. They have also some other returns to make out.
13. Would not this duty, which is performed in the Colonial Secretary's Office, more properly belong to the Registrar General's Department? Yes; I think it might properly be placed in that department with other statistics. It is possible such returns as these might be prepared with greater facility there than in an office where the business chiefly is of a different character; because it would not then require a special establishment for the purpose. It would form one of the items of business, and the clerks engaged in other statistical work would be occasionally available to assist in this, without prejudice to other duties of the same description.
14. Is there not a large proportion of the Blue Book consisting of names of every subordinate officer of the Government, which does not appear to be of great importance? That has been, to some extent, curtailed in the Blue Book of the present year, with a view to diminish its size, and the labor of compiling it. I am not sure that it might not be still more shortened.
15. Was there not one year when the Blue Book was actually printed? Yes, it was printed in 1828.
16. Then the facilities for printing for Government were not so great as they are at the present time? No. This was not found to answer. I believe it occupied a very long time. I do not find that it has been got up in the same way in any other subsequent year.
17. Do you understand why it was not printed since? The Government had not the means at its disposal of printing it readily, as prepared, and it was not considered, I believe, that it facilitated or expedited the preparation of the book. But I think it is possible that it would be different now.
18. It would not be necessary to prepare the copies in the same elaborate careful style of penmanship that has been adopted hitherto in writing out the Blue Book? No.
19. The drafts would, of course, in many cases, be available for printing? They would require careful comparison. It is necessary to keep in view one object of the Blue Book—which is, to afford information to the Government at home, as well as, perhaps, to furnish the means of answering inquiries in England. A copy is also laid on the Table of the Legislative Assembly, for information, during the Session.
20. These salaries partly arise from the length of service of the gentlemen employed? Mr. Greville has been thirty-three years and upwards in the department; Mr. Newcombe upwards of six years.
21. By Mr. Forster: I presume that the Colonial Secretary is the sole officer of Government responsible for all that is done in your department—he is the sole responsible person for all that is done in your department? Of course, the persons employed under him are responsible to him.
22. Do you consider, since the advent of Responsible Government, the responsibility is better enforced than it was formerly, or worse? Formerly the responsibility of the officers of the Government was to the Governor General, and although questions might be put to them in Council, or explanations obtained on different matters, the responsibility was different, because this had no influence upon the position of the officers; there is, therefore, now a greater or more direct responsibility than formerly existed—the Ministers being immediately answerable to Parliament for the transactions of the Government.
23. You consider your department quite as efficient as it was under the former system of Government? Yes.
24. Do you consider it quite as efficient as it might be made, or as it ought to be? I think that when the new system of Government, by which the public business is more divided, has been longer in operation, and regulations established and brought into force, on different subjects, the department may be made more effective, and the control over the public service, which Ministers have to exercise, be made more complete.
25. You consider there is room for improvement still? By the establishment or revision of rules occasionally, as required by circumstances, there are few departments in which some improvement might not at different times be effected.
26. You consider that the system is pretty good, and only requires to be properly carried out? I do not see that any immediate alteration is required.
27. Do you consider all the officers of your department are sufficiently rewarded for the work they do? I do not think, without reference to the higher offices, that the scale of salaries can be considered too high, looking at the service of the individuals as well as the duty

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- duty they perform. If they had something more, particularly in the lower grades, they would not be overpaid.
28. Not overpaid—do you think they get enough? No; I do not think the scale of salaries at present is what it might be.
29. Do you allude to all the salaries generally, or merely to the salaries under a certain amount? I allude to the salaries under a certain amount; I do not include my own, or the Chief Clerk's, or Mr. Greville's, who, besides the duty he performs, has considerable length of service.
30. Will you state under what amount you consider the salaries not sufficient for the work done? I do not take into account merely the work; some regard should be had to the service of the individuals. I think that below a certain scale, or a certain grade, some advantage should accrue from length of service. With reference to the higher offices, to which certain fixed salaries have been attached, they may not look for increase, but I think that persons below these should be paid not only for the work they do, but also derive some advantage from length of service. Looking at it in that view, I think that all persons under £400 might have something more.
31. Supposing you admit the principle of additional advantage from length of service, can it be resolved the amount of remuneration you must pay in another way. It is another way of remunerating the public servants, paying so much for work and so much for length of service. It all resolves itself into additional remuneration? Yes.
32. Don't you think it would come to the same thing if the officers of the Government were always paid a certain salary, so as to give them something to live on and something to lay by? It might be difficult to fix the different scales for this.
33. Do you infer, by what you state, that every public servant has a kind of claim to additional remuneration for length of service, apart from the quality of the work done? There are clerks on different rates of pay; some have £175 a-year, others higher rates. If a vacancy occurs in the latter, a clerk on the former might not be altogether eligible for the promotion, although a desirable person to retain on the establishment, and by giving some advantage for continued service there would be an inducement for him to remain.
34. Don't you think that a man is induced to remain longer in an office in the hope of preferment—that being on the spot, so that in the event of a vacancy occurring, being better qualified to be selected in preference to a stranger out of doors? Yes, that is one inducement; and, if qualified to undertake the duties of the office that might become vacant, he would, no doubt, have a fair claim to expect the preference.
35. You do not mean to say that any claim should be given to length of service, or seniority, in favor of a person unqualified, or less qualified than another? In saying that some consideration should be given for length of service, I referred to the case of persons who might be very useful in their position, but not so well qualified for promotion, or where there might not be opportunities for early advancement. On a recent occasion a very useful clerk in the department, who might not have been considered eligible for promotion to another grade, and who was on the scale of £175, left, and sought for employment in a mercantile establishment, where he has obtained a larger salary. If he had received £200 a-year instead of £175 he would, probably, have preferred to remain. He is, I understand, receiving more than that now.
36. In this particular case you refer to, is the work which was done by that person less efficiently done now? I am not prepared to say it is less efficiently done. He was a very useful person, and one it would have been desirable to have retained in the department. Frequent changes are inconvenient. A person coming into an establishment is not for a time so useful in the business in which he is employed as one accustomed to it, and acquainted with everything he has to perform.
37. Do you mean after the clerk has been in the public service some time he should have an additional salary given him as being so long in the service, without reference to the work he does? I think that length of service ought to give some advantage.
38. Without regard to capabilities? Provided he is capable of doing what he is engaged for. Below certain rates of salary it seems necessary to afford encouragement in the way I have mentioned. Since the appointment of this Committee I have given some consideration to this subject, and I have come to the conclusion, that, where the salaries are below a certain amount, something should be allowed, beyond the remuneration for the duty, for length of service. Formerly it used to be the practice to give an annual increase, but this has been discontinued.
39. Ought not the salaries of the public officers be sufficient to retain them in the average condition of rank to which they belong? Yes.
40. I mean by the average condition, a certain style. Every man is supposed to be married, and to have a certain number of children. Taking the average, don't you think the salary of every public servant ought to be sufficient to keep him in the average condition of society to which he belongs? I think it ought. This will be found to be the case, I believe, in mercantile business, and in almost every other line of life. Persons generally acquire the means of living in a manner suitable to their position, and public servants should be able to do the same.
41. Do you think the salaries of the lower class of Government officers—I mean as to salary only—do you think their salaries are up to the mark which I have indicated? No, I do not think so. It is difficult to give an opinion as to the proper amount of salaries; but I know that this class of officers do not consider that they are paid on a scale sufficiently high; and applications are frequently made for augmentations of salary.
42. Suppose an application was made for an augmentation of salary, and refused—so long as they retain their situations, is not that sufficient to prove that they consider their salary quite enough? I don't know that that can be considered an evidence of it. A person

employed

employed in a business in which he has been engaged for a certain time of life, and to which he has become accustomed, may be unwilling to change if he can avoid it.

43. Supposing it is a fact that the salaries of the lower classes of clerks are not sufficient, is not that likely to lead to the employment of an inferior class of men in those grades to which I have referred? It leads, no doubt, where vacancies occur, to applications from such persons for these offices; because good clerks will of course seek situations where they would be better paid. Therefore, to have a low scale of salaries for the public servants is to induce, naturally enough, persons less qualified to apply, and deter those better suited. It frequently happens that people become, by practice and attention, more efficient than when they first enter a department, and useful assistants. These persons naturally look for some advantage from this circumstance.

44. The circumstance, in fact, of their being trained in the public service—the public service trains them and pays them for it? No; the public service has the advantage of their training.

45. What advantage does the public derive from their training? The advantage of any improvement.

46. Don't you think that under these circumstances in a merchant's office a premium would be exacted for the training of a clerk who was not efficient at first? Not, I think, of the class alluded to. A person is seldom as useful on first entering on a new occupation or situation as he afterwards becomes.

47. To give them an inferior salary while being trained; that is like exacting a premium—giving them a low salary? Although a person usually becomes more useful after being some time in a situation which affords him the opportunity of improvement, the advantage which he may thus derive is not such as that for which a premium is required.

48. Supposing a public servant is fully up to his work, is not the principle adhered to, that in all cases full ability shall be given to the office, and that his work shall be as efficiently performed as it is in his power to perform it? Yes, of course, that is the case.

49. Suppose he remains in the service a certain number of years, upon what principle would you increase his salary? Perhaps after some stated period; but I am not certain that it should be by annual increase, as was the case formerly.

50. If the public made him useful, ought not the public have some remuneration for the time he was receiving salary, and not up to the duty? It would not follow that he might not be sufficiently qualified for the duty he was engaged to perform, although he might become more useful after some time; such a person, if he remained long in the same position, should have some advantage from his service. The opinion I wish to express is, that without this you may not retain the most desirable persons. I mentioned an instance of a very good clerk who left the department in consequence of his being on so low a scale of salary, which was £175 a year.

51. Upon what principle do you think higher salaries above the average ought to be awarded—for superior skill or superior honesty? I think that several circumstances are to be considered in deciding upon such salaries—the character of the office with respect to duties or labor, its responsibility, or whether of a confidential nature, as well as its position with reference to others. The salaries thus fixed would probably be such as to command the services of competent persons at any time without the inducement of augmentation for length of service. This I understand to be the case in England; where the higher officers, or heads of departments, are usually paid a certain salary without reference to their periods of service. But, in other grades, I believe that the practice of giving an advantage for service by an annual increase is there general.

52. For mere length of service? Yes. They commence at a certain rate in the class, and increase gradually.

53. These annual increases stop at a certain point? Yes. One class may receive £200 a year, and be augmented to £250 or £300, and this would be the salary of the clerk until promoted.

54. I suppose there is a fixed rate at which the increase stops—it does not go on indefinitely? It stops at the maximum of the class.

55. That is remunerating the clerk by two modes, by actual salary and by an annual increase? Yes. If he has the necessary qualifications, and there is an opportunity, perhaps he may be promoted to a higher class, but otherwise an annual increase is granted.

56. Is that system adopted here now? No; it has been discontinued.

57. You approve of it? I had some doubts whether the system of granting an annual increase was desirable. It may be difficult to resist claims made under it, after the prescribed period, although the individuals may not be strictly entitled to the benefit. But, without saying that I think this system ought to be revived, something equivalent to it should, in my opinion, be adopted for the advantage of the lower grades after certain service.

58. Is it not difficult, under such a system, to avoid favoritism—to avoid improper applications, and of persons getting what they are not fairly entitled to? The regulations required a certificate from the head of the department that the individuals were deserving of the increase, the condition attached to it being that of *approved* service. I am not prepared to say that the heads of departments did not give this certificate in some cases in which strictly it should have been withheld; and this is the objection to the system that the increase may be viewed too much as a matter of course.

59. *By the Chairman:* I think it was according to a regulation, that, preliminary to the extra clerks getting on as class clerks of the establishment, that they should undergo an examination? Yes.

60. *By Mr. Forster:* As regards the average class, I mean as required for the public service generally, without reference to those required for particular skill, what are the qualities generally required—is any peculiar talent required for the public service? I think that the

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business of the public departments is of a character requiring some peculiar qualifications, which are sometimes best acquired in the service.

61. Do you think any natural talent is required? The measures or transactions of the Government require, in many cases, a different mode of proceeding for carrying them into effect than those of an individual, who can use more of his own discretion, or of a banking institution, or other establishment confined to a particular business, or subject to one direction. In the public service it is often necessary to consult other departments, or officers, to obtain their authority, concurrence, or opinion, and when action is taken, to give such instructions, or make such communications to the several offices concerned, as may ensure their acting in concert, and making suitable arrangements for the execution of the service. Persons in the public departments to whom such duties are entrusted should possess the qualifications which will enable them to perform them properly.

62. Don't you think any man of common industry and honesty might, up to a certain point, fill any office of the Government? To be a good clerk it is necessary to write a good hand, and to be intelligent.

63. That is a common qualification—writing a good hand? Yes; but many people otherwise well qualified for an office do not write good hands.

64. Do you think any of the persons receiving over £500 a-year are over-paid? I am not prepared to say that that is the case. The value of money is not equal to what it was; although the salaries may appear in some cases large, they are not equivalent to what they were formerly.

65. You made a comparison of the class of officers receiving £600 with those receiving only £200 or £300—can you state what peculiar qualifications are required by the higher officers that are not necessarily possessed by those holding lower offices? Apart from the qualifications for which an officer may have been selected, I think a higher position is usually accompanied by greater responsibility as well as labor.

66. Generally the labor is greater—physical labor? The labor is that which attends a close application to business, mental and otherwise. These officers also fill places of responsibility and confidence, circumstances to be considered when fixing their remuneration.

67. When vacancies occur with reference to offices above £500 a-year, is there any difficulty in filling them up from applicants out of doors? There are always a variety of applications for every office that falls vacant, whether with large or small emoluments. It does not always follow, however, that these applicants are the best suited for it. I may mention that it is not within my province to decide upon applications for appointments.

68. As a general rule, do you think there is much difficulty in getting persons above £500 a-year salary, fully competent persons, when vacancies occur? I am not aware that there is: these vacancies are not of very frequent occurrence.

69. Do you think that those gentlemen remain in the public service with a knowledge of their not being fully remunerated, from a love of the country, or the public good? No; I think it very possible that when gentlemen have been for a long time in a particular line of life, they do not desire to leave it, if they can obtain the means of living without doing so.

70. You think that they prefer remaining even where they are not fully remunerated to leaving it? Yes. It is not always easy, or at any time of life, to make new arrangements, or to embark in new occupations, of which they may have little knowledge; and I think that in many cases they would strive to remain in the service, although not receiving such remuneration as they would wish, or may have hoped to obtain.

71. Is there at present any supervision exercised by the Colonial Secretary over other departments—I mean other departments that are personally under the control of other Ministers? Not the departmental control.

72. Is there any supervision at all? Of course the Colonial Secretary exercises a certain supervision over the whole affairs of the Government.

73. Do you think the Colonial Secretary would have any responsibility arising out of the mistakes of those departments, apart from what he has in his own department? He shares the responsibility which attaches to the Ministry as a body, for the transactions of the Government in the different departments.

74. Do you think the responsibility of the Colonial Secretary is greater than the responsibility of other Ministers—does the weight of responsibility rest on him? As the chief Minister and head of the Government, I should think the responsibility of the Colonial Secretary greater than that of his colleagues.

75. Don't you think that there are many departments placed under the Colonial Secretary which do not properly belong to him under present arrangements—the police for instance? I am not aware that the police are not properly placed under him; should any modification take place in the administrative arrangements, some of the departments placed under the Principal Secretary might be transferred to a new Minister.

76. Don't you think the supervision of the police belongs to the function of a Minister of Justice? I believe in England it is not so. I think the position of the Colonial Secretary corresponds in this respect to that of the Home Secretary. I believe the police are considered attached to the Ministry of the Home Secretary.

77. Are not the affairs of the police more connected with law than any of the other departments placed under the Colonial Secretary? I do not know that it follows; of course questions arise occasionally which have to be referred to the law officers. The police is not a judicial establishment. Under the existing administrative arrangements the magistrates communicate with the law officers on judicial matters.

78. Don't you think, compared with other countries, that we pay a good deal for the expense of government—don't you think that the whole expenses of the Government very extravagant? If you take only the cost of Government, properly so called, separating what in other

other countries appertains more to local establishments, or municipal institutions, and consider the expenses of living in this Colony, I do not think that it is excessive. If you make allowance for this difference, the expenses of Government will not be so great. But I am not prepared with the means of making a comparison with other places.

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79. Are copying presses used in your department? No, we have not used them.
80. Don't you think that copying presses would save labor and expense? I am not aware that they would. I think they are not much suited to the business of the Government. They are used by merchants, and may be convenient for their correspondence; but the paper required for them is not durable, and does not form so complete a record as it is desirable to keep in public offices. Moreover, I do not know that these presses can be made available for making copies of papers such as those to be laid before Parliament. In some of the offices they are used to copy letters, but there seems to be the objection which I have stated, that there is not a durable record.

81. *By the Chairman:* Are you aware what is the opinion of the officers in which it has been attempted to be introduced? Not that I recollect, but I have seen the books kept in some of the offices.

82. *By Mr. Forster:* What is your opinion of the system of competitive examination of candidates for the public service, spoken of as the custom at home? I have seen some of the reports of the Commissioners in England on the subject, but I am doubtful if the time has arrived when the system could be brought generally into operation here with advantage; or if persons such as it would be desirable should compete, would on all occasions be found to do so. I think, however, that the system might be applied, under some regulations, for gradually introducing into the service young persons, with qualifications likely to render them useful in the departments of Government, and eligible, after a certain probation, on small salaries, for periods not less than two or three years, for appointments on the fixed establishment.

83. Did you not state that something of the kind was in use now? Not exactly. When a person was nominated for an appointment as a clerk of the third or junior class, he used to be examined by a Board.

84. Is that the case now? No. The system or regulation under which this was done is not now acted on.

85. That was the system of increase of salary? Yes. Such increases were provided for by the regulations referred to. The examination which they required was to ascertain the fitness of a particular person nominated for an office; but, under the system to which you allude, several persons, I believe, compete for an appointment, and a selection is afterwards made by the Minister or officer on the report he receives. I observe that this is done partially in Victoria, in the case of surveyors.

86. That is where a peculiar education and particular skill is required? Yes.

87. In the ordinary public services the qualifications are not of that peculiar character, and are not the parties selected on partial grounds? I believe there is every desire to select and appoint properly qualified and eligible persons.

88. *By Mr. Piddington:* With reference to the Blue Book, do you think there is any necessity to compile the information contained in the Blue Book in a special form? I think it is a desirable work; it is a return which is furnished to the Secretary of State, and, I believe, very useful to the Home Government.

89. Leaving out of consideration the Secretary of State's interest in the document, and viewing it as a document containing statistical information only, do you think it necessary that all the information contained in the Blue Book should be compiled in a particular form? It includes the returns or statistics which are laid annually before the Assembly, and it would be necessary, at any rate, to prepare these. There is also much information which it may be useful to refer to occasionally. I am not prepared to say that, excepting as a return to be sent to England, or so far as it may be considered of use to the Assembly, that it is necessary to compile this book. It shows the different establishments and salaries from year to year—the alterations that are made—the length of time the officers have been in the departments or in the service, and other particulars, and by continuing the book from year to year these particulars are brought up to the latest date.

90. Do you think the information compiled in the Blue Book is so useful to the public as to justify the expenditure of £700 a-year for two clerks in compiling it? It has been found necessary to appropriate these clerks exclusively to this duty to collect information, to correct and arrange it before it is copied into the book, of which three copies are made. I think I explained this when I was examined before.

91. I don't question the necessity, but do you think the information of such value to the public as to justify the appropriation of two clerks at the aggregate salary of £700 a-year? Under other circumstances you might not require two clerks at the same rate of pay. As I mentioned before, one of the clerks has acquired his present salary after a great length of service. Perhaps, as it includes statistical returns, it could be prepared in the Registry Office, with other business of the same sort, at less cost. The value of the book hitherto has been chiefly as a return for the Home Government, and I believe much importance is attached to its being regularly furnished. I think it very desirable that they should possess some book of this description, affording information without a reference to the Colony.

92. Apart from the convenience which the Blue Book affords to the Imperial Authorities, are you of opinion that all the information embraced in the limits of the Blue Book should be compiled for the benefit of the public within the Colony? I think there is a portion of it which might be omitted.

93. How large a portion: have you any idea—one-third, one-quarter, or one-half? No, I am not prepared to say. I think there is a portion which might be omitted, as well as that it might be otherwise curtailed. I mentioned before the returns relating to buildings and gaols.

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94. You have no idea of how large a portion of the Blue Book is compiled? I have not an estimate of what might be omitted.
95. Are you of opinion that every clerk should receive an annual sum beyond his salary, solely on account of long service? I had some doubt on the subject, for the reason I have mentioned before. But I think they should derive some advantage from continued service.
96. Is there no other way of rewarding them, except in the shape of a gratuity, for long service? Only by promotion when opportunities offer; but it may be a long time before this is the case; and sometimes when vacancies occur, they may not be such as they may be considered so eligible for as others, while in the position they are in their services may, notwithstanding, be valuable.
97. Should the gratuity for long standing bear a proportion to the salary of the individuals? Such used to be the case.
98. Should it, in your opinion? I think it should.
99. Upon what principle do you think promotion from one grade to another ought to proceed? It must, in the first place, depend on a vacancy in the class above.
100. Of course I assume there is a vacancy? If eligible for the vacancy, I should say that the senior would have a fair claim to be considered in filling it up.
101. And if he is regular in attendance to his duties? Yes: he should be punctual in his attendance, attentive to his duties, and his conduct otherwise unexceptionable.
102. Don't you think the head of the department is the best judge of the qualifications of the subordinate to fill the vacancy arising? Yes. I have known instances of clerks who have passed their examination but indifferently prove useful assistants. I think heads of departments best able to judge of the qualifications of those who serve under them.
103. Then you think the system of promotion from one grade would operate to stimulate the exertions of the clerks, and so retain them in the public service? The hope of promotion would no doubt be an inducement to persevere in the line of life on which they had entered.
104. Do you think that the natural hope of promotion a sufficient stimulus, without a gratuity of the kind you alluded to for length of service? I do not think it is of itself, because promotion is uncertain. It depends, in the first place, on a vacancy, and sometimes there are arrangements connected with the service which might interfere with the claims of particular persons.
105. I think in the course of your examination you assumed that some gentlemen in a particular grade of the public service may not be qualified for promotion? Yes. They may be exceedingly well qualified for the duties in which they are then engaged, but would not be so useful for others; for instance, some clerks for preparing certain documents are almost invaluable, whereas they may have little ability for correspondence or general business.
106. Then some clerks in the public service are mere mechanical agents—mere automatons? I can hardly say that; a certain degree of intelligence is necessary. Much of their time no doubt is occupied in copying; but they are made available for other duties of some trust, or which require some intelligence.
107. Do you think it desirable that the public service should be filled by gentlemen devoid of any laudable ambition to qualify themselves for the duties of a higher grade? I think it desirable of course that they should endeavour to improve themselves. This has been found to be more the case with those who have entered the service comparatively young, and it would be so with the class I have before alluded to, if possessing a fair education, writing a good hand, or, what with practice would prove so, and, likely to take an interest in the service. Much depends on whether a person likes the line of life he has entered upon, as, if he does, he is more earnest in pursuing it. I believe that these make the most useful clerks eventually, and improve themselves very much in the public service, and qualify themselves for promotion.
108. Do you think persons should be of this class who are accustomed to a certain business, to a certain class of duties: take lawyers' offices, for instance; there are certain persons who perform the same duties, and never advance above that? They engross or copy, without performing the higher duties of a solicitor's office. I believe these gentlemen are invaluable in their position. So in the public offices there must be people to perform similar duties.
109. Are there any duties in the public offices of so mechanical a nature as to be compared to the duties of an engrossing clerk? There is copying, which is, I believe, similar to engrossing.
110. Engrossing is copying in a particular style? It is done by those who perform it as ordinary copying by others.
111. Do you think it desirable that the public service should be filled up by gentlemen who are not likely to improve themselves, and make themselves useful to the public in other positions? I think it necessary to have some of the class of persons that I have mentioned to perform these duties.
112. Are you of opinion that all the clerks in the Colonial Secretary's Office receiving less than £400 a-year are under paid? I think that, with reference to their duties and the position of the office, that the scale is rather low.
113. You think that they are under paid? Yes. I think a small advance might be made, without its being open to be considered in any way extravagant.
114. How many clerks are there in that office who receive salaries below £400 per annum? There are ten clerks receiving salaries less than £400 per annum. In my remark I had partly in view the services of those at present employed.
115. How many gentlemen employed as clerks, excluding yourself, within the office of the Colonial Secretary? Thirteen.
116. Then ten out of the thirteen are under paid? Yes, I think so; more particularly those receiving £175 a year.
117. Suppose all the offices under £400 per annum were vacant, do you think the Government would be enabled to fill the offices with gentlemen able to fill the offices as well as those

those who are filling the present offices? I conclude it would be easy to get persons from other departments to fill up the vacancies, so far as they gave them promotion.

118. I am not speaking of taking them from other departments, but from the public? I have no doubt there would be candidates for any vacancies that might occur, and that there would be persons willing to take the situations, whatever the salaries. You could only judge of their qualifications afterwards.

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119. I did not ask as to candidates. I ask whether the Government could not fill the places with gentlemen—persons equally qualified as those who now filled the offices? By persons not in the public service?

120. From persons either in or out of the public service? There would be no difficulty, perhaps, in filling their places by persons in the service.

121. And from persons well qualified, wherever they may find them? I do not think they could all be filled from persons who had not been in the service, without inconvenience to the department.

122. Do I understand you to doubt whether persons equally qualified could be engaged? The applications from persons seeking employment in the Government service are not generally from those best qualified for it. Employment in other pursuits is, I believe, in many cases more profitable; besides, persons holding situations in commercial establishments have the opportunity of making a connexion and acquiring a knowledge of mercantile transactions, which enables them to join firms, or to enter into business on their own account. I do not, therefore, know that eligible candidates would always be found.

123. I think you to be of opinion that if ten offices were vacant that the Government could not fill them up at the same salaries and equal qualifications? I do not think that they could be filled by persons who, for a time, would be so eligible as those who are accustomed to the duties. Supposing there were individuals disengaged, otherwise equally eligible, I am not certain that they would desire to look to the service for permanent employment, or that they would do so without seeking to obtain higher salaries; and, so far as my observation goes, there does not seem to be a desire at present, on the part of qualified persons engaged in other employments to quit them for the public service.

124. There would be some rate of salary at which you could assume the Government could fill up these situations from the public at large—such offices as I now allude to? I do not think that a scale with less than £400 as the maximum would generally be sufficient.

125. Do you think an increase of twenty-five, fifty, or a hundred per cent. on the existing salaries would enable the Government to secure gentlemen competent to fill those situations? The salaries being of different amounts the same scale of increase would not perhaps be suitable for all. It may be difficult to say what rates would effect the object you contemplate, as this could only be known by the result. I think there should be some advantage besides for length of service.

126. These incidental advantages arrive under fixed salaries the same? I understood your question to refer to some fixed salary without advantage from service.

127. In connection with the hopes of holding other offices by promotion? The rates fixed would then be all they were to expect, unless there were higher offices, which, probably, they would not look forward to.

128. I don't see why not? The heads of departments. If qualified for the charge of a department this might be one inducement; although this has not hitherto, with a few exceptions, been the case, and the prospect would be distant.

129. You are not prepared to say positively what amount you would fix? No. I have some hesitation in suggesting a scale, and particularly what should be the lowest rate or commencement. The present rate of £150 or £175 is, from all I can learn, insufficient to maintain them in a proper way without difficulty.

130. If the Government could fill the situations at the present rate of salaries, might not that fact afford a proof that the salaries are sufficient? I do not think this would be a sufficient proof that they are what they should be if persons remain in the situations, or have been induced by different circumstances to continue in them.

131. Are you acquainted with many cases where the qualifications of the gentlemen engaged, united with seniority of service, have not had their weight with the Government in making their appointments? It is possible there may have been cases where it may have been considered that other arrangements might have been made, but I do not recollect any particular instance. I have no doubt it is the desire of the Government to make the best arrangements they can for the public service.

132. If there were any cases occurring where the Government have not regarded length of service they would come within your recollection and knowledge, would they not? I do not recollect any case at the moment. Of course, as there are generally several candidates, or expectants, some must be disappointed when an office is filled up. Many may consider that they have been passed over, and that they have a cause of grievance; that is, no doubt, sometimes the case: and there may also have been circumstances connected with the arrangements of the Government, or of different offices, which may have interfered with claims which might otherwise have been attended to.

133. I think you have been in the service upwards of thirty years? Upwards of thirty-six years.

134. Then, if you find it impossible to recollect an instance of the kind, is it not fair to assume the patronage of the department has been fairly exercised? Generally, I believe it has. Speaking of appointments generally—there may be several persons equally eligible, and any of these may consider that they are not dealt fairly with if not preferred; but, I presume, it is open to a Minister to select, from equally eligible candidates, such as he may prefer or deem best qualified, from personal knowledge or otherwise, or such as from some arrangements for the public service may be most desirable. So far as it comes within my knowledge, there is, I think, every disposition to consider the fair claims of individuals, and the interests of the service.

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20 July, 1868. 135. Have you any reason to doubt that the Colonial Secretary exercises an efficient ministerial control over the several departments contained in the report that come within his department? Over the departments assigned to him in the notice of administrative arrangements?

136. The same ministerial control as other Ministers of departments? Yes: these departments make their reports to the Colonial Secretary, under whose authority they act in many matters, and whose sanction to different things it is necessary for them to obtain. In any revision which may be made of the administrative arrangements, some modification of the present distribution might be desirable. It will be observed by the notice referred to, as well as by the Estimates, that the establishments placed under the Principal Secretary are more numerous than those under any other Minister. Although in other branches of the service the business is very extensive, as in the Department of Lands and Public Works, there are more establishments and officers under the Principal Secretary, and his attention, of course, is more divided. There is also a large country correspondence with the Benches.

137. Looking at the departments of the Principal Secretary, do you think it necessary to appoint another Minister on account of the multifarious duties of the department, leaving out of consideration all other matters? I think it has been suggested that a Minister of Public Instruction would be desirable. If such a Minister should at any time be appointed, matters relating to educational establishments, ecclesiastical affairs, &c., might, perhaps, form a portion of his charge.

138. Are you of opinion that a Minister with the title of Minister of Public Instruction should be appointed? Yes; I think it would be a desirable appointment, as there are matters of sufficient importance to engage the attention of such a Minister, who, as a Member of the Cabinet, having, perhaps, more leisure than others, might be able to afford valuable assistance in the discussion and decision of many things of consequence.

139. You would have a new Minister, who you would call a Minister of Public Instruction? Yes.

140. Would you have any other Minister to be called a Minister of Justice, to have authority over the police, gaols, and law? I am not prepared to say I think this required. I believe, however, that it is by many considered that it would be a desirable arrangement.

141. Do you consider it desirable? I cannot say that in my opinion it is so. I believe the duties which would probably be assigned to him might properly be placed under the Minister corresponding with the Home Secretary at home, if relieved of some other duties.

142. As I understand you, you are decidedly of opinion that a Minister of Instruction should be created, but not a Minister of Justice? Yes, that is my opinion. A Minister of Justice may possibly be desirable; but, so far as I am able to judge, it does not appear necessary, although I think the appointment of a Minister of Public Instruction would be a very useful one, and one of considerable value to a Ministry in their general business.

143. Do you think it desirable to divide the duties of the Secretary for Lands and Works? I know that when formerly the business connected with Public Works was performed in a branch of the Colonial Secretary's Office it was very extensive, and it is not likely that it will be less as the Colony advances, and railways are extended. I therefore think that the appointment of a Commissioner or a Minister of Public Works, to be charged with these duties, and the Parliamentary and other business connected with them, would be of advantage to the public.

144. I gather from your remarks that you are of opinion that two Responsible Ministers are required? Yes; I think it would be an improvement on the present arrangement.

145. You are not of opinion that a Minister of Justice is desirable? I am not prepared to say I think one necessary at present.

146. *By the Chairman:* Have you ever considered the question of making a deduction from the salaries of officers of the Government, in the same way as is done by the Police and Ministerial Departments, in order to provide a fund, which might be called a Superannuation Fund, to provide for officers of the Government some retiring allowance after they retire at a certain age? I believe that the question has been several times under consideration, without any conclusion having been arrived at. One difficulty is, perhaps, that the service is not at present sufficiently large to admit of an arrangement of this description without requiring too great a deduction from each individual. Moreover, those already in the service have, under existing regulations, and according to the practice hitherto followed, a claim to a certain amount as an allowance or superannuation on the termination of their employment. I do not know in what way any new regulation should be applied to their cases. The arrangement should, perhaps, be prospective or limited in respect to deductions from salary to future appointments.

147. If there were such a fund, might it not tend to the efficiency of the public service, and induce officers to retire some years sooner than they would otherwise be inclined to do in the absence of a retiring allowance? Yes, I think so decidedly, supposing an adequate allowance to be given.

148. You think the service is too limited at present to justify your supposing that a deduction, not felt oppressive, could be made from the small number of officers to create a fund that could at all meet the claims which would be necessary, and must be satisfied by the service? I think so, without some other aid; and I have heard the same opinion expressed by others.

149. The principle works well in the police, does it not? Yes. I believe the Police Superannuation Fund is in a flourishing condition; but they are a large body. It is only after a long service that they become entitled to the benefit of the fund; and many changes take place without their having acquired any claim on it, notwithstanding their contributions.

150. They do not claim as soon as they are entitled to it; they go on in service, and afterwards become entitled to it? They cannot claim unless under a medical certificate, or in case of injury received in the discharge of their duties, until they arrive at a certain age, and

and have served for some years. The changes I referred to as taking place without their having any claim to an allowance are those arising from misconduct or resignation.

151. *By Mr. Piddington*: Are you acquainted with the highest rate of superannuation allowed to a police officer—I believe it is fixed by law? Yes.

152. A small sum? No; after a long service it would amount to a considerable sum—equal to the full salary or pay of the police officer.

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William Macpherson, Esq., Clerk of the Legislative Council, called in and examined:—

1. *By the Chairman*: You are now Clerk of the Legislative Council? Yes.

2. How long have you been in the service of this Colony? Twenty-eight years on the 11th of October last.

3. What offices have you filled under the Government of New South Wales? I was first Collector of Internal Revenue for seven years; then Clerk of both Executive and Legislative Councils, for seven years; out of which time I was for eighteen months Acting Registrar of the Supreme Court.

4. Acting for whom? Mr. Manning; not acting for him, but appointed; which appointment was not, however, confirmed by the Queen. I was appointed to the office upon Mr. Manning's removal.

5. And before somebody was sent from England to fill the office? Yes. The duties were divided after I left that office, because Mr. Manning complained that he had too much work. When I was appointed, I found he was mistaken: I brought up all the arrears. However, the duties were divided: Mr. Gregory, the Prothonotary, got part of them; the Master of the Supreme Court, Mr. Milford, got another part; and Mr. Carter, the Registrar General, got another part; his portion being made a separate department of: so that the various duties, all of which I found myself capable of performing, were divided among three officers.

6. Without any other duties being attached to them? The Master of the Supreme Court had his own previous duties, and the charge of Intestate Estates was joined to them. The Prothonotary had his duty as Registrar of the Supreme Court, the particulars of which, as afterwards arranged, I am not aware of. The Registrar General had no other duties attached but those of the registration of Deeds, Births, Marriages, Deaths, &c.

7. Since 1843? From 1st July, 1843, I was Clerk of the former Legislative Council until the establishment of the new Parliament, and since that time, Clerk of the present Legislative Council.

8. You have probably had an opportunity of reading the evidence of the President of the Legislative Council—Sir William Burton? I have had no opportunity; I was not aware it was printed.

9. What is your opinion of the present state of the establishment of which you are the head—is it sufficiently numerous, or is it more than sufficient for the duties devolving on it? I think it sufficiently numerous, but not more than sufficient for the duties devolving on it; that is during the Session, of course; but in the recess there is not a great deal to do, unless for about a month before the commencement of a Session, and from one to two months after it, during which there is as much to do as in Session, with the exception of the night-work.

10. Do you find the duties devolving on these gentlemen sufficient to occupy the whole of their time? Quite sufficient.

11. And during the recess have they much leisure? No doubt they have, excepting as before mentioned.

12. Then, during the recess they are not very much occupied? No, certainly not, excepting as already mentioned.

13. Do you think that the duties are likely to be lighter after the Legislature is established for some time, or do you think it is likely always to continue? I think it likely always to continue. The existence of the Session must cause the addition of a great deal of work, and when the Session terminates, then there must be a great deal less, particularly as regards night work.

14. Do you find there is more leisure, in comparison, for the clerks in the present Legislative Council than there was for the officers of the late Legislative Council in the recess? No—much the same.

15. Do you consider that during the recess the officers of the Legislative Assembly have a considerable amount of leisure? I cannot speak of them, they not being in any way under my immediate observation.

16. You were for many years Clerk of the Legislative Assembly? No; I was Clerk of the late Legislative Council.

17. What was your experience there? I say the leisure there was much the same as it is here, but with a larger body.

18. Do you consider your clerks work as much as the clerks of the late Legislative Council did when you were Clerk? Yes—more.

19. You think the work is harder? Yes; because the hours are later than they were in the late Council, generally speaking, although occasionally the sittings of the former Council were very late.

20. You don't meet until four o'clock, or half-past? Four o'clock very punctually; five or ten minutes past, or a quarter past, generally.

21. Four o'clock is the hour, with half an hour's grace? Yes, but we generally meet by a quarter past four o'clock.

22. What is the average sitting? Until 9 to 10 o'clock.

23. The average? 9 o'clock in the early part of the Session, and 10 o'clock in the later part, or even 11 o'clock.

William
Macpherson,
Esq.
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24. There are some weeks they do not meet until Wednesday? In the early part of the Session they sit three days, in the latter part of it four.
25. Do they meet to-day? No. The number of days on which the Council meets depends much on the business sent from the Legislative Assembly; when the business becomes pressing, then the Council meets four days in the week.
26. Have you any suggestions to make to the Committee with a view of making your department more efficient, and more economical to the country? I have not any.
27. You don't consider it possible to reduce it? No, certainly not.
28. Now, with reference to yourself, do you find your own duties are so onerous as they were in the former Council? Much heavier: I can easily explain how.
29. If you please? In the former Council I had two Clerks Assistant—Mr. O'Connor and Mr. Tompson: I only read such documents as were required to be read. Mr. O'Connor took the Minutes when the Speaker was in the Chair, and Mr. Tompson took the Minutes when the Speaker was out of the Chair. Now, I have only one Clerk Assistant. I take the Minutes when the President is in the Chair, and the Clerk Assistant takes the Minutes when the President is out of the Chair. I have now the Table duties to perform, which Mr. O'Connor performed in the other House. I could then leave as soon as the House adjourned; in the present House I have always to sit for from one to two hours, or more, after the House rises.
30. Preparing the Minutes of Proceedings for the printer? Yes. If a debate begins early in the evening, and there is much business to follow, on the Paper, it takes longer to prepare the Minutes after the House adjourns. If the House gets through the business in the beginning of the evening, and the debate comes on at the end, I have time to write up the Minutes, and I am not detained so long after the Council is over.
31. You do it yourself? With the assistance of Mr. Eldershaw, the Clerk Assistant, who takes down the Notices of Motion and puts them in order: I do the most part of the proceedings of the day.
32. Do you find yourself, even at your advanced age, equal to it? Without any difficulty: I never feel any the worse from my work.
33. You gave to the President a memorandum of your duties, did you not? Yes.
34. And, in addition to that, is there anything you desire to state to the Committee? I am not aware of anything further I have to say.

WEDNESDAY, 28 JULY, 1858.

Present:—

MR. COWPER,
MR. FORSTER,

MR. PARKES,
MR. PIDDINGTON.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

R. O'Connor,
Esq.
28 July, 1858.

Richard O'Connor, Esq., Clerk of the Legislative Assembly, called in and examined:—

1. *By the Chairman:* You have probably had an opportunity of reading the evidence of Sir Daniel Cooper, the Speaker, given before this Committee? I have.
2. Perhaps the readiest way of getting any suggestions from you would be to ask you whether, in reading that evidence, there were any points that struck you as matters on which you desire to give any explanation to the Committee? In looking over that evidence I considered it to refer only generally to the department; Sir Daniel avoided, in fact, entering into details. The Speaker could not be supposed to be acquainted with details. If the Committee desire information as to what the work of the establishment is, I fancy I only can give that.
3. With reference to the strength of your department, the number of clerks employed there—are they sufficient, or do you feel that a smaller number would be adequate to the efficient performance of the duties? Taking the general run of business, no doubt my present staff is sufficient for present demands, though, even as matters stand now, there are times in which we are very much pressed indeed; but, looking to what will come of the Electoral Bill, that is to the increase in the number of Members it will bring about, there can be no question that it will put me to the hardest possible shift to transact the business of the new Assembly with my present staff. Nevertheless, I will endeavour to do it, and will not increase the establishment, unless the House itself, from experience of the necessity, shall demand the increase.
4. Do you not think that after the important question of representation has been settled, we may have shorter sittings, and not such a recurrence of two Sessions in the year, or of adjournments, as has taken place during the last two years on the early introduction of Responsible Government? I should hope that we may not in future so often have two Sessions in one year; because, in point of fact, their frequent recurrence of late years has allowed us no breathing time. The gentlemen in my department have not had any leave of absence, except one week, for the last two Sessions; and I myself have had no cessation from labor for four consecutive Sessions, for there are always between the close of one and the opening of another Session very many important matters to wind up and prepare; and these preparations are made or directed by me.
5. What portion of time, since January, 1857, has the House sat? Members constantly express a desire that the Sessions should be of shorter duration, yet, somehow or other, we find their duration rather on the increase than otherwise; the duration of a Session is not within the control of Members apparently. I have here a statement; shewing the duration, and a few particulars of the business of the respective Sessions of the former Legislative Council, from 1843 to 1851; and from 1852, when the Constitution immediately preceding the present one came into operation, to 1855 inclusive; and of the Assembly, during the Session

Session of 1856-7. (*The witness handed in the same. Vide Appendix A 1, and A 2.*) R. O'Connor, Esq.
 I have also here a statement, extracted from the "Home News for Australia," of 16th November, 1857, of the corresponding business of the House of Commons during the year 1857, and perhaps a comparison with it of the statement I have just handed in, will give the Committee a better notion of the actual amount of the business of the Assembly than they could otherwise obtain. I beg to hand it in. (*The witness handed in the same. Vide Appendix B 1, and B 2.*) My computation is, that we transact about one-half as much public business as the House of Commons; and the Committee know what proportion our staff bears to theirs. It appears from this extract that the House of Commons, in the Session of 1857, sat 116 days, occupying 903½ hours in all, of which 91½ were after midnight. Now, in the Session of 1856-7 the Assembly sat 107 days, occupying 773 hours 47 minutes, of which 31½ hours were after midnight. The daily sittings of the House of Commons averaged 7 hours 47 minutes in length, while ours averaged 7 hours 14 minutes. The number of entries in their Votes and Proceedings was 7,963: the number of entries in our Votes was 5,191. Any Member of the Committee going into this will see that my calculation is within the mark, if the private business (for which there is a separate staff) and the business got up by command, without the House, be excluded from the computation.

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6. By Mr. Forster: Can you state the number of the staff of the House of Commons? Under the Clerk alone they have about 42. Then there is the Speaker's staff, the Private Bills Office staff, and others; in all, probably from sixty to seventy, exclusive of messengers, &c.

7. By Mr. Piddington: We must sit a much longer time during the Session; because the House of Commons sits on five days of the week, and we sit only on four? It would seem so.

8. By the Chairman: Do they sit on Monday or Saturday? On Monday. After the House breaks up, it takes me sometimes two hours, sometimes one hour, sometimes half an hour, to prepare the Votes and Proceedings for the printer; and I am sometimes only able to get three or four hours sleep in my office, for many consecutive nights, before I begin business again at ten o'clock in the morning. Fortunately, I have a good constitution, and can stand it. Every one of the clerks under me also has to remain until the House rises, and he is discharged by me from further attendance. Some of them have occasionally to remain after the House adjourns, to bring up business.

9. We sat nearly ten months last year? Yes.

10. You have stated the general business of the House: can you give anything like a similar statement with regard to Select Committees—have you prepared any information in reference to them? I have not prepared a table of the business of Select Committees; but I may state, from the current registers kept by the Clerk of Select Committees, that the number of meetings of Committees called in Session 1856-7 was about 240, which, taking the total number of days on which the Committees sat at 80, would give an average of 3 meetings per diem. The number of meetings in 1855, when there were 47 Committees appointed, was 115. Up to the present time, in this Session, 30 Committees have been appointed; and the number of meetings has been in greater proportion than during any previous Session, and the amount of evidence much larger. I beg to hand in the tabular statement, prepared in conformity with the request of the Committee, giving a broad sheet view of the duties and salaries of the different officers of my department, with various other particulars. The statement of duties it contains is necessarily so very concise, that I fear gentlemen going over it could not form from it any fair estimate of the amount of thought, labor, and skill bestowed upon them. (*The witness handed in the same. Vide extract therefrom, Appendix C.*)

11. This is similar to the return which has been called for from all departments? Yes.

12. It appears you have been twenty-two years in the service? My twenty-third year of service will terminate with the present year.

13. And during the whole of that time you have been in the office of the Legislature? Yes. I had previously served three years in a leading mercantile house, and six years in a very extensive public company in Van Diemen's Land. I came to the department a thorough man of business, and it was well I did so, for I have had to meet and provide for every change, and there have been many changes since I entered it. Every one of the forms of any kind of business you have owes its origination to me, and our forms are followed in all the Colonies of Australasia. I mention these particulars in no spirit of personal vanity, but solely with the desire that the Committee should have a true apprehension of some of the qualifications which are required for the office of Clerk, independently of a fair knowledge of the law and practice of Parliament, without which, in the Clerk, upon any change of Speaker the House would find itself in many contradictions and difficulties until the new Speaker himself became acquainted with these things.

14. You do not consider it possible to reduce the staff in numbers? No; I should not consider it possible, with advantage to the public, even now, because there would be frequent occasions, if we attempted it, in which the business of the country would be at a stand, or, if got through, it would necessarily be in such a hurried way that there would not be that guarantee for accuracy that we have at present. But, with the increased number of Members we shall have under the new Electoral Law, there is no doubt whatever that the increase of business will afford the fullest occupation, night and day, to every one in the department. I should hope the business will not increase in exact proportion to the increase in the number of our Members; but, judging from the past, I cannot but expect a very considerable increase.

15. Do you know the expense of the Parliamentary Establishments of the neighbouring Colonies? I have a statement here comparing the expense of our establishment with that of the Colony of Victoria only. It would seem they exceed us in expense by about £3,270. I beg to hand in this comparative statement. (*The witness handed in the same. Vide Appendix D.*)

16. Could you prepare the same kind of comparative statement with reference to South Australia

- R. O'Connor, Esq.
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- Australia and Tasmania? I will do so. (*Vide Appendix E*.) In regard to the expense of printing in our department, I think a large amount might be saved to the public by some better arrangement. A considerable saving has been effected already, in the large item of Bills, by a method arranged by the Government Printer and myself. Formerly they would occasionally have to be re-printed many times. Now, by keeping the type standing, and by the use of rules and black letter, to shew amendments, Bills pass to their final stage with only the cost of marking those amendments, added to the cost of setting them up in the first instance. The arrangement I would suggest may be stated as follows:—Provision might be made in the Standing Orders that all Petitions should be printed as a matter of course, leaving it in the option of Members to make the motion, and all other papers might go to a Standing Committee, who should look over them, and direct only such to be printed as would be of public importance, and even in regard to some of these to have abstracts made, and printed, instead of the whole, where practicable. Again: Members desiring to move for Papers might consult with some officer, whose duty it should be to attend to these matters; and who could prepare a form in which the motion ought to be made, which would save in the first instance—before the Papers come to the House—a vast deal of time, labor, and expense, which otherwise must be expended in their preparation in the various public departments bound to supply them. By this system of abstracting before and after motions for Papers, and of selection by the Printing Committee, there would be three important things gained:—1st. A very considerable saving of expense in preparing and copying in the departments. 2nd. A greater saving still in printing; and, 3rd. When printed, the Papers would be in a more concise and business-like form, and would be better understood by, and more useful to, the general public.
17. The information would be condensed, and more easily accessible? Just so.
18. Do you mean that the Members should arrange with the officer in charge of the printing, without the intervention of the Committee, or would you suggest the appointment of a Printing Committee? The arrangement between the Members and the officer would be before the action of the Committee would be required, that is, before the motion for the papers. The action of the Committee would be after papers have been laid upon the Table. Many descriptions of papers could not be reduced to abstract forms, and these, when laid upon the Table, would go to the Printing Committee, who would make their own selection; but of course it would still be in the power of the Member on whose motion any particular paper may have been laid upon the Table, to move that it be printed, notwithstanding that the Committee might not recommend it to be printed. In fact, neither the House nor the Member would yield up absolutely any right whatsoever by the adoption of this system, although the House and the Members would probably acquiesce, generally, because a large portion of these papers are required for an occasion of the moment, and when that is served they are of no further use. In the House of Commons, the Librarian, or some one acting for him, makes these abstracts of papers to be moved for. This system would be a saving throughout. It would save expense in copying in the public departments that have to render these returns; and it would save expense in the printing. The printing of the simplest paper costs a great deal, taking into account the number of copies that have to be struck off.
19. Is there not rather a larger number of copies struck off than is necessary? We have 500 copies of each paper struck off, and I do not see that we could, with advantage to the public, do with less, because we are constantly called upon to collate and furnish sets; and if we had not the papers we should have to get them re-printed, which would be very expensive, while the cost of pulling a few additional copies, in the first instance, is but a trifling addition to the simple cost of the paper.
20. What do you do with the 500 copies? I beg to hand in a memorandum and return, which will explain how these printed papers, and the Bills (of which we have 200 copies) are distributed. (*The witness handed in the same. Vide Appendix F.*) Large numbers of papers are printed before they come to the House at all, and are laid upon the Table in a printed form.
21. Government papers? Yes. This, at home, has been the subject of much discussion between the Government and the House. The House seems to consider that if those documents were laid upon the Table in manuscript, and the House allowed to exercise its own judgment in the matter of printing, a great deal of expense might be saved. It does not tell with so much force here, however, because at home the appendices to these reports are enormous; whilst here they are not very extensive, although, sometimes sufficiently expensive.
22. Are the 500 copies of papers received by the Assembly exclusive of those received by the Legislative Council? Yes. An arrangement with the Council has been recently come to, by which the number of papers required has been reduced. The Legislative Council get now from the Government Printer only 60 copies of our papers, exclusive of our 500, and 12 copies of our Bills, exclusive of our 200, and we get the same numbers of theirs.
23. Has the number been reduced since the correspondence with Sir William Burton? It has. But they reduced their number below what they actually required, and finding that I had a few to spare, they came to me to supplement their insufficient supply; but I told them if they wanted to economise, they must do it at the expense of their own department, and reduced our numbers by those I found we had in excess of actual demand for distribution to Members only.
24. Then that accumulation of papers in the office of the Legislative Council, which Sir William Burton admitted was taking place, has been put a stop to? Yes; to the extent of 40 copies of each paper.
25. In sending round papers to the public offices, who regulates the number required by each Department; for instance, when I came to the Colonial Secretary's Office I found that a number of these papers were sent there to different rooms. Who gives the order for these? Properly

Properly these papers ought not to be supplied except on the requisition of the head of the department; but the practice was, that when a particular branch was established, and the head of that branch said they wanted the papers for general reference, or for a particular purpose, we took it for granted that they did want them, and supplied them accordingly. Some few copies have been struck off since, and I believe now that you really have as few as you need.

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26. How do you get the book-binding done now? Through an establishment in connection with the present Printing Office.

27. Why, then, is the item put with the Estimate for your department this year—book-binding £125? That estimate was framed before the binding establishment was formed, and the item was placed there as a charge which properly fell on this department. These estimates have been unusually long under consideration; they have in fact been submitted to two consecutive Parliaments, and I imagine it has been an oversight on the part of those charged with bringing them before Parliament not to have transferred this item to the book-binding establishment when it was formed. It covers the expense of binding the books we send to Members.

28. It is your estimate? The amount I dare say is my estimate; but I am not responsible for retaining it where it is, with the knowledge of a book-binding establishment in existence at the time. The binding is very well done now, better than formerly by private establishments, so far as I have had an opportunity of judging.

29. Have you any further observations to make with regard to the occupation of the officers of the House during recess, for instance? I will read to the Committee some of those things which I have put down here as occupying the officers in recess. It takes from six weeks to two months to bring up the arrears of printing. Then there is the Index to the Votes and Proceedings to prepare; and that cannot be completed until the printing is complete, the papers classified, and the volumes struck. Nor can the Table of Contents be completed until all the papers are printed, because they are arranged under subjects, and to each paper I put the page to guide in arranging for binding, and to refer to the papers readily when bound. Great care is taken that the subjects shall run one into the other, as naturally as we can make them, to facilitate reference to them. After that, we have to collate and arrange for the binder 200 sets, of three volumes each, according to a pattern set previously collated and paged. Then the paging of the Index goes on with its several checks. Three hundred and ninety of these volumes are then sent to the binder, the remaining seventy sets, or 210 volumes, are kept on hand to meet occasional demands. When these volumes come back from the binder, we have to subject them to examination before they are sent to have the pages stamped upon them, for in some, notwithstanding all the care that was taken, we found occasionally, that the indices did not point correctly to the pages, in consequence of two pages of the same matter being stitched together in some instances, or of half a sheet or a sheet being dropped in others. When these volumes come back from the paging machine they are again examined, and then distributed. Concurrently with these works, we have to prepare Alphabetical Registers of Addresses, and of Orders for Papers—Alphabetical Registers of Bills in all their stages, originated in the Assembly, or coming to the Assembly from the Legislative Council. General Summaries of Petitions received during the Session—Lists of Committees appointed during the Session—Statements of the Business of these Committees—Statements of the Business of the House during the Session—to compile which, the whole of the Votes have to be gone over. The Financial Abstracts and Notes Explanatory, shewing in gross, and in detail, the proceedings in finance of the Committees of Supply and Ways and Means. Fifty sets of the financial papers to collate, page, index, and distribute. Then we have to put away, and index, all the manuscript and printed papers of the Session, and to re-arrange presses, and re-adjust our indices to them, as accumulations put us to shifts for room. Then we have to correspond with the Government departments, and with private parties; and I am in constant personal communication with officers of Government, and with private parties upon a variety of Parliamentary subjects—our accounts also occupy time; and then, by the time these arrears are brought up, we have to commence our preparations for the next ensuing Session. Every person is busily employed in preparing for his own particular duties; and I myself am called upon not only to prepare for my own department but also to assist, in many ways, the heads of other departments who have business to be brought before Parliament. Before the meeting of the first Parliament, I had to go through the Standing Orders of the American Senate and Congress, and of the various States of America, as well as the Standing Orders of the House of Commons, to frame Standing Orders for our own Assembly. I had also to draft a programme of the proceedings in opening our Parliament. I had also to prepare Standing Orders for this present Parliament, and shall have to prepare Standing Orders for the next; but there are many other matters in demand from time to time, and I must be ever ready to undertake them, and so in his position with each officer in my department. Of course there are many minor matters to attend to, which, while they occupy time, cannot be prominently set out; but the Sessions have of late followed each other so rapidly, that, in point of fact, one Session has considerably advanced before the work of the previous Session has been fairly out of my hands, and hence the officers of the department have of late been unable to obtain the leave of absence common in other departments, whilst I myself have had no relaxation for four consecutive Sessions.

30. With reference to the subordinate clerks, do you find ample occupation for them during the recess? Yes; they are employed as I have mentioned, and so fully employed, that in the last recess, notwithstanding they were entitled, by the rule of the service, to a month's leave of absence, I could not give any of them more than a week, and to some of them I could only give five days. I beg to hand in the statement of work to be done in recess, from which I have read to the Committee. (*The witness handed in the same. Vide Appendix G.*)

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28 July, 1858. 31. Have you ever made any estimate as to the comparative length of the sittings, or of the amount of work done, as between the Representative Assembly, and the Legislative Council? I have a statement with me, shewing the hours of sitting of the Legislative Council, during the Session 1856-7, which I beg to hand in. (*The witness handed in the same. Vide Appendix H.*) The sittings seem to be nearly three times as long, on an average, in the Assembly as in the Council. Their daily average is two hours forty-six minutes, ours is seven hours fourteen minutes.

32. Have you ever made any calculation as to the strength of the two establishments, as compared with the work? No, I have not. I certainly have not three times their strength.

33. They have five clerks, including the Clerk of the Council, and your strength is eight, including yourself? Yes. If you look at the business done, and the hours of sitting, you will find that the number I have is not so great in proportion to our increased hours of sitting, and increased amount of work, including, as it does, a very heavy description of work with which they have nothing to do: I mean the work of the Committees of Supply and Ways and Means—the compilation of the Money Resolutions and Appropriation Bill, and the Financial Statements at the end of the Session—to say nothing of the very much greater amount of Select Committee business in our House.

34. Their sittings are not often on four days in the week? No, generally three. Lately they have very seldom sat four times a week.

35. *By Mr. Forster:* Do you infer that the business of the Houses will be increased if an additional number of Members be appointed? Yes.

36. On what grounds do you draw that inference? In the first place, I have the experience of the past; when the number of Members was increased from 36 to 54, the business increased very much, as the appendices I have handed in will shew.

37. Does it follow that the increase of business was caused by the additional number of Members—may it not have been owing to the different mode of conducting the business under the new system of Government, or to our being merely in a transition state? Adjournments in consequence of ministerial changes have, doubtless, protracted the Sessions, and retarded the work, by the lapse of one set of measures, and the introduction of another, which has occasioned an increase of labor to the extent of the stages to which the lapsed measures had attained; but I do not think the new system of Government has had much to do with the increase of business in the Assembly, because the work has been put before the House pretty much in the same fashion as formerly; whilst by an increased number of Members, the wants of the people have become more generally known, and the measures to supply them have been more earnestly pressed by their Representatives.

38. Is not that, to state in other words, what I wish to infer, that the increase of business is owing to the system of Responsible Government, and not to the additional number of Members? If you take the Assembly as a branch of the Government, then, no doubt, to some extent, the change in the form of Government will affect the business, inasmuch as the Executive will feel under more pressure from Members, and Members will be more under pressure from constituencies than heretofore under the old system.

39. Do you not think it possible that the increase of business has been caused by the circumstance that we have not yet properly settled down, as it were, and that we are only shaping out the direction which public business is to assume in time? My own impression is, that we have not yet settled down, and that there will be a much larger amount of business when we really do settle down.

40. Does not settling down imply condensation? What I should understand by settling down, as applied to this matter, would be that this struggle, whatever it has been, will have ended in the dominance of some particular parties for a considerable time, and that then the business which has to be done will really commence.

41. What do you mean by parties—political parties? Political parties. The Government of the country will be in the hands of a set of Ministers for a period much longer than any previous term of office under Responsible Government.

42. Does not that imply that as we settle down we shall be able to reduce the amount of business? I cannot understand it in that way; I think, on the contrary, that as these causes of contention subside, the Members and the country will look about to see what are their wants, and these will be pressed on the attention of Members by their constituents, and again by Members on the Executive.

43. Do you not think the increase of business may have been owing to the changes of which you speak, and which you say will not occur so frequently for the future? I do not think there has been any amount of business actually transacted compared with that which will be done when matters settle down.

44. Real business? Real business.

45. Then what we have been doing hitherto has not been real business? Looking to the measures lapsed and revived, it is my own opinion that there has been comparatively little real and substantial business done for the time consumed in its transaction.

46. You think the increase of business in future will consist in substitution of real, for imaginary business? I do not look upon what has hitherto been done as imaginary business, but if you bear in mind the length of time that has been occupied in the consideration of certain measures, and the amount of labor which they have involved, and then consider the reason why they have been thrown over, instead of being now the law of the land, I think you will see what I mean to convey in reference to our past business.

47. I understand you to mean that we are passing through a great change, which has involved a number of circumstances which will not occur again, and that we may in time settle down, and be able to transact business in a more off hand way than hitherto? Yes, and to a considerably greater extent.

48. But I should imagine that would lead to the contrary result from what you indicate. Should you not say, that when we get rid of the difficulties the change imposes upon us, we shall then be able to condense and simplify our business? You will be able to conduct your business

business more uninterruptedly, and you will be able to get through it more rapidly; but at the same time the circumstances that enable you to do this, will also increase the business upon you considerably, because you will have leisure, and you will have inducements to look about you to discover the capabilities of the country, and what is required to draw them out. There will be pressure from without no doubt, and Parliament and the Government will have to look into these things, and you will find numerous measures to introduce which you have not leisure for now.

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23 July, 1858.

49. You infer, whatever the result may be as regards actual business, that a larger amount of work will be imposed on your department? I cannot infer any thing else, either from the past or the future, as it looms to my mind.

50. As regards the attendance of the clerks—is it necessary that all the clerks should attend at all times, or could not the business they are attending on be done by a portion of them? No: any one well acquainted with it will see that the business of this department is more in the nature of a profession. There is much to learn in every branch of it; chance or occasional assistants could not do it; we must have a trained set of officers. It would very much retard the public business, and be very injurious to it, to depend on persons not thoroughly initiated in the clerical labor of this department. The public time will be saved, and the business of the country considerably facilitated, by having at all times a well-trained band of officers in the departments of the Legislature.

51. In contingencies that occur, as regards the occupation of your department, which you cannot calculate upon—for instance, the time occupied by Committees of the whole House, by late sittings, by adjournments that were not calculated upon, by countings out of the House,—in all these cases of contingency is it necessary to have the whole staff of your clerks in attendance, and is the same amount of duty imposed upon them in all these cases? They must necessarily be in attendance to bring up the previous work, and because I am unaware what I may be called upon to do at any particular moment, while it is my business to be ever ready, and ever able to do whatever is required of me, and I must, therefore, always have at hand the means of doing it.

52. Admitting what you say, that their attendance is necessary, does it not follow that in some of these cases that I have put there cannot be full employment for the whole staff? I do not mean to say that from the time the House meets at three o'clock until it may rise at twelve, the officers of the department are unremittingly employed. Even if the business required it, I do not think it would be in human power to do it for any length of time. But there is not an officer here who does not begin a hard day's work at ten o'clock in the morning, and then when the House meets at three o'clock begin a second hard day's work in the evening, which keeps him from home, from recreation, and from social enjoyments of every kind, which are open to his brethren in other public departments.

53. You say it is not in human nature to support the fatigue of constant employment during the whole time the House is sitting, as well as during the day; but in certain cases, from the contingencies to which I refer, being different from your expectations, may not the work to be done be far less than human power will support? Sometimes, undoubtedly: looking at the work at night, if the officers could do each other's work as well as their own, we might dispense with one, or he might go home; but something might arise of a sudden, and the absent officer might be the only officer able to comply with my orders, and enable me to carry out the wishes of the House.

54. Then of the large staff to which you refer, a great portion is kept up to meet work which may be done? Yes; but also to meet work which must be done.

55. If this work does not take place, this portion of the staff kept up to meet work which may be done is not employed at all? It is employed, and well employed, but not unremittingly; every gentleman in the department has his own work to do. During the whole evening there are summonses to Committees and witnesses; circulars with evidence; Reports from Select Committees to prepare and copy; Addresses and Orders to prepare and copy; Messages to prepare and copy; Registers of Bills, Addresses, and Orders, to be kept; Papers and Petitions to prepare for press; Papers and Bills in all stages to revise; fair prints of Acts to revise and prepare for Royal Assent; and a great variety of other matters. All this work is going on up-stairs. They do not work so hard at this at night as they do during the day—they have necessary intervals of rest; but they are there; and if a sudden pressure comes, every officer being there is ready to do his work, and he does it. If any one of them were away, perhaps no other could supply his place upon an emergency. I might observe, that the business of this department, extensive and complicated though it be, is conducted on such a system that there never seems to be a hitch—one would scarcely believe that there is any work going on at all. I would wish the Committee not to suppose from this circumstance that there is no work to do, but rather that work may be done so systematically that the House, not feeling any inconvenience from hinderances of any kind, may not be conscious that the amount of work is really so great as it is, and be disposed to construe injuriously that for which the department deserves credit.

56. It is presumed, is it not, that in all public departments the work is done in the best possible style? I should hope so.

57. In some cases, does it not happen that the work falls far short of what you calculate upon—suppose an adjournment for a month, in that case would you not have less work? No doubt.

58. And so in proportion with similar adjournments for shorter periods? No doubt; but in all these cases we have to pull up the previous work; and we may be called upon at any time during these adjournments to prepare various matters for the re-assembling of the House, and our attendance is therefore as regular as in other departments; and it is always in the power of the House to grant leave to its Select Committees to sit during any adjournment; and the Committees occasionally invoke this power, and sit, and of course must have the means to conduct their business.

- R. O'Connor, Esq.
28 July, 1858.
59. I think your observations would lead to this inference,—that the large staff of this department is caused by the necessity of providing for contingencies? Not so: there are times when the staff of this department is not so fully employed as at other times, but the general run of times are those in which it is fully employed. If we had not this staff the business could not go on. There being comparative leisure sometimes is a mere incident; the rule is full employment. Contingencies, however, must always be kept in view, to a certain extent, for experience proves in practice that neither the duration of a Session, the business of a Session, nor any of the various matters incident to a Session, can be controlled by the Members individually or collectively.
60. In organizing this staff, did you look forward to the very long sittings which the Assembly has gone through? I did not look for such long sittings. I made my calculations from previous years; and, as I have already shown by the returns I have handed in, the recent sittings have been very greatly in excess of those of former Sessions.
61. Do you consider the statement of the President of the Council, that the officers employed there are as fully occupied as those of the Assembly, to be correct? We have a physical contradiction of that before us in the smallness of their volumes, and in the shortness of their hours of sitting. To that extent—to the extent which I can see—I should say no, in answer to your question. Their average sittings in 1856-7 was 2 hours and 40 minutes—ours 7 hours and 14 minutes. Their Journals and Papers are contained in one small volume, whilst our Votes and Proceedings consist of three volumes of much larger size. I do not say that the officers of the Council are not fully employed during their attendance, but I do say, and I have shewn, that they cannot by any means have so much work in the offices of the Council as in those of the Assembly.
62. Then, as compared with the staff of the Legislative Council, you would hardly consider your staff sufficient? Certainly not in that view.
63. Has any Parliamentary paper been printed shewing the work of the Legislative Council in the same way as it has been shewn in the Legislative Assembly? I think not.
64. Are the same number of holidays granted to the officers of your department as to those of other departments? I believe the custom of the service is that one month's leave of absence in the year is allowed to each officer, and in this department we grant no more at the outside, but it frequently happens that we cannot grant so much. During the last recess seven days was the longest and five days the shortest leave granted to any of the officers. For myself, as I said before, for four consecutive Sessions I have had no cessation from labor whatever.
65. What rule of the service do you allude to which you say entitles clerks to leave of absence? I should perhaps rather say the usage of the service; I found it so when I joined the department, more than twenty-two years ago, and I took it for granted that there had been originally a rule or regulation.
66. It was a custom or rule of a former Government? It was in practice at the time I joined the service in January, 1836, and it has been continued ever since.
67. Is it not reasonable to infer that a new system of Government would introduce new rules? I fancy it is perfectly within the power of any Government to introduce its own rules, or, if displeased with existing rules, to make new ones.
68. I think you have stated that in your own discretion you grant leave of absence? It is not exactly so. I acquaint the Speaker that Mr. A. or Mr. B. has applied for leave of absence, and, if I say he can be spared, the Speaker consents, and I then give him leave; but I alone can judge whether the applicant can be spared, and it is so arranged that the public business shall not suffer during his absence. It is also a rule in other public departments that the officers go away for half the day on Saturday, but that is not so in my department. I keep half the staff here with myself during the entire Saturday, so that Members and the public may be attended to throughout the day.
69. Does this rule prevail in recess as well as Session? Yes.
70. You do not mean to say that the same amount of work falls upon the department in recess as in Session? No, because in Session we have night work, in addition to our day work; the summary which I have handed in contains an outline of the more prominent occupations in recess. The hours of attendance in recess are from ten till four o'clock. All the officers are required to attend during these hours, and would subject themselves to suspension if they did not attend, without reasonable excuse for their absence.
71. I suppose their remuneration is arranged with a view to the alternations of work at different times? I do not think that is so. If it be borne in mind that while they serve twelve months in other departments we serve upwards of eighteen months here, and that this extra service is rendered in the evening hours, when the officers of other departments are consulting their health and enjoyment, I think it will be evident that the remuneration of the officers of this department has been fixed without any reference whatever to the alternations of work, by which they are distinguished from officers in all other departments of the public service.
72. You do not then consider the remuneration sufficient? The officers seem satisfied, and I do not desire to press for increase; but if you look over the salaries on the estimates for other departments, and then consider that the gentlemen in this department are required to attend at ten o'clock in the morning, and to remain in attendance until the House breaks up late at night, whilst in other departments they leave regularly at four o'clock in the afternoon; and, if you also consider that the work in this department is more in the nature of a profession, and that it would be a very serious business indeed if the officers were not well up to their work here, I think you will admit that the remuneration allowed to the officers of this department cannot have been calculated with any reference whatever to the alternation, amount, or responsible character of their duties.
73. Do you find any difficulty in filling vacancies when they occur? We have had only one occasion of the kind; that was on the establishment of the two houses, and we found so little

- little willingness to volunteer from other departments of the service that actually only temporary clerks did so; no clerk on the fixed establishments volunteered from any department. It has happened fortunately, with regard to those who did volunteer—and I feel it due to them to say so—that they have turned out good clerks; but it might have been very different. The salary was insufficient, in fact, to tempt clerks on any of the classes or fixed establishments to volunteer to such hours of attendance and labor as would be required of them here.
74. Do you not think the lighter work in some cases balances the heavier—do you think the one balances the other in any degree at all? Considering myself a competent judge of business, and confining my answer to the work in recess, to which only the question can at all apply, I think I could fairly put the work of the gentlemen under me in competition with the work of any other department, either as to amount, responsibility, or finish.
75. Have the salaries in your department been arranged on a principle of gradation? That was one thing in which I always thought we had a great deal to complain of. Whilst the officers in other departments were classified and put on scales, and lived up to increase of salary under those scales, we were kept steadily at particular amounts, and could not by any merit or chance get beyond them. The old Council occasionally bore hard upon the departments, and the departments bore hard upon the officers of the Council, so they thought, and so they conceived they had good reason to think.
76. *By the Chairman:* Are not the salaries of the clerks subordinate to you fixed upon some scale alleged to be in accordance with the proportions observed in the House of Commons? The proportions are in exact accordance with the scale observed in the House of Commons. The Clerk of the House of Commons receives now upwards of £3,000 a year, but his successor will have a fixed salary of £2,000; then the First Clerk Assistant will have £1,500, and the second Clerk Assistant £1,000; and our salaries stand exactly in the same proportions here.
77. *By Mr. Forster:* Do you think that in your department there is less chance of a clerk bettering his condition by promotion than in any other department? I should think so. At present there are not any very old men among us—I believe I am the oldest—and if you should kill or disable me by hard work, I do hope the promotion will take place within the department.
78. You think there is not so much room for promotion in your department as in others? No: gentlemen in other departments have the entire range of the service before them; here they devote their attention to particular duties in the nature of a profession.
79. Is there any allowance to your clerks for overtime? None whatever.
80. Is that the case in other departments? I have heard that when there is a heavy pressure of work in some other departments the clerks have taken some of that work home, and have been allowed so much per folio or hour for doing it over time.
81. You have already given the hours of your clerks' attendance? I have stated that in recess they attend from ten to four, and in Session from ten till the House breaks up, or as soon afterwards as I can relieve them from further attendance.
82. Have your clerks been obliged to remain to the very latest hour of the very late sittings that we have had occasionally? Always; and they were obliged to be here at ten o'clock on the following morning to carry on the business.
83. Do you consider yourself solely responsible, or is there any divided responsibility between you and any other officer? There is no divided responsibility here. It all rests with me. I alone am accountable to the House, through the Speaker. I give my personal superintendence to every thing. Of course, as the officers become more acquainted with the work I get more relief. I am ready at all times, not only to give my opinion and assistance to them, but also to numbers of persons, including public officers, Members, lawyers, and others, who come to consult me about every kind of Parliamentary business,—I am pressed in every direction, both verbally and in writing, for information on these subjects. These matters occupy much thought and time but make little show.
84. Do you consider the individual responsibility of the officers under you superior to the responsibility of officers in other departments? With the exception of the copying clerks and the Clerk in Charge of Papers, I have no hesitation in saying that their responsibility is considerably in excess of that of clerks correspondingly paid in other departments.
85. Are the duties of the Clerk of Select Committees here quite similar to those of the Clerks of Select Committees in Melbourne and in England? As regards Melbourne, so far as we can see, they have followed us, so far as they understand us; and so I may say of the other Colonies. The duties are exactly the same in their nature as those which devolve on the Clerk of Select Committees in the House of Commons, with this difference, that in the House of Commons there is a distinct establishment, called the Private Bills Office, to which all Private Bills are sent, without reference to the office of the Clerk of Select Committees; but our Clerk of Select Committees has the Private Bill business as well as the ordinary Select Committee business.
86. Has the Clerk of Select Committees here the same salary as the Clerk of Committees in England and in Melbourne? It falls very far short indeed in actual amount of the salary of the Clerk of Select Committees in England, but I believe it bears the same proportion to mine as his bears to that of the Clerk of the House of Commons. In Melbourne there is no special Clerk of Select Committees upon the estimates, though there is a clerk put down there as third clerk, with a salary just the same as that of our Clerk of Select Committees.
87. He is the clerk who does the duty? Yes, I have no doubt of it.
88. In this point, then, they have not followed us? I do not know how they may be acting in regard to transacting the business of Select Committees—whether they transact it in the same fashion as we do,—but there is a clerk upon their estimates corresponding to our Clerk of Select Committees, with an equal salary, £300.
89. What is the meaning of the Clerks Assistant of the Legislative Assembly? It is a title derived from the House of Commons; the duties are these:—The First Clerk Assistant takes all minutes

R. O'Connor, Esq., minutes with the Chairman of Committees in the Chair, occupying, in fact, towards the Chairman the same position as the Clerk of the House occupies towards the Speaker; and he has, besides Bills committed, the financial matters, including the resolutions of the Committees of Supply and Ways and Means, and the preparation of the Appropriation Bill. He conducts the whole of the financial business, as well as minutes the proceedings on Bills committed. There is a financial statement, which he makes out in recess, which shows all the original propositions of the Government for votes of money, and the additional propositions made from time to time afterwards, as well as the dealings with them by the Committee of Supply. The Second Clerk Assistant keeps up registers and indices, (references to which are of great use to us,) reads the Proof Votes to me every morning, and Resolutions and Divisions in Committees of the whole to the first Clerk Assistant, makes references constantly, as required by Members and myself, and would take the duties of the First Clerk Assistant if he were ill.

90. Are the Clerks Assistant the gentlemen that sit in the House with you? Yes.

91. In the House is it not often the case that they have not much to do in consequence of our being engaged in talking? No doubt; but while they seem to be idle they are, in point of fact, attending to their business in listening to the debates. We must be as attentive to the debates as the Speaker or Chairman, otherwise we could not state matters as they arise.

92. *By the Chairman:* Is there anything further that you would like to add to your evidence? There is nothing further having bearing upon my own department, which it would be of consequence the Committee should know.

APPENDIX A (1.)

SITTINGS of the former LEGISLATIVE COUNCIL from 1843 to 1851, inclusive.

YEAR.	LENGTH OF SESSION.	
	Months.	Days.
1843	4	28
1844	7	2
1845	4	11
1846		
1st Session	1	0
2nd Session	1	8
Total.....	2	8
1847	4	29
1848	3	0
1849	4	28
1850	3	28
1851		
1st Session	2	0
2nd Session	2	8
Total.....	4	8

N.B.—Total Average for 9 years 4 months 5 days (nearly.)

APPENDIX A (2.)

SITTINGS of the late LEGISLATIVE COUNCIL during the Sessions from 1852 to 1855, inclusive, and of the LEGISLATIVE ASSEMBLY during the Sessions of 1856-7 and 1857.

	LEGISLATIVE COUNCIL				LEGISLATIVE ASSEMBLY	
	SESSION 1852.	SESSION 1853.	SESSION 1854.	SESSION 1855.	SESSION 1856-7.	SESSION 1857.
	Months. Days.	Months. Days.	Months. Days.	Months. Days.	Months. Days.	Months. Days.
Length of Session	6 20	6 13	5 26	6 14	9 28	4 7
Sittings during Session...	Hrs. Min. Sec. 265 35 0	Hrs. Min. Sec. 286 55 0	Hrs. Min. Sec. 383 35 0	Hrs. Min. Sec. 473 14 0	Hrs. Min. Sec. 773 47 0	Hrs. Min. Sec. 292 53 0
Average Daily Sitting...	3 7 28	3 17 52	4 2 15	4 33 1	7 14 0	5 45 0
Sittings after Midnight.	.....	.....	0 15 0	15 5 0	31 15 0	0 50 0
DIVISIONS.						
In Whole House..	39	22	53	57	111	33
In Committee	42	41	60	166	203	55
TOTAL	81	63	113	223	314	88
No Quorum	3	2	4	3	2	4
Counted out	1	1	5	14	13	4

N.B.—Average Daily Sitting of LEGISLATIVE COUNCIL for 4 years, from 1852 to 1855, inclusive 3 45 9
 Average Daily Sitting of LEGISLATIVE ASSEMBLY during the Sessions of 1856-7 and 1857 6 29 30
 Average Daily Sitting during present Session (to 14 May) 7 hours 47 minutes (nearly).

APPENDIX B (1.)

LEGISLATIVE ASSEMBLY.

BUSINESS of the LEGISLATIVE ASSEMBLY of New South Wales during the Session of 1856-7.

1. New Writs issued	...	...	...	...	...	...	19
2. Select Committees:							
On Public Bills	...	...	...	3			
On other Public Matters	...	...	...	15			
On Private Bills	...	...	...	6			
				—	...	...	24
3. Standing Committees	...	...	...	...	...	...	2
4. Election Committee (number of cases)	...	...	...	...	...	...	4
5. Public Bills:							
Originated in the Assembly—							
Received the Royal Assent	...	...	...	35			
Reserved for signification of Her Majesty's pleasure thereon	...	...	...	2			
Dropped or otherwise disposed of	...	...	...	23			
				—	60		
Brought from the Council—							
Received the Royal Assent	...	...	...	4			
Reserved for signification of Her Majesty's pleasure thereon	...	...	...	1			
Dropped or otherwise disposed of	...	...	...	3			
				—	8		
				...	...		68
							6.

R. O'Connor, Esq. 28 July, 1858.	6. Private Bills:								
	Originated in the Assembly—								
	Received the Royal Assent	...	6						6
	7. Petitions received:								
	Printed	...	93						
	Not Printed	...	33						
	8. Divisions:								126
	In Whole House	...	111						
	In Committee	...	203						
	9. Sittings:								314
	Days of Meeting	...							107
	Hours of Sitting	...						773 hrs. 47 min.	
	Hours of Sitting after Midnight	...						31 " 15 "	
	Daily Average (nearly)	...						7 " 14 "	
	Adjourned for want of a Quorum:								
	Before Commencement of Business	...							2
	After Commencement of Business	...							13
	10. Votes and Proceedings...	...							107
	Entries in Votes and Proceedings:								
	Of Business done	...	1,405						
	Of Notices of Motion	...	1,885						
	Of Orders of the Day	...	1,672						
	Of Questions	...	229						
	Daily Average (nearly)	...							5,191
	11. Orders for Papers	...							48½
	12. Addresses for Papers	...							52
	13. Other Addresses	...							38
	14. Papers laid upon the Table:—								17
	By Command	...	151						
	In Return to Orders	...	43						
	In Return to Addresses	...	33						
	Reports from Select Committees	...	36						
	Ordered to be Printed	...	258						263
	Not Ordered to Printed	...	5						
									263

APPENDIX B (2.)

Extract from the "Home News for Australia," November 16, 1857.

From a Return just issued, in continuation of those which used to be moved for by the late Mr. Brotherton, it appears that the House of Commons sat this year 116 days, occupying 903½ hours in all, of which 91½ were after midnight. The sittings averaged 7 hours 47 minutes, in length. The number of Entries in the daily Votes was 7,963.

EXTRACT FROM APPENDIX C.

CLERK OF LEGISLATIVE ASSEMBLY.

The duty of the Clerk of the Legislative Assembly is to record the Votes of the House;—to originate and draft on all subjects incidental to the business of the House, including forms and precedents of all kinds;—to make written and verbal communications to all persons on all Parliamentary subjects;—to inspect the accounts;—to attend daily upon, and consult with, the Speaker;—to revise Proof Votes;—to Certify Bills in all their stages between the Houses;—to sign summonses, accounts, and correspondence;—to give his opinion on all matters submitted, and personally to direct the general business of the Department.

CLERK

CLERK ASSISTANT.

The duty of the Clerk Assistant is to attend Committees of the whole House, including Supply and Ways and Means, and keep Minutes of their Proceedings;—to compare Bills ready for Assent with the Chairman;—to prepare and publish Weekly Reports of Divisions in Committees of the whole House;—to take notes of Proceedings in the house; to prepare Resolutions of Supply and Ways and Means, Appropriation Bill, and Explanatory Abstracts of sums proposed and voted respectively;—and to officiate as Clerk's Representative in case of his absence.

R. O'Connor,
Esq.
28 July, 1858.

SECOND CLERK ASSISTANT.

The duty of the Second Clerk Assistant is to take notes of Proceedings in the House;—to read Votes with the Clerk, and Resolutions and Divisions in Committee with the Clerk Assistant;—to see that all Papers, &c., required are on the Table every day;—to keep Registers of Addresses and Orders, and Summary of Bills;—to make Index to Votes;—to search for Precedents;—to prepare Table of Contents;—to assist Clerk in any way he may direct;—to take place of Clerk Assistant in case of his absence;—and to attend upon Committee of Elections and Qualifications.

CLERK OF RECORDS.

The duty of the Clerk of Records is to make entry in Register of all Documents; to Index Register and Letter Books;—to keep Alphabetical Register of Bills; and Registers of Addresses and Orders;—to make out Monthly Cash Account, Salary Abstracts, Contingent and other Expenses Account;—to write out Cheques and make payments;—to keep Postage Stamps Account;—to superintend the Copying Clerks;—to write letters to Public Officers and others;—to examine all Correspondence and Addresses;—to prepare Writs of Election, and Messages to Legislative Council;—to answer all inquiries made in the office, take charge of the stationery, stores, &c., and to assist generally in the office.

CLERK OF PRINTING BRANCH.

The duty of the Clerk of the Printing Branch is to revise Votes for literals, revise Bills in all their stages, and read Bills with Chairman;—to attend Select Committees on certain occasions;—to publish the daily Memo, and the Weekly Abstract and General Summary of Petitions;—to keep Register of and prepare for press all papers ordered to be printed;—to generally superintend the binding and paging of volumes of Votes and Proceedings, and financial papers;—to generally assist in the office;—and to revise and correct for press all Contingent Notices of Motion.

CLERK OF SELECT COMMITTEES.

The duty of the Clerk of Select Committees is to issue summonses;—to attend and take Minutes of Proceedings;—to take charge of all documents, and prepare *Preces* of the same;—to compile and sometimes draw up Reports;—to note Amendments made by Committees in Bills, and prepare Schedule shewing the same;—to keep Committee Registers;—to conduct Correspondence in connection with Committees;—to compile Parliamentary Papers—"Business of the Session," and "Standing and Select Committees appointed during the Session";—and to supervise all Select Committee business.

COPYING CLERKS.

The duty of the Copying Clerk is to make fair copies of Addresses to the Governor General in duplicate;—to make fair copies of Messages to Legislative Council;—to copy and transmit to the Colonial Secretary all Orders for Papers;—to make fair copies of all letters, &c., drafted by the Clerk;—to assist the Clerk of Records whenever called upon;—to attend Select Committees when a press of business may require it;—to assist the Clerk of Select Committees in issuing summonses;—to make fair copies of Reports, Proceedings, &c., and to render any other assistance that may be required.

CLERK IN CHARGE OF PRINTED PAPERS.

The duty of this Clerk is to keep Registers of all Papers ordered to be printed;—to distribute all printed papers to Members, Government Departments in Sydney and the neighbouring Colonies, newspaper proprietors, &c.;—to supply all printed papers when required;—to supply and place on the Table of the House, daily, all papers, stationery, &c., necessary for the business of the day;—to collate and deliver to the binder 200 copies of the Votes and other printed papers, and 50 copies of the financial volumes;—and to take the Librarian's place during his necessary absence from the Library.

SERGEANT-AT-ARMS.

The duty of the Sergeant-at-Arms is to attend upon the House.

EXTRA COPYING CLERKS (2, for 6 months)

The duty of these two Clerks is to enter in Letter Books all Correspondence, Addresses, and Orders;—to assist in filling up Summonses, copying Petitions ordered to be printed, &c.;—to assist the Clerk of Printed Papers in the distribution of papers;—to assist in daily indexing six files of printed papers;—to read with Clerk of Printing Branch, and otherwise assist in the general business of the office.

The following persons are in attendance upon the House and Offices:—

Principal Messenger.

Principal Doorkeeper.

Assistant Messengers (2)

Extra Messengers (4, for 6 months.)

APPENDIX D.

COMPARATIVE STATEMENT of the EXPENSES of the LEGISLATIVE ASSEMBLIES of NEW SOUTH WALES and VICTORIA respectively

OFFICERS.	SALARIES.		CONTINGENCIES.	NEW SOUTH WALES.	VICTORIA.
	New South Wales.	Victoria.			
Speaker	1,200 0 0	1,500 0 0	Stationery	55 0 0	
Chairman of Committees	500 0 0	800 0 0	Bookbinding	125 0 0	
Clerk of Assembly	800 0 0	1,000 0 0	Postage	25 0 0	
Clerk Assistant	600 0 0	800 0 0	Fuel	100 0 0	600 0 0
2nd Clerk Assistant	400 0 0		(Victoria, Fuel, Light, & Water.)		
Sergeant-at-Arms	400 0 0	500 0 0	Sperm Candles	167 0 0	
Clerk of Records	400 0 0	500 0 0	Gas-light	45 0 0	
(Victoria, 1st Clerk.)			Stores	15 0 0	210 0 0
Clerk of Printing Branch	300 0 0	400 0 0	Incidental Expenses	200 0 0	150 0 0
(Victoria, 2nd Clerk.)					
Clerk of Select Committees	300 0 0	300 0 0	Victoria—		
(Victoria, 3rd Clerk.)			Livery for one Horse		97 10 0
Copying Clerk	250 0 0		Allowance to Witnesses at-		750 0 0
Clerk in charge of Papers	250 0 0		tending Committees		
Principal Messenger	150 0 0	150 0 0	Refreshment Rooms		600 0 0
(Housekeeper and Wife.)		200 0 0			
Principal Doorkeeper	120 0 0		Total	£ 732 0 0	2,407 10 0
Assistant Messengers, £110 .. (2)	220 0 0				
	£ 5,890 0 0	6,150 0 0			
SESSIONAL ASSISTANCE.					
Extra Copying Clerks (6 Months)			Total Permanent Establishment	5,890 0 0	6,150 0 0
2 at £175	175 0 0	450 0 0	„ Sessional ditto	395 0 0	1,738 15 0
(Victoria, 2 Clerks at £300, 9 Months.)			„ Contingencies	732 0 0	2,407 10 0
Victoria—			Grand Total	7,017 0 0	10,296 5 0
1 ditto at £250		187 0 0	Deduct N. S. W. Estimate ..		7,017 0 0
Reader at £6 per week		234 0 0	Plus Victoria		3,279 0 0
Boy to assist ditto at 25s.		48 15 0			
Four Extra Messengers, at £110..	220 0 0				
Victoria—					
Six Doorkeepers at 60s. per } week, one at 30s. }		760 10 0			
Charwoman at 30s.		58 10 0			
	£ 395 0 0	1,738 15 0			

N.B.—Parliamentary Draftsmen omitted from the comparison, in consequence of those of New South Wales being on the joint Estimate.

APPENDIX E.

COMPARATIVE STATEMENT of the EXPENSES of the LEGISLATIVE ASSEMBLIES of TASMANIA and SOUTH AUSTRALIA, respectively.

OFFICERS.	SALARIES.		CONTINGENCIES.	TASMANIA.	SOUTH AUSTRALIA.
	Tasmania.	South Australia.			
	£ s. d.	£ s. d.		£ s. d.	£ s. d.
Speaker	500 0 0	650 0 0	Engrossing	20 0 0	
Chairman of Committees	250 0 0		Books of Reference for Library ..	200 0 0	
Clerk of the House	600 0 0	450 0 0	Liveries for Door-keepers and } Messengers	60 0 0	
Assistant Clerk and Librarian ..	400 0 0		For purchase of newspapers of } adjacent Colonies	20 0 0	
Assist. Clerk, Sergeant-at-Arms, Acting Librarian, and } Keeper of Records		200 0 0	For extra Messengers	50 0 0	
Clerk, (2nd class)	240 0 0		Witnesses expenses	100 0 0	
Sergeant-at-Arms	200 0 0		Incidental Expenses	50 0 0	
Doorkeeper	100 0 0		Stationery	150 0 0	
Housekeeper	40 0 0		Stores	50 0 0	
Messenger	101 0 0		Fuel	50 0 0	
	£ 2,431 0 0	1,300 0 0	Light	75 0 0	
			Salaries, Provisional and Temporary, Occasional Assistance and Short Hand Reporting		950 0 0
			Office Furniture, Newspapers, and Petty Expenses		50 0 0
				£ 825 0 0	1,000 0 0
			Total Salaries	2,431 0 0	1,300 0 0
			„ Contingencies	825 0 0	1,000 0 0
			Grand Total	3,256 0 0	2,300 0 0
			Deduct S. Australia Estimate ..	2,300 0 0	
			Plus Tasmania	956 0 0	

APPENDIX F.

R. O'Connor,
Esq.

28 July, 1858.

MEMO.

The Papers printed by order of the Legislative Assembly may be classified under three heads,—

1. Papers laid before both Houses, as Statistics, Census, Reports from Boards and Commissions, &c. &c. ... 500 copies.
2. Papers originating in the Legislative Assembly, as Votes and Proceedings, Reports of Select Committees, Returns to Addresses and Orders, &c. &c. ... 500 „
- and
3. Bills originating in the Assembly ... 200 „

DISTRIBUTION.

1. and 2. The actual number of copies required of the Papers under the first and second heads may be stated as follows:—

For distribution to Members of Assembly	...	54
Public Offices in Sydney	...	45
Do. out of Sydney	...	24
Newspapers in Sydney	...	7
Do. out of Sydney	...	11
		141
For current use of Members, Officers of the House, and Reporters of the Press	...	60
Collated and bound for Members and Departments of the Government	...	100
Collated and stitched for neighbouring Governments, &c.	...	30
Collated and kept on hand	...	70
		200
		401

In addition to this number 50 copies are required for the Financial volumes, when the paper relates in any way to Finance, making in all 451 copies.

3. Public Bills originating in the Assembly are distributed to Members, Public Officers, and Newspapers, 141 in number, leaving 50 copies for current use in Chamber and Offices.

These numbers have hitherto proved sufficient for all demands upon the Department.

APPENDIX G.

Summary of the Business of the Department of the Legislative Assembly during Recess.

1. Arrears of Printing, occupying usually from six weeks to two months.
2. Alphabetical Registers of—
Addresses.
Orders for Papers
Bills originated in the Assembly, showing all their stages.
Bills from the Legislative Council, ditto.
3. Summary of Petitions received during the Session.
„ of Standing and Select Committees appointed during the Session.
„ of Business of Standing and Select Committees during the Session.
„ of Business of the Assembly during the Session.
4. Explanatory Abstract of the sums Estimated and Voted respectively for the service of the year.
Notes Explanatory of ditto.
Ditto for the Supplemental service of the previous year.
Notes Explanatory of ditto.
5. Classifying printed papers by repeated lists.
6. Table of Contents classified—with pages.
7. Pattern Volumes with pages—compiled from Table of Contents.
8. Collating 200 sets of three volumes each, or 600 volumes, in accordance with Pattern Volumes.
9. Collating 50 sets of Financial Papers.
10. Indices to Votes and Proceedings, with pages and various checkings.
11. Indices to Financial Volumes, with ditto.
12. Examining Votes and Proceedings after binding.
13. Ditto after coming from paging machine.
14. Distribution of Votes and Proceedings.
„ Financial Volumes.
„ Acts of Parliament.
15. Accounts of the Department.
16. Storing and Indexing Manuscript and Printed Papers of the Session—re-arranging those of previous Sessions, as accumulations render contrivances for room more necessary.
17. Correspondence and personal communications with Public Officers and private parties on Parliamentary subjects, involving thought, research, and time.
18. Preparation for the ensuing Session, occupying several weeks, and involving thought, research, and labor in every branch of the department.

MEMO:—The Sessions have followed each other in such rapid succession lately, that the business of one Session is considerably advanced before the business of the previous Session is fairly out of hand; and thus of late years employment has been, in point of fact, unremitted from one Session to another.

APPENDIX

R. O'Connor,
Esq.

APPENDIX H.

28 July, 1858. TABULAR Statement showing the Hours of Sitting of the LEGISLATIVE COUNCIL during the Session of 1856-7.

(Commencing 23rd May, 1856, and closing 18th March, 1857.)

Average daily Sitting during Session.	Longest daily Sitting.	Shortest daily Sitting.	Number of times counted out.	Days when no Sitting through want of Quorum.
hrs. min. sec. 2 46 28	hrs. min. 7 5 (16 March, 1857.)	20 Minutes.	0	2 (5th December, 1856, and 15th February, 1857.)

N.B.—Hour of Adjournment on three days not specified, viz, 27th May, 6th August, and 3rd October, 1856.

WEDNESDAY, 4 AUGUST, 1858.

Present:—

Mr. COWPER, | Mr. JONES,
Mr. FORSTER, | Mr. PARKES,
Mr. PIDDINGTON.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

William Harvie Christie, Esq., Postmaster General, called in and examined:—

W.H.Christie,
Esq.

4 Aug., 1858.

1. By the Chairman: The Committee are desirous to obtain information generally with reference to your department, as to the means placed at your disposal for carrying out the duties which devolve upon you and your subordinates—whether, in your opinion, a smaller number of officials might not be employed, to carry out with efficiency the duties of the department? One of the greatest difficulties we have to contend with is the Post Office building itself; it is so very badly adapted to the purpose, that we require more officials than we otherwise should. I think we could get rid of four clerks in the Letter Branch, if the suite of rooms were so made that due surveillance could be kept by the senior clerks.
2. Do you mean with reference to sorting? I mean in the Letter Branch: they are all detached. I have one clerk in charge of the Inland Room, one in the Ship Room, another in the Delivery Room, another in the Sale of Stamps Room, and another in the Registry Office. All these departments may be said to be isolated; and the consequence is, that we must have more clerks, whereas if we had a proper suite of rooms fewer clerks in charge might suffice. That is one obvious mode of retrenchment.
3. With regard to sorting—is the accommodation for sorting newspapers and letters sufficient? With regard to the newspapers, since we have had the new room we have done very well; but as to the letters, we require a very great addition to our Inland Room, and such an addition has been sanctioned; but of course it will not meet all demands—there will still be the isolation I have alluded to.
4. You have authority to employ extra labor during extra hours—do you exercise that authority at any other time than when mails arrive out of the usual hours of the office? No.
5. That is for the employment of clerks out of the ordinary hours, when mails arrive or are despatched? Yes; or when the clerks are employed out of their usual hours. The regular Post Office hours commence at seven and end at six o'clock, and when a clerk is employed more than seven hours a day he is paid a gratuity of two shillings an hour.
6. Your department seems to be subdivided under different heads: in the Correspondence and Cash Branch you seem to have seven clerks, including the Secretary and Cashier? Yes.
7. Do you find ample employment for those seven gentlemen? I do, most certainly.
8. Do you not think the correspondence might be cut down in some respects—is it not made more voluminous than necessary by the mode in which it is conducted? I do not think so; it is done almost entirely by blank cover. The correspondence is very large; I received last quarter upwards of 8,000 letters.
9. These letters are, many of them, printed, enclosing returns? There are of course returns, advices, and remittances, but there are also a great number of applications for newspapers and letters.
10. There are, I suppose, very few letters of importance requiring any composition, or anything more than a mere knowledge of routine? Indeed there are a great many that require considerable attention. There are constantly letters about British postal arrangements, postal lines, changes of time table, complaints from magistrates and contractors, that require immediate attention and great consideration. We have now a copying machine for all letters, which I do not much like; it was adopted for the purpose of saving work, but I think it hardly proper that the only record of important letters should be made upon this thin tissue paper.

11. I will take the case of yourself, the Secretary, and the Chief Clerk. You have "the general supervision of the department;" the Secretary has "the general superintendence of the Correspondence and Cash Branches;" and the senior clerk "has charge of all papers and correspondence": is not that subdividing the duties very much—what is the Secretary more than Chief Clerk? He is the Cashier, and, of course, has a separate room; all the cash passes through his hands, and therefore he cannot look after the room in which the other clerks are. I do not know which particular clerk you allude to, but Mr. Levinge, as senior clerk of the room, has, of course, a general control over the other clerks who are in his room, and all have their separate duties to attend to. Mr. Levinge takes the correspondence about the postal lines and contracts; Mr. Dillon takes the official correspondence relating to the Post Office Establishment; one clerk is employed entirely in giving out stores and stationery for country postmasters; one attends to applications for letters and newspapers, and this takes up the whole of his time; and the others are employed in copying and registering letters.
12. With respect to the correspondence, you are stated in the return before the Committee to have "the general supervision of the department." I apprehend that when letters are received they are opened and submitted to you, and that you give the general direction for the answer? They are all opened by the Secretary and registered, and if he has any remark to make upon them he makes it.
13. Before you see it? Yes; in matters of detail, for instance, a minute may be made, "Papers in this case gone to the Postmaster General," or, "Decision given in this case ten months ago;" but I minute the letters myself.
14. You do not open your own letters? Not now.
15. The Secretary reads them first, and submits them to you with a minute? I may state that they used to be all opened by me, but I found that this sometimes caused delay, and it was therefore ordered for the sake of greater quickness, particularly in the case of applications for letters, that the letters should be opened by the Secretary and registered; and then when they are applications for letters, they are passed to the Letter Branch, and when for newspapers, to the Newspaper Branch; they are then minuted by the respective clerks, and brought in a perfect state before me, when such course is necessary.
16. Is every letter recorded in a book? Yes, every one is registered very fully.
17. What are your duties comprised under the term "general supervision?" Everything; there are 386 individuals more or less under my control.
18. Your supervision is mostly in answering these letters? No. There are sixty-six persons in the General Post Office. If any clerk, boatman, or letter-carrier misbehaves, I have to inquire into the matter, and to punish him when it is proved, or if any country postmaster or contractor fails to perform his duties properly, I have to impose a fine, or otherwise decide the matter.
19. How do you ascertain the conduct of the contractors? There is a report on the time-bill, which accompanies every mail, and that shews a late arrival, and besides every postmaster is bound to report a late arrival, at any particular place, or any irregularity that occurs; and there are generally plenty of gentlemen ready to complain when any occasion for complaint is given.
20. The matter is brought under your notice by the correspondence, and your decision upon the correspondence involves the decision upon the complaint? Yes.
21. With regard to the Cash Branch, how do remittances of money come down—by letter? Some come by letter. In the Sydney branch all the office collections are paid in daily to the Cashier; the country postmasters send remittances by letter.
22. Mr. Hunt is the gentleman who receives the money and hands it to Mr. Abbott? I do not think he has any concern with it. There are returns of the cash received made up daily in the Delivery Branch, the Sale of Stamps Branch, and the Inland Branch, which gives the letter-carriers' receipts.
23. It is not Mr. Hunt's department or branch? Yes; but the cash does not pass through him, but is paid direct to the Cashier.
24. Why is he called Superintendent of the branch if he is not responsible? The whole branch is under him, but it is the quickest way for the person who sells stamps to settle at once with the Cashier; it would only involve unnecessary time if the money went through the head of the Letter Branch, who has to exercise a general control.
25. I do not understand what is meant by this general superintendence and chief management? Mr. Hunt is constantly engaged in inspecting the rooms and in seeing that all the clerks and their subordinates are doing their work. If there are any complaints of the letter-carriers, &c., or if the clerks do not attend to their duty, he inquires into the matter, and sends up a minute to me. He sees that the general duties of the Letter Branch are fully carried out. There are some thirty-five persons under him.
26. You look to him for the proper conduct of the business in the Registry Office, the Stamp Office, the Sale of Stamps Office, the Inland Room, the Newspaper Room, the Foreign Office, and the Delivery Branch? Yes.
27. What supervision do you exercise over Mr. Hunt? Every complaint, report, or change of system has to come before me.
28. With regard to the number of persons employed under him, is he the sole judge whether additional assistance is wanted? No; in all matters not of detail he refers to me. I know when there are arrears of business, and must provide for them. With regard to the letter-carriers, they are all told off to their several beats, which are fairly divided, and I cannot do with less than four boatmen. The Dead-letter Office is the only portion of the department a little in arrear, and I know that the clerks on mail days are well kept up to their work. No doubt the work in the Letter Branch is fitful; but unfortunately that cannot be helped: sometimes the clerks there have not so much to do as they might, but, on the other hand, upon mail days their work is more severe than it ought to be.

- W.H.Christie, Esq.
4 Aug. 1858.
29. What are Mr. Abbott's duties as Cashier? He receives all the cash, has to keep his two cash-books, and pay the money into the bank. The Accountant takes cognizance of these books, which, of course, also show all the disbursements of the department.
30. Does he pay the money into the bank, or how does he dispose of it? He pays it into the bank daily, and into the Treasury weekly.
31. In what mode do you exercise a supervision over him? Indirectly through the Accountant, as I have nothing to do with the cash. Every month I have to give in a statement of the postage receipts from the General and the Country Post Offices. All the accounts are then brought before me; I then examine the books, and get a certificate from the bank as to the actual balance in hand. The cash paid in is journalised weekly. I have several indirect checks on the Cashier, who is, however, solely responsible, and has given large securities. Having ascertained the bank balance, I go over with the Accountant the several receipts from the General and the Country Post Offices on account of postages and stamps.
32. Does he act irrespectively of you in money matters? Entirely as to receipts; I never see the cash at all. He receives all cash, and pays it into the bank. The Accountant debits the General Post Office and the country postmasters, with the issue of stamps, and credits them with the amount shown in cash-book; and as the item for postages is small, the issue of stamps virtually checks the Cashier and the country postmaster, to whom accounts are forwarded half-yearly giving their stamp and postage account. Out of the £40,000 we receive annually, I do not think more than £2,000 is for postage, the balance being on account of postage stamps. The Inspector of Stamps every month furnishes an account of what he issues, and I see the stock in hand in the General Post Office, and the issue made to the country postmasters, public offices, and the Sydney public, which added together must amount to the total issue during the month. Country postmasters are not allowed postage stamps until they have paid seventy-five per cent on former supplies.
33. With regard to the duties of the Accountant, his branch seems to have a large number of clerks for what may be considered to be the mere duty of checking accounts? There are many more accounts than might be supposed. Altogether there are 792 accounts. The Accountant is a very valuable officer. I think if we could get rid of the forms sent to the Auditor General we might retrench in this branch; and I must confess that I have thought the office might be managed almost like a banking or other public establishment.
34. In what way do queries from the Audit Office cause unnecessary trouble? We have to furnish all copies of accounts to the Audit Office, and there is a great deal of correspondence, and what I think unnecessary forms. I think if the accounts were conducted as they are now, and proper persons were appointed from the Audit Office to inspect the books in a department like the Post Office that would be sufficient. I am told that in England in the Army and Navy they are only under what is called an appropriation audit; they do not go into every item. I could reduce this branch of the establishment by one clerk if it were not for these forms and returns.
35. The copies of authorities? Yes; and of all the accounts. Lately I wanted a release from the Audit Office for moneys advanced to me since 1852; and I was required to copy and send in all the accounts, even for the last-named year.
36. How many clerks are there in that branch besides the Accountant? Four: one is a temporary clerk, he is not on the establishment. Mr. Nelson, the senior clerk, is entirely engaged in looking over the letter bills, which form the basis of the accounts of the country postmasters. These have to be bound up, and the accounts are checked from them.
37. Do you find that the country postmasters send in their accounts more regularly than was formerly the case? Yes.
38. They pay up, and are not allowed to get into arrear? In no instance do we allow them to receive postage stamps without the payment of seventy-five per cent. upon the previous supply. If a post office is short of stamps, and letters are prepaid in money, I at once call on the postmaster for an explanation.
39. You think you might reduce the establishment by four clerks, with such modifications as you suggest? With a new Post Office; but the work of the office I consider on the average increases fifteen per cent. each year, take the business all through.
40. You were a member of the Board of Inquiry appointed to inquire into the management of the Post Office under a former postmaster? Yes.
41. How many years is it since you received the appointment of Postmaster General? I was appointed on the 1st of May, 1852.
42. Can you, from your experience of the working of the department, suggest to the Committee any alteration in its arrangements, independently of the defects of the building itself, by which the business can be carried on efficiently with a smaller number of men better paid; or do you think you could dispense with any of these persons? I really do not think so. As I have already stated, if we had a good Post Office we could do with fewer clerks; but at the present time, when there is a pressure, they can only get the work done by sitting up till twelve at night, when they are quite worn out: on the despatch of a mail, in the Ship Room all will be engaged.
43. That is only when an English mail arrives or is despatched? Yes; that is all.
44. The hours of attendance of clerks in the Post Office are not longer than those of clerks in other public departments? No; they used to be, but under the new arrangement they are the same as in other offices.
45. Does the Secretary of the Correspondence Branch sign letters for you, or do you sign letters yourself? I sign them myself; if I am absent the Secretary signs.
46. He does not correspond with the country postmasters himself? No; he might sign a memorandum calling for a report, or he might send a blank cover on some matter of detail.
47. His pecuniary responsibility is not great, owing to the transactions taking place with stamps? I did not say that; but that the system of postage stamps, and the charges made on that account against the country postmasters, check the receipt of money.

48. Then the postmasters do remit their money through him? Yes, of course every remittance goes through the Cashier's hands, who has to send a receipt by return of post.
49. There is a check between the Accountant and Cashier every month? Every day you may say; and all the money collected in the department is paid into the Treasury weekly.
50. *By Mr. Jones:* I see your boatmen are paid £132 a-year each, is there any reason existing that you know of why they should be paid so much more than other boatmen in the public service? They have much more night-work; but I believe the reason is, that that sum is paid to the letter carriers, and these men are employed not only as boatmen, but when not engaged with their boats they mend the mail bags, assist in sorting the newspapers, and sometimes in delivering them, and in packing and unpacking the mails.
51. They are employed in other duties besides those of boatmen? Yes; they are obliged to be up at night whenever mails are expected, and they are at work early in the morning. I think they are worked much harder than other Government boatmen.
52. Is there any work done in the Correspondence Branch of the Post Office that you think could be safely dispensed with—any forms in reference to recording or copying letters? I do not think so. We have now, as I have already stated, a copying machine, consequent on a modified recommendation by the last Board held on the Post Office Department; but I do not approve of it: I think important letters should not be copied upon mere tissue paper. We are obliged to have our register books in the Correspondence Office very correctly kept, because a person may say, "I wrote a letter on such a day, why was it not attended to?" and it is necessary that we should be able at once to refer to the date of the letter. No department requires to be more accurate in that way.
53. You do not think there is any work done that could safely be dispensed with? I do not. I think the Correspondence Branch is hard worked; the Letter Branch is least worked continuously; but we must be prepared for an emergency—that is the peculiarity of a post office.
54. *By Mr. Piddington:* What are the usual hours of attendance of the clerks in the Post Office? The clerks in the Correspondence and Account Branches arrive at nine and leave at four, but the others take their seven hours at different times. We commence at seven o'clock and keep open till six; but all the clerks have seven hours a day.
55. Have you any means of ascertaining whether the clerks who should come at nine and leave at four do come at the proper hour? There is an attendance book in each room, and the clerks are bound in honor to put down the time at which they arrive. The clerk in charge initials the entries, and the book is brought before me, when I have nothing in hand, perhaps once a month, and I see the attendance.
56. If the names are merely written in a book without any check, how can you ascertain whether the clerks do not come at eleven instead of nine? The names are entered in the order in which the clerks come in, and the clerk in charge initials the entries.
57. Do you leave it to the individual clerk to enter the hour at which he arrives? Yes.
58. Would it not be better for the inspecting clerk, or the clerk in charge, to draw a line after each period, say a quarter past nine, so that any one coming after that time must enter his name below the line? I have thought of that; and if there had been one hour at which all the clerks should come to the office I would have adopted it; but my department is cut up into so many branches, and the hours of attendance vary so much, that it would be difficult to carry out such a plan.
59. There are few clerks who come at these hours? Only the Cash and Correspondence Branches.
60. How many days in a month are clerks in the office compelled to attend over hours? That would depend upon the business—the mails coming in.
61. Taking the whole office, what would the average number of days in a month be? I never pay the Correspondence Branch for over hours; when there is work I give an order, "Tell the Correspondence Branch they cannot go." Perhaps I keep them once a month till five or half-past five. With regard to the Letter Branch, I should say that five days in the month they are paid overtime—three on the receipt of a mail and two on its dispatch.
62. What proportion of the gross receipts of the Post Office do you receive in money? It is all in money eventually; about £38,000 is received from the sale of stamps, and about £2,000 for postages.
63. Is the issue of stamps checked to your satisfaction? Yes; the stock in hand in the General Post Office is taken every month.
64. There is a special clerk for the receipt of the inland revenue? There is one clerk who makes up the letter carriers' accounts, and receives their daily receipts, and those of the Delivery Room, and this clerk, and the clerk who sells stamps, communicate direct with the Cashier.
65. What are the separate duties of the officer who is called here Secretary and Cashier—what proportion of his duties consist of those of Secretary, and what of those of Cashier? As Secretary he has the charge, under me, of the whole of the Corresponding Branch of that department. I dare say the Cashier's duties take him two hours a day, viz., to receive the money, make up the cash-books, forward receipts, and prepare cheques. I hardly think the Secretary's and Cashier's duties are properly united; but I would not recommend that the Cashier's duty should be transferred to the Accountant's Branch, because the check might be lost.
66. Do you think it would be possible for the Postmaster General to do the duty of Cashier, with the assistance he might derive from the Accountant? I do not say it would be impossible, but I could not then do my other work as I now do. I seldom leave the office till five o'clock, and take home my despatch-box twice a week.
67. You say the duties of the Cashier occupy the Secretary two hours a day? Yes.
68. And you think this two hours duty could not be discharged by the Postmaster General? It could be done, but at the loss of something else.
69. Do you think other duties of importance would be undischarged by him if he assumed the duty of Cashier? Yes.

W.H. Christie, Esq. 70. *By Mr. Forster*: Have you ever heard complaints made of the efficiency of your department? Yes.

71. Have those complaints been very general? I think not altogether, under the peculiar circumstances of a post office.

4 Aug., 1853.

72. In what form have these complaints reached you? In the country, postmasters complain of the contractors and mailmen, and the public complain of postal errors and the contractor and mailmen.

73. Do you think complaints are justified in any case? Yes, in some cases, I think so, certainly; but I would say, without exaggeration, in twenty-nine cases out of thirty we satisfactorily account for or punish the defaulting party.

74. Have you at any time received complaints of the loss of papers, and packets, or letters, in the Post Office? Yes.

75. Have you been able to satisfy the parties in most of those instances? In some we have not. In such cases all we can say is, that it is a very extensive country, that, from the difficulty of procuring eligible ones, we cannot depend much upon the mailmen, and the postmasters, who receive but £12 a-year are, many of them, inefficient, and sometimes worse.

76. Do you consider that these errors have generally been committed in the country post offices and not at the Post Office in Sydney? I think so.

77. You come to that conclusion from examination into the different cases? Yes: more irregularity occurs in the extreme northern districts, which I attribute to the mails passing through so many post offices, and to these being far away from the central inspection.

78. Have many of the complaints to which I allude been made against the General Post Office itself? Some have.

79. Have you found them justifiable at all? Sometimes, of course, clerks mis-send letters, and I have to fine them. We fine them a shilling for every letter, and sixpence for every newspaper, when they are discovered to have been mis-sent. I am sorry to say there have been cases of a worse nature, where I have been compelled to dismiss letter carriers under the impression that they have committed theft.

80. When a charge is made against the General Post Office which involves the censure of a particular clerk, what is your practice—do you allow the answer of the clerk to be conclusive against the complainant? Certainly not; I hear both sides.

81. Suppose it ends in the complaint being directly contradicted by the clerk, do you generally consider the answer of the clerk conclusive? No.

82. Do you ever in any case? I do not think I have done so. I do not know the particular case you allude to. I can hardly suppose a case where one clerk is the only person to consult. If a particular letter were mis-sent, I should find out the first clerk who sorted the division, and then the party who put it in the drawer; I should also be guided by my experience as to the clerk being truthful and trustworthy.

83. I wished to know whether in cases of this kind you had the power to check the statement of one clerk by that of another, or whether you were obliged to rely upon the statement of one alone? In most cases there is some corroborative evidence.

84. There have still been some cases which you have not been able to clear up satisfactorily? You mean in reference to registered letters?

85. Yes, registered and lost letters? Yes. I have had a return made out with regard to registered letters in 1856 and 1857. In 1857 there were 86,000 registered letters passed through the General Post Office, Sydney. Here is a return (*producing the same*) of every complaint that has been made with regard to registered letters during that year.

86. State the number of complaints during that year? 120 letters have come with inquiries or complaints as to registered letters, and of these I have satisfactorily disposed of all but the following:—There was one case relating to a letter sent to a party in George-street, as to which I could find no clue to the money that was sent, although I have no reason to suppose that the money was not enclosed. In another case a letter was lost, which was sent down to the postmaster at Dapto. I considered that the Inland Room was in fault, and made them pay the amount. The third case was one I have never been able to fathom: the bill case that contained the registered letters was missing when it arrived at Shoalhaven, but my opinion is that it was opened on board the steamer, or on the road. The bills have never been presented.

87. How could it have been opened on board the steamer; must not the mail bag in that case have had the seal broken? It was done when the steamers were not so careful about the locker for the mail bag as they now are. It was when the steamers were first employed for the conveyance of that mail; we used previously to send it overland; we supposed that in this case they had been a little less careful, and that some party might have got access to it. In the next case, a party said he had enclosed money in a letter, but we believe it never was enclosed; we inquired at the bank, and they were of our opinion. In another case, the Post Office authorities in London sent out to say that a sovereign had been taken out of a letter, but upon looking at the card, in which it was said the money was sent, we found that a sovereign would not pass through the incision made; only a half-sovereign or sixpence could have been put through; we considered, therefore, that the statement was not correct.

88. Could not two half-sovereigns have been put in it? I do not think they could; it was a very small slit in the card, and the party stated that a single sovereign had been sent. The only other case was from Grafton; and in that I do not think the money was enclosed, from the inquiry I made at the post office. These are the only six cases which were not satisfactorily explained.

89. Have you any account of the number of complaints made as to the loss of other letters or packages not registered? I have not here; I could ascertain.

90. You could not state the number? I could not.

91. *By the Chairman*: Does that account for the complaints in 1857 include the case in which one of the letter carriers was dismissed, and a clerk removed from the department?

Y. ca.

92.

92. *By Mr. Forster*: Of course such losses and defalcations as we are speaking of occur under the General Post Office at home? So far as the abstraction of money from unregistered letters is concerned, cases are much more frequent in England. The case to which I have referred is the only one which has been brought under my notice from England, but we have many complaints in the year of sovereigns and half-sovereigns having been taken out of letters addressed to England. So frequently has this been the case, that I lately recommended to the post office authorities in England that some means should be employed to watch the parties engaged in sorting the Australian mails, and that some scheme for ensuring detection should be had recourse to.

W.H.Christie,
Esq.
10 Aug., 1868.

93. I understand you then to say, that in this respect the Post Office here is as efficient as the Post Office in England? Yes, I think so. I think loose sovereigns in letters not registered have a much better chance of being delivered here than at home.

94. Have you ever considered the system of money orders? Yes.

95. Do you think that would be applicable to this country? Not so applicable as at home, and more difficult.

96. Do you think it would be at all beneficial in this Colony? Yes; but it would be very expensive. You must have another set of country postmasters.

97. The matter to be considered is, whether the advantage to the public would more than counterbalance the cost? My opinion is that we are not ripe for it with the present staff or building: we should require a more expensive establishment.

98. *By the Chairman*: You are aware that they have established the money order system at Melbourne? Yes.

99. Have they adopted the English system, or have they modified it to suit the Colony? I do not know. I used to correspond with the Postmaster General of Victoria, but I do not now. I have always felt that in this Colony the utility of these money orders would be more than counterbalanced by the expense, for we could only have money order offices in places where there are branch banks; in out-stations the postmasters, generally, are not efficient enough to conduct money order offices.

100. In cases of letters being lost, or of complaints in reference to your department, you do not act in such matters upon your own responsibility? I would not trouble the Government with details of this kind, unless in cases of serious loss of registered letters.

101. In the case of the loss of the Shoalhaven bill case, the whole matter was reported to the Government, and determined by the Executive Council? Yes.

102. *By Mr. Forster*: I presume you would always hold a preliminary inquiry, to satisfy the parties, without reference? Yes.

103. *By the Chairman*: How are the country postmasters appointed? Entirely by myself.

104. You appropriate that vote altogether? There are 213 country postmasters, and about £6,200 a-year is paid to them. The maximum salary is that paid to the postmaster at Bathurst, £230, and the minimum, which is the sum received by the greater number of country postmasters, is £12 a-year. They are entirely appointed by myself.

105. Do you fix the salary of the postmaster at Bathurst at £230, at Brisbane at £175, at Campbelltown at £100, and so on? When I took charge there were certain fixed salaries; now, when I know the amount of the vote for the year granted, I call for a return of the aggregate business performed, and make a revision of the salaries.

106. You have a scale by which you adjust the amount of compensation, according to the labor performed? I get a return of the number of mails made up, the number of letters passing through the office, and the amount of stamps sold, and from this I see the importance of the office, and decide by that entirely.

107. £12 a-year is the minimum paid to a postmaster wherever Government establishes a post office, and this is raised as the business increases? Yes; but on the gold fields they are paid more: there was great difficulty in getting postmasters originally at these fields, and they were paid from the gold fund.

108. What means have you of checking the performance of these duties by the postmasters beyond what you derive from correspondence—have you any personal inspection of them either by yourself or by deputy? At one time £100 a-year was allowed for supervision, and with that sum I made long tours of inspection. This, although not a very efficient supervision, was productive of some good. Now that a postal inspector is appointed we shall, I hope, gradually make postmasters more efficient.

109. You have recently had a case where money has been taken out of a mail bag? Yes.

110. You have not been able to trace that money, except as a mere matter of suspicion? No; we suppose that a mailman opened the bag.

111. Did it not come out on the inspection by your officer that the mail bag, which had been some time in use, was not fit for the purpose? Yes; he reported that he found a hole in it. The postmaster has, however, since reported that the bag was not the one usually used, and that it was mended on the following day.

112. Should not the mail contractor report the circumstance if a postmaster constantly sends a bag in such a state as that a man, as was assumed in this case, could put in his hand and withdraw a letter? I do not think the abstraction took place from a fault in the bag; but, of course, having no postal inspector these matters cannot be properly looked into. The contractor should report the circumstance if he has a faulty bag sent systematically; or the country postmaster should report that a bag has arrived in such a state. I have no other means of accurately ascertaining the state of the bags.

113. Might not some authority be given either to the Clerk of Petty Sessions, or to some resident magistrate, to make a periodical inspection of the district post office, as it would be impossible for the Postmaster General, living in Sydney, to exercise a proper supervision? I took a step in that direction, and the Commissioners of Crown Lands were directed to make periodical reports; but very few did so; and as it was foreign to the other duties they had to attend to, they let it fall into disuse.

- W.H.Christie, Esq.
4 Aug., 1858.
114. Might you not arrange for some periodical inspection, if only quarterly or half-yearly? I think it would be well for the Government to direct the Benches to report upon the state of the post offices, but I do not think it could be very well initiated in my office, as the Benches or Clerks of Petty Sessions would not be under my control. But in practice, if there is a bad postmaster in a district, the Benches usually make a report on the subject.
115. With regard to these three gentlemen who appear as sub-heads in your department, do they act each irrespectively of the other—does the Accountant act as head in his branch, the Superintendent as head in his, and the Cashier as head in his? Yes, and I am head over them.
116. What is your mode of inquiring into the way in which these three heads carry on the business of their branches: do you interfere at all in the detail by any active supervision? Yes; with regard to the Secretary, he is with me every day, and I very soon know if there are any arrears; and if I get back a letter not properly copied or signed, he is immediately made aware of it by me. With regard to the Accountant, the moment the Auditor General sends back an imperfect document it comes under my notice. With regard to the Letter Branch, every report must come under my notice. The complaints against mis-sorting in the General Post Office come to me first, and if I find that any of the parties in the Letter Branch have been careless, I consider the Superintendent to some extent accountable.
117. You speak of the Secretary having the general superintendence of the correspondence, and of the cash: what is the general superintendence he exercises—you have the general superintendence? I call for former papers, and he has to see that all the papers are put up. I make my minute, and he has to see that the minute is implicitly followed, and the work of the Corresponding Branch properly performed: he has also to fulfil his duties of Secretary and Cashier, to look after the room, and see that the clerks attend to their work.
118. That is in his own branch? Yes.
119. You say, "in the absence of the Postmaster he acts as his representative"—you are seldom absent, are you not? I have mentioned that I used to be absent about a month in the year on tours of inspection.
120. Not now? I have not been absent this year, but last year I was absent six weeks at the postal conference in Melbourne.
121. What is the meaning of this statement in the return,—“the whole correspondence of the department passes through his hands, is read and remarked upon by him, and fully disposed of by him, when acted upon by the Postmaster General”—Does not that seem very circuitous? Perhaps it might have been expressed in fewer words. He sees the letters properly registered and distributed, and brings them all before me, with the former papers, in a complete state; he has to see that my minute is attended to and duly carried out.
122. If you make your own minute and sign the letter, you can see yourself whether the letter carries out your view? There is no doubt about that; but he would send it back if it were not according to my minute, and not bring it before me until corrected.
123. With regard to the duties of the Cashier, the return says—"the whole revenue and disbursements of the department pass through his hands, for which he is responsible."—What responsibility has he—is it not merely that he does not pocket the money? He has to receive the money, keep his cash-books, and pay cheques.
124. Do both the Accountant and the Cashier sign every cheque you sign? The Postmaster General and Cashier sign, and the Accountant initials every cheque. There were 598 cheques issued in the first quarter of this year.
125. You state to the Committee that you are not prepared to recommend any reduction in the department at present; that each of these officers is fully employed; and that neither with respect to salaries nor numbers can you suggest any alteration? As I said before, if we had a proper post office we could do away with three or four clerks in the Letter Branch; if the audit were not so minute we could get rid of a clerk in the Account Branch; and I am not going to ask for any increase next year in the clerical department, although I think there will be an increase of fifteen per cent. in the business. Under these circumstances, it is as you state—I can suggest no reduction.
126. I see in this return there are extra clerks, who receive annual salaries out of the sum voted for temporary extra clerks—do you consider that regular? Yes, I do. I believe the original design of that vote was that we should bring in clerks when there was a great deal of business, such as contracts and bonds; but gradually we have required clerks for the whole year, and these have been retained.
127. They are now fixtures, paid by salaries for the year? Yes. Sometimes more are employed, sometimes less; some of them are permanently paid.
128. By Mr. Jones: Can you not provide for them among the permanent clerks of the establishment? It is a matter of economy. We now pay them only £70 a-year for the first three months, and £100 a-year afterwards; whereas if they were on the Government establishment they would receive £150 a-year, and we could not get rid of them so readily if found inefficient.
129. I think you said that generally your hours of attendance were seven hours a day? Yes.
130. Have you any knowledge of what are the usual hours of attendance in mercantile establishments, banks, and like institutions about town? I should say about the same; I think the attendance hours very fair at present.
131. Do you think there are any special qualifications required for persons filling clerkships, or any offices in the Post Office, over and above what are required for clerks in ordinary private establishments? No, I should say not. There is a peculiarity about the Letter Branch; some clerks are much sharper than others in the sorting of letters.
132. A clerk of ordinary quickness and attention would be able to acquire the necessary technical knowledge in a few months? Yes; in the Letter Branch the employment is very mechanical.
133. Do you think the average amount of salaries paid for good clerks in private establishments

ments, or in banks in the town, would be sufficient to secure good clerks in the General Post Office? Yes; but, of course, clerks who have been a long time in the Post Office have acquired an amount of experience, and a degree of efficiency which cannot be bought. I could name a clerk who has been many years in the department, whose services you could not replace if you paid another person £1,000 a-year. I think the junior clerks are sufficiently paid.

W.H. Christie,
Esq.
4 Aug., 1858.

134. *By the Chairman:* It has been stated that a large number of letters go by the ship's bag, in each Melbourne steamer, because your department does not close sufficiently late to enable people to send their letters through you; that you close somewhere about two hours before the steamer leaves, and that, therefore, letters inclosing invoices, and matters of that kind, are sent in the ship's bag; and that, although stamps are affixed to these letters to enable them to be taken, these stamps are not obliterated, but are sent back to the Colony, whereby several hundred pounds a year are lost to your department? I know the difficulty of taking off the stamps from letters, and I think few would do so; still it might be worth while where there was a large correspondence.

135. Would it not be a more gracious way of increasing the efficiency of the department if the Post Office were kept open until a later hour, and an arrangement were made with the Post Office authorities at Victoria to send a clerk from the office here to deface all stamps coming from them through the ship's letter bags, they doing the same on their side? It is usual in every part of the world for parties to take advantage of the last moment before the starting of a ship to send letters by her bag. The Melbourne mail, except by the mail contract ships, closes half an hour before the starting of the steamer. By the English mail steamer the Post Office requires two hours. In one particular case a party may collect these undefaced stamps, but I do not think it is general; that might, however, be met by asking to see the ship's bag, and defacing the stamps.

136. *By Mr. Forster:* Would the gain be worth the labor of the clerk? It might be more satisfactory.

137. *By Mr. Jones:* Who takes the mail on board? Mr. M'Mahon.

138. How long before the ship starts does he deliver it? He leaves the Post Office as soon as the mail is made up.

139. Up to what time do they take letters on board? Up to the last moment.

140. Would it not answer the purpose if the Post Office sent down a bag to the ship, with the understanding that the bag should be kept open till the last moment, and that M'Mahon should take possession of the bag and seal it, to be delivered with the other letters at Melbourne? Then they would not deface our stamps; they would not acknowledge our stamps; they would not take any trouble about our stamps.

141. Could you not make an arrangement with the Post Office there, that if they would undertake to deface ours you would undertake to deface theirs? If stamps come up from Melbourne undefaced, we get sixpence a letter on them, and in the same way the Post Office at Melbourne gets sixpence on a letter from New South Wales, with an undefaced stamp; therefore, as far as the revenue is concerned, it is as broad as it is long, though no doubt it would be more regular if all letters went through the Post Office.

142. Then, in point of fact, the letters sent in this letter bag are paid on twice? Yes, and taken in this light the party addressed has every right to employ the undefaced stamps as he pleases.

TUESDAY, 10 AUGUST, 1858.

Present:—

MR. COWPER,

MR. JONES,

MR. PARKES.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

Christopher Rolleston, Esq., Registrar General, called in and examined:—

1. *By the Chairman:* What are the duties at present performed by you in the various branches of the department of Registrar General? I have the general supervision of the two branches of the department—the Registration of Births, Deaths, and Marriages, and the Registration of Deeds. In connection with this I have the whole of the correspondence to supervise; I draft nearly the whole of the letters myself, in reply; I sign all the deeds of grant that are issued, and the enrolments of them; I make the different reports that are necessary; I have had the control and management of the census, and the preparation of all returns connected with the population of the country.

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2. You perform those duties under two Acts of the Legislature? Yes, under the Act 19th Victoria, No. 34, and 7th Victoria, No. 16.

3. What is the strength of your department in each branch? I have four clerks for the registration of births, deaths, and marriages, and six clerks in the branch for the registration of deeds, including the Deputy Registrar.

4. Do you find them more than sufficient for the performance of the duties that devolve upon them? No; I want an extra clerk (an indexing clerk) for the registration of births, deaths, and marriages.

5. In addition to the clerical assistance that can be provided by the vote for £200? No; I can do it with that sum, but it is not so satisfactory as having a clerk attached to the establishment whose particular duty it is to carefully compile the indices.

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6. Instead of having the assistance of gentlemen temporarily to perform this duty you would like to have an officer fixed to the department? Yes, I should; for a person employed temporarily does not care how the work is done, and requires a greater amount of supervision, and this being the key to the whole of the business, it is most important that it should be well done, as if not properly performed it is comparatively useless. As an instance, I may mention that the indices of baptisms, marriages, and burials, transferred to me from the Supreme Court were done in that way, and they are not to be depended on.
 7. Are you doing anything to remedy the defects in them? I cannot. I have not the strength to go over these old records, which cover the space of so many years. It would require a great deal of labor.
 8. This vote for unforeseen expenses is a contingent vote? It was proposed by myself, to cover the charge for indexing, which I saw would be necessary.
 9. Would a qualified clerk at £200 a-year meet all your wants? I think it would; it is a small salary for a man who performs so important a duty, for it is most important to have the indices correct.
 10. What duties devolve upon these four clerks in the registration of births, marriages, and deaths? Mr. Macdonnell, the senior clerk, is the Accountant; he enters all the inward correspondence, minutes it, places it with the former papers, and sends it up to me; he tabulates the monthly mortality of Sydney; he assists in compiling the annual tabulations which are necessary for the report; and performs many other smaller duties, which I cannot very well describe.
 11. How long has your department been in existence? Since the 1st March, 1850.
 12. Do you find the entries increasing? Very much indeed.
 13. What is the number of entries? Last year about 20,000.
 14. Do you find that the public co-operate with you more cordially in carrying out the Act than they did in the first instance? Yes, very much so; there is a strong feeling springing up in favor of the department; I hear the same from many of the country registrars.
 15. Was there not a complaint that you commenced your duties by a number of queries which, apparently, were not necessary, and which were considered rather inquisitive? There was, and there are still some few objectors to the system of registration established.
 16. Do you find that the district registrars fill up their returns pretty regularly and carefully? Yes.
 17. Have you any difficulty to get gentlemen to perform the duties satisfactorily? No, we have a very good class of men, generally.
 18. Do you consider these four clerks absolutely necessary? They are, indeed.
 19. Do you keep up your work? Yes.
 20. You have no arrears? We never have an arrear for two days. The system I have commenced, and intend to carry on, will not admit of arrears accumulating.
 21. With regard to the Registration of Deeds Branch, there were a large number of arrears, were there not? Yes, I believe so.
 22. How do those arrears stand now? They are completely got up. There were two or three clerks employed temporarily to get up these arrears, and they were nearly completed when the branch was handed over to me.
 23. Are the indices completed too? Yes, they are all complete, with the exception of indices from 1838 to 1848, which are still most imperfect, and require to be re-done altogether.
 24. Are you doing anything to them? No; I cannot touch them.
 25. Under whom were they prepared? Mr. Elyard, in the Supreme Court.
 26. They require to be re-made? Yes.
 27. Have you had any explanation of the cause of their being in this imperfect state? On account of the deficient staff of the department; they were done in a chance or catch way, whenever a clerk could be spared from other duties for half an hour. The consequence has been, that sometimes they have been entered under a wrong name, and there is very great difficulty in tracing the deeds during these ten years.
 28. If the clerk were fit for the work at all he must have been able to have done it correctly? The indexing of deeds requires some legal knowledge; in some instances there may be a dozen names connected with the property dealt with, and there ought to be an index of every one of these names. It is very probable, from deficiency of knowledge, that a clerk may have entered the wrong names. I understand, from Mr. Jaques, that this has been the case. Since 1848 Mr. Jaques has done the duty himself, and the indices from that time are quite perfect.
 29. Are these defective indices a great drawback to the value of your office? Yes, they are a great drawback. When the business was first handed over to me, I represented to the former Government the inconvenience which would result from it.
 30. How long would it take a qualified clerk to make new indices of all these deeds? Two good clerks twelve months.
 31. The information you now have would assist them? It might be used; but they would have to go to every deed again to ascertain whether it was correctly indexed.
 32. Would that take two clerks twelve months? I think so, at least Mr. Jaques seems to think so, and he has had a good deal of experience in indexing, having done it himself for ten years.
 33. Mr. Jaques is the gentleman who is put down here at £350 a-year? Yes.
 34. Is there any necessity for dividing the department into two branches, and to give a messenger to each—one under the name of book porter? The messenger in the Deeds Branch is book porter; he has charge of all the volumes, and unless he were there, the parties who come to search would throw the volumes about, down upon the floor, or in any direction—the registers would thus receive injury; and it is this man's duty to look after them and put them

them back in their proper places; if he were not employed, one of the clerks would have to attend in his place.

35. You say he is not an office messenger? He is not an office messenger, but book porter, and if he were not there we should have at the end of the day, perhaps, five hundred of these volumes strewn over the floor. The other man is the out-door messenger. I thought the book porter was unnecessary when I was first appointed to take charge of the Deeds Branch, and refused to recommend his continuance; but I found the office could not be abolished without detriment.

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36. With regard to the office accommodation, is it such as to be a safeguard for the important deeds and records you have? No.

37. Do you take any means to prevent accidents by fire? We have our own fires put out immediately after four o'clock.

38. These deeds are not in any safes or fire-proof rooms? No; they are in the midst of a stack of buildings occupied by families.

39. You have given evidence upon this subject before another Committee? I have.

40. You consider it absolutely necessary for the safety of these records that some better provision should be made for their safe keeping? Yes.

41. With regard to the sum of £2,500 for deputy registrars, how do you distribute that amount? They are paid by a fee of 3s. for every correct record of a birth, death, or marriage sent in during the quarter.

42. Is that fee paid by Act of Parliament? No; it is fixed by regulation.

43. In the more populous districts do you not consider that more than sufficient? I do not know that it is; perhaps half-a-crown might be sufficient in a very densely populated district. Half-a-crown is the fee in Victoria, and I commenced with half-a-crown here, but I found the district registrars were so disgusted with the smallness of the remuneration that I thought it advisable to increase the amount to three shillings.

44. Will you state the largest amount received by the registrar of any district? Something under £200. Mr. Carter, the registrar at Maitland, I think, received nearly £200 last year.

45. That district is now divided? Yes, and his income will thereby be reduced.

46. Have you ever considered whether the Act might not be brought into better operation by having Sydney divided into districts, and a district registrar appointed in each of those districts? I think the registration of births, marriages, and deaths would be very much facilitated by so doing, and I have recommended it in my report.

47. Would that cause additional expense to the country? It would—not less than £500 a-year, supposing the registrars to be paid at the same rate as other district registrars.

48. Do you think it necessary to give gentlemen in those districts where entries are numerous so much for each entry as you would to those where population is sparse? I think we could not give them less than half-a-crown for each entry, as it is necessary to have respectable persons to fill the office.

49. What number of entries are made in the course of the year for the City of Sydney? Last year the entries were 4,636: of course they are increasing.

50. What is your opinion of the desirableness of such an arrangement? I think it is very necessary to keep pace with the increase of the population. The births are not increasing as they ought to do.

51. That is to say, the entries of them? Yes.

52. Do you think there are many children born who are not registered? I think there are a good many births not registered; there is still great ignorance in some parts of the city notwithstanding all that has been done to give publicity to the law—at least the parties plead ignorance when they come, and are reminded of their neglect.

53. Do you take any steps to keep the public informed of the law with respect to registration? Yes. We issue notices, and post placards in all public places; we look at all the papers to see what births take place, and send notices to the parents.

54. How do you ascertain those that are not announced? We have no legal means of doing so. The other steps I have taken have been to search the Registers at St. Mary's Cathedral, and to ask the clergy to inform me of baptisms performed by them, and I have supplied them with forms; but I have found them very indisposed to assist me. I have asked them to send me a monthly return of baptisms, but they will not do it. That is the only check I have thought practicable to enable me to get at unregistered births.

55. Have you reason, from any information obtained in that way, to suppose that a number of the children who are baptised are not registered? Yes; from returns obtained from St. Mary's I found that a number of children who had been baptised had not been registered.

56. Would the appointment of district registrars in Sydney relieve your office of any labor? Yes; it would relieve the office of the clerk whose duty is the registration of births, deaths, and marriages.

57. What is his salary? I think it is £150.

58. That would be saved, and would go towards the payment of the fees to be given to these district registrars? Yes.

59. Have you made any suggestion to the Committee on the Registration of Deeds as to the office accommodation you would require, further than to recommend the erection of a new building? I gave no specification.

60. Is there any one particular site which you think more appropriate than another? I think the site of the watch-house at the back of the Supreme Court a most suitable position, as it would be convenient for attorneys, who constantly frequent and send to the office.

61. What do you suppose, in round numbers, the building would cost? I think £8,000 or £10,000 would do it.

62. With fire-proof rooms? I should think so; it would want no ornamentation.

63. Do you think it would cost so much? I should not like to say less.

64. I see in the estimate the sum of £150 for postage—is that sum necessary? My postage

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is very heavy. All the forms go through the post, and the work of the office is done entirely by forms. I cannot get the- to the country districts in any other way than by post. In Victoria, and, I believe, in the other Colonies, all forms and correspondence on registration matters are exempted from postage.

65. Have you any suggestions to make to the Committee with reference to the department, to improve its efficiency, or to render it less costly to the public? No: I think to improve its efficiency it must be more costly to the public.

66. In what respect? I think that the gentlemen employed in the establishment are at too low salaries. Mr. Macdonnell, the senior clerk in the branch for the registration of births, marriages, and deaths, gets less than when he entered the service. He is the accountant, has £5,000 or £8,000 a year passing through his hands, and is a very efficient clerk. He has only £200 10s per annum.

67. Is it not through your hands the money passes—you are the head of the department? Yes; but he keeps the cash and account books.

68. Do you refer to the fees? No; he draws all the cheques and I sign them.

69. Have you not lately had an application made from Melbourne to take away some of your documents or records? Not to take them away—to extract them.

70. Then the originals will still remain with you? Yes. They pay for the copying; all we find is the paper and the forms.

71. Does the appointment of the district registrars rest with yourself? Yes. It was found very troublesome to have them first recommended to the Colonial Secretary, and then to the Governor General; and a notice was published in the *Government Gazette* that I was authorized to make the appointments.

72. Do you find that they often resign? No; unless in the case of a person leaving a district, there are few changes; the system is working very easily now.

73. Those who take the office do not find it irksome? No, not in well-regulated districts.

74. Clerks of Benches in many instances are district registrars? In some instances; about twenty-five of them, I think.

75. What other class of persons is employed in this way? There are various classes—school-masters, magistrates, storekeepers, postmasters, and gentlemen who have no other occupation.

76. You think if this ten years index were brought up your office would be, on the whole, in a satisfactory state? Yes, quite, as regards what has been done hitherto.

77. You consider the registration and indexing now going on quite satisfactory? Yes, so far as the law permits; but I think the present system of registration of deeds is very imperfect.

78. Do you find any inconvenience from the want of registers from the Bishop of Sydney's office? No, not personally.

79. Will it be any advantage to your office to have them? It would be a great convenience to the public to have one place for the registration of records of that kind.

80. Does it often cause fruitless searches in your office from not knowing where a particular register is deposited? No, because the date informs us. If the registration be one made before the year 1856, we know the record is in the Bishop of Sydney's office.

81. Then, in fact, your office is an office available for records only since the year 1855? No, I am misleading you; it is available for records almost from the commencement of the Colony. We have the records of baptisms, burials, and marriages, performed by all the denominations, with the exception of the Church of England.

82. You are deficient of them? Yes, and they are most important.

83. So far your department is defective? Yes, so far it is.

84. By Mr. Jones: How do you come to be in possession of the registers of births, deaths, and marriages of all other denominations but the Church of England? By the Act 20 Victoria, No. 27, passed in 1856, for the transfer of all the documents from the Supreme Court to the Registrar General.

85. How does it happen that the registers from the various denominations were sent to the Supreme Court, with the exception of the Church of England? That was done by 5 Wm. IV. No. 2, 3 Vic. No. 23, 4 Vic. No. 14—special Acts—which provided that all the other denominations should furnish periodically their returns to the Supreme Court, with the exception of the Church of England. The duty of registering for the Church of England was thrown upon the church itself by 6 Geo. IV. No. 21.

86. Then the duty of registering and indexing these returns from the various denominations, except the Church of England, was performed by some paid servant connected with the Supreme Court? Yes.

87. Who performed the similar duty in connection with the Church of England? Mr. James has done it of his own accord, in the hope, as he says, of getting remuneration eventually.

88. Has he received any remuneration from the public for the performance of this duty? He has, in the way of fees for searches, but to a very small extent.

89. By the Chairman: Is that stated in the correspondence? Yes; the fees he has received are stated there.

90. By Mr. Jones: Has he been in the receipt of any public salary at all while he has been compiling these various matters? None whatever, to the best of my knowledge.

91. Do I understand that he has performed this duty entirely at his own cost? Entirely; it was not incumbent upon him to do it at all, but he saw the importance of preserving these records, and has kept them up, at great personal trouble and expense.

92. Over what period do the registers he possesses extend? From the earliest days of the Colony up to 1856, the date at which the duties were transferred to me; and for over twenty years he has kept the registers in a very perfect manner.

93. What do you think would be the value of the services he has rendered in this way? I think £3,000 would not more than remunerate him.

94. That is at the rate of £150 a-year for the time he has been engaged in keeping these registers? Yes. I have looked through them; they are carefully kept, and very nicely indexed. C. Rolleston,
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95. Do you believe it would be an advantage to have these records transferred from the Bishop of Sydney's Registrar to your custody as Registrar General? I do, very great.
96. Would their transfer lead to any increased cost in the staff of your department? No, I think not.
97. Would the public derive any fees from the inspection of these records? They would be a source of emolument to the public.
98. To what amount annually? That I have no means of judging. If the fees were fixed at the same rate as our own at present (5s. for search, and 2s. for a certified copy), the emoluments might be £100 a-year; I do not suppose more.
99. *By the Chairman:* As the Colony grows every year, the importance of these records would be increased? Yes; every year must enhance their value.
100. *By Mr. Jones:* Do you think the arrangements in your office are the best fitted to ensure efficiency and economy? I am about to introduce a new arrangement: instead of keeping the two branches separate, as they have been hitherto, I think of amalgamating them—dovetailing them more into each other; but the duties are so distinct that I am not sure it will work well. I think I may save labor in that way, but not to any great extent; I may get the work done more harmoniously, perhaps.
101. Do you think there is any duty performed in connection with the registration of births, marriages, and deaths, that could be safely dispensed with, so as to economise labor in your department? I do not think there is anything I could dispense with.
102. When you have effected this amalgamation, do you think you will be able to spare any of your present staff? No; I want an indexing clerk if I can get one.
103. You do not think the improvement resulting from amalgamation will enable you to reduce your present staff? Until I try it I cannot say. I am doubtful of the experiment answering. I think there will be some little saving, but not to the extent of the clerical labor of one person. You see the office is growing every day; as population increases the labor of the department increases, and the labor depends not only upon the population but upon transactions in land, and these increase daily.
104. How do the salaries of your department range in comparison with the salaries paid to officers in other departments? I am placed at a very great disadvantage in this respect. In proof of this I may mention that I have lost three excellent clerks, who have been transferred to other departments at higher salaries, and performing very much less important duties. One was a very good clerk, at £150 a-year; he was transferred to the Crown Law Officers, at £200 a-year, where he is a mere copyist: with me he was doing head-work—employed upon statistics: he was the first man I lost. The registering clerk, who was a very good clerk, receiving £150 a-year with me, was next taken away, and is now clerk to the Government Resident at Brisbane, with a salary of £200 a-year, and recommended for £250. A third clerk, who was also in receipt of £150 with me, has gone to the Immigration Office at £200 a-year. That is an illustration of the disadvantage I have been placed in throughout. I have had good clerks, but they have been induced to leave by the higher salaries given in other departments.
105. Have you found any difficulty in obtaining clerks at the salary given in your department? I have, very great. I had two persons on trial who put back the work of the office six weeks.
106. Does not the difficulty lie rather in retaining than in obtaining? I have had great difficulty in obtaining good clerks; for, as I have stated, I had two men who kept all the clerks in the office looking after them, or in correcting their mistakes.
107. You have spoken of having lost three very efficient clerks, who were receiving only £150? Yes.
108. Does not that imply that you can obtain them at that salary? No, not necessarily. I will state how I got them: At the time the reduction was made in the Government service these clerks were recommended strongly for employment from the Immigration Office, and rather than remain idle they came to me at the reduced salary, but as soon as they heard of vacancies in other departments, with an increase of £50 a-year, they left me.
109. Then it follows that either clerks in your department are underpaid, or that clerks in other departments are overpaid? Yes; there is too great an inequality in this respect in the service.
110. The duties in your office require more head-work—more capacity—than the duties of clerks in other offices? Statistics require extreme care, an accurate knowledge of figures, and an amount of system and intelligence which is not at all necessary in copying clerks.
111. Have you supplied the vacancies caused by the transferring of the three clerks to whom you have alluded? Yes.
112. How are their places supplied? I happen to have found a very intelligent clerk as registering clerk; and, in the place of one clerk, I have made an experiment, and taken two boys, between whom I have divided the salary of £150; they are doing very well, and I think, in a year or two, will make very good clerks.
113. With regard to the third vacancy? I have got a very intelligent person as examining clerk.
114. Have you, in fact, filled up the vacancies satisfactorily? Yes, after two or three trials I have.
115. Even at the present rates of remuneration you are authorised to pay? Just so; but they look to an increase of pay.
116. Do you think if there were not vacancies falling in, in other departments of the Government service, where the duties perhaps are inferior, and where a higher rate of remuneration

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- is given, these clerks would have left you? They would have left me if they could have bettered themselves in any other way.
117. By going into private service? Yes. One of my clerks has been offered £300 a-year in private service; he receives only £209 10s., but he remains in hope of an increase.
118. Is that the gentleman who performs the duty of accountant? Yes, the senior clerk; he is a very intelligent man, and gives me great assistance in the department.
119. By the Chairman: Have you many marriages performed by the district registrars? Not many.
120. Are they on the increase? I cannot say they are.
121. What is the total number? Ninety-four throughout the Colony in 1857.
122. Have you ever had the means of informing yourself as to the cause of these marriages, whether it has arisen from a desire on the part of the persons so married to conceal the circumstance? I can only speak from the marriages celebrated by myself; some have been rather incongruous.
123. How many have you performed? I performed four last year.
124. The others have been in country districts? The others have been in the country, principally in the outlying districts, and this proves that the principle of the Act is sound and good. Where the means of obtaining the religious ceremony is accessible parties do not come to the registrar.
125. Then you think the larger portion of these marriages are performed by the district registrar because ministers cannot be obtained? I believe so, in most instances.
126. Have you had any difficulty with reference to the particular expression in the Act "duly qualified minister"? I have.
127. Do you think that expression might be so altered as to make the Act more efficacious? I think there should be some evidence required that a person claiming to be registered under the Marriage Act to celebrate marriages should be attached to some religious denomination which has some fixed place of worship. At present a Mormon minister—a mere wanderer on the face of the earth—can claim to be registered. This I think is liable to abuse. Perhaps the Committee will allow me to add, that Mr. Jaques, the Deputy Registrar of Deeds, who has been over twenty years in the service of Government, and who is receiving only £350 a-year, complains of not having been put on a better footing. His duties are very important, and he has not had the same consideration shown to him as other servants of the public of the same standing.

Hutchinson Hothersall Browne, Esq., called in and examined:—

- H. H. Browne, Esq.
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1. By the Chairman: You are the Agent for Immigration? Yes.
2. How long have you held that office? Since the middle of 1851.
3. Are the salaries as they appear in page 22 of the Estimates those paid this year? Yes; with the exception of the salaries paid to myself and to the Chief Clerk: I receive £650, and the Chief Clerk £350.
4. The department was much larger some year or two ago than it is present? Very considerable larger in 1856.
5. What was the strength of it at that time? Thirteen clerks besides myself.
6. How many have you now? Now I have five.
7. Do you find any inconvenience from the reduction then made, or do you think your present strength adequate to the requirements of the office? I did find considerable inconvenience, in consequence of the reduction having been made so suddenly on the eve of a very large immigration that took place in 1857. The business of the department has thereby been retarded; but with the present amount of immigration, if the arrears were brought up, I should feel no difficulty in carrying on the department with the present strength.
8. How do you account for the necessity of having had thirteen clerks up to the time when the Assembly made the reduction? That may be very easily accounted for. The working of the Assisted Immigration Act entailed upon the department an enormous amount of business, and of itself was sufficient to require the addition. Four or five ships being on hand for days and weeks, and required the continual attendance of a clerk, or of myself, on board.
9. Was the amount of immigration up to that time very much in excess of what it has been since? In 1855 the immigration amounted to nearly 15,000; in 1856 to 6,000; in 1857 to upwards of 10,000; and this year, up to the present time, somewhere about 4,000.
10. What were the duties performed by those clerks as compared with the duties performed by the present establishment? The duties were different. The clerks now have no collection of moneys on board ship on the hiring of immigrants, as they formerly had. The business of the shipping department is reduced simply to that of hiring the immigrants on board, or hiring the single girls at the dépôt, and making out the ordinary inspection lists for the use of the Board. When the Assisted Immigration Act was brought into operation, it entailed the necessity of keeping a clerk continually on board to make out and witness these agreements, to receive payments, to refer to me as to whether promissory notes should be taken from certain individuals or not, and to see that all moneys were paid into the bank each night by the several clerks.
11. There are no promissory notes given now? No; the system is abolished.
12. Was that system in operation up to the time of this reduction? No; it was repealed in 1855; but it left behind it a very large amount of business in connection with the collection of these promissory notes, to the amount of many thousand pounds. These were sent to the Treasury from the department, and, if not paid at maturity, they were sent back to us. Of course this caused us a considerable amount of correspondence, as we had to write to people in the country for payment. This involved a large amount of clerical labor; in fact the correspondence of the office, and other matters contingent upon this Act, increased the business

business something like three or four fold what it had been in former years, and the department, when at its greatest strength, was less in number than had been formerly required by my predecessor when no such system existed. The Returns that were sent home to the Secretary of State and the Commissioners were also then very voluminous, and as they all had to be made out in triplicate, they entailed a very large amount of clerical labor—all these have been got rid of.

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13. You say the immigration of last year amounted to 10,000? Upward of 10,000.

14. What do you suppose it will amount to this year? About 6,000.

15. Is not this chiefly assisted immigration? A large proportion consists of people introduced under the Remittance Regulations; but we have a considerable number of ordinary immigrants as well, particularly single females.

16. You have very little trouble with them in regard to making agreements? No: we used to have a great deal of trouble with them, but we now throw the trouble of making the agreement upon the party hiring. We put a clerk in the room, and leave each person to make out his agreement.

17. You find no inconvenience? It is a great inconvenience to some of the employers; they do not like it; but I do not think it is necessary for the Government to provide clerks to make out the agreements; the public are gradually falling into the system, and it does not give so much umbrage as it did at first. Yesterday we hired about seventy girls in three hours, without any great difficulty. We had two clerks in the room to assist.

18. What are the duties now performed by the office—you say that the Returns which used to go home to the Secretary of State are got rid of, that the collection of promissory notes and matters connected with them are got rid of? The duty of the Chief Clerk consists in receiving and registering all correspondence which comes to the office, writing letters from my minute, and copying them into the letter book, or pressing those that are pressed. He has the general superintendence of the other clerks, and carries on the business during my absences on board ship, which, during large immigrations, are frequent.

19. How many ships have you on the average—one a month? More than that. I think we have had about eleven ships this year; last year we had twenty-eight or twenty-nine.

20. One a fortnight? They do not come in, of course, in that regular way. If they came in one a week, or one a fortnight, arrangements could be made to meet the demand upon us, but sometimes two come in together. Last year we had three together, and with the small force I then had I was obliged to put aside every other duty, as they must be attended to.

21. When they come you are required on board them? Yes, and the clerks too. When we were reduced in 1856 to three clerks, I was obliged on some occasions to shut the gates, for there was nobody left in the office to answer a question. We had for the first three months only three clerks, but on a representation made to the Government that it would be impossible to carry on the business, they gave me an accountant, and another clerk.

22. Do you find that sufficient? For the present immigration it is. My duties are entirely contingent upon the amount of immigration that comes to the Colony. If we have a less amount of immigration than at present, there will be no necessity for so large a staff; but the applications made under the Remittance Regulations —

23. How are those applications going on—are they on the increase? Very much on the increase. During the last month we received £2,200, and up to this morning, which is the 10th of the month, £970. I believe if the system were worked satisfactorily by country agents they would amount to something considerable.

24. Who are the country agents? The Clerks of Petty Sessions.

25. In what respect do you think the system is not satisfactorily worked by those gentlemen? I do not think the laboring classes have afforded to them the information that might be given. I have taken a great deal of trouble to circulate information among the country Benches; but notwithstanding this, I daily receive applications from persons in the country who express their entire ignorance as to the working of the regulations, and the parties to whom they should apply to make these deposits. These parties should not apply to me at all, but should know that by applying to the Bench they would get the information they required.

26. What proportion of labor does it entail upon your office to attend to applications with respect to these regulations? It requires one clerk entirely to attend to that duty. He stands at a counter in an open office, where he receives the applications, and in nine cases out of ten he has to write these applications himself, from the dictation of the party applying, the party being unable to write, or, if able, likely to occupy a longer time doing so than would be occupied by the clerk. When the application is filled up it is handed to the Accountant, who sits in the next room; he receives the money, makes out the receipt, and sends it in for my signature, and after the closing of the office for the receipt of money at two o'clock, it is the duty of the clerk at the counter to make out the passage certificate and transmit them to the country districts to the Clerks of Petty Sessions, or hand them to the persons who made the deposits in the morning. These passage certificates in some instances are numerous, in other cases they consist of a single document.

27. Do you not think these forms are multiplied unnecessarily? I think they are as simple as they can be now, for we keep no office copies as we used formerly to do. We merely have a book which contains a transcript of the passage certificate, and as the money is paid in it is written up in the book, and from the book copies of the certificate to the Commissioners in triplicate are made out. I do not think we could simplify the matter any more with due regard to accuracy.

28. What other duties have you beyond correspondence and making up returns to the Government. A large number of the persons who come out now go to their friends at once, do they not, and thus cause very little trouble to the department? Yes. There is one clerk who has the duty of the shipping branch.

29. What does that involve? On the arrival of a ship he proceeds on board, and makes out

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10 Aug., 1868. an inspection list by which the Immigration Board examine and pass the immigrants. After that list is made out he inserts a notice in the papers, stating the names of the parties who have arrived under the Remittance Regulations, so that their friends may know when to apply for them. He also makes out a list of those who are intended for hire. After the Board has sat, at which he has to be present, he remains on board, usually for three days.

30. The Board sits on board each immigrant ship? Yes.

31. And passes every immigrant? Yes. He then attends to the hiring of the people, and after the third day, to save time, he leaves blank agreements with the surgeon, who is authorised to hire out the few who may remain in the ship.

32. Does not the Board sit in your barracks to examine and pass the single girls? Yes: they are removed to the barracks immediately.

33. They are not brought before the Board in the ship? No. I make it a rule to remove the girls to the dépôt as soon as possible after the arrival of a vessel, in order to prevent any acquaintance being formed in the harbour, or if there has been any intimacy to cut it short as soon as possible. Then the shipping clerk after he has finished with the ship makes out the arrival list, on which the moiety of the passage money is payable, and it is his duty to copy my draft reports which are made on each ship; he has to make this out in triplicate, and send it to your office for transmission home. There are a great many other matters connected with the shipping branch incidental to each ship, of which it is almost impossible to give a detail.

34. According to a return sent in to the Committee, it appears that you have one clerk in charge of the remittance branch, another clerk keeping the register of the remittance branch and preparing abstracts, and then an Accountant who receives all moneys under the Remittance Regulations—does it not seem from that that there are three clerks mainly engaged in duties connected with these remittances? No, not exactly. The Accountant, being Accountant and Cashier, is the person responsible for the receipt and payment of all moneys, therefore he must be a party to the transaction, so far as the receipt of the money goes, and his book is a check upon the clerk who receives applications at the counter, and the applications at the counter are a check upon the other. The other clerk referred to is simply a junior clerk, who is supplied to the office for copying purposes, and when, as was the case yesterday and is the case to-day, the remittance branch is full of work, owing to the departure of a mail, and a large number of persons are waiting to receive passage certificates, he assists in making out these certificates.

35. Is there much correspondence between your office and country agents? A great deal.

36. What is the class of correspondence? The Remittance Regulations bring about a great amount of correspondence, in consequence of misunderstandings on the part of the country agents. Insufficient sums are sometimes transmitted, and the matter requires to be explained, but the principal part of the correspondence is connected with the return of money, in consequence of the person in whose favor the money has been remitted not having availed himself of the passage. We are now getting monthly returns from the Commissioners which, I hope, will reduce that correspondence very much. The information was formerly sent out in a very irregular and unsatisfactory way, and, consequently, we were applied to week after week, and month after month, for the return of money, and the only answer we could give was "No instruction from home respecting this." After applying to me, and finding they could not get the money, they went on to the Colonial Secretary, and then were sent back to me. This has entailed a large amount of correspondence, but there always will be a large correspondence, which it appears to be part of my business to attend to. On the arrival of these people, I frequently receive letters from their friends in the country, transmitting one, two, or three pounds, requesting me to hand the money to the parties, and to tell them where to go, by what coach, steam-boat, or other conveyance. All this requires time and attention; but these people are so ignorant, and would be so much adrift if they did not get this assistance, that I cannot refuse to afford it; and, besides, they seem to consider themselves entitled to it, having been brought under an arrangement of the Government.

37. Do you find that many persons whose friends have sent home money to pay their passages do not come? Of course there are a good many, but it is not in consequence of a disinclination to come here. Sometimes it turns out that the health of the party prevents; sometimes the party has emigrated to America, or has entered the army or militia.

38. Still you speak of a considerable amount of correspondence in answer to applications for the return of moneys by parties whose friends have not come out? Yes. I can tell the amount paid back during the last three months: In June we paid back about £500, in July £450, and this month about £250.

39. The amount appropriated to immigration is less this year than it was? Yes, by £25,000.

40. Of course then your duties will not be increased? We have a balance remaining from last year, and we have not as yet transmitted the whole of the funds voted for this year.

41. They are in course of transmission? Yes; but the Commissioners have sufficient funds to carry on, and it is not necessary to give them a balance of more than £25,000 or £30,000.

42. Seeing that the chief portion of the duty arises from the arrival of vessels with immigrants, do you think it necessary to keep up the staff? I do not think in the present state of immigration it would be wise to reduce it. We can easily be guided by the extent of the funds provided by the Government for immigration for next year. If the legislature decide upon spending no money, then the department ceases to be necessary to be kept up. It all depends upon the amount of immigration.

43. Supposing the same amount is voted next year, and no more, now that you have got up your arrears of work —? I am sorry to say our arrears are not worked off. The register, the record of the receipt and dispatch of letters, is in arrear since September last year. I am in hope they will be worked up in the next month.

44. You refer to the book in which should be entered an abstract of every letter that comes in? Yes, and it is the most important in the office. H.H. Browne,
Esq.
45. What is the record of the dispatch? The records contains an abstract of the letter received, and shows the disposal of the letter, the answer that was sent, and in what folio of the book it could be found. 10 Aug., 1858.
46. How much is that in arrear? Seven or eight months.
47. What are the duties of the Chief Clerk? I have explained that it is part of his duty to keep up that record since the reduction of the office. Before that time there was a separate record clerk, and a separate statistical clerk, the Accountant also had an assistant. Since the reduction there has been no record clerk, no statistical clerk, and no assistant to the Accountant.
48. Who prepares the statistical returns? It is done by almost everybody in the office: I have done it myself this year; I have had nobody to put on it; but I have been able to devote only an occasional half hour or hour to it. It is necessary in preparing these returns that the person employed should not be interrupted; but in our office this is impossible, as on the arrival of a ship the place is like a fair.
49. By the last ship how many immigrants had you for hire besides the seventy females you have referred to? We had a very large number for hire—the principal portion—sixty single men, and about thirty-five married couples.
50. Are they a good class of immigrants? Very good. They hired out very well, with the exception of two or three very large families on board. There is a great demand for good agricultural labor, and there will be still greater as summer opens.
51. Have you anything you wish to suggest to the Committee? I merely wish to impress upon the Committee that I should wish the strength of the department to depend entirely upon the amount of work thrown upon it. Its permanent staff may be considered small, but I would not wish it to be increased, even if immigration were to be continued on a very large scale, because of the inconvenience and difficulty of reducing a large establishment when the work ceases. I think it better to have a permanent staff of four or five clerks as we have now, and as immigration increases to procure extra assistance; but I believe it would not be wise at present to cut down the office any lower than it is, if the Government have it in contemplation to spend anything like £100,000 in immigration during the year 1859.
52. What means have you of knowing that these clerks are fully occupied? The number of duplicates and triplicates sent into your own office from ours shows a great amount of labor. Everything must be in triplicate. If thirty ships come in during a year, there are ninety reports to be made out, and with each remittance there is sent a paper, which contains perhaps a hundred names, with a number of particulars. Each year there are thirty-six of these to make out. All these matters have to be carefully compiled, as great inconvenience would arise if they were not correct: they cannot be slurred over.
53. The Chief Clerk has lately been removed for some irregularity? Yes.
54. Do you believe that for some time past he did his proper amount of work. I do not. I regret to say that since his removal from the office, upon an examination of the papers in his office, that I do not think he did that amount of work which might have been expected of him. He was a very excellent man for a very large office, but he was better in commanding than in carrying out. I think he felt so much the serious change in his position, by the reduction in his salary with a few day's notice of something like £200 a-year, which brought him from a state of comfort to a state of misery, that he had not strength of mind to bear up against it, and gave way to intemperate habits, and in consequence neglected his duty.
55. You were not aware of this neglect of duty till the time of the late inquiry? I was not. I never saw him but on one occasion really intoxicated, and he used to come into my room often, I should say twenty times a day. I never observed him in a state of intoxication but on that occasion. He was always in a bustle, and appeared to be doing a great deal of work; but it is quite clear that since his removal we have done much better.
56. What steps have you adopted since, with a view of making yourself more completely master of what these gentlemen do, so as to guard against the Chief Clerk at present neglecting his duty? I have done away with that part of the control which formerly rested in the Chief Clerk, which required that every document and every order should pass through his hands. He, as the Chief Clerk of a large office, to a certain extent controlled everybody under him; he received his orders direct from me, and saw that they were carried out; but I now find it more convenient to communicate more directly with the party who is charged with the performance of any particular branch, but I still hold the Chief Clerk responsible for the discipline of the office and management of the clerks who are subordinate to him: with respect to that which appertains to the Chief Clerk, I apply to him; I apply to the Accountant with reference to that which appertains to him, and so on. By this means I have more direct control over the different clerks than I could have, by sending all my communications through the Chief Clerk.
57. I see it is stated here that the Accountant receives and pays all moneys against the department—in what way does he do so, independently of you? He cannot do so independently of me, because every cheque paid away is signed by myself; it is brought in with the account checked by the Accountant as correct, the cash-book is brought in also. I sign the cheque which is initialled by him, but he can pay nothing without my signature.
58. He has no control over moneys? None: a rough cash-book is kept by the clerk who receives the applications at the counter; that cash-book is initialled by the Accountant, as well as by the clerk; the papers are then examined by the Chief Clerk, to see whether they agree with the entries on the book; they are then brought in to me, and I see that they tally with the check kept by the Accountant, and with the amount paid to the Government. Each time a deposit is made of money from the Treasury it is paid direct to the Government account in the Bank.

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59. Does the Chief Clerk receive money now? Only with regard to remittance letters; he is present at the opening of remittance letters, and initials the book in which every remittance letter is entered, with the amount of the contents of the letter, whether in notes or cheques. The Chief Clerk initials this, as a check upon the Accountant.

60. *By Mr. Jones:* How long had you reason to believe the late Chief Clerk neglected his duty? I think I may say he really neglected his duty only for a period of a few months—principally since the commencement of 1858. Since his removal I have found letters in his desk which were not attended to. In the year 1857 I do not think by any possibility he could have kept up his register, for the demand upon his time and upon the time of everybody in the office was excessive, in consequence of the large immigration we had, and the small force to carry out the work. I do not blame him for neglect in 1857; I do for 1858.

61. How does it occur that, even for a few months, he could have gone on neglecting his duty without the neglect being discovered? The neglect I have spoken of was such as would not immediately come under my notice, because they were not acts of neglect of a very serious nature. They were little matters which ought to have been acted upon, respecting which he had received my directions, but which he had not acted upon. With the exception of one document from Van Diemen's Land, I do not think there was anything of such importance came under my notice as would have formed matter of inquiry. He was very clever, a very good clerk indeed, a very clever man and well-educated, and I very much regret that he should have placed himself in such a position.

62. Was it possible that the late Chief Clerk could have a letter in his desk for some months not replied to—does not that imply that there was not a very efficient supervision? That was in consequence of the record not being written up. If the register had been written up no letter could have remained a day unanswered, because it would have been seen at once; but it is impossible to carry every communication in one's head, when perhaps there are twenty-five or thirty a day. The register is the record by which we could ascertain at once.

63. How then is the head of a department in any case to know whether his directions have been attended to? When the record was kept up, the record clerk furnished me with a record of every letter not answered; and every week I had an absolute return of all that had not been replied to.

64. When the record book was not kept up, did you not think you should take means, week by week, to ascertain whether your directions were carried out? I did as far as I could. I kept a private memorandum of anything I thought was important, particularly with reference to money matters. I felt that to be the most important matter, and it was almost the only matter I could keep up with the strength I had at the time. I did however keep it up, without any complaint from the Auditor General or any one else. With a reduction in the strength of a department of from thirteen to three, it is easy to understand how difficult it must have been to bring a thing so disorganised into system again, and I need hardly tell you that it gave me a great many sleepless nights. If it had not been that I was told by my friends I should be laughed at if I did so, I would at the end of 1856 have given up my situation in disgust, so much did I feel the responsibility thrown upon me.

65. This irregularity, for which the Chief Clerk was dismissed seems to have occurred this year, but you have referred to instances of neglect that happened some twelve or fifteen months ago? They were irregularities that did not come under my notice. His fellow clerks did observe him in a state of intoxication, but they did not report it to me, except on one occasion. Many persons who have constantly visited have said they never saw him in that state, though others have said they have seen him intoxicated.

66. Have you had any complaints from the public as to the incivility of officers of your department? I have had, and they did apply principally to the late Chief Clerk.

67. You are not aware that it was a matter of notoriety that persons who had to go to your department were treated with incivility? I have had many cases which I have inquired into, and in most of these I have found that the persons who made the complaints had forgotten themselves quite as much as the Chief Clerk. They have come to ask the department to interfere in matters with which they had really nothing to do—matters of disagreement between themselves and their servants, and because the Chief Clerk has declined to interfere, and has said they must apply to the Police Office, the parties complaining have felt aggrieved, thinking we were there to redress every grievance of the kind.

68. Have you reason to believe that the deportment of the gentlemen connected with the establishment has improved, with regard to their intercourse with members of the community who have business to transact there? I think very much. I did not like the manners of the Chief Clerk to the majority of the public, but I found him in the office with very strong testimonials, and merely because he had a disagreeable way of speaking I did not think that sufficient to justify me in removing him. He had certainly a very unpleasant way of speaking to people.

THURSDAY, 12 AUGUST, 1858.

Present:—

MR. COWPER, | MR. FORSTER,
MR. PIDDINGTON.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

John M'Levie, Esq., Inspector General of Police, called in and examined:—

1. *By the Chairman:* You are now Inspector General of Police and Superintendent of the Metropolitan and Metropolitan District Police? Yes.
2. You are aware, I dare say, that very many complaints have been made as to the generally expensive character of the police throughout the Colony, and that this Committee has been appointed to consider the means of reducing the public expenditure. Can you suggest to the Committee any way in which, in your opinion, the police expenditure might be reduced, without impairing its efficiency? Keeping in view the immense extent of the territory and the varied description of the population, I do not think it is possible, with safety, to reduce the present police force of the Colony, without adopting, at the same time, some means to improve its efficiency, to meet such reduction.
3. Do you think there is a way by which the numbers of the police force could be reduced, and its efficiency at the same time kept up? I think there is.
4. Will you state to the Committee your views upon the matter? By making use of our increasing means of ready communication by electric telegraph, and by having the police centralized, I think the efficiency of the force could be very much improved, at less expense than the cost of the existing force.
5. In what way would the use of the telegraph enable you to reduce the number of the police? By affording ready means of communication between the different Benches of the Colony and Sydney, and also internally between the several Benches, and increasing thereby the facilities for the publication and detection of crime.
6. Such information as would pass through the telegraph, I apprehend, now generally passes through the Post Office, rather than by means of personal communication? Through the Post Office at present. Under the existing system there is a want of unity of action in the several Police Districts of the Colony that tends to prevent that information being acted on promptly and properly. The police of each Bench is responsible only to its own Bench of Magistrates.
7. Was there not once an effort made to centralize the police, and place it under one head, and that effort was objected to? There was. That centralized system was in existence for two years.
8. And gave great dissatisfaction? It did.
9. Did not the local Benches complain that they were not allowed independent action? I believe that was one of the complaints.
10. Do you think that proposal would be received with more favor now? I think it would. I have been in conversation with many of the country Magistrates, who are evidently coming round to the absolute necessity of centralization. The executive duties of the police are, in my opinion, entirely independent of the duties of the Magistrates.
11. Would not the unpaid Magistrates of the districts feel annoyed, as they did on the former occasion, when they came to see that the executive duties were taken out of their hands, and that the executive officers of police acted only under the directions of a central head in Sydney? I do not see that they would have more grounds of complaint in that respect than the Magistracy of the district of Sydney. I have never had a single complaint of the kind from a Magistrate; and here the executive duties of the police are carried on entirely under my own directions.
12. Supposing the matter did find favor with the public or with the unpaid Magistrates, what would you propose as the means of carrying it out, so as to reduce the number of the police, and consequently the expense? I think the police might be reduced numerically, and their efficiency be improved, by mounting more of them.
13. Would not purchasing horses and finding forage for an additional number of mounted police be very expensive? Certainly, those are considerable items of police expenditure, but it would be an expense well laid out.
14. Would the total cost be less than the expenditure is at present? I think it might even be less than at present. At present we have mounted police on two of the principal thoroughfares of the Colony, and instead of confining them, as they are now, to the main roads, they might be distributed through the different Benches in that neighbourhood. Again, there is the Gold Police, a number of whom are mounted. I find that in the Colony of Victoria there are no less than four hundred mounted constables.
15. To what extent do you think mounting more constables would enable you to reduce the present numbers? That would be a matter requiring time for arrangement; but I am quite sure that in many towns the numbers might be very much reduced, and efficiency promoted, by mounting them. At present there is a vote of £3,000 for mounting constables, and I fear, from all I can learn, that it is not very well expended.
16. Was not that vote resorted to more as an allowance to enable constables to have a horse when necessary, in order to get rid of the enormous cost of forage found previously to be so burdensome? No; I think when the system was changed again from that of centralization to the present system, it was considered that the police would be perfectly inefficient without some of them being mounted, and therefore an allowance of £20 per man was given to a certain number of constables of each Bench to enable them to keep horses.
17. Previous to that was there not an allowance of forage, or were not some police horses supplied with forage, from contractors, at a very heavy cost? Yes.

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18. Did not that produce repeated discussions in the Legislature, and in consequence the arrangement now made was adopted? I am not aware that it was on the score of the expense of forage that the change was made.
19. With regard to your scheme of finding horses, I apprehend you would have a public horse found for each trooper or mounted constable, with a regular allowance of forage? Yes.
20. At what amount do you calculate the expense of that? At present forage in some parts of the Colony is at a very high rate indeed; but I think if there were police paddocks, where the horses might be grazed at certain periods of the year, the horses might be kept, on the average, for £30 a-year.
21. If we once come to put them on forage allowance, would it not be considered officially correct to draw a forage allowance for each horse all the year round? No.
22. Has not that generally been the rule? That has been the rule, but I broke through the rule, only a few days ago, with respect to the patrol on the Western Road. The Superintendent reported that during the grass season forage was not so much required, and requested my authority not to draw forage for one month, as he had saved, while grass was plentiful, sufficient forage to last for that period.
23. Used it not to be the system formerly for the mounted police to draw from the contractor their regular allowance of forage for each horse, and then the police stables to be the place where gentlemen from the surrounding districts used to put up their horses instead of taking them to livery stables? Yes, such was found to be the practice in some instances, but during the time I was paymaster of that force we checked it as much as possible.
24. Would not that very item of forage, if put upon the usual official scale, and taken from contractors, add very enormously to the expense of the police, unless some very stringent check were adopted? It would be quite practicable to establish such a check as would prevent anything of the kind you have alluded to. For instance, in the old mounted police there was a diary of the duties kept, and forwarded monthly to head quarters. For every day the horses were absent from the station one day's rations of forage for the number of horses was struck off in checking the contractor's accounts for forage chargeable for the month.
25. If I understand you rightly, you do not propose to give a regular scale of forage allowance? I would give it for every day the horses were actually stabled, and receiving full rations of forage at the stations, in the same way as with the regular cavalry—when they are absent from barracks forage is not drawn for them. A system of check might be established, by which it could be ascertained when the full rations of forage were not issued to the horses in consequence of the absence of some of them, or when the regulated allowance might be reduced if grass was plentiful near the station, and thereby prevent any misapplication of the allowance.
26. Have you any idea what number of horses would be necessary to supply a sufficient body of mounted police under the system you propose? We have sixty-five Benches, and, of course, some would require a larger number of horses than the others.
27. What would be the average number of horses required by the Benches? I think an average of four for the whole Colony would be sufficient—say 260 horses.
28. You would buy these horses and forage them at the expense of the country? Yes.
29. What number of constables do you think that would enable you to reduce from these sixty-five Benches? The effective strength of all the country Benches at present is 65 chief constables, 44 district constables, 378 ordinary constables, and there are, besides, 59 troopers of the Western and Southern Road Patrols; in all, 546 of all ranks.
30. Is that the whole of the country police? Yes, excluding the Gold Police.
31. An average of about eight to the Benches? Yes. With the prospect of the extension of telegraphic communication, and the amalgamation of all the police, I think that number might safely be reduced to about 360, with the means I propose of increasing their efficiency.
32. Does your scheme contemplate the erection of barracks, or not? At some stations barracks would be necessary where the force was large, but in some districts, where there is only a watch-house, I do not think barracks would be necessary.
33. What do you suppose would be the cost, in round numbers, of barracks for these police stations where you think they would be required? There are a number of places in the country where police barracks are still standing, and would merely require some repairs—for instance, Bathurst, Goulburn, Parramatta—unless they have been appropriated in some other way, and at the gold fields, I believe, they have barracks.
34. Are the Gold Police under your control? Under the Police Act the appointments and dismissals are vested in me, but I exercise no control beyond confirming the appointments or dismissals recommended by the Commissioners.
35. Why do they communicate with you at all? Because the Act requires it, and I have the payment of them.
36. Why do you not exercise the same control over them as you do over the other police? Because it has never been the case in the department. I found it was a mere nominal control, in order to carry out the provisions of the Act; but the nomination of the constabulary on the gold fields was left to the Gold Commissioners, and the appointments and dismissals were merely approved by the Inspector General, as the Act required.
37. Do you see any reason why that police should be on a different system from the other police? I do not.
38. Do you think advantages would arise from the police being all on one system? I do.
39. In the event of the adoption of such a system of police as you suggest, would you contemplate the appointment of any District Superintendents of Police under the Inspector General, or do you think he could exercise a sufficient control over the executive duties without District Superintendents? I think the Inspector General could exercise all necessary control within the County of Cumberland, considering the improved means of communication by railway, and that beyond the County of Cumberland the immediate control in the Western and

and Southern Districts might be entrusted to the present Superintendents of the Patrols on those roads, and in the Northern Districts to an additional Superintendent, to be appointed for the purpose. John M'Leir, Esq.

40. You think Captain Zouch could do the duty to the south, and Captain Battye to the west, and that another gentlemen should be appointed to the north? Yes, with proper grades of rank under them. 12 Aug., 1859.

41. Inspectors or sergeants? Sub-inspectors and sergeants.

42. Would you require to pay these men higher rates than you give to the present country police? No, I do not think so, as long as there is no necessity for increasing the present rate of pay.

43. What is your opinion of the present rate of pay of the police—do you think it might now safely be reduced? I do not, at the present rate of labor in the Colony.

44. When you have vacancies have you more applicants than are required to fill them? Lately I have not—not the description of men I would take; and within the last few days resignations are beginning to come in again from men who are serving. I take that as a test that they are not over-paid. Within the last week I have had three notices—three months' notice.

45. Do men who resign lose any benefit which may have arisen to them from the Police Fund? They lose everything.

46. Are these all good men? Yes, all. Whenever there is a good report from the gold fields I am sure of resignations in a day or two afterwards.

47. Do you know what occupation these men have generally gone to—whether they get better permanent employment, or whether their resignations are merely speculative? I think they are more speculative than otherwise. They think they can do better at the gold fields; and in some instances they go down to Victoria, expecting to get better appointments there; but I know the applicants are so numerous there that there is not much chance. The pay is also much better in Victoria than in this Colony.

48. What is the relative proportion of the pay of the Victorian Police and that of this Colony? Excluding the ranks of Inspector and Sub-Inspector, which we have not here, I find they have 120 sergeants, 60 of whom have ten shillings and 60 have nine shillings a day, with quarters, fuel, light, and water.

49. What is the pay of the same class in New South Wales? We have only the rank of sergeant in the city; in the country the relative rank is that of district constable. The pay of a district constable is six shillings and three-pence a day.

50. Without other advantages? Without other advantages. In the City Police the pay of a sergeant is eight shillings a day.

51. Have they barracks? No barracks. Of ordinary constables in Victoria there are 1,100, 400 of them mounted, who receive eight shillings and sixpence a day, and 700 foot, at eight shillings, with quarters, fuel, and light.

52. That is about double the number of police that we have? More than double the number. They have 1,285 persons altogether in the police force, from the Commissioner himself to the ordinary constables—not including the Detective Police, of which no particulars are given. They merely take a vote of £10,000 for the Detective Police, without giving particulars; and I know they have detective policemen all over the Colony, but the number I cannot ascertain.

53. Do I understand your suggestion to go to the extent of depriving the local magistracy of all right to interfere in the operations of the constabulary at all? In the detection of crime, certainly—not in the prosecution of crime.

54. In fact you would put the country Magistrates on the same footing as the Sydney Magistrates now are? Exactly; and on the same footing as Magistrates are in the neighbouring Colony of Victoria and in the mother country. I do not see that, either socially or otherwise, the Magistrates of this Colony are superior to them, and yet they have no control over the police.

55. To what extent do you think this would reduce the police expenditure;—have you at hand the total expenditure for the police of the Colony? The gross amount voted for the Executive Police only for the current year, not including Police Magistrates or Clerks of Petty Sessions, is £122,800.

56. *By Mr. Piddington:* Does that include the Gold Guards and Native Police? It includes the Gold Guards, but not the Native Police.

57. *By the Chairman:* Does it include the City Police? It includes the City Police, the Country Police, the Water Police, the Detective Police, the Road Patrols, the Gold Fields Police, and the Gold Escorts.

58. *By Mr. Piddington:* What is the total cost, including the Native Police? The Native Police vote is £17,696 for this year.

59. That makes a total of £140,496? Yes. But it must be borne in mind that the Native Police is never employed in the real police service of the Colony.

60. *By the Chairman:* Then the cost of police is about ten shillings per head of the whole population of the Colony? By calculation I make it 9s. 2½d. per head, taking the population from the Registrar General's last return, but that must be very much under the present amount of population.

61. What is the proportion in Victoria? I do not know the number of their population. Their police vote is £268,221; but there are certain items of expenditure included in our police vote as contingencies which do not appear in theirs; therefore those items should be deducted from our expenditure in instituting any comparison with that of the Victorian police. I see that the vote for forage to the police in Victoria is £25,000.

62. *By Mr. Piddington:* Are you aware of the population of England? About eighteen millions, I think.

63. If the cost of the English police reached the same amount per head as the cost of the police

John M'Lerie, Esq.
12 Aug., 1858. police of New South Wales, what would be the total cost of the police of the mother country? I do not think that should be taken as a basis. Look to the extent of country over which our police is spread. One of our Police Districts alone is equal to the whole of England in extent of area.

64. If the police of England cost the same rate per head of the population as the police of New South Wales, would not the total annual cost amount to nine millions sterling? I have no doubt of it, if you took the population as the basis only.

65. *By the Chairman:* You do not know what the police expense of England is? I have no recent returns. I have the Commissioners' Report of eight or nine years ago, but of course there is a great change since then. As I said before, there are some districts of this Colony of equal extent to all England, with four constables in them.

66. Do I understand you to say that, from your experience as Inspector General of Police, and from the means you have of becoming acquainted with the views of the magistracy generally, you would recommend the introduction of such a system as you have described? I would. I dare say many of the Magistrates would be at first opposed to the introduction of such a system; but if it was properly carried out, I have no doubt they would be obliged to acknowledge the improvement.

67. And you think a reduction might be made in the number of constables that would more than counterbalance the expense of forage for the horses of the additional mounted constables you would require? Yes, that is my present impression, without going into detail.

68. In round numbers, the total police vote is £120,000—what reduction on that sum might be made on the system you propose—you think we might reduce 180 constables, that would be a reduction of what per head? Say £100 a-year each.

69. That would be £18,000 a year? I was going to say £20,000.

70. What do you think the additional forage would cost—how many horses did you say? There is a vote of £3,000 for forage at present, and I think £7,000 in addition would be sufficient under the new system.

71. Do I understand you to be of opinion that in no other way could we reduce the expense of the police at present? I do not think it is possible.

72. You consider that unless they are mounted, disciplined, and directed on the system of centralization, acting under the orders of an executive chief, you could not reduce the present numbers of the police of the Colony at all? I do not think it is possible. In a great many instances, within my own knowledge, under the existing system, the duties of a constable are with him merely a secondary consideration. A great many are engaged in trade and farming, and one thing or another, in the country, and the duties of constables are merely a means of adding to their income.

73. Are they of any use in that way? Not at all.

74. Then might we not reduce them even as they are considerably? It is possible that might be done; but then you would have the local magistracy opposing it in every possible way.

75. You have been recently corresponding with the different Benches of Magistrates in preparing the Estimates for next year? I have.

76. Can you state any information you have received, in answer to your circular asking for the necessary information to enable you to prepare the Estimates? I have made out a schedule of the increases proposed by the Benches, and I find they are not so great in the districts beyond the boundaries as in those within the settled districts. Beyond the boundaries the gross increase proposed is £1,000, whereas the increase proposed by the Benches within the boundaries is £2,200.

77. Is that increase for additional constables? Not altogether. There are some extraordinary propositions—increase to the Clerks of Petty Sessions and to Chief Constables. The other items are principally recommendations to increase the constabulary.

78. Do you consider the office of Chief Constable necessary in the country districts? Not in every instance. I think an intelligent sergeant, at a reduced rate of pay, would be of equal advantage to the public service.

79. What pay would you propose to give the sergeant? You could not give him less than the rate of pay given to the sergeants in Sydney. I would change the designation altogether, and do away with the rank of Chief Constable.

80. What would you call them? Sub-Inspectors; and Sub-Inspectors should be confined to the principal Benches of the Colony in large towns. At other Benches, where the police duties are not at all heavy, a sergeant of police would be quite sufficient. I find that in some country districts the Chief Constable is engaged in trade as well as other members of the constabulary.

81. Would it not be desirable that the Government should issue a circular, to the effect that no constable should occupy himself in any other business? Such were the orders under the Inspector General before the system of centralization was done away, and such are the orders now existing in the Metropolitan District.

82. On what data do you express an opinion that frequently in the country districts the constables are following other vocations? Reports have been frequently made to me of Chief Constables keeping stores in townships, but as they are entirely under the control of the local Benches I have always been obliged to refer the writers of those letters to the Benches of Magistrates.

83. Do you think it would be a good measure for the Government to write a circular insisting on every person in the pay of the Government as a policeman confining himself entirely to his duty? I do. A gentleman, who is a Member of the Assembly and a Magistrate, brought under my notice an instance where the district constable of the part of the country where he resides is a large landholder, renting land from one of the Magistrates of the Bench, and, as I said before, making his duty as a constable a mere secondary consideration.

84. Referring again to the memorandum you have prepared from the replies to your circular with regard to the Estimates, is there any one particular district where there is a great demand for increase? The greatest demand for increase is from Parramatta. They ask for six additional constables. John M^r Lerie,
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85. *By Mr. Piddington*: Is there any demand from Ryde? That is part of the Parramatta District.
86. *By the Chairman*: Did the Parramatta Bench state any particular reason for asking that increase? They say the increase of crime recently has induced them to do so; but I have seen the Police Magistrate at Parramatta since, and I have pointed out to him that I shall be able, by arrangement with the Railway Department, to relieve them from a large portion of the escort duty, which presses hard upon them. At present all prisoners coming down from the Western and Southern Roads are obliged to be escorted by the Parramatta Police.
87. Then you do not consider it necessary to give them this increase? Not so many as six constables. It might be a question for the Government as to the number they should have.
88. With regard to the City and District Police, I see you have 124 constables, besides sergeants and inspectors—are these absolutely necessary? They are.
89. You have also some mounted troopers, have you not? I have.
90. If you had more mounted police, could you do with less ordinary constables? I do not think I could. The duties are of a different nature altogether. Those of the mounted men are more of a protective kind than anything else.
91. To what extent do these constables go—they are not merely for the city—they include the Metropolitan District, do they not? The whole district.
92. It extends midway towards Parramatta and Liverpool, does it not? On the Parramatta Road to the western boundary of the Parish of Concord; on the Liverpool Road to the western boundary of the Parish of St. George; and from Botany Heads to Broken Bay Heads.
93. What is the Central Police Station I see here? It is the principal station for the reception of prisoners in the city, being close to the Central Police Office.
94. Why is it put separately on your Estimates? Because there is a separate establishment there. That has always been the case. The men employed there have no other duty to perform.
95. Is the St. James' Watch-house still occupied? Not as a police station.
96. Why did you give that up? On the reduction of the number of inspectors and sergeants, some time ago.
97. Is it at all required as a police station? I do not think it is. We can do without it very well.
98. Is crime on the increase, or otherwise? The only crime on the increase is shoplifting, especially by abandoned females who have been leading a life of crime ever since they have been in the Colony. Shoplifting and stealing show-goods are on the increase.
99. Have there been many convictions? The convictions are principally summary, and they are so uncertain that I do not think the system works well. Perhaps a prisoner may be brought before one Magistrate to-day, and may get six months in prison, whereas another, for a more serious offence, may get three weeks the next day. That species of crime has very much increased since summary jurisdiction has been given to Magistrates to the extent of forty shillings.
100. Previously they were committed for trial? Yes, at the Quarter Sessions, and then the amount of punishment was certain to be fixed according to the degree of the offence and the previous character of the offender.
101. Have you observed that in consequence of the alleged want of employment of persons in Sydney there has been any increase of crime? I have been unable to perceive any change in the state of crime on that account.
102. Then everything is quiet in Sydney as regards the police? Perfectly quiet.
103. But you do not consider that you could reduce the constabulary in numbers or emolument? No.
104. What collateral advantages have they besides the pay? They have clothing.
105. Every constable has clothing in addition to his pay? Yes. That, by the by, is a difference between the Victorian police and ours; there they pay for their own clothing.
106. Your constables have no quarters? As far as old and otherwise unoccupied public buildings will go I make them available, by allowing deserving men to occupy them. For instance, two men are now occupying St. James' Watch-house.
107. The police in Sydney are attended by a medical officer? They are.
108. But they have no other advantage? No other advantage from the Government; but I am glad to say they are often rewarded by private persons for extraordinary exertions in the detection and prosecution of crime. I keep a record of all such rewards, and no reward is taken without being entered in a book and approved by me; and I find that in some months the amount is something considerable.
109. With regard to your office establishment, I believe the salaries have been modified since this estimate was framed, in consequence of some casualty which occurred in your office? Yes; the office of Accountant became vacant by the death of the last holder.
110. What is the salary now paid to the Accountant? There is no recognised Accountant now; the duties of the late Accountant are performed in a room where there are four clerks, the principal clerk in which is Mr. Bligh, with a salary of £300 a-year; he has charge of the duty.
111. What is the salary of the next? £275.
112. And of the next? £175.
113. In your Police Branch — ? The branches are amalgamated now; the duties are done throughout the office.

John M^r Leric, Esq. 114. Then you have reorganized your office? Yes. I beg to hand in a paper which will show the duties of the office. It is an "Average Statistical Précis of Correspondence, Police Accounts, and Crime Intelligence, received and acted upon monthly in the Office of the Inspector General of Police." (*The witness handed in the same. Vide Appendix A.*)

12 Aug., 1858. The criminal branch is done by the detectives; there are no clerks. I have an office for them in the same building, where everything connected with detective duty is done by the inspector and the men he has with him.

115. Have you four clerks employed in reference to your accounts? No, three; the junior clerk at £125 is a copying clerk, employed in any way that is necessary. The Account Branch of my office is the most important with respect to its duties at present.

116. It involves correspondence with the country Benches? It does. All their various accounts pass through the office, and the examination they undergo is the same with respect to every item of expenditure from nine-pence to a thousand pounds—all are obliged to pass through the same number of entries.

117. Your Chief Clerk gets £375 a year? Yes.

118. Do you put him in charge of the whole? Yes.

119. Who has the immediate responsibility under yourself as to the money? No money passes through our hands; everything is paid by cheque.

120. Why was this gentleman called Accountant before? Because his duties were to examine the accounts.

121. But there was no money? Very little. Sometimes surcharges against country Benches were sent down; but all money payments are made by cheques, and, if possible, by crossed cheques.

122. Have you prepared any suggestions to the Committee with reference to the police generally, beyond what I have extracted from you in answer to previous questions, or any measures with a view of carrying out immediately what you propose. Supposing the Government were to adopt your proposal, when do you think it could take effect? It could not take effect without an Act of Parliament.

123. It would cause a total reorganization of the police? Yes. In reference to the important duties connected with the Account Branch, I beg to hand in to the Committee some vouchers which will show the nature of the examinations we have to make. (*The Witness handed in the same. Vide Appendix B.*) We have to receive the accounts of sixty-five Benches in the course of the month, and almost every Bench has a different rate of contract.

124. These are to shew the mode in which you query the accounts before payment is passed? Before they are sent to the Audit Office.

125. I perceive amongst these accounts one for the agistment of three horses supposed to have been stolen—does the country pay for that? Yes; you will see my query, and the reply to it.

126. There is another account for the keep of a stolen calf, 10s.: in both these cases did the country pay the expense without any return? Yes.

127. You query all the accounts of the country Benches in this way? As accounts are received they are examined and checked, and when found to be correct payment is made.

128. In auditing these accounts have you to comply with all the requirements of the Auditor General—if one person signs for another, are you obliged to produce a written authority for his doing so? I have an abstract which embraces all the accounts under one head, and the Clerk of Petty Sessions signs an acquittance to me for all the payments.

129. The expenditure for the whole police of the country passes through your hands? Yes. The total expenditure that passes through my office is about £12,000 a month.

130. All by cheques? All by cheques. In order that the police in the country districts may be paid as soon as possible after their pay is due, wherever there is a branch bank I have arranged with the head bank in Sydney that the Magistrates or Clerk of Petty Sessions shall be authorised to draw for the amount of the pay for the preceding month, and that is then paid to the men at once, and I honor the draft in Sydney by giving a cheque to the bank for the amount.

131. The rations and forage are supplied under contracts entered into by the Government? Not in all cases. Sometimes there are no contracts, and in some cases a very objectionable system prevails, for I find that police supplies are furnished sometimes by the Clerks of Petty Sessions, and sometimes by Magistrates.

132. Only where it is inevitable, I presume? I should suppose so.

133. Does it go to any great extent? In one district it does.

134. What district is that? Balranald. The Clerk of Petty Sessions there has been contractor ever since I have been in office.

135. What is his name? Edwards.

136. What amount does he receive yearly for supplies? His receipts must be considerable, for the police on the border are allowed rations.

137. Any forage? No.

138. By Mr. Forster: You seem to think that the most effective mode of dealing with the police question is to increase the centralization of the department? I do.

139. Are you not aware that the country districts have been for a long time complaining of the excessive centralization of the Government in all matters? I am not aware of it. I am speaking of police matters only.

140. Has not the feeling of discontent I speak of been produced by the supposition that the Government, or the head of a department at a distance, cannot well understand the local wants or requirements? That may be applicable to other matters, but not, in my opinion, to the police.

141. You mentioned, in giving your ideas of the way in which your plan should be carried out, that there were duties in the districts up the country in which the Magistrates would require to have the supervision of the police? In judicial matters.

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142. Were they acted judicially, not ministerially? Just so.
143. Does not that lead to the inference that it would be desirable to have two sorts of police in the country districts—to have, in a great many cases at least, a small body of local police not under the superintendence of the central authority, conducting at the same time all other branches of the operations of the sort of body you speak of? I think if there were two bodies such as you refer to the duties would so clash that the system would be inoperative. That is exactly the case at present; there is a jealousy between the local police of the different Benches and between the police of many of the country Benches and the Sydney police. I find that in practice. A very short time ago I had an application for a detective officer to go four or five hundred miles to detect cattle stealing. I sent him up, and he has succeeded in getting a committal; but he reports that not only did he receive no assistance from the local police, but that they retarded him in every possible way, and actually allowed him to be assaulted by parties connected with the prisoner.
144. It seems he managed to get on without their assistance? He did.
145. And as to the assault on the policeman, the ordinary tribunals of the country could have given him satisfaction? The man was so glad to get away that after he got the case completed he did not wait for that purpose.
146. The gist of your argument is, that the central police would not be assisted by the local police? They would not.
147. If the central police were an efficient body it would not require the assistance of the local police? At this moment, as I said before, if I send a detective policeman to the country, I am aware that he will get so little assistance from the local police that I confine his identity as a Sydney detective to one or two Magistrates.
148. In that case all that would be necessary would be that you should have an efficient body of central police, and if that was the case they would not require assistance from the local police? I cannot at present see what would be the object of a local police co-existing with the central police.
149. Because you yourself have admitted that there are two branches of duty in which the Benches employ the police force? No; you misunderstand me. The duties of a Magistrate are entirely independent of police duties, or at least they would be so under a system of centralization. They would merely have to carry out the law judicially, when breaches of it were brought to their notice.
150. But they have two branches of duty, they act judicially and ministerially? They do at present, except in the City of Sydney.
151. In the City of Sydney the Magistrates perform no ministerial duty? No.
152. I speak of ministerial duty such as the preliminary inquiry into a murder or case of felony, where a Magistrate would commit for trial; in that case he would require the assistance of the police. Is it not necessary also that, acting judicially, he should have police under his direction, if only to keep order in the Court? So he has. Whenever a Court is open the police in that Court are under the orders of the Magistrate presiding. That is perfectly understood here.
153. If a Magistrate sees a trifling breach of the law committed in the streets——? The police are obliged to act.
154. If I understand you rightly, you would deprive the local Magistrates of that power? No; you misunderstand me entirely. Of course I would not; because during the two years of centralization, the police were bound to execute all warrants and lawful orders given by Magistrates.
155. I do not know whether it has come to your knowledge that it has been the habit of police officers, particularly officers of the Native Police, to carry warrants about with them for years, and to execute them at their own pleasure? Wherever that officer may be he was amenable to the law.
156. In what manner could that responsibility be practically enforced? If it could be ascertained that he had omitted, through default on his own part, to execute the warrant, he would be punishable by law; it is an indictable offence.
157. He might be punishable by dismissal, but that you must admit is a punishment of no great consequence, under present circumstances? I think it is an indictable offence, failing to apprehend a prisoner for whom an officer holds a warrant.
158. With regard to this plan you speak of, or at least to your mode of purchasing forage, rations, and so on, has it ever come under your consideration that a plan has been mooted of allowing Government officers up the country, police officers included, to provide themselves with accoutrements? No. The only thing they provide themselves with now is forage.
159. Are you favorable to a plan of that kind? No.
160. You think it would work badly? Yes.
161. That it would be likely to lead to a trafficking system? It would.
162. Are you favorable to the extension of Police Magistrates through the interior—do you think the police would be made more efficient by that? I do not think so, if we could get the co-operation of the unpaid Magistrates.
163. Do you find that the unpaid Magistrates in general are so efficient as to make it undesirable that Police Magistrates should be appointed? In some instances I find them very efficient; from some Benches we have the greatest possible amount of co-operation.
164. Do you not think the circumstance of the Police Magistrate being a paid officer, and, in some sense, a professional man, without being a lawyer, because from his constant attendance on the Bench he would acquire a greater knowledge of the administration of the law, would render him a more efficient administrator of justice than unpaid Magistrates can be? A paid Magistrate must of necessity be a more independent Magistrate than an unpaid one, because he would, or ought to have, no local interests or jealousies to move him in the performance of his duty.
165. Then do you think the public service would be benefited by the appointment of Police Magistrates?

John M'Leric, Esq.
12 Aug., 1858. Magistrates? Not as regards the police. I look upon it that a paid Magistrate should have no more control over the police than an unpaid one. The police in Sydney, when in Court, look to the Magistrates generally, without reference to whether they are paid or not, and they are bound to pay the same respect to the orders of an unpaid Magistrate as to those of a paid Police Magistrate.

166. Then in fact the sum of all your proposed improvements consists in centralization as it is carried out in Victoria and at home? Yes.

167. Are you able to state, from your own observation, or from the experience of others communicated to you, that this system has worked well in Victoria? I have reason to believe it has.

168. Do you think they have a more efficient police than we have? If the prevalence of crime be taken as a test we have the more efficient police, but certainly our population is of a different kind.

169. With regard to the opinion you have expressed that the police are more highly remunerated in Victoria, is not a good deal of the difference nominal rather than real, owing to the prices of provisions and other requisites being higher there than they are here? No; I have heard that living is as cheap in Victoria as in New South Wales.

170. Have you never heard that it costs just twice as much to stay at an inn or a club in Melbourne as it does in Sydney? I am not aware how that may be; but I was in conversation not very long ago with a Magistrate of Victoria, and he told me that living in Victoria was as cheap as in New South Wales.

171. With regard to prohibiting constables from engaging in private business, would you carry out that rule strictly? Yes.

172. Do you not think the same rule equally applicable to all branches of the public service? Yes, if an officer's salary is sufficient to support him.

173. To the Crown Law Officers as well as others? There are certain opinions with respect to that particular profession, concerning the correctness of which I should not like to decide. But the Crown Law Officers, if not allowed to practise, would have to receive much higher salaries.

174. Has it come to your knowledge that public-houses have been extended through the interior very much of late, even to places where there are no constables at all? There are instances of communications having been made to my department applying for additional constabulary, and the establishment of public-houses has been given as ground of necessity for the required increase.

175. Do you think that where public-houses are established there is good reason for having constables? Breaches of the peace are more likely to occur where public-houses are than at other places; but I do not think it follows that where the local Magistrates choose to license a public-house the country is to be burdened with additional police on that account.

176. Do you think the increase of crime is in any way connected with the increase of public-houses? I have no doubt of it. Public-houses lead to drunkenness, and drunkenness is the origin of nine-tenths of the crime committed in this Colony.

177. That is as much as to say that the extension of public-houses renders necessary a larger body of police? Yes.

178. Do you think the system of allowing spirits to be sold generally would have a good effect? No. I have seen the effect of that in a town where that system prevails.

179. Could you suggest any system of licensing public-houses, or conducting the sale of spirits, which would have the effect of diminishing crime, and consequently of rendering our police less numerous? There are no means of doing so, so long as the existing system of licensing is maintained.

180. Do you consider the existing system a bad one? I do.

181. Will you mention in what particular respects you think it is bad? Because there is no limit to it.

182. You think the number of public-houses in a district ought to be limited? Yes, by the requirements of the district.

183. You think the issue of a license should not depend upon the ability of the man applying for it to offer a certain amount of accommodation in his house, but by the requirements of the district? Just so.

184. That is to say, by the necessity for the accommodation for travellers? Yes.

185. Then where there were no travellers you would allow no public-houses? No. I look upon public-houses as being established for the public benefit, for the advantage and accommodation of travellers.

186. Not for the sale of spirits in itself? No.

187. Then, I presume you would say that a public-house established for no other object than the mere sale of spirits was a nuisance? Yes; it is falling back to the London gin shops, which are the greatest nuisances in existence.

188. I imagine, from the tenor of your remarks, that you consider a great number of public-houses to have been established for no other object? I do.

189. As the law at present stands, do you not consider that the Magistrates are bound to grant a license where there is no objection to the house, nor to the applicant? They are certainly not bound to do so; but I regret to say that in many cases they do so, looking merely at the accommodations the house contains.

190. Have you considered at all the changes in the licensing law which are about to be introduced by the Bill now passing through the Assembly? At present if a license is refused by the Magistrates there appears to be, practically, no remedy for the publican if he thinks himself aggrieved, and this Bill proposes to allow the Government to consider such a case, and to grant a license if they think proper—what is your opinion of that? I think the Government should have that power, because in many instances licenses are refused not on public grounds.

191. Unjustly? Unjustly.

192. And there is no remedy at present? No.

193.

193. You think licenses are sometimes refused when it is for the public benefit that they should be granted? Yes. John McLerie,
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194. *By Mr. Piddington*: Do you think it in the least degree probable that two classes of policemen, one national and the other local, would work together with advantage to the public? Certainly not; the very constitution of the two bodies would tend to their clashing.
195. What system of centralization of authority, in reference to the control of the police of the country, do you allude to? For the performance of their duties the police would be responsible to the officers under whom they were serving in the districts.
196. Would that system tend to do away with the want of union in the Police Districts which you have alluded to? It would certainly have that effect.
197. The police of each Bench of Magistrates are now, I understand you to say, responsible only to that particular Bench? Yes.
198. From that limitation of responsibility to the local authorities you think evil arises? I do.
199. Do you think it is reasonable that the police should be paid by the central Government, and that the power to control the police should be left in the hands of the local authorities? I do not. In placing the accounts before this Committee I have shown the disadvantages of the system.
200. What advantages are secured to the public by continuing the control of the police in the hands of the local Magistrates? None to the public, certainly.
201. Would not the system of centralization you allude to, or rather the supreme control of the police by one responsible head, tend to improve the efficiency of the force? Certainly it would have that effect, because a code of rules would be drawn up which would be applicable to the whole force, whereas at present one Bench issues orders of one kind, another Bench orders of another kind, and in many instances, where the Magistrates of the same Benches do not work together harmoniously, the constabulary frequently receiving conflicting orders.
202. Such a system must operate directly to impair the efficiency of the police? Certainly. I can give you an instance. A short time ago an application was made to me by a Bench of Magistrates to nominate for their police a trained constable from Sydney; I had selected a man to send up to them, when I received a second communication requesting me to take no further steps in the matter, as the Chief Constable had, upon his own responsibility, and without the knowledge of the Bench, selected a man himself, had taken him to the residence of a Magistrate with whom they were not working harmoniously, and had had him sworn in.
203. I think you have stated that uniformity of management of the country police exists in England? It does.
204. The metropolitan system of police has been extended to all the country and urban districts of England? Yes; all the police of England and Scotland report to the Home Secretary.
205. The system is that of centralization, the authority and management of the police being vested in the hands of one or two individuals? It is.
206. With reference to the opinion you have expressed with regard to the increase of crime by the prevalence of the habit of drunkenness, what objection have you to the abolition of the system of licensing public-houses? Do you mean to the entire abolition of the licensing system, and throwing open the trade without license?
207. Yes? I think it would have a bad effect. There should be some public control over houses of that description.
208. What particular evils do you think would arise from permission being given to all persons to sell spirits without a license, provided the public are not permitted to consume the spirits on the premises? I can only form an opinion from what I have observed in Glasgow, where that system prevails to a great extent. Every small shop is licensed to sell spirits over the counter; and in no town in the world—and I have been in a good many—have I seen so much drunkenness.
209. *By the Chairman*: What is the sum paid for a license? I believe it depends on the rent of the house, or something of that kind.
210. *By Mr. Piddington*: Something similar to the licenses for the sale of pepper, and so on? Yes.
211. *By Mr. Forster*: There is, in fact, free trade in spirits? Almost free trade.
212. *By Mr. Piddington*: Under the licenses you allude to in Glasgow, is the consumption of spirits allowed on the premises? In some instances there are rooms behind, called dram-rooms, where the purchaser can go in to consume them.
213. Do you believe the principle of allowing every one to sell spirits, while denying the right of consumption on the premises, would increase drunkenness? It would have the effect of screening from the public eye the drunkenness that of necessity comes before it now, by leading to sly drinking at home, which would, in my opinion, be worse as an example to a family than drinking at a public-house.
214. Do you not think the system of fitting up luxurious rooms in public-houses, for the purpose of inducing individuals to go in and drink liquor, is likely to increase the crime of drunkenness? It must have that effect. The allurements a house offers draw people there to drink, who perhaps would not otherwise think of it.
215. Do you not think that in the absence of such allurements there would be less drunkenness? Perhaps with a certain class of society there would be less drunkenness, but a species of drunkenness would then become fashionable that, in my opinion, would be more objectionable—sottish, sly drinking at home.
216. Do you not think many young men who have given way to drunkenness owe the origin of their habit to the allurements of public-houses? I have no doubt of it.
217. With reference to the Sydney horse patrol, what are the duties of that patrol? They patrol the City and District of Sydney at night, and in case of disturbances they are available to turn out at a moment's notice; and whenever there are fires or large concourses of people,

John M'Leir, Esq., from any cause, they are more effective in preserving order and keeping the crowd back than a much larger number of foot police. The sixteen men of the horse patrol in Sydney would do more work of that kind than a hundred footmen.

12 Aug., 1858. 218. Does the horse patrol remain out all night? They commence patrolling at a certain hour in the evening.

219. During what hours of the night are they expected and required to be on duty? In winter they go out at seven o'clock, and never come in till one o'clock, or until all the public-houses are shut and everything is perfectly quiet.

220. Are the men left to judge of the propriety of their return? No; there is a responsible officer in charge of the patrol.

221. How many men go together? Two is the usual number; sometimes there are more.

222. Is there a corporal with every other man? No. When there is no corporal the senior trooper is responsible.

223. Do you think it wise to entrust the performance of this duty to the charge of a trooper? If anything occurs, his orders are to communicate at once with a patrol where there is a corporal.

224. When both the senior trooper and his companion have a common interest in returning to barracks at night, do you not think it is likely they will return as soon as possible? They cannot return before the proper time, because there is a check at the barracks.

225. In what does that check consist? There is a responsible officer at the barracks who receives their report.

226. Do you not think many robberies might take place after the hour of one o'clock? If the mounted patrol were employed for the prevention of robberies alone, I have no doubt robbers would watch them; but they are, as I said before, more a protective than detective force, and when they come in the foot police are all on their beats.

227. Do you not think the horse patrol would be very efficient in checking highway robberies? Of course they are. Whenever there are any highway robberies reported to have been committed on the roads, a patrol is started off at once in pursuit.

228. If the horse patrol are absent from one o'clock in the morning, during the long winter nights, will not their absence give highway robbers opportunity? No; after one o'clock the streets are clear, and the attention of the ordinary police is more readily drawn to people prowling about than before.

229. From your experience as to the practise of highwaymen, do you think they go home at one o'clock in the morning? No.

230. If persons who live by depredations of that sort do not go home at that hour, why should those who are set to watch them go home? Because, as I said before, persons prowling about are more likely to be detected by the ordinary police.

231. The ordinary police, after one o'clock, are more vigilant in observing people moving about? Of course, from the fewer number in the streets.

232. Do you think that vigilance is sufficient without the presence of the horse patrol? Judging from the small number of depredations committed, it is. Such things as highway robberies or street robberies are scarcely ever reported; they are very few indeed; and when they do take place they are generally committed before one o'clock.

233. Do you know what is the custom of the horse patrol in the neighbourhood of London? Yes.

234. Do they go home at one o'clock? On the roads near London the horse patrols meet one another and then return, and it is the same here; the patrol that goes along the Parramatta Road meets the Longbottom patrol, and then they either return or take the Liverpool Road.

235. Are you aware whether the London patrols leave their duty at one o'clock? I cannot say what the system is at present, but I know that was the system when I was in England.

236. I am not speaking of the mode in which the duty is carried on, but of the time when they leave off patrolling to go home to bed? The road patrol of London is similar with respect to its duties to the patrol of Sydney. They are called out on extraordinary occasions to —

237. My question only refers to the time of their leaving their duties? You will understand that though I have said the men of our patrol do not go home before one o'clock, it does not follow that they should go home at that hour.

238. But they possess a discretion to do so? Yes; under certain restrictions.

239. Then you think it not at all desirable that the horse patrol should patrol all night? Circumstances may arise which would render it necessary. It has been done all night. When the ordinary police was so much reduced at the time of the gold discovery, they patrolled all night; then I saw a necessity for it.

240. If the horse patrol are only out till one o'clock in the morning, do you not think those duties, merely riding about, are very light? It is not mere riding; the men have their horses and accoutrements to keep clean.

241. If a mounted policeman is on duty only from seven o'clock to one, has he not more than sufficient time to keep his horse clean? He is not always engaged, certainly.

242. Would you not think such light duties would be very attractive to many persons? They are; and for that reason I have a superior description of men in the patrol.

243. You think it is not at all necessary that there should be a horse patrol out all night? Circumstances may arise to render it necessary.

244. As a general rule? Not as a general rule.

245. By the Chairman: Have you the control of the Southern and Western Patrols? I have.

246. Have you ever satisfied yourself as to the necessity for these patrols on the Southern and Western Roads, when there is none on the Northern Road? I confess I never could see why any difference should be made, particularly as there are gold fields in the Northern Districts as well as in the other districts.

247. Do these patrols perform any particular duties, or are you aware that they render any essential service in the detection or prevention of crime? The duty on which they are principally engaged is the apprehension of cattle stealers, an offence which prevails to a great extent in the Colony at present. John M. Leric,
Esq.
12 Aug., 1858.
248. Does it not prevail to the northward? It does equally so.
249. Have you ever heard that there is any necessity for establishing a similar patrol to the north? There is this difference between the Northern and the other roads—that the townships and Police Benches are nearer together on the Northern Road.
250. Is the number of police greater? There is not a greater number, but there are more in comparison with the length of the road.
251. In what proportion? Perhaps about three on the northern to two on the other roads on the same length of road, owing to the short distances between the Benches.
252. I see that you have estimated for forage for fifty-eight horses on the Southern and Western Roads, and none on the Northern; in the event of the amalgamation of the police as you propose, I suppose these could be brought to account in the general arrangements? Certainly; that is what I propose; and the horses of the Gold Police also.
253. You think it desirable to bring all the police bodies under one system? I do.
254. Supposing they were all amalgamated, might there not be by these means some very considerable reduction? Yes; and there might also be a reduction in the mounted patrol in Sydney, because while the men were training here for country duty they would be available for Sydney duty.
255. You propose to put them under training before you send them off? Yes; both horse and foot.
256. Have you ever turned your attention to the number of police Benches where Clerks of Petty Sessions are employed—do you think there are more than are required, or not? Looking to the extent of our territory, I do not think there are. If you refer to the map you will find places where there are three or four hundred miles between Benches.
257. In some districts? In some districts; not within the settled districts, certainly.
258. Nor between Armidale, Tamworth, and many of these districts? Well, I think the Benches to the north might perhaps in some instances be reduced; but a necessity exists for the establishment of a Bench between Grafton and Armidale, a distance of 160 miles. The means of communication between these two places are so difficult that prisoners remanded from the Bench at Grafton to the Bench at Armidale must be sent to Sydney to go to Armidale, and *vice versa*.
259. How is the item of £4,000 for the expenses of provisions expended? For provisions for watch-houses, and rations allowed to the police, at Deniliquin, Balranald, and other police stations on the border of Victoria.
260. What are the data on which you make this estimate of £2,200 for clothing and £1,170 for stores? Taking the number of the police at so much per head for clothing, which they get from the Colonial Storekeeper.
261. All the police throughout the country? We clothe those within the settled districts; all those beyond the settled districts have an allowance in lieu.
262. Is that paid out of this amount? Yes; ordinary constables have three-pence a day in lieu of clothing, and Chief Constables sixpence.
263. What are the stores? They are watch-house stores—blankets, clothing, utensils, arms, ammunition, handcuffs, and other equipments of the police not included in the articles of clothing.
264. How is this lumping sum of £1,170 made up? The amount of stores required by each Bench is calculated. The amounts are generally taken from those of the previous year, and the sums added together. I think there has been no variation in this estimate for the last two or three years.
265. That amount is yearly expended? Yes. I think sometimes it is exceeded, and then authority has to be applied for to charge the excess to another account.
266. The next item is stationery and postage—what is the stationery for? For the use of the Benches in the country.
267. Is it supplied by the Colonial Storekeeper? Yes.
268. It is an arbitrary amount? Yes.
269. How do you check it? Requisitions are received from the Benches in my office and are forwarded to the Colonial Storekeeper, who checks them before issuing the stores, and obtains the authority of the Chief Secretary for doing so. When issued, the accounts are made up and paid by me to the Colonial Storekeeper.
270. He does not make purchases in the Colony? No.
271. Would it not be better to put all such matters in one vote for all departments—why should there be any necessity for putting this separately? I do not see any necessity. I suppose it is done with the view of keeping the police votes distinct.
272. How is the vote for postage expended? All the Clerks of Petty Sessions purchase from the postmasters the stamps they require, and on reference to my office the accounts are paid by me. They are signed by the postmasters, and certified by two Magistrates.
273. Have you ever considered the distribution of the police amongst the different Benches, so as to form an opinion whether fourteen at Bathurst, ten at Goulburn, nine at Maitland, thirteen at Parramatta, twelve at Windsor, and so on, are a fair proportion with reference to the requirements of the districts? The requirements depends so much on the out stations that it is impossible to say. For instance, at Maitland they have several out stations where constables must be placed.
274. Are not thirteen at Parramatta, so near to Sydney and without a Circuit Court, more than a fair proportion, as compared with Bathurst or Maitland? Not in proportion to the population. They are applying for more.
275. As far as you can judge, the number of constables is not excessive throughout the country?

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- country? Not excessive while the present system is maintained; but I think if they were properly organized and confined entirely to police duty, the number might be reduced.
276. Under what regulations is this amount of £2,500, for rewards for service and good conduct, expended? Every constable who has served three years continuously, and maintained a good character, receives three-pence per diem, in addition to his pay.
277. Do you find that that induces many to remain in the service? It does.
278. Is this appropriated irrespective of the police fund to which the parties subscribe? That is a deduction from their pay.
279. Does the Government give anything to that fund? No; it arises entirely from the contributions of the men themselves. The amount now invested for the two funds is £20,500. The Police Superannuation Fund is created by a deduction of two per cent. from the pay of the police; and the Police Reward Fund by the payment of a moiety of the fines to which the police were before personally entitled, and fines inflicted on the police for misconduct.
280. By Mr. Piddington: Who has the power of recommending persons to receive good conduct pay? The Bench of Magistrates under whom they serve. There is a form specially for the purpose.
281. Is it granted as a matter of course? Yes, when recommended.
282. You exercise no control? No. The applications were formerly approved by the Governor General, but since the introduction of Responsible Government they are sent to the Inspector General, who approves, under the authority of the Chief Secretary.
283. Your authority is merely formal? Yes.
284. By the Chairman: You have been examined by another Committee this Session with reference to the Native Police? Yes.
285. The Gold Guards for the conveyance of gold are irrespective of the Gold Police? Yes.
286. Are they under you? Yes.
287. Could they work in as a part of one force, or should they still be kept independent? They might work in as one force. I do not see why they should not, as they do in Victoria.
288. Does the number, 546, which you have stated, include the Gold Guards? No. The number is not very large—I think about thirty. There are four escorts on the main roads of four men each, and twelve mounted men for the conveyance of gold between the different gold fields.

APPENDIX A.

AVERAGE Statistical Précis of Correspondence, Police Accounts, and Crime intelligence received and acted upon, monthly, in the Office of the Inspector General of Police.

Office Divisional Arrangement.	No. of Clerks employed.	No. of Docu- ments Received and Recorded.	Letters Despatched.	B. Cover refer- ences replied to.	Pay Abstracts and Police Accounts paid. No. of Vouchers.	Amount of Expenditure.	Amount of Postage Stamps actually used.		
							1d.	2d.	3d.
1st Clerk's Room ..	1	990	70	35					
Account Room	4	....	Circular and other Letters Despatched 275	50	720	£12,000			
Convict Record Room	1	50	35	12	..	....	10	2,116	111
Criminal Record Office	1	Reports of Crime Received 1100	Reports of Crime are com- piled, printed, and issued twice in each week to 158 Police Stations.						
		No. of Letters Received. 25	No. of Letters sent 25						
TOTALS.....		2,165	*405	97	720	£12,000	10	2,116	111

*Not including the Crime Gazettes.

APPENDIX

ON RETRENCHMENT IN THE PUBLIC EXPENDITURE.

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APPENDIX B.

(1.)

No. to Warrant No. of 185 Voucher No. 5473.

John M'Lerie,
Esq.

12 Aug., 1858.

THE DEPARTMENT of the POLICE, at KIAMA,

Dr. to JOHN MACDONNELL.

For the undermentioned full daily Rations of Provisions, and Articles supplied to Prisoners confined in the Watch-House at Kiama, and to other Parties for the period from the 1st October to the 31st December, 1857, inclusive:—		AMOUNT.
11 Rations of Provisions, according to Scale No. 2, @ 1s. 6d. per Ration ..		0 16 6
23 Rations of Provisions, according to Scale No. 8, @ 6d. per Ration.....		0 11 6
8,280 Pounds Firewood, @ 1s. per 100 lbs.		4 2 9
11½ Pounds Candles, @ 8d. per lb.		0 7 8
_____ Gills Common Oil, @ _____ per Gallon.....		.....
36 Casks of Water—each 50 Gallons—1,800 Gallons, @ 4s. per 100		3 12 0
TOTAL AMOUNT		£ 9 10 5

Signature of the Contractor

JOHN MACDONNELL.

I do solemnly and sincerely declare, that Eleven Rations of Provisions according to Scale No. 2, and Twenty-three Rations according to Scale No. 8, together with the quantities of Fuel and Light, and other Articles above charged for, have been actually supplied by JOHN MACDONNELL Contractor, for the use of the Prisoners confined in the Watch-House at Kiama, and of others, who were entitled to Rations during the period specified; that the same were in conformity with the Regulations, as to description and quantities, and that the whole of the Articles were of a satisfactory quality; and I make this solemn Declaration conscientiously believing the same to be true.

Signature of Watch-house Keeper

JOHN CHISHOLM.

Made and Signed before me, at Kiama, }
this 15th day of January, 1858. }

Signature of a Magistrate

THOS. F. KENDALL, J.P.

I Certify, that having, in conformity with the instructions, carefully checked the number of Rations of Provisions, and other Articles charged for in the above Account, with the daily Register kept by the Watch-house Keeper, or a Certified Extract thereof, and with such other Documents in my custody as relate thereto; I find the same to be correct. I further Certify, that after due inquiry, I am satisfied that the whole of the Articles have been actually required for the Public Service, and issued upon due authority.

Signature of the Clerk of Petty Sessions

W. D. MEARES.

Inspected and Approved.

Signature of a Magistrate

THOS. F. KENDALL, J.P.

RECEIVED on the 20th day of January, 1858, from Inspector General of Police the sum of Nine pounds sixteen shillings and three-pence, in full payment of the above Account, pursuant to Warrant of Government, No. _____ dated _____ day of _____ 185

Witness—HENRY LOWNDES.

JOHN MACDONNELL.

Office of Inspector General of Police, June 24, 1858.

REFERENCE TO THE ACCOUNT.	OBSERVATION OR QUERY.	EXPLANATION OR ANSWER.
Voucher 5473. Watch-house Supplies, 1 Oct., 31 Dec., 1857.	The Contract price for No. 2 Rations is 1s. 6d., and the authorized quantity of Candles is 11½ lbs.; an over payment of 5s. 10d. has been made in this account, which must be recovered from the Contractor.	Amount of overcharge, 5s. 10d., returned herewith in Postage Stamps. P. O. Kiama, 10 July, 1858.

THE BENCH OF MAGISTRATES,
Kiama.JNO. M'LERIE,
Inspector General of Police.

John M'Lerie,
Esq.

12 Aug., 1858.

APPENDIX B.

(2.)

No. of Abstract No. of Warrant No. of 185 . . . Voucher No. 5610.


THE DEPARTMENT OF POLICE AT DALBY,

Dr. to FREDERICK WILLIAM ROCHE,

For POSTAGE STAMPS supplied, and for Postage on Letters not pre-paid, from 1 Oct. to 31 Dec., 1857.

DATE.	DESCRIPTION.	Number of Stamps or Letters.	AMOUNT.	DATE.	DESCRIPTION.	Number of Stamps or Letters.	AMOUNT.
					Brought forward	£	15 10
Oct. 6	Twopenny.....	10	1 8	Dec. 1	Twopenny.....	20	3 4
13	Do.	7	1 2	8	Do.	17	2 10
20	Do.	12	2 0	15	Do.	14	2 4
27	Do.	16	2 8	22	Do.	13	2 2
Nov. 3	Do.	9	1 6	29	Do.	11	1 10
10	Do.	18	3 0				
17	Do.	15	2 6				
24	Do.	8	1 4				
Carried forward..			15 10	TOTAL.....£			1 8 4

Amounting to One pound eight shillings and four pence.

FREDERICK WILLIAM ROCHE,
Postmaster.I CERTIFY that, to the best of my knowledge and belief, the whole of the Stamps and of the Postage specified in the foregoing Account have been actually and *bona fide* expended and charged for Letters in the Public Service, with the exception of _____Signature 

G. PEARCE SEROCOLD, J.P.

I acknowledge to have received on the 29th day of January, 1858, from Inspector General of Police, the sum of One pound eight shillings and four-pence, in full payment of the foregoing Account.

FREDERICK WILLIAM ROCHE,
Postmaster.

Witness—JAMES SKELTON.

Office of Inspector General of Police, June 24, 1858.

REFERENCE TO THE ACCOUNT.	OBSERVATION OR QUERY.	EXPLANATION OR ANSWER.
Voucher 5610. Postage Account.	The Certificate should be signed by a Magistrate.	

THE BENCH OF MAGISTRATES,
Dalby.JNO. M'LERIE,
Inspector General of Police.

APPENDIX

APPENDIX TO THE FOREGOING EVIDENCE.

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APPENDIX B.

John M'Lerie,
Esq.

12 Aug., 1858.

No. of Abstract
to Warrant No. of 185 }

Voucher No. 5728.

THE DEPARTMENT OF POLICE at MUSWELLBROOK.

Dr. to HENRY NOWLAND.

DATE.	For the undermentioned	AMOUNT.
18 57		
November 2	To Barley, for stolen Calf, day and night, from 26 October to } 2nd November, inclusive, 8 days at 2s.	16 0
TOTAL AMOUNT.....£		16 0

I Certify, that the charges in the above Account were actually and necessarily incurred for the Public Service, that they are fair and reasonable, and that the whole amount is justly due to the above-named Henry Nowland.

Signature of a Magistrate

W. COX, J.P.

In the terms of the Government Order, No. 49, of the 15th December, 1826, you are hereby required to pay to Henry Nowland the sum of Sixteen shillings, in payment of the above Account.

Signatures of two Magistrates

{ W. COX, J.P.
JOHN H. KEYS, J.P.

To the Clerk of Petty Sessions,
at Muswellbrook.

I acknowledge to have received this 29th day of January, 1858, from the Inspector General of Police, the sum of pounds sixteen shillings, and pence, sterling, in full payment of the above Account.

HENRY NOWLAND,

Witness—WM. HUTCHINSON.

No. of Abstract
to Warrant No. of 185 }

Voucher No. 5729.

THE DEPARTMENT OF POLICE at MUSWELLBROOK.

Dr. to HENRY NOWLAND.

DATE.	For the undermentioned	AMOUNT.
18 57		
November 9	To Agistment of 3 Horses, supposed stolen, in paddock from } September 30 to November 9, at 2s. per week each. (6 weeks.)	1 16 0
TOTAL AMOUNT.....£		1 16 0

I Certify, that the charges in the above Account were actually and necessarily incurred for the Public Service, that they are fair and reasonable, and that the whole amount is justly due to the above-named Henry Nowland.

Signature of a Magistrate

W. COX, J.P.

In the terms of the Government Order, No. 49, of the 15th December, 1826, you are hereby required to pay to Henry Nowland the sum of Thirty-six shillings, in payment of the above Account.

Signatures of two Magistrates

{ W. COX, J.P.
JOHN H. KEYS, J.P.

To the Clerk of Petty Sessions,
at Muswellbrook.

I acknowledge to have received this 29th day of January, 1858, from Inspector General of Police, the sum of One pound sixteen shillings and pence, sterling, in full payment of the above Account.

HENRY NOWLAND.

Witness—WM. HUTCHINSON.

Office of Inspector General of Police, June, 24, 1858.

REFERENCE TO THE ACCOUNT.	OBSERVATION OR QUERY.	EXPLANATION OR ANSWER.
Voucher 5728. Folder for stolen Calf.	What was done with the Calf and the Horses in these cases; if sold, to whom were the proceeds paid?	The Calf in question was returned to the owner, Patrick Byrnes. The Horses were returned to the man in custody, Michael Daley, who had been remanded for 7 weeks without any prosecutor appearing.
5729. Agistment of Horses.		For the Bench, WILLIAM BOWMAN, JUNR., J.P.
THE BENCH OF MAGISTRATES, Muswellbrook.		JNO. M'LERIE, Inspector General of Police.

APPENDIX

John McLerie,
Esq.

APPENDIX B.

(4.)

12 Aug., 1858. No. of Abstract
to Warrant No. of 1857 }

Voucher No. 5672.

THE DEPARTMENT OF POLICE at MOLONG.

Dr. to THOMAS NEVILLE, Poundkeeper.

DATE.	For the undermentioned Service:—	AMOUNT.		
1857				
November, 20	To sustenance and safe keeping of a Horse, supposed to have been stolen, during investigation of the prisoner	2	8	0
TOTAL AMOUNT.....£		2	8	0

I Certify, that the charges in the above Account were actually and necessarily incurred for the Public Service, that they are fair and reasonable, and that the whole amount is justly due to the above-named Thomas Neville.

Signature of a Magistrate

In the terms of the Government Order, No. 49, of the 15th December, 1826, you are hereby required to pay to Thomas Neville the sum of Two pounds eight shillings, in payment of the above Account.

Signatures of two Magistrates { H. WHITTY, P. M.

To the Clerk of Petty Sessions
at Molong.

I acknowledge to have received, this 20th day of January, 1858, from Inspector General of Police, the sum of Two pounds eight shillings and pence, sterling, in full payment of the above Account.

Witness—ALEX. LISCOMBE.

THOMAS NEVILLE.

Office of Inspector General of Police, June 24, 1858.

REFERENCE TO THE ACCOUNT.	OBSERVATION OR QUERY.	EXPLANATION OR ANSWER.
Voucher 5672. Keep of a Horse.	What was done with the Horse? If sold, and the amount sent to the Treasury, this account should have been paid by that Department.	The Horse was not sold; it was supposed to be stolen. The Voucher has been incorrectly written; instead of stolen Horse, it should have been supposed stolen Horse, which, after an investigation of some weeks, was at last given back to the right-ful owner. Pro the Bench, B. B. MITCHELL, C.P.S.

THE BENCH OF MAGISTRATES,
Molong.JNO. McLERIE,
Inspector General of Police.

TUESDAY, 17 AUGUST, 1858.

Present:

MR. COWPER,
MR. JONES,MR. FORSTER,
MR. PIDDINGTON.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

David Forbes, Esq., J.P., called in and examined:—

- David Forbes, Esq., J.P.
17 Aug., 1858.
- By the Chairman: You are Police Magistrate of the City of Sydney? I am.
 - Do you hold any other office? I am *ex officio* Visiting Justice of Darlinghurst Gaol. I received my appointment on the 19th February, 1857.
 - Previous to that you were Police Magistrate at Parramatta? Yes, and also Visiting Justice to Parramatta Gaol, and Superintendent of the Protestant Orphan School.
 - You are aware that this Committee has been appointed with the view of ascertaining whether it is possible to reduce the expenditure of the public without injuring the efficiency of the departments. With reference to the department of the Central Police Office in Sydney, is it your opinion that you have a larger number of persons than are necessary for the performance of the duties? When I received the appointment there were nine clerks and a Police Magistrate, and it was proposed to appoint, as one of the clerks was to retire, a second Police Magistrate. I suggested that I would do the work myself, and that would do away with the necessity of the appointment of a second Police Magistrate. Since that time I have carried on the business with eight clerks and myself, instead of eight clerks and two Police Magistrates,

Magistrates, provided for in the Estimates for 1857. I find that during the first six months of the present year the total collections of fines, fees, and other matters of that kind, was £2,642, and that for the corresponding six months of the previous year it was £2,006, shewing an increase of about £100 a month in the fees, fines, and collections of different kinds, consequently the work has very much increased in the office, and this additional work having been performed with one clerk less than the number estimated for the previous year, in the face of an increase of business, with the work still increasing, I hardly think I could advise any decrease in the number of clerks. At the same time I would remark that I have drawn up a Bill to facilitate the duties of Magistrates in summary proceedings, and to facilitate the carrying out of the work in the office. If that were passed it would enable me to do the work with one clerk less. A great portion of the work in the Central Police Office consists in filling up a number of forms, which might be very much shortened. To give one instance: Suppose a vagrant to be brought up for being drunk and using obscene language in the street, although the deposition of the constable would not occupy above three or four lines, it would be necessary to fill up a long form with five or six times the quantity of writing there was in the deposition upon which the party was convicted. The remedy I would suggest for that would be to adopt the same plan as that pursued at Quarter Sessions, at the Supreme Court, or at our office with reference to drunkards,—to put down the names, the offences, and the penalties of the various prisoners on one sheet, and to have that sheet signed by the Magistrate. Instead of having, as we now have every day, about twenty or thirty of these documents, it would then be necessary to have only one. Unless that Bill were passed I could not recommend any further reduction, because there has been already a decrease in the expenditure of £300 a-year, in the face of an increase in the collections of upwards of £1,000 a-year. I find that the average amount of the monthly collections is about £400, of which about £230 goes to the Treasury, about £110 to the Benevolent Institution, and the remainder, £120 or thereabouts, to the City Fund, and what we call returnable costs to plaintiffs and informers—that is, wages, recoverable poundage fees, moiety to informers, costs, &c.

David Forbes,
Esq., J.P.
17 Aug., 1858.

5. Your answer to the last question seems to have reference more to the number of persons who were employed previously to your taking charge than to the number now necessary—might it not be possible that up to that time more were employed than were absolutely required, do you think that was the case? I think it was, but I have shewn that there is now £100 a month more collected, and that shews the work is increasing and has increased. I think the clerks have now quite as much as they can do. I do not think we could do the work with one clerk less, except the Act I suggest were passed, or something of that kind; if that were done I think I could dispense with one clerk. I think, too, if this Act were passed, and the one clerk were not taken away, we could do all our own work and the work of the Water Police Office, exclusive of the sailors and the shipping.

6. As you have suggested one amendment of the law by which you think your work might be reduced, can you suggest any other amendment by which there might be a still further reduction? I think, with reference to some forms where Magistrates act ministerially, there might be some alteration in them; but I have not had time to draw up any suggestion upon that subject, and I did not think it would be necessary to do so until the other matter was considered.

7. For instance, will not the abolition of the recognizances of publicans cause some still further reduction? No doubt of it; but that business occupies a clerk only for about one month in the twelve at different times.

8. Still it does occupy a clerk for a month? Yes.

9. And without any benefit? Yes, without much benefit. I have always looked upon publicans entering into recognizances as a useless form and ceremony, because I do not know a single instance during the time I was in Parramatta, or during the time I have been in Sydney, where any recognizance has been estreated; and I am quite sure the amount of money paid for making out the recognizances would exceed anything received from the estreating of them.

10. With regard to your own particular duties, have you not been considerably relieved by the co-operation of unpaid Magistrates of late? They have very much relieved me, but then there is a great deal more work done in the Police Office now than there used to be, and I can explain it in this way:—When I went to the office, I found that only one Court had been open each day—the opening of a second Court was an extraordinary affair; the consequence of this was that the sheet was not completed during the day, and there were not unfrequently from fifty to sixty cases standing over from day to day, until at length, persons being tired of attending, many of these were written off “no parties,” which I considered to be a denial of justice. By opening two Courts we get through the whole business, and the postponement of any case is the exception and not the rule, as it used to be. In order to accomplish this I go to the office at nine o'clock every morning, and remain in my office till ten to see any person who may desire to see me. I then open the Court at ten for the convenience of Magistrates and of the public. Both the summons Court and the other Court are opened at the same time, and both Courts sit till one; but the one I am in sits till one, two, or four, or even later.

11. Still you are enabled by the arrangements you now make to get through the business of each day daily? Yes, and I think I might do what is done at the Water Police Office, so far as the land business went. With the number of clerks I have now I would undertake to do my own work and the Water Police Office work, except that connected with sailors, if the Bill to which I have before alluded were passed.

12. Is there any division of district duty between you and the Water Police Office? Yes. The division is the street leading from Government House Gate, down Bridge-street, up Church Hill, to Darling Harbour. The Water Police Office takes the North Sydney, so that there are only these two horns of land under the jurisdiction of the Water Police Office.

David Forbes, Esq., J.P. Then I have all the sailors who are taken up in my district or division brought before me. Now, I think a proper distribution of the duty would be, that all landmen should be brought before the Central Police Office, and that all the sailors from any part should be taken to the Water Police Office. I think the Water Police might very well do that work, and look after the whole shipping department.

17 Aug., 1858.

13. You think that would be a better division of the duty than the present? I think so.

14. Do you suppose, or have you the means of knowing, that Mr. North, by undertaking the duties to which you refer, has many cases brought before him? I do not think so; I do not see how he can.

15. The Rocks is a very disorderly part of Sydney, is it not? I do not think it is so disorderly as Duraud's Alley, in my division.

16. The number of cases brought before you is stated in the return sent in by you to the Committee? Yes.

17. Do you find your business—that is to say, business which does not cause an increase of fees—is increasing—criminal matters? I do not think the criminal business is increasing; I think it is about the same as it was when I entered the office. The number of summons cases is increasing.

18. You have spoken of the increase of revenue in your office—have you been able to trace out, or to classify, the various cases. There is an increase in summons cases.

19. Is that increase in cases of assault, or in what particular class? In cases of all kinds—cases of assault, cases of wages, cases where parties seek to recover tenements; there are also a great number of cases of affiliation, cases where wives get maintenance from their husbands. All of these are productive of fees, except the tenement cases; and, as I have stated before, under the previous way of managing the office, these cases were written off “no parties,” because the parties were tired of waiting about the precincts of the Court. Many preferred suffering an injury to seeking a remedy at the Police Office, as they were taken away from their business, and kept so long waiting that they thought it was not worth their while to wait any longer.

20. You say you have reduced the expenditure of your office, but have you not been for some time past urging the Government to increase the salaries of some clerks employed under you? I have, for I consider that the reduction of £300 a-year was more than ought to have been made. I considered that the reduction of one clerk should have been from the bottom of the list; that instead of £300 it should have been £175, which would have been a reduction of one clerk; and that the increase in the work might have been some reason for a trifling increase in the salaries of others. The principle I go upon is this, that, in order to get the work efficiently done, you ought not to cut down salaries more than you can possibly help; but I should insist upon having efficient men in every situation, and that each one should be fully occupied.

21. Was not the arrangement of salaries originally your own suggestion? It was; but then the salaries having been originally voted up on a certain scale, I did not consider that I was at liberty to alter the rate of salary proposed in the estimate for each individual; all I could do was to go down the list. The first salary was my own, £630; the next man was put down at £430 a-year. I left that for the Chief Clerk, and I divided a hundred a year between the two next clerks; these suggestions were made merely in a private note written to Mr. Parker within a week after I took charge of the department, so that I had not time to consider the matter further than to make up my mind as to what I could do myself.

22. With regard to this particular arrangement, you have since desired to make some modification of it, on the ground that the salaries given to the clerks in your department, and especially to those on the lower rates, have not been sufficient to remunerate them? Yes I think, upon comparison with other departments, the clerks in the Central Police Office, from top to bottom, are underpaid, comparatively with any other department of the Government service.

23. You were aware of the salaries given to clerks in other departments when you proposed the salaries for your own? I was not aware of the sort of work they did for it; and had I imagined that my private note written to Mr. Parker a few days after I was appointed would have had the effect of preventing my being allowed to make any other suggestions after I became fully acquainted with the working of my department, I most certainly would never have written such a note.

24. Do you still hold the opinion you have expressed to the Government repeatedly, that these gentlemen ought to have their salaries increased? Yes, I do. I would not increase the number of men, but I would allow the work to increase. If the Bill to which I have referred were passed, we should do more work with a fewer number of men, and there would still be a saving, as there would be an increase of revenue and a fewer number of men to do the work.

25. I apprehend that your great object is, that gentlemen, after they have been some time in the public service, should have some promotion: What do you think of this suggestion—that those who have been a certain time in your office should be promoted to the office of Clerks of Petty Sessions—that your office should, in fact, be a sort of training office for that purpose? I think, if anything of that kind were held out, the two lower clerks might receive salaries of £100 or £150 a-year; but with the understanding that after a time they would receive promotion to the office of Clerks of Petty Sessions.

26. Would these three, four, or five clerks in your office at low salaries be willing, so far as you know, to go into the country as Clerks of Petty Sessions? I think two of them might.

27. Are all of them efficient? All efficient; they have all been a considerable time in the Government service. The work in my department is very different from the work in other departments—we have very little copying of letters, or work of that description. The clerk who keeps the accounts receives only £175 a-year; he keeps the accounts of the collection of small sums, amounting to £2,642 in six months. He writes an excellent hand, and keeps the

the accounts very well; and this is attended with considerable labor, for these are sums received in 2s. and 3s., and it is necessary that they should be entered very accurately, or there would, of course, be a complaint. David Forbes,
Esq., J.P.

28. Does this gentleman receive any large sums of money at one time? He receives none—17 Aug., 1858.
at least it is in this way: the Chief Clerk is the man who receives all the money paid in, but the other keeps the account of it.

29. Mr. Warburton receives the money? Yes; but Mr. Ormiston keeps the accounts and audits them.

30. Does Mr. Warburton give any security? I believe he does, to the sum of £500.

31. What check do you exercise over these receipts? In the first place, each morning there are the sheets of the day made out—the charge sheets, and the summons sheets—these are put before the Magistrates; those that require the jurisdiction of one, and those that require the jurisdiction of two Magistrates, are separate; then, as the Magistrate inflicts the penalty or reward, it is entered in the sheet. These sheets are filed and kept. They are sent to Mr. Ormiston, who keeps the account; then the Chief Clerk keeps what he calls a cash-book, into which the entries are made of all moneys that are brought to him and paid in. The depositions, on which are also written the sentences or awards of the Court, are looked over by another clerk, who has to make out warrants and processes for recovery by levy, &c. This clerk finds out those who have paid, those who have not paid, and those who are sent to gaol for default; and it is his duty to enter in a book kept for that purpose the name of each prisoner, plaintiff, or defendant, with the result of each case. This book—the cash-book—kept by the Chief Clerk, and the sheets are all examined by Mr. Ormiston, the Accountant, who compares them.

32. How often are moneys paid into the bank? Two or three times in the week.

33. Where are they lodged in the meantime? In the iron safe; some of them remain in the hands of the Chief Clerk as long as two years.

34. When you say in the hands of the Chief Clerk, I suppose you mean that he deposits these sums in the bank? Yes, to his public account; they are small sums which do not belong to the public, but to private individuals, as, for instance, awards for wages, awards of part penalty to informers, which these persons neglect to call for.

35. By what rule or law is he allowed to retain these moneys for two years; and if they are not claimed, what is done with them? They are paid over to the Treasury after a certain time as moneys unclaimed.

36. Are there distinct accounts and returns of all these moneys? Yes; a most accurate account is kept every month, shewing the amounts claimed and those standing over unclaimed. These may be called for at any moment; any person may come in and say, "The week before last I had an award of £5 for wages, will you pay me?"

37. How often do you supervise the Chief Clerk's accounts? I have no regular period for doing so; I look over them, perhaps, about twice a month, at different times.

38. If he received a large amount of fees, it would be desirable that he should pay them in more frequently than if the amount were small? The book shews that they are paid in regularly. There is nothing entered in the book that is not done.

39. You frequently supervise the accounts? Yes.

40. To what extent have you any control over the police? I have no control over the police, except, of course, that in Court they are bound to carry out the orders of myself, and the other Magistrates. I have no more control over them than any other Magistrate.

41. At one time there was an impression that it would be necessary to have either an Assistant Police Magistrate or to give power to your clerk to take certain preliminary proceedings—I apprehend that that is no longer a matter of requirement? I have provided for that in the Bill I have suggested to Government. If that were passed it would facilitate the work very much. At present many of the informations require to be sworn, and parties laying them go to the Chief Clerk and make their complaint to him. If I am on the Bench, if there is any difficulty in the matter, he comes to me, and speaks about it; but the cases that occur are generally of a straightforward character, and there is no necessity for that. He gets the information made out, brings it to me; I look over it, swear the party, and it is taken back to the office. I write on the information whether a summons or a warrant is to be issued. The document is then properly drawn out, and brought to me, or any other Magistrate who may be on the Bench, for signature. Almost all the informations are brought to me for the facility of signing the summonses when they are drawn up, which is sometimes not until the evening. The Act I drew up provided that wherever a summons was required there should be a simple form, the same as that under 19 Vic., No. 24, stating the name of the complainant, of the defendant, the nature of the offence, the date when committed. This is looked over, and the summons signed by the Magistrate. This should be in the nature of an exhibit, and if there were anything requiring explanation the person wanting to see the Magistrate could always do so.

42. It is not necessary that all these informations should be signed by you? All the informations must be signed by a Magistrate, and they are usually signed by me, in order that I may sign the warrants or summonses afterwards, when they are prepared; but I think a great many of the informations are unnecessarily required to be on oath, those, for instance, for trifling assaults—thus, if one old woman throws water over another old woman, who lays an information, if that information is not on oath an objection is taken to it. The objection, perhaps, is overruled by the Magistrates, and the party is fined. She may then go to the Supreme Court, obtain a writ of prohibition, and quash the proceedings, simply because the information has not been on oath, and without reference to the merits of the case.

43. I apprehend that if there were such a case between two old women, the Magistrate would soon put a stop to it by dismissing it? It might be so; but all assaults of that kind require punishment, as they may lead to others of a worse character. I have seen a fine of five shillings imposed in such cases.

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44. Does it not appear to you, that in order to prevent these frivolous cases there should be an air of greater solemnity thrown over the proceedings? I think the best way to check such complaints is to make the proceedings more expensive. Instead of 3s. 6d. for the whole cost of information and summons—involving perhaps the serving of it at a distance miles away in the country—I would make it much more. I have submitted a scale of fees in the Return I have forwarded to the Committee, which I think would be an improvement on the present scale.

45. Do you not think that might act oppressively where the parties were really seeking for justice? No; for where the parties could show a case of hardship and were unable to pay, credit could be allowed. At present, instances sometimes occur where perhaps a woman has been cruelly beaten by her husband, and who has not a farthing in the world. "Credit" is marked on the information, and the costs have to be paid by the defendant if found guilty; if not, the money is lost.

46. Is that done by the sanction of law, or in the exercise of your own discretion? I think it is not contrary to law, and I found it the custom when I took the office.

47. Have you any suggestions to make with reference to your own particular department. I think from what has fallen from you, that your department is more up to the requirements of the public now than it was last year; that you have remedied what was then complained of, and that you have no arrears? No arrears; everything is regularly kept up; and although I am away from the office to attend this Committee to-day, the whole of the work will be done the same as if I were there.

48. In addition to the office respecting which you have now been examined, you also hold that of "Visiting Justice to Darlinghurst Gaol, with limited authority";—will you state what is your position with reference to that establishment? I have never been able to find out what my position is. I believe by the Act regulating gaols (4 Victoria, chapter 29), that the Governor is empowered to appoint Visiting Justices, who should be Magistrates of the Territory. I thought I was so appointed; but I have been told that in fact the Sheriff is Visiting Justice, and that I am required to do what the Sheriff cannot do, in consequence of his not being a Magistrate. How that arrangement was made I have no idea; but it is a very awkward position for me to be placed in, as I never know what my authority is, what my duty is, or what my responsibility is. At Parramatta Gaol I had pretty much the management of the whole establishment, but in Sydney I always consider myself a sort of interloper whenever I go up to the gaol.

49. What do you do when you go there? I write my name in the book, look round the establishment and see the different prisoners, look through the cells and see that they are clean, see any men that are working, look how the building is going on, and so forth; and I ask whether there is any case that requires my attention, and being answered in the negative, walk away.

50. When you go there it is more to perform magisterial duty than for any other purpose? Yes.

51. Then the Sheriff is the Visiting Justice really? The Sheriff is the Visiting Justice really, as I am informed.

52. Did you ever find any inconvenience resulting from this arrangement? To myself?

53. Yes? There is this, that I should be sorry to be responsible for anything there. I consider myself responsible only for what occurs in the Central Police Office; I do not consider myself responsible for Darlinghurst Gaol at all, nor would I hold myself responsible, for I know nothing whatever of what is going on there. I hand in a copy of the letter appointing me Visiting Justice. (*The witness handed in the same. Vide Appendix A.*) And it appears from that letter that I was appointed for the purpose of carrying out the 12th and 13th sections of the Act 4th Victoria, No. 29. Now, the 7th clause of that Act runs as follows:—"Be it enacted, that it shall and may be lawful for the said Governor to "nominate and appoint some fit and proper person, being a Magistrate of the Territory, to "be the Visiting Justice of each gaol, prison, or house of correction within the said Colony, "and the said Visiting Justice to remove or displace, and to appoint another or others in his "stead,—(this, I take it, means that the Governor is bound to appoint a Visiting Justice, and that that Visiting Justice must be a Magistrate of the Territory),—"and every Visiting "Justice so appointed shall be required to visit such gaol, prison, or house of correction, at "least once in every week, unless prevented by illness or other sufficient cause; and shall "from time to time make such reports to the Colonial Secretary as may be required by the "said Governor." I should imagine from that, that if the Sheriff has been appointed by the Government such Visiting Justice, it is contrary to the 7th clause of the Act of Council, because he is not a Magistrate of the Territory, nor can he be so long as he is Sheriff. Then, I find the 12th clause says, among other things, "The said Visiting Justice shall also hear "and determine all complaints of idleness or negligence in work, or wilful mismanagement "of work." Therefore, I take it that it is part of his province to look into the work department; at least that is the way I have read the clause.

54. You were appointed to go there to hear complaints of idle or disorderly conduct? Yes, so it seems; but I may mention that I have had a difficulty throughout in determining exactly what I was appointed to do, because I could not understand how I could be appointed Visiting Justice at all without being appointed under the 7th section of the Act, and to perform the duties named in that section. I have, therefore, been doubtful what power I have had in the gaol.

55. How often do you inspect the gaol? In consequence of this difficulty, not perhaps more than once a month, or once in three weeks.

56. Then how are prisoners dealt with when charges are brought against them, are they kept for you until you go there? I have told them to let me know when I am wanted; but I have never been sent for, although the opportunity of sending for me occurs daily, as some prisoners are sent to the Police Office from the gaol every morning.

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57. Does the Gaoler then punish them without you? I do not know.

58. Have you ever had any prisoner brought before you under that section? About three.

59. What is your inspection of the gaol? What I have described. I walk about, ask whether I am wanted, and upon being told that I am not, walk away again.

60. Have you made inquiries as to the mode in which the men are employed, or do you examine the books, or the statements as to the amount of work done, or the estimated value of the work? Yes. The work done in Darlinghurst Gaol is of two kinds,—that for persons outside of the gaol, and that which has been estimated arbitrarily on the new buildings inside. I took one week's return, the particulars of which I have given in a letter addressed to the Colonial Secretary.

61. After you were summoned to attend this Committee? Yes. I went up to see what was going on, that I might inform myself before coming here. I found some of the men engaged on the building, which has been going on very slowly indeed for the last two years and a-half—a wing of the building containing a number of cells capable of holding a hundred prisoners. That is all the work they can show that has been done inside the gaol during the last two or three years; and I think it will be a dear building for £6,000—the amount which has been voted by the Legislature for the purpose of keeping the prisoners employed, and which I imagine must have been spent in that way. I find that the quantity of stone cut during the week I have alluded to was altogether 322 feet.

62. Of the men confined in gaol, how many were employed on this particular work of erecting this building? About 42 men were employed on this building, and that was the only work which it appeared to me was going on, excepting that there was some stone being cut, which I understood was for another building to be erected behind, but there was a very small quantity of it; the rest of the men were picking oakum, and so forth. I always find about four in the afternoon that there is no work at all going on. 322 feet of stone cut in the week would give 1,300 feet a month. Now I know that in Parramatta Gaol the prisoners used to cut upwards of 5,000 feet a month when I was Visiting Justice there.

63. With how many men? We had sometimes from 60 to 80 stone-cutters, almost the whole of whom learned the art in the gaol.

64. And the total number of men confined in the gaol was fewer than in Darlinghurst? The total number was seldom if ever more than 250. I find here that Mr. Brennan charges £2 per week per man, excepting two men, who are charged £3 each; that is a higher rate of wages than is paid by people in town.

65. How are these two men employed? In cutting reveals and sparrow-picking. I find that this week's work is estimated at £94 3s. 8d., and that the other work paid for amounts to £9 10s. 1d. Now, estimating the whole of this work at Parramatta prices, that is to say, the work connected with the building, it would amount to only £10 19s. 10d., because we used to reckon only the amount actually paid for work. I dare say Mr. Brennan may say that the stone is not measured on all sides, but only on the sides that show: we, however, used to measure in precisely the same way at Parramatta. If this work—the quantity of stone cut, the blacksmiths' and carpenters' work—had been done at Parramatta, it would have been estimated at £10 19s. 10d. That is what the people in the town would have paid for the work. The prices fixed at Parramatta were not fixed arbitrarily, as they appear to have been here; but the people having complained that prison labor interfered with the work in town, we called for tenders, and I spoke to every body I could find that I thought would be desirous to tender, and the utmost I could get was three-pence a foot for ashler and six-pence for moulding stone. But if you add together the cost of sharpening picks and chisels, which in Parramatta was included in the cost of the stone, you will find that it brings up the cost of the stone to 4s. 2½d a foot in Darlinghurst Gaol, but you can get the same kind of work done in the City for 5d. per foot.

66. Had you no means of knowing how the remainder of the men were employed? No.

67. You never considered it to be your duty to inquire? I never considered it my duty to inquire into anything further than I saw.

68. What is your impression of the establishment? From what opportunity I have had of judging, my impression is that this establishment is irregularly and expensively managed, and that the labor of the prisoners is wasted. I know that there had been an order, at the suggestion of the Board appointed by the Government in 1856, that no prisoner sentenced to hard labor should receive hard labor rations unless he were absolutely working; and I found on my first visit to Darlinghurst Gaol that there were upwards of sixty men who were receiving hard labor rations, and doing nothing. I made a report of the circumstance to the Government, and had my suggestion been acted upon £500 a-year would have been saved; but whether anything was done in the matter, whether the rations were discontinued, I cannot say, for I never received any acknowledgment of my report. I have repeatedly endeavored to bring this matter and others before the Government, previous to the present Administration taking office; but I imagined I was not listened to, and I therefore ceased to do it. I find that there are about 350 prisoners at Darlinghurst, and 250 at Parramatta Gaol; that the salaries paid to the officers of the former amount to £3,899, while at the latter they are only £1,800, making a difference of upwards of £2,000; while there are only 100 prisoners more in the one establishment than in the other. I imagine that the larger the number of prisoners in these establishments the more cheaply they may be individually managed, and that instead of Darlinghurst being double the expense of Parramatta Gaol, even supposing there were 500 prisoners at Darlinghurst, the cost of management should not be double. There are, however, more than double the number of turnkeys in one establishment than in the other, there being 19 at Sydney, and 9 at Parramatta Gaol.

69. Are the other expenses of the establishment fewer, or in excess—the provisions and stores? No; the stores are about the same; in fact they can hardly be otherwise, for the ration is fixed on the same scale in all the gaols. Probably they may be a trifle less at Darlinghurst, as the contract may be taken at a lower price in Sydney than in the country.

David Forbes, 70. Did you make any investigation with reference to the other men employed, not upon the building? There were 66 of them, I think, picking oakum.

Esq., J.P. 71. Were there no men tailoring or shoemaking? Very few; there were five tailoring and one shoemaking. On referring to the extract I took of the week's work at Darlinghurst Gaol, I see one item, which is a trifling one—"four flower-boxes made for Dr. O'Brien." There is no charge for that.

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72. Does Dr. O'Brien visit the gaol now? Not in his official capacity, I believe.

73. Who is the medical officer? Dr. West, who gets £220 a-year for it. I will mention another matter, which it comes partly within my province as Police Magistrate to know. In consequence of some lunatics having been detained too long at Darlinghurst Gaol, there was an order from Government that all lunatics should be forwarded at once to Tarban Creek. At first this order was attended to, but after a time it was neglected; they are left there now until there are three or four together, in order that they may be sent in a batch. I think it a very great pity that they should be detained there any time, as I do not think a gaol is a proper place for a lunatic. I would suggest to the Committee that Dr. Alleyne should be examined, as I believe he could give a good deal of information respecting these matters in Darlinghurst Gaol. I do not know why 13 turnkeys and constables, 6 wardsmen, and 2 female turnkeys and wardsmen should be required at Darlinghurst, while there are only 11 altogether in Parramatta Gaol. Then, with regard to decreasing the expenditure, I believe if there were some one appointed to look after the work of the prisoners, the prisoners might be made in a great measure to support themselves, if not wholly in part. It has been done in Ireland, under Captain Crawford, and I believe I suggested a similar plan to the Government here before it was suggested by that gentleman to the home authorities.

74. Is not the Gaoler appointed there, with a very high salary, to see that duty performed? I do not think the Sheriff would let him.

75. Have you reason to believe he has ever prevented him? I believe he acts entirely under the orders of the Sheriff. The Sheriff makes the rules and regulations he proceeds upon, and he has frequently said that the work has been delayed in consequence of the materials not having been supplied.

76. Does he mean that the stone has not been supplied? Yes; and wood-work for framing the roof of the new building.

77. You have no power, I believe, to sentence drunkards to hard labor? Yes we have; under the Vagrant Act those who have been convicted three times within twelve months may be sentenced for so long a time as two years.

78. Do you carry out the law in that respect? The attention of the Magistrate is drawn to the fact by the police, who keep a record of the conviction of drunkards, and when the same person is convicted a second or third time it is notified, and a sentence of two, three, or even six months imprisonment with hard labor follows.

79. With regard to the women: do you think it desirable to have male and female prisoners in the same gaol? I think not; it increases the expense very much; one half the vigilance of the turnkeys is necessary to prevent intercourse between the sexes; besides, the male turnkeys themselves are a class of men not unlikely, unless carefully looked after, to commit improper acts with single females.

80. Who has the specific charge of the females? The matron, Mrs. Beverley.

81. Are you aware whether she interferes in their management? I do not know, but I imagine it is left pretty much to the female turnkeys.

82. Do you inspect the females' wards when you visit the gaol? Once or twice I have done so, but I do not visit them as a rule. In fact I have found my visits are so disagreeable that I have interfered as little as possible.

83. So far as you see, do you think the men are not properly worked, or that there is not proper discipline? I think if a return is called for from the Visiting Justice of Parramatta Gaol, where there are two hundred and fifty prisoners, it will be found that there is three times as much work done at Parramatta as at Darlinghurst. I am sure I am within the mark when I say three times as much. There appears to me to be a thorough want of system in the management of the whole establishment.

84. By Mr Forster: You consider it to be your duty when you go to the gaol to inspect it in some way or other? I thought it was my duty, but as I was frequently told it was not, and as I received no answer to the first letter I wrote to the Government on the subject, I have not inspected the gaol as I should otherwise have done.

85. You have not latterly done so, but you did at one time? I did for the first two visits.

86. If you saw anything wrong going on you would report it, I suppose? I cannot say that I have seen anything positively going wrong; if I had I do not know that I should. I have never seen anything going wrong of a character which I deemed it absolutely necessary to report, excepting the idleness of prisoners, and the want of regularity and order in the whole establishment. A good many of the prisoners are dirty; and there is, perhaps, a want of sufficient attention on the part of the medical officer.

87. Do you think there is any want of an inspecting officer, such as you at one time considered you were, until you were informed to the contrary? Yes; I think such an officer is necessary.

88. You think the gaol would be the better for being inspected? I have no doubt of it.

89. In what way do the Government obtain information of anything going wrong in the gaol? I do not think they could obtain it all, except through me. The Sheriff appoints his officers, and of course it is not likely they would report anything against him or themselves.

90. Then, in point of fact, the Sheriff is his own inspector? The Sheriff is his own inspector; he appoints his own men, and does whatever he likes.

91. I suppose even if the gaol were continued under the Sheriff it could lead to no wrong, but would rather be a public good, if the Government were to have the power of looking over it,

- it, and of knowing what was going on in it? I think the power possessed by the Sheriff is too much to put in any man's hand without supervision.
92. Is the chief duty the Sheriff has to perform to look after the gaol? No; he has to carry out the orders of the Court in civil matters.
93. Are the other gaols of the Colony under the superintendence of the Sheriff? Yes.
94. Is there not a Visiting Justice at Parramatta at present? Yes, but he is merely Visiting Justice. I assumed much more power when I was there than the Act gave me.
95. You made an attempt to get some information, which was refused? Yes; I asked for a return from one of the books in Darlinghurst Gaol, and received a letter, (a copy of which I forwarded to the Colonial Secretary,) refusing the information.
96. Have you ever been refused to be allowed to look at the books, when you have been there to examine the gaol? No.
97. Whenever you have been there, has any obstacle been thrown in the way of your examining anything? No; but then I never attempted to examine thoroughly into the establishment or the working of it; and the only time I asked for a return of the work it was refused me, as I have related. I used to get weekly returns when I was Visiting Justice at Parramatta Gaol.
98. Do you think you have a right to insist upon examining anything in the gaol, either as to the books or the conduct of prisoners? I think not, under my letter of instructions; under the Act I have, I think.
99. *By the Chairman:* I perceive in the memorandum that accompanies the return you transmitted of your department, you suggest that the fines and fees should be paid into the Treasury, instead of being divided, and the portions to which public institutions or charities were entitled being paid by you;—have you carried out the law and your instructions with reference to this? The division is made under certain Acts of Council; for instance, the whole of the drunkards' fines go to the Benevolent Asylum.
100. There is nothing in the law to prevent the Government distributing it, instead of your doing so? It would be necessary that the law should be altered for the several Acts state that the fines should be distributed in a certain way. A short Act would be necessary, to over-ride the whole of those Acts in which a certain portion of the fees are appropriated to certain institutions, and the other portion to the Treasury. Sometimes there is such portion to the informer as the Magistrate shall award.
101. You would not propose that the Treasury should pay the portion to the informer? No; I would propose an Act to the effect that all those portions now paid to the Benevolent Asylum and other charitable institutions, to the City Fund, (but not including that paid to informers,) should go into the Treasury, and that these institutions should be supported by money from the Treasury.
102. You would abolish the whole of the specific appropriations? Yes; and let the Government give what they thought necessary to these institutions.
103. You think that would save a number of accounts? It would save a great number of accounts, and make these funds such as the institutions might calculate upon with certainty, and enable them to curtail some of their expenses. Now they sometimes receive a great deal when they do not want it; and at other times, when they do require it, they receive very little.
104. Do you think it a good suggestion to transfer the whole of the license business to the Corporation? I think the power of the Magistrates with reference to licensing public-houses has been more abused than any other.
105. Do you think it would be better in the hands of the City Corporation? I think it would be better in the hands of any one. I think the way in which the Magistrates have exercised their jurisdiction in this respect has been most improper. I could pick out names from the books of certain Magistrates who would be sure to refuse licenses, and I could pick out the names of others who would be certain to grant every license that came before them.
106. The question of granting a license might depend upon some principle—some Magistrates might think that if an applicant could produce certain certificates it would no longer be a matter of discretion with them? The Magistrates hold opposite opinions on this subject. One set of Magistrates think that the Act requires certain things, namely, that an applicant should not be a prisoner of the Crown, or otherwise legally disqualified, that he should enter into certain recognizances, and that the house sought to be licensed should contain a certain number of rooms or accommodation; and if the person applying could satisfy the Magistrates that everything required by the Act was complied with, the Magistrates then have no power to refuse a license. This was the opinion of the majority, perhaps two-thirds of the Bench. The other set of Magistrates think that their discretion is to be exercised as to the number of public-houses to be in any town or other place. I have frequently seen a license refused to an applicant because the house for which he was applying was next door to another public-house. Now I hold that if a man wants a license for his house, and complies with all the requirements of the Act, we have no more right to refuse it because there is a public-house next door than we have to prevent a man opening a draper's shop because another draper lived at the next house. Almost all the licenses that have been refused have been refused simply because the Magistrates have said there were too many public-houses in the neighbourhood.
107. Do you not think it is a point upon which the Magistrates may fairly exercise their judgment, whether they shall have 300 or 500 public-houses in Sydney? I think not: I think it was never intended; and I believe the fewer the public-houses within a certain limit the greater will be the amount of drunkenness; because the fewer the number of public-houses the greater the chance of friend meeting friend, and drinking together.
108. according to your principle, is there any benefit in licensing beyond that of being the means of collecting so much money? No.

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- David Forbes, Esq., J.P. 109. According to your principle, then, you would allow each person upon going to the Treasury and paying a certain fee to receive a license? Yes, without making the Magistrate the judge in the matter.
- 17 Aug., 1858. 110. Would you retain the present fee, or would you increase it? I think I should be inclined to increase it.
111. Would you, as a matter of police, give the power to the Magistrates to take away the license? No, I would not, unless there were an appeal to the Quarter Sessions.

APPENDIX A.

*Colonial Secretary's Office,
Sydney, 2nd March, 1857.*

SIR,

I am directed to inform you that His Excellency the Governor General, with the advice of the Executive Council, has been pleased to appoint you to be Visiting Magistrate of Darlinghurst Gaol, for the purpose of carrying out the provisions of the 12th and 13th Sections of the Act 4th Victoria, No. 29.

DAVID FORBES, Esq.,
Police Magistrate,
Sydney.

I have, &c.,
W. ELYARD.

Samuel North, Esq., J.P., called in and examined:—

- S. North, Esq., J.P. 1. *By the Chairman:* You are the Water Police Magistrate? Yes.
- 17 Aug., 1858. 2. How long have you held that office? Nearly five years. I was appointed on the 1st January, 1854.
3. When you were appointed your duties were more onerous than they are at present? Yes.
4. The cases of seamen were more numerous than they are at present? Yes.
5. What is the state of the department at present—how many hours a day are you occupied in the judicial portion of your duties? The judicial part is very uncertain; sometimes the court is over by twelve o'clock. Last week it was not over on two evenings until between five and six.
6. Except on extraordinary occasions, it generally closes by twelve? I would not say generally; on some days it is over by twelve, generally by two.
7. Are your duties chiefly with reference to shipping, or have you much land duty? I have the northern part of the district from the Parramatta District to the sea, and from Port Jackson to Broken Bay.
8. You have not the North Shore? Yes. I have all north of Bridge-street.
9. Are you prepared to express any opinion with reference to any reduction which may be made in your department, or in your own immediate office? I have only one Clerk of Petty Sessions and one assistant.
10. Do you find them sufficient for performing these duties? Yes.
11. Could you do with less? It is quite impossible. We had three until the reduction, from the 1st of January, 1857; there was then one clerk taken from me, and an additional clerk was afterwards given me, in consequence of my taking a portion of the City duty. The additional (or 3rd) clerk was given in consequence of a portion of the City cases being taken at the Water Police Court, and reduced again on 1st January, 1857.
12. Has that increased your duties very much? I cannot say it has increased them very much; there is nothing but what I can do, easily.
13. Are people bound to come to you if they reside in that particular part of Sydney, or may they take their choice, and either come to you or go to the Central Police Office? They sometimes do, but I do not think they can legally; for instance, all cases under the Masters' and Servants', and some other Act, must be tried in the Court of Petty Sessions in the district where the service has been performed.
14. What portion of the City do you consider as within your boundaries—an eighth, a fourth, or a fifth? About a fifth, I should say, not more. I have nearly the whole of two wards—Gipps and Bourke Wards.
15. You have also the control of the boats' crews, have you not? Yes; I have three boats' crews, two sub-inspectors and fourteen constables. There are three boats every day at work.
16. How are these men employed? The employment of one boat is in clearing ships, a duty which properly belongs to the Customs Department, but it has always been performed by the Water Police.
17. Why is it not done by the Customs? It was done by the direction of the Government. At one time a Water Police boat was stationed at South Head, but on the reduction it was found necessary to remove the boat from that place.
18. Where are the boats cleared from now? The Circular Quay head station. That one boat is employed in that duty, the other is in attendance upon the office, in proceeding to ships, conveying prisoners backwards and forwards, and serving summonses—the third boat is now employed in Cockatoo Island business. I may here add that one Water Police constable is placed on board every emigrant vessel on its arrival, and is continued sometimes for weeks, until the emigrants are all landed. Very often two constables, and I think on one occasion three have been so employed. In cases of mutinous crews it is usual to place Water Police on board, and it frequently happens that the Water Police weigh the anchors to enable ships to proceed to sea. They are also employed in preservation of life and property in cases of accident or wreck.
19. You are the Visiting Justice of Cockatoo Island? Yes, I am.

20. How often does that boat go to Cockatoo Island? I think about ten times a week, and it takes myself, the Visiting Surgeon, the Chaplain of the Church of England, the Chaplain of the Church of Rome—conveys prisoners backwards and forwards between the island and Sydney.
21. Has the visitors' boat been abolished? Yes; by which a saving of £500 a-year has been effected. The duties are now performed by the Water Police.
22. Do you find this arrangement satisfactory? Yes; I find no difficulty in performing the duty. I would mention also that there is a row-guard during the night; a boat rows among the shipping.
23. During what hours? From sunset to sunrise till the reduction of the police, but since the Cockatoo Island duty has been given to me, one boat is constantly at work till twelve o'clock, it then rests a couple of hours, and afterwards takes it rounds until daylight. It is reported to me what hours they have been out, and the course they have taken during the night.
24. Is that sufficient to keep the ships in proper order? Yes; they look after the ships, see that there are no robberies, and that the ships in the fair-way keep their lights and watch on deck; if they do not, informations are laid against them and they are fined.
25. Do you not think you could perform the duties of Shipping Master as well as those of your own office? That would depend a good deal upon the assistance given in the Shipping Office. It could not be done without a Deputy Shipping Master.
26. That is to say, a kind of intelligent clerk? Yes; one of the present officers, Captain Shorter, was Deputy Shipping Master before he was reduced.
27. You think if you had a clerk of that department in the office you could perform the duty? I do not know how Mr. Venour gets on with the duties; but I have often heard him complain that he had not sufficient clerical assistance, and if one of these clerks had to perform the duty of Deputy Shipping Master I do not know how it could be done.
28. If, as Police Magistrate, you are occupied only two or three hours a day, you could perform these duties? Yes; but I am Visiting Justice to Cockatoo Island, and I could not perform the duties of Shipping Master if I had to go to Cockatoo. Amongst the duties of Visiting Magistrate of Cockatoo I may mention that all requisitions connected with the expenses of the island, all vouchers for payment of expenses and salaries, pass through my hands; all payments, amounting to about £12,000 a-year, are made by me. I am held responsible for this expenditure, for which I receive no remuneration, being the first Visiting Magistrate for whom a salary was not voted.
29. How often do you go there? I am obliged to go there once a week; and I am required there much oftener. I also go one Sunday in every month, on which day I muster the prisoners and attend Divine Service with them. There are several other duties which I perform which take me away from the office, and the Shipping Master should be always there. I am on the Pilot and Steam Navigation Board, the Convict Classification, and the Police Reward Fund Board. I have to attend these when I am summoned, and they take me away from the office a good deal.
30. Do you not think the Department of the Shipping Master will work well with that of the Water Police Magistrate? Yes, I think so.
31. There is no occasion for the two departments? No; I think it might be made one department; we are now under one roof, and there is nothing to prevent a Deputy Shipping Master performing the duty. The present Shipping Master would perhaps make a very good Water Police Magistrate.
32. Are you prepared to resign? If the Government are prepared to give me the pension to which I am entitled under the Superannuation Regulations. I believe I am entitled to retire upon two-thirds of my salary after a service of thirty-one years. I have been upwards of thirty-one years in the Civil Service of this Colony, am sixty-eight years of age, and would be glad, if permitted, to retire on a pension of £420 a-year, being two-thirds of my present salary, to which I am entitled under the Superannuation Act.
33. I suppose you have no means of judging whether in the department of the Shipping Master the number of clerks is more than sufficient? According to the best of my opinion it is not more than sufficient, and I doubt very much whether Mr. Venour carries on the business to his own satisfaction.
34. The public convenience has been very much promoted by putting both departments under one roof? Yes; it is very convenient.
35. Are not some of the forms unnecessary—might not the duties be simplified? I am not exactly aware of the way in which the duties of the office are conducted.
36. Are you prepared to make any recommendation to the Committee with reference to your department; can you say whether any further reduction could take place either in the number of the boats, or of the police generally? I do not think it is possible to reduce any further; the men have very severe and hard duty to perform. We have now two boats' crews stationed at Phillip-street, and one at Goat Island. The boat at Goat Island takes its turn of duty with the other two boats, and they have to leave a man at the station when they come away; we have also to leave a man at the station—this man cooks for the others.
37. Have you a sub-inspector at Goat Island? Yes—one boat's crew, a coxswain, four boatmen, and a sub-inspector.
38. Do these men go round the harbour in the night alternately? Yes, each of the three boats takes it alternately. The boat which attends to the office duty during the day has the guard at night. One boat does nothing else during the day but clear vessels, and go down the harbour for any emergency. For instance, they were yesterday searching for the unfortunate young man who was drowned; and they have to give their assistance on all similar occasions. I do not think it possible any reduction could be made in the number of constables: our police were reduced to the very lowest at the last reduction.
39. You are the Visiting Justice at Cockatoo Island? Yes.
40. Has the business gone on well since the removal of the military? There are always little jealousies between the Superintendent and the officer in charge of the police: they have not been agreeing very well lately.

S. North,
Esq., J.P.

17 Aug., 1859.

FRIDAY, 20 AUGUST, 1858.

Present:—

Mr. COWPER,

Mr. FORSTER,

Mr. JONES.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

John O'Neill Brennan, Esq., called in and examined:—

- John O'Neill Brennan, Esq.
20 Aug., 1858.
1. *By the Chairman:* You are Sheriff of the Colony of New South Wales? Yes.
 2. And have jurisdiction over all the gaols within the Colony? Yes; under the 4th Victoria, No. 29, section 3.
 3. Subject to the control of the Governor for the time being? Yes.
 4. What is the nature of the control that you exercise over the gaols? I have the general supervision, the appointment of all the officers, the suspension or dismissal of any of the officers who misconduct themselves, and the general direction of the establishments.
 5. When you say all the officers, do you include the highest—the gaolers? Yes.
 6. Is that vested in you by law? It is.
 7. By a clause in the Act to which you have referred? Yes. All persons employed in the gaols of the Colony are nominated and appointed by me, subject to the approval of His Excellency the Governor, and they are all responsible to me for the due performance of their duties, and I am responsible to the Governor for the appointment of proper parties.
 8. You are aware that this Committee has been appointed with a view of ascertaining how far the public expenditure can be reduced without impairing the efficiency of the establishments of the Government? I am.
 9. I apprehend you are more intimately acquainted with the Darlinghurst Gaol than with the country gaols? I am more intimately acquainted with it, as I see it oftener.
 10. But you will be able to give any information with regard to all of them? Yes.
 11. With respect to the Sydney Gaol, do you consider that the establishment there can be in any respect reduced under existing circumstances, or under any modifications of the buildings, or arrangements which you are prepared to recommend? I think the number of subordinate officers, such as turnkeys and wardsmen, might be reduced, but in recommending a reduction in number I would not recommend a reduction in point of expenditure.
 12. Do you mean that you would recommend the same amount of money to be divided among a smaller number of persons? Yes. The number of officers in the Sydney Gaol has of late years been increased, and it was on my recommendation, on the following grounds: Darlinghurst Gaol is the receptacle for all the vagrants, drunkards, disorderly characters, and lunatics of Sydney and other districts; and in consequence of the unfinished state of the buildings the prisoners were obliged to be scattered over a large space of ground, and they therefore required a greater amount of supervision. But I think, according as the establishment is improved, so the number of officers may be decreased, to a certain extent.
 13. What do you mean by the expression “as the establishment is improved”? I mean as the additional buildings proposed are completed, which will enable us to confine the prisoners in more compact bodies, so that they will require fewer individuals to guard them. Where a number of prisoners are scattered over a very large yard, and in different buildings, employed in different occupations, it is impossible for one or two men to watch them. But if they were put to work in one building, partitioned off according to the different trades, then one person could mind them as well as two can now. In Darlinghurst Gaol there is the stockade, where there are thirty or forty men stone-cutting; a number of men employed at the trade of blacksmiths are in a building; those employed as carpenters work in another building; those picking oakum, and at tailor's work, are in different buildings in different parts of the establishment. And it is self evident, that when prisoners are thus scattered, they require a greater amount of supervision than they would if they were in a long tier of buildings, or in a quadrangular building of workshops, where two or three overseers could keep their eyes on a couple of hundred men.
 14. Have you free head mechanics in each of these branches? No; that is what I was about to recommend. I would suggest the reduction of two or three of the wardsmen—you will see by the estimate there are six—and I would divide their pay, and appoint four free mechanics as free overseers.
 15. You would have no wardsmen? No, but four mechanics instead of the six wardsmen. It is in that way that I would recommend a reduction, but not in the cost of the establishment at present; but I would improve the supervision. As the gaol is improved I think the turnkeys might be reduced. There are thirteen at present, and I think they may ultimately be reduced to eleven; but I do not think in the present state of the Darlinghurst Gaol, when we do away with the six wardsmen, we can reduce the number of turnkeys.
 16. What do these wardsmen do at present? They attend to the wings. One is placed over the wing in which the lunatics are, one over the gaol yard, and one over the confine yard. One turnkey superintends the stone work; another the carpenters' and blacksmiths' work.
 17. The turnkeys do that? Yes, the turnkeys do that at present.
 18. Is that all the modification of the establishment you would propose at present? Yes; I do not see that it can be modified any further.
 19. What are the duties of the Gaoler, as you understand them? He has the general supervision of the establishment; he has to visit the cells every day, see any prisoners who may be confined by any of the officers of the establishment, and ascertain the grounds on which they are confined. He has to see that all the accounts are kept properly, and all the correspondence of the establishment goes through him. He signs the abstracts, and has the general custody and

and supervision of the establishment. He is bound to keep the keys at night, and to see that the prisoners are locked up at the proper time, and that they are released in the morning to their work at the proper hour. John O'Neill
Brenan, Esq.

20. Are you aware in what way he practically superintends the gaol, beyond carrying out what you define, as a general supervision: how far is he cognizant of the details, by actual inspection and movement about, in the different parts of the establishment? He is aware of the details by going about every day. 20 Aug. 1868.

21. He is understood to be bound to perform that duty? Yes.

22. He does not leave it to the principal turnkey? He does leave a good deal of that duty to the principal turnkey. The principal turnkey is supposed to be the immediate and general supervisor under the Gaoler; he is constantly in the yard. The Gaoler has office duty to perform, to see that the accounts are kept properly. The principal turnkey acts as a head overseer.

23. He has a clerk for that? Yes. He has generally to receive the prisoners when they come to the gaol.

24. Does he do that himself? He generally does, except when he may be absent from the gaol on other business.

25. Is he at liberty to absent himself without your permission? He is quite at liberty to do so, for a temporary absence, but not to sleep out of the gaol.

26. He may be out for several hours without obtaining your permission? Yes; that is in his own discretion.

27. Do you limit him to any period of absence? No.

28. You have no means of knowing to what extent he leaves the practical superintendence of the gaol to the principal turnkey? I am quite aware that he leaves a great deal of the practical superintendence to the principal turnkey, but he is well aware of what the principal turnkey does. The principal turnkey reports everything to the Gaoler on the day on which he does it; if the Gaoler is within the walls of the establishment he consults with him; if not, he does what is necessary and reports it.

29. The mere duties of correspondence and the inspection of the accounts must be very light indeed, compared with the responsibility of the actual examination into the details of the working of the prison? Yes; but the Gaoler is responsible for all.

30. What do you mean by responsible? He is responsible to me and to the Government. No one is responsible in the gaol but the Gaoler.

31. For keeping the prisoners within the walls? And for everything that occurs within the gaol. If he permits an officer to illtreat a prisoner he is liable for that, both criminally and responsible to the head of the department.

32. Take the converse—suppose he allows lax discipline, how is that ascertained? He is responsible for it.

33. How often do you make a personal visit to the gaol? Generally once a week, sometimes not so often, sometimes once in ten days, sometimes twice a week; I do not pay regular visits.

34. What inspection do you make? I go round the wings and ask if there are any prisoners in confinement; if there are I see them, and ascertain what they are in confinement for. I see that the men are at work, and if there are any unemployed I ask the reason why. I go into the various departments, and into the female department, and see that the females are kept at work so long as there is work for them to do; and those that are not at work, both male and female, I direct to be kept on confine ration, in accordance with the late instructions.

35. Who controls the character of the rations issued to the prisoners—the Gaoler? I do not quite understand your question.

36. Was there not some order issued in 1856 that men not actually employed on hard work should not have the hard labor ration? Yes; that is what I allude to when I said that the prisoners not at work were put upon confine rations. The reason of that is that men may be at work to-day and not to-morrow. Every day they are at work they get the hard labor ration, but if they are not at work it is struck off. The plan adopted in Darlinghurst Gaol is to put all the hard labor men not employed into the confine yard, and according as there is material and work for them to be put at they are drafted from that yard into the hard labor yard, or the stockade.

37. You speak of some men sentenced to hard labor not being employed in accordance with their sentences for want of material—are there many unemployed in that way? Sometimes there are several.

38. To what cause is it owing that there is a deficiency of material? To the difficulty of getting a sufficient quantity of stone supplied to the establishment.

39. If the men were well supplied with stone and other material more work could be done than is done? Yes, decidedly.

40. How do you get supplied with stone or timber? Through the Colonial Architect's Office, on requisition from the Gaoler.

41. Are you generally supplied in accordance with the requisition, or is there much delay? Sometimes there is considerable delay.

42. Have you taken any steps to prevent that delay? I have seen the Colonial Architect personally, and I have written to him; and he informs me that there is great difficulty in getting the contracts fulfilled, and that sometimes the state of the roads after wet weather prevents the quarrymen or contractors from sending the stone, which is quarried at Pyrmont. To prevent the recurrence of that delay, and in order to insure a proper supply of stone as material for the men at Darlinghurst Gaol, I have, as you are I believe already aware, placed myself in a very difficult and embarrassing position. In 1855, seeing the difficulty of getting a sufficient quantity of stone supplied to the gaol—labor then was very high, and stone was very dear—I directed my attention to a piece of quarry land, or land that could be converted into a very admirable quarry, and out of it the stone of which the present establishment—the

John O'Neill the older buildings—had been erected; the quarry was worked by prison labor. I thought it would be very desirable for the Government to purchase that land for the purpose of working the quarry by prisoners or by free labor. I waited on His Excellency the Governor, and I represented this matter to him. I brought him a plan, and shewed him the importance of the Government securing this piece of land. I then informed His Excellency that I came to him personally, as I thought that if the matter went through the usual official routine it might ooze out, and the public would become aware that the Government were in the market for this piece of land; and that I was quite confident that if it was known they could not purchase it under double its value. I therefore suggested that some private individual should be appointed to purchase this piece of land, and I then understood His Excellency to assent in these words, "Well, suppose you purchase it in your own name, and the Government will take it off your hands afterwards." I understood him to say so; but I believe the Governor denies that he said so. Of course, I am bound to submit to his denial, but as far as my recollection bears me out those were His Excellency's words. I, very incautiously, I must say—unofficial like, I must say—took that as an authority, and purchased this land in my own name. On the very morning I purchased it I went to Government House to inform His Excellency that I had done so, and I was then told I had no authority. I said, I had understood from what His Excellency said that I was to purchase the land; and that I had but one motive—the benefit of the public service. I paid the deposit of £500 upon it. His Excellency then desired me to see Mr. Riddell about it, and write an official letter. I did so; and Mr. Riddell, who was then acting as Colonial Secretary, said he would not have anything to do with it—he had no money; and the consequence was the land was left on my hands, and I was at the loss of my £500 ready money; and I have been obliged to mortgage the land and pay the interest ever since. I have applied to the Government, and I believe the matter is now under consideration. I take this opportunity of stating this matter, to show that I was not backward in endeavouring to secure, as I thought, the best way of obtaining a constant supply of stone for the prisoners in the Darlinghurst Gaol. I am still of the same opinion, that it is most desirable that that quarry should be worked, and that there never can be a proper supply of stone to carry on the buildings and improvements that are required in the gaol, except from these quarries. Whenever the weather is bad it is impossible to get stone from Pyrmont; but this piece of land is within about fifty yards of the gaol gate; in fact, it is a portion of the quarry from which the stone of which the present buildings are erected was taken.

43. At present you are entirely dependent on a contract from Pyrmont, through the Colonial Architect? Yes.

44. Is the stone supplied under that contract at a fixed price? It is.

45. Do they deliver it at the gaol? They quarry it at Pyrmont, and then deliver it at the gaol. I must say I should have oftener brought the matter under the notice of the Government, but that I felt I should be doing, perhaps, an injustice to Mr. Dawson, the Colonial Architect, for it was almost impossible to get men to keep their contracts, owing to the state of the weather. Some men contracted at a cheap rate, and then threw up the contract, and the Colonial Architect was in continual hot water with the contractors.

46. The Committee are to understand you to say, that whenever, from want of material, or any other cause, the men in the gaol are not employed on hard work, they do not get the hard labor ration? They do not. If they are employed at all when sentenced to hard labor, at anything but picking oakum, they get hard labor rations. If they are employed at wheeling the water-casks, drawing the trucks, or moving stone from one part of the yard to another, they get the hard labor ration; but they do not get it when there is not that description of work for them—not when they are picking oakum, which description of work I compel the convicts—men that are not sentenced to hard labor—to work at; I compel every convict in the gaol to pick a certain quantity of oakum per day.

47. The hard labor men are employed at that when there is not hard labor for them to do? Yes.

48. But they do not get the hard labor ration for that? No.

49. Mr. Forbes is the Visiting Justice of your gaol? Yes; to carry out the 12th and 13th sections of the Act.

50. You consider his functions limited to that? I do.

51. You consider that he has no authority to make such reports as are provided for by the seventh clause of that Act? I think he has not.

52. Do you consider him expressly excluded from doing so? I do.

53. Of what benefit, then, are his visits to the gaol? No further benefit than would be those of any ordinary Magistrate—to punish offenders.

54. If the Gaoler brings forward any to be punished? Yes.

55. The Gaoler himself has a power of punishing? His power only amounts to confining them, and not restricting them to bread and water.

56. To what extent do his powers of ordering prisoners into confinement go? He can only do so until the Visiting Justice or the Sheriff visits the gaol.

57. May he not confine a man for a week? No; he is bound to report at once. He may keep a man in separate confinement for a week, but he must give him a full allowance of rations, and a certain portion of daily exercise, under the directions of the surgeon. You will see that the Act gives the Gaoler power, and limits it.

58. Have you any knowledge of the number of cases brought before the Visiting Justice? They are very few; I could not call to my recollection how many.

59. Are there three in the year? Not many more; there may be six.

60. I presume you would object to Mr. Forbes making any inspection of the gaol, as the Visiting Justice does in the gaols in other parts of the Colony? Most decidedly.

61. That is entirely within your own province? That is entirely within my own province.

62. You are aware that Mr. Forbes inspected the books a few days ago at the gaol? I was informed so. Every Magistrate, by my orders, is allowed to inspect the book. That is the reason I had the book kept in that way. John O'Neill
Brennan, Esq.

63. There is a book in which all the work performed is entered, with the valuation of it? 20 Aug., 1858.

Yes. I forget the date, but it was some considerable after I had undertaken the management of the gaol that I made this new regulation—that the number of men at work each day, and the nature of the work they were employed upon, were to be entered in a book, and a weekly statement made up and sent to me. The direction I gave to the Gaoler and the principal turnkey was, to have the book in the office for the inspection of any Magistrate or any visitor that might wish to see it. The honorable member Mr. Parkes went there and inspected the book himself on one or two occasions; and it was my positive order to the Gaoler and the principal turnkey to ask any Magistrate or any visitor who wished to see the establishment to go in and look at the book.

64. Then you consider Mr. Forbes the same in that respect as any other Magistrate or a Member of the Assembly? Yes.

65. You are aware that he asked for some returns from the Gaoler? Yes.

66. And that, in consequence of his being about to make a copy himself, the Gaoler told him there would be no occasion to do so, as he could have the information sent him? Yes.

67. By that memorandum it appears that 285 feet of stone are entered as cut by eight men, and valued at £14 5s. 8d., and 37 feet of moulding at £5 11s. 6d.; and in addition to that charge there is £36 charged for eighteen men preparing stone for the cutters, £2 a week. There is also an item for 528 chisels pointed, £4 8s., and 288 picks pointed, £4 16s. You value this stone at a shilling a foot do you not? Yes.

68. Mr. Forbes states that it can be obtained in the town at five-pence, and that the total cost in the gaol is about 4s. 2d. a foot. Do you know anything of the date on which these entries are made in the book? Yes. The orders I gave were, that the Clerk of Works who visits the gaol constantly, Mr. Sharkey, belonging to the Colonial Architect's Office, should be applied to—

69. Is he employed exclusively on the gaol? No.

70. Because he was some years ago? He was exclusively at one time, but he is not so now. He visits the gaol as one of the departments under his charge to see that the works are properly done. When I gave directions for this book to be kept in this way I gave orders that Mr. Sharkey should be consulted as to what ought to be charged. Having heard something of this memorandum before, I asked the Gaoler yesterday about this matter, and he said the principal turnkey not only asked Mr. Sharkey, but also inquired from private tradesmen in Sydney and outside Sydney, and they said they would not work for less than the charges made in the gaol. The charge was at first two shillings, it was then reduced to one shilling and nine-pence, then to eighteen-pence, then to one and three-pence, and ultimately to a shilling. But it is not wherever the chisel goes that we charge for; three sides of the stone are cut, and we only measure one side. Cutting stone for a gaol is very different from ordinary cutting—scabbling, just chiseling the edges of the stone. Mr. Forbes, no doubt, may get that done cheaper; but if the stone has to be cut in a particular way, so that the stones may dovetail into each other, and to be chiseled and dabbled all over, he will find the charge much increased.

71. There is an extra charge for a man "cutting reveals" and "sparrow picking," which, I apprehend, will be what you mean? That is only ten shillings a day.

72. Still, that is in addition to these other charges? That is different work.

73. It does not apply to the same stone? No. For instance, there is a handsome moulding for a window intended for the Colonial Architect's Office.

74. With regard to the quantity of stone work, it appears that eight men have only cut 285 feet in a week? It is the superficial measurement. There are three sides of the stone in most cases cut, and only one face is measured.

75. It is alleged that the men in Parramatta Gaol do of the same work at least three times as much? It may be so. They measure wherever the chisel goes.

76. Is any work done for private individuals in the gaol without your authority—for instance, I see here four flower-boxes made for Dr. O'Brien? He pays for them.

77. There is no charge here? There ought to be.

78. Under what circumstances do private individuals get work done in the gaol? They send it to the Gaoler and he puts down what is to be charged for it. That omitted charge will be explained. I have not got a return with me, but the way the returns are made out is this: the work done for the Government and estimated for is put in black ink, and the work done for private individuals, and supposed to be paid for, is put in red ink, in different columns. Everything supposed to be paid for is put in red ink.

79. Do you ever make any actual examination of the books or returns, or do you leave it entirely to the Gaoler? I continually make examinations myself, and I have these returns sent to me every week.

80. What is the length of your visit when you go to the gaol? Sometimes an hour, sometimes an hour and a-half. I go over the gaol, and ask what the men are doing, and if I see that the work is not going on fast enough—in the new building for instance—I ask why, and the reason is assigned to me. I go into the hospital, and into every portion of the establishment. The accounts connected with the work, and the amounts received, are sent by the Gaoler, by direction of the Government, directly to the Auditor General; they do not go through me, for convenience sake; but weekly returns are made out to shew me the amount of work done and to be paid for. The only work done for private individuals is done by my permission; and the only work done and not charged for is for the late Matron, Mrs. Webster, the widow of the late Governor of the gaol, Captain Webster; there is some needlework done for her, which I took the responsibility of ordering should not be charged for. But I never gave

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any authority for Dr. O'Brien to get anything done. If it has been done without being paid for, it has been a breach of duty.

81. Is the impression correct, that the principal turnkey of Darlinghurst Gaol has himself been a convict? Yes, I believe it is.

82. What is his history? His history is a very good one. He has been a great number of years in the public service, and has worked himself up to his present position.

83. Did he ever undergo a second conviction in the Colony? I am not aware.

84. Was there not an order issued by the Government since 1849 that no person who had been himself a convict should be employed in any of the gaols? I believe there was. I was not aware till recently of that order.

85. Did you appoint Harrison? No.

86. Who did? My predecessor.

87. Captain Elliott? Yes.

88. After an order from the Government that no person who had been a prisoner should be appointed? He was not aware of the circumstance that Harrison was a prisoner. I ascertained that. Harrison has been long in the service, and must have been a very young lad when he was transported. He was for a number of years at Newcastle, and also a turnkey at Darlinghurst before he was appointed. Mr. Wallace, the Gaoler at Maitland, was the principal turnkey, and Harrison was promoted when he was appointed to Maitland.

89. Do you not consider it a very responsible office for a man who is apparently the practical head of the gaol to hold? It is a responsible one, there is no doubt.

90. Are you not aware that complaints have been made that Harrison shows his sympathy with the convicts? I am aware complaints have been made, but I am quite certain that is not the case. I have made every inquiry, and I have ascertained that he is very strict with them.

91. What are the numbers of males and females you generally have, as an average, in your prison? Between three and four hundred.

92. Of both sexes? Yes.

93. Can you state how many of each? By the last return there were about 360 altogether; I think 229 males and 130 females.

94. Do you know the number in Parramatta Gaol? About 200 altogether, male and female; 40 or 50 females, and 160 or 170 males. But perhaps before leaving the subject of Harrison you will allow me to say, as I have stated, I was informed he was a convict, but I only became acquainted with the fact, and that by rumour, some two years ago; and having made some inquiries, I ascertained—not from the man himself, for I thought it rather a delicate thing to ask—almost to a certainty that he was. I then made every inquiry as to his previous history, and I had his testimonials examined, and learned that they were very good; but, considering that the Committee were on the whole right in their recommendation, I wrote to the Government stating that in consequence of the very exemplary conduct of Mr. Harrison, I thought he ought not to be removed from his office until there was a suitable appointment provided for him, but that if he could be promoted I would recommend that course, because I thought that from his long service and general good conduct and attention to his duties he ought not to be deprived of his situation altogether merely on that ground.

95. May not a person in his position make the amount of work, and therefore the public expenditure, to be much greater or much less, according as he is qualified or not—if he shows his sympathy with the convicts, may it not affect the public expenditure? No doubt it may, but unlikely, as he has officers under him who have the immediate control of the men. For instance, the man that is over the stone cutters reports to Mr. Harrison every week the amount of stone cut by each man, and the prisoner gets the indulgence of tea and sugar, according to the report of this officer; so that Mr. Harrison has nothing to do with it directly. There are also men over the carpenters and blacksmiths, who report in the same way, and Mr. Harrison reports to the Gaoler. Then, if any indulgence is to be withdrawn or given, he informs the Gaoler. So that he does not take the immediate control of the men; he merely takes the general direction and supervision of the work, more as an overseer of the work than an actual overseer of the men. He does not interfere with the prisoners in any way except through the medium of an officer. If an officer has any complaint against a prisoner he makes it either to Mr. Harrison or the Gaoler, if either is on the spot at the time of the prisoner's misconduct; but if neither be on the spot the turnkey locks up the prisoner himself, and then reports it immediately. So that the idea of Harrison's sympathy with the prisoners is to a great degree a fallacy, for that reason, as there is always a person between him and the prisoner.

96. You admit that the principle is correct that the principal turnkey of a large gaol ought not to have been a convict? Yes, I quite admit that.

97. According to your statement the number of prisoners in Darlinghurst Gaol is 360, and the number in Parramatta Gaol 210. Taking the expenditure of the two gaols together, does it not appear that yours is very much greater than that of the Parramatta Gaol—How do you account for the great difference of expense between the two establishments? As I said before, the number of officers required in Darlinghurst Gaol is much greater.

98. Owing to the different construction of the prison? Yes. Here is a plan of the Parramatta Gaol. There the prisoners are confined in small spaces within walls or iron rails, and all can be supervised by one person; but where you have an immense stockade, in which the carpenters are at work at one end, stone cutters at another, and blacksmiths in a third place, you must have a greater number of officers to supervise them. One man could not look after them all, because if he turned his head to look after the stone cutters the carpenters might do anything they liked; or if they attempt to break out, all they have to do is to attract the attention of the officer to one end of the yard, and then the body of the prisoners might make a rush.

99. But the salaries seem to be on a higher scale—for instance, the Gaoler at Darlinghurst has

has £300 a-year, while the Gaoler at Parramatta has £175? These salaries were fixed when the Parramatta Gaol had not more than forty prisoners, and there had been always in the Sydney Gaol a couple of hundred. I think the salary of the Gaoler at Parramatta is too low for the responsibility that is cast upon him now; but I think there is much greater re-sponsibility in Darlinghurst Gaol, on account of the number and description of the prisoners confined therein, which is, as I have already stated, another cause for the great number of men employed as officers. Drunkards, disorderly characters, and persons confined there for assaults, obscene language, and various minor offences, are continually going in and out, and require much greater supervision to prevent spirits or tobacco, or prohibited articles, also letters or communications, from being brought in and out of the gaol. This class of prisoners is much more difficult to manage than long sentence men. The position of the Sydney Gaoler is far more responsible on that account, and therefore I think his salary is not too high at £300.

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100. Then there is the salary of the Visiting Surgeon—in Sydney it is £220, in Parramatta £78—does not that seem a disproportionate allowance in the one case, or insufficient compensation in the other? I am not aware —

101. These estimates are prepared by you, are they not? They are, but I have nothing to do with the Visiting Surgeons' salaries; they are regulated by the Government.

102. Does not the application come through you? No.

103. Do you know how these sums were fixed? No, I do not.

104. Then the clerk in the Sydney Gaol gets £230, in Parramatta £120—there cannot be such a great difference in their duties? The clerk at Parramatta Gaol, as I have often said and represented to the Government, is most inadequately paid; and I do not think it is a salary which ought to be offered to any person holding a respectable position, and having the responsibilities that he has.

105. Have you a good man now at Parramatta? Pretty good.

106. Qualified for the office? I think he is. I hear no complaints of him from Mr. Darvall, who is the Visiting Justice. He has charge of all the money of the establishment, receives money for the prisoners' work, and pays, through the Visiting Justice, the salaries of the officers; he is accountable to the Visiting Justice for all this money; and I do not think, when that is considered, he ought to be paid the same salary as a common turnkey. The other gentleman, Mr. Wickham, at the Sydney Gaol, was placed upon the third-class of clerks, after having passed his examination. He is a very efficient officer, does his duties well, is a very good accountant, and a respectable well conducted person.

107. Then you have a dispenser at Sydney at £132, and at Parramatta at £63? That I have nothing to do with.

108. There is on the whole a difference of £1,000 a-year for salaries between the two establishments? Yes. The salaries are as they were originally put down, and have not been altered for years. I think the Gaoler at Parramatta is underpaid.

109. Then take what are called contingencies: In Sydney the item for provisions is £3,150, in Parramatta, £1,830—can you explain the difference? They way these estimates are made up is from calculation of the number of prisoners that are received during the year. It is not the number that may appear upon the weekly return, but the number of rations issued in the last year. We go upon that data, and call for the same this year. If the number of prisoners has been gradually increasing, we put down the average increase, and call for that number of rations. And then there may be some difference in the contract prices, which may increase the amount.

110. The contract prices ought to be cheaper in Sydney than in Parramatta? I do not know that.

111. There must be greater competition? I do not think they consider that.

112. There is a difference of £1,672 between the contingencies of the Parramatta Gaol and the Sydney Gaol, while there are only one hundred and fifty persons more in one gaol than the other? As I said before, the numbers fluctuate very much in Sydney; there are a greater number of short sentenced persons, who are in to-day and out to-morrow, and we are bound to provide them with rations. For instance, there are a great number of drunkards sentenced to twenty-four or forty-eight hours imprisonment, who must be provided with bread; and there are also disorderly women of the town sent there for misconduct. We estimate the sum for provisions according to the number of rations drawn in the previous year.

113. So that we see by your estimate your actual expenditure? The actual expenditure.

114. Why should the actual expenditure on account of 360 persons be so much greater than the expenditure for 210, a difference of 150? That is the number by only one return, but the number fluctuates very much; we have had as many as 400 in Darlinghurst Gaol, and there are rarely under 350 or 300.

115. The clothing in one case is £454, and I think in the other it is £500—there is but a small difference there? Because clothing is not provided except for prisoners who are long sentenced and sentenced to hard labor.

116. You think there are comparatively more long sentenced men in Parramatta Gaol than in Sydney? Yes. Prisoners sentenced to imprisonment alone are not provided with clothing. I think the long sentenced men are 4 to 3, or 4 to 2½ in Parramatta Gaol compared with Sydney Gaol.

117. Have you any remarks to make with respect to the other country gaols, at Bathurst, Goulburn, Maitland, and Brisbane—I apprehend you have very little control over the Brisbane Gaol? It is not under me.

118. Then as to the others, have you any suggestion to make with respect to them, as to whether the expenditure can be reduced? I do not think it can; but I think if they were properly managed there must be additional expenditure.

119. The operation of the Hard Labor Bill, recently passed, will cause some additional expense? Yes.

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120. Do you suppose it will be found practicable to employ the prisoners outside the walls, without great increase of expense? Quite so. All I would ask for would be one additional turnkey, and an overseer—a practical quarryman.
121. Could you not do it with the present establishment? If it is not reduced in the way I say, I might.
122. Has it ever occurred to you that some saving might be effected, or that the labor of the prisoners might be turned to better account, if the females were all in one gaol? Yes.
123. Do you think it would be possible to remove all the females to Parramatta, and bring all the males from there down to Sydney, and so expedite the completion of the Sydney Gaol? Yes, I think it could be done. I think the wing where the females are at present confined in Darlinghurst Gaol, and the new wing, which is now nearly completed, having only the roof to be put on, would hold all the male prisoners from Parramatta.
124. Is that the last wing which remains to be erected? No; there will be another to be built after that.
125. When the gaol is complete, how many prisoners will it hold? If we put them all in separate cells it would not accommodate more than 400. The new wing that is building will hold about 97 in separate confinement; and the wing I propose to build will hold about 132 in the same way: that will make 229. Then the other three wings will hold I dare say about 300, by having three in a cell, as they are now.
126. *By Mr. Forster:* You recollect giving evidence before a Committee last year as to certain improvements in prison discipline? Yes.
127. Have you been carrying these out since? Yes.
128. Some of the questions you have already answered have had reference to them? Yes. I told you on that occasion that there had been no improvement in the discipline, further than classifying the prisoners and keeping them in employment, as far as practicable.
129. Are you still in favor of carrying that system out in a more comprehensive way? Most decidedly. I think the way the Chairman proposes is the only way of doing it at present,—to make one gaol thoroughly a good one, by making in it all the necessary improvements, and then to move a sufficient number of the prisoners to another gaol—thus improving the different gaols one after the other.
130. In round numbers, can you say what proportion the expenditure of the gaol bears to the net proceeds? I think the prisoners earn a little better than half the expenditure.
131. By carrying out the system more fully I suppose the net proceeds will be greatly increased? The net proceeds would be greatly increased; and they would fully pay expenses if the prisoners were kept constantly supplied with materials, valuing their work as Government work; but the question has yet to be decided whether they can earn a sufficient amount to pay the expenses of the establishment, when provided with work from the public.
132. From your evidence I gather that you act as Inspector of the Gaol, in fact? Yes.
133. You consider the Gaoler responsible to you, and yourself responsible to the Executive Government? Yes.
134. You do not consider a Visiting Justice is necessary? No, not in Sydney, except to try cases. But I think at Bathurst, Goulburn, Maitland, and Parramatta, Visiting Justices are required, because it is impossible for me to go there sufficiently often; and whether you have an Inspector General of Prisons or not you must have a Visiting Justice to every country gaol, for the same reason.
135. Have the provisions of the Hard Labor Bill lately passed been carried out under your superintendence? No, they have not as yet. The matter is still under consideration.
136. *By the Chairman:* The Government submitted a copy to you, and invited you to make suggestions? Yes.
137. *By Mr. Forster:* You think it will be beneficial? Yes; and I think also that in the towns of Goulburn, Maitland, and Bathurst, the men can be worked with advantage in the streets.
138. You have stated that the Gaoler at Parramatta receives an inadequate salary? Yes.
139. Has he ever made any complaint on the subject? He has.
140. How long as he held the office? I believe ever since the establishment was opened.
141. How is it he has remained in the public service so long on an inadequate salary? I suppose it suited him.
142. Knowing what you do of the man, do you think he would be likely to make more out of it than in any other occupation? He was formerly a police officer in Ireland, and not in any trade, and I do not think he could make more in any other business, when you take into consideration his perquisites. But I do not think that is a fair way of testing the services of a public officer.
143. If the duties are adequately performed, which you seem to consider they are, and if he would not be likely to do better in any other occupation, why should the public pay him more? I only say the duties are adequately performed as the system is at present; but as the system is improved I think the Gaoler ought to be a man of a different stamp.
144. You think that under a more comprehensive system of prison discipline you would require a better man and pay him more? Yes; that is in education.
145. At present you say he is equal to the duties he does perform? Yes, under the supervision of the Visiting Justice; but I think the responsibility he has is greater than he ought to be expected to be under for his present salary. I think it ought to be £200 at least.

TUESDAY, 24 AUGUST, 1858.

Present:—

Mr. COWPER,
Mr. JONES,Mr. PARKES,
Mr. PIDDINGTON.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

Haynes Gibbes Alleyne, Esq., M.D., Health Officer of the Port of Sydney, called in and examined:—

1. *By the Chairman:* You are Health Officer? Yes.
2. What are the duties you generally perform in that capacity? To be in readiness to board all vessels entering the port at any time during the day, and occasionally at night also, and to ascertain their state of health, and report it.
3. To carry out, in fact, the instructions issued in January, 1839? Yes. I have also to take medical charge of all immigrants brought out by the Government while they are under the care of the Immigration authorities.
4. Is the Quarantine Ground under you? Yes.
5. Are immigrants who may be placed there under your charge? Yes, of course; I do not live in quarantine with them, but I have the supervision of them. I have also medical charge of all immigrants not in quarantine, when lying in the harbour here before they are engaged.
6. And you make arrangements for the medical treatment of those who are in quarantine? Yes.
7. Where do you reside? In Fort-street.
8. Do you find that the most convenient place for your residence? Yes.
9. You are aware it has been suggested that it would be better if you resided at South Head? It was, some time ago; but it was found that that would be attended with difficulties. In the first place, the Act must be altered, for if it was not, ships would be put to great inconvenience. At present ships are allowed to come up as far as Neutral Bay without being visited.
10. Without fixing the site of your residence at South Head, would it be better for the performance of your duties if you were residing lower down the harbour? No, I do not think so. Where I am living now is near the Signal Station, and I get immediate intelligence of what is going on.
11. You have four boatmen, have you not? Yes.
12. Would all these be necessary if you lived lower down the harbour? Yes, I think they would be even more so than they are now. The only thing that makes four boatmen necessary at all is, that occasionally the weather is not fine, and of course I am obliged to go off at all times, without respect to the weather. I should be in rougher water if I lived lower down.
13. Where do you generally board vessels? I generally board them off Bradley's Head, but in the case of immigrant ships I board them between the Heads. My usual practice, the moment a vessel is numbered, and I know where she is from, is to start off to her.
14. Vessels are numbered from the South Head? Yes.
15. Would it not be more convenient for you then to put off from South Head and board them? It would not be so convenient for the vessels.
16. The only time when it is necessary for you to communicate with the Government is when there is disease on board, and that is seldom the case? That is seldom the case; but in that event all vessels would have to anchor at South Head.
17. Why? Because as many come in at night as during the day. I could not efficiently perform my duties if I lived anywhere than in Sydney. It would be imprudent to compel vessels coming in at night to anchor lower down the harbour than Neutral Bay, when the wind happened to be favorable for their reaching Neutral Bay, as, although vessels are sometimes compelled to bring up between the Heads and in North Harbour, they do not select such anchorage if it can be avoided; but always try to reach beyond Bradley's Head before coming to anchor. If I lived at South Head, I should be compelled to pull to Sydney every morning, to ascertain what vessels had entered during the night, and instead of boarding them at daylight, as I do now, I should not be able to board them until at least an hour and a-half later in the day, as it would require at least that time to come from South Head to where the vessels usually run up to. No inconvenience has ever arisen from my residing where I do; my duties have always been well and strictly performed, and I do not believe that I could perform them efficiently if I lived anywhere else than in Sydney.
18. How far is the anchorage at Neutral Bay from South Head? I do not know. It is on the opposite side of the harbour to this, on this side Bradley's Head.
19. Is it necessary for you to have a boat entirely at your command—might not the same boat that goes down for the Customs or for the Post Office be used to convey you? That was the case once. The boat that went from the Customs conveyed the Health Officer, and also brought up the mail. But it is not their duty to go away immediately, a ship is signalled; in fact they seem to have other duties, or, whether they have or not, they go when it suits their convenience or their time; at all events, they do not go off immediately. For instance, if a vessel were to come in after four o'clock, the Customs boat would not be prepared to go off to her perhaps till next morning, because their object would be to get her papers from the ship in time to present them at the Custom House when it opened. Delays occurring in this way led to a great many complaints about the Health Officer, which, of course, ought not to have fallen on his shoulders; and I believe that was the reason why a boat was first given to the Health Officer, in order that there might be no delay in boarding vessels.

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- H.G. Alleyne, Esq., M.D. 20. Then there are now three boats—the Post Office boat, the Customs boat, and the Health Officer's—all visiting ships on arrival? Yes.
- 24 Aug., 1858. 21. It does not appear that any inconvenience would arise to your department by obliging one of the other boats to take you off to board vessels—it seems to be more for their convenience than yours that the separate boats are necessary? It would answer my purpose, if they were ready to go immediately.
22. What do your men do—do they find constant employment to row you about? They never do anything but that; I make it a point never to allow them to do anything for me. The Customs boat very seldom goes down to the Heads.
23. What amount of occupation have these men during the week, on the average? They have a great deal of idle time on their hands; for instance, all to-day they will probably be idle, because it is not likely there will be any ships in, unless a southerly wind should spring up. However, they have Sunday work, which other men in Government employment have not, as well as to work on all other days which are holidays to others.
24. Between dark and day-light are they on duty? Not often.
25. What other duties do you perform except those of Health Officer? No others, except attending the immigrants, and as a member of the Immigration Board.
26. Do you attend the immigrants so long as they are in the barracks? Yes; there are always some there; I go there every day.
27. Then you are in fact medical officer to the Immigration Department generally? Yes; there are always a certain number of invalids there, and generally a few women waiting to be confined, who may have come out to join their husbands; if they are in the family-way they cannot be sent away.
28. Are there many of that class of immigrants? Not many; there are none now—but lately there were as many as five there at one time.
29. Women who had come out to join their husbands? Some of them were. One or two were single women who were found to be in the family-way.
30. From irregularities during the voyage? No, it must have been before. When a woman is seen to be in that state, of course she is not allowed to engage herself.
31. *By Mr. Jones:* Can you suggest any arrangement, by which the expense of your boat's crew would be saved? I do not know of any, except it be done as it used to be before, by my going in the Customs boat; but they went off at times entirely suited to their own convenience, irrespective of my duties, and there were constant complaints, so much so that I was every now and then getting very unjustly into a scrape from no fault of mine. I always get up at daylight, and go the first thing to see if any ships have come in; and under the old arrangement I have often walked on the quay for two or three hours before breakfast, waiting for the boat; and in the same way at night, after they had gone away, I was constantly put to expense myself in paying for boats to go off, because I never got taken off by them after office hours. All that I want is, that somebody should take me off when I want to go, but when I was left to the mercy of the Customs boat, it was impossible that my duties could be performed as they should be. The person in command of the Customs boat had his special duties to perform, and taking me on board was a matter of secondary consideration. If it happened that in the performance of their duties they visited the vessel immediately on her arrival, I then visited her in proper time; in many cases, the performance of other duties appertaining to the Customs Department delayed them, and in those cases I did not visit the vessel until some time after it was my duty to have done so. I used to spend a great portion of my pay in paying boats to take me off, because I knew I would get into a scrape if I did not.
32. *By Mr. Piddington:* Do you know how many boat's crews belong to the Customs Department? I do not.
33. Do you know how many boat's crews are attached to the Water Police? No. Once I made a proposal that the Water Police should have instructions to take me off whenever it was necessary, but they raised an objection to it.
34. Are you aware of any reasonable objection to the Water Police boat taking you off? There is none that I know of; there may be an objection.
35. Do you ever board ships at night? Not often; I do occasionally; for instance, when I am aware that an Immigrant ship is coming in, in the evening, I board her the same night.
36. You never board ships outside the harbour? There is no necessity. I sometimes do go out, for the sake of saving trouble.
37. It is not necessary, in your opinion? No; there is no necessity for my boarding ships until they come to where the law allows them to come, except under particular circumstances.
38. *By the Chairman:* Have you had any opportunities of inspecting Darlinghurst Gaol, or have you been there lately? I have been occasionally visiting there lately for the Visiting Surgeon, Dr. West, who has been ill.
39. You have been acting for him? Not altogether—whenever I have had time; he has written to me very often lately to go. I have not seen him; but he has been ill for the last two months, and I have been in the habit of going up there.
40. Have you had sufficient opportunities of observing whether the prisoners are constantly employed or not? They are not all of them constantly employed, because I often see many of them not doing anything. I believe some they call hard labor men, and others are merely confines. Those who are not employed may be confines.
41. Did it strike you that they looked as if they were not in a state of discipline, or not constantly employed? They certainly are not constantly employed, because I see them walking about doing nothing, sometimes.
42. Did you at all draw any conclusions that the discipline of the gaol was at fault from what you saw there? I was looking chiefly at the medical department of the gaol when I

was there. There is no doubt I have seen men walking about there who did not appear to be actively employed.

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43. Did you, in any subsequent conversation, express that opinion to Mr. Forbes, the Visiting Justice of the Gaol? Yes, something to that effect.

44. Accompanied with any more extended observations? No; it was exactly that about the people, referring to their walking about. Our conversation was about the works done in the gaols. I had been reading some papers on gaol discipline, and we were talking on the subject. Mr. Forbes was speaking of what he had been doing at Parramatta, and I said I thought the discipline of the Sydney Gaol might be improved, and that the people seemed to be walking about, not having any very active employment.

45. Your impression was that the punishment they endured was not very severe? Not with regard to hard labor, certainly.

46. But you have no means of forming any opinion as to the manner in which the gaol generally is managed? No. It is clean, certainly.

47. Are the men disciplined as confines in a gaol are expected to be? I have no means of knowing that.

48. You do not make any inquiries then, when acting for Dr. West? No; I did not know that it was any part of his duty to do so. I went into the hospital, and also saw all the persons who were brought up on that day.

49. But a good many of the convicts there are not at hard labor? So it appeared to me.

50. You visit Chinese immigrant ships, and make an examination of them when they arrive? Yes.

51. What kind of examination do you make—do you find them much crowded? I have made very particular examinations lately, since the question has been discussed about these Chinese. They appear more crowded than our own ships; but they come under a different Emigration Act, which was passed for the Chinese specially.

52. Do they comply with that Act? Yes.

53. Have you made inquiries whether there are any breaches of that Act? I do not think there are. They get a certificate at Hong-Kong that the Act has been complied with, before the ship leaves.

54. Is the tonnage of the ship fairly estimated? Yes; and the space, which is more important, is so too; they are large ships, with 'tween decks of good height. There is always a disagreeable and abominable smell on board these ships, arising from want of ventilation—the ships being generally North American built ships, with neither scuttles nor ports. There is the same smell on board German immigrant ships, and also American ships. The last ship that came in from China was an exception, and as clean as any ship I ever saw in my life—as clean as our own immigrant ships.

55. And not over-crowded? And not over-crowded. The space allowed to each passenger by the Hong-Kong Act is twelve square feet; our own people are allowed fifteen feet on one deck and eighteen on the other.

56. What kind of treatment do these people generally receive on board ship? They seem to be well contented.

57. Do they arrive in a good state of bodily health? Yes, better than any men who come here. Since the discussions which have taken place about them, I have been in the habit of mustering them on deck by tens, stripping off their clothes, and examining them; and I never saw people so clean and free from any kind of skin disease.

58. You think the sickly ones could not be kept below from your observation? No. They come here in excellent health. The mortality on board these ships is less than on board any other ships in the world; it has not exceeded two in each ship, with the exception of one ship, which was five months out—the usual passage being under two months—and I think she lost ten from dysentery, which may be accounted for from her having stopped at Sourabaya, a notoriously unhealthy place, for six or eight weeks. That was the only ship in which there was any noticeable unhealthiness or mortality.

59. You are of opinion, then, that none of them come here laboring under infectious disease? I am quite sure of it, because I have them all stripped as naked as when they were born.

60. They do not resist it? No; I have only to tell the interpreter what I wish done, and he has them brought up with as great facility as if they were a troop of soldiers.

61. Do you do that with all the Chinese ships? Yes, lately only, since the matter has been so much talked of; I have no authority for so doing, but the people do not object.

62. As far as you can judge, they have received hitherto very good treatment? Yes; they seem to be perfectly contented. I think they would have complained if it had not been the case, because there are always some persons amongst them who have been to this Colony or Victoria before, and the interpreters are generally very intelligent men; I think most of them come from Victoria College at Hong-Kong.

63. How long is it before they are cleared out of the ship? Within forty-eight hours. There are one or two Chinamen here who make it a trade to make arrangements for landing them and sending them up the country.

64. Do they remain long in Sydney? I think not—not more than a week.

65. Have you ever been where they are housed? I have.

66. Are they not generally very much crowded? They were, now they have better houses; but the houses in which they were usually stowed away were some of those old and badly ventilated and built houses in Lower George-street; there they were very much crowded.

67. But you think they are not long enough there to generate disease? No. I do not think they suffer in that respect as much as the German immigrants do who come out here.

68. Have you ever visited the houses where the German immigrants are lodged? Yes.

69. Were you examined before a Committee of the Legislative Council on the subject? I was examined, not on that subject, but on the subject of German immigration.

70. Do you think any disease is introduced by German immigrants? No. I think some of them

M.G. Alleyne, Esq., M.D. them have lost their lives from neglect, over-crowding, and want of proper food and accommodation after their arrival in the Colony. Many of the people are landed in a low state of health.

24 Aug., 1858. 71. Has that been caused by bad treatment on the voyage? Yes; I have no doubt of it. During the last twelve months they have been better; but before that the ships were dreadfully crowded, and no proper food was put on board for children or invalids, so that when they got sick, under such circumstances, the mortality used to be very great.

William Hanson, Esq., called in and examined:—

Wm. Hanson, Esq. 1. By the Chairman: You are Government Printer? Yes; and Inspector of Stamps also.
2. How long have you held those offices? In March, 1854, I was appointed Government Printer, and in January, 1857, Inspector of Stamps.

24 Aug., 1858. 3. What is the annual expense of your department? Last year the gross amount was £14,751 8s. 5d.

4. How was that sum expended? For printing, bookbinding, and printing postage stamps.

5. Is that for wages? The principal sum is for wages to compositors and pressmen.

6. In fact it is stated in detail in the returns laid upon the Table of the House, and ordered to be printed, on the 17th June last? Yes.

7. How is the number of your men regulated? It depends upon the quantity of work in hand. During the Session we generally have a few more hands than in the recess. Since the introduction of Responsible Government each recess has not been more than sufficient to enable us to bring up arrears, and consequently we have kept about regular in number.

8. It is left with you to see that those men who are employed are properly worked, and to put on more men if the Government work requires it? Yes.

9. How are the demands for Government work made upon you regulated—has each department power to ask you to do any work it pleases? Yes.

10. Unlimited? Unlimited.

11. On requisition of any head of a department? Yes. The whole of the printed forms are supplied on requisition, and when I feel that they are exorbitant I generally refer to the Principal Under Secretary, who always co-operates with me in reducing them.

12. Have you many requisitions from the Colonial Storekeeper's Department for work of the character you allude to? No. In 1854 I found the jobbing work very oppressive, and I made an application to the Government to have the custody of the printed forms transferred to me, and in the following year, 1855, this was done. In the year 1854, 217,197 sheets of job printing were supplied to the Storekeeper's Department for issue; and in the year 1857, when under my charge, the number was reduced to 86,320 sheets.

13. Do you think the reduction was owing to stricter supervision? Entirely.

14. Can you suggest any means now, by the introduction of any new regulations by the Government, by which any better or more wholesome check could be put on the different departments ordering work which might be dispensed with? No, I do not think it at present. We know pretty well what forms are required by the different departments; and in case anything extraordinary is required, I always refer the matter back to the head of the department. Taking that precaution, I do not think there is any extravagance in the supply of printed forms at present.

15. The expense of your department goes on annually increasing—have you any large increase in the amount of work? A very great annual increase.

16. Do you find that the establishment of another House of the Legislature has increased the amount of printing very much? Yes, very much indeed.

17. Are there no means of keeping that printing down? I think it might be, perhaps, rendered less expensive.

18. There has been a correspondence on the subject, has there not, in the early part of this year? Yes.

19. What was the result—did it end in any very great reduction? No.

20. Do you think the printing might still be reduced? There are two or three points where, I think, it might be reduced. For instance, the issue of proofs of the printed Votes, which we are compelled to have out at eight o'clock in the morning, entails a very heavy expense during the sitting of Parliament.

21. In what way? It is insisted on that the Proof Votes shall be delivered at eight o'clock every morning, and however late the House may sit, the men have to be at their frames two or three hours later to prepare the Votes, ready to send away from the office at eight o'clock in the morning. As you are aware, the House sometimes sits the whole night, and the Superintendent and six or seven of the men are compelled to be there the whole night also. The overtime commences at seven o'clock in the evening, and the men are paid eighteen-pence an hour. This Session the average amount of such payments has been £17 18s. 10d. per week. That expense I attribute entirely to the Proof Votes.

22. How many men do you find it necessary to keep? We are uncertain whether the Votes will be long or short; they may run four or five pages, and we must be prepared in any case. I would suggest that ten o'clock in the day would be soon enough to get out the Proof Votes, and then that expense would be saved. I spoke to Mr. Donaldson, when he was Premier, to Mr. Parker, when he was Premier, and to yourself on the subject, and all concurred in the opinion that the early issue of the Proof Votes is unnecessary; but still Mr. O'Connor is immovable in the matter.

23. What is the total amount of this extra expense this Session? £383 14s. for twenty-two weeks.

24. Are the men detained in this way employed at any other work? They are; but you can understand that when they are waiting for the Votes, expecting them every hour, they do

do not go on with their work in the same spirit as at other times. When they have been there the whole day it is very oppressive. Wm. Hanson, Esq.

25. Do you keep the same men there all day and all night? Sometimes; but generally the men come back by turns, the Superintendent deciding the number each evening. 24 Aug., 1858.

26. Could you not take on three or four fresh men and give them fresh work until the Votes could be put in hand? We must have two sets of men then. No doubt in the early history of the Council it was necessary the Votes should be on the breakfast tables of Members; but the question is whether it is absolutely necessary they should be ready at eight o'clock.

27. You wish to postpone them till ten o'clock? Till half-past nine or ten.

28. How do you regulate the work of the establishment, do you supervise it yourself, or does the overseer? The Superintendent, Mr. Richards, and myself have the joint management of the department.

29. What number of persons are now employed in the Government Printing Office? You will see by the Return ordered to be printed on the 17th June last, that in July, in the year 1852, there were 55 hands; in 1854 the same number—(this was my first year); in 1856, when Responsible Government commenced, there were 60; and in April, 1858, there were 70.

30. Are these wages above or below the rates paid in private printing establishments? They are the ordinary rates of wages; not so high, of course, as if they were working by the piece. On the newspapers those on the "stab" get, at the present moment, £4 a-week, and the majority of mine get £3 12s., some few £4 a-week. There are four, who act as sub-overseers of branches, who get 15s. 4d. a-day.

31. I see you have thirty compositors, three pressmen, two readers, a publisher, three machinists, three assistants at the machines, besides apprentices—these men are all necessary? They are. I cannot keep the work under with them: I have a large accumulation now.

32. How many hours do they work for their daily pay? From eight o'clock in the morning till six in the evening, with one hour's interval, from one to two o'clock.

33. Are those the usual hours at other establishments? Yes. At seven they commence overtime.

34. How many men are generally employed overtime? Eight or ten usually. The men take it in regular turns; the same men who come back to-night do not come back to-morrow. We always arrange so as not to have the same set of men two nights following.

35. Is there no way you can suggest a reduction of the expenditure? No. You must understand that we have now an enormous amount of printing from the Railway Department.

36. That was not done at one time? No, only recently.

37. When? Within the last year.

38. Do you print all their tickets? No; they are done in the Railway Office, by a machine. I may here mention that the printing must necessarily increase: in 1854 there were thirty-one departments only; and in 1857 they had increased to fifty-two. Almost every Act of Parliament permanently entails a considerable amount of printing, in the shape of forms.

39. The heads of departments make their requisitions to you direct? Yes.

40. They do not even go through the Colonial Storekeeper? No; that was found to be a great nuisance, and the cause of great extravagance.

41. You refer to the Colonial Secretary's Department if you have any doubt as the propriety of any requisition? Yes.

42. You now have the Bookbinding Establishment attached to your department—how is that working? Very well indeed.

43. Can you state the amount of work done, as well as the present cost? I have tested it by comparison with the contract prices formerly paid for binding. Take, for instance, the Votes and Proceedings; there are one hundred sets of these bound, making, when there are three volumes, three hundred volumes. The contract price was 12s. 6d. per volume, and I found that we could do them very much cheaper in the office.

44. What do you think they cost us now? I cannot say exactly.

45. Do you think there is an equal reduction on other work? I should be very glad to alter my position, and do the printing for the Government by the piece, charging the trade prices for it.

46. Have you much work in arrear in the binding department? No; when the sessional volumes are out of hand, then we can get on very well with the binding. Everything that is bound for the Government is bound by me.

47. Do you do much for the Surveyor General's Department? Yes.

48. How is the Postage Stamp Department working? Very well.

49. What number of persons are employed on that work? One man.

50. What are his wages? £1 a day.

51. That is all you have? No one else. I have delivered every stamp with my own hands since I have had charge of the department. Last month I issued to the Postmaster above £4,000 worth of stamps, or at the rate of £50,000 a-year, and one man prints the whole of them.

52. What was the expense of the department when it was transferred to you? I think it was about £3,000 a-year.

53. What is this item for printing and gumming postage stamps? That is for printing. The materials are in a separate item,—£350 for printing and gumming, and £150 for materials.

54. Is it necessary to give £1 a day to the man employed on this work? Yes; if you saw the nature of the work you would think so.

55. Is he a mechanic? He is a copper-plate printer. The former printer, before I took charge, was paid half-a-crown a thousand for printing the stamps. There are 120 heads on each plate, and he could easily work off every day 18,000 stamps, thereby earning at the rate of about £700 per annum. I find that one man does the printing very well.

- Wm. Hanson, Esq.
24 Aug., 1858.
56. And can go on supplying the requirements of the department? Yes, and could do half as many again.
57. *By Mr. Parkes*: Can you give us a return of the number of stamps, distinguishing the number of each kind issued from the beginning of last year? I will prepare a return. (*Vide Appendix A.*)
58. *By the Chairman*: Have you yet commenced working the lithographing branch? I have not. I am just about to commence it.
59. You have got the room erected? Yes.
60. Until that was done you could not begin? No.
61. When will it be in operation? In less than a fortnight.
62. Have you got all the materials? Yes.
63. Do you think there will be a reduction in the expense of lithographing? I am quite satisfied of it.
64. Besides adding to the convenience of the public service? Yes. The printing of the debentures is a very considerable matter, and all these have the initials of the Colonial Treasurer printed on every coupon; now we have to send them to a lithographer in town to have the initials of the Treasurer printed on them, but in future we will do it ourselves.
65. You are satisfied that you use every proper vigilance in keeping down the expense of your department? Quite so.
66. *By Mr. Parkes*: Is much printing done in your office which does not come before the public—I may call it amateur printing—for the different departments, when any scheme is propounded by any head of a department who wishes to see it in print—do you ever do much work which is set up, a few proofs struck off, and then the matter distributed? Never, except for the Government.
67. Do you do much of that? No: the Estimates undergo a great deal of revision.
68. *By the Chairman*: How is the admission of apprentices into the department regulated—does it rest entirely with yourself? It does.
69. Do they not generally turn out well? Some of them; but I have had a great deal of trouble with one or two.
70. For how many years has your department been receiving apprentices? I found the system in operation when I took charge of it.
71. Do you find any desire on the part of the youth of the Colony to become apprentices? Yes. I have fifty applications now.
72. Do they remain when they come? Yes.
73. Do they turn out good printers? Yes; I have some of the best printers in the Colony, who were apprenticed there.
74. Who have served their time, and still remain? Yes. The present Superintendent has been there many years; he entered as an apprentice, in 1846, and has remained ever since.
75. What is his name? Richards.
76. Do many of the apprentices turn out well? The majority of them do.
77. Do you not encourage them by some small pay? Yes; but they are troublesome, because we are obliged to select a man to take each boy under his charge.
78. Does that man get anything for that? No. It is also a responsibility on my shoulders in having them bound; and if they misbehave I cannot well get rid of them.
79. Do you not take the boys on trial? Yes.
80. What is the rate of pay given to them? It commences at 2s. a day, and increases up to 5s.
81. *By Mr. Piddington*: I find there is one at 6s. 8d.? Yes, but he is not an apprentice. I have here a Comparative Statement of the annual expense of the Government Printing Offices in Victoria and New South Wales. In Victoria, the annual expense is £31,264; in New South Wales, £12,687. These amounts are exclusive of the cost of paper and parchment in both cases. (*The witness handed in the Statement referred to. Vide Appendix B.*)
82. Do you know the revenue of Victoria? I do; it is large.
83. *By the Chairman*: What do you do with your old type? Three-pence per pound is allowed for it, and deducted from the price of the new type.
84. How long does new type last you? It lasts a considerable time; but it depends on the way it is used. We are constantly compelled to add new type; but I have not thrown any old type into the melting pot, excepting waste.
85. I thought you were prepared to make some suggestions relative to Parliamentary printing, with a view to a reduction in the expense? The printing of the proof Votes is the subject which deserves your consideration, as regards economy. The correspondence you have referred to was with regard to papers laid on the Tables of both Houses, by command. That is a matter that would lead to economy if it were set right. When a paper is laid on the Table by command, the practice at home is to look upon it as a Parliamentary Paper, not as a paper the property of either House; and all papers of this kind form a parliamentary volume at the end of the year. Here, it is moved in your House that it be printed, and the words "ordered to be printed by the Legislative Assembly" are put upon it; the same thing is done in the Legislative Council with the same paper, and consequently a double distribution necessarily takes place of that document.
86. *By Mr. Jones*: What is the general rate of printer's wages in Sydney at present? £3 12s. a-week.
87. How is it you pay a number of your hands something higher? I can state that this arrangement works well; it encourages the better class of workmen to come into and remain in the office, on the certainty of promotion whenever a change takes place. Those who receive the higher pay are really superior men, and have been in the office many years. They understand the Parliamentary work better than any others; and they receive 1s. 4d. a-day more than those who are not on what is called the "stab." The others are supernumeraries, discharged and taken on as occasion may require. Many of these, I may say, have been in the office for a very long time, and they are first-rate workmen.

88. Is not £3 12s. a-week the very highest rate of pay in jobbing offices? I think it is. Wm. Hanson, Esq.
89. Are you aware whether any are paid a lower rate than that? I have heard of some being paid £3 6s.
90. Do you think you are bound to retain these men at 18s. 4d. a day, supposing wages fall below what they are now? I do not think you can obtain good men like these at £3 12s., to work the same number of hours. Besides, it is a great advantage to be able to retain men who have, by years of service, become experienced in the business of the office. Our work differs very much from that of newspaper and jobbing offices, and really good compositors require to be with us some time before they can be considered efficient. It would be bad policy to run the risk of continual changes by reducing the wages too low.
91. What hours do they work? From eight o'clock to six, with an hour's interval.
92. Nine hours work? Yes.
93. What are the hours in printing offices generally? I worked from six to six, with two hours interval, when I was employed in that way.
94. Those are the regular hours, are they not? Yes.
95. Then your men, in addition to being paid something more than the regular wages, work one hour a day less? Yes.
96. What is the necessity for that? It has always been the rule.
97. Supposing that in ordinary establishments the men worked nine hours, do you think your men would work ten? I think whatever agreement is made with the men we are bound to carry it out.
98. I presume your agreements are from fortnight to fortnight? Yes.
99. Do you think the men would continue to work ten hours in your establishment if others worked only nine hours? I scarcely know what would be their action in the matter.
100. Can you see any reason why the Government should pay more than the current rate of wages to men who work a less number of hours? In my office the men are very superior men, and they have not the advantage, which other men have, of earning more than a fixed rate. If they were paid by the piece, they would earn much more—as much again. It is that the office is more comfortable that keeps them there. They are a very superior class of men, and I consider they are better worth £4 a-week than many are worth £3 6s.
101. *By Mr. Parkes:* Would your men earn £8 a-week if paid by the piece? I think they would. I would be very glad to do all the Government printing at a fixed rate instead of the way it is done.
102. *By Mr. Jones:* Do you think if you were to assimilate your hours to the hours in other establishments these men would leave you? Yes; I should have the greatest disturbance in the office.
103. Where would they go to? I do not know. I should be very sorry to be obliged to carry that out.
104. Is it a fact that printers are willing to leave any establishment in town to come to the Government Printing Office? Yes.
105. Do you not know that many are desirous of escaping the night work at the daily paper offices? Yes. But at the same time I have had men leave me to go to night work, because they could earn more.
106. But these were exceptions, I presume—the rule is that men desire to leave other offices to come to yours? Yes.
107. What is the rate paid to apprentices in other establishments? I do not know at all.
108. Does it not occur to you that the rate of wages paid to apprentices at the Government Printing Office are very high, ranging from 2s. a day up to 6s. 8d.? The one who is receiving the 6s. 8d. is not an apprentice. According to their indentures they are bound to serve at such rate of wages as the Governor for the time being shall award, so that they do not fix the rates; it depends on what we think they are worth. In the year 1850 they were receiving from 1s. 8d. to 2s. 6d. per day; some of my boys are now receiving 2s., and the majority of them 3s.
109. *By the Chairman:* When do you raise them? Generally on promotion from one branch of the office to another.
110. *By Mr. Jones:* Do they not rise from year to year, regularly? Not regularly.
111. *By Mr. Piddington:* How many apprentices have you? Twenty-six.
112. How many below 3s. a-day? Only four below 3s.
113. And twenty-two above it? Yes. Ten of them have 3s.
114. *By Mr. Jones:* For what time are they generally bound? So that they shall be out of their time when they become twenty-one years of age.
115. Do you believe that the work is done cheaper by men on the “stab” than it would be by piece-work? Yes, very much.
116. Have you ever made any computation of what the probable cost of the Government printing would be if it were done by piece-work? I have carried to each department an exact account of the work done since I have been there, each item separately. You could get an independent person to price it.
117. You have never priced it yourself? No. I know, from the quantity of paper we use that it would amount to a large sum. We average 250 reams of double-foolscap per month.
118. You are quite sure it would be more expensive by piece-work? Yes; I am quite sure the expense would be very enormous, from the corrections the different documents undergo.
119. It would be very difficult to do much of the Government work in that way, on account of the corrections, would it not? They do it at home; no printing is done except by piece-work. There are five printers who print for the Government, and they all charge by the piece.
120. *By Mr. Piddington:* They print by contract, do they not? Yes.
121. And Hansard as well? Yes. Harrison prints the *Gazette*, Hansard the debates, Spottiswoode prints for the House of Commons. There everything is paid for by the piece.
122. According to a fixed scale of prices? Yes.

- Wm. Hanson, Esq.
24 Aug., 1858.
123. There are thirty men in this Return put down as compositors—do you retain these thirty during the whole year? No.
124. How many do you generally discontinue? At the present moment I have two less than this number. When this Return was made up there was a pressure of work, and we had two men employed who have since been discharged. When the Session is over, it will take, perhaps, two months to get up arrears, and then I dare say I shall be able to discharge four or five—say four.
125. You discharge four as an average number for part of the recess? Yes.
126. Can you give the Committee any information as to the cost price per ream of paper and parchment used in the Printing Office, distinguishing the different kinds of paper? I can have a Return made out. (*Vide Appendix C.*) The amount voted is £3,000 for paper and parchment.
127. Do you perform all the bookbinding for the various Government offices? No one has any authority to get it done anywhere else.
128. You do it all? Yes.
129. *By Mr. Parkes:* Do you do the binding for the library? Yes.
130. *By Mr. Piddington:* Every description of binding? Yes.
131. Elegant work as well as common? We have no elegant work to do.
132. When you speak of binding for the library, what binding do you mean? Plain half calf.
133. *By Mr. Parkes:* You do not bind printed books for the library then? Yes.
134. *By the Chairman:* You can do the most finished kind of binding? Yes.
135. *By Mr. Piddington:* Have you any finishers? Yes.

APPENDIX A.

A RETURN of the number of different kinds of Postage Stamps issued to Postmaster General for the Years 1856 and 1857.

VALUE OF STAMP.	ISSUED 1856.	ISSUED 1857.
One penny	968,262	1,050,720
Two-penny	1,794,116	1,965,960
Three-penny	205,559	92,280
Five-penny	700	2,900
Six-penny	172,228	312,900
Eight-penny	10,664	12,600
Shilling	47,308	91,419
Register (6d.)	74,590	87,200
	3,273,426	3,615,979

W. HANSON.

APPENDIX B.

COMPARATIVE Expense of Printing Offices, Victoria and New South Wales. 1858.

VICTORIA.	NEW SOUTH WALES.
Government Printer, with House, Fuel, Light, and Water	Government Printer and Inspector of Stamps.....
Overseer	Superintendent
Three Clerks—£500, £350, £200 ..	Accountant
Two Sub-Overseers—£450 & £400 ..	Wages to Compositors and Press- men
Wages to Compositors and Pressmen	Overseer of Binders
Overseer of Bookbinding	Wages of Binders, Sewers, &c. ..
Wages of Binders, Sewers, &c.	
CONTINGENCIES (exclusive of Paper and Parchment)	CONTINGENCIES (exclusive of Paper and Parchment)
LITHOGRAPHING	LITHOGRAPHING
POSTAGE STAMPS. Inspector of Stamps.....	POSTAGE STAMPS. Printing and Gumming; purchase of Materials, and other Contin- gencies
Printing, &c. (not Materials)	
£34,864 12 0	£14,087 10 0

* This sum does not include the entire cost of printing Postage Stamps. They are printed by contract, and I have no means of ascertaining the annual expense.

APPENDIX C.

Wm. Hanson,
Esq.RETURN of the Current Prices of PAPER and PARCHMENT used in the Government
Printing Office.

24 Aug., 1858.

	PER REAM.		PER REAM.
	£ s. d.		£ s. d.
Cartridge, Royal	1 11 0	Medium, Ruled, Writing	1 14 0
Do. Imperial		Do. Writing	1 14 0
Crown Double, Printing		Post, Bank	1 5 0
Demy, Writing	1 8 0	Do. Printing, Folio	0 18 0
Do. Ruled	1 8 0	Do. Medium do.	1 5 0
Do. Printing Single	0 16 0	Do. Quarto	0 9 0
Do. Colored do.	0 16 0	Do. Cream Laid, Folio	0 18 0
Do. Blue	0 16 0	Do. do. do. 4to	0 9 0
Do. Double, Colored	1 10 0	Royal, Printing, Double	2 5 0
Do. do. Printing	1 10 0	Do. do. Single	1 2 6
Foolscap, Double, B.W.	1 0 0	Do. Writing	2 2 0
Do. do. Colored	1 0 0	Do. do. Ruled	2 2 0
Do. do. Yel. Wove	1 0 0	Do. do. Super.	2 12 0
Imperial, Ruled	4 10 0	Tissue Paper, White	
Do. Writing	4 10 0	Parchment, 24 x 34, per Roll	7 10 0
Loan Paper, D. C., Yel. Wove	7 10 0	Do. 14 x 17, do.	1 18 0

I beg also to append the following statement to my Evidence:—

The Printing, actual and estimated, for the Assembly during the present Session (up to this date) amounts to 3,200 pages, being nearly double the quantity performed in the entire Session of 1857. In this calculation no account is taken of Bills, Proof Votes, Contingent Notice Papers, Memos., Additional Clause to Bills, Proofs of Estimates and corrections, and Returns which were not laid officially before the House.

In the Council Printing there has been a considerable increase upon last Session.

Since the Session commenced 2,095 Debentures have been printed and stamped.

WM. HANSON,
Government Printer.

24 August, 1858.

FRIDAY, 27 AUGUST, 1858.

Present:—

Mr. COWPER,

Mr. JONES,

Mr. FORSTER.

THE HON. CHARLES COWPER, Esq., IN THE CHAIR.

Robert Allen Hunt, Esq., called in and examined.

1. By the Chairman: What is your designation in the Post Office? Superintendent of the Letter Branch of the Post Office. B. A. Hunt,
Esq.
2. Of the Revenue Branch? Of the Letter Branch
3. Are you confined generally to one particular branch of the office? Yes, to the one particular branch. 27 Aug., 1858.
4. What branch is that? The Letter Branch.
5. The receipt and delivery of letters? Yes.
6. How long have you been in the Post Office? Upwards of twenty-five years.
7. And during that time you have paid a visit to England? Yes.
8. While there did you make inquiry into the working of the Post Office there? Yes, I attended there regularly. (*The witness handed in two letters that he received from the Secretary of the General Post Office, London. See Appendix A*)
9. At the London Post Office? Yes. I got permission from Lord Canning to attend whenever I liked; he gave me an authority to attend every evening I wished.
10. During that time did you obtain much information as to the working of the department? Yes.
11. With reference to the working of the department in Sydney and the working in London, what is your opinion? They are similar, or nearly so, as far as I could see.
12. With regard to the number of persons appropriated for the operations of your department in Sydney, have you sufficient, or more than sufficient? I have sufficient. If we had a proper building the same number would suffice for five years to come.
13. As it is at present could the number be now reduced? Not at present.
14. If you had a new building? Yes; the same staff would do for five years to come.
15. In your particular branch? Yes. I have eighteen clerks under me. There are ten apertures in the Letter Branch for the delivery and receipt of letters and sale of stamps; and whether the public come or not I am obliged to keep clerks there.
16. Are you entirely confined to the building in the yard? No; I am in the front and back. I have eight rooms to look after.
17. In the two separate buildings? In the three separate buildings.
18. It is owing to that, that you require additional persons to do the work? Yes, by the offices being detached.
19. Supposing you had proper accommodation, what number of persons less could you do with? Perhaps, on a rough calculation, I think two. In the Shipping Room there are two clerks placed to act there between seven o'clock in the morning till six o'clock in the evening.

- R. A. Hunt, Esq.
27 Aug., 1838.
- There is not sufficient work for them to do except when the packets are coming in and going out; but we cannot detach them from that room—they must be there.
20. At present all your officers are fully employed? Yes. The only reduction I could make would be in the number of boatmen. I think two boatmen would be sufficient.
21. Is it necessary to have a special boat for the Post Office—could not the boat service be undertaken by the departments generally? I have made a memorandum of what I think ought to be done, if you will allow me to read it: "Before you attempt to carry out any retractionment you must give the public servants an incentive, as follows:—promotion by merit, progressive payments, pensions or life insurance, because at present they have nothing to hope for; hence they have become dogged and lazy; therefore, until their condition is ameliorated, the labor of the Committee, in my opinion, will be fruitless." I have examined the Estimates —
22. You mean of the service generally? Yes. "It appears that there are ten accountants, with salaries varying from £100 per annum to £530, distributed among the various public offices to examine the accounts before they are sent to the Audit Office, where they are re-examined by a third class clerk with a salary of about £200. But there is one exception to the above, and that is the Custom House—the Accountant of that department is located in the Audit Office. In fact the accounts of the Letter Branch, for stamps and postages, amounting to £20,000 annually, are checked by a clerk having a salary of only £100 per annum."
23. Checked by you? No; checked by a clerk in the Accountant's office.
24. Does not the Superintendent exercise a supervision? No; it is checked by a young man named Howell. Then the commission for selling postage stamps is too high. It is now ten per cent., and in England they only allow three and a-half per cent.
25. You think some alteration ought to be made? Yes. I suggested that the five per cent. usually allowed to private individuals should be discontinued, and that the ten per cent. allowed to country postmasters and stamp sellers be reduced to five.
26. Who do you allude to now? This reduction of ten per cent. is allowed to the stamp sellers and the country postmasters. In England they only get three and a-half per cent. allowed them.
27. You would have it fixed at that rate? I think that would be almost too low.
28. What reduction would you make? I would reduce it to five or six per cent.
29. What saving would that make? About £1,000 per annum. There is from £18,000 to £20,000 worth of stamps sold in a year.
30. Can you suggest any reduction in the boat service in your department? I would suggest a Government Boat Depot to be formed, or give boat hire in lieu to the parties entitled to it, in the same manner as the Government make allowance for forage for horses.
31. You would allow boat hire? Yes. I would allow the officers of the Post Office to hire when a sufficient crew could not be obtained at the depot.
32. Would it work well in your department? Yes.
33. You would have to pay boat hire for every vessel you received the mails from? We require two boatmen, and if we wanted additional boatmen we could hire them. Two boatmen are quite enough for our department; but in case emergency should arise there ought to be an authority to hire.
34. You think the service might be performed more satisfactorily by hiring boats? I think a great saving might be effected by the plan I have proposed.
35. What arrangement would you make? I would allow boat hire when required, and let the heads of the departments send in their accounts.
36. Are there persons willing to contract and place their boats at the disposal of the Post Office? Yes.
37. Boats sufficiently large for carrying the mails? Yes; we have had offers.
38. You would be put in the same position as the shipping reporters of the newspapers? Yes, exactly, with regard to hiring additional hands, if necessary.
39. You think it would reduce the expense? Yes, I know it would. When I want a boat I don't want four men to pull me over when I can be pulled to where I am going by one man, at the cost of one shilling or two. There is another thing which I wish to allude to: The officers of this department ought to open all tenders for the conveyance of mails, and be held responsible, instead of the present irresponsible Board. I am confident a very large saving may be effected if the above is adopted.
40. What officers of the department do you allude to? I mean the senior officer (the Postmaster General); I allude to myself and the Secretary. We ought to open the tenders, the same as the Commissariat do.
41. Do you mean that all the Commissariat officers are assembled together at the opening of tenders? A certain number are appointed, and open them.
42. You think that some of the higher officers of the Post Office, besides the Postmaster General, ought to have some voice in this matter, and that the public service would be better performed thereby? I think it would. I don't know myself, but I hear a good many remarks about it at present. The next thing is, that the postage for inland letters ought to be raised to four-pence, or assimilated with that of Melbourne, which is sixpence. No very great objection could be raised against it, as the department does not pay its own expenses.
43. You say the uniform rate for inland letters in Melbourne is sixpence? No; sixpence is the uniform rate in Melbourne on letters sent out of the Colony, but from one post town to another it is four-pence, and for town letters two-pence; and it has brought in a very large increase to their revenue.
44. On the ground of public policy, do you think it desirable to raise the present rate? I think you might, to four-pence. The department does not pay its own expenses. This would

bring

bring in £10,000 or £15,000 a-year, without any grumbling. It was I who suggested the two-penny rate in 1849 to the Government, and they adopted it. The next thing is, that the postmasters should be compelled to pay the full amount of postage stamps, instead of allowing them to retain a quarter or twenty-five per cent. R. A. Hunt,
Esq.
27 Aug., 1853.

45. You mean the district postmasters? Yes. In England they are allowed a small stock to commence with, but they must pay up for all they receive afterwards in cash. The stamps sold amount from £40,000 to £50,000 a-year, and if the country postmasters paid for their stamps on delivery it would relieve the Accountant of a great deal of work.

46. You mean they should pre-pay? They should get a certain stock, and pay on delivery for all they receive afterwards.

47. *By Mr. Jones*: Do you see any necessity for giving them any stock, even to the amount of £10—why not make them pay for it beforehand as well as any body else? Yes, they should. In fact they pass as bank notes in the country.

48. *By the Chairman*: You say this allowing the district postmaster to have stamps on credit adds to the work of the Accountant? Yes.

49. *By Mr. Jones*: If he paid for the stamps as he got them it would require no more book-keeping than if they sold the stamps at the window? No more. There is another thing I have to suggest,—that there should be two floating offices in Sydney, so that letters could be received up to the last moment of the steamers leaving. As soon as the third bell rang the bag could be tied up, sealed, and put on board. This would be a great accommodation to the inhabitants. I would have one erected on the Hunter's River Wharf, and the other on the Circular Quay. They should be something like the one or two wooden houses you see there now. I would not make up mails except for London *via* Southampton and Melbourne; there should be no intermediate mails made up. When the Postmaster General was examined I drew his attention to the matter, and suggested that some arrangement should be made for a late mail by the Melbourne steamers. It would be a great convenience to the public.

50. *By the Chairman*: It is asserted that your office closes two hours before the steamers leave for Melbourne? It closes at half-past two o'clock, and the steamers are supposed to leave at three o'clock, in fact generally do so.

51. During the last half hour a large number of letters are sent down to the vessel with the postage stamps not obliterated, and very frequently they come back again as a remittance? I dare say this practice is pursued.

52. Don't you think some means could be adopted for making your department more efficient? I think the way I suggested would.

53. And your suggestion with regard to floating offices only refers to the English mails? I would have one on the Circular Quay, and one on the Hunter's River Wharf, for English Melbourne letters. This is not a new idea of mine, I made the suggestion before, when I came back from England.

54. What would be the expense of these offices? Very little beyond putting up a box about the size of a sentry box; I could send a clerk down an hour before the steamer left, who would receive the letters till the third bell rang, and then tie up his bag, seal it, and put it on board. I will now state the number of clerks, &c., under my superintendence.—In the Inland Room there are 7 clerks, 2 stampers, 15 letter carriers, 2 messengers, 2 mail boys. In the Delivery Room 5 clerks. In the Foreign Room 2 clerks, 1 stamper, 1 shipping officer, 4 boatmen. Registry Office, 2 clerks. Sale of Stamps, 2 clerks. Dead Letter Office, 1 clerk. Newspaper Delivery and Receiving Rooms, 6 sorters. Total, 52 for eight rooms, and 1 Balmain letter carrier. There is an additional clerk on the Estimates for the Dead Letter Office now, because the business has so much increased. The Postmaster General tried to draft a clerk from the Foreign Office, and put another clerk in the Dead Letter Office, but the officers in the Delivery Room found it attended with great inconvenience, and it could not be carried out.

55. As a whole, do you think the persons employed are not more than necessary? Not more, except the two boatmen; I think the number of boatmen excessive; I think two boatmen would be sufficient.

56. *By Mr. Jones*: When you speak of two boatmen, do you mean two boats' crews? No; I mean a boat and two men; we have now four men. I intend to suggest again that we should have a third delivery in Sydney, with a slight increase in our staff. I could have a third delivery in the afternoon within a certain radius, say as far as the Haymarket to the south and the full extent to the north. In that case I should require two letter-carriers. I think these two men might do that duty, and I would make them available to pull if required. The average number of mails that have to be received and despatched from seven in the morning till six in the evening are 140.

57. *By the Chairman*: Daily? Yes. The average number of letters passing through the Post Office daily are 6,500, and the number of persons employed in the Inland Letter Office are 7 clerks and 2 stampers. There are 5 clerks attached to the Delivery Office, whose duty it is to sort all letters addressed to private boxes, and those addressed to the Post Office. The average number of letters is 1,000 daily, including 90 registered, each of which has to be entered, and a receipt taken prior to its delivery. There are at least twenty applications requiring the re-direction of letters, and all these have to be attended to, and a record made of the address. The number of private boxes in use is 258; the holders pay £1 1s. per annum for them; the great bulk of the mercantile and banking correspondence of the city is delivered through them. There are also 35 boxes apportioned to the public departments, but upon these the Post Office receives no fee. The number of letters re-directed after the arrival of the London Mail, irrespective of the daily average, is about 500. The people in England direct to the Post Office here, and they have to be re-directed to the streets and localities in the country where the parties reside. This takes up a great deal of time. Although the clerks in the Delivery Office are not at work all day they must stand at the window

H. A. Hunt, Esq. window to answer the public whenever they come. The following is a Return of the number of mails, letters, and newspapers, passing through the Foreign Letter Office, during the quarter ended 30th June, 1858.

27 Aug., 1858.

	RECEIVED.			DESPATCHED.		
	Mails	Letters	Newspapers	Mails	Letters	Newspapers
Europe.....	423	53,656	73,139	387	58,731	65,058
Asia.....	83	2,407	3,531	144	2,226	2,646
Africa.....	17	208	202	42	264	358
America North.....	12	682	447	30	553	585
Do. South.....	...	...	...	52	117	244
Australasia ..	291	32,504	19,692	500	35,528	19,257
Polynesia.....	11	504	61	57	441	558
TOTAL.....	837	89,961	97,072	1,212	97,860	108,706

These returns are made up by two clerks, who some days have little or nothing to do; on this account, although these two young men sometimes are at work till 10 o'clock at night, they get no extra pay for overtime. That is the way we work it out of them for the days they have little to do.

58. Are they there every day? Yes.

59. What are their regular hours? From 7 to 6 o'clock. One goes on from 7 to 9, the other then goes on—and so at dinner time. The number of registered letters received and despatched from the General Post Office, Sydney, during the month of July, 1858, was as follows:—Received—Ship, 387; North Road, 1,512; South Road, 1,944; Western Road, 1,296. Total, 5,139. Despatched—Ship, 1,042; Inland, 2,088. Total, 3,130. Number of letters received and despatched, 8,269. The inland registered letters received are entered in the road books whence received—when those for town delivery and the morning mails are signed for at once by the letter carriers and clerks who make up these mails. Those designed for despatch by the evening and ship mails are re-entered in the Registry Office in the necessary books, from which they are transferred to the sheets or letter bills which accompany the mails. I now come to the Stamp Office. The following is a return of the stamps issued in the Colony during the years 1855, 1856, 1857, and 1858. In 1855 the whole issue in New South Wales was £26,474 4s. 3d. In 1856, £30,378 15s. 7d. In 1858, £37,008 7s. 4d., and for the half-year ending 30th June, 1858, £20,731 18s. 1d., or at the rate of £41,463 16s. 2d. for the year.

60. Would you not facilitate the sale of stamps by having other stamps than those already in use? I don't think you would save any thing by doing so. If you had stamps of a higher value you would open the door for forgery.

61. You don't think it would be desirable to have other stamps? No. Some years ago I called the attention of the Government to this fact. Before they got paper with the water mark they used to impress their plates on foolscap or letter paper, and it was very easy to imitate the stamps. It appears that a man who was here a short time ago was taken up in Melbourne for this very act, and a large quantity of forged stamps were found under his bed, and he was prosecuted for it.

62. You never tested the system of perforating the stamps, to facilitate the putting of them on? No; that is the fault of the Government, not mine. We had a man who offered to perforate; but they objected to the expense.

63. It would not require any great expense? I think not; but I did not ascertain the expense.

64. Would it not be a convenience to the public? Yes; you could then snap the stamps asunder at once. The two gentlemen employed in the Stamp Office are Mr. Henry Reeve and Mr. F. E. Salisbury; their hours of attendance are—Mr. Reeve, from half-past 9 o'clock to half-past 4; Mr. Salisbury, from 9 to 6 p.m., with two hours intermission. The retail window is kept open nine hours for the sale of postage stamps, daily. Mr. Reeve has charge of all postage stamps issued to every part of the Colony, and obtains his supplies on requisition to the Inspector of Stamps, under the signature of the Postmaster General. For the purpose of keeping account with postmasters, public officers, &c., five books are kept by Mr. Reeve, giving an account of the amount charged to each postmaster and public office. On despatching stamps to the country they have to be checked, packed, and bills sent with each parcel, shewing the amount charged and discount allowed to each postmaster. Mr. Salisbury is employed for the most part in selling stamps retail, but is often required in assisting Mr. Reeve in checking the number and value of stamps despatched, when, of course, Mr. Reeve has to attend to the retail window. Mr. Salisbury has to keep two books, one shewing the daily retail sale of stamps to the Sydney public, and the other the discount sales made to stamp sellers and suburban office keepers, who are licensed to sell stamps, and are allowed discount at the rate of ten per cent. It will be seen that the responsible duty of issuing stamps for the whole Colony devolves on two clerks. The issue for the present year cannot be estimated at less than £41,000. The following was the issue for the year 1857:—Sydney, public, £17,082; public offices, £1,530; postmasters, £18,455. Total, in round numbers, £37,067. The return of stamps issued for the quarter ending the 31st of March, 1858, was—Sydney, public, £4,482 6s. 8d.; public offices, £414 1s. 8d.; country postmasters,

masters, £5,090. Total for the quarter, £9,986 8s. 4d. Now this gentleman, therefore, R. A. Hunt, Esq.

65. What is his designation? Seller of Stamps. He is a clerk of the third class.

66. Who hands over to him the number of stamps he has to sell? He is supplied on requisition to the Inspector of Stamps, under the signature of the Postmaster General. He gets the stamps from Mr. Hanson. 27 Aug., 1858.

67. Is it entirely between the Postmaster General, Mr. Reeve, and Mr. Hanson? Mr. Reeve draws out a requisition every morning, and it is taken up to the Postmaster General for his signature; when signed, Mr. Reeve takes it to the Inspector and receives the number of stamps required, which are entered in a book. This book is checked between Mr. Hanson and himself every month.

68. Only a monthly issue of stamps? The accounts are checked every month. He may draw his stamps every other day, or so as he requires them. He sends up his money every morning to the Cashier. Here is a copy of receipt of money from Mr. Reeve:—

NEW SOUTH WALES.

No. 931.

*General Post Office,
Sydney, 26th August, 1858.*

Received from Mr. Reeve the sum of Thirty-eight pounds eight shillings and two-pence, sterling, being

For Stamps	38 8 2
Postage .....	.....
	<hr/>
	£38 8 2

£38 8s. 2d. Stg.

For the Postmaster General,
T. K. ABBOTT,
Cashier.

69. What is the salary of this gentleman? £240 a-year.

70. What is his name? Henry Reeve.

71. Does he give security? Yes, the usual security of £100. He is recommended to be put on the second-class in consequence of his responsibility.

72. Don't you think it would be better if the Secretary or the Postmaster General made the requisition for the stamps and received them? It passes through them; the requisition passes through the Secretary to the Postmaster General.

73. The Secretary has cognizance of it? Yes.

74. It is not possible for the clerk going to Mr. Hanson to get them at once? Certainly not. Mr. Peel Raymond, when Inspector of Stamps, would not give them on my requisition; they must be given only on the requisition signed by the Postmaster General.

75. What I wish particularly to know is, if the Secretary exercises any supervision between the Postmaster General and Mr. Hanson? He does not. Mr. Hanson is an independent officer.

76. As I understand you, the clerk goes to the Postmaster General and gets his authority, and then goes to the Inspector of Stamps and gets them. What I wish to understand is, whether the Secretary is not the proper person to hand them over to this clerk? It might be so; it is immaterial.

77. It is a large amount of stamps to pass through the hands of a subordinate clerk? He pays the money he receives every morning to the Cashier.

78. Who checks him? A clerk in the Accountant's Office.

79. Do I understand you to say that the Secretary has control over this? The requisition is filled in by Mr. Reeve and sent up to the Secretary, and from the Secretary it goes to the Postmaster General for his signature—all these things pass through the Secretary's hands.

80. Now, with regard to the management of the department generally, don't you think a great deal of this machinery is very complicated? In part, very complicated. The offices of Secretary and Cashier are filled by one person. I think these duties are antagonistic, and I stated so four or five years ago. If any defalcation did take place I don't say that such is at present possible, the Secretary being a very meritorious man. But these things might occur where the Cashier was a defaulter and the Secretary would be required to report himself.

81. Who ought to do the duty of Cashier? I think a clerk under the Postmaster General's own observation.

82. Could not the Postmaster General receive the money and take charge of it? He might; but if he had not time a clerk could do it.

83. What are the duties of Postmaster General, besides supervision? I think the principal things are the contracts and supervision. On the 11th of August the amount received was £299 15s. 4d.; on the 10th of August, £142 9s. 6d.; and on the 12th of August, £134 19s. 11d.; that is the Cashier's receipt to him for the money. Now, with reference to Mr. Reeve, he keeps a number of books: (1.) Requisition book for obtaining stamps from the Inspector of Stamps. (2.) Stamp issue in account with the Inspector of Stamps, a Dr. and Cr. account of all stamps issued. (3.) Book for registering requisitions made by postmasters and public officers for stamps. (4.) Book with an account of damaged stamps returned from the postmaster, and are exchanged for undamaged by the Inspector of Stamps. (5.) Cash book containing cash received from the Sydney public, for stamps retail and at a discount.

84. Are there more books kept than are necessary? The original books are kept in the sale of stamps room; the duplicates or copies are kept by the Accountant; and if ready money were paid for all stamps we could dispense with nearly all this book keeping.

85. How many clerks would that render unnecessary? Perhaps two, on a rough calculation: if the postmasters paid cash, the amount could be sent to the Cashier the following morning.

- E. A. Hunt, Esq. 86. You have to sell stamps on credit throughout all the districts? Yes. I would make some remark with reference to the commission of ten per cent.: I think the rate allowed is too much.
- 27 Aug., 1858. 87. With regard to the mode in which the department is conducted, you are not prepared to recommend any reduction or modification of the system by which the officers could do the duty? I have already stated that two clerks under the Accountant ought to do it.
88. Take the higher branches—you have a Postmaster General, the Secretary, and yourself; and the Accountant is another head—do you find that all these divisions of the department facilitate business or not? I think the offices ought to be amalgamated—the place is split up.
89. By Mr. Jones: In too many heads? Yes.
90. By the Chairman: Would it simplify the matter and make it more economical if there were fewer, as regards yourself for instance? I don't like to speak about myself, but there is no officer that has received greater reductions than I have. In the year 1850 I received fees amounting to £180, and the Government took them from me, and gave me £140. The same fees would now amount to £1,000 or £1,200.
91. What fees? The fees on registered letters. The fees I suggested and had introduced were on late letters, private boxes, and registered letters; the Government then allowed me to keep the registration fee, by the old Postage Act. I made out a return of the fees I received, and they struck the balance and gave me £140; now the same fees amount to £1,200.
92. Is there any necessity for the distinct office of Secretary? The principal thing is the correspondence I think. The Secretary is a gentleman who was brought into the office under me; he is practically acquainted with the whole routine, and I don't think Major Christie could get on without him, from his knowledge of the department. He was with me in the office, and Mr. Stone; and prior to 1850, if it had not been for them the business of the office could not have been carried on.
93. The Postmaster General signs his own letters, chiefly, and the Secretary does the correspondence? Yes.
94. He is really not Secretary, but Chief Clerk? Every thing I see is signed "For the Postmaster General."
95. The Postmaster General is the actual party who signs? I don't think the Secretary is allowed to sign any letters. Here is a receipt for 1s. 4d., signed "For the Postmaster General, T. K. Abbott, Cashier."
96. What are the duties of Cashier? He takes the money, and signs the postage receipts for the Postmaster General.
97. What is that receipt for 1s. 4d. for? That is the postage received from a letter-carrier. The postage received from the letter-carriers amounts altogether to about £600 a-year.
98. If I understand you with regard to the sale of stamps, the clerk gets them from the Government Printer; but who receives the cash for these stamps? The next morning the clerk gives the Cashier the money he has received during the day.
99. Who supplies the stamps to the country districts? Mr. Reeve supplies them. All the moneys received from the country districts go direct to the Cashier.
100. The duty he performs in other respects are more those of a Chief Clerk? He signs for the Postmaster General.
101. He exercises no functions like that of Deputy Postmaster General? Except in the Postmaster General's absence; he then delegates that power to the Secretary. I appealed against it, but it was ruled against me. I said I ought to have it; being senior officer I was entitled to it. The Government of the day said the constitution and office of Secretary in the London and Sydney offices were different; in London he holds his appointment from the Queen.
102. The Postmaster General there is a political office? Yes. The Secretary holds his appointment from the Queen.
103. The Secretary is, practically, the head of the department? Yes.
104. With regard to the taking of mails, or particular working of the office beyond your sphere, have you any suggestion to offer, so that the mail contracts might be made at less cost than they are at present? I have. (See Appendix B)
105. Who comes in contact with them? The Postmaster General and the Secretary. I think you had better get him up, and examine him, if you want further information upon that point. There is a contract for a mail by road to Wollongong, to be carried by two horses. I don't see any reason why you should have two parallel mails, one by road and the other by steam. All the mails should go by steamers to the places where steam communication is kept up with.
106. The Government don't pay for this passenger mail? I think they pay a contractor for a cart and two horses.
107. Is there no supervision—no departmental supervision—to ascertain when a mail line has been in existence for a time that, by the progress of the country, it would be to the interest of the citizens to take it through a different route, and thus dispense with these mail contracts? I don't think there is proper supervision at present; the Postal Inspector about to be appointed will be the proper person to attend to that.
108. An application was made to me within the last week with reference to the line the mail passes through to Good's Inn—do you know that post? It is near to the Darling Downs.
109. Although the whole country about there is largely populated, only a few stations are benefited by the post? That is where you want postal inspection.
110. Cannot the Postmaster General get it? I believe he depends upon the different Benchets for his information.
111. Has the department any means of revising these lines? I don't know; that is between the Secretary and the Postmaster General.
112. Your duties are principally in reference to the receipt and delivery of letters? Yes.

113. You know nothing of the working of the mails? Nothing beyond Sydney
 114. From your knowledge of the department, you don't believe more persons are employed than are necessary? Only the boatmen, and in the Account Branch—not more than I have stated.

R. A. Hunt,
Esq.

27 Aug., 1858.

115. With regard to the building itself, do you think the present site better than the one in Barrack Square? Yes; I was always in favor of it.

116. Could the Government proceed with the erection of the new building on the present site while the main office is in existence? They could not, without getting possession of Mrs. Therry's land in Pitt-street.

117. You think it should be taken back into Pitt-street? Yes. I think, as I suggested, it would be better to sell the land on the hill.

118. How much land would be required in Pitt-street? I think about the same frontage as in George-street.

119. That piece of land belongs to Mr. Polack? A part of it is his and a part of it Mrs. Therry's. Land in Pitt-street, near by, was sold to Mr. Teillard the other day at £100 per foot.

120. You think that is the best site? Yes. I would sell the land on the hill. I think its remaining unsold is so much out of the revenue.

121. How long would it take to erect the new Post Office? About three years.

122. Is there any plan of it? Yes.

123. Was it not objected to? Yes. They put the offices in the wrong position. They put the Letter Branch up-stairs and the Secretary below. It is a matter easily altered. I understand that the gentleman who got the premium in Melbourne got it in consequence of seeing this plan in Mr. Dawson's office.

124. He adopted its main features? Yes.

125. Is it considered a good plan? Yes.

126. There are some alterations about to be made to your office? I think the more alterations that are made the more the office is divided, and additional obstacles presented to the proper performance of the business.

127. Was not the alteration in the Letter Room made in order to correct irregularities that had occurred? The alteration proposed would, for the reason given in my last answer, have an entirely opposite tendency.

128. Some letters were missing? I think they were taken out on the road; but opinions differed as to that.

129. Are not your letter-sorters and stampers too much together? That is the very plan to prevent pilfering. I would rather see them together? It is the only way to detect them. If a person is in a corner by himself he may take advantage of it.

130. Is the pay of your subordinates more than is necessary? I don't think so. I have three clerks under me who only receive £100 a-year. I think that too low.

131. You refer to the £132 for stampers? They are not those I allude to. Of the junior clerks I have three at £100 a-year, which is a lower salary than the messengers receive.

132. I suppose they are lads? No, they are young men.

133. Why do they come if they could get more? I don't know.

134. Are they efficient? Yes.

135. They know their business? I would not be ashamed to take the staff I have under me and put them against those in the London Office. They can do anything which may be required in a Post Office. They are allowed extra pay for overtime, at the rate of 2s an hour, which comes to about £300 a-year. I think this pay should be divided equally amongst those who do the work, that is, that a fixed sum should be given to each in lieu of overtime. I find there is a little jealousy about this overtime. I would rather see the sum given added to their pay.

136. Do you think there are many mail lines established without much necessity for them in the interior part of the country? I have heard so; I don't know it from my own knowledge. I think the Secretary is the best person to get this information from.

137. Have you any suggestion to make that would tend to improve the efficiency of the Department? This is a regulation of the London Post Office, which I would recommend. (*Witness read the following regulation from the Rules for Postmasters in England and Wales, with reference to postage stamps.*) :—"127. Every Head Postmaster is, in the first instance, supplied on credit with a certain stock of stamps and envelopes, considered and called the 'full stock' of his office, a certain portion thereof being termed the 'reserve stock,' and on a day appointed in each month he must make a return in the prescribed form to the Metropolitan Office, shewing the stock then on hand of entire pounds' worth of labels and complete half-reams of envelopes, and also shewing what number of pounds' worth of labels and half-reams of envelopes is wanting to make up his 'full stock.' Further, whenever he draws on his 'reserve stock' for any kind of label or envelope, he must immediately make application, in one of the 'requisition forms' for the necessary supply, at the same time remitting money in payment."

138. I don't understand the credit system? They give him so many pounds' worth of stamps, and if he wants more he must send the money. I will now read from the second report of the Postmaster General on the Post Office, with reference to the appointment of clerks, &c :—"Mr. Beaufort, one of the English surveyors, reports—'The great feature of the past year is the new system comprising appointments by examination of candidates, progressive payments, and promotion by merit; although but partially carried out at present, its effects are already strikingly apparent in giving a higher tone to the service, inducing steadiness and good conduct, and inciting men to an honorable rivalry.' The appointment of officers of merit to the higher postmasterships has been attended with very beneficial results in my district, and the employment of postmasters in establishing and

"regulating

R. A. Hunt, Esq., "regulating subordinate offices—duties formerly done by the surveyor in person—is found to work well, in every respect, where the postmasters are competent men."

27 Aug., 1858. 139. There is no opportunity of making appointments to the country post offices? There is Moreton Bay—that is likely to be a good appointment. The following extract, bearing on the subject of health, is taken from the report of Mr. Bokenham, Controller of the Circulation Department:—"The attendance of the clerks during the year has been good, and an improvement has shewn itself in their general health. This is highly satisfactory, and the decreased amount of absence from illness may, I think, greatly be traced to the good effects which the annual holiday has produced upon them, in the temporary relaxation which it gives from their labors. The Saturday half-holiday, too, has not been without its influence. The duty, certainly, has not suffered by the establishment of that measure, both for the ordinary business of the week, and for any extra work that has required to be done—(and in the District Branch the pressure has been very great)—the officers have cheerfully attended beyond the regular official hours, in order that no arrears might accrue. The privileges are felt to be most valuable, and every effort will be made by the officers to retain them." They are allowed three weeks a-year holiday.

140. Your office closes at one o'clock on Saturday? No. Saturday is a very busy day; a great number of mails leave on Saturday.

141. All the Government departments close at one on Saturday? Ours does not.

142. The corresponding clerks could go away, and those not engaged in preparing the mails? I let half go one Saturday and half the next, but not all together. Last month the mail was overdue, and I could not let them go for upwards of six weeks.

143. You let half do the work one Saturday and half the rest? Yes.

144. Have you any suggestion to make with regard to the appointment of country postmasters? No. Some of them are very unfit persons, but we are obliged to put up with them, because we cannot get better. There are some very good postmasters in the larger towns—in Parramatta and Maitland, for instance, where the salary is very good.

145. Do you know anything about railway mails? There is the Railway Act in the last Report; I lent it to Captain Martindale. There is one thing I would wish to mention, and that is, there should be an amalgamation of the railway mail and gold guards. I think there would be a great saving by amalgamating the railway mail and gold escort guards.

146. The gold escort guard does not travel always? I think some amalgamation would cause a saving.

147. By Mr. Jones: How is it the salary of the postmaster at Bathurst is higher than the others? I don't know.

148. Which has the heaviest work to do? I think the postmistress at Maitland—she has the heaviest work to do.

APPENDIX A.

General Post Office,
13 April, 1855.

Dear Sir,

Mr. Frederic Hill desires me to say that he has given the necessary instructions for admitting you to see the sorting and despatch of the Evening Mails on Monday next, and that on presenting your card at the Inland Office you will gain entrance. The order also admits of your taking three friends with you.

Yours, &c.,
A. B. HAWKES.

R. A. Hunt, Esq.

General Post Office,
1 September, 1854.

Sir,

I have to acknowledge the receipt of your letter of the 29th ultimo, and to thank you for your suggestions for accelerating the delivery in the United Kingdom of the mails from Brazil, Australia, &c., by appointing, in lieu of the Admiralty Agents, persons who could be occupied during the voyage in sorting and charging the correspondence; and I have to state, that this subject has already occupied the attention of the Postmaster General.

The object to which you refer has been attained, to a great extent, as regards the mails from Brazil, by the Packet Agents at the several ports dividing the correspondence, before closing the mails for the United Kingdom, into six portions, so as to facilitate the delivery of the letters, &c., for the most important places in the Kingdom, on the arrival of the packets.

I am, &c.,
F. HILL,
Assistant Secretary.

R. A. Hunt, Esq.,
14, Albion Street,
Hyde Park.

APPENDIX B.

SUGGESTIONS by the Superintendent of the Letter Branch of the General Post Office.

1st.—By discontinuing all credit accounts for postage stamps with the postmasters and the public departments, and making them pay cash on delivery, the Accountant and one clerk under him may be dispensed with, which will effect a saving of £905 per annum, and £5,000 more will be in the Treasury, instead of being in the hands of the Postmasters.

2nd.—By reducing the boat's crew two men a saving of £264 may be effected.

3rd.

3rd.—By reducing the discount allowed to postmasters and licensed sellers of stamps from ten per cent. to five, about £1,500 may be saved, and which will increase every year as their sale increases. R. A. HUNT,
Esq.

4th.—By assimilating the postage with that of Victoria, which has been for years as follows:— 27 Aug., 1858.

For letters sent out of Victoria, either by sea or land ...	6d. under $\frac{1}{2}$ oz.
Between Post Towns in Victoria	4d. under $\frac{1}{2}$ oz.
Town Delivery	2d. under $\frac{1}{2}$ oz.

The above would increase our Revenue about £10,000. The public could not object to that increase; because, from an estimate which the Superintendent made in 1856, the expense of transmitting a letter inland, irrespective of weight or distance, is seven-pence (7d.), therefore the Government have to pay (5d.) five-pence in addition to the (2d.) two-pence paid by the writer.

5th.—By importing covered mail carts for one or two horses, with duplicate sets of wheels, axles, springs, &c., and contracting with the innkeepers on the respective roads to horse—in fact, carrying out what has been pursued in both England and Ireland for years—£5,000 per annum, may be saved.

6th.—Before any new postal line is sanctioned, inquiry ought to be instituted as to its necessity for public convenience or private accommodation; if for the latter, the parties applying should pay the additional expense, the Government allowing the amount of postages received for letters, &c., conveyed on the line, to be estimated from the number posted for or by the inhabitants during the first and last quarter of the year; that is what is termed in England conventional posts, because it is unfair that the General Revenue should be saddled with the expense of conveying private letter bags to stations situated in isolated districts.

7th.—The Superintendent's designation ought to be altered to that of Postmaster at Sydney, and to have a seat on the Board for opening and accepting tenders.

8th.—No tender to be taken for a longer period than one year, (1859) and in the interim the Government may import the mail carts.

R. A. HUNT,
Superintendent.

2nd September, 1858.

THURSDAY, 2 SEPTEMBER, 1858.

Present:—

MR. COWPER,
MR. JONES,

MR. FORSTER,
MR. PIDDINGTON.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

Francis Campbell, Esq., M.D., called in and examined:—

1. *By the Chairman:* You are Medical Superintendent of the Lunatic Asylum at Tarban Creek? Yes. F. Campbell,
Esq., M.D.,
2 Sept., 1858.
2. What number of patients have you in that establishment now? I do not know to one or two, but I think there are 228. There have been two or three discharges lately, but there have been also two or three admissions. I have been absent for the last few days, which prevents me from stating the precise number.
3. Can you make any suggestion to the Committee by the adoption of which the expenditure of the institution can be reduced, without its efficiency being at all impaired? No, Sir, I cannot. I have been thinking seriously upon that matter, but I cannot reduce the expenditure in any way. There has been a false estimate generally made in former years, which was always in excess. The expenditure does not in reality amount to more than a few pounds over £9,000, while it is set down at £12,000.
4. In the estimates? In the estimates.
5. The actual expenditure? I do not believe is more than £100 or £200 above the £9,000.
6. And what is the saving chiefly effected upon? There is no particular saving: I believe it has never been higher.
7. No, but as between the estimate—what necessity is there for making the estimate £12,000, when the actual expenditure is far below it? That I cannot tell. It is an old practice that was carried out before I took charge of the establishment.
8. Do you prepare these estimates? I direct the preparation of them, as to method and amount, and correct them in the rough.
9. Then why do you prepare them so if you do not know the principle? I prepare my own estimates, but I go upon the expectation that there may be a sudden influx of patients from some unusual disturbance in the natural increase of the population, which I can know nothing of at the time. The discovery of gold, for example, gave a very sudden and marked increase of both the sane and insane population of the Colony. Hence it might be that in some years I could not draw upon the Treasury for so large an amount as would be required.
10. *By Mr. Jones:* You think it is safer to over-estimate than to under-estimate? Yes, for the reason just mentioned: the money is never drawn, of course, unless it is required.

F. Campbell,
Esq., M.D.

2 Sept., 1853.

11. But a margin of £3,000 is a very large margin, is it not? Yes; but in former times it was absolutely necessary. I recollect that on one occasion I was three months without a horse, because there was nothing put down expressly for the purchase of a horse, although there was an excess of the general estimates.

12. *By the Chairman:* But if you estimated for provisions and medical comforts to any extent, the Government would not feel justified in giving you out of that the means of buying a horse, would they? No. That is a principle upon which they seem to have acted in former years: every amount had its object.

13. Therefore, if you put in, as you have done in these estimates, £50 for the expenses of a horse, if required, that would be a fixed sum; but you might still put your estimates of medical comforts within a reasonable amount of cost? I have done so for the ensuing year.

14. In the estimates now sent in? In the estimates which will be sent in to-morrow.

15. What is the total amount of those estimates? Nine thousand and a few odd pounds.

16. For the next year? For the next year. Then there is a drawback of about £900 for the maintenance of pay patients to be deducted.

17. So that really—? Not more than eight thousand and one or two hundreds will be required. I think it will not be much more than that sum.

18. Now, with regard to the officials: have you more than you require, or do you find them all necessary? I have hardly enough. I am satisfied to struggle on, however, with the present limited number, till the Asylum is enlarged so as to afford accommodation for all the attendants, some of whom are obliged to sleep out of the establishment for want of room in it. According to the general rule in Asylums at home, for every ten individuals there should be one attendant; and we should have one or two extra in case of illness or accident. I have no extras; I have not even a messenger to send to the post-office, three miles off, so that I am oftentimes obliged to wait indefinite lengths of time for the letters.

19. What does your carter do? He is almost constantly engaged in drawing water from the creek.

20. Do you not get a large supply of water from the tank on the premises? There is a good deal collected during heavy rains, but it soon diminishes. There is an immense quantity used on the establishment; there are not less than about one thousand gallons a day wanted for the various purposes of cleanliness, health, and cooking.

21. But could you not find time to send him for your letters? I always send him when he can be spared.

22. But you would not wish to keep a messenger for the purpose of fetching your letters? No; if a letter-bag were allowed it would be a great boon to the establishment. I represent 260 individuals, sane and lunatic, in it, and I have a considerable correspondence with the friends of patients, so that really a bag, which would not cost the Post Office more than £10 a-year, would save much trouble and loss of time.

23. And who would be responsible for it—where would it be made up—in Sydney? Yes, of course.

24. And where would you propose to leave it? It would be received from and delivered to the steward of the steamer at the wharf near the Asylum, by a confidential person sent on purpose every day.

25. Who would receive this £10—the steam-boat proprietors? I do not presume to know exactly what expense would be actually incurred.

26. It would be the steam-boat that would have to be paid? I am not certain; I do not know what the expense would be, but I remember being told by an official gentleman that it would not put the Government to a greater expense than £10.

27. Where do you get your letters from now—from Ryde? Yes.

28. They go up to Ryde, and then they have to be sent for? Yes; and when I cannot send for them they are forwarded by the first trustworthy opportunity that offers. In wet weather I have experienced very great difficulty sometimes in getting them. I applied to the Postmaster General for a bag to be made up for this Asylum, but he refused; and I applied again lately to the Government, but I am still where I was in respect to that difficulty.

29. Have you any suggestions to make to the Committee with reference to your establishment generally, as to its reorganization or re-arrangement? I would suggest the carrying out of a plan there rendered (*pointing to a return*).

30. You refer the Committee to the departmental return in answer to a circular which you received from the Government? I do.

31. To what would you draw attention in that paper? I require a clerk. I cannot get on at all without one. I have frequently to get my sons or my daughter, or any confidential person at hand, to write my official letters.

32. But you have a clerk to be paid for here—a steward and clerk? The double office; neither the one nor the other can be properly and faithfully performed. What I propose to do is to give a clerk £150, and to do away with the expense of the master-attendant, making up the rest of the amount by a few inconsiderable reductions. A steward need not be a man of education, but only an active clever man, who can keep an account of his receipts and issues of stores, see to the state of the provisions, and take the place in other respects of master-attendant. I am quite sure that by that means the efficiency of the establishment would be increased instead of diminished. The master-attendant, with every good intention, is not very useful to me; still he cannot be turned off. I am convinced this arrangement would render the establishment much more efficient and complete than it is. I should then be in a condition to have the clerical work of the establishment properly conducted, which, on account of the incongruous union, is all, I confess, in a state of disorganization, and has been for years.

33. How do you mean “cannot be turned off—” do you propose that he should be pensioned? By no means; but he might be removed to a more suitable office in some other department.

34. What would he be suitable for? He is a very trustworthy man, and he would be a very good doorkeeper or messenger. He is a strong man, but no longer so fit for his difficult and dangerous duties as is necessary. His energies are not so vigorous and available as they were when he entered the service.

F. Campbell,
Esq., M.D.

2 Sept., 1858.

35. But do you consider that there is ample employment for yourself, the medical assistant and dispenser, and for the steward also? I think there is. I do not know how it is, but we are always as busy as we can possibly be. Our duties are perfectly distinct. In the Asylums in France and England it happens, some how or other, that the authorities do not consider twice the number of officers to be more than sufficient for Asylums no larger than that of Tarban, but a hundred times more munificently endowed.

36. For instance, your medical assistant and dispenser has his whole time occupied? Yes, in dispensing and giving me what assistance he can. The name medical assistant is a simple fallacy; it is a mere change of name and not of office. The dispenser is nominally assistant surgeon, who is a member of the Royal College of Surgeons; but he is still precisely the same dispenser as before. The advantage and the virtue of change of name are this, that when I am obliged to leave, or when I am laid up by ill-health, there is a qualified member of the profession to take my place, where I had not any before, and this gives confidence to all concerned. It is, therefore, a mere change of name; he is to all intents and purposes the dispenser, and his time is as fully occupied as it can be in his vocation. With respect to my own "ample employment," all I have to say is, that if you could find any single practitioner in private practice to undertake the management of 260 sound minded patients, and do them full justice, and have any time for amusement or healthy relaxation, I shall confess I have nothing to do, and wonder at the phenomenon. As Superintendent I am, as it were, a part of every office and occupation, and an actor in everything down to the duties of the lowest drudge, besides being responsible for every individual and every act that is done. As to the steward, I can vouch for his having plenty to do, if he do his duty well, which is not confined to the simple issue and receipt of stores, but pervades every part and minor office of the establishment.

37. But the individual who would issue these stores would keep an account of their issue, would he not? Yes, of the issue and receipts, and he would hand them over to the clerk, who, I propose, should be his superior in the category of officers.

38. Then what do you want a clerk for? If you saw the establishment—I mean if you were aware of the state of the books of the establishment, and of the actual amount of writing necessary to be got through—you would, I am confident, be satisfied of the necessity of a clerk.

39. I have seen it? The duties of a clerk are of necessity sedentary; and he should be as little subject as possible to disturbance. Those of a steward are of an active and ubiquitous nature, and the excellence of his qualifications are in proportion to his activity and presence everywhere.

40. Are your accounts all up now? They are pretty well forward.

41. The accounts I allude to are those of the late man, who had to leave you? No. They never can be now. The Auditor General appears satisfied with things as far as they go; but there is some neglected work that can never be brought forward now.

42. And the other attendants, then, you think absolutely necessary? Yes, every one. In fact, referring again to the work of a clerk, the person who left was one of the most efficient clerks that could be found in any office, yet, I assure you, he was driven almost mad with the quantity and kind of work he had to do. It is proposed that the clerk would take precedence of all the non-professional subordinate officers. The steward would, with the altered name of storekeeper, more properly represent the change I propose in reference to the present master-attendant.

43. What reductions do you propose? I propose first to abolish the salary of the master-attendant with the office, namely £90.

44. That is by a re-arrangement of offices? Yes.

45. But how do you mean "done away with," you would have to pay it to the steward? To the clerk, not to the steward. It would, in reality, form part of the clerk's salary, which it is intended should be completed by several small reductions necessary to be made to equalize the pay of some of the attendants, which would effect a saving in the end of £3 to the revenue.

46. Three pounds per annum? Yes; that is all I can conscientiously make of it. Thus—ninety pounds from the pay of the master attendant; thirty pounds from the salary of the steward, leaving it, by the proposed new arrangement, at £100 per annum; thirteen pounds from the wages of the gardener; four pounds from the carter, and sixteen pounds from the female attendants, to assimilate their salaries to those of the same class of servants at the Parramatta Asylum,—making a total of (£153) one hundred and fifty-three pounds.

47. You have, at my instance, had a conference with Dr. Greenup, with a view to placing both establishments on the same footing, have you not? Yes, and I have approached as near as I dare conscientiously. I find that upon the whole, under the new arrangements—a plan of which I shall send you in to-morrow—that there will be a saving instead of an increase of expenditure of about £3. It will be a very great object to me to have a clerk. We always had a clerk until the last one died, and I never could induce the Government to allow his place to be supplied. The clerical work has, therefore, never been executed with any approach to satisfaction since his decease.

48. The Committee are to understand you that your next estimate is, in fact, about £3,000 less than this—£9,100 I think you said? Nine thousand odd pounds. I do not recollect the precise amount.

49. By Mr. Forster: Have you any idea of the average number of lunatics that come under your care in the course of a year? The daily average, do you mean?

F. Campbell, Esq., M.D. 50. I mean the average in the year? At the end of the present year the average number will be about 230 for the whole year.

51. In the year? Yes.

2 Sept., 1853. 52. *By Mr. Jones:* That is the standing number in the asylum generally? That is as many as the asylum can safely take in.

53. *By Mr. Forster:* Can you state the average number that are sent away cured? Thirty per cent. were discharged cured during the year 1857. This will be considered a fair average when the nature of the hospital is understood; for it has undergone no change or improvement in respect to the character, forms, and conditions of the cases, admitted as they are found in all institutions of a similar miscellaneous kind in Europe. It continues to be precisely what it was in its design and origin—a refuge for every phase, state, and degree of intensity, in which deranged intellect can manifest itself, associated with the direst forms of physical degeneration and helplessness. This is not the place or the time to bring under notice the causes of the increasing progress and extension of this most melancholy of all human afflictions, and most interesting of all subjects of contemplation to “the lordly sons of pride,” and which visits with impartial step the cottage of the peasant and the palace of the king. But I may observe that insanity goes on increasing everywhere in the wake of civilization, and is flowing hitherward from every quarter of the globe, and every part of the Colony, with such constant and swelling tide, that, to use the expressive language of our science, the asylum is kept in a state of unnatural repletion. I cannot therefore but feel an excusable pride in being able to show this respectable ratio of recoveries; but the results of only one year's labor is at best a very indifferent example of success. I therefore hand you a cloud of witnesses in a tabular form, collected from the statistics of lunacy in the Asylum under my charge for the last ten years, to testify that, notwithstanding the numerous acknowledged disadvantages and discouraging obstacles this establishment has had to contend with for a long period of time, especially in respect to want of room, and the means of salutary classification, it has at least kept pace in the number of cures with the best endowed of such hospitals for the cure of the insane in the Northern Hemisphere, as have the same fundamental constitution and regulations as those of the Tarban Asylum. These tables will fully elucidate your question; they were constructed to exhibit the daily condition and movements of the inmates of this asylum during the seven years ending 1854, and to furnish to the Government a correct notion of the degree of success which has resulted from the general management, compared with the rate of recovery in the asylums of other countries. Every care has been taken to avoid error or involuntary fallacy; and the cures are computed on the average number under treatment on each day in the year: to obtain which the sums of the daily numbers are added together and divided by 365, which gives the daily average number of patients in the asylum throughout the year; I adopted this method because it is considered by the highest authorities on these matters to be the fairest way of arriving at the truth. I have been prevented, through disappointment in being supplied with the proper data from Europe, from carrying on the interesting comparison through the years 1855, 1856, and 1857; and have been obliged on that account to content myself with the simple record for these years, with which the tables close. (*Vide Appendix A.*)

54. What is the average number sent to Parramatta as incurable? We do not send any now.

55. Then your establishment is not connected with Parramatta now? No.

56. Well, with regard to those that you have, have you fit accommodation for them? No; I have not accommodation, properly speaking, for more than one hundred and ninety, or two hundred at the outside.

57. Your average number, two hundred and thirty, you have not accommodation for those? No.

58. Then do you consider that you accommodate them under any disadvantages to the lunatic themselves? No doubt, very great.

59. Do you think that their treatment is affected in any way by want of accommodation? The health must be affected more or less by the cramming every place—the corridors, which should be open spaces, are full of beds.

60. You have not accommodation to carry on your treatment effectively? No; I have not had for years, and every day is making it worse.

61. *By the Chairman:* But you are aware that £6,000 has been voted for additions to your establishment? Yes.

62. And that the Colonial Architect will have instructions to make those additions? When that takes place we shall be able to accommodate more. I do not expect to get all the necessary bed-rooms at once; but if a sum were voted annually for a few years, the asylum might be rendered fit to accommodate all the cases that should present themselves for an indefinite period of time.

63. But after a personal inspection, and a conference with yourself, you remember that this is intended to carry out the plan which you yourself and I agreed upon when I was up there? Yes, the carrying out of the plan.

64. *By Mr. Forster:* Do you think the difficulties you find at present will be sufficiently met by the plan proposed? Yes. As soon as I get ten or twelve single sleeping apartments for frantic and dangerous lunatics I shall be able to accommodate the proportion of twice that number of ordinary cases of insanity in the dormitories.

65. What do you do with the incurable cases now? They continue in the asylum.

66. There to remain permanently? If the place is enlarged.

67. *By the Chairman:* As vacancies occur in the Parramatta Asylum they are removed there still. There is no order to the contrary. It only arises from the Parramatta establishment being full at present? That is all. I got notice from the Under Secretary stating that they were full.

68. *By Mr. Forster*: Then, in fact, both establishments are full now? Yes.
69. What becomes of other cases if they occur? They are sent to me.
70. Would you be compelled to receive them now? I must receive them under all circumstances. I have got no instructions to the contrary.
71. *By Mr. Jones*: What would be done supposing you could not possibly make room for patients? I do not know. I should be very hard put to it if I could not make some arrangements, but they would not consist with health and comfort.
72. *By Mr. Forster*: You consider that now every addition to your numbers endangers the health and the treatment of the other patients? Yes; every place is literally crammed—every sleeping apartment, and the corridors leading to the sleeping apartments, which should give a free ventilation, are full of patients. Where they are females I can put them two and two, but I dare not double the men, for certain cogent reasons, and am, therefore, oftentimes obliged to place three together in a sleeping apartment—three where there is only room for one.
73. That interferes with the proper classification of lunatics, and subdivision? Yes. I require three more wards for the male side and two for the females.
74. Do you think you have a sufficient number of attendants and officers? In the meantime I have all that I want; but as the Asylum enlarges I shall have to come upon the Government for more. In truth I have no accommodation for all the attendants, and am obliged to let the married men sleep out of doors instead of in the place.
75. Do you consider that the officers of your establishment are sufficiently remunerated? Yes.
76. In cases of vacancy have you any difficulty in filling their places? No.
77. Is there any officer exercising the duty of inspector over your establishment? There are three gentlemen visitors who come weekly.
78. What style of inspection is it? They go regularly round every part of the establishment.
79. I suppose you expect their visit at certain times? I do not.
80. They come at any time? Yes.
81. *By Mr. Jones*: Do they come together? Always two together.
82. *By Mr. Forster*: They are not in the habit of giving you notice? No; sometimes they come in the morning and sometimes in the evening, on any day in the week; but I never know or trouble myself to learn when they shall visit.
83. I presume, in case any public man comes to visit you, you have no objection? The place is open to the public at all hours, from 10 o'clock a.m. to 4 o'clock p.m., every day in the week, Saturday and Sunday excepted.
84. You have been visited by Members of the Assembly sometimes? Not often.
85. Do you consider the residence of some person in your position to be essential to the proper management of the establishment? In a curative establishment a resident medical officer is indispensable. I think, speaking generally of Lunatic Asylums, indeed, no such establishment can be efficiently carried on unless one medical officer resides upon the spot. There is much night work as well as day work in all similar institutions which require the actual presence of a medical man.
86. In which, I suppose, the subordinate officers of your establishment are engaged as well as yourself? Some of them—those most concerned with the individual under treatment at the time.
87. I suppose they are remunerated with a view to their being employed both night and day? Yes; such is an understanding and a condition in their engagement.
88. Do you employ the lunatics at all on the establishment in any way that is beneficial either to themselves or to the establishment? Yes; all that I can employ are so occupied.
89. Have you been able to use them in putting up any public works at all? No; I have no mechanics amongst them. I erected one moderate-sized building with the help of some of them and the master-attendant—a wooden building, that accommodates twelve additional patients for the time.
90. I suppose if you can employ lunatics in that way it is beneficial to them? Yes. I employ them when I can. Many are employed indoors as ward assistants, and others are always engaged out in the wood yard; some in the garden, and some out in the various outdoor occupations useful to the Asylum or to the public.
91. Were it not for that I suppose the expense of the establishment would be much greater? I believe it would.
92. Is the establishment well supplied with water? It will be better supplied henceforth. The dam has been in a measure cured of the former defects.
93. You have constructed a good dam? The Government has caused to be constructed a dam across the fresh water creek, and it holds I think about three times more water than formerly.
94. Then do you think there is enough there? I cannot tell yet until I have experience of a dry season; but I have enlarged it, by means of the lunatics, very much, and when it decreases sufficiently this year I intend to enlarge it still more. I consider the dam was not carried far enough; it ought to have been carried right over; it would have enabled me, with the men of the establishment, to enlarge the place accordingly.
95. If that were carried out it would be quite sufficient? I think we should always have sufficient water without having recourse to Sydney.
96. I suppose in emptying the dams in dry weather—which is a common practice—you can always employ the lunatics in that way? When it got low I have always cleaned it out—taken all the silt out and made it as capacious as I could; but of course my working hands could not have done what has been lately effected by the Colonial Architect.
97. In what way do you get supplies—by steamers? No, by boat, coming from Sydney. Mr. Johnson sends a boat.

- N. Campbell, Esq., M.D.*
2 Sept. 1858
98. That is the cheapest way? I presume it is. The milk is got near the establishment, and the hay is got from any of the farmers around. The bread and the meat come from Sydney; that is the only difficulty we have; when it is bad, if I return it I cannot get it replaced for twenty-four hours.
99. If you get a bad supply you are obliged to put up with it or to do that? Yes.
100. Has that occurred very frequently? Generally about once a month.
101. I suppose you always report these cases to the Government? No, I do not think it necessary on all occasions: I threaten to do so.
102. Do you not think that in that case it is allowing an impunity which ought not to exist? I do not allow it; he is punished enough by the article being returned to him. If there was any grave cause of complaint I would report it immediately.
103. It has not gone to such an extent that you consider it necessary? No; I used to have occasion to report in former years: some of the contractors did not conduct themselves so well as Johnson does. I have little to find fault with in Johnson; but when there is a bad piece of meat I return it.
104. But in some of these cases, I suppose, you have considered that it might have happened accidentally, and on that account you would not consider it necessary? Yes; and he does what he can to remove any difficulty of that kind, and to make amends.
105. *By Mr. Jones:* Has there been any observable increase in cases of lunacy during the last few years? I think there has been; but I have not been able to ascertain whether it is owing to the general increase of the population. In every additional five or six hundred we expect one lunatic. In the proportion of every two ships that arrive here we expect a lunatic.
106. That is in every thousand of the population you look for two lunatics? In nearly that proportion.
107. So that you cannot say whether the increase of lunatics has been beyond the increase of the population? No; but I fear it is increasing. It is increasing in Europe. There is, as I have observed in answer to a former question, a degeneracy of the human species pervading all civilized life, and that degeneracy is one of the prime causes of the increase and extension of lunacy.
108. That kind of degeneracy is scarcely likely to take place in a new country? Just the same. Civilization has as much effect upon the mind in a new country, and perhaps more, than in an old country; because there are so many additional deteriorating influences in operation on the human constitution in a new country, till perfect acclimation has been effected after centuries.
109. *By Mr. Piddington:* Do you think that degeneracy arises from the representative institutions in the world? No; but from excess of civilization, with all its agencies at work, no doubt.
110. *By the Chairman:* Are your padded rooms all right now? Yes. They are very complete.

APPENDIX A.

TABLES I. to IV., with SUPPLEMENT illustrative of the result of the Treatment and Cures effected in the TARBAN LUNATIC ASYLUM, NEW SOUTH WALES, as compared with ASYLUMS in EUROPE, during the Years 1848 to 1854 inclusive, and shewing, in SUPPLEMENT, the per centage of Cures in the TARBAN ASYLUM, 1855, 1856, and 1857.

TABLE I.

SHewing the daily average number of Patients treated in the Tarban Lunatic Asylum, and the per centage of Cures in each year, from 1st January, 1848, to 31st December, 1854, inclusive.

YEAR.	The number remaining in the Asylum on the 1st January.			The number admitted during the year.			The average daily number under treatment during the year.			The number of Recoveries during the year.			The per centage of Recoveries during the year.	The number of Partial Recoveries during the year.			The number transferred to the Asylum at Parramatta, during the year.			The number of Deaths during the year.		
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.		M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
1848	85	70	155	42	13	55	97	63	160	22	9	31	19.37	1	3	4	..	..	...	11	2	13
1849	93	69	162	51	27	78	117	78	195	20	8	28	14.35	..	..	...	10	38	78	23	1	24
1850	49	45	94	62	30	92	64	49	113	20	10	30	26.43	4	..	4	17	9	26	10	4	14
1851	59	52	111	50	35	85	64	52	116	18	14	32	27.47	1	3	4	9	15	24	14	4	18
1852	67	51	118	70	31	101	78	49	127	25	12	37	29.13	3	1	4	20	13	33	8	1	9
1853	91	51	142	71	52	123	89	57	146	27	20	47	32.87	2	6	8	12	6	18	12	1	13
1854	100	71	171	94	48	142	120	73	193	34	19	53	27.45	4	7	11	30	10	40	10	4	14

According to a regulation of St. Luke's Hospital, London, no applicant is admitted who is not judged to be perfectly curable, upon a rigid personal examination, and a satisfactory history of the individual. The candidate is subject to nine objections, any one of which is fatal to his admission.

The operation of this rule develops a truth of the highest value in the treatment of insanity; it proves, among other facts, that when disorders of the mental functions are submitted early to salutary influences, the recoveries amount to seventy and eighty in the hundred. It would appear to show also that, acting on the same principle, any other Asylum consecrated to the use of the insane might produce an equally broad margin of recoveries. Accordingly the following Table (No. II.) has been framed, for the purpose of practically determining this postulate in the Tarban Lunatic Asylum; but I have only been able to avail myself of one of the nine objections to be overcome at St. Luke's, since I am obliged, from the nature of the Institution, to admit every case that presents, and mostly without a syllable of history to guide my choice, or throw light on the obscure nature of the malady. Two years have been taken indiscriminately from the seven, and the selection made from the patients actually admitted during each of these two years. The Table, it is true, is only an *ex post facto* proof; but the great truth it embraces of the curability of insanity, when subjected to early treatment, is only the more confirmed by the additional fact its construction has evolved, viz.:—that most of the remainder of the curable patients admitted in the above period, but who are not included in the number of recoveries in their respective years, were cured in the first and second quarters of the ensuing year.

The Regulations of the Bethlem Hospital are less restrictive. There, the patients are treated for one year, and if not cured at the end of that term they are discharged; the officers having the power to retain for a few months longer any case that may be in progress of recovery. Tables II. and III. are, therefore, framed with the view of shewing that equal success will follow the same exclusive rule in any Asylum in the world.

TABLE

F. Campbell,
Esq., M.D.
2 Sept., 1858.

F. Campbell,
Esq., M.D.

TABLE II.

2 Sept, 1858.

Is only preliminary to Table III, shewing the number of Cases admitted into the Tarban Lunatic Asylum, and the per centage on the *admissions* during each year, from 1848 to 1854, inclusive.

YEAR.	Admitted during the year.			Per Centage of Cures on the admissions.
	Males.	Females.	Total.	
1848	42	13	55	56.36
1849	51	27	78	35.89
1850	62	30	92	32.60
1851	50	35	85	37.64
1852	70	31	101	36.63
1853	71	52	123	38.21
1854	94	48	142	37.32
Mean.. .. .	9.657			39.23

TABLE III.

Is constructed on the severely eclectic plan followed at St. Luke's, to show practically the per centage of Recoveries on the Curable Cases admitted into the Tarban Lunatic Asylum during each of two years, taken indiscriminately from seven, of the foregoing Tables; and that the same happy effects would result from the strict observance of the rule anywhere.

YEAR.	Average daily number of cases treated during the year.			Number of cases admitted during the year.			Number of supposed curable cases admitted during the year.			Number of Cures on the average daily number under treatment.	Per Centage of Recoveries upon the curable cases admitted during the year.
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.		
1850 ..	64	49	113	62	30	92	29	13	42	26.43	71
1854 ..	120	73	193	94	48	142	46	30	76	27.45	70

TABLE IV.

F. Campbell,
Esq., M.D.

EXHIBITING the measure of success in different Lunatic Asylums in Europe, compared with that of the Lunatic Asylum, Tarban, New South Wales, from the Year 1848 to 1854, inclusive.

2 Sept, 1853.

(It will be observed that several of the European Asylums have not afforded us the means of ascertaining the daily Average Number of Patients under Treatment during the year; consequently the whole number under Treatment is in these cases given with the per centage of cures calculated thereupon.)

YEARS.	LOCALITY OF ASYLUM.	Daily Average Number under Treatment.	Number of Admissions.	Number of Recoveries.	Per centage upon the Average Number under Treatment.	Whole Number Treated.	Per centage of Recoveries upon the whole number Treated.
1848	TARBAN Lunatic Asylum.....	160	55	31	19.37	..	
	ENGLAND, Suffolk	260	82	38	14.61	..	
1849	TARBAN Lunatic Asylum.....	195	78	28	14.35	..	
	The Retreat at York	113	23	13	11.50	..	
	Yorkshire, N.E. Riding.....	138	52	20	14.49	..	
	Cheshire, County.....	182	71	22	12.08	..	
	Surrey	550	441	68	12.36	..	
	Yorkshire .....	..	..	..	..	204	15.2
	York, City of .....	..	..	..	..	181	9.3
	Suffolk .....	..	..	..	..	342	12.8
	Lancaster .....	..	..	..	..	980	6.4
	Liverpool .....	..	..	..	..	106	18.0
	Gloucester.....	..	..	..	..	391	11.5
	Cheshire .....	..	..	..	..	245	9.0
	North Wales .....	..	..	..	..	142	12.6
	Devonshire .....	..	..	..	..	462	10.0
	Somersetshire .....	..	..	..	..	284	9.0
	Cornwall .....	..	..	..	..	370	10.2
	Northamptonshire .....	..	..	..	..	258	8.5
	Leicestershire .....	..	..	..	..	232	16.0
	Nottinghamshire .....	..	..	..	..	344	11.0
	Staffordshire.....	..	..	..	..	301	11.0
	Dorsetshire .....	..	..	..	..	191	8.9
	Bedfordshire .....	..	..	..	..	332	8.4
	Oxfordshire .....	..	..	..	..	382	12.8
	Lincolnshire .....	..	..	..	..	193	11.9
	Surrey .....	..	..	..	..	841	8.0
	The Average per centage of Recoveries in all these Asylums being						11.29
	Whilst that of the Tarban Asylum is, as above shewn, for 1848						19.37
	SCOTLAND Dumfries, Crichton Asylum .....	..	..	..	..	196	10.20
1850	Montrose	137	40	14	10.21	..	
	Dublin	2,711	889	438	16.15	..	
	Armagh	133	45	13	9.77	..	
	Belfast	266	120	62	19.54	..	
	Londonderry.....	221	76	30	13.57	..	
	Richmond	285	118	60	17.54	..	
	Carlow	200	66	24	12.0	..	
	Ballinasloe	306	81	28	9.15	..	
	Limerick	318	121	78	24.52	..	
	Maryborough	196	61	37	18.87	..	
	Clonmel	130	30	24	18.46	..	
	Waterford	115	62	33	33.04	..	
	Cork	400	126	64	16.00	..	
	Bon Sauveur.....	692	123	72	10.54	..	
	St. Meens	311	91	37	11.89	..	
	Nantes	391	126	50	12.78	..	
	St. Gennes	340	126	71	20.88	..	
	Le Mans	258	74	35	13.56	..	
	Blois	124	86	23	18.54	..	
	Orleans	521	137	31	5.91	..	
	St. Yon	729	204	76	10.42	..	
1850	TARBAN Lunatic Asylum.....	113	92	30	26.43	..	
	Leicestershire	212	101	49	23.11	..	
	Suffolk	293	82	49	16.72	..	
	Yorkshire, W. Riding.....	554	285	112	20.03	..	
	Ditto, N.E. do.	160	18	8	5.0	..	
	Kent Co. Asylum	390	116	46	11.76	..	
	Gloucester	298	106	33	11.07	..	
	Northampton	264	102	64	24.24	..	
	Liverpool	69	32	15	21.73	..	
	Dorset .....	..	..	..	..	206	13.5
	North Wales.....	121	76	28	23.14	..	
	Edinburgh Roy. Asylum	497	253	111	22.36	..	
	Aberdeen	270	81	36	13.33	..	
	Dublin Asylums	2,748	900	434	15.79	..	
	Armagh	133	54	20	15.03	..	
	Belfast	268	140	81	30.22	..	
	Londonderry.....	222	103	62	27.97	..	
	Richmond	281	113	33	11.74	..	
	Carlow	200	70	36	18.00	..	
	Ballinasloe	312	76	31	9.93	..	
	Limerick	330	95	51	15.45	..	
	Maryborough	194	48	24	12.37	..	
	Clonmel	130	49	21	16.15	..	
	Waterford	115	42	17	14.78	..	
	Cork	388	120	58	14.94	..	

F. Campbell,
Esq., M.D.

TABLE IV,—Continued.

2 Sept., 1858.

YEARS.	LOCALITY OF ASYLUMS.	Daily Average Number under Treatment.	Number of Admissions.	Number of Recoveries.	Per cent- age upon the Average Number under Treatment.	Whole Number Treated.	Per cent- age of Recoveries upon the whole Number Treated.
1851	FRANCE ..	Armentières	464	123	29	6.25	
		Lille	335	84	16	4.77	
		Clermont	876	266	53	6.03	
		Châlons	309	73	45	14.56	
		Fains	341	60	24	7.03	
		Auxerre	266	75	22	8.27	
		Dijon	254	92	28	10.4	
		Mareville	876	198	41	4.49	
		Stefansfield	441	155	35	7.93	
		Illnan	410	157	61	14.78	
	ENGLAND & WALES	TARBAN Lunatic Asylum	116	85	32	27.47	
		Northampton Genl. Asylum	265	106	29	10.94	
		Kent Co. Asylum	400	286	49	12.25	
		Gloucestershire Genl. Asylum	300	128	66	22.22	
		Somerset Co. Asylum	340	122	61	17.91	
		Dorset Co. Asylum	164	51	28	17.07	
		Devon Co. Asylum	428	119	52	12.14	
		Surrey Co. Asylum	853	359	116	13.69	
		North Wales	164	72	19	12.17	
		Gloucester .....	...	...	...	380	16.3
		Kent .....	...	...	...	682	9.8
		Surrey .....	...	...	...	1,141	10.1
	SCOTLAND	Glasgow Roy. Asylum	450	259	110	24.44	
		Edinburgh Roy. Asylum	520	248	111	21.34	
1852	ENGLAND ..	TARBAN Lunatic Asylum	127	101	37	29.13	
		Clifton, North and East Riding ..	236	150	22	9.32	
		Rainhill .....	...	393	47	11.90	
		Staffordshire	349	179	46	13.18	
		Somerset .....	...	...	...	648	10.0
		Lancaster .....	...	...	...	545	14.6
		Derby .....	...	...	...	212	16.0
		Hanwell .....	...	...	...	1,080	4.0
		Colney Hatch .....	...	...	...	1,628	8.1
		Somerset	342	128	68	19.88	
		Bedford	275	...	13	4.72	
		Surrey	868	360	176	20.27	
	SCOTLAND	Bethlem .....	...	303	145	47.85	
		Crichton Institution	253	135	50	19.76	
	IRELAND ..	Limerick	438	65	41	12.09	
		Carlow	247	59	32	12.95	
		Maryborough	188	46	27	14.36	
	ENGLAND ..	TARBAN Lunatic Asylum	146	123	47	32.87	
		Devon Co. Asylum	459	116	52	11.33	
		Nottingham Genl. Asylum	240	39	20	8.33	
		Colney Hatch	1,244	354	68	5.40	
		Manchester Roy. Asylum	40	85	16	40.00	
1854	ENGLAND & WALES	TARBAN Lunatic Asylum	193	143	53	27.46	
		Hanwell	967	127	43	4.44	
		Colney Hatch	1,235	262	142	11.6	
		Bethlem	359	242	121	33.7	
		Surrey	887	329	169	19.0	
		Norfolk Co. Asylum	305	83	39	12.8	
		Wilts	244	805	34	13.9	
		Lincolnshire Co. Asylum	228	317	35	15.35	
		Devon	460	96	55	11.9	
		Suffolk	245	93	42	16.47	
		Somerset	343	133	63	18.36	
		Monmouth	Joint Lun. Asy. for the Counties here mentioned.				
		Hereford					
		Brecon					
		Radnor					
		City of Hereford ..					
		Gloucester	355	173	55	15.48	
		Littlemore	383	107	39	10.18	
		Staffordshire	405	172	96	23.7	
		St. Luke's Hospital	81	175	119	137.0	
		Norfolk	304	83	38	12.5	
		Rainhill	394	145	52	13.2	
	SCOTLAND	Edinburgh Roy. Asylum	553	236	108	19.53	
1844 to 1851 inclusive	DUTCH Asylums	Amsterdam Jews' Asylum	1,110	3,087	147	12.88	
		Utrecht	19	98	3	15.78	
		Zutphen	120	292	12	10.0	
		Deventer	153	439	20	13.07	
		Deventer	126	249	14	11.11	

SUPPLEMENT (1858) TO TABLE IV.

Per centage of Cures Effected in the TARBAN LUNATIC ASYLUM

For the year 1855 was 26½

For the year 1856 " 20.

For the year 1857 " 30.

Richard

Richard Greenup, Esq., M.D., called in and examined:—

1. *By the Chairman:* You are Medical Superintendent of the Lunatic Asylum at Parramatta? R. Greenup, Esq., M.D. I am.
2. And do you, although called Medical Superintendent, exercise a general charge? I have the entire charge of the establishment. I am responsible for everything that is done there. 2 Sept., 1868.
3. But do not reside on the establishment? No.
4. Is there any medical officer residing on the establishment? No; not on the establishment. The dispenser resides close to it but not on it. Shall I explain why it is so?
5. If you please? The quarters were so bad at one time—the roof was so leaky that he was driven out by the wet, and he is now obliged to occupy a place outside the establishment. I am more there now than I used to be when I had other establishments in charge. I had given up my office to him to reside in, and since I have been obliged to take my own office back again.
6. There is in fact no accommodation on the establishment? There is no fit accommodation. There was only one room for the dispenser, which, as he was a married man, it was impossible for him to occupy. It is now used as a dispensary—which we much wanted.
7. How far does he reside from the establishment? One hundred yards, perhaps.
8. Then he is always available in the event of being required? Yes: he may be one hundred and fifty yards off.
9. You reside in Parramatta? Yes.
10. How far is that from the establishment? About three-quarters of a mile.
11. How often do you visit it? I visit it every day, of course, and in general twice. It can hardly be called a visit, because my whole morning—every morning—is spent there.
12. Do you go round the institution and in the different wards frequently? It is divided into two. One part—the male invalid branch—is in Macquarie-street. I visit that first. I set out early in the morning, so as to be there just after breakfast—about 9 o'clock; and, as I have only to attend to the sick there, there is not much to do. The clerk meets me there every morning at 9 o'clock to receive directions as to the diet, &c., and to give out the medical comforts. I go from there to the Lunatic Asylum, where I stay all the morning—going round the wards and attending to the state of the patients generally.
13. The class of patients you have are chiefly chronic, are they not? Yes.
14. Have you any others? Yes; those that come in from the prisons.
15. A class of criminal lunatics? Yes; all the criminal lunatics come to Parramatta.
16. Can you make any suggestions to the Committee which will enable them to reduce the expense of the establishment, without impairing its efficiency? I cannot. It has been my business throughout to carry it on as economically as possible. I do not see how it can be reduced: certainly not in the salaries.
17. The estimate as printed for the year 1858 amounts to £13,355, and I see by your Return the actual cost of the establishment last year was under £12,000? It was £11,894 15s. 6d.
18. Of which the British Government paid £3,720 3s. 4d.? The repayment from the British Government was £3,720 for 1857. It was £4,034 for 1856.
19. Leaving the actual cost to the Colony last year £8,174 2s. 2d.? Yes.
20. I see by this return that you are allowed forage for a horse; that does not appear on the estimates? Yes; forage for two horses is set down on the estimates.
21. That is one for yourself? Yes.
22. There is no forage in your estimate? It was sent in so. I do not know how it has occurred with us, but the same items are not given that were sent in.
23. Then the estimate as it appears in the printed document laid before Parliament is not a copy of the document you sent in to the Government? No, because we always put in the forage; it is always made a separate item of.
24. But was it part of your allowance when you were appointed that you were to have forage for a horse? Yes; and my predecessor had it also.
25. He visited other establishments though, did he not, beside this? Yes; but the forage was always in that part of his appointment as commissariat officer; he had that independent of the other places.
26. Who was your predecessor? Dr. Patrick Hill.
27. He was Colonial Surgeon, was he not? He was Colonial Surgeon.
28. Then did you succeed to his appointment as Colonial Surgeon? Yes. I do not know whether I was called Colonial Surgeon; Medical Superintendent was the name given to me, I think, when I first went there.
29. Then did you receive, as set down here, 15s. a day from the Commissariat, and £162 from the Colony? That was what I received—15s. per day from the Imperial Government, and £100 a year from the Colony. That was my first appointment. £100 was given the second year; it was given in lieu of the gold advance, because I had nothing at all before that from the Colony for attending to about 100 patients. When I was appointed to Parramatta I was appointed to three other offices besides that—I was surgeon to the Gaol and to the two Orphan Schools; but when the Lunatic Asylum became so very large that I could not give sufficient time to the other places, I gave them up. But I had then, as you see, an assistant, who is also given up. He took my smaller offices, and I took the Lunatic Asylum.
30. The patients in that institution were chiefly Imperial convicts? Yes; but now the Colonial element is far the greater. The number of Commissariat patients is 133 now; our full number is 525; so that the Imperial element is now only one-fourth.
31. What amount of time do you daily devote to this establishment? The whole morning of every day except Sunday. I consider all my time due to it; I do not give all my time to it, but I consider all my time due to it, Sundays and all.
32. Are you ever called upon to visit the establishment at night? Yes; in case of sickness.

R. Greenup,
Esq., M.D.

2 Sept., 1858.

A very few nights ago I was called to draw a man's water off, and very shortly before I was up half the night with a poor fellow in the same condition.

33. You consider that if you have a patient there requiring nightly attention you are bound to give it, and do afford it? Yes.

34. What are the duties of the storekeeper under you? To attend to the receiving and giving out of provisions and stores in general.

35. You consider yourself responsible as head of the establishment? Yes.

36. He has not an independent responsibility from you? No; I think myself responsible.

37. Who deals with the contractors? Everything is done in my name, but I am obliged to delegate the immediate dealing with the contractor to the storekeeper; I have not the time.

38. Still, in the event of any matter of dispute he appeals to you? Of course.

39. And do you make an inspection of the food yourself? Every day. I never pass a day—Sunday or other day—without examining the food, on Sundays more particularly; I always visit twice on Sundays.

40. I suppose you admit that it would be better if you resided on the establishment, if there were quarters for you? Certainly; one would always be on the spot then. I do not know that I should be really employed more time, but I should always be on the spot.

41. But there are no buildings on the premises which could be converted into a suitable place? No; but there is a property just by, belonging to Mr. Blaxland, with a good house, which I think might be bought cheap.

42. Does it adjoin the premises? Yes, it lies between the premises and the gaol; and I have very little doubt the gaol will be complained of, because the drainage of the gaol runs by it, and is a nuisance. But if the Government took it, giving Mr. Blaxland land in exchange for it, it might be turned to good account, and the drainage used for manure. It was granted to the Rev. Mr. Marsden, and then came to Mr. John Betts, and then to Mr. Blaxland, who holds it on account of non-payment of mortgage.

43. Do you think it necessary to have a clerk as well as a storekeeper? Yes. The storekeeper has all the books to keep except the medical registers. He keeps store books also, so that there is no need to visit the store to know what is in it, as it may be learnt from the books. I am responsible for the correctness of all the accounts, but the storekeeper does all the calculations and writing. I examine and sign all before they are sent in.

The Total Annual Expense of the Lunatic Asylum at

Parramatta, for 1857 £11,894 15 6

Daily Average of Patients, for the year 1857, 465 $\frac{1}{2}$.

Dissection of the actual Expense of the year:—

For Salaries	£3,113 12 1	or for each patient	£6 13 10 $\frac{1}{2}$
Rations	6,202 11 9	"	13 6 9
Clothing... ..	2,394 0 11	"	5 2 11
Contingencies	184 10 9	"	0 8 0

£11,894 15 6 or per head £25 11 6 $\frac{1}{2}$

44. *By Mr. Piddington:* What is the total average cost of each patient? £25 11s. 6 $\frac{1}{2}$ d. includes every expense, medical and other attendance, food, clothing, washing, and everything else. Part of what appears as expenses of this establishment are economies, which, with the help of the storekeeper and matron, I have been enabled to carry out. For instance,—it is not very long since I asked the Government to allow me to have a washerman. The clothes for the male lunatics used to be washed by the lunatics; but it was nobody's business to attend to it, and of course there was a considerable amount of waste. By appointing this washerman he attends to the mending and the washing; and I do not think that without such attention any establishment could be clothed at £5 2s. 10d. a head, or anything like it. The storekeeper attends to that business.

45. *By the Chairman:* And what does your clerk do now? He is employed entirely in his clerical duties. Exception:—he gives out the medical comforts and extras in Macquarie-street, and also generally at the Asylum.

46. What amount of duty can there be if the storekeeper keeps the accounts? We keep two different kinds of accounts. Even now we keep separate accounts on account of having the Commissariat element; the work is double what it would be if there were no account kept of stores. It would be easy to give out stores as wanted, but by keeping an account we see who gets them and who is wasteful. The storekeeper unlocks the gates at sunrise; receives supplies from the contractor, and issues them before breakfast. At 9 o'clock begin the office duties; reports to Medical Superintendent on arrival and visits the yards every day; keeps an account of the diet and medical comforts or extras of every patient, of their bedding, clothing, &c.; keeps the cash account and checks every expense with reference to the sum allowed; examines and makes out all the contractors' accounts for the Audit Office; in the afternoon or evening visits the Macquarie-street branch, and issues stores there; looks to and is responsible for the general management of the establishment in the Superintendent's absence; receives nightly report at 10 o'clock and locks up, taking the keys to his bed-room.

47. *By Mr. Piddington:* Could not the office of storekeeper and clerk be united in one individual? There are a great many things to be done which could not be done so. The duties are too multifarious to be discharged by one person. In so large an establishment there are so many interruptions that no one person could attend to the accounts at the same time; he cannot be certain of a quarter of an hour free from some call. The principal work comes at the beginning of the month, and it keeps two people hard at work for many days. At that time, too, probably visitors come, and we are obliged to have some one to go round with them. I have known more than a day or a week taken up by visitors. It is better that

that they should see the Asylum, and they must have some person to go round with them; but I think the clerical duties are quite sufficient. R. Greenup,
Esq., M.D.

48. Could not the master-attendant go round with the visitors? He does on his side—the master-attendant and matron on their respective sides; but it is better that there should be another officer as well: the storekeeper goes round too; I think that is desirable, because it is a check on the attendant. I very seldom go round with visitors unless a personal acquaintance, or some one asks me particularly to go round with him. 2 Sept., 1858.

49. *By the Chairman:* Your master-attendant I see receives £130 a-year, whereas at the other establishment he is only put down at £90, and Mr. Campbell states he considers he might be dispensed with. What are the duties of the master-attendant with you? Does Dr. Campbell think he might be dispensed with at his establishment?

50. Yes? I should be very sorry to see the master-attendant at Parramatta dispensed with, and for this reason:—I have the sole and unassisted medical charge of 525 patients, and I try to see every day every one of them, and if I have entirely to depend upon my own eye, you may think what time it would take; you may calculate if I gave only a minute to each patient.

51. You have a head wardsman besides, and thirteen other attendants? Those are nineteen a day men.

52. The head wardsman gets £75 a-year, besides lodging and rations? He has charge of the Asylum in Macquarie-street; that is more than a mile from the other Asylum.

53. The head wardsman has charge of the Macquarie-street Asylum, where you have removed lately a number of invalids? Yes.

54. How many? Forty-six.

55. Then how many male attendants have you transferred to that establishment? Nine of the "nine-penny" men.

56. Yes; but I mean of these thirteen? None of them.

57. You keep all those? Yes.

58. But you have twelve others whom you call convict attendants, or bond attendants? The "nine-penny" men are all bond; the others are not.

59. Are they still convicts? They are "lifers," as it is called.

60. And with no indulgence? They have none of them got a pardon. There are seventeen male lunatics to each attendant. Taking all the people employed on the male side into account, actually each attendant in charge of lunatics has charge of 22.

61. What proportion have you of persons affected with active lunacy as opposed to chronic? I do not quite understand you. I should consider all our patients as active lunatics.

62. Are there not many of them merely imbecile—broken down in mind and body? Some are, but these are more troublesome. Many of our poor people have to be fed at every meal, and changed three or four times a day, and it is for those cases that the master-attendant is so useful. When I go round, if I see a man wet and dirty, I ask how that is, and if I see it repeated I should, unless some good reason were given, discharge the man in charge. The first thing I do on coming to the Asylum is to make an examination of all that has occurred in my absence; then I get a report from the master-attendant of where all the attendants are. Then I know who has charge of the particular classes of patients, and who to blame if anything is wrong. That is the only way I can get through attending to 525 patients—by making everybody attentive to their business. My great help on the male side is, of course, the master-attendant.

63. Does your dispenser devote his whole time, or has he other occupation? He makes up medicines for the gaol, and for the two orphan schools.

64. Is he in private practice as a dispenser? Oh! no.

65. He is entirely occupied by Government establishments? Yes.

66. What other salaries does he get? I think £50 a-year for the gaol.

67. Has he any medical education? He is a very good medical man, but unfortunately he has no diploma. His name is known in London—it is Longstaff. Everybody must have heard of Longstaff's collection of specimens of morbid and other anatomy. His father was so devoted to this collection (most interesting, and a part of which was bought by the Royal College of Surgeons,) that his son was always attending to his patients, and he never got him passed either at Apothecaries Hall, or at the Royal College of Surgeons. We require for the master-attendant a man to be above the ordinary class of attendants. We have got a very good one now: we had a very indifferent one before. I feel the advantage of this one: it would entail another officer with a higher salary if we lost him. He is just as useful on the one side as the matron is on the other.

68. You have charge also of the establishment in Macquarie-street? Yes.

69. How often do you visit that establishment? Every day. I try to be there at nine o'clock in the morning, and I think I generally arrive within a few minutes of that hour. I could go earlier, but that they have not got their breakfasts before then and swept up.

70. You consider all these subordinates necessary for the efficient management of the establishment, and that they are not overpaid? If any alteration were made the effect would be found to increase the expense some other way. I am quite sure the expense has been kept down as much as possible.

71. Have you got possession of a portion of the late Parramatta Domain, for the benefit of the establishment, yet? No.

72. Are you likely to get possession soon? I have not heard anything of it.

73. Do you know what causes the delay? I have heard nothing of it since I called on you one day many months ago.

74. Do you ever allow the lunatics to be employed outside the establishment? As much as possible.

75. Is that still continued? Not on any private account, except three or four times a week

R. Greenup, Esq., M.D. I have a party coming to my house and employed in the garden. They remain about two hours and a half at a time.

2 Sept., 1858. 76. Upon no other private establishment? My own I do not consider a private establishment. I am in Government quarters, and it is no gain to me. I do not raise vegetables enough for myself. I should give the system up at once if I did not think it did the lunatics good. They are a little humanised by being brought over to my place. I have given up sending any to Mr. Statham's farm, and I can see a visible deterioration in the condition of those who used to go. I am sorry the observation was made. There was a most interesting article in the *Quarterly* on Lunatic Asylums, that was sent down to me by the Government, and I was asked if I could do anything in that way, and I recommended a farm; and it appears what I was doing then is exactly what is recommended—that they should be taken right away from the asylum.

77. But if these men were employed on the farm, that would answer the purpose? Yes; but of course we shall require somebody to take charge of it.

78. It would enable you to get better supplied with vegetables and milk, and other things? Yes.

79. *By Mr. Forster*: Have you full accommodation for all the lunatics? Not such accommodation as I should wish; we have no day-rooms.

80. *By the Chairman*: You have got some sheds erected lately, have you not? No.

81. *By Mr. Forster*: If any more cases were to present themselves you could not accommodate them? I send in a monthly report. I think we could accommodate five women, but we have two men over and above the proper complement.

82. Have you refused to take in any? It is not for me to refuse. I have written to the Government to say that I consider the place quite full on the male side, but that there is room for five on the female side. The deaths are more than filled up by those that come in from the gaols. We have had this last month three from the gaols, and our deaths were two, and cures two—making four departures. The three arrivals make the number only one fewer than we had last month.

83. Then you would consider it to be inconsistent with the duties confided to you if the number was increased? Of course, without additional buildings.

84. Is there any intention to increase your means of accommodation? That I do not know.

85. Have you made any recommendation to the Government? No. I have pointed out to the Government several matters.

86. *By the Chairman*: At an early part of this year there was a new establishment, called the Invalid Establishment, formed in the town, and you removed 46 patients from your place to that establishment? Yes. That relieved the establishment up to a certain point. Since that I think there has been no accumulation. The daily average for the last year was 465½. The daily average this year will be about our present number, 525; so that we have 60 more this year than we had last year.

87. That is in the two buildings? Yes.

88. *By Mr. Forster*: Have you sufficient attendants? I think so. I made application for additional ones, because, of course, as we kept having additional patients we wanted more attendants. Here, I may say, that all the women's clothing, or nearly all, is made by themselves. Part of the matron's duty is to see who is capable of doing the work. One day she may have half-a-dozen who will work, and another day ten, and another day she may have not one. You know they are very capricious. We give little rewards to them, and so induce them to work. The consequence is, that the cost of clothes is small. It is saved in this way: We get our articles from the Colonial Storekeeper. They charge us, we will say, 6s. for a flannel shirt: we can make it for 3s. They will supply us with the flannel, and if we can make it we do make it.

89. Do you keep any regular account of the work done in that way by the people themselves? At the end of my monthly report I send in a list of everything done on the women's side. I cannot send in a list of what is done on the male side. It is principally cutting wood (which is difficult to measure.) We do all the work of the Catholic Orphan School; that is in some degree why it is cheaper than the other. We cut all the wood, and do some of their garden work.

90. The Catholic Orphan School is near you? It is next door. The great point for the attendants is to get the patients out of their beds, to get them washed and dressed in time for breakfast, and then to get them to breakfast is a serious task—when you consider that each man has 22 to look to. Then there is a lull after breakfast till dinner. Then you have the same thing again. Those who are capable of being employed are employed in helping to carry out the dinner, and so forth. We do very well, except in wet weather, and then, having no day-rooms, we are obliged to put the men into their dormitories.

91. That is for want of accommodation of grounds? Not of grounds, but of buildings. It is happy that in this climate it is not very common; but for a model asylum we ought to have day-rooms for all. For the sick we manage to have them.

92. Are any recommendations made to the Government for these day-rooms? Only for sheds.

93. But I suppose all these accommodations could be added within the walls? Oh! yes; a very large day-room might be made. There is the old walking hall of the invalid branch—72 feet by 21 feet; with a new roof and floor this might be made available; the roof is now so bad that the room cannot be used, and the floor is also bad.

94. Your establishment contains a large number of incurable cases? We get all the incurable cases.

95. The chronic cases are what are termed incurable? If any are supposed to be curable, Dr. Campbell has the power, and exercises it very properly, of keeping them at Tarban Creek. We have patients come up who have been kept there three years. Most of them have been kept there a year; of course the mere paralytics and idiots are sent up immediately. It is known

- known that there is no cure for them. Some few of what have been considered hopeless cases have been cured.
96. There are certain public visitors who attend your establishment, are there not? Yes.
97. Do they come regularly once a week? Oh! dear, no, not above once a quarter.
98. Do they come without notice? They come both with and without notice.
99. Are there any clerical gentlemen—any clergymen who visit regularly? Not since the invalids were removed. If any person wishes to see a minister I send for him, and he comes.
100. There is no regular attendance? No. I read prayers to those who are Protestants and will attend.
101. And do you find that the clergymen of the different persuasions attend often? They do attend occasionally. Mr. Coutts comes, but there is no regular attendance.
102. I suppose the proportion of lunatics is about equal to the common proportion that prevails between the different sects—do you find that you have a larger proportion of one sect than another? That is a point I can hardly say, but I think we have most Roman Catholics. But there is a reason for that: there are more of the lower classes who are Irish. There are a great number of Irish.
103. That is a class from which a large proportion generally comes to you? Yes; we have also several from the Isle of Skye. It is remarkable that so small an island should have sent three or four.
104. These are Roman Catholics too, are they not—celtic? Yes, one I know is.
105. And you do not find that the clergy often come? No. They do come, but more as other visitors do. Nobody makes a regular duty of it. I should except the Rev. Mr. Gore, who visits the invalids every week; he visits both male and female invalids, and has done for many years. A Roman Catholic priest also regularly visits the invalids in Macquarie-street, a Mr. Ambrosoli.
106. *By Mr. Piddington:* Do you read prayers every Sunday, as a rule? Every Sunday afternoon, and have done for several years. The matron reads prayers to the women. I have a congregation of from 60 to 80. Sometimes a man won't come, and sometimes he is too excited to be allowed to come.
107. Does the matron read prayers, as a rule, every Sunday to the female inmates? Yes, as a rule.

R. Greenup,
Esq., M.D.
2 Sept., 1858.

WEDNESDAY, 8 SEPTEMBER, 1858.

Present:—

MR. COWPER,
MR. FORSTER,

MR. JONES,
MR. PIDDINGTON.

THE HON. CHARLES COWPER, Esq., IN THE CHAIR.

William Colburn Mayne, Esq., Auditor General, called in and examined:—

1. *By the Chairman:* You are at present Auditor General of the Colony? I am.
2. How long have you held that office? Very nearly two years—within a few days.
3. You are aware that this Committee has been appointed with a view of considering the possibility of retrenching the expenditure of the public departments without impairing their efficiency—can you favor the Committee with any suggestions that may enable them to recommend some reduction in your department? The only reductions it was considered possible to effect in the department, by the Board who carefully inquired into its business and constitution, were made so long since as the beginning of 1857; and I confess that, as far as I have been able to see, I am not prepared to say that any further reduction could be made in it without impairing its efficiency; but if arrangements which I have recommended are carried out, it is possible they may effect farther reductions in work, which would eventually lead to a reduction of the expenditure; though, until they are actually tested I should not like to commit myself to say that they will.
4. You had on the 18th June, 1856, seventeen clerks, exclusive of the Chief Clerk, the Inspector of Revenue, and the Accountant? Yes, at the date of the original report.
5. What reductions have been effected since then? A reduction of four clerks has been made in the department, bringing down the number to one below what that Board considered to be the lowest it could be reduced to with the reductions in work which they recommended. But those reductions in work have not even yet been fully carried out.
6. Have any of them been carried out? The advance system has been extended since that report was made—the system of making advances instead of paying all accounts by final warrants through the Treasury.
7. Do you still examine the claims, in the first instance, as you used to do? No; only those that are paid through the Treasury still, out of advances to the Under Secretary, and by final warrants; those we still examine.
8. Previously? Previously.
9. Do you think that is a proper course? Not in principle. I think the system of audit ought to be one purely after payment. But this has been done in the Audit Office in consequence of the Treasury not being able to undertake the duty, as a relief to that office.
10. Why is the Treasury not in a position to undertake this duty? I really am not in a position to say; but I know the Secretary to the Treasury has always considered that it would be a very great relief to him that it should be done by us. You are aware that the Miscellaneous Department that was contemplated by that Board has never been established in the Treasury. The Secretary to the Treasury receives advances and pays miscellaneous charges

W. C. Mayne,
Esq.
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W. C. Mayne, Esq., charges, but there never has been such a branch established as was recommended in that report.

8 Sept., 1858. 11. How often, according to the present system, are the accounts paid by the Government examined—There will be of course an examination by each head of a department, or by the accountant under the direction of the head? Yes.

12. Subsequently to that, what other examinations are accounts subjected to—do the Treasury examine into their correctness? No; but the expenditure is rigidly tested and examined in my office, after the vouchers are received.

13. Are there only these two examinations, one by the department previous to payment, and the other by you upon receipt of the vouchers? That is in all cases where the money is paid by the department; but where it is paid by a sub-accountant, that sub-accountant is supposed to examine also.

14. What class of payments are made by sub-accountants? For instance, payments on the Gold Fields. The Inspector General receives advances, and the officer in immediate charge of the particular service prepares and pays the accounts. For instance, also, the officers in charge of the Road Patrols, who prepare the accounts, are held responsible for their correctness, and examine them of course. Then they are again examined in the Inspector General's Office and in the Audit Office. But in case of payments by a department itself the accounts undergo only two examinations.

15. Do you prepare the warrants now, or do the Treasury? The Audit Office does it still.

16. Do you think that a right system? In principle perhaps it is not strictly so, but it would not relieve the Audit Office of labor if the Treasury had to prepare them, because as we would have to verify them the labor would be the same, except the mere clerical part of writing, which is inappreciable.

17. Do you mean to examine the accounts before payment is made? No. As I have already mentioned, most of the payments are now made by the departments through a system of advances.

18. Advances founded upon the Estimates? Yes. For instance, the head of a department applies for an advance of, say, one-twelfth, to carry on his department for a month. There is no examination then, except to see that the advance does not exceed the appropriation in the first instance; but the officer receiving is held responsible for adjusting that advance.

19. What portion of the duty that is performed in your office is also done in the Treasury? I believe the Treasury keep an entire set of books and accounts for all the Colonial expenditure in detail; but I think it is quite unnecessary. They must be kept in the Audit Office, and I do not see that it is in the least necessary that they should be kept in detail in two departments.

20. Has any Board given any opinion on that point? Not that I am aware of.

21. It did not form a part of the inquiry? I think not. I think the first Board to some extent refers to it, not perhaps so plainly as I have now stated the view I hold.

22. At all events there is the fact that at present this work is done twice over, that is to say, by two departments? Yes, that is my belief.

23. And the registration of debentures also? I am not in a position to say that that is done in the Treasury. We register them.

24. Are you aware of anything else that is done in both offices? I am not. I speak with diffidence of the arrangements of the Treasury, because I am not conversant with them.

25. Supposing one of the departments were relieved of this duty, what reduction of clerical labor would that cause? I cannot speak of what can be done in the Treasury. It is impossible it could be dispensed with in the Audit Office.

26. How many clerks do you employ in this branch of duty? We employ in the Account Branch the Accountant and four clerks, with the assistance of one of the extra and probationary clerks.

27. Merely on this work to which you allude? In keeping the accounts, which is indispensable; we cannot check or audit without keeping the accounts most thoroughly and fully.

28. With reference to your strength now, and the mode in which the duty is at present performed, do you feel justified in recommending to the Committee that any number of your officers should be dispensed with? I do not, certainly. As I have already said, when the arrangements I have suggested are carried out, if they are approved, it is possible that they may cause a further reduction of work, which may lead to a reduction of the number of clerks.

29. Do you allude to the suggestions made by you in your letter to the Colonial Government, dated 12th August last? Yes, I allude to that, and to the subsequent matter concerning which I have been in conference with the Secretary of the Treasury.

30. And which is detailed in a joint minute signed by both of you? Yes.

31. You have also submitted to the Government a memorandum, in which you propose to carry on the audit of railway accounts in future in your department? Yes.

32. Relaxing some of the stricter rules of your department, with a view of accommodating the duty to the particular circumstances of the railway machinery? Yes.

33. In that memorandum you suggest that possibly an additional clerk may be necessary for enabling you to carry on that duty? I think there will, because he must be restricted to that duty, which will fully occupy his time.

34. If the Government should see that they can make some change with regard to the mode of entering up the accounts, as between the Audit Office and the Treasury, and having in view the adoption of your suggestions made in the communication already referred to, is it not more than probable that, on the whole, a reduction in your department may be made? I must be careful not to commit myself to say that. I can only say that, if it is possible, I will be as anxious to effect it as anyone can be. But you will bear in mind that the proposal respecting the examination of railway accounts was written subsequently to the other suggestions.

35. *By Mr. Jonts*: I understood you to say that in the Audit Office the accounts of every department in the service are kept? Of every one.
36. And you have reason to believe that similar accounts are kept in the Treasury? So I understand: I am not certain of the fact. I mean, that the disbursements are kept under separate heads, in detail, in the Treasury; and that we keep them in the Audit Office under the separate heads of salaries and contingencies.
37. It is, of course, absolutely necessary that these accounts should be kept in the Audit Office? Yes.
38. Do you see any necessity for a similar system of accounts being kept up in the Treasury? I do not. It appears to me that the Treasury stands very much in the position of a Pay Office—of the Paymaster General at home. It is an office simply of receipt and disbursement.
39. And the Treasury should trust to the Audit Department entirely to see that the expenditure is correct? So it appears to me.
40. You are of opinion that the keeping of these accounts in the Treasury may be dispensed with? Yes, I think so.
41. Does your present system of auditing the accounts involve any labor that can safely be dispensed with? I do not think so. I do not think you can safely relax the rigidity of examination.
42. Have you not some forms which consume a great deal of labor, which are not essential? It is to some of those forms I address myself in the memorandum; and I meant also, particularly in the general observation at the end of it, to devolve on the Auditor General the discretion and responsibility of dispensing with some of these mere technicalities, but that the examination should never be relaxed; that every one of those matters that are wanting to the perfectness of accounts should be brought under his notice, because you thereby insure that every separate item, and every part of an account is thoroughly sifted—in fact, that is the course pursued. They are so examined; and every objection, every query, every defect, is brought under my own notice; and as far as the regulations allow me, when they are mere matters of form, I do dispense with the reference back to the accountants.
43. Do you consider that the present audit of the accounts of the Colony is a satisfactory one? It is satisfactory, excepting as not being sufficiently close—not sufficiently near to the event; but that is a defect inherent in every system of audit in the world.
44. In other respects you consider the audit thorough, so as to check any mal-appropriation? I think mal-appropriation is impossible without detection; I should have made an exception of moneys received by land agents for selections of land offered for sale at auction, but not bid for; the check in the cases is defective.
45. *By the Chairman*: You hope, by the adoption of the suggestions you have made, to keep the audit closer up than ever has been the case? When once the arrears are got rid of, I do.
46. *By Mr. Piddington*: I see you have sixteen clerks on the Estimate for 1858? Yes.
47. Are these sixteen clerks entirely occupied in auditing the public accounts? In the different branches—the account branch, the examination branch, and the revenue branch,—with the Chief Clerk.
48. Does not that number of clerks, whose salaries alone amount to £4,725 per annum, appear to be an undue number for the purpose of auditing accounts not reaching above a million per annum, or thereabouts? I think not; but the safety it involves is the point which I look at. I may mention to you, perhaps, as an illustration bearing in some degree upon it, that in the War Office at home alone, which merely involves the military accounts, there are one hundred and forty clerks.
49. Do you recollect the total war expenditure that comes under the supervision of those one hundred and forty clerks? I think it may be from eight to eleven millions—say nine on the average.
50. Including the Ordnance expenditure? No.
51. Do not these clerks check the Ordnance expenditure? I think not; that is done by the Ordnance Department itself; and that is independent of some examination made by the Commissioners of Audit afterwards.
52. Were these clerks in the War Office during the late war? Yes.
53. But the expenditure during the late war amounted to nearly double nine millions, did it not? For the military it may have done. The staff of the War Office during the war (that engaged in the examination of accounts) was, I believe, the same as that previously employed. The audit of military accounts at home is a mere appropriation audit, so far as the Commissioners of Audit are concerned.
54. Do I understand that the entire staff in your office have nothing foreign to the duties of the office to do—they do not perform any other duties than those of audit? I am sorry to say they do, for they are constantly called on to answer references and prepare voluminous and laborious returns, which sometimes absorb the time of two clerks for months.
55. To what returns do you allude? Returns for the information of the Government and of the Legislature. Many of these returns will, I apprehend, be eventually prepared by the different departments instead of by the Audit Office.
56. Then it is your opinion that it is absolutely necessary, in order to carry out a perfect system of audit, that your department should include as many as sixteen clerks? As far as I can see at present it is.
57. Are you satisfied that the salaries awarded to these sixteen gentlemen do not exceed the amount that is necessary to secure the services of similarly qualified men? The best answer I can give to that question is the fact that I find the greatest possible difficulty in retaining the clerks in the office; that I have constant changes, which most seriously cripple its efficiency.
58. Do these changes take place among the subordinate clerks, or among those of the superior class? Both.
59. Have there been many changes in the office of Chief Clerk or Accountant? I have had

W. C. Mayne, Esq. a change in the office of Accountant. The late Accountant was transferred to another branch of the public service, where he received a higher rate of remuneration.

60. He did not leave in consequence of the inadequacy of his salary? He left for his own advantage—because he received a better appointment.

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61. With respect to the Inspector of Customs Revenue, or the examination clerk, have either of those gentlemen been changed since you have held office? Neither of those.

62. Then, I presume, your remark applies to the clerks of secondary grade? Yes, inferior to the heads of branches. The heads of branches are the Accountant, the Examiner, and the Inspector of Revenue Accounts.

63. By Mr. Forster: You cannot suggest any mode of simplifying the audit? I really cannot. It is, I think, as simple as we can now bring it to, with the suggestions that I have made. Form is absolutely necessary to expedite the examination of accounts, and to expedite reference. It will be apparent that if every one were allowed to prepare accounts as they pleased, it would take a much longer time to examine; whereas, if the different accounts are sent in, in the same form, a man accustomed to it takes in the several points almost at a glance.

64. How soon, in general, after the expenditure of any item is it submitted to your department? We receive from the several departments their monthly cash accounts, which they are bound to furnish as soon after the expiration of each month as they can be made up.

65. Then, I presume, when the arrears you speak of are got rid of you will be able to audit the accounts for each month in the next succeeding month? I doubt that.

66. How long after an item is expended can it pass your office? That must depend in a great measure on the correctness with which the accounts are furnished to us. If the accounts were all strictly correct they would pass very rapidly; but a large portion of our time is taken up in correcting and obtaining the correction of errors.

67. Then that involves some defect in other departments? Yes, the inevitable defect of everything human, I imagine—imperfection.

68. Do you think these errors are above or below the average one might expect? I think in many branches of the public service they are excessive.

69. Then, of course, if we can arrive at a better mode of keeping the accounts in the other departments your business would be lessened? I think it would, unquestionably.

70. Has it ever occurred to you to institute any comparison between the business that now comes before you, under Responsible Government, and the business which previously came before the department under what is called irresponsible Government? You mean whether the change has lightened the duty?

71. Yes? It has not, certainly.

72. Do you attribute that to the state of transition through which we have been passing? A good deal of it has arisen from the state of transition. When things are once settled there may be more expedition, and more perfect arrangements. There have been inevitable delays in carrying out matters.

73. Then I understand you to say that you have not been able to lighten the business since you took office? I have not.

74. Has it been increasing since? I will not say it has been increasing, but it certainly has not been lightened.

75. Have you ever examined certain Bills that were introduced at different times for regulating the business of your department? Yes.

76. Do you think those Bills were calculated to be beneficial, or were they required at all? That must be regarded in two points of view. If you ask me the question as to the constitutional bearing of those Bills, I may say I think the last Bill introduced was calculated to improve the status and usefulness of my office.

77. Do you think such a Bill is necessary now? I think it is, constitutionally. I may perhaps state what my view with regard to that aspect of the question is: I regard the Auditor General, in a Constitutional point of view, as essentially the officer of Parliament, particularly the officer of the House of Assembly. I look upon him as their sentinel, to watch that the expenditure is in strict accordance with the appropriation, and their guarantee that any departures from appropriation must be brought under their notice.

78. You consider your business to be directly derived from the Appropriation Acts, as they pass every session? Yes; the Appropriation Act is my guide for audit.

79. What has been your course when the Appropriation Act cannot be passed in time, as has been the case lately? The same course as has invariably been adopted ever since I have known this Government: The expenditure must in certain cases anticipate the appropriation.

80. In that case in what way do you regulate it—by the previous Appropriation Act? It is regulated by instructions.

81. But without these instructions, do you take the Appropriation Act itself? I could not take a preceding Appropriation Act without instructions. The Appropriation Act of a preceding year has discharged its duty at the close of that year.

82. Have you proceeded to audit the accounts this year much in the same way as previously? To examine, not to audit. It is impossible to audit when there is no Appropriation Act; but the examination of accounts goes on quite as strictly.

83. Practically it amounts to the same thing? The examination does, but not the audit.

84. Since when has auditing ceased altogether? In the strict sense of the term, in the absence of an Appropriation Act there could not be an audit.

85. Would you consider it to be your duty to decline auditing where no Appropriation Act existed? I cannot decline to do so; I am simply an officer of the Executive.

86. Have you been in the habit of auditing the accounts for sums passed by the warrants of the Governor, unauthorised by any Appropriation Act? Not auditing.

87. You have merely examined them? Merely examined them. I have temporarily admitted

admitted the vouchers of the Colonial Treasurer, pending the passing of the Appropriation Act. W. C. Mayo, Esq.

88. Would you consider it your duty to apply the Appropriation Act retrospectively. If the Appropriation Bill now in preparation passes, will you consider it to authorise you to audit your accounts up to this time? Certainly. 8 Sept., 1858

89. Does the passing of an Appropriation Act in the usual course, that is, at an early period of the session, expedite the business of your department, or the reverse? It enables the audit to be proceeded with, and therefore expedites business.

90. Then all the delay that has taken place in the passing of the Appropriation Act has increased the business of your department? I cannot say it has increased it, but it has caused more frequent references for instructions; the examination has gone on. It is, in fact, a thing which occurs every year; it is inevitable. Every Supplementary Estimate is an illustration of it. In every year expenditure has been called for which has been inevitable, but to meet which there has been no appropriation until the Supplementary Estimate has been passed.

91. The only distinction you seem to draw is, that you follow the instructions of the Appropriation Act in the one case, and in the other you take instructions from the Executive Government, pending the passing of that Act? Yes. Of course if any expenditure be not sanctioned by the Appropriation Act I should be compelled to disallow it.

92. That is, when you come ultimately to audit the accounts, anything you find then not sanctioned, you are compelled to disallow? Yes.

93. Your examination, in the meantime, is merely pending the final audit? Yes; the final audit, which is the closing of the account, must of course depend on the Appropriation Act.

94. *By Mr. Jones:* The effect of our not passing the Appropriation Act prior to the commencement of the expenditure is this, that it leads you to temporarily examine the accounts, leaving the final audit, to discharge the persons expending the money, till the Appropriation Act is passed? Exactly so.

95. So that, regarding the present year's expenditure, if you find any sums are not sanctioned you will surcharge the parties with those amounts? Yes, certainly.

96. Do serious inconveniences arise to the Audit Department from the Appropriation Act not being passed before the expenditure commences? There is inconvenience to a certain extent, which it is always desirable should be avoided.

97. It tends to increase the work of your department? It does. It requires continued reference for instructions and authorities.

98. And increased vigilance as regards the temporary sanction given to expenditure? Of course.

THURSDAY, 23 SEPTEMBER, 1858.

Present:—

MR. COWPER,
MR. DONALDSON,

MR. PIDDINGTON,
MR. ROBERTSON.

THE HON. CHARLES COWPER, ESQ., IN THE CHAIR.

Henry Lane, Esq., called in and examined:—

1. *By the Chairman:* You are Under Secretary to the Treasury? I am.
2. You are, I dare say, aware that this Committee has been appointed with the view of considering in what respects the different departments of the Government can be reduced, and the expenditure retrenched, without impairing the efficiency of the public service: can you favor the Committee with any suggestions in promotion of this object with reference to the department of the Treasury? Any remark I may make should have reference also to the Audit Office, to the two offices combined. The public accounts of the Colony are kept in both offices, and unnecessary work is occasioned thereby. Henry Lane, Esq.
23 Sept., 1858.
3. Will you point out to the Committee in what respect you consider any amount of work done in either office to be unnecessary? The account branch, in one or other department, might be dispensed with.
4. What reduction would that cause? If the account branch were transferred from the Treasury to the Audit Office, two clerks in the Treasury might be dispensed with for the present.
5. But if you transfer the work from your department to the Audit Office, can you state whether the clerks will not have to be transferred also? No, inasmuch as the same work is performed by the two offices.
6. Then, what you wish is, that the Government shall determine upon what system the Treasury accounts shall be conducted? Yes.
7. Do you think the Treasury or the Auditor General's the proper office? The Auditor General has the more perfect means of keeping the accounts.
8. And therefore you, of course, think it is the department where they ought to be kept? I think so.
9. Would that at all interfere with your office having any amount of information which it is desirable it should at any time possess, or do you contemplate that there shall be the means of immediate reference to the Audit Office, at any time, for such information as you desire? Yes; the Audit Office should be accessible to us for information at all times, if the accounts be kept there.

Henry Lane,
Esq.
23 Sept. 1858.

10. Have the alterations suggested in the report drawn up by Captain Ward and Mr. Rolleston, and dated 18th June, 1856, been carried out? The recommendations in that report were found to be in some measure impracticable. The Honorable Mr. Donaldson caused the appointment of a Board to inquire into the public accounts; a report was drawn up, and in compliance therewith, the system of advances to public officers was introduced.
11. *By Mr. Donaldson*: You refer to the report dated 11th August, 1857, and signed by myself, Mr. Knox, Mr. King, Capt. Ward, and Capt. Mayne? Yes.
12. *By the Chairman*: Has that system of advances worked well? It was an improvement upon the previous system, but it did not work so satisfactorily as we had anticipated.
13. The Government have recently carried out some further modification of that system? Yes. The inconvenience felt under the system recommended by the Board is now attempted to be obviated by introducing a system of credit, instead of advances, thereby rendering unnecessary the preparation of warrants; the duty of making which had been a vexed question between the two offices, the Treasury and Audit.
14. Will you state shortly the system now adopted? The course that had been observed under the above report was, that each head of a department made application for an advance; if found correct a warrant was prepared by the Auditor General, sent to the Treasury, and the amount placed to the credit of the officer in the Bank. This course involved the necessity of preparing warrants.
15. In lieu of that, what is now proposed? It is proposed to introduce a system of bank credits, which will be carried out in this way:—On the first day of the month the Auditor General will notify to the Manager of the Bank the sums authorised to be drawn during the month by the several public officers for whom credits are opened with the Bank; and will on the same day furnish a duplicate of this notification to the Treasury. On the first day of the following month the respective public officers will furnish to the Auditor General, with their bank pass-books, statements of the drafts on the Bank made by them during the preceding month. The Auditor General will examine and forward the statements to the Treasury on the same day, with a warrant of authority for the Governor General's signature, to replace from public moneys in hand the amount advanced by the Bank to meet the cheques drawn by the public officers in that month; the statement of drafts as examined by the Auditor General, and the warrant, to be the Treasurer's voucher and full discharge for the transfer of the amount. It is in fact an extension to the public accounts generally of the system which has been hitherto confined to the "Trust Moneys Deposit Account," on the plan suggested by the late Treasurer, Mr. Donaldson.
16. That will relieve the department of work? It will relieve it of the necessity of preparing warrants. We have during the present year, to this date, prepared 747 warrants, and this new system will reduce the number to two or three in a month at the utmost.
17. Do you not think the transfer of the account branch of your department to the Audit Office might be accompanied by a larger reduction in the clerical staff than you have suggested; would you require an accountant then? I should not like to propose a larger reduction at present, for we shall still have to keep an account, not the general account of the Colony, but the Treasury account, and the accounts of the revenues; besides I, as Under Secretary, shall have to keep the extensive account of "Miscellaneous Expenditure."
18. But is there not a good deal of work irrespective of this, as the registration of debentures and other work, done in both offices? Yes.
19. You will admit, I suppose, that the same principle applies to this work, that it need be done in one office only? Yes.
20. If it were done in one office only, would not that cause a further reduction of labor? I think the registration of debentures should be kept in the Treasury.
21. Not in the Audit Office? I think it is more important that it should be done in the Treasury than in the Audit Office.
22. Do you know why the Auditor General has hitherto registered them as well as the Treasurer? There is no legal obligation that he should do so, but the form of the debenture renders it necessary; there is a blank in the debenture for his signature.
23. You think at present you could recommend the reduction of only two clerks? That is all at present.
24. Is there any other business you think unnecessary, or which might be dispensed with, without impairing the efficiency of the service? I am not aware of any.
25. Have you any suggestion to make with reference to the working of your department, or which would promote the efficient performance of the duties in that or any other department? I have not. We have reduced the work of our department as far as I think we possibly could; and as regards other departments I have no suggestion to make.
26. How has the alteration with reference to land sales worked, as to the examination in the Surveyor General's Office, and the receipt of the money by you—do you find it has worked satisfactorily? I do not find it satisfactory.
27. What is the ground of the dissatisfaction: is it not the fact that the money is remitted to you without any detailed statement, while the documents connected with the transaction go to the Surveyor General? Yes.
28. Then how can you ascertain what the money is sent to you for? Some accounts of sales in the early part of the year are not yet closed for want of information.
29. How long after these sales take place do you get the report from the Surveyor General as to the particulars? No report is officially made from that office.
30. Then what communication have you with the land department, so that you may know what the money is sent to you for? By personal inquiry on our part, not by any official report on theirs. We have hitherto arranged by communicating with Mr. Smith, who has been transferred from our department to the Survey; we have to communicate with him for the purpose of checking the balances on sales.
31. How do you make entries of sales in your books? From the statements that accompany the

the remittances. These would do very well if we could retain them, but they must pass the next day to the Audit Office. It is on these statements as vouchers we make the entry and carry the amount to credit. Henry Lane, Esq.

32. When does the Auditor General receive any information from the Surveyor General—does he get any information from him? He has communication with the Surveyor General, but in addition to that he gets a further statement from the land agent. 23 Sept., 1868.

33. Has the land agent to furnish separate accounts to the three offices—to the Treasury, the Audit, and the Survey offices? Yes.

34. Is that necessary? It is. The attested account is periodically furnished to the Audit Office. Vouchers are furnished—one to the Treasury, and one to the Survey Office; and then there is the report of sales also sent to the Survey Office.

35. Are the documents sent to you, or have you the information in so detailed a form as to enable you to check the accounts? No; in order to a satisfactory check, a comparison with the final report of the sale, which we have not, would be necessary.

36. What would you recommend in order to put this on a proper footing; that the Surveyor General should receive the money, or that the accounts of sale should come to you? Either the one course or the other would be the remedy. I think as the transfer to the Survey Office of Mr. Smith has not been found to answer, he should be returned to the Treasury.

37. Would not that require an alteration in the instructions under which these land sales are held? A slight modification.

38. *By Mr. Robertson*: When the new mode of remitting money is brought into operation this modification might be made? It would be a good opportunity.

39. *By the Chairman*: You think some change necessary? Yes.

40. What reduction has taken place in the number of clerks in your department since the introduction of Responsible Government? There were 28 clerks in the year 1856, at an expenditure of £6,489; and we have now 15, at an expense of £4,315.

41. Have the clerks whose employment in your office has ceased gone to any other department? Two of them have.

42. Only two? Yes. The only sensible diminution of the work of the office consists in the transfer to the land department of one clerk, and to the gold receiving department one clerk also.

43. Then, taking the present number at 17, there is an actual reduction of six clerks?

44. Can you state to the Committee, from the official information you possess, whether any considerable amount of reduction has taken place in the various departments since Responsible Government was established? I have made a comparative statement of the number and expense of clerks in five of the principal departments in 1856 and 1858. (*The witness handed in the same. Vide Appendix A.*)

45. *By Mr. Donaldson*: Do you remember a minute drawn up by me suggesting a complete modification of the system of receipts and payments,—that the Treasurer should be entirely relieved from the duty of signing cheques, that that duty should be transferred to the Under Secretary, and that all receipts should be paid into the Bank? Yes.

46. Do you recollect whether you had a favorable opinion of that plan at the time? I had.

47. Has anything been done to carry out that suggestion, or is it in contemplation to do so? Under the new plan the Treasurer will be nearly altogether relieved from the duty of signing cheques, which will be imposed upon the Under Secretary, as having charge of miscellaneous payments.

48. Will the miscellaneous payments be extended largely? Not more extended than before; but it has always been a very heavy branch of public expenditure, averaging £10,000 to £12,000 a month.

49. Are you not of opinion that it would be of great advantage to relieve the Treasury of being made the receiving house, to transfer the duty of signing cheques to the actual Treasurer, and the duty of receiving to the Bank? I think it would be desirable.

50. With regard to the payments out of the Treasury for the last year, it is a matter well known that a large amount has been out without the parliamentary sanction formerly obtained—the Appropriation Act? Yes.

51. Will you state who drew the warrants for the payment? The Auditor General, in the usual form.

52. As a warrant of advance? Either as a warrant of advance or as a final payment.

53. Formerly there was a communication between the two offices with reference to the daily transactions? Yes.

54. Is that still persevered in? Yes.

55. How did you pass, under the supervision of the Auditor General, the daily payments on these warrants not drawn under Parliamentary sanction? They were passed through the cash books, which, I presume, were examined by the Auditor General in the usual way.

56. Then was the same audit gone through as formerly? We did not hear to the contrary.

57. You knew nothing to the contrary? No.

58. As far as the Treasury goes the accounts appear quite regular? Yes.

59. So that accounts for any amount of public money might be passed in the Audit Office without you, as Under Secretary, knowing of any irregularity? Yes, when no surcharge is made.

60. You are not aware of any surcharge made by the Auditor General for the year in anticipation of the vote of the House? No.

Henry Lane,
Esq.

APPENDIX A.

23 Sept., 1858. COMPARATIVE STATEMENT of the NUMBER and EXPENSE of CLERKS in the undermentioned Establishments in 1856 and 1858.

DEPARTMENTS.	1856.		1858.	
	No.	Expense.	No.	Expense.
		£		£
Treasury	23	6,489	15	*4,315
Principal Secretary	39	9,393	12	*3,730
Lands and Works .....	.....	.....	11	*2,525
Surveyor General	25	6,612	24	6,030
	64	16,008	47	12,285
Auditor General	20	5,521	17	4,520

*Exclusive of the Under Secretary, at £800.

The Treasury, New South Wales, }
23 September, 1858.

HENRY LANE,
Under Secretary.

SEPARATE APPENDIX.

A.

The Clerk of the Legislative Assembly to the Honorable the Colonial Secretary, transmitting a form of Schedule prepared by the Select Committee on "Retrenchment in the Public Expenditure," for circulation to the various Public Departments.

58-8.

*Legislative Assembly Offices,
Sydney, 13 May, 1858.*

Sir,

I am directed by the Chairman of the Select Committee of the Legislative Assembly on Retrenchment in the Public Expenditure to transmit to you the enclosed form of Schedule, indicating certain points with respect to which the Committee are especially desirous of eliciting the fullest information for the purposes of their inquiry; and to request that you will at your earliest convenience communicate a copy thereof to the several Public Departments in the Colony, with an instruction to supply, as soon as may be, a return in conformity therewith. I am at the same time directed to inform you that the Committee wish it to be distinctly understood in transmitting this Schedule that although they are desirous to have, as far as practicable, its requirements strictly complied with, they nevertheless have no intention to exclude, but on the contrary would rather invite, any further information within the scope of their inquiry which the Departments may consider as likely to prove useful in bringing the labors of the Committee to a complete and satisfactory issue, provided such further information be concise in form and speedily supplied.

I have, &c.,

The Honorable
The Colonial Secretary,
&c., &c., &c.

R. O'CONNOR,
Clerk of Legislative Assembly.

B.

*Colonial Secretary's Office,
Sydney, 20 July, 1858.*

Sir,

With reference to your letter of the 13th of May last, I am directed by the Colonial Secretary to transmit to you, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in the Public Expenditure," the Schedules of the Departments under his control mentioned in the annexed list, which have been obtained in compliance with the desire of the Committee. The Returns from the other Departments will be forwarded to you as soon as received.

2. I am desired to add, that a communication has been made to the other Ministers, with a view to Returns being furnished to the Committee of the Departments and Establishments under their direction.

I have, &c.,

R. O'Connor, Esq.,
Clerk of the Legislative Assembly.

W. ELYARD.

DEPARTMENTS OF THE:—

Executive Council.
Colonial Secretary.
Government Resident, Moreton Bay.
Registrar General.
Postmaster General.
Protestant Orphan School.
Roman Catholic Orphan School.
Agent for Immigration, Sydney.
" " Moreton Bay.
Sydney Police, Judicial Department.
Water Police Magistrate.
Gaols—Darlinghurst.
Parramatta.
Goulburn.
Bathurst.
Maitland.
Cockatoo Island.
Government Printer.
Astronomer.
Health Officer, Sydney.
" " Newcastle.
Vaccinator, Sydney.
Lunatic Asylum, Parramatta.
" " Tarban Creek.
Auditor General.

C.

*Colonial Secretary's Office,
Sydney, 24 July, 1858.*

Sir,

I am directed by the Colonial Secretary to transmit, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in the Public Expenditure," the enclosed Returns, received from the Office of Lands and Public Works, together with a copy of a letter which accompanied them from the Under Secretary of that Department.

The Clerk of the Legislative Assembly.

I have, &c.,
W. ELYARD.

*Department of Land and Public Works,
Sydney, 22 July, 1858.*

Sir,

With reference to your letter of the 22nd ultimo, I am directed to transmit to you a Return of this Department, shewing the several particulars required by the Select Committee of the Legislative Assembly on "Retrenchment in the Public Expenditure."

2. I am likewise instructed to enclose similar Returns of the several Departments under the control of the Secretary for Lands and Public Works, enumerated in the annexed list.

3. The Return for the Railway Department will be forwarded as soon as it is received.

The Principal Under Secretary.

I have, &c.,
MICL. FITZPATRICK.

DEPARTMENTS OF—

Surveyor General and Chief Commissioner of Crown Lands.
Colonial Architect.
Agent for Church and School Estates.
Director of Botanic Gardens.
Examiner of Coal Fields, Newcastle.
Commissioner in charge of the Western Districts.
Commissioner in charge of the Southern Districts.
Assistant Gold Commissioner Buchanan.
" " " Douglass.
" " " Lynch.
" " " Griffin.

APPENDIX D.

(1.)

58-73.

*Colonial Secretary's Office,
Sydney, 20 August, 1858.*

Sir,

With reference to my letter of the 20th ultimo, I am directed by the Colonial Secretary to transmit, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in Public Expenditure," the accompanying copy of a communication from the Inspector General of Police, forwarding the Schedule of the Department for Metropolitan Police, and the Schedules for sixty-seven of the Rural Police Districts.

I have, &c.,
W. ELYARD.

R. O'Connor, Esq.,
Clerk of the Legislative Assembly.

The Inspector General of Police to the Principal Under Secretary, transmitting Police Schedules for Committee on Retrenchment.

*Office of Inspector General of Police,
Sydney, 17 August, 1858.*

Sir,

In compliance with the instructions contained in your letter of the 26th June last, I do myself the honor to transmit, for the information of the Chief Secretary, forms of Schedule—departmentally—for the Metropolitan Police, and for sixty-seven of the Rural Police Districts, indicating certain points upon which the Committee of the Legislative Assembly on "Retrenchment in the Public Expenditure" are desirous of obtaining information as regards the Police.

Those Benches from which Returns have not yet been received have been again written to for them.

I have, &c.,
JNO. M'LERIE,
Inspector General of Police.

The Principal Under Secretary.

Goulburn.
Tamworth.
Shoalhaven.
Balranald.
Glen Innes.

(2.)

(2.)

LIST specifying the sixty-seven Rural Police Districts from whom filled in forms of Schedule were received by the Committee, on 20 August, 1858.

1. Albury.	35. Molong.
2. Armidale.	36. Moulamein.
3. Bathurst.	37. Mounted Patrol, Bathurst.
4. Berrima.	38. Mudgee.
5. Binalong.	39. Murrumbidgee.
6. Bombala.	40. Musclebrook.
7. Braidwood.	41. Newcastle.
8. Brisbane, Moreton Bay.	42. Orange.
9. Brisbane Water.	43. Parramatta.
10. Broulee.	44. Paterson.
11. Camden, Narellan, and Picton.	45. Patrick's Plains.
12. Campbelltown and Appin.	46. Peurith.
13. Carecar.	47. Port Curtis.
14. Casino.	48. Port Macquarie.
15. Condamine, Darling Downs. *	49. Port Stephens.
16. Cooma.	50. Queanbeyan.
17. Dalby, Darling Downs.	51. Raymond Terrace.
18. Deniliquin.	52. Rylstone.
19. Drayton.	53. Scone.
20. Dubbo.	54. Shoalhaven.
21. Eden.	55. Taroom.
22. Gayndah.	56. Tenterfield, New England.
23. Grafton.	57. Tumut.
24. Gundagai.	58. Uralla.
25. Hartley.	59. Wagga Wagga.
26. Ipswich.	60. Warialda.
27. Kiama.	61. Warwick.
28. Liverpool.	62. Wee Waa.
29. Macleay River.	63. Wellington.
30. Maitland.	64. Windsor.
31. Manning River.	65. Wollombi and Macdonald River.
32. Maryborough.	66. Wollongong.
33. Merriwa.	67. Yass.
34. Moama.	

E.

58-74.

*Colonial Secretary's Office,
Sydney, 23 August, 1858.*

Sir,

With reference to my letter of the 20th instant, I am directed by the Colonial Secretary to transmit, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in Public Expenditure," the accompanying Schedule of the Department of Internal Communications.

I have, &c.,

W. ELYARD.

R. O'Connor, Esq.,
Clerk of the Legislative Assembly.

F.

58-75.

*Colonial Secretary's Office,
Sydney, 27 August, 1858.*

Sir,

With reference to my letter of the 23rd instant, I am directed by the Colonial Secretary to transmit, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in Public Expenditure," the accompanying Schedule of the Department of the Legislative Council.

I have, &c.

W. ELYARD.

R. O'Connor, Esq.,
Clerk of the Legislative Assembly.

G.

58-78.

*Colonial Secretary's Office,
Sydney, 2 September, 1858.*

Sir,

With reference to my letter of the 20th ultimo, I am directed by the Colonial Secretary to transmit, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in Public Expenditure," the accompanying Schedules of the Police Department of "Glen Innes" and "Shoalhaven."

I have, &c.,

W. ELYARD.

R. O'Connor, Esq.,
Clerk of the Legislative Assembly.

H.

H.

P.O.—937.
T.N.—2,423.*The Treasury, Sydney,
10 September, 1858.*

Sir,

Customs.
Distilleries.
Mint.
Colonial Stores.
Military Stores.
Shipping Office.
Steam Navigation
and Pilot
Board.

I am directed to transmit, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in Public Expenditure," the accompanying Schedules—as required by your letter of the 13th May last—of the several branches of the Public Service under the control of the Honorable the Minister for Finance and Trade, with the exception of that of the Colonial Stores, which will be forwarded to you without delay.

I have, &c.,

HENRY LANE,
Under Secretary.Richard O'Connor, Esq.,
Clerk of the Legislative Assembly.

I.

P.O.—945.

*The Treasury, Sydney,
13 September, 1858.*

Sir,

With reference to my letter of the 10th instant, P. O. 937, I am directed to enclose the Schedule of the Colonial Storekeeper's Department, as required by the Select Committee of the Legislative Assembly on "Retrenchment in Public Expenditure."

I have, &c.,

HENRY LANE,
Under Secretary.Richard O'Connor, Esq.,
Clerk of the Legislative Assembly.

J.

58-80.

*Colonial Secretary's Office,
Sydney, 14 September, 1858.*

Sir,

With reference to my letter of the 20th ultimo, I am directed by the Colonial Secretary to transmit, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in Public Expenditure," the accompanying Schedule of the Police Department of Tamworth.

I have, &c.,

W. ELYARD.

R. O'Connor, Esq.,
Clerk of the Legislative Assembly.

K.

No. 1.

No. 86.

*Colonial Secretary's Office,
Sydney, 22 October, 1858.*

Sir,

I am directed by the Colonial Secretary to transmit, for the information of the Select Committee of the Legislative Assembly on "Retrenchment in the Public Expenditure," the enclosed Returns received from the Crown Law Offices, together with a copy of a letter which accompanied them from the Secretary of that Department.

I have, &c.,

W. ELYARD.

The Clerk of the Legislative Assembly.

No. 2.

58-95.

*Crown Law Offices,
Sydney, 16 October, 1858.*

Sir,

In compliance with the request contained in your letter of the 22nd May last, covering copy of a communication from the Clerk of the Legislative Assembly, together with the form of Schedule therein referred to, indicating certain particulars with which the Select Committee on "Retrenchment in the Public Expenditure" require to be supplied, I have now the honor, by direction of the Attorney General, to forward herewith to you the Returns transmitted from the undermentioned officers, being the immediate heads of the Departments placed by the administrative arrangements under the control of the Law Officers, in order that they may be given to the Chairman to be placed before the Committee before mentioned.

I have, &c.,

W. E. PLUNKETT,
Secretary to Law Department.

The Under Colonial Secretary.

Department

Department of the Honorable Crown Law Officers.

1. { The Criminal Crown Solicitor.
The Civil Crown Solicitor.
2. The Master in Equity.
3. The Prothonotary.
4. *The Registrar, Supreme Court, Brisbane.
5. The Crown Prosecutor, Brisbane.
6. The Crown Solicitor, Brisbane.
7. The Sheriff, Brisbane.
8. The Sheriff, Sydney.
9. The Chief Commissioner of Insolvent Court.
10. The Chairman of Quarter Sessions.
11. The Crown Prosecutor.
12. The Clerk of the Peace, Cumberland, &c., &c.
13. The Clerk of the Peace, Maitland.
14. The Commissioner, Court of Requests.
15. The Parliamentary Draftsmen.
16. The Judges' Associates.

* P. S. The Registrar of the Moreton Bay Court has omitted, to the present moment, to supply the required Return.—W. E. P.

1858.

Legislative Assembly.

NEW SOUTH WALES.

CENTRAL POLICE OFFICE CLERKS.

(CORRESPONDENCE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 25 November, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 24 November, 1857, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House,—

“ Copies of all Correspondence between the Colonial Secretary
 “ and the Police Magistrate at the Central Police Office, Sydney,
 “ and between the Colonial Secretary and any Clerks of the said
 “ Police Department, relative to the promotion or advancement
 “ of Clerks in that Department for the last three years.”

(*Mr. Dalley.*)

SCHEDULE.

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CENTRAL POLICE OFFICE CLERKS.

No. 1.

THE POLICE MAGISTRATE to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 3 January, 1855.*

SIR,

I have the honor to inform you, for the information of His Excellency the Governor General, that Mr. M'Koy, a clerk of the 3rd class in the Judicial Branch of this department, having been recommended to be removed to the Executive Branch immediately under the control of the Metropolitan Superintendent of Police, I do myself the honor to request that His Excellency the Governor General will sanction the Police Magistrates, as heretofore, receiving applications from candidates for the vacancy caused thereby, so that they may recommend the applicant (whom they may consider most fit to perform the duties) to the favorable consideration of His Excellency the Governor General.

I have, &c.,

THE HONORABLE
THE COLONIAL SECRETARY.

JAMES S. DOWLING, P. M.

No. 2.

THE COLONIAL SECRETARY to THE POLICE MAGISTRATE.

*Colonial Secretary's Office,
Sydney, 10 January, 1855.*

SIR,

In acknowledging the receipt of your letter of the 3rd instant, No. 55-78, stating that Mr. M'Koy, clerk of the 3rd class in the Judicial Branch of your department, has been recommended to be removed to the Executive Branch under the control of the Metropolitan Superintendent of Police,—I am directed to inform you that His Excellency the Governor General approves of your receiving applications from candidates for the vacancy caused thereby, with a view to the most eligible being recommended for the appointment.

I have, &c.,

THE POLICE MAGISTRATE,
Sydney.

W. ELYARD.

No. 3.

THE POLICE MAGISTRATE to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 15 January, 1855.*

SIR,

I do myself the honor to acknowledge the receipt of your letter of 10th instant, No. 55-126, informing me that His Excellency the Governor General approved of my receiving applications from candidates for the vacancy caused by Mr. M'Koy, a clerk of the 3rd class in this department, being removed to the Executive Branch under the control of the Metropolitan Superintendent of Police.

2. With the concurrence of the Police Magistrates, I beg to recommend, for the approval of His Excellency the Governor General, that Mr. James Martin, an assistant clerk in this office, and who has always performed his duties in a very efficient manner, be promoted to the 3rd class, in the room of Mr. M'Koy.

3.

3. Several applications for the additional assistant clerkship, created by the promotion of Mr. Martin, having been made to the Police Magistrates, they, after mature deliberation, beg to recommend, therefore, Mr. Francis Burnand Davidson, a gentleman who has been highly recommended to their notice.

I have, &c.,

THE HONORABLE

JAMES S. DOWLING, P. M.

THE COLONIAL SECRETARY.

No. 4.

THE COLONIAL SECRETARY to THE POLICE MAGISTRATE.

Colonial Secretary's Office,

Sydney, 19 January, 1855.

SIR,

I am directed by the Governor General to request that you will have the goodness to meet the Acting Auditor General and the Clerk of the Legislative Council, at this Office, on Tuesday morning, the 30th instant, at eleven o'clock, for the purpose of forming a Board to examine into and report upon the qualifications of Mr. James Martin, for a situation of a clerk of the 3rd class in your department, to which it is His Excellency's intention to appoint him, should he be deemed competent by the Board.

You will have the goodness to instruct Mr. Martin to attend at the time and place specified.

I have, &c.,

W. ELYARD.

THE POLICE MAGISTRATE,

Sydney.

P.S.—I am to add, that His Excellency approves of the employment of Mr. Francis Burnand Davidson, as an extra clerk, in the room of Mr. Martin, with pay at the rate of 5s. per day, and the usual temporary allowance, from the date of his commencing duty.

No. 5.

THE POLICE MAGISTRATE to THE COLONIAL SECRETARY.

Central Police Office,

Sydney, 8 February, 1855.

SIR,

In compliance with your letter of the 19th ultimo, (No. 55-570), I instructed Mr. James Martin to attend at the Honorable the Colonial Secretary's Office on the 30th January.

I have now the honor to enclose the Report of the Board of Examiners held on the 6th instant, (to which day the Board had been adjourned), stating "that Mr. James Martin is fully qualified to be appointed a clerk of the 3rd class in this department."

I have, &c.,

JAMES S. DOWLING, P. M.

REPORT of a Board appointed by the Honorable the Colonial Secretary's Letter of 19 January, 1855, to report upon the qualifications of Mr. James Martin, proposed to be appointed a Clerk of the 3rd Class in the Central Police Department.

The Board having examined Mr. James Martin in Orthography, English Grammar, and Arithmetic, feel satisfied that he is fully qualified for the situation of a clerk of the 3rd class. He wrote the prescribed memorandum in eight minutes. He is 54 years of age. This Report is a specimen of his handwriting.

JOHN STIRLING.

WM. MACPHERSON.

JAMES S. DOWLING.

Colonial Secretary's Office,

Sydney, 6 February, 1855.

CENTRAL POLICE OFFICE CLERKS.

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No. 6.

THE COLONIAL SECRETARY to THE POLICE MAGISTRATE.

*Colonial Secretary's Office,
Sydney, 17 February, 1855.*

SIR,

The Board appointed to examine candidates for situations in Public Offices having reported favorably of the qualifications of Mr. James Martin, I am directed to inform you, with reference to your report of the 8th instant, No. 55-6, that His Excellency the Governor General has been pleased to appoint him a clerk of the 3rd class in your office, with pay at the rate of £125 per annum, and a temporary allowance of £100 a year from the 1st January last, inclusive.

I have, &c.,

W. ELYARD.

THE POLICE MAGISTRATE,
Sydney.

No. 7.

THE POLICE MAGISTRATE to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 17 May, 1855.*

SIR,

I have the honor to request that you will be good enough to obtain the sanction of His Excellency the Governor General for the usual increase of salary, from five to six shillings per diem, being granted to Mr. Francis B. Davidson, a clerk in this establishment, from the 15th ultimo, he having on the previous day completed the period required by the regulations to entitle him thereto.

I have, &c.,

JAMES S. DOWLING.

THE HONORABLE
THE COLONIAL SECRETARY.

No. 8.

THE COLONIAL SECRETARY to THE POLICE MAGISTRATE.

*Colonial Secretary's Office,
Sydney, 28 May, 1855.*

SIR,

In reply to your letter of the 17th instant, I am directed to inform you that, under your recommendation, His Excellency the Governor General approves of the salary of Mr. F. B. Davidson, a clerk in your department, being increased from 5s. to 6s. a day, in accordance with the established regulations.

I have, &c.,

W. ELYARD.

THE POLICE MAGISTRATE,
Sydney.

No. 9.

MR. GEORGE WARBURTON to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 7 November, 1856.*

SIR,

Understanding that it is the intention of the Government to superannuate the Chief Clerk of this department, and to support another in his stead, who will also, as a Magistrate, have to discharge the Chamber duties,—

I beg most respectfully to lay before you my claims for that appointment.

I have been upwards of sixteen years in this office, and am next in seniority; for my competency to discharge satisfactorily the duties required, I beg to refer you to the accompanying testimonials from Members of Parliament and Magistrates, most of whom have known me since I entered the public service.

Mr. Nichols.
Mr. Martin.
Mr. Weekes.
Mr. Gordon.

I have, &c.,

GEO. WARBURTON.

THE HONORABLE
HENRY WATSON PARKER, Esq.,
Premier, &c., &c., &c.

CENTRAL POLICE OFFICE CLERKS.

No 10.

MR. GEORGE WARBURTON to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 17 November, 1856.*

SIR,

It is with pride and pleasure I enclose to you the accompanying testimonial in my favor from Mr. Plunkett, who must above most men, as the Attorney General of this Colony for many years, be best able to say whether I deserve and am fitted for the appointment I now seek. I say this, for, of course, almost all the depositions taken by me during the number of years I have been in the service have been acted upon by that gentleman.

I cannot help entertaining a hope, from this and the testimonials submitted in my former communication, that my application will be favorably entertained, and, if so, I beg to say that I will be most happy to perform the duties of the appointment to the end of the year at my present salary; and should it so happen that the Assembly do not vote a salary for the office, I can but return to my present duties.

I make this proposition with a view to obviate any difficulty that may be felt in at once making an appointment which I believe is well understood to be urgently necessary.

I have, &c.,

GEO. WARBURTON.

THE HONORABLE

THE COLONIAL SECRETARY.

P.S.—I take leave also to enclose a note received from D. Egan, Esquire, since writing the foregoing.

No. 11.

THE POLICE MAGISTRATE to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 20 November, 1856.*

SIR,

I do myself the honor herewith to transmit three letters received this day by me from Messrs. J. P. Ormiston, W. Crane, and Edward Reeve, applying to be placed upon the 3rd class in this department from the 1st January next, and requesting me to recommend the same to the favorable consideration of Her Majesty's Government.

I have great pleasure in recommending each of their individual claims to promotion, as they have, one and all, given me every satisfaction during the time they have respectively been under my immediate supervision and control. Their duties are, I beg to observe, in each case of an irksome and responsible nature, and their position in discharging them of a very different character to that of clerks of the same standing in other Government offices. Under all these circumstances, however, I have always found them ready, willing, and attentive to their different duties, and have no hesitation whatever in requesting that their claims may be favorably considered, especially as I understand that the promotion solicited will not entail any additional expense upon the Government during the ensuing year.

I have, &c.,

JAMES S. DOWLING, P.M.

THE HONORABLE

THE COLONIAL SECRETARY.

[Enclosure 1 in No. 11.]

*Central Police Office,
Sydney, 30 November, 1856.*

SIR,

I do myself the honor most respectfully to request that you will be pleased to forward this my application to the Honorable the Executive Council, that I may be placed upon the 3rd class from the 1st day of January, 1856.

I have been a clerk in this office for nearly three years, and during that period my time has been chiefly occupied as keeper of the Records, and in making out warrants of commitment, &c.

I trust that the manner in which I have discharged those duties, and other business which has devolved upon me, has met with your approbation, and that you will give this my application your recommendation and support.

I have, &c.,

WILLIAM CRANE.

J. S. Dowling, Esq.,
Police Magistrate.

[Enclosure

CENTRAL POLICE OFFICE CLERKS.

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[Enclosure 2 in No. 11.]

Central Police Office,
Sydney, 19 November, 1856.

Sir,

I do myself the honor most respectfully to solicit that you will be pleased to recommend me to the Government for appointment as a 3rd class clerk in your department from the 1st of January next.

For the last three years and a-half I have had the conduct and management of the Accounts of this department; and I earnestly trust that, from the manner in which I have performed those duties, I shall be entitled to your favorable recommendation and support.

I have, &c.,

JAMES P. ORMISTON.

J. S. Dowling, Esq.,
Police Magistrate.

[Enclosure 3 in No. 11.]

Central Police Office,
Sydney, 20 November, 1856.

Sir,

I do myself the honor most respectfully to request that you will be pleased to submit this my application for promotion to a 3rd class clerkship for the favorable consideration of Her Majesty's Colonial Government; and in so doing I venture to express a hope that you will herein see no reason to refuse me the sanction of your recommendation and support.

2. Although the prospect of a heavy reduction of £41, or thereabouts, in my next year's salary is the immediate cause of my troubling you with this application, I trust I shall be excused for drawing attention to the fact that I have now uninterruptedly served the Government as an extra clerk for upwards of *eight years*—since the 16th October, 1848. At that time I was appointed an extra clerk in the Immigration Office, to be paid and rated as such, but under the name of "Clerk to the Orphan Committee," to perform the whole secretarial and clerical duty of that sub-department. On the discontinuance of Orphan Immigration, towards the close of the year 1851, I was placed on duty as an extra clerk in the Immigration Department, in which capacity, as previously, I ever exerted myself to give satisfaction to my superiors, as will appear by the testimonials of those gentlemen (herewith enclosed) and to which I now crave reference.

3. There is, moreover, a circumstance as to the period previous to my joining this department to which I beg respectfully to invite attention, as shewing that (although my services in the Immigration Office were not unappreciated) my case has been, for a considerable time past, one of some hardship as regards promotion. It is, in few words, as follows:—In the month of February, 1852, a Mr. G. W. Newcombe, the clerk next above me, and a clerk on the 3rd class, formally resigned his appointment in the Immigration Office, and accepted a situation in a Bank; on his resignation the Agent for Immigration, by an official memorandum, directed that "Mr. Newcombe's resignation should be accepted, and that Mr. Reeve should have the vacancy;" unfortunately, however, Mr. Newcombe did not, on trial, find his engagement at the Bank a suitable one, and he, therefore, by letter, after a few days, requested leave to withdraw his resignation, and to be allowed to return to the Immigration Office, which was accordingly permitted, and I thus continued to be paid and rated as an extra clerk, until, disappointed in all hopes of promotion there, I left the Immigration Department on the 11th of January, 1854, and entered the Central Police Office, wherein I have since remained, never having had any cause to regret the change then made, although still only an extra clerk.

4. Under all these circumstances, my length of service, and the manner in which I have performed the multifarious duties devolving upon me, under your supervision and control in this department entitle me, as I conceive, to indulge in the belief that you will assist me in this my application for that promotion of which I am not undeserving, and to which I have for so many years looked forward in vain.

I have, &c.,

EDWARD REEVE.

James Sheen Dowling, Esq.,
Police Magistrate,
Sydney.

No. 12.

THE COLONIAL SECRETARY to THE POLICE MAGISTRATE.

Colonial Secretary's Office,
Sydney, 27 November, 1856.

Sir,

With reference to your letter of the 20th instant, transmitting and recommending the applications of Messrs. J. P. Ormiston, W. Crane, and Edward Reeve, for promotion to the 3rd class of clerks in your department, from the 1st January next, I am directed to inform you that, it is regretted, that this application is too late to be considered during the present Session of Parliament.

I have, &c.,

W. ELYARD.

THE POLICE MAGISTRATE,
Sydney.

No 13.

No. 13.

CLERKS IN THE POLICE OFFICE to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 19 February, 1857.*

SIR,

We, the undersigned, clerks of the Central Police Office, having heard with some surprise that a gentleman wholly unconnected with this department has received the appointment of Chief Clerk, to the exclusion of such of us as have, from official experience, general ability and length of service, a fair claim to an interest in that promotion, beg respectfully to represent (without any prejudice or animus against the party alluded to, who is, as yet, personally unknown to us,) that the appointment of any one out of this department over our heads is an unmerited stigma and disgrace to us all, collectively and individually; since it plainly and distinctly denies the ability, character, and competency of any of us to discharge the duties incumbent upon the abovementioned officer; further, that the operation of such an appointment as is now respectfully animadverted upon, is a general and particular injustice to the clerks of this establishment, a great and wholly undeserved denial of promotion, and a serious discouragement to all subordinate employes in the civil service of this Colony.

We, therefore, respectfully request that you will be pleased to submit this our representation to His Excellency the Governor General and the Honorable the Executive Council, for their consideration of the same.

We have, &c.,

GEO. WARBURTON.
J. MARTIN.
WILLIAM CRANE.
C. J. SMITHERS.
J. P. ORMISTON.
EDWARD REEVE.
FRANCIS B. DAVIDSON.

THE HONORABLE
THE COLONIAL SECRETARY.

No. 14.

THE COLONIAL SECRETARY to GEORGE WARBURTON, ESQ., AND OTHERS.

*Colonial Secretary's Office,
Sydney, 20 February, 1857.*

GENTLEMEN,

In acknowledging the receipt of your letter of the 19th instant, on the subject of the vacancy now existing in the office of Chief Clerk in the Central Police Office, and in which you remonstrate against any one unconnected with the department being appointed over you in that capacity,—I am directed by the Colonial Secretary to state, that the tone of your letter is altogether such as you are in no way justified in adopting.

2. At the same time I am to inform you, that without in any respect calling in question your ability for the efficient discharge of the duties to which you are appointed, the Government can only be guided in the selection of a gentleman to fill the newly created office by a sense of what will best conduce to the advantage of the public service.

I have, &c.,

GEORGE WARBURTON, ESQ.,
and the other Clerks in the Police Office
signing the letter of the 19th instant.

W. ELYARD.

No. 15.

GEORGE WARBURTON, ESQ., to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 28 February, 1857.*

SIR,

Referring to your letter of the 20th instant, and being assured that the appointment of Chief Clerk and Assistant Police Magistrate for this department has not yet been made by the Government, I have now the honor to forward for perusal—and I trust for approval

CENTRAL POLICE OFFICE CLERKS.

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approval—the accompanying certificate from certain Magistrates of this City who have known me in their official capacity for several years past, and also from several members of the legal profession who have been in the habit of attending at this Court. These additional certificates will, I trust, be sufficient to satisfy the Government that I am both eligible for, and deserving of, this appointment.

With reference to a letter signed by me and other clerks in this department, respecting the above appointment, I beg, for myself and them, to express an unfeigned regret that there should have been any apparent impropriety in its tone; and especially as regards yourself, for whom we entertain the highest esteem and respect.

I have, &c.,

THE HONORABLE

THE COLONIAL SECRETARY.

GEO. WARBURTON.

No. 16.

THE POLICE MAGISTRATE to THE COLONIAL SECRETARY.

Sydney, 2 March, 1857.

MY DEAR SIR,

As you requested, I have carefully considered the matter you referred to on Saturday, and I am decidedly of opinion that no second or Assistant Magistrate is required at the Central Police Office. I feel quite competent to perform the whole of the duties without assistance, and I think the number of clerks now in the office amply sufficient.

I have, &c.,

THE HONORABLE

H. W. PARKER,

&c., &c., &c.

DAVID FORBES.

No. 17.

THE POLICE MAGISTRATE to THE COLONIAL SECRETARY.

Police Office,

Sydney, 4 March, 1857.

MY DEAR SIR,

I think the better way to answer your note of yesterday is to give the name, salaries, and duties of the clerks now in the office, and the same as I propose to arrange them, which you will find on the last sheet. The saving thus shown will be £275 per annum, while the actual strength of the department will not be less than at present, as Mr. Ormiston, senior, does little or nothing, and an active Chief Clerk would more than compensate for his loss. I think there should be two Deposition Clerks, because when there is a Mayor the two Courts will be open together every morning.

I have, &c.,

THE HONORABLE

H. W. PARKER, M.P.,

&c., &c., &c.

DAVID FORBES.

As at present:—

1. Mr. Ormiston	.....£130	... Chief Clerk.
2. Mr. Warburton	..... 375	... Deposition Clerk.
3. Mr. Smithers	..... 275	... Clerk and Assistant Deposition Clerk.
4. Mr. Nathan	..... 275	... Licenses and Informations.
5. Mr. Martin	..... 230	... Index and Informations.
6. Mr. Ormiston, jun.	.... 175	... Accountant.
7. Mr. Crane	..... 175	} Preparing warrants, summonses, binding parties over, records, letters, &c., &c.
8. Mr. Reeve	..... 175	
9. Mr. Davidson	..... 175	

No. 18.

THE COLONIAL SECRETARY to THE POLICE MAGISTRATE.

*Colonial Secretary's Office,
Sydney, 16 March, 1857.*

SIR,

I am directed to inform you that His Excellency the Governor General and the Executive Council have had before them your letter of the 4th instant, proposing certain changes in the Central Police Office, consequent upon the superannuation of Mr. Ormiston, the present Chief Clerk.

2. I am further to inform you that, with the advice of the Council, His Excellency has been pleased, in accordance with your recommendation, to sanction the following appointment and promotions, viz. :—

Mr. George Warburton to be Chief Clerk and Clerk of Petty Sessions, in the Central Police Office, with the salary of £430 a-year.

Mr. C. J. Smithers to be first Deposition Clerk, with a salary of £350 a-year.

Mr. F. F. S. Nathan to be second Deposition and Licensing Clerk, with a salary of £300 a-year.

I have, &c.,

W. ELYARD.

THE POLICE MAGISTRATE,
Sydney.

No. 19.

THE POLICE MAGISTRATE to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 11 April, 1857.*

SIR,

I have the honor to forward herewith four enclosures,—numbers 1, 2, and 3 being letters from the junior clerks in this office, seeking promotion, and in some cases increase of salary, and 4, a Table of the Salaries paid to the officers of this department in the year 1856, those voted for 1857, those now paid, and a scale which I would beg to submit for your consideration.

2. The number of clerks for whom salaries were voted for the present year was nine, namely, one chief, one 2nd class, three 3rd class, and four assistant clerks. When, therefore, Mr. Warburton, the 2nd class clerk, was promoted to the office of Chief Clerk, it would perhaps have been more in accordance with the usual custom had all the other clerks been promoted a step, leaving the last vacancy unfilled, as eight clerks are considered sufficient.

3. Taking this view of the case, the applications made in enclosures 1 and 2 appear to be reasonable.

4. With regard to enclosure No. 3, signed by the assistant clerks, I would remark that the name "assistant clerks" appears to me altogether a misnomer, as applied to officers performing such duties as are required from the officers in this department so designated. The duties usually performed by assistant clerks involve no responsibility or knowledge beyond the requisites of an ordinary copying clerk; whereas clerks of this class in this office are employed in filling up informations, warrants, summonses, and other legal forms—to do which correctly, it is necessary for them to possess an intimate knowledge of the several Acts of Council, and the ability to refer to them readily: mistakes in these matters would cause much inconvenience and delay; and I think that a less number of really efficient officers would perform their duties more satisfactorily than a greater number of inefficient officers. It was upon this principle that I recommended eight clerks instead of nine; and upon the same principle I now recommend that no clerk in this office should be rated lower than a third class clerk.

5. In reference to enclosure 4, it will be seen that in the year 1856 the number of officers belonging to this establishment was fourteen, and the amount of their salaries £3,682 3s.; that the number of officers whose salaries were voted for the present year was twelve, and the amount voted £3,073; and that the number now actually attached is eleven, whose salaries at the present rate would only amount to £2,798, or £275 less than the sum voted

voted for the present year, and £834 3s. less than what was paid for the same services last year.

6. In the scale which I have submitted I have left the salaries of the Chief Clerk, 2nd class clerk, and the first clerk of the 3rd class, at the same amount as those voted, the gentlemen filling those offices having been so recently promoted; and I have filled in the others at the same rate as those paid in 1856. I would observe, that if this scale be adopted, there will still be a saving on the original estimate voted, at the rate of £80 per annum; while at the same time, under the arrangement I propose, I have no doubt the work of this office would be more efficiently performed than if the original arrangement had been carried into effect.

I have, &c.,

THE HONORABLE

DAVID FORBES, P. M.

THE COLONIAL SECRETARY.

[Enclosure 1 in No. 19]

Central Police Office,
Sydney, 16 March, 1857.

Sir,

I take the liberty respectfully to represent to you that Mr. George Warburton's duties in this office having, in consequence of his being appointed Clerk of Petty Sessions, been transferred to Messrs. Smithers and Nathan, as First and Second Deposition Clerks, a considerable additional amount of labor has devolved upon me, in the preparation of the whole of the Informations on application for Warrants and Summonses, which, as you are aware, require the utmost accuracy, and frequent reference to Acts of Council. I trust I shall not be considered presumptuous in requesting the favor of your recommending me to the Honorable the Colonial Secretary for promotion from the 3rd to the 2nd class, to supply the vacancy in that class occasioned by the promotion of Mr. Warburton.

I beg to be allowed to add, that during the four years I have occupied my present position I have faithfully performed my duties (as your predecessor, Mr. Dowling, will most readily testify); and my promotion to a higher class will be an additional incentive to a zealous and faithful discharge of those which are now entrusted to me by the changes to which I have referred.

I have, &c.,

DAVID FORBES, Esq.,
Police Magistrate.

JAMES MARTIN.

[Enclosure 2 in No. 19.]

Central Police Office,
Sydney, 24 March, 1857.

Sir,

I have the honor to request that you will be pleased to recommend to the Honorable the Colonial Secretary that I may receive the 3rd class clerkship now vacant in this department through the advancement of Mr. G. J. Smithers to the office of Deposition Clerk.

In making this application, I beg to state that I was placed in my present situation as an assistant clerk on the 1st July, 1853, and on the appointment of my father, Mr. R. Ormiston, as Chief Clerk, on the 1st January, 1854, was entrusted with the sole management of the accounts for this department, which are of an intricate and responsible nature.

As to the manner in which I have at all times discharged the above duty, I would solicit attention to the enclosed certificate, handed to me by J. S. Dowling, Esq., late Police Magistrate, and in conclusion express my hope that you will, under the circumstances, by your recommendation, obtain for me the promotion for which I now tender my application.

I have, &c.,

David Forbes, Esq.,
Police Magistrate,
Sydney.

J. P. ORMISTON.

[Enclosure 3 in No. 19.]

Central Police Office,
Sydney, 7 April, 1857.

Sir,

We the undersigned, designated the "assistant clerks" in your office, most respectfully beg that you will appeal to the Government in our behalf against the great hardships sustained by us under recent arrangements. And we are the more emboldened to do so because we feel sure that it must be now quite apparent to you that our individual duties are not merely of a distinct and independent character, but also onerous and responsible to a very great degree—requiring far greater abilities than are requisite for ordinary "assistant clerks" in the Government service, and an intimate acquaintance with criminal jurisprudence and business generally.

We

We respectfully, but urgently, desire your attention to the fact, that whilst not one of the senior clerks in this department has lost more than £10 on last year's salary, "we assistants" who receive much less, (and could least afford any reduction) have had £34 10s. deducted from each of our annual incomes.

Trusting that your Report will satisfy the Executive that this our application for an immediate augmentation of salary is but just and reasonable—that nine shillings and seven-pence per diem to men with families is wholly insufficient to subsist upon, and an inadequate remuneration for the duties which we have to perform.

We have, &c.,

David Forbes, Esq.,
Police Magistrate.

WILLIAM CRANE.
EDWARD REEVE.
FRANCIS B. DAVIDSON.

[Enclosure 4 in No. 19.]

SYDNEY POLICE—JUDICIAL DEPARTMENT.

NAMES OF OFFICERS.	PAID IN 1856.	VOTED FOR 1857.	PAID IN 1857.	PROPOSED SCALE.
Police Magistrate	675 0 0	630 0 0	630 0 0	675 0 0
Chief Clerk	400 0 0	430 0 0	430 0 0	430 0 0
Clerk, 2nd Class	400 0 0	375 0 0	350 0 0	350 0 0
Clerk, 3rd Class.....	285 0 0	275 0 0	300 0 0	300 0 0
Do.	285 0 0	.....	.....	240 0 0
Do.	240 0 0	230 0 0	230 0 0	209 10 0
Assistant Clerk	209 10 0	175 0 0	175 0 0	209 10 0
Do.	209 10 0	175 0 0	175 0 0	209 10 0
Additional Clerk	209 10 0	175 0 0	175 0 0	209 10 0
Do.	209 10 0	175 0 0	175 0 0	.....
Interpreter.....	132 13 6	122 0 0	122 0 0	122 0 0
Messenger	105 4 6	.....	.....	.....
Office Keeper	35 5 0	36 0 0	36 0 0	36 0 0
Court Crier	109 16 0	.....	.....	.....
TOTALS.....£	3,682 3 0	3,073 0 0	2,798 0 0	2,993 0 0

No. 20.

THE COLONIAL SECRETARY to THE POLICE MAGISTRATE.

Colonial Secretary's Office,
Sydney, 20 April, 1857.

SIR,

In acknowledging the receipt of your letter of the 11th instant, submitting with your recommendation communications from the junior clerks in your office, seeking promotion, and in some cases increase of salary,—I am directed to observe, that when you received your present appointment you were requested by the Colonial Secretary to say in what way you proposed to carry out the office arrangements, and at what salaries; and in consequence of your reply, and recommendation of the present plan, deliberately given, the Government abandoned the intention of carrying on the business of the Central Police Office upon an entirely different system.

2 I am further to inform you, that having upon your responsibility consented to your arrangement, the Colonial Secretary regrets his inability now to allow that arrangement to be suddenly disturbed.

I have, &c.,

THE POLICE MAGISTRATE,
Sydney.

W. ELYARD.

1858.

Legislative Assembly.

NEW SOUTH WALES.

CENTRAL POLICE OFFICE CLERKS.

(CORRESPONDENCE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 20 May, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 7 April, 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House :—

“ Copies of the following Correspondence with reference to the remuneration received, and the positions occupied, by certain Clerks in the Central Police Office :—

“ (1.) Letter from Colonial Secretary to Police Magistrate, dated “ 12 December, 1857.

“ (2.) Reply of Police Magistrate to the same, dated 18 December, 1857.

“ (3.) The Police Magistrate, Sydney, to The Colonial Secretary, “ dated 15 February, 1858 (with enclosure).

“ (4.) The Police Magistrate, Sydney, to The Colonial Secretary, “ dated 19 February, 1858 (with enclosure).”

SCHEDULE.

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3. Police Magistrate to Colonial Secretary, forwarding a Memorial from Mr. Ormiston, the senior assistant clerk in the Central Police Office, praying for compensation for loss of promotion, 15 February, 1858	3
4. Police Magistrate, Sydney, to Colonial Secretary, forwarding a Memorial from Francis Burnan Davidson, a clerk in the Central Police Office, praying for some allowance for extra duties he has to perform, 19 February, 1858	4

[*Other correspondence on the subject presented 15 December, 1857*]

CENTRAL POLICE OFFICE CLERKS.

No. 1.

THE UNDER SECRETARY to THE POLICE MAGISTRATE, SYDNEY.

*Colonial Secretary's Office,
Sydney, 12 December, 1857.*

SIR,

I am directed to acknowledge the receipt of your letter of the 11th instant, submitting a communication addressed to you by Mr. James Martin, pointing out that in the Estimates for your department for 1858, his salary, as a clerk of the third class, is inserted at £230, being the pay at present received by him, although he is entitled to an annual increase of £15,—and to request that you will inform Mr. Martin, in reply, that the Government have abolished the Class Regulations, providing for an annual increase, and that the salaries of the Police Department appear to have been fixed as recommended in your communication of the 4th March last.

I have, &c.,

THE POLICE MAGISTRATE,
Sydney.

W. ELYARD.

No. 2.

THE POLICE MAGISTRATE, SYDNEY, to THE COLONIAL SECRETARY.

*Central Police Office,
Sydney, 18 December, 1857.*

SIR,

I have the honor to acknowledge the receipt of a communication from your department, dated the 12th instant, requesting that I would inform Mr. Martin, in reply to his application for an annual increase of salary of £15, that the Government have abolished the Class Regulations providing for an annual increase.

2. I have notified to Mr. Martin the reply to his application, which I had previously told him I could not recommend, but which I consented to forward at his most urgent request.

3. With reference to the latter part of your letter, in which you state that the salaries for the Police Department appear to have been fixed as recommended in my communication of the 4th of March last, I beg to remark that the communication to which you refer was an answer to a private note from Mr. Parker, the late Premier, made a very few days after my appointment to this office, and in which I put the salaries down as they appeared on the Estimate—conceiving that they were so fixed for the year—and that my opinion with respect to them was never asked. For my opinion upon this subject I must refer you to my subsequent official communications of the 11th of April and 15th of May last.

4. I mention this because whenever an allusion is made to the salaries of officers of this department by me, I am always referred back to this communication, made under the circumstances I have mentioned.

I have, &c.,

THE HONORABLE
THE COLONIAL SECRETARY,
&c., &c., &c.DAVID FORBES,
Police Magistrate.

No. 3.

CENTRAL POLICE OFFICE CLERKS.

3

No. 3.

THE POLICE MAGISTRATE, SYDNEY, to THE COLONIAL SECRETARY.

*Central Police Office,**Sydney, 15 February, 1858.*

SIR,

At the request of Mr. Ormiston, the Senior Assistant Clerk in this Office, I have the honor to forward herewith the enclosed Memorial, accompanied by a certificate from Mr. J. S. Dowling, my late predecessor in office, testifying to the careful and zealous manner in which Mr. Ormiston had performed his duties, to which I would add that during the time I have had charge of the department Mr. Ormiston has acquitted himself to my entire satisfaction.

I have, &c.,

DAVID FORBES,

Police Magistrate.

THE HONORABLE,

THE COLONIAL SECRETARY.

[Enclosure 1 in No. 3.]

To the Honorable the Chief Secretary and the Honorable Members of the Executive Council of New South Wales, &c., &c., &c.

The Memorial of the undersigned, James Potts Ormiston, a Clerk in the Judicial Department of the Central Police Office at Sydney,—

HUMBLY SHEWETH:—

That your Memorialist was appointed an Assistant Clerk in the Judicial Department of the Central Police Office at Sydney on the first of July, 1853, with the salary (then payable to a clerk of such status) of £200 10s. sterling per annum, and that from that date until now your Memorialist, although he has at all times given satisfaction to his immediate superiors, has not merely been suffered to remain without promotion of any kind, but has been, without any just cause, denied the same when it evidently came to his turn, and has, moreover, been so injuriously affected by the operation of a certain regulation framed by a late Ministry of Her Majesty's Government in this Colony (and designed, as it would seem, to apply to junior clerks only,) that his yearly salary, instead of being increased, has been greatly reduced—from that at first received by him to £175.

That your Memorialist was, on his appointment as above-mentioned, immediately deputed to assist his father, Mr. Robert Ormiston, then Accountant in the aforesaid department, and, on the promotion of that relative to the position of Chief Clerk, was entrusted with the charge of the whole of the duties of Accountant, without any increase of salary whatever, and that those duties he has discharged, and still continues to discharge, in such a manner as to give entire satisfaction to his superiors, the heads of the Central Police Department, as will be clearly seen from a perusal of the certificate furnished him by Mr. James Sheen Dowling, the late Police Magistrate, on his vacating that office, and as must also be apparent on reference to the deliberate opinion of Mr. David Forbes, the present Police Magistrate.

The following are briefly the circumstances under which promotion came, as he conceives, to the turn of your Memorialist, and was without just cause refused him: The strength of the Central Police Office, in January, 1857, consisted of a Chief Clerk and eight subordinate clerks, of whom four were what is termed "classed" clerks and four wholly unclassed, your Memorialist being the senior of these last named uncovenanted individuals; on the retirement of your Memorialist's father, the next senior classed clerk, Mr. George Warburton, gained promotion and became Chief Clerk, leaving by consequence a vacancy for a second class clerk; Mr. C. J. Smithers, the next in the department to Mr. Warburton, thus became a second class clerk, with an increase of salary amounting to £75 per annum; Mr. T. F. S. Nathan, the next in the department to Mr. Smithers, became senior third class clerk, with an increase of salary amounting to £25 per annum; and the last of the other classed clerks, Mr. James Martin, already in receipt of £55 per annum more than your Memorialist, the next under him, moved, without additional salary, from the position of third to second of those upon the third class, obviously leaving thereby a vacancy for a junior third class clerk. This place which has not been filled up, and which, by any construction of the regulations would be at least £225 per annum, your Memorialist has applied for, as fairly entitled to receive, by character, seniority, and the ordinary routine of the service. But, so far from having received such promotion, your Memorialist, by the general regulation before alluded to as regards unclassed clerks, which came into operation in the commencement of the year 1857, has actually had his salary reduced from £209 10s. to £175; suffering a positive loss in his annual income of £34 10s., instead of receiving by promotion an increase of £15 10s. in excess of his original salary; to say nothing of the very superior position in which he would, in the alternative, have stood as to rank in the department. Your Memorialist, although out of respect for bearing to call attention to the many painful circumstances more or less directly resulting to him herefrom, feels, nevertheless, that duty to himself and family compels him to submit to you

you in forcible language that this denial of promotion (aggravated by a concurrent reduction of salary) is a very unmerited discouragement, and grievous hardship. Promotion, caused by a vacancy at the head of the office, ran through the upper clerks of the department, and only stopped when it came to the uncovenanted clerks, who of all others required it most.

Your Memorialist virtually joined the Central Police Department on the same day as Mr. James Martin, who, when a vacancy occurred under circumstances similar to those now alluded to, succeeded, on the first of January, 1855, to the position of a third class clerk, as a matter of course, no opposition being invidiously offered thereto by your Memorialist.

Your Memorialist is aware that the classification of clerks under the regulations most commonly considered as in force is now to a certain extent modified, or done away with; but he feels confident that such a measure of reform could never have been intended to operate upon the salaries of clerks in any one department in a manner so unjust as this must appear to be when patiently investigated. The service of your Memorialist is, to say the least, identical with that of Mr. Martin, the next above him on the Salary Abstract; and yet, instead of receiving the same pay, or having any reasonable prospect of receiving anything like the same, your Memorialist is annually paid £55 pounds sterling less; and that in the face of the fact that the vacancy for promotion (whether that step be called a *classification* or not) still remains open next above him.

Under these circumstances, the prayer and petition of your Memorialist is that an allowance may be made to your Memorialist equivalent to the pecuniary loss sustained by him on account of his promotion being denied him (from the 16th March to the 31st December, 1857,) to the extent of £39 17s. 3d. And your Memorialist most respectfully makes instance for this equivalent in money, conceiving it to be the only mode of compensation which now that the Class Regulations are done away, is left open for him in justice to himself to submit for favorable consideration.

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

JAMES POTTS ORMISTON.

Sydney, February, 1858.

[Enclosure in No. 3]

Sydney, 2 March, 1857.

Mr. James P. Ormiston held for upwards of three years the position of Accountant in the Central Police Office, whilst that department was under my charge, during the whole of which time he gave the greatest satisfaction. I ever found him careful and zealous in the performance of his duties.

JAMES S. DOWLING.

No. 4.

THE POLICE MAGISTRATE, SYDNEY, to THE COLONIAL SECRETARY.

Central Police Office,

Sydney, 19 February, 1858.

SIR,

I have the honor to forward a letter to my address received from Mr. Davidson, a clerk in this department, enclosing a Memorial to His Excellency the Governor General and the Honorable the Executive Council.

I have, &c.,

D. FORBES,

Police Magistrate.

THE HONORABLE

THE COLONIAL SECRETARY.

[Enclosure in No. 4.]

Central Police Office,

Sydney, 19 February, 1858.

Sir,

I beg most respectfully to request, that you will be so good as to forward, for the favorable consideration of His Excellency the Governor General and his Executive Council, the enclosed Memorial, praying for some allowance for the extra duties I have had to perform owing to the continued existence of a vacancy in this department, and to the great increase of business generally.

I trust that, backed by your recommendation, so fair a claim will not be rejected.

I have, &c.,

David Forbes, Esq.,
Police Magistrate, &c.,
Sydney.

FRANCIS B. DAVIDSON.

[Sub-

[*Sub-Enclosure in No. 4.*]

To His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, &c., &c., &c., and the Honorable the Members of the Executive Council.

The humble Memorial of Francis Burnan Davidson, a Clerk in the Central Police Office, Sydney,—

RESPECTFULLY SHEWETH :—

That above three years ago your Memorialist accepted an appointment as extra clerk in the Central Police Office, in the expectation of speedy promotion to a "class," with increasing and annually increasing remuneration.

That your Memorialist is now in his fourth year of service under this Government, but in lieu of an increased, is in receipt of a considerably diminished income.

That this reduction is not attributable to any misconduct on the part of your Memorialist, nor to any diminution in the extent or responsibility of his duties, which have, on the contrary, been increased in both respects.

That originally your Memorialist received, as fixed salary, £109 10s per annum, with a gold increase of £100, and that, upon subjecting such gold increase to the intended reduction of 25 per cent., your Memorialist would have received £109 10s. and £75, making together £184 10s.

That through some error your Memorialist is only in the receipt of £175.

That on the retirement of the late Chief Clerk, and the promotion of others, a vacancy was left in one of the clerkships, whereby £275 voted by the Assembly for this department has remained unexpended.

That your Memorialist is fairly and equitably entitled to a proportionate share of this sum of £275, inasmuch as he bears, and has borne, a proportionate share in the performance of the extra duties occasioned by the continued existence of the vacancy.

That during this vacancy your Memorialist and others in the department have frequently had to take work home, in addition to attend in office early and late, sometimes so early as eight in the morning, in order to complete the urgent business of the day.

That your Memorialist's work is not adequately paid for by his salary, which is only at the rate of 9s. 7d. per diem, and that such salary is not sufficient for the support of himself, his wife, and child.

And your Memorialist will ever pray.

FRANCIS B. DAVIDSON.

Sydney, February 19, 1858.

1858.

Legislative Assembly.
NEW SOUTH WALES.

MR. JOHN M. BATE.

Ordered by the Legislative Assembly to be Printed, 23 April, 1858.

To the Honorable the Legislative Assembly of New South Wales, &c., &c., &c.

The humble Petition of John Murray Bate, at present First Clerk in the
 Office of the Legislative Council,—

RESPECTFULLY SHEWETH:—

That Petitioner's health having become so impaired in consequence of the protracted attendance required of him in his present situation, it has been thought necessary to recommend that Petitioner should leave the situation he at present fills, on a retiring allowance. Petitioner's case having been brought under the notice of His Excellency the Governor General and the Executive Council, it has been decided that Petitioner can leave the service of the Government on a retiring allowance of one month's pay for every year of service. Petitioner respectfully submits that the allowance as above is that given to Officers of the Government who have had to leave their situations from ill-health; but the case of the Officers of the Legislative Departments is very different, for, where the daily attendance in other Departments of the Government seldom exceeds more than six or seven hours, those of the Legislative are never less than that, and for six months in the year are rarely shorter than from ten to twelve hours, and sometimes considerably longer. It is the opinion of Petitioner's medical attendant that the long confinement has been the main cause of Petitioner's present state of health.

Your Petitioner begs to refer to the case of Mr. Henry Canny, who held the same post under the old Council that Petitioner holds under the present one. The late Legislative Council were so decidedly of opinion that exception should be made in his case, that they granted Mr. Canny a pension of £200 per annum: the cases of Mr. Canny and Petitioner are parallel ones. Petitioner, at comparatively an early age, has so suffered in health by the nature of his duties, that it has been decided necessary that Petitioner should leave his present situation; and he is, in consequence, with a large family depending on him, deprived of his principal means of support.

Your Petitioner, after several years of service in the late Legislative Council as Clerk of Select Committees, was, on the formation of the two Houses of Legislature, promoted to his present situation; he, therefore, as an old servant of both Houses, respectfully appeals to your Honorable House for such redress as, in your wisdom, you may consider Petitioner deserving of.

And your Petitioner will ever pray.

JNO. M. BATE.

Sydney, 7 April, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

LIEUTENANT C. SEAVER, R. N.

(DISMISSAL OF FROM OFFICE.)

Ordered by the Legislative Assembly to be Printed, 2 July, 1858.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of Lieutenant Charles Seaver, R. N., late Shipping
Master and Assistant Harbour Master of the Port of Newcastle,—

SHEWETH:—

That your Petitioner humbly submits his case for the consideration of your
Parliament.

That your Petitioner did fill the above two situations with strict attention, and without fault, from the 1st of January, 1854, as Shipping Master, and from the 1st of July, 1857, to the 16th of April, 1858, that of Assistant Harbour Master; when your Petitioner received the accompanying letter, No. 1, and an inquiry was ordered respecting the efficiency of your Petitioner, and also of any charges that your Petitioner might have against the general working of the Harbour Department.

That the two judges appointed for this inquiry were both laymen, quite unacquainted with nautical matters.

That your Petitioner, in his charges about the working of the Department, clearly proved, by the Sub-Collector of Customs, that the financial irregularities which your Petitioner mentioned in the course of his defence were correct, and the clerk was dismissed.

That your Petitioner, as a Magistrate, was in the habit of taking frequently the said Mr. Livingstone's monthly declarations for all collections made by him, and that he, Mr. Livingstone, must have been well aware that much more money was received in his department than had been forwarded to the Treasury—a deficiency of £120 having been proved in 1857—and that your Petitioner, without any charges being proved against him, received a letter, No. 2, dispensing with his further services in both offices. Had your Petitioner been guilty of any misconduct, neglect of duty, or disobedience of orders, he might have expected a dismissal. All the papers have been called for, and your Honorable House will clearly see that not one charge has been substantiated.

Frequently, from want of Magistrates, your Petitioner has been obliged to attend the Bench with your Petitioner's departed friend, Major Innes.

Your Petitioner therefore prays that your Honorable House will take the premises into your favorable consideration.

CHAS. SEAVER, Lt. R. N.

1858.

Legislative Assembly.
NEW SOUTH WALES.

MR. ROBERT F. POCKLEY.
(PRAYING REDRESS.)

Ordered by the Legislative Assembly to be Printed, 13 July, 1858.

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

The humble Petition of Robert Francis Pockley, of Sydney, Master Mariner,—

SHEWETH UNTO YOUR HONORABLE HOUSE:—

That your Petitioner was, on the twenty-second day of July, 1857, appointed by His Excellency the Governor General, with the advice of the Executive Council, to the control of the Harbour Master's Department, under the name and style of Superintendent of Lights, Pilots, and Navigation, and Harbour Master of the Colony of New South Wales, with a salary of six hundred pounds (£600) per annum.

That your Petitioner accepted such appointment, and undertook and commenced the duties thereof, in the full and perfect belief that he would be allowed to retain such appointment during his good behaviour and proper conduct in the discharge of the duties of his office.

That, under such belief, your Petitioner neglected to prefer the claims he had upon his former employers, for future engagement in his profession of master mariner, and otherwise disposed of and arranged his affairs so as to render him free to devote the whole of his time and energies to his public duties.

That at the time your Petitioner accepted such appointment he had under consideration several offers of employment in his profession of master mariner, presenting many and permanent advantages, which your Petitioner was compelled to decline and forego on accepting such appointment.

That your Petitioner continued to discharge the duties of his said offices from the time of his appointment to the twentieth day of March, 1858, and during that period devoted the whole of his time and energies to the performance of the duties of his station, with satisfaction to the several Ministers of Finance and Trade who severally held office during that period.

That on the said twentieth day of March, your Petitioner was informed, by letter, signed by the Honorable Robert Campbell, Esquire, the Minister for Finance and Trade, that your Petitioner's services as such Superintendent of Lights, Pilots, and Navigation, and as such Harbour Master as aforesaid, would not be required after the thirty-first day of that month, and from which date your Petitioner was no longer to consider himself as holding the said appointment.

That your Petitioner, dreading the consequences of so sudden a removal from office upon his means of supporting himself and his family, urgently requested the Honorable the Minister for Finance and Trade to allow your Petitioner to retain his situation of Harbour Master; but, notwithstanding such request, your Petitioner was, on the said thirty-first day of March last, dismissed from the Government Service.

That on the removal of your Petitioner from his said offices, an inferior officer of your Petitioner's department was selected and promoted to fill the appointment rendered vacant by your Petitioner's removal.

That your Petitioner has been informed, and believes it is the invariable, or, at least, usual custom in all departments of the Government Service, that upon the reduction of the salary of any officer holding the situation of the head of a department, such officer shall be permitted to retain his situation at such inferior salary, if it shall appear good to him so to do.

That your Petitioner was not permitted to hold his said office, the salary of which had been reduced, although he was willing and anxious to retain the same.

That your Petitioner was never charged with any misconduct, or any incapacity, or negligence, in performing the duties of his said offices.

That your Petitioner, by being deposed so suddenly and unexpectedly from his said office, has suffered most seriously in his pecuniary affairs and in his prospects for the future.

That your Petitioner has been awarded by the Government the sum of thirty-three pounds six shillings and eight-pence, as compensation for the loss of his said office.

That your Petitioner conceives the amount to be totally inadequate to meet the requirements of the case, as, in addition to the loss of the emoluments attached to his said office, he has been prevented availing himself of many opportunities of being suitably employed in positions presenting many and permanent advantages.

That your Petitioner, in consequence of the arrangements entered into by him, and as by the disposal of his private affairs so as to leave Petitioner free for the uninterrupted discharge of his public duties, is now without any income whatever for supporting himself and his family.

Your Petitioner therefore humbly prays that your Honorable House will take into its favorable consideration the hardship attendant on your Petitioner's case, and afford to your Petitioner such redress as the circumstances appear to your Honorable House to warrant.

And your Petitioner will ever pray, &c.

ROBT. F. POCKLEY.

1858.

Legislative Assembly.

NEW SOUTH WALES.

MR. PERCY SIMPSON.

(PRAYING REDRESS)

Ordered by the Legislative Assembly to be Printed, 23 September, 1858.

The Honorable the Speaker and Honorable Members of the Legislative Assembly, in
Parliament sitting.

The Petition of Percy Simpson,—

MOST HUMBLY SHEWETH:—

That your Petitioner arrived in Sydney, November, 1822, bringing letters of introduction to Governor Sir Thomas Brisbane from the late Sir Henry Torrens, Adjutant-General, in which he states "that your Petitioner has held the situation of Judge Advocate, "and subsequently local Governor of one of the Ionian Islands for some years, and he "returned to this country in consequence of the reduction of the Regiment to which he "belonged, bringing with him a strong recommendation from Sir Thomas Maitland, with a "request from the General that I would exert myself in the behalf of Mr. Simpson, and I "feel assured that should you have an opportunity of serving him he will prove himself "worthy of your favorable notice and protection." Also a letter from the late Lord Bathurst, then Secretary for the Colonies.

Horse Guards, 16 March, 1822.

That on your Petitioner's return from the Ionian Islands to England he married; and, with the permission of His Royal Highness the late Duke of York, then Commander-in-Chief, your Petitioner embarked for this Colony, bringing with him a capital of money that entitled him to a grant of land (2,000 acres), 20 head of breeding cattle, 20 assigned convict servants, and rations for himself and family for six months from the Commissariat Stores.

Downing-street, 13 May, 1822.
R. Wilmot to Major-General Sir Herbert Taylor, in reply, &c., &c. Government Regulations.

That your Petitioner in December, 1822, entered into an engagement with the late Sir John Jamison to take on thirds 700 head of cattle, the property of Colonel Mole, for whom Sir John was agent. Your Petitioner agreed also with the late Reverend Samuel Marsden to purchase 2,000 sheep on most reasonable terms, when your Petitioner was solicited by Governor Sir Thomas Brisbane to relinquish these advantages, and undertake on account of Government the formation of a Penal Settlement at Wellington Valley, with a view to lessen the expense of maintaining about 8,000 convicts then rationed by the Commissariat Department in Sydney and elsewhere; and the successful formation of such an establishment was considered as being intimately connected with the rising interest of the Colony.

Colonial Secretary's letter, 10 February, 1823, and 2 April, 1823.

That your Petitioner, in order to carry out the views of Government, undertook the sole direction and management from Sydney of so difficult and cumbersome an expedition to be conducted 100 miles beyond Bathurst, through an unknown country that had never been previously explored or trodden over by a white man, an undertaking in those days of more than ordinary difficulty, great personal deprivation, and hardship to your Petitioner, who devoted his sole attention to the arduous duties entrusted to him for three and a half years at Wellington Valley; after which period it was considered no longer desirable to continue, and which was therefore finally broken up, your Petitioner's agreement with Sir Thomas Brisbane annulled, and your Petitioner's services discontinued, without his claim on Government being liquidated or settled.

Gore's New Gazette, 30 June, 1826.

That in the month of June, 1828, your Petitioner was offered and accepted the appointment of Assistant Surveyor of Roads and Bridges to proceed to Wiseman's Ferry, for the purpose of constructing some heavy works there, and also for the formation of the Great Northern Road, considered at that time very important—steam navigation with the Hunter not being then in existence.

That

That your Petitioner during a period of eleven years continued as Assistant Surveyor of Roads, superintending various public works in the counties of Northumberland, Cumberland, and Westmoreland; designed and executed the alteration of the Road from Lapstone Hill to that of Mitchell's Pass at Emu Plains, the Government Wharf at Parramatta, Wellombi, Lansdowne, and other Bridges; placed portable wooden houses for housing convicts in iron gangs, and other useful undertakings. But without entering into detail of the various works executed under your Petitioner's superintendence, he most respectfully begs leave to submit to your Honorable House the written testimonials of the late Major Goulburn, General Sir Richard Bourke, Sir Thomas Mitchell, Deputy Surveyor General Perry, and Sir Ralph Darling. Sir Richard Bourke states that he cannot forget the very useful services your Petitioner rendered to the Government of New South Wales during the period he had charge of it, as many of your Petitioner's labors were performed in great measure under his own eye. The manner in which your Petitioner designed and executed works fully satisfied him of your Petitioner's competency to lay out public works and superintend their execution, and should be happy to hear of your Petitioner being again employed in this way either at home or in Australia, as he is sure the public in either hemisphere would be benefited by your Petitioner's exertions and knowledge; and regrets that after such long service in New South Wales your Petitioner should have been obliged to come to England to seek for new employment, as he should have conceived that on the late reduction your Petitioner was at least entitled to some retiring allowance; adding, that at all times he should be ready to do your Petitioner justice by expressing his favorable opinion of your Petitioner's capacity and conduct. Sir Richard Bourke's despatch to Downing-street also makes favorable mention of your Petitioner.

21 February, 1844.

To Lord Goderich, 24 March, 1834.

7 August, 1850; 16 April, 1855; 20 March, 1818.

Sir Thomas Mitchell states that your Petitioner gave great satisfaction, not only in the manner of executing the public works, but, which was then of equal importance, in the progress made, and that he knows of no officer in the Colony to whom he could with better expectations as to the result entrust any works connected with the formation of roads or bridges, and tact in directing and arranging the means applicable to such public works.

Surveyor General's Office, 14 September, 1842.

The late Captain Perry, Deputy Surveyor General, states that in all the transactions he had with your Petitioner he always found the duties entrusted to your Petitioner's superintendence were performed in a manner highly creditable to your Petitioner, and advantageous to the public.

15 September, 1843.

The late Sir Ralph Darling also bears favorable testimony, by stating that your Petitioner always evinced the utmost zeal in the performance of his duties, which he discharged in a very satisfactory and efficient manner.

The Road Department under the Surveyor General having been transferred to Colonel Barney, and Military Superintendence, your Petitioner's appointment ceased February, 1839, after which he was appointed successor to Captain Forbes, as Police Magistrate at Patrick's Plains, at a salary of £250, his salary as Assistant Surveyor of Roads being £300, exclusive of 2s. 6d. per diem forage money.

Colonial Secretary, 3 September, 1842.

On the 31st December, 1842, your Petitioner's appointment as Police Magistrate, together with some twelve or more Police Magistrates, was discontinued, as a measure of public retrenchment by the late Sir George Gipps, who promised your Petitioner employment when an opportunity offered; but after waiting some months without any probability of being employed under that Governor, your Petitioner returned to England to obtain employment, in which he succeeded as Resident Engineer on two different Railways.

Your Petitioner now humbly prays that your Honorable House may be graciously pleased to take into consideration his services under Government for a period exceeding seventeen years, without making any provision for support in his declining years, having invariably devoted his whole energies and attention to the Government Service, trusting that long and faithful service would not be unrewarded or ignored; and therefore now implores that your Honorable House may in its liberality take your Petitioner's case into favorable consideration, in accordance with the spirit of the Act of Parliament 4th and 5th William 4th, and Treasury Minute dated 21st June, 1831.

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

PERCY SIMPSON.

1858.

Legislative Assembly.

NEW SOUTH WALES.

MR. JAMES PEGG.

(PRAYING RELIEF.)

Ordered by the Legislative Assembly to be Printed, 22 October, 1858.

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

The humble Petition of James Pegg, of Sydney, in the Colony of New South
Wales, painter and glazier,—

RESPECTFULLY SHEWETH:—

That your Petitioner entered the Military Service, as a private of the 17th
Regiment of Foot, on the eighth day of August, 1811.

That he arrived with his Regiment in India, in July, 1812, and served two campaigns
under the Marquis of Hastings, in the Nepaul War, and was present at the attack on the
Pass of Bitul, under General J. S. Wood; at the capture of the Town and Territory of
Jubbelpore, in the Magpoor Country, in the war against the Pendaracs and Maharattas, in
1817 and 1818, under the command of Brigadier Hardyman.

That your Petitioner returned to England with his Regiment in 1823, and was
selected as one of the Veterans' Company, in 1826, to proceed to New South Wales as an
Overseer of Convicts; and a promise was made to him of a grant of land and his discharge.

That your Petitioner was discharged, in 1831, from the service; and a grant of land
at Banks' Meadows, Botany, was given to your Petitioner, who took possession.

That your Petitioner, in consequence of the swamp not being drained, could not
obtain a livelihood, and was compelled to remove his wife and family into Sydney; and in
consequence of his not being a resident on the ground the grant was cancelled.

That your Petitioner made an application for a fresh deed of grant, and has been
informed that another was awarded to him in the parish of St. Luke, Windsor, or elsewhere,
of which he never received intimation from the Government, and consequently could not
take possession of it; and further, that both the said lands have been sold.

That your Petitioner begs to call the attention of your Honorable House to an Act
of Council, 20 Victoria, No. 15, entitled, "*An Act to give relief to persons having claims
against the Government of New South Wales.*"

That such Act of Council was introduced by the late Honorable Mr. G. R. Nichols,
for the express purpose of rendering relief to your Petitioner and others having claims
against the Government.

That your Petitioner, in accordance with that portion of the first clause of the said
Act, did in the month of April last present a Petition to His Excellency the Governor
General, praying for relief under the said Act; but he believes that no steps were taken in
the matter, beyond an acknowledgment of the receipt of his application.

That then your Petitioner addressed a letter to the Honorable the Secretary for
Lands and Public Works, on the same subject, and received a reply that his "claim could
not be entertained."

That your Petitioner is now aged and infirm, and has several children to support;
and he therefore hopes, that from his long military services, the disappointments in not
getting possession of the land promised to him, that your Honorable House will be pleased,
under all the circumstances of his case, to recommend such "relief" as may be deemed meet.

And your humble Petitioner will ever pray, &c.

JAMES PEGG.

Sydney, 16 August, 1858.

1858.

Legislative Assembly.
NEW SOUTH WALES.

BONDED WAREHOUSES.

(PETITION PRAYING REPEAL OF BONDED WAREHOUSES ACT OF 1857.)

Ordered by the Legislative Assembly to be Printed, 31 March, 1858.

To the Honorable the Members of the Legislative Assembly.

The humble Petition of the undersigned Bonded Storekeepers in the City of Sydney,—

SHEWETH:—

That your Petitioners have for many years been Licensed Storekeepers, under the provisions of the 9th Vic., No. 15.

That they have, at great cost, erected or leased suitable buildings in the City, for the storage of all kinds of dutiable merchandize, and for the general accommodation of the Customs and the public.

That, with the exception of three years following the Gold discovery, your Petitioners have, in their character of Bonded Storekeepers, barely escaped loss, and at the present moment are in a less favorable condition.

That an Act was passed in February, 1857, No. 21, authorizing a tax of (£50) fifty pounds per annum upon all Bonded Storekeepers, with an additional space tax of (£1) one pound for every ten tons of measurement.

That your Petitioners have reason to believe that this Act was based upon the erroneous assumption of large profits accruing to them as Bonded Storekeepers, and levied for the avowed purpose of providing a fund for the payment of Government Lockers.

That your Petitioners beg respectfully to submit, that any tax imposed for such purposes exhibits the clear aspect of class legislation; and on this objectionable ground cannot fail, in aid of this Petition, to secure the favorable consideration of your Honorable House.

Your Petitioners further say, that the Lockers in Bonded Warehouses are appointed by the Government for the security and protection of the Revenue, and facilitation of the business of the Customs, and are in no respect the servants of your Petitioners, or dependent on their orders or instructions.

Your Petitioners believe that the Act now petitioned against is entirely without precedent in the Mother Country; and have no hesitation in characterising it as a hasty, partial, and most oppressive measure, crying aloud for amendment or repeal.

Your Petitioners, while most humbly and respectfully urging upon the consideration of your Honorable House the repeal of the Bonded Warehouse Act of the 23rd February, 1857, express their willingness to concur in any fiscal measure for the improvement of the Revenue, based upon equitable and rateable principles.

And your Petitioners will ever pray, &c.

[Here follow 15 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

BONDED STORES IN SYDNEY.

(AMOUNT OF FEES RECEIVED FROM 1 APRIL, 1857, TO 1 APRIL, 1858.)

Ordered by the Legislative Assembly to be Printed, 20 April, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly,
on the 13th April, 1858, that there be laid on the Table of this
House,—

“ A Return shewing what amount of money has been received
“ by the Government from the Bonded Stores in the Port of
“ Sydney, from 1st April, 1857, to 1st April, 1858, and further
“ to particularise the proportion of the gross sum received from
“ each Bonded Warehouse.”

BONDED STORES IN SYDNEY.

A RETURN shewing the Amount of Duty which has been received by the Government, on the Bonded Stores in this Port, from the 1st April, 1857, to the 31st March, 1858; and the amount paid on each Warehouse.

No.	NAME OF WAREHOUSE.								AMOUNT.		
									£	s.	d.
1	Anderson's	...	...	...	...	...	...	...	119	0	0
2	Brown's	...	...	...	...	...	...	...	212	0	0
3	Campbell's	...	...	...	...	...	...	...	267	0	0
4	Cooper's	...	...	...	...	...	...	...	107	0	0
5	Dry Dock...	...	...	...	...	...	...	...	66	0	0
6	Exchange (Fisher's)	...	...	...	...	...	...	...	193	0	0
7	Gilchrist's	...	...	...	...	...	...	...	173	0	0
8	Griffiths'	...	...	...	...	...	...	...	93	0	0
9	How, Walker's	...	...	...	...	...	...	...	207	0	0
10	Kirchner's	...	...	...	...	...	...	...	89	0	0
11	Lamb's	...	...	...	...	...	...	...	300	0	0
12	Leigh's	...	...	...	...	...	...	...	159	0	0
13	Lloyd's	...	...	...	...	...	...	...	231	0	0
14	Moore's	...	...	...	...	...	...	...	300	0	0
15	M'Namara's	...	...	...	...	...	...	...	249	6	6
16	Pollard's	...	...	...	...	...	...	...	267	13	4
17	Prost, Kohler's, & Co.	...	...	...	...	...	...	...	25	15	0
18	Sugar Company's...	...	...	...	...	...	...	...	300	0	0
19	Smith's	...	...	...	...	...	...	...	121	0	0
20	Tooth's	...	...	...	...	...	...	...	300	0	0
21	Towns'	...	...	...	...	...	...	...	239	0	0
22	Walker's	...	...	...	...	...	...	...	177	0	0
23	Willis, Merry's	...	...	...	...	...	...	...	300	0	0
24	Fisher's (New Store)	...	...	...	...	...	...	...	40	0	0
[TOTAL...									£	4,535	14 10

Custom House, Sydney,
14 April, 1858.

J. GIBBES,
Collector of Customs.

1858.

Legislative Assembly.

NEW SOUTH WALES.

REGISTERED WINE AND SPIRIT MERCHANTS IN NEW SOUTH WALES.

(RETURNS RELATIVE TO)

Ordered by the Legislative Assembly to be Printed, 22 April, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 13 April, 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House:—

“ (1.) A Return of all persons Registered as Wine and Spirit
“ Merchants, in conformity with the provisions of the Act of
“ Council, 13 Victoria, No. 26, from 1 January to 1 April,
“ during the present year.

“ (2.) A Return of all such persons so Registered, who have
“ paid into the Colonial Treasury the Registration Fee, in
“ accordance with the Act of Council, 20 Victoria, No. 37,
“ during the same period, viz., from 1 January to 1 April,
“ 1858.”

REGISTERED WINE AND SPIRIT MERCHANTS IN NEW SOUTH WALES.

(1.)

RETURN of all Persons Registered as Wine and Spirit Merchants, in conformity with the provisions of the Act of Council 13 Victoria, No. 26, from 1 January to 1 April, during the present year.

PLACE OF REGISTRATION.	NAMES.	PLACE OF REGISTRATION.	NAMES.
Albury	Hibberson Brothers. Fallon James. Kidd & Brickell. Mate & Co., T. H. Roper John. Wise William.	Dalby	Roche P. W.
Bathurst	Byrnes, Wise, & Co. Bonner George. Kenna D. Fitzpatrick James. Mallon & Son. Oakes R. & N. Spencer & Hogg. Strachan F. Webb Edmund.	Deniliquin	Edwards Charles.
Berrima	Powell James.	Drayton	Lord Edward. Handcock William. Mehan Stephen.
Binalong	Godfrey & Co., H. Murphy Miles.	Eden	Barclay G. Solomon S. & H.
Bombala....	Flavelle A. G. Leonard James. McDonald Roderick McKay Margaret. Solomons S. & H.	Gayndah	Connolly J. Walker Alexander.
Braidwood	Hendricks & Jacob. Richardson Stephen. Walker Samuel.	Gladstone	Palmer Richard E. Miller & Co., W.
Broulee	Argent James. Flanagan Bridget.	Goulburn	Benjamin B. Bull Joseph. Dignam & Co., P. Emanuel & Son. Gindel Robert. Goodridge F. W. Levy Isaac. Moss Marks.
Bungay Bungay...	Hoare & Henderson. McLean William. Renwick Walter. Renwick & Bate. Scott & Cornish.	Gundagai	Gass & Co., F. Mandellson Brothers. Winton David.
Camden ...	Faulkes R. Thompson Henry.	Hartley	Flinn Mary. McLennon John.
Campbelltown	Fieldhouse E. & W. Fowler William. Turner James.	Ipswich	Panton & Co. Cribb & Foote. Gray & Co., W. Thorne George. Wilson & Co., G. H.
Carecar	Alford S. G. North F. J. C. Stimpson Bernard.	Liverpool	Robinson William.
Cooma	Levy Abraham. Montague Alexander. Wright J. J.	Monteflores	Lambert H. J.
Cowra.....	Carvill Henry. Walsh & McNab.	Mudgee	Crossing Richard. Dickson John. Lamont A. Shuttleworth & Charlton. Tebbutt Henry. Walker & Smith. Wetton William.
		Musclebrook	Cochrane Brothers. Loxton Thomas.
		Murrurundi	Brodie Alexander. Hayden Margaret.
		Newcastle	Bingle & Son. Bishop & Cullum.

REGISTERED WINE AND SPIRIT MERCHANTS IN NEW SOUTH WALES. 3

PLACE OF REGISTRATION.	NAMES.	PLACE OF REGISTRATION.	NAMES.
Newcastle (Continued.)	Broughton & Downey. Cohen Samuel. Cohen Samuel. Harvey Robert. Levi Abraham. Robinson James. Rowe William.	Sydney (Continued.)	Hutchinson Ralph. Long William. Lyall, Scott, & Co. Martin & Hill. Miller John. Rattray & Co., J. A. Rottman & Co., E. Rundle, Dangar, & Co. Thompson & Co., A. Tooth R. E. & F. Tucker & Co. Tucker & Fesq. Waller J. G. & Co. Youngman & Co., E. Wilson C. A.
Orange	Dalton James, Junr. Nichols Edward. Peisley John. Wise & Byrnes.		
Parramatta.....	Byrnes J. & W. Gregg James. Miller Peter. Shackles R. H. Watkins Francis	Tamworth	Coghlan P. J. Cohen and Levy. Cohen William. Dickson & Co.
Paterson.....	Menzies James.		
Penrith	Heavy Edward. Neale George. Robertson Francis. Wallis John.	Tumut	Bridle & Lampe. Body F. E. Church George. Emanuel Solomon. Mandellson, Brothers. Watson & Co.
Picton	Larkin Thomas		
Quacanbeyan	Hunt Helena. Levy Abraham. Walsh T. & E. Wright J. J.	Wagga Wagga ...	Forsyth George. Tompson F. A. Wall Charles. Walsh James.
Raymond Terraco.	Black Thomas.	Warwick	Berkman Marcus. Thorne George. Walker George.
Shoalhaven.....	Kemp R. H. F.		
Sofala.....	Connor Thomas. Walford J.	Wellington.....	White Alexander. Drew James.
Sydney	Arkins John. Bensusan & Hoes. Butts Stephen. Black Alexander. Barnard J. V., & Co. Bettridge & Haydon. Brown & Co. Campbell & Co. Capora W. Cooper & Co., D. Dreutler & Co., A. Egan & Son. Farrell Thomas. Gordon S. D.	Windsor.....	Bain Thomas. Crew W. J. Dick Robert. Hall Henry.
		Wollombi	Harpur H. K.
		Wollongong	Hayles William Macdonnell John.
		Yass	Downes James. Foote H. B. Godfrey & Co., H. Jones Rees. Laidlaw Thomas.

The Treasury, New South Wales,
21 April, 1858.

R. CAMPBELL.

4 REGISTERED WINE AND SPIRIT MERCHANTS IN NEW SOUTH WALES.

(2.)

RETURN of all persons Registered as Wine and Spirit Merchants, in conformity with the provisions of the Act of Council, 13 Victoria, No. 26, from 1 January to 1 April, 1858, who have paid into the Colonial Treasury the Registration Fee, in accordance with the Act of Council, 20 Victoria, No. 37, during the same period, viz., from 1 January to 1 April, 1858.

PLACE OF REGISTRATION.	NAMES.	PLACE OF REGISTRATION.	NAMES.
Albury	Fallon James. Hibberson Brothers. Kidd & Brickell. Mate & Co., T. H. Roper John. Wise William.	Gladstone	Palmer Richd. E.
Armidale	(Nil.)	Goulburn	Benjamin B. Bull Joseph. Dignam & Co., P. Emanuel & Son. Gindel Robert. Gooderidge F. W. Levy Isaac. Moss Marks.
Bathurst	Byrnes, Wise, & Co. Kenna D. Fitzpatrick James. Mallon & Son. Oakes R. & W. Spenser & Hogg. Strachan F. Webb Edmund.	Gundagai	Mandellson Brothers. Winton David.
Berrima	Powell James.	Hartley	Flinn Mary.
Binalong	Murphy Miles.	Ipswich	Cribb & Foote. Gray & Co., Walter. Panton & Co. Wilson & Co., G. H.
Bombala	Flavelle A. G. Leonard James. McDonald Roderick. McKay Margaret. Solomons S. & H.	Liverpool	Robinson Willm.
Bowenfels (1)	McLennon John.	Meroo (3)	Flanagan Bridget.
Braidwood	Hendricks & Jacob. Richardson Stephen.	Montefiores	Lambert H. J.
Camden	Faulkes R. Thompson Henry.	Moruya (4)	Argent James.
Campbelltown ...	Fieldhouse E. & W. Fowler Willm. Turner James.	Mudgee	Crossing Richard. Dickson John. Lamont A. Shuttleworth & Charlton. Tebbutt Henry. Walker & Smith. Welton William.
Carcoar	Alford S. G. North E. J. C. Stimpson B.	Musclebrook	Cochrane Brothers. Loxton Thomas.
Cooma	Levy Abraham. Montague Alexr. Wright J. J.	Newcastle	Bingle & Son. Bishop & Cullum. Broughton & Downey. Harvey Robert. Levi Abraham. Robinson James. Rowe William.
Cowra	Carvill Henry. Walsh & McNab.	Orange	Dalton James, Junr. Peisley John. Wise and Byrnes.
Cundletown (2) ...	Scott & Cornish.	Parramatta	Byrnes J. & W. Gregg James. Miller Peter. Shackles Robert H. Watkins Francis.
Dalby	Roche P. W.	Penrith	Heavy Edward. Neale George. Robertson Francis.
Deniliquin	Edwards C.	Pieton	Larkin Thomas.
Drayton	Lord Edward. Handcock William.	Queanbeyan	Hunt Helena.
Eden	Barclay G. Solomon S. & H.		
Gayndah	Connolly J. Walker Alexander.		

REGISTERED WINE AND SPIRIT MERCHANTS IN NEW SOUTH WALES. 5

PLACE OF REGISTRATION.	NAMES.	PLACE OF REGISTRATION.	NAMES.
Queanbeyan (Continued.)	Levy Abraham. Walsh T. & E. Wright J. J.	Tinonee (5)	Renwick, Bate, & Co.
Raymond Terrace.	Black Thomas.	Tumut	Body F. E. Church George. Emanuel Solomon. Mandellson, Brothers.
Shoalhaven.....	Kemp R. H. F.	Wagga Wagga ...	Forsyth George. Tompson F. A. Wall Charles. Walsh James.
Sofala.....	Connor Thomas. Walford J.	Walcha	Nil.
Sydney	Barnard J. V. & Co. Bettridge and Haydon. Brown & Co. Campbell & Co. Caporn W. Cooper & Co., D. Dreutler & Co., A. Egan & Son. Farrell Thomas. Gordon S. D. Long William. Lyll, Scott, & Co. Rundle, Danger, & Co. Thompson & Co., A. Tooth R. E. & F. Tucker & Co. Tucker & Fesq. Waller & Co., J. G. Wilson C. A.	Warwick	Berkman Marcus. Thorne George.
		Wellington.....	White Alexander. Drew J.
		Windsor	Bain Thomas. Crew W. J. Dick Robert. Hall Henry.
		Wingham (6).....	M'Lean William Renwick Walter.
		Wollombi	Harpur Henry Kidd.
		Wollongong	Macdonnell John.
Tamworth	Cohen & Levy. Cohen William. Dickson & Co.	Yass	Godfrey & Watkins. Laidlaw Thomas.

R. CAMPBELL.

*The Treasury, New South Wales,
21st April, 1858.*

- | | |
|--|------------------------|
| (1.) John McLennan is included in Return I as having registered at | Hartley. |
| (2.) Scott and Cornish | do. do. Bungay Bungay. |
| (3.) Bridget Flanagan | do. do. Broulee. |
| (4.) James Argent | do. do. do. |
| (5.) Renwick and Bate | do. do. Bungay Bungay. |
| (6.) { William M'Lean | do. do. do. |
| { Walter Renwick | do. do. do. |

1858.

Legislative Assembly.

NEW SOUTH WALES.

SEIZURE OF GOLD ON BOARD THE ETHEREAL AND MARY NICHOLSON.

REPORT FROM THE SELECT COMMITTEE

ON THE

SEIZURE OF GOLD

ON BOARD THE

ETHEREAL AND MARY NICHOLSON;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

13 August, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

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1857.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 44. FRIDAY, 4 DECEMBER, 1857.

7. Seizure of Gold on board the "Ethereal":—Mr. Forster moved, pursuant to notice,—
(1.) That a Select Committee be appointed to inquire into and report upon the circumstances connected with the late Seizure of Gold Dust and Sovereigns on board the "Ethereal," on October 16th, 1857, from certain Chinamen, and, in particular, upon the manner in which the proceeds of the said seizure have been distributed by the Executive Government.
(2.) That such Committee consist of Mr. Dalley, Mr. Jones, Mr. Donaldson, Mr. Hay, Mr. Gordon, Mr. Robertson, Mr. Faucett, Mr. Jamison, and Mr. Cox.
Debate ensued.
Question put—(1.) That a Select Committee be appointed to inquire into and report upon the circumstances connected with the late Seizure of Gold Dust and Sovereigns on board the "Ethereal," on October 16th, 1857, from certain Chinamen, and, in particular, upon the manner in which the proceeds of the said seizure have been distributed by the Executive Government.
The House divided.

Ayes, 16.

Noes, 14.

* * * * *
Whereupon Question—(2.) That such Committee consist of Mr. Dalley, Mr. Jones, Mr. Donaldson, Mr. Hay, Mr. Gordon, Mr. Robertson, Mr. Faucett, Mr. Jamison, and Mr. Cox—put and passed.

VOTES NO. 47. THURSDAY, 10 DECEMBER, 1857.

9. Seizure of Gold on board the "Ethereal":—Mr. Forster moved, pursuant to notice, That the two Petitions from certain Chinamen, ordered to be printed on the 30th October and 6th November respectively, be referred to the Select Committee on the Seizure of Gold on board the "Ethereal."
Question put and passed.

[Further Proceedings stopped by Prorogation.]

1858.

VOTES NO. 44. TUESDAY, 15 JUNE, 1858.

5. Seizure of Gold Dust on board the "Ethereal" and "Mary Nicholson":—Mr. Forster moved, pursuant to notice,—
(1.) That a Select Committee be appointed to inquire into and report upon "the" circumstances connected with the late Seizure of Gold Dust and Sovereigns on board the "Ethereal," and "Mary Nicholson," on October 16th, 1857, from certain Chinamen, and, in particular, upon the manner in which the proceeds of the said seizure have been distributed by the Executive Government; and that all proceedings of the Select Committee of last Session, and the two Petitions from certain Chinamen, presented by Mr. Dalley on the 13th and 16th April last, be referred to this Committee.
(2.) That such Committee consist of Mr. Dalley, Mr. Jones, Mr. Donaldson, Mr. Hay, Mr. Gordon, Mr. Robertson, Mr. Faucett, Mr. Jamison, and Mr. Cox.
Debate ensued.
Mr. Robertson moved, That the Question be amended by the omission of all the words of section (1) following the word "the" on the first line before the word "circumstances," with a view to the insertion in their place of the words "working" of the Acts 19 Victoria, No. 17, of 12th February, and No. 22, of 23rd February, "1857."

Debate

Debate continued.

Question put—That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 25.

Noes, 12.

* * * * *
Whereupon Original Question put.
The House divided.

Ayes, 26.

Noes, 10.

* * * * *

VOTES No. 76. FRIDAY, 13 AUGUST, 1858.

6. Seizure of Gold on board the "Ethereal" and "Mary Nicholson":—Mr. Forster, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee appointed on the 15th June last, to inquire into, and report upon, the circumstances connected with the late seizure of Gold Dust and Sovereigns on board the "Ethereal" and "Mary Nicholson" on October 16, 1857, from certain Chinamen, and, in particular, upon the manner in which the proceeds of the said seizure have been distributed by the Executive Government.
Ordered to be printed.

1858.

SEIZURE OF GOLD ON BOARD THE "ETHEREAL" AND "MARY NICHOLSON."

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly appointed on the 15th June last, "to inquire into and report upon the circumstances connected with the late Seizure of Gold Dust and Sovereigns on board the 'Ethereal' and 'Mary Nicholson,' on October 16, 1857, from certain Chinamen, and in particular upon the manner in which the proceeds of the said Seizure have been distributed by the Executive Government;" and to whom were at the same time referred "all Proceedings of the Select Committee of last Session, and the two Petitions from certain Chinamen presented by Mr. Dalley on the 13th and 16th April last," have agreed to the following Report:—

The subject referred to your Committee being in substance the same with that which engaged the attention of a similar Committee appointed by the late Assembly, your Committee resumed their inquiry at the point to which it had been brought when broken off by the abrupt termination of the Session. The evidence taken before the former has, of course, been made available by the present Committee, but it has been found necessary considerably to supplement the same by additional evidence. In both cases the witnesses examined have consisted principally of Government Officers, employed in or officially cognizant of the seizure,—of certain of the most intelligent among the Chinese directly interested therein, and of other persons, both Chinese and British, who, throughout the transaction, had been friends or agents of such Chinese, or who were, from previous circumstances, acquainted with Chinese habits and modes of life in this Colony.

Your Committee see no good grounds for concluding that the proceedings of those officers, whether Colonial or Imperial, who were engaged in the seizure, have been in any respect contrary to law, or unwarranted by the circumstances of the case. At the same time it does not appear to your Committee that any deliberate and criminal design of defrauding the Revenue has been proved against the Chinese from whose possession the seizure was made; on the contrary, it seems probable that these Chinese were at the time very imperfectly, if at all, acquainted with the recent alterations in our laws, imposing an export duty upon gold.

In corroboration of this supposition, your Committee beg leave to direct the attention of your Honorable House to a remarkable avowal, made in the course of his examination, by Mr. John Black, of the firm of Mollison and Black, Sydney, a gentleman who before and since the seizure has greatly interested himself on behalf of the parties concerned, and who, in the case of the "Ethereal," was employed as an agent for the Chinese on board that vessel. It will be seen by reference to the evidence that Mr. Black expresses himself to the effect, that before the seizure took place both he and his partners, from whom it is but reasonable to presume that their Chinese customers or constituents would expect information and advice upon a point so vital, were themselves entirely ignorant of the law in question as it now stands. It further appears to your Committee, as beyond all question, that the gold seized in the two cases referred to was for the most part not the actual property of the various individuals in whose possession it was found, but was by them held in trust for parties at a distance, most of whom were at the time of the seizure, and are now, absent from the Colony.

Your Committee, therefore, need scarcely point out the heavy loss which the seizure in question must have been the means of inflicting upon innocent persons, who, however legally, and, in general, justly held responsible for the action of their accredited representatives, could not in this particular instance have foreseen, or in the least controlled, the proceedings which have entailed upon them such severe consequences.

Your Committee are accordingly of opinion that, under the peculiar circumstances of the case, so much of the gold seized as remains in possession of the Government should be restored to the individuals from whom it was taken, in proportions rateable according to the quantity held by each at the time of seizure. Your Committee, however, must guard themselves from possible misconception by stating their opinion that such restitution ought to be regarded rather as an act of grace, applied to mitigate the unduly severe operation of a recent law, against parties most of whom could not have been, and none of whom are proved to have been implicated in any deliberately fraudulent design, than as imperatively demanded by the strict requirements of justice.

With reference to the question of distribution of proceeds of the total quantity of gold and sovereigns seized in the two cases referred,—your Committee having examined most of the parties therein directly interested, and having found no complaints whatsoever emanate from them, or from any other source, do not feel themselves called upon to express any formal opinion.

*Legislative Assembly Chamber,
Sydney, 13 August, 1858.*

WILLIAM FORSTER,
Chairman.

1857.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY 10 DECEMBER, 1857.

Members Present:—

Mr. Forster,	Mr. Hay,
Mr. Jones.	

Mr. Forster was called to the Chair.

Committee deliberated as to their course of proceedings, and decided upon taking evidence.

Whereupon Motion made and *Question*—"That the Collector of Customs and First Tide Surveyor be summoned before this Committee, as witnesses, for to-morrow"—*agreed to*.

[Adjourned till to-morrow at Ten o'clock.]

FRIDAY, 11 DECEMBER, 1857.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Jones,	Mr. Robertson,
Mr. Cox,	Mr. Hay,
	Mr. Gordon.

By direction of the Chairman, Resolution of the House referring to Committee yesterday, "Two Petitions from certain Chinamen, ordered to be printed on 30 October, and "6 November," read by the Clerk.

Petitions then read.

Committee deliberated.

Colonel *Gibbes*, Collector of Customs, and Mr. *J. De Courcey Bremer*, First Tide Surveyor, examined.

[Adjourned till Thursday next, at Eleven o'clock.]

THURSDAY 17 DECEMBER, 1857.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Hay,	Mr. Robertson,
Mr. Cox,	Mr. Donaldson,
	Mr. Jones.

Lieutenant *Napier*, H. M. S. "Herald," and Mr. Henry Newbon, solicitor, examined.

And Mr. Newbon having, in the course of his examination, stated that certain of the Chinamen from whom the seizure was made, and whose Petitions were referred for the consideration of the Committee, were then in attendance, together with an interpreter.

Committee deliberated, and being of opinion that it would be expedient to examine these men and their interpreter,—

Interpreter and certain of the Petitioners called in.

Senhor *J. J. Lopez*, interpreter, examined.*Ayong* and *Aheng*, two Chinamen, then examined, through the interpreter.

[Adjourned till to-morrow, at Eleven o'clock.]

FRIDAY, 18 DECEMBER, 1857.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Donaldson,	Mr. Robertson,
Mr. Hay.	

Committee permitted Mr. Henry Newbon to be present in the room to watch the proceedings.

Mr. *C. Lockyer*, tidewaiter in the Customs, examined.Senhor *J. J. Lopez*, the interpreter, called in.*Sung Hye* or *Asseng* and *Seng-How* or *Ong-Sing*, two Chinamen, then examined through the interpreter.*Aheng*, Chinaman, further examined through the interpreter.

The

The room was then cleared, and Committee were considering the heads of their Report, when the Clerk of the House entered the room, and laid before the Chairman a copy of the *Government Gazette Extraordinary*, No. 190, of this day's date, proroguing the Parliament until Tuesday, 2nd February next.

[Further Proceedings stopped by Prorogation.]

1858.

TUESDAY, 22 JUNE, 1858.

Members Present:—

Mr. Forster,	Mr. Jones,
Mr. Cox,	Mr. Dalley.

Mr. Forster was called to the Chair.

By direction of the Chairman, Resolution of the House, dated 15th instant, appointing the Committee, and referring thereto all proceedings of the Select Committee of last Session, and the two Petitions from certain Chinamen presented to the House by Mr. Dalley on the 13th and 16th April last, read by the Clerk.

Committee deliberated.

Motion made (Mr. Jones) and Question—"That these proceedings be now adopted as "part of the proceedings of this Committee"—*agreed to*.

The two Petitions then read.

Ordered to be printed in Appendix. (*Vide separate Appendices A and B.*)

Committee deliberated as to their course of procedure, and decided to take further evidence.

Whereupon Motion made and Question—"That Captain Ward, R.E., and H. M'Lean, Esquire, Chief Gold Commissioner for the Western Districts, be summoned before the "Committee, as witnesses, for Friday next"—*agreed to*.

[Adjourned till Friday next, at Eleven o'clock.]

FRIDAY, 25 JUNE, 1858.

Members Present:—

W. Forster, Esquire, in the Chair.

Mr. Donaldson,	Mr. Jones,
Mr. Hay,	Mr. Cox.

Mr. Harold M'Lean, Chief Commissioner, Western Gold Districts, and Captain Ward, R.E., Deputy Master of the Royal Mint, examined. Committee deliberated.

[Adjourned till Wednesday next, at Eleven o'clock.]

WEDNESDAY, 30 JUNE, 1858.

Members Present:—

Mr. Forster,	Mr. Jones.
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Mr. J. De Courcy Bremer, Mr. H. Newbon, and several Chinamen, were in attendance, as witnesses, but a Quorum of the Committee not being present,—

[Adjourned till Friday next, at Eleven o'clock.]

FRIDAY, 2 JULY, 1858.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Donaldson,	Mr. Jones,
Mr. Cox,	Mr. Hay.

Mr. J. De Courcy Bremer, and

Mr. Henry Newbon, Solicitor, further examined.

Committee permitted Mr. Newbon to remain in the room after his examination was concluded.

Leau Appa, Chinaman, interpreter, examined.

Hu-hon and Appa, two Chinamen, examined through the interpreter.

Chin Ateak, a Chinese merchant, examined.

The room was then cleared.

Committee deliberated.

[Adjourned till Thursday next, at Eleven o'clock.]

THURSDAY,

THURSDAY, 8 JULY, 1858.

The meeting of the Committee convened for *this day* lapsed, in consequence of the adjournment of the House from Tuesday, 6th instant, till Tuesday, 13th instant, owing to the demise of the Venerable Archdeacon Cowper, father of the Principal Secretary.

FRIDAY, 16 JULY, 1858.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Jones, | Mr. Hay.

Mr. J. Black and certain Chinamen were in attendance, as witnesses.

Committee deliberated, and it was *Resolved*:—

- "1. That as two of the Members of the Committee, *then present* (Mr. Jones and Mr. Hay), are Members of the Committee on the 'Railway Accident,' now sitting, and are desirous of proceeding forthwith, with the Chairman and other Members of that Committee, to inspect the scene of the accident, it will be inexpedient to proceed to business this day.
- "2. That the witnesses be informed to this effect."

Witnesses informed accordingly.

[Adjourned till Thursday next, at *half-past Ten* o'clock.]

THURSDAY, 22 JULY, 1858.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Jones, | Mr. Hay.

Mr. J. Black, of the firm of Melison and Black, examined.

Chin Ateak, Mr. H. Newbon, and *Lean Appa*, further examined.

Aheng further examined, through the Interpreter.

Witnesses withdrew.

Committee deliberated.

Motion made and *Question*—

- "1. That sufficient evidence has now been taken for the purposes of this inquiry.
- "2. That the Chairman do draw up a series of Resolutions to form the basis of a Report, for the consideration of the Committee"—
agreed to.

[Adjourned till Thursday next, at *half-past Ten* o'clock.]

THURSDAY, 29 JULY, 1858.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Hay, | Mr. Jamison.

The Chairman brought up and laid before the Committee certain Resolutions to form the basis of a Report.

Resolutions read 1^o.

Committee deliberated thereupon.

Deliberation adjourned.

[Adjourned till Friday, 6 proximo, at *Eleven* o'clock.]

FRIDAY, 6 AUGUST, 1858.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Hay, | Mr. Jones,
Mr. Donaldson.

Resolutions proposed by the Chairman read 2^o.

Committee further deliberated thereupon.

Motion made (Mr. Jones) and *Question*,—"That these Resolutions be now read 3^o, and be considered *seriatim*,"—*agreed to.*

Whereupon Resolutions 1, 2, 3, 4, 5, and 6 read *seriatim*, considered, verbally amended, and agreed to.

Motion then made (Mr. Jones) and *Question*,—"That the Chairman do prepare a Draft Report, embodying the purport of these amended Resolutions, for the consideration of the Committee,"—*agreed to.*

[Adjourned till Thursday next, at *Eleven* o'clock.]

THURSDAY, 12 AUGUST, 1858.

Members Present:—

Mr. Forster.

A Quorum of the Committee not being present,—

[Adjourned till to-morrow, at Eleven o'clock.]

FRIDAY, 13 AUGUST, 1858.

Members Present:—

William Forster, Esquire, in the Chair.

Mr. Jones,

Mr. Jamison.

Mr. Hay,

The Chairman brought up and laid before the Committee a Draft Report.

Motion made (Mr. Jamison) and Question,—“That the Draft Report proposed by
“ the Chairman be now read and considered paragraph by paragraph,”—*agreed to.*Draft Report read accordingly, considered paragraph by paragraph, and certain verbal
amendments made therein.Whereupon, Motion made and Question,—“That this Report, as amended, be the
“ Report of the Committee,”—*agreed to.*

Motion then made and Question,—

“1. That the Chairman do now Report to the House.

“2. That the Chairman do then give notice, that he will on Friday, the

“27th instant, move, That the Report be adopted, and that an Address

“be presented to His Excellency the Governor General, transmitting

“a copy of the same,”—

agreed to.

1857.

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1857.

Legislative Assembly.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

SEIZURE OF GOLD ON BOARD THE "ETHEREAL."

FRIDAY, 11 DECEMBER, 1857.

Present:—

MR. COX,
MR. FORSTER,
MR. GORDON,

MR. HAY,
MR. JONES,
MR. ROBERTSON.

WILLIAM FORSTER, ESQUIRE, IN THE CHAIR.

Colonel Nathaniel Gibbes called in and examined:—

1. *By the Chairman:* Will you be kind enough to state in what capacity you are employed by the Government? As Collector of Customs.
2. You are aware that a seizure was recently made of gold dust and sovereigns on board a vessel bound to China? Yes.
3. Will you state the circumstances under which the matter came to your knowledge, and, as far as you know, what occurred with regard to the seizure? I received information that a number of Chinamen were embarked on board certain vessels down the harbour who had a quantity of gold with them upon which duty had not been paid.
4. From whom did you receive that information? We are not bound to give the name of informers.
5. You decline answering that question? Yes. I have really no personal objection to do so, but it is contrary to the English practice altogether.
6. I understand you to do it upon official grounds? Upon official grounds—upon none other. There are many informations made to us anonymously; the parties do not choose to sign their names, but afterwards contrive to get the reward.
7. I may ask, before we go any further, whether you mean to say that the name of the informer has been communicated to you as in private confidence, or that it is known to the Government, and that you do not wish to divulge it as a matter that is the property of the Government? The informer on this occasion belongs to the department; perhaps, therefore, there would be the less objection to giving his name.
8. I think I understood you to say that the information is in the hands of the Government, and that on official grounds merely you decline to answer the question? Yes, that is all. I received the information from the party, and on receiving it I did think of proceeding down the harbour myself, but I was particularly occupied at the moment, and therefore I sent for one of my officers, Mr. Bremer, to board these vessels, to see how the matter stood, and, if he found the information to be correct, to seize the goods jointly with myself in my name. I could have gone myself, as I had at first intended, and have got the advantage of the whole of the seizing officer's share.
9. *By Mr. Hay:* What was Mr. Bremer's position? Tide Surveyor. I could have selected any other officer, as a matter of course, but I took him.
10. *By the Chairman:* Will you be kind enough to state any other circumstances that came to your knowledge? He immediately proceeded down the harbour and boarded the two vessels.
11. I presume all this is matter of report? The last statement is matter of report, but I know it to have been the case, because the parties returned and brought the gold to me.

Colonel N.
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Colonel N.
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12. Will you be kind enough to state what you yourself know relative to the seizure, and what took place afterwards? All I know after having sent away Mr. Bremer is, that about seven o'clock on the same evening, whilst I was at dinner, Mr. Bremer, together with an officer of H.M.S. "Herald," came to my house on the North Shore, and stated to me that he had carried out my orders and seized a large quantity of gold, which was in his boat. That was his official report to me.

13. He, of course, gave you the particulars of the amount seized, and the names of the persons from whom he had taken it? No he did not, for he did not know them. He stated that he had seized it from Chinamen on board; and he also stated that there was some show of resistance, and he had therefore procured assistance from the "Herald." I believe the First Lieutenant sent Mr. Napier with a boat's crew and some marines to render assistance, and after that the gold was given up.

14. Can you state the quantity and value of the gold seized, and what was subsequently done with it? I have weighed it, but only in bulk. The packages are very numerous and very heavy—I mean the external packages. I cannot tell exactly, but I should say there is somewhere about 2,000 ounces, rather more than less.

15. Did you open the packages and look at their contents? Not then, but I have since, and I have weighed such packages as could be weighed net, and have weighed the others as they stood, in their bags, bag within bag in many of them.

16. What value do you set upon the whole in round numbers in the present state of the market? At from £3 10s. to £3 15s. an ounce—nearly £8,000.

17. Did the seizure consist entirely of gold dust, or were any sovereigns mixed up or attached to it? There were six or eight and twenty sovereigns only, but when the interpreter came to me I think he said there were about 600.

18. Were these mixed up among the dust? Yes, some among the dust and some in small separate packages; in no one packet belonging to one man more than five, and mostly one or two.

19. Will you be kind enough to state what has been done with the gold? It is lying in the Bank of Australasia for safety. I do not consider the Custom House a safe place of deposit, and therefore I lodged it in the Bank of Australasia, where it is kept without charge.

20. Were the sovereigns lodged with the other gold? No, they are in the Custom House; they were taken out, for although according to my idea by law these sovereigns are confiscated, it was my intention to give them up to these men without reference to any bonus, in consequence of the appeal made to me by the interpreter.

21. You consider the sovereigns were part of the seizure? Undoubtedly, because all articles, though themselves duty free, packed with articles liable to forfeiture, are themselves liable; but I considered I might use my discretion in giving up so small a sum to the parties.

22. It was your intention to give these sovereigns back? Yes.

23. Is that the intention of the Government? I do not think the Government have taken the matter into consideration.

24. Speaking of the Government, I mean yourself; you say you consider you have a right to use your discretion, and it is your intention to give back these sovereigns? It is my intention, unless it is shown that I ought not to do so; but I have no power to adopt such a course as a matter of right, or without consulting the Government.

25. Has any distribution been made of the seizure? None.

26. Is any particular distribution contemplated? Yes, the usual one.

27. Do you consider that the discretion as to the way in which this sum is to be distributed rests with yourself altogether? Altogether. I consider that the Government has nothing to do with the distribution of the seizure; the law defines how it is to be distributed, and I propose to carry its directions out.

28. Will you state what your intentions are with regard to the entire proceeds of the seizure? My intention is to divide it into three parts—one-third to the Crown, one-third to the seizing officers, and one-third to the informer.

29. That is of course not including the sovereigns? No. It is not exactly optional with me, but I apprehend from what passed between the Government and myself that they would not object—in fact the sum is so paltry I am pretty sure they would not; it is only from twenty-five to twenty-eight sovereigns.

30. Do you mean by "informer" one or more? Only one.

31. This one would be entitled to a third of the proceeds of the seizure? Yes.

32. The general Government would get another third? Yes.

33. And the other third would go to the seizing officer? Yes.

34. Will you state whether the seizing officer implies one person or a number of persons, and if the latter, to what persons you intend the proceeds should be given? I consider that the "seizing officer" means one or more. In this case there are three, and, therefore, the officers' share will be divided into three.

35. Three and no more? No more.

36. Will you state the names of the persons to whom, under such distribution, the proceeds will be distributed as seizing officer or officers? The seizing officers' share will be divided between myself, Mr. Bremer, and H.M.S. "Herald," Captain Denham.

37. By Captain Denham you mean himself? No, I do not mean that, for I doubt whether he will be entitled to it; but Captain Denham having sent an officer of his ship and a boat's crew to assist in the seizure he claims a share. I happen to know that whatever may come to the "Herald" will be divided between Captain Denham and the whole ship's company down to the men.

38. You did not hear that officially? No; but Captain Denham came to me and made his claim. He said he should have to report the circumstance to the Admiral on the Station, and he claimed on behalf of himself and officers.

39. By Mr. Jones: It has come to your knowledge since that the intention is to distribute the money from Captain Denham downwards throughout the ship? Yes.

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40. *By the Chairman:* Does Captain Denham state that he claims this as prize money or as a reward to his ship for certain services? He claims it as his right, from his representative, Mr. Napier, being present at the seizure, as a smuggling case; it has nothing to do with prize money. By law he is authorized to seize all contraband goods, and if he had heard that this gold was on board he could have sent one of his officers and seized it. Any officer of the Navy on full pay has power to seize. Captain Denham did not seize, but he was called upon by us to give us protection while making the seizure.
41. The distribution you speak of, I presume, is made under the Customs Regulation Act, passed last Session? Yes.
42. The phrase under which you distribute, I think, is in the singular; the Act says "the seizing officer"? No, I think not, but I am not positive about that. At all events the law specifies that an officer or officers of the Customs may seize; it is both singular and plural there.
43. Will you be kind enough to state the names, so far as you know them, of the persons actually present at the seizure of this gold? I know only of Mr. Bremer, the Tide Surveyor, Mr. Napier, of the "Herald," and Mr. Lockyer, of my department, who is in fact the informer. I have no wish to conceal Mr. Lockyer's name, and as he is one of my department perhaps he may as well be named.
44. You state that Mr. Lockyer is the informer? Yes. I will take this opportunity of stating that Mr. Lockyer could not seize himself, as he is not an officer of the Customs within the meaning of the Act, and therefore he gave information. I may add that, of course, I could have gone myself and made the seizure, but I thought proper to depute another officer to join with me in it.
45. *By Mr. Hay:* What is Mr. Lockyer's position in the Customs? He is a tide waiter, and is not an officer of the Customs within the meaning of the Act. Mr. Bremer is Tide Surveyor, and is at the head of all the tide waiters. His office is to board vessels coming in or going out, or at any time he thinks proper. I believe the idea prevails that an officer of Customs can only board vessels at certain periods, but that is quite erroneous. Some suppose that a ship cannot be boarded until she is cleared, but if that were the case, while the master was at the Custom House clearing his vessel the chief officer might, having received previous orders from the captain, get his ship under weigh, so that the moment the captain returned he might push to sea before the officer of Customs could board him, and he might have had dutiable goods on board and reloaded them. The officer of Customs can board at all times, and make seizures at all times.
46. *By the Chairman:* You state that Mr. Lockyer had no power to seize the gold? No; if he had had he would not have given the information, for if an officer receives information himself, or accidentally falls upon articles that are contraband any where, he may immediately seize them, and he then becomes the sole seizer. The Collector of Customs in such a case gets no portion of the proceeds of the seizure.
47. In this case you could have made the seizure yourself? Yes, without asking any party to accompany me; but I took another course.
48. Will you be kind enough to state whether any correspondence has taken place between your office and other portions of the Executive Government upon this subject? Some correspondence has taken place. The circumstance was reported to the Government, and petitions have been sent in, which they have declined to receive.
49. There has been a general correspondence between your office and the Government upon the subject of the seizure and its distribution? Not upon the distribution, but upon the seizure.
50. The distribution has been left in your hands altogether? Entirely.
51. Have any applications from the Chinamen come to your knowledge, or have you any knowledge of the persons who were the owners of this gold previously? I have not any knowledge of them. I have a letter here from those whom I may consider the Chinamen, through their interpreter, in which they ask for a small quantity of gold to take them back to the diggings. In consequence of that I addressed the Government on the subject, and proposed the sum of £640 to be given to the men remaining here to carry them to the diggings. The Government did not think proper to interfere on that occasion, but, to a certain extent, left it in my hands, and I, in fact, drew a cheque for the purpose of giving it to Mr. George Hill (who has interested himself a good deal about these people), in order that he might see it properly divided among them, that is, equally divided without reference to the sums they had lost. I thought the men should have £10 each, which would enable them to return to the diggings.
52. You consider that to be within your discretion? I did not consider it to be within my discretion without acquainting the Government.
53. *By Mr. Jones:* The Government did not prohibit you? They would not interfere, but left it in my hands, and my intention was to have given that, or more, if necessary, out of the seizure.
54. The Government simply declined to interfere in any way in the matter? Yes. I stated to Mr. Hill that I would not do this without a receipt signed by all the parties, and he undertook to get it arranged. I believe the receipt is signed by the majority of the people, but there are some who do not choose to sign, and therefore the matter remains unsettled.
55. *By Mr. Cox:* What number of Chinamen were there? Sixty-four, I believe.
56. *By the Chairman:* I see the 10th clause of the Customs Regulation Act, under which the distribution you propose is to be made, states, that "All fines, penalties, and forfeitures recovered under this Act"—have the forfeitures of these people been recovered at all? The property has been seized, but no penalty has been enforced; we could proceed against them for three times the amount of the gold.
57. The matter has not come before adjudicating Justices? No; that is not necessary unless a claim is put in. If an article seized is claimed, the real owner of the property must be

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be shewn, and he must enter into securities to prosecute, and to abide all the costs of the prosecution; and if no such claim is put in within one month from the date of the seizure, the goods are forfeited under the law.

58. Then you consider that the decision upon the words whether "any such information led to any seizure, forfeiture, or conviction," rests with yourself? Yes. Where there is an informer I divide the seizure into three, as I have already said.

59. Were there any other seizures or forfeitures of vessels or articles connected with the gold? None.

60. *By Mr. Gordon:* Under what clause of the Act is it necessary to claim? Under the 110th clause of the 9th Victoria, No. 15. These Acts are merely a continuation of the General Acts, and we are as much bound by one as by another. This Act has been in force many years.

61. *By Mr. Jones:* Had you reason to believe before you issued instructions for the seizure of this gold that it had been placed on board this vessel illegally? I had.

62. Without duty having been paid? Yes; it was illegally carried on board.

63. Without the Customs Regulations having been complied with? They were not. No entry had been passed for this gold, neither had duty been paid upon it—it was therefore forfeited; and if goods of any kind, free or dutiable, are shipped before a vessel is entered out, and before due entry of the goods is made, the master of the ship is liable to a penalty of £50, and the shipper of £20. There seems to be a misunderstanding abroad with regard to a ship being "entered out" and being "cleared;" they are quite distinct things. When a vessel enters outward it is entered in a book, which gives the name of the vessel, of the master, where bound to, whether to load in ballast or in goods, and any gold placed on board before that entry is liable to forfeiture; but we have not carried out these rules stringently, because this is a peculiar place, and I cannot have personal knowledge of everything going on. When a ship is half loaded, perhaps, the master enters her outwards, but I cannot personally know that he has goods on board. The entry of the ship is quite distinct from the clearance. The goods (if gold) shipped before that entry is made and duty is paid upon them are liable to forfeiture. In the present instance the vessel had entered out, but no entries had been passed, and no duty had been paid for the gold that was seized, consequently it was illegally shipped.

64. In the course of the transaction had you any reason to believe that the Chinese from whom this gold was seized were ignorant that the law required a duty of 2s. 6d. an ounce to be paid? I have no reason to believe that they were. They had shewn an acquaintance with the law on all other occasions; and one of my tide waiters heard the captain of the "Ethereal" tell them that if they had any gold about them they had better pay the duty.

65. What did they say in reply to that? I did not hear. My informant is a respectable young man, the son of the Church of England Clergyman at Penrith, and one of my tide waiters. His sister was on board the vessel, going to Hong Kong, and he was seeing her off. He was not on duty at the time.

66. Are you quite satisfied that the steps taken in seizing the gold were strictly legal. Yes, I believe they were perfectly right.

67. And quite regular? Quite regular, I have no reason to think them otherwise. I took the trouble of going to the Mint, and of seeing Captain Ward's books, in which quantities of gold are entered for which duty has been paid by Chinamen. I could not say that it had been paid by some of these very people, but I know that some of them afterwards came and paid duty to me, but of course they had got experience then.

68. Some of these people whose gold was seized? Some of the men who were on board the ship, but I do not know that they had had their gold seized.

69. In sending their gold to the Mint to be coined, did they pay duty at the Mint? Yes.

70. Have you reason to believe, from what Captain Ward told you, that the Chinese who took their gold to be coined supposed that the duty to be paid was confined to that? No. I merely wanted to ascertain whether they were sufficiently acquainted with the laws or not, and it looked very much as if they did know what they were about, by taking their gold to the Mint and having it converted into sovereigns.

71. *By Mr. Cox:* Had these Chinamen paid duty previously on gold? I am not able to answer the question off-hand. I am doubtful whether any ever did pay before or not.

72. *By Mr. Jones:* From information you had at the Mint you were led to believe that a number of Chinamen were acquainted with the gold regulations of the Colony? Yes; I saw the names of twenty or thirty who had taken a small quantity.

73. Apparently more to ascertain the price than for any other purpose? Yes.

74. In all such cases they would have had to pay a duty of 2s. 6d. an ounce? No, 2s. 3d; it is 2s. 6d. when exported uncoined.

75. Were any applications made to you on behalf of the Chinese in reference to the gold you had seized? Yes.

76. What was their nature? The first application, and almost the only one, came from the Solicitors, Messrs. Dunsmure and Stafford, stating that they were instructed to call upon me to restore the gold.

77. What reply did you make to that communication? I replied that I declined to do so.

78. Did you receive any further letter from them in reference to that application? No. On the day following that on which I wrote declining to restore the gold, I wrote requesting them to inform me of the names of the parties who had instructed them to apply for the gold, and to let me know whether I was to understand that they were in a position to claim the gold, and to defend their case in the Supreme Court should I take it there. I got no answer to that for six days. I then wrote to them reminding them I had received no answer, and I then had a letter from them stating that they had heard nothing more about the business—in short the matter was dropped.

79. Within a calendar month from the time of the seizure you had no application in the nature

nature of that required by the Customs Act, and you declared the gold forfeited? Yes, under the 110th clause. Colonel N. Gibbs.

80. And the gold is now forfeited according to law? Yes, it is.

81. And all that now remains to be done in regard to that seizure is to distribute the proceeds of the forfeiture? That is all that remains to be done. 11 Dec., 1857.

82. And the determination of how the proceeds of the forfeiture are to be distributed rests, according to law, with the Collector of Customs? It does.

83. In accordance with what you conceive to be the law, you have decided that of the proceeds of this seizure one-third shall go to Government, one-third to the seizing officers, and one-third to the informer? Yes.

84. And that is the way you intend to apply the proceeds? Yes, it is.

85. In the event of any difference of opinion arising between the seizing officers as to the distribution of the third of the forfeiture falling to them, how would these differences be decided—by an appeal to the Government or an appeal to the courts of law? If any dispute arose as to the distribution of the seizing officers' share: supposing, for instance, that Captain Denham considered that he was entitled to a larger share than one-third, I should tell him to find his own remedy; I should not give it to him, but should leave that one-third of the seizing officers' share in the Bank to the credit of the Seizure Account, and let him take his remedy in what way he thought proper.

86. Do you think Government would be called upon to interfere in the differences that might arise between you and the other seizing officer? I should be glad of the opinion of the Government, and, most likely, should refer to them, but otherwise I should not feel bound.

87. You consider it to be a question to be determined by a court of law, and not by the Government? Yes.

88. What functions do you think the Government could exercise in the distribution of the proceeds of a seizure—what are they entitled to do in the matter? I do not consider that they have any power to interfere with regard to the distribution. I look upon it that the Executive have the power to restore any seizure. I do not know that there is any law for it, but in England the Lords of the Treasury can restore a seizure, in whole or in part, and there should be some such power here; but I consider that the power lies with the Crown and the Executive, the representative of the Crown; but I do not consider that they have any power to interfere in the distribution. There is a law which decides how the distribution shall be made. In some cases there are seizures made which cost a great deal of money. I may mention one in which I was concerned: When I was first made Collector of Customs at Jamaica I seized a small brig; I prosecuted that case in the Court of Vice Admiralty, and the vessel was condemned, and, to the best of my recollection, the proceeds were between £3,000 and £4,000. But Jamaica is a very extravagant Colony, and the law expenses were so heavy that the net proceeds were reduced to £1,500. The whole of the expenses were then deducted from the gross proceeds and the residue was divided into three parts,—one part went to the Crown, one-third to the Governor of the Colony, and one-third to myself, as seizing officer; so that all I got for my share was about £500.

89. In the event of any difference arising between you and Captain Denham, you would leave him to appeal to the law? I should.

90. From what you say, I gather that you consider the Government are not entitled to interfere in regard to the distribution? I may be wrong, but I think not.

91. But, under the 110th clause, the Government would be entitled to satisfy themselves whether a third party had a just claim to a share, because, if there were no informer, the Government would be entitled to one-half? If there were no informer the proceeds would be divided into two parts,—one part to go to the Government and the other to the seizing officer or officers, whether one, two, three, or more persons. There seems to be an impression that the head of a department has no right to share in anything of this sort, but I should like to know why. I could have gone and made this seizure alone; but if it is imagined that because I depute another to do so I lose my claim, I maintain that that is an erroneous opinion. Instead of Mr. Bremer I might have chosen Mr. Bramwell, Mr. Hindmarsh, or any other officer, to join with myself and thereby to share with me. When I sent Mr. Bremer he fully understood that he was to be joint seizing officer with me, and was told to proceed in my name and his own. I may add that I have never had so much trouble with any seizure as with this. I have had written and verbal applications made to me, and interviews with various parties, respecting it, although I have not had much communication with Government. I, therefore, cannot see why it should be supposed that I ought not to share, under these circumstances, as well as any one else. I will, to illustrate my position, suppose that Captain Loring is at sea during war, and spies a merchant ship at a distance during a dead calm; he mans his barge and sends a Lieutenant to make her a prize. Captain Loring will have a share of that although he does nothing more than order his Lieutenant to go and board her. I will take another case—a case in which I was personally concerned. I was at the capture of Monte Video. The Commander of the Forces was not present at the attack. I was in the second company that entered the breach to storm the place; we succeeded. Sir Samuel Auchmuty, the Commander of the Forces, got £30,000, and I, who was a Lieutenant at the time, got £75. I merely mention this to shew how prize money is shared in the Army and Navy, where the chief, though not present, receives the chief's portion. It is not precisely analogous, as in the Customs the head of the department receives nothing, if he is ignorant of the attempt to smuggle, and neither seizes himself or orders the seizure to be made. But in either of the latter cases he shares. And why should it not be so, when it in no way affects the Crown's share, or the informer's share, but only that of the officer to whom he has given the advantage of joining with himself in the seizure?

92. In the event of any difference arising between you and the other officer seizing, the question would have to be decided in a court of law? No, I think that would be a matter I should refer to the Government.

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93. Supposing the seizing officer were not satisfied with his share, and thought himself entitled to the whole of the third, as seizing officer, his remedy in that case would be in a court of law? I do not think so. I do not think a court of law could decide. The law defines that the seizing officer shall receive one-third of the seizure. I should refer the matter to the Government; but in all my experience such a case never did arise.

94. But that would not prevent the person appealing to a court of law to right himself; all that the Government have to do is to see that they get their full and fair share of the seizure? Yes, that is all.

95. You say that when the seizure took place you reported the circumstance to the Government; what course did the Government take then? I do not know; I really cannot recollect the circumstances attending on the seizure.

96. Can you state substantially what the Government intimated to you regarding the seizure—did they state that they declined to interfere? Not upon that occasion; when a petition was sent in they declined to interfere.

97. And they then intimated to you that they declined to interfere with the ordinary course of the law? Yes.

98. And left you to take what steps you pleased on your own responsibility? Yes.

99. And they have since declined to interfere in any way? Yes.

100. *By Mr. Cox:* You have already stated that you believed the Chinamen were aware of the Act now in force? I think they were, from one reason that I have stated, and from perceiving that they are as well acquainted with all the regulations of the gold fields as our own people.

101. You have also stated that you are not aware whether any of these Chinamen had paid duty previously? I am not aware. I dare say I could ascertain that.

102. Have you not reason to believe that during the many months this Act has been in force Chinamen have left to return to their own country? That I could not answer.

103. What was the demeanour of these men when the officer boarded the vessel—did they attempt to resist? I was not present. Mr. Bremer could tell you; he said one of them drew a knife, I think.

104. In the event of your remitting £10 each to these sixty-four Chinamen, would that be taken from the gross amount, or from which of the portions? Out of the whole seizure, so that it would fall equally upon each share. Call it £600, it would then lessen the Crown's, the informer's, and the seizing officers', each £200.

105. In any case of a large seizure have you ever remitted any portion of the seizure to the suffering parties? No, never of the seizure.

106. Is it occasionally done in the Customs Department? I do not know that it is, but it is frequently so with penalties.

107. So that this would be an unprecedented case? It would be an unprecedented case. In consequence of the supposed destitution of these people, I am myself willing to relinquish that portion, or even to make it more than £10, if necessary.

108. No one but yourself has any authority to make this remission? I do not consider that I have any authority to do it; but when the Government was made acquainted with the circumstance, and did not order me not to do it, I took it upon myself—

109. Then, you as seizing officer, would have to get the consent of the Government and of the informer for this remission to be made? No; I should not consider it necessary to consult the informer at all, nor my brother seizing officer; but, of course, I consider it right to consult the Government. At the same time it is to be understood, that it is the net proceeds of seizures that are to be distributed, and that an informer has no claim beyond one-third of such net proceeds.

110. *By Mr. Jones:* It will be open to the Government to refuse to remit any of the proceeds, when their portion of the amount is handed over to them, and to throw this entirely upon you? Yes, they might do so, because they leave it entirely upon my responsibility; but I take it for granted that they would not do so, and I should have ventured to have given a cheque to Mr. Hill, taking it for granted that the Government would not object to its being deducted, like any other contingency, from the general seizure.

111. *By Mr. Cox:* The informer may object to any person being generous at his expense, because a portion of it is his share? That is a question I have not considered; I should take the chance of that, but law charges (if any), rent, cartage, &c., &c., are always deducted from the gross proceeds, and the net (as stated above) divided into three, when there is an informer, who must take his third or none.

112. *By Mr. Jones:* In case of his being dissatisfied he could recover by law if he chose to proceed in the matter? These are points I am not prepared to give any opinion upon, but I do not think he could. I have been thirty-seven years in the Customs, and such a case has never arisen. I do not suppose, if he were like most informers, he would take any such steps. I lately received a letter informing me of certain illegal proceedings, and winding up by saying, "I expect a portion of the reward, and you will hear from me again." I sent an officer who made the seizure, but I do not know the name of the informer, and no accounts will be rendered to him, but he will get his share when he applies for it.

113. *By Mr. Gordon:* I presume, if you chose to remit the whole of that seizure, the informer would have no claim whatever upon you? No. A man might write a letter like that without a signature, and I might take no further notice of it; I do not mean to say that I should do so in any case, for if it is shewn to me that a person is carrying on an illegal trade, it is my duty to see whether the statement is true or not.

114. Supposing the Government said they chose to remit the whole amount to these Chinamen, and you did not agree to that proposal, how would the matter be settled then? In this way: I might say, although the Government desire to have this matter remitted I will not restore it, but will take it into the Supreme Court on my own responsibility, as is sometimes the case in England.

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115. Then, in fact, the Government have no control over your department in regard to seizures? Yes, I think the Executive has, or ought to have, the power to restore a seizure when they see good grounds for so doing. The proceeding is an extreme case, and would very seldom be resorted to.
116. Supposing the Government conceived that these Chinamen were not aware of these regulations, and that this were a hardship upon them, as they were not acquainted with the law, how would you then act? I should certainly immediately give it up, if ordered to do so.
117. *By Mr. Jones*: That is to say, you would have given it up prior to the forfeiture? Prior to the forfeiture, or even after the Government met my views, and I saw that from charitable views, or other cause, they desired to restore the seizure, I should not resist the order; but if I thought there were no proper grounds upon which the Government should restore the seizure, I should, if pressed, adopt the course I have mentioned.
118. *By Mr. Gordon*: Appeal to the law? Yes.
119. Will you inform the Committee whether it was subsequent or previous to the seizure that you made the inquiry at the Mint whether these people were in the habit of paying duty or not? Subsequent. I made the inquiry because an opinion seemed to exist, that they were ignorant of the state of the law, and, from my inquiries at the Mint, it seemed clear that they did know that duty was to be paid, and had taken their gold there.
120. Can you state on what amount of gold the Chinamen had paid duty? No; some Chinamen have paid as much as £15 duty, and as the duty is half a crown an ounce that would shew a considerable weight of gold; some have paid £5, some £10, but no very large amount altogether has been paid by them.
121. I think you stated that you thought some of these Chinamen from whom this gold was seized had paid duty on the gold? Yes, but their names were so much alike as they were taken down that I could not say positively that it was so; I have reason to believe some of them had.
122. *By Mr. Cox*: Might not the Chinamen have supposed that the amount of two shillings and three-pence an ounce which they had to pay at the Mint was for coining, and not for duty? I really cannot answer that. I do not know why that duty was fixed at all. I suppose there is some other gain on the part of the Government or the Mint, or else I do not see why there should be a difference between the export duty and that.
123. *By Mr. Gordon*: Have you reason to believe that these Chinamen were aware of the law that it was necessary for them to claim within a month? No; I should think, in all probability, they did not know of the existence of such a law.
124. Then do you think they should be strictly bound by such a law, if they were to make a claim and had good cause to shew? I do not consider that that would have anything to do with it, because either they or some of their kind friends must have known it. They put it into the hands of lawyers, and many persons interfered in the matter and wrote petitions in their behalf. One gentleman interfered very improperly, as I thought, considering his position. These people ought to have known how the law stood on that point, although I am inclined to think they did not.
125. I think you stated that there seemed to be an impression abroad that the entry and clearance of a ship were the same, but that they were in fact not at all the same? Not at all the same.
126. I presume that would not be the opinion held by any person accustomed to commercial business? It ought to be.
127. Is it not the case after a ship is entered out, say a ship from London, that merchants commence shipping their goods on board, either dutiable or free, before the entries are passed at the Customs? I am afraid it is, but every one of them is liable to seizure, and it is only that I know I should not be upheld by various parties in retaining them that I have not attempted to seize.
128. My reason for asking this question is, because I think it a very important one to the present issue. Is it not within your knowledge that mercantile men do ship gold before it is entered at the Custom House? I am not aware that they ship gold before it is entered at the Customs, excepting sovereigns. But it has not been the practice hitherto to have any entry made for coin; coin is free to come into and to go out of the country,—indeed gold is free to come into the country. We have no inward duty; but I think entries should be passed for gold whether coined or uncoined, as I can never make up any statistical returns satisfactorily without.
129. I wish to know whether it is not the custom of the port, and whether it is not within your own knowledge, that dutiable articles, as well as free, are put on board ships daily without entries having been passed at the Customs? I hope not daily, but I am afraid it is very frequently. The Rules and Regulations of the Customs are very much set at defiance, and I have thought of putting a stop to these proceedings by forcible means.
130. Supposing any information came to you, and brought under your knowledge that such was the fact? I should feel bound to go on board, seize the goods, and, as I think every mercantile gentleman should know the law, and act upon it, I do not think it would be harsh to do so.
131. In this instance your attention was drawn to the shipment, and you made a seizure at once, and in any other case you would have acted similarly? Yes; under information I should feel bound to do so. But there is great difference, I apprehend, between this case and that you have alluded to, especially as you have named a London ship; a London ship is generally a number of weeks loading, and if the captain has omitted to enter his vessel, and you commence to load with your goods, it may go on for many weeks, your not being aware that he has neglected to do what was necessary; when, however he comes to enter, I should not think of inquiring whether he had received any goods on board.
132. *By Mr. Jones*: I believe gold is the only article upon which there is an export duty? Yes it is.

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133. You never knew gold to be shipped on board any ship not entered outwards, or before that gold had been entered at the Customs? I think not; parties never think of shipping gold dust, and I think I may say coin, until the very morning before going to sea.

134. If you had reason to believe that gold had been placed on board any vessel without being entered at the Customs, and duty having been paid, would you consider it your duty to seize the gold? Yes, I should.

135. With or without information? Many of our seizures are made without information, and if I knew that gold had been shipped without duty having been paid, I should feel it to be my duty to seize it.

136. *By Mr. Gordon:* I think you stated previously that you believe it has been too much the case that dutiable goods have been shipped without entries at the Customs having been passed? Yes, I am afraid it has been.

137. With regard to gold, as well as to any other dutiable article? No, I do not think gold dust is shipped before it is duly entered, and duty paid upon it. If I said that before, I said it in error. I am not aware that such is the case. There is a clause in the Act which says that an officer of the Customs may board vessels after clearance, but that is introduced, in fact, to enable them to ascertain that the goods entered in the clearance outwards are on board the ship, and that there are no goods on board that are not entered on that clearance, for if there were they would be liable to seizure. When the master of a ship gets his manifest and outward papers, he proceeds on board his ship and gets under-way, but if any officer of Customs has reason to suppose it desirable to go on board, although the vessel is cleared and under-way, he can call upon the captain to produce his manifest, and examine whether every thing is correct according to it. He may go on board either before or after the ship is cleared, or even outside the Heads, so long as she is within the limits of the port.

138. *By Mr. Robertson:* Supposing I went on board a ship before she was cleared, and had fifty sovereigns, or gold dust of that value, upon any person, should I be liable to have that seized? That is the law. The officer has the power of searching the person, but if duty is paid upon gold the Customs seal is placed upon the bag or box containing it, and consequently no interference is necessary.

John DeCourcy Bremer, Esq., called in and examined:—

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Bremer, Esq.
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1. *By the Chairman:* You are an officer of the Customs? Yes; I am First Tide Surveyor of Sydney.

2. You have been employed lately in the seizure of certain gold from Chinamen on board the "Ethereal"? Yes.

3. Will you be kind enough to state under what instructions? The Collector sent for me on the 15th October last, and then said he had received information that there was some gold on board the "Mary Nicholson"; the other ship, the "Ethereal," I do not know whether the Collector told me of it. I went on board the "Mary Nicholson," and from her I went to the "Ethereal." When I got on board the "Ethereal," which was lying at that time at Mossman's Bay, or very nearly at Bradley's Head, there were a number of Chinamen on board—I should say about seventy. I believe the correct number was sixty-four.

4. Did you consider yourself as acting on the part of the Collector of Customs, or as the seizing officer yourself? The Collector said there were certain Chinamen on board a vessel or vessels. I have no recollection that he mentioned the "Ethereal" in particular. When I was shoving off from the "Mary Nicholson," one of the men in the boat said you are going, of course, Sir, to the "Ethereal." "Where is she," I asked. "Down in Mossman's Bay" was the reply. One of the men said he thought she had gone to sea, but the other replied that she had not. I said, "Well, we will go down." So I went accordingly. When I got on board the vessel, as I before stated, there were a number of Chinamen—some sixty or seventy—prepared for sea; they had their provisions and water on board, and, I presume, had taken leave of shore.

5. You were aware, I presume, what was the destination of the "Ethereal"? Yes; she was entered out for the port of Hong Kong, and had hauled away from Towns' Wharf, where she had been lying. My instructions were from the Collector, who, from the information he had received, said I was to take my boat and go off, which I did. There was some shew of resistance on board the "Ethereal."

6. How did you ascertain that the men had gold on board—how did you proceed to execute your duty? I was about to search the men, and they would not be searched, in fact one man in the waist of the ship drew steel upon me. I applied to the mate of the vessel, and he said he could not assist me. I said "Very well, hoist up your ensign as a signal to the 'man-of-war.'" He did not do so, and I then went off to the "Herald," and obtained an armed boat's crew.

7. Did the officers of the vessel themselves offer any obstruction to you? No; they said they could do nothing with these men, and I do not think they could have rendered me much assistance. The mate might have hoisted up the ensign to the main truck for a man-of-war's boat, but he said he could not. I said, "Here is a man in the waist who has drawn steel upon me."

8. Was the shew of resistance witnessed by the mate? I do not know where he was at the time. I was surrounded by these men, and when I found that they were disposed to resist, I left two men in charge of the hatchways and went off to the "Herald." Previous to leaving the vessel I asked the men if they had any objection to remain, and they said they had not. I said I should not be long away. I went to the "Herald," stated the circumstances, and the Lieutenant sent Mr. Napier with a boat's crew, and with their assistance we effected the seizure.

9. There was no more assistance afterwards? No. We took them on the poop and searched them as they came down.
10. You mean that the demeanour of the Chinamen was altered after you brought the man-of-war's boat alongside? Yes.
11. You think the presence of this man-of-war's boat was useful to you in effecting the seizure? Yes. I would not have called for assistance if we had been armed, but as we were unarmed, I went to the man-of-war.
12. Will you proceed to state what you did on board, and what was afterwards done with the gold? We got the gold from the persons of the men; some of it was concealed under their arms, and some about other parts of the body—in all about 2,000 ounces.
13. Did you examine the packages? We examined the packages afterwards, but we left them all tied up.
14. It was principally gold dust? Yes.
15. Were there any sovereigns? I think the Collector said there were about twenty-five sovereigns.
16. You did not count them yourself? No.
17. You saw the sovereigns were mixed up among the gold? Yes. I gave these Chinamen their sovereigns back; but these to which I now refer were in the packages mixed up with the gold. I said to them, through the interpreter, it was not the coin I wanted but the gold, and that I would return the sovereigns. I asked them to take their specie out of their packages, and returned it to them.
18. Then some of them did take their sovereigns? Yes, a great number. Mr. Napier, the naval officer, was by at the time, and a serjeant of marines.
19. Can you state in round numbers how many sovereigns you returned? No, I could not.
20. Will you state what you did with the gold? I went with the man-of-war's boat to Colonel Gibbes' house and reported the circumstances of the seizure, and it was taken over to the Gold Room of the Custom House and locked up. The next morning the Collector came over, sealed it up, and sent it to the Bank of Australasia, as he could not keep an officer constantly watching over it.
21. You know nothing of the matter after that? No.
22. Will you state now as to the illegality of the gold being on board—you acted under instructions? Yes; but if I had not received any instructions I should have seized it.
23. Were you personally aware that it had not paid duty? I seized it under the new Gold Act, 20th Victoria, No. 22, as gold shipped, or water borne for exportation, without due entry and payment of duty. If I had been informed that there was a vessel duly entered outward, with a large number of Chinamen who had gold with them, I should have made a seizure of it, without being seizing officer jointly with the Collector.
24. In this case you acted only under instructions, and not on information given to yourself? The Collector told me to go off, as he had received information from some one that there was a quantity of gold on board one of these ships.
25. Was Mr. Lockyer on board? He accompanied me.
26. In what capacity? I cannot tell. I suppose as informer. I do not know. I cannot tell.
27. Is it usual for a Custom House officer to be accompanied? It is quite optional to the Surveyor; if he acted under information, he might take the informer with him, or he might refuse to do so.
28. By Mr. Jones: Mr. Lockyer is attached to the Customs Department? Yes; he is not a seizing officer.
29. By the Chairman: He would not have authority to seize? He may inform but he cannot seize.
30. Did he give you any assistance at all? Yes; he remained in the boat with the first lot of gold.
31. Do you know whether he witnessed the drawing of a knife or steel upon you? No; he was not, to my recollection, on board. I told him to remain in the boat, and he assisted to row to the "Herald," as I was two men short.
32. I presume you are acquainted with the Customs Laws—whom do you consider to have been the seizing officer in this particular case? I am the seizing officer of the gold on board the "Ethereal."
33. Have you made a claim? I claim jointly with the Collector of Customs. In home practice there are sometimes as many as three seizing officers.
34. You consider the Collector of Customs to be one of the seizing officers with you? Yes, and the seizing officers are entitled to one-third of whatever they get.
35. Do you consider that any of the officers of the "Herald" are to be considered as the seizing officer? No; they would have taken the gold if they had been the seizing officers; if they had seized the gold they would not have given it up to the Customs.
36. Do you not consider them to have any claim upon the gold as seizing officers? There is a doubt whether they have a claim; they have at home when their assistance is called for. I do not know whether they have in the Colonies.
37. You are the seizing officer, and as such are directly interested—do you consider yourself and Colonel Gibbes to be the two seizing officers? Yes.
38. But you do not admit the claim of the "Herald"? No. My claim is for half the amount.
39. If the claim of the "Herald" be allowed, your share, of course, will be diminished—do you admit the claim of the "Herald" to be equal to yours? I could not answer that question, for I am not acquainted with the laws relating to men-of-war. I must consider myself the seizing officer because I took the gold.
40. Do you consider that the Captain of the man-of-war has any claim? Captain Denham was not there in the first instance.
41. One of his officers was there? If he, or one of his officers, had been the seizing officer

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- J. DeCourcy, officer there would have been three instead of two; whether he would have to share it with the ship, or with the Admiral, I cannot tell.
42. You got assistance from Mr. Napier? Yes. I applied to the First Lieutenant, and he sent Mr. Napier with a boat's crew, who assisted me to make the seizure.
43. Then the seizure was actually effected by you with the assistance of the officer and the boat's crew? Yes.
44. Has any portion of the proceeds of this seizure been paid to you yet? No.
45. Have you made any claim to the Government for it? Yes; a seizing note was sent in; I handed it to the Collector, and he made out the claim.
46. What is your opinion as to the knowledge of the Chinamen as to the laws—do you believe they were ignorant, or not ignorant, of our laws? I should say they were not ignorant, for there was an inclination on board the "Mary Nicholson"—
47. Confine yourself to the "Ethercal"? I should say they did know, for many of them came from the Port Phillip side and from various places.
48. You think they were aware that they were acting against our laws? Yes, I should say they were, for I have heard from another officer, whose sister went in her, that Captain Gorman said to them if they had any gold with them they had better pay the duty.
49. Did you hear that? No; I heard it from Mr. Smith.
50. Had they any knowledge of our language? I communicated with them through an interpreter, who spoke very good English.
51. And he professed to communicate between the captain and them? Yes. I asked him if they had any gold; he said, "Yes," and I said it was against the law.
52. Did the interpreter make any statement as to the unwillingness of the people to give up the gold? I did not see him at first; it was after I came back from the man-of-war.
53. Was the interpreter a Chinaman? Yes; he was better dressed than the rest of his countrymen.
54. Did he seem to have authority among them? Yes; he seemed to hold a similar position to that of a Serang among the Malays.
55. Can you mention his name? I cannot, and I should hardly know him if I were to see him again. There are three interpreters who have been to the Custom House about this matter. The tall one whom I saw in the Collector's room was not the one I saw on board.
56. Have you any idea what was the condition of these men—should you say they were destitute? I should say not, from the quantity of sovereigns myself and Mr. Napier gave back to them.
57. Have you seen any of these men about Sydney? They are so very much alike that I should not know them, besides it was nearly dark when I left the ship.
58. By Mr. Jones: What was the nature of the communication that took place between you and the interpreter? I only asked him to tell his countrymen that if they had any gold about their persons to deliver it up.
59. Did you explain that they had forfeited the gold by not paying the duty? Yes; I said it was liable to duty and they were going to smuggle it away.
60. What did he say? He spoke to his countrymen, and they said they did not know it, they were not aware of it, or something of that kind. They pleaded ignorance, in fact, which they do now.
61. Have you reason to believe from what transpired that the Chinamen were ignorant that they were evading the law? I should say that they were perfectly aware that they were evading the law. I know the Chinese well, for I was engaged in the first Chinese war some years ago, and they are the most knowing among Asiatics. They were aware that they were paying no license, and that they must pay somewhere. Those men who came from Port Phillip came for the express purpose of evading the duty there.
62. Did the interpreter plead that they did not know the law, and express any willingness to pay the duty? No; he did not to me.
63. By Mr. Cox: Had the whole of these Chinamen gold? Yes, more or less. Some had a little bit tied up in a handkerchief, or bit of rag, others had large quantities on board.
64. Are you aware that it was the intention of the Collector of Customs to make some remission to these people? Yes; he said something about this, that he had written to the Government about it. He consulted me, and I expressed my willingness to concur in anything he might do in the matter.
65. By Mr. Robertson: Did you keep an account, in each case, of the names of the persons from whom you took the gold? Most of them put their names, or marks, on their own packages.
66. Even assuming that it had been proved to the satisfaction of Government that these people were not aware of the law and did intend to pay the duty, you would have had no means of knowing to whom to return the gold? I told them, as I could not tell their names, they should put their marks, or names, on their packages, which they did. These have not been touched.
67. By Mr. Cox: Even though you had taken down their names you would not have known the men? No; a good many of the men went on with the ship, but I should think there are forty or fifty of the "Ethercal's" people on shore.
68. By Mr. Robertson: Are you under the impression that you were in any danger in attempting to take this gold? When one of them unsheathed a knife I considered myself in danger, or I should not have gone to the man-of-war.
69. When the men-of-war's men came they shared in the danger? Yes, they would have done so, if there were any; but, of course, an armed force prevented the danger. I do not believe we could have effected the seizure without the assistance of the man-of-war, as we were unarmed.
70. You are of opinion that the man-of-war's men were of essential service in effecting the seizure? Yes.

71. Had you not got the man-of-war's boat's crew these men might have insisted upon going on shore, as you had only two men in charge of the ship? No; all the ship's boats were hoisted up, and before they could have got into the boats to go on shore I should have been on board again, if I had seen any attempts made to leave the vessel. J. DeCourcy
Bremer, Esq.
11 Dec., 1857.
72. When you asked the interpreter whether they had any gold, did he attempt to hide that fact? He talked a great deal to his countrymen, and when they found resistance was useless they produced their gold.
73. When you accused them of having gold on board, did he deny it in any way, or did he acknowledge that they had? He did not deny it.
74. I understood you to say that, seeing some of these people came from Port Phillip, they must have come for the purpose of evading the law? I am told some of them came from Port Phillip.
75. If they came from Port Phillip, where there is a duty, would not that rather shew that they were under the impression that there was no such duty here; for it would be of very little use to leave Port Phillip and to come here for the purpose of evading a law, if the same law were in operation here? Yes.
76. You are acquainted with Chinamen? Yes.
77. You are aware of the fact that the laws of New South Wales are much more liberal to their race than those of Victoria, at which place they are required to pay £10 when they land? Yes.
78. Hence, if these people are so very acute, as you believe them to be, is it not likely that they were under the impression that the laws here were more liberal to Chinamen, as there is no charge here? It is impossible for me to tell—I could not express an opinion upon that point—they are a very cunning race.
79. But as you base one of your reasons for supposing that they knew the law upon the fact that they came from Port Phillip here, I wish to shew that it might bear that very opposite interpretation? Yes.
80. Are you of opinion that if I were to go on board a ship lying in the port, and happened to have a few ounces of gold in my pocket, and any one gave you information of the circumstance, that you would be justified in seizing it? If you had actually paid your passage it would be liable to seizure.
81. Not without? The Act prescribes that all gold water-borne, or found in any boat, lighter, or vessel, or in any vehicle, or in transit upon any beast of burthen, or about the person of any one on board any vessel, shall be liable to seizure.
82. It would be water-borne if taken across a river in a punt? Yes.
83. Did you ascertain that these men had paid their passage? Yes, they had paid their passage—£11 a head.

THURSDAY, 17 DECEMBER, 1857.

Present:—

MR. JONES,
MR. FORSTER,
MR. HAY,

MR. ROBERTSON,
MR. DONALDSON,
MR. COX.

WILLIAM FORSTER, ESQUIRE, IN THE CHAIR.

Lieutenant Richard Henry Napier, R.N., called in and examined:—

1. *By the Chairman:* You are an officer of H.M.S. "Herald"? Yes. Lieut. R. H.
Napier, R.N.
2. Were you not present, on a late occasion, when gold was seized under the authority of the Collector of Customs of this Colony, on board the ship "Etheral"? I was. 17 Dec., 1857.
3. Will you be kind enough to state the circumstances under which you were first instructed to proceed upon that duty, and what occurred under your own observation? Application having been made by Mr. Bremer, the tide surveyor, for assistance from Her Majesty's ship "Herald," that he might be enabled to search the persons of sixty-five Chinese passengers, who had previously resisted his authority on board the "Etheral," and were supposed to be in possession of a large amount of gold for which the requisite duty had not been paid, I, in compliance with an order from Lieutenant J. Hutchinson, at about half-past four on the afternoon of the 15th October, proceeded on board the said ship with an armed boat's crew and a party of marines. I placed a sentry on either side of the poop, in charge of the passengers whom I had ordered up, and I then allowed them to come down on the quarter-deck, where each was searched by the Custom House Officer—two or three only, who had their treasure below, being permitted to go and fetch it, under the surveillance of one of the Custom House boat's crew. Much gold was taken from the vessel; and Mr. Bremer, having stated himself to be satisfied with the search of the ship and passengers, and the gold having been carefully lowered into the Custom House boat by two of my men, I returned on board.
4. Have you any knowledge of the quantity of gold seized? I should think about one hundred and eighty pounds. I could lift it with two hands about a foot off the deck after it was put in a bag.
5. Mr. Bremer was the officer in charge of the party? He was the Custom House Officer who came on board the "Herald" to demand assistance from us, stating that the Chinese had resisted his authority, and that he was unable to make a search without our aid.
6. You consider Mr. Bremer to have been the seizing officer on this occasion? No, I consider myself to have been the officer making the seizure, under orders from my commanding officer, Lieutenant Hutchinson.
7. Will you state whether your presence was absolutely necessary from the demeanour of the Chinamen, or whether the seizure could have been effected without your assistance? My

Lieut. R. H. Napier, R.N. My impression is that it could not. The presence of my boat's crew and marines, either under myself or some other officer, was, I conceive, requisite to ensure the submission of the Chinamen to the search.

17 Dec., 1857.

8. Then, in fact, the seizure was conducted by yourself and Mr. Bremer, together with the assistance of the force under your command, and of his boat's crew—he could not have seized the gold without the assistance rendered from the "Herald"? I believe he could not.

9. Was there any apparent violence shown by the Chinamen while you were there? No; the most I observed was sulkiness and an evident disinclination to deliver the gold from their persons.

10. Did you see any weapons of any kind about them? No, I cannot say I did.

11. Were there any other persons present, on the part of the authorities of this Colony, besides Mr. Bremer? A gentleman, whose name I believe is Lockyer, was on the deck at the time, and went away with Mr. Bremer in the Custom House boat. He came with and departed with him. I understood that he was a Custom House Officer, but I am not prepared to say that he was.

12. Was he giving assistance at the time? He appeared to be in charge of some gold that had been taken from the "Mary Nicholson," but I do not know whether he had any charge in the matter; certainly he did not have anything to say.

13. *By Mr. Jones:* He was not the officer in command? No, he was not the officer in command.

14. *By the Chairman:* By whom was the search actually conducted—who searched the persons of the Chinamen? Some of the Custom House boat's crew took the gold from the Chinamen. It was placed on deck, and given by me into the charge of a sergeant of marines.

15. It was placed in the hands of the sergeant? Some was placed on the deck by the Custom House boat's crew, and some by the sergeant; it was placed under his charge by me.

16. I suppose you are not aware what has been done with the gold since—that cannot have come under your cognizance? Not since I saw it locked up in the Queen's Warehouse that night. I went over to report the circumstance to Colonel Gibbes, after it had taken place, and I then found Mr. Bremer at Colonel Gibbes' house. From there I accompanied Mr. Bremer, by Colonel Gibbes' request, on shore with the gold, my boat pulling alongside; and I saw the gold locked up in the Queen's Warehouse.

17. Have you yourself made any claim to the Government for the services you rendered on this occasion, or are you aware of any such claim having been made on your part or the part of the men present? I believe a claim has been made, but I am not prepared to state the exact nature of it. I was merely the officer acting under the orders of Lieut. Hutcheson.

18. Do you consider that you have any claim on the part of yourself or your boat's crew? I consider the ship has a claim, not myself individually, or the boat's crew. When I speak of having a claim, I mean that I consider we have a claim as a body—the men and officers of the ship.

19. Then, if the Government, in distributing the proceeds of this seizure, should hand over to you and the men that were with you a certain sum of money, would you consider it your duty to hand it to the ship, or to retain it? I should consider it my duty to hand it over to Captain Denham, to be shared among the officers and crew of the ship, according to the Imperial Act with reference to such matters.

20. *By Mr. Hay:* When you say that you do not think the Custom House Officer could have carried out the seizure without the assistance of yourself and your boat's crew, did you judge from anything that occurred before your own eyes, or from the report of the Custom House Officer, Mr. Bremer? I judged from two things;—firstly, from the report of Mr. Bremer, who stated that the Chinese passengers had resisted his authority, and that he was unable to make the search without the assistance which he demanded from the ship. After I had gone on board I placed sentries on the poop, and did all that was requisite to conduct the search in a quiet and orderly manner. I saw that the Chinese passengers, on being searched, appeared to be very unwilling to deliver up their gold, and seemed to think it was not at all right that it should be taken from them under any circumstances; but they made no personal resistance.

21. How was the search conducted—did the Chinese, on being ordered to do so, deliver up their gold, or was the search literally carried out by an examination of the persons and clothes of the whole of them? They were examined.

22. In the first instance, were they not called upon to deliver the gold upon them individually? Yes, they were called upon to do so, through the interpreter. They delivered the gold unwillingly, demurring about it a great deal; but they delivered it, and were asked whether there was any more on their persons, which were then felt.

23. After the gold was delivered up? Yes, they were felt.

24. *By the Chairman:* Would you not assume the necessity of your presence, from the circumstance of the application having been made by the Custom House Officer? Yes, I should, decidedly.

25. Were you aware of any sovereigns having been seized with the gold? I was. Mr. Bremer, through the interpreter, asked—I believe I may say, as far as I can recollect—each individual Chinaman whether he had any sovereigns in the gold he was delivering; and in some cases there were sovereigns, which Mr. Bremer told them particularly to take out, stating that he had no right to take sovereigns, but merely gold; and also, after the whole of the gold had been collected and all the passengers searched, he asked the question, through the interpreter, whether there were any sovereigns in the bag of gold, saying that there were they were to take them out. The interpreter asked the question, and the answer was—whether from one or more I am not sure, but from certain of the Chinese—that there were, I think, thirty sovereigns among the gold; on which the sergeant of marines opened the bag, and the interpreter was allowed to take out the money stated to be in it. It was then asked whether there was any more money in the bag, upon which the interpreter answered no.

26. In that case I imagine you judged they were not in a destitute condition? I should say decidedly they were not, because many of them had as much as ten sovereigns.
27. You saw that money in their hands? Yes, as they took it from their bags before delivering them, in consequence of Mr. Bremer's question.
28. Did the Chinamen give you any notion of their being acquainted with the English language? They did not.
29. *By Mr. Hay:* You say that, from what you saw, you believe they were not left destitute—how many Chinamen might have received sovereigns in the way you mentioned? I can hardly say the exact number, but I think I saw fourteen or fifteen take money before delivering their gold.
30. Did the gold appear to be common stock, from what you saw of the way in which it was packed and these claims were made; or did it seem to be held by individuals or small partnerships? It appeared to belong generally to small partnerships; three or four individuals holding one amount of gold.
31. Then, from aught you could learn from the distribution of the sovereigns, the majority of these men might be destitute, notwithstanding? That is not my opinion. I do not think they were destitute, from the quantity of sovereigns I saw taken out of their pouches.
32. But supposing seventy-five white men had had their gold seized in a similar way, you would not judge from fourteen or fifteen receiving money that the others had money, would you? I could merely judge from what I saw. I saw certain of the Chinese taking back eight or ten sovereigns—others less; and from that I judged they were not destitute.
33. The gold or sovereigns did not seem to be all one common stock in which all the Chinese were interested more or less? All were interested decidedly in the gold.
34. Not in all the gold—the gold was in several packages? Yes, a great many.
35. How many do you suppose? I should say as many as one hundred and fifty small packages.
36. These small packages were given up by different individuals? One individual would have several.
37. But this gold was found upon the persons of a great number of individual Chinamen? It was on many.
38. Had they all gold upon their persons? No.
39. But a great many had? Yes.
40. Could you give us any idea from how many Chinamen the gold was actually received? I am not prepared to state how many. All were searched.
41. But gold was not found upon all? No.
42. You cannot say anything more definite than that it was found upon a great many? No.
43. *By Mr. Cox:* Did you observe that any means were taken by Mr. Bremer of identifying the gold, so that, in the event of any dispute, the same packages could be returned to the Chinamen from whom they were taken? Mr. Bremer, to the best of my belief, put down the names of the Chinamen from whom the packages of gold were taken.
44. Did he mark the bags? All the packages contained Chinese writing.
45. So that there would be no difficulty in identifying the different packages as belonging to their several owners? I should think not.
46. *By Mr. Hay:* You are not aware that any means were taken by Mr. Bremer to identify the individual packages with the names of the Chinamen from whom those packages were taken? The only means that I am aware of was the taking down by Mr. Bremer of the names of the Chinese as they gave up their gold.
47. Do you not think, that, unless some mark was put upon the different bags to identify them with the names of the parties as taken down, it would be impossible afterwards to understand from whom the respective bags had been taken? From my observation I should naturally say that all the Chinamen would know their own gold.
48. Do you think Mr. Bremer could give them each their own, if they did not agree, in case the gold were returned to them? I am not prepared to say.
49. You did not see anything done to lead you to the belief that Mr. Bremer would necessarily know the gold taken from each individual—that he would be able to identify the packages as taken from individuals? Not further than from having taken down the names.
50. He took down the names without marking the bags with the names? That is my belief.
51. How could it be done if there were about hundred and fifty different bags? The gold, it must be remembered, was in long purses that went round the waist; and there were small packages in these purses, which were taken by Mr. Bremer, examined, and put in again. All the small packages were in the pouches, and, had it been my duty, I should have done as Mr. Bremer did.
52. But how could he know afterwards what particular pouches were taken from the persons of the different Chinamen? I am not aware that he could know by any other means than by the names which I believe he took down.
53. Did he attach the names to these pouches, or put any mark upon them by which he could recognise them as having been taken from individual Chinamen? I am not aware.
54. Do you think that afterwards he could tell, by the names of the Chinamen as taken down, from whom each particular pouch was taken? I believe he could, if the Chinese answered to their right names as given in when the gold was taken from them; but he had no further means that I know of.
55. *By Mr. Cox:* Do you think, from the demeanour of the Chinamen, that they were aware they were doing wrong in smuggling the gold? My belief was that they tried to make it appear they were ignorant of it, when they were not so.
56. You do not believe they were ignorant of the law? I do not.

Lieut. R. H.
Napier, R.N.
17 Dec., 1857.

H. Newbon,
Esq.

17 Dec., 1857.

Henry Newbon, Esq., called in and examined:—

1. *By the Chairman:* You have been employed, I believe, by certain Chinamen, whose gold was seized on board the "Ethereal" by the Custom House authorities, as their legal adviser? Yes.
2. Will you be kind enough to state the circumstances of these men, as briefly as you can,—in what position they stand just now, and also in what way you can give us the means of ascertaining the facts of the case from the Chinamen themselves? First of all, I have got from all the Chinese on board the "Ethereal" a Power of Attorney for four of their countrymen, authorizing them to act for them. These four presented the petition. (*The Witness handed in the same. Vide Appendix A.*)
3. What is the number of Chinamen whose property has been seized? There were sixty-five on board.
4. These sixty-five all signed the Power of Attorney? Yes.
5. In what pecuniary circumstances are these men—are they absolutely destitute of property? Yes.
6. Had they no sovereigns? I do not think so.
7. We have it in evidence that they had a large amount in sovereigns in their possession? On the contrary, I have their statement that, besides the quantity of gold dust, fifty-six sovereigns were taken from them.
8. Is your means of communication with them such as to satisfy you that you have arrived at the truth? I have it only through their interpreter.
9. Will you state the name of the interpreter? *Januario Jose Lopez, a Portuguese.*
10. Shall we be able to find him out? He is here now.
11. Will you state what course you have pursued, as the legal adviser of these Chinamen, in applying to the Government? I presented a petition to the Administrators of the Government in the absence of the Governor General, and received the reply which is stated in the petition. The quantity of gold petitioned for was 2,680 ounces. I requested them, through the interpreter, to furnish me with the exact amount taken from them, and obtained this list, shewing the several parties and the amount of gold, and also those who have remained in this country and those who have gone to China. (*The Witness handed in the same. Vide Appendix B.*)
12. The result of all that has been done has been that the Government have refused to take any steps in the matter? Yes.
13. Will you state on what grounds you think these Chinamen have any moral claim on the Government? I think they acted as they did through ignorance of the law, according to the statement they make.
14. You really think they were ignorant of our law? I do. It was only passed this year.
15. I see in the list you have handed in there are some names to which no gold is set down? They said they had none upon them.
16. *By Mr. Cox:* How came they among the petitioners? Because I think they are of a superior class to the others who wished them to act for them.
17. *By the Chairman:* Do you think the gold was held in common stock, or that each had a property in the sum set opposite his name? I believe each had a property in the sum set against his name. Those marked with a star are in the country, and the others are gone away.
18. *By Mr. Donaldson:* Have you been acquainted with these Chinamen from the time of the seizure? Only from seeing them at my office.
19. Have you had interviews with them all? Principally with the four who hold the Power of Attorney; I did not want to be bothered with the whole of them.
20. Have you any means of identifying these petitioners with those whose gold was actually seized? Only through these men.
21. Of the individuals themselves you know nothing? No.
22. *By Mr. Hay:* By whom was this paper drawn up? By the interpreter, Lopez. I must tell you that when they first came to me I saw there was a great deal of difficulty about it, and I said "you had better not all stop here, leave four to manage the thing for you"—four, or as many as they chose to appoint to represent the others. Now, I can produce these four men to show that the men who signed this Power of Attorney were the men who had had their gold seized.
23. These four who hold the Power of Attorney are acquainted with the whole of them? Yes.
24. These four can be identified by yourself and others, and they can identify all the Chinamen? Yes.

APPENDIX A.

MEMO. OF CHINAMEN PASSENGERS PER "ETHEREAL."

KNOW all men by these presents, that we, the undersigned Chinamen, passengers of the ship "Ethereal," now in Sydney, have hereby appointed, constituted, ordained, and by these presents do make, ordain, constitute, and appoint, our trusty friends Ayong, Amang, Alieng, and Akitt, now in this City, our true and lawful Attorneys for us, in our name and to our use, to ask, demand, recover, and receive the sum of two thousand six hundred and eighty ounces of Gold from the respective Government of New South Wales in the said country; therefore, we, by these presents, granting to our said Attorneys our sole and full power and authority to take, pursue, and follow such legal courses that may be necessary for the recovery, receiving, and obtaining of the same without delay or interruption, as we ourselves might or could do, and consequently we, ratifying, allowing, and confirming everything, according

according to their entire denomination by all means and in whatsoever they the said shall lawfully do or cause to be done. And in witness whereof we we have hereunto set our hand and mark this twentieth day of October, of Our Lord God one thousand eight hundred and fifty-seven. H. Newbon,
Esq.
17 Dec., 1857.

Pau-Chin,	Cay-Wung,	Avan,
Yen-Haa,	A-Quin,	Alin,
Pong-Kitt,	Sing-Foi,	Chio-Choy,
Assang,	Toy-Wan,	Acapp,
Ahio,	Fong-Cheing,	Aning,
Soy-Lam,	Tit-Cow,	Yeng-Choy,
Ayat,	Hang-chan,	Akay,
Asseng,	Chan-Soy,	Yong-Cheé,
Afoó,	Achapp,	Yeng-Ring,
Ong-Sing,	Acheong,	Fuy-chin,
Apat,	Mow-foó,	Aquin,
A-Quio,	Chi-tong,	Ya-Low,
A-Fung,	Afuy,	Afook,
Atang,	Muy-chay,	Tack-Mon,
Tak-Yong,	A-Yaw,	Cheong-fock,
Assin,	Apon,	Sing-hang,
Asapp,	Yong-Wo,	Achyó,
Achee,	Apak,	Assan,
Cam-Yeng,	Ham-Muy,	Asam,
Akat,	Y-Cuong,	Tang-Van.
Ket-Chio,		

JAN. J. LOPEZ,
As Interpreter.

APPENDIX B.

NAMES OF 65 CHINAMEN OF THE "ETHEREAL."

Names.	Ounces.	Sovereigns.	Names.	Ounces.	Sovereigns.
*Pan-How	99	1½	Tack-Mon	32½	
*Sing-How	188	9	Cheong-Ang	23½	
*Soy-How	76	5	Cheu-Ang	12½	
*Ang-How	140½		*A-Hoy	19½	
*Wey-Low	178½		Achapp	17½	
*Tack-Yong	54		*Kaá-Chan	28	
*Woo-How	152½		Chee-Tong	26½	
*Mon-Seng	145½		Yong-Chee	18½	
*Leong-Tack	16½		*Jing-Hoon	29½	
*Ly-Hang	21½		A-Ray	22½	
*Lang-Hyo	200½		*Ray-Hoon	49½	
*Atang	10	5	A-Quin	19½	
*Yeny-How	47½		Hock-Hing	12½	
*Keam-How	101		*A-Hem	21½	
*Chio-How	108		Kit-Chyo	19½	
*Yau-How	12		Wang-Puy	8	
*Lyo-Woo	23		*Tay-Wang	30½	
*Lin-How	5		A-Loy	19½	
*Cat-How	73	5	Tang-Quay	12½	
Ahyo	3½		Mon-Chio	15½	
*Cheevan	104	26	Ang-Chan		
*Yam-Cow	30½		*Yong Woo & Acung	198½	
*Hang-Sang	8½	½	*A-Yau	119½	7
*Apak	17	2	*A-Yong	4	
*Hong-Cheong	52½		A-Lang		
Achiong	14½		A-Yat		
*Hin-Leong	24½		A-Quyo		
Cong-Tou	23½		*Aman		
Waa-Hock	22½		*Akitt		
*Ty-Wang	29½		*Ahang		
Leng-Tay	24½		Muy-Chay		
Akin	14½		Tang-Wang		
*Yatcheong	32½				

With Power of Attorney to receive, are as following:—

Abeng,
A-Yong,
Aman,
Akitt.
— 4 Men.

JAN. J. LOPEZ,
As Witness and as Interpreter.

Senhor

Senhor Jannario Jose Lopez, called in and examined:—

- Senhor J. J. Lopez.
17 Dec., 1857.
1. *By the Chairman*: You are a native of Portugal? Yes.
 2. Have you been long in this Colony? Four years.
 3. You seem to know the English language—have you understood it for some time? Yes.
 4. Do you know the Chinese language? Yes.
 5. Do you understand it well? Yes. I have been a clerk in the East India Company's service six years.
 6. Do you know Chinese as well as you do English? Yes. I know fourteen languages—six dialects of China.
 7. You were not on board the "Ethereal" when certain gold was seized? No; but I know all the circumstances, and all the parties concerned.
 8. Is this man, Ayong, one of the parties? Yes.
 9. What knowledge have you of his having been one of the parties? By consent of all the sixty-five Chinamen.
 10. Will you look to the Power of Attorney and see whether he is one? (*The Witness referred to the Power of Attorney, and pointing to one of the signatures said, "Yes, that is his name."*)

Ayong, a native of China, called in and examined through Senhor J. J. Lopez, who acted as Interpreter:—

- Ayong.
17 Dec., 1857.
1. *By the Chairman*: Your name is Ayong? Yes.
 2. You are a native of China? Yes, of the province of Canton, in China.
 3. How long have you been in this Colony? About a year—a few days to a year.
 4. Are you one of the Chinamen whose gold was lately seized on board the "Ethereal"? Yes.
 5. How much gold did you lose on that occasion—your own private property? Four ounces.
 6. What was the loss of gold altogether? Two thousand eight hundred ounces, a little more or less, altogether.
 7. When you took your gold on board the "Ethereal," did you intend to take it to China? Yes.
 8. Did you know at the time you took it on board that there was a law of this country by which you ought to pay duty on gold? He says he does not know anything about the duties of the Colony, that the Chinamen were ignorant of that point. He says he came last year from China, and that as soon as he got here he started to Turon; and that he was not in Sydney till he came back to get a vessel and embark for China, and that he did not know of the law.
 9. If you had known there had been law of the sort, would you have been willing to have paid the duty? He says he did not know anything about it. If they knew they would be willing to pay,—that they did not wish to lose an ounce of gold for half-a-crown.
 10. Did you take any means in coming to a foreign country to understand what the law was respecting the duty on gold—did you ask any questions about it? He says he never asked any one, and nobody mentioned it to him; and for that reason he took it.
 11. Would Englishmen be allowed to take gold, or anything they liked, out of your country, without paying anything for it? He says he knew foreigners put duty on goods here, but he thought it was only on such things as spirits. He never knew there was any duty upon gold.
 12. Is there no duty upon gold in China? He says he does not know anything about the port of Canton. He belongs to the province; but there was no duty on gold as far as he knows.
 13. Would not your countrymen cut off an Englishman's head if he were to break the laws of your country? He says really he does not know anything about the duty.
 14. Do you know what the meaning of the word "duty" is? He says yes; Chinamen know very well.
 15. What is your condition at present—are you quite destitute—have you no property at all? He says he was obliged to send letters to his friends at the Turon to send him money, and that they are all starving and had no property.
 16. Did you lose any sovereigns at the time the gold dust was seized? He says there were fifty-six sovereigns between the gold altogether, belonging to the whole party.
 17. Did none of the people get back any sovereigns at the time the gold was seized, because it has been stated by the officers who seized the gold that fifty or sixty sovereigns were given back at the time? He says not one of the sixty-five received anything—not one farthing.
 18. *By Mr. Haq*: At the time the seizure was made, when the officers were on board the ship? He says they never gave them back a cowrie—not a farthing.
 19. Were these fifty-six sovereigns in one bundle? No, in different bundles; in some bundles with the gold there were two sovereigns, in some there were five.
 20. *By Mr. Cox*: None of these were returned? None.
 21. *By the Chairman*: When the officer seized the gold, did he not tell you if you had any sovereigns you could take them back again, as he did not want the coin, but only the gold dust? He says that at the time the officer came on board, he asked if they had any gold, and he said yes; he opened his jacket, took out his gold, and delivered it to the officer of Customs, who then asked if they had any sovereigns, and they said yes, they had inside with the gold. He asked them then if they had paid duty, and the Chinamen said they knew nothing about duty. He said they were obliged to pay half-a-crown an ounce for gold, but that they had nothing to pay for sovereigns.
 22. Did he not tell you to take back any sovereigns you had? He says only the Custom House Officer mentioned to him—"Deliver up all your gold; and in case you have sovereigns
"you

- "you have no occasion to pay any duty for them." He says he had some sovereigns inside his bundle, but that he never had a sovereign returned.
23. Were there no sovereigns loose upon your person, or upon the persons of any of the other Chinamen? Not one had a separate sovereign; they were all mixed together with the gold dust.
24. Not one only, but two officers say that they saw loose sovereigns given back to the Chinamen? He says that there were two officers—the officer of the Customs, and of the man-of-war—and they told them they would not have to pay duty for sovereigns; but he says they were all in their bundles, mixed up with their gold.
25. Did not some of the Chinamen present resist the officer when he came on board and asked about the gold? He says, when the officer came on board he asked him (Ayong) if he had any gold; and he (Ayong) said yes, and put his hand under his jacket to take it.
26. Was any resistance made at all? No.
27. Did any Chinaman draw a knife upon the officer? He says they delivered up everything; and one Chinaman stood with a pencil, and put down such a Chinaman such a bundle, as they were given to the Custom House Officer.
28. Was any knife drawn upon the Custom House Officer? No.
29. Was there a knife in the possession of any Chinaman? Not one had a knife or anything at all.
30. Have they no knives now? May be some have got knives for their use, for cutting tobacco; but they never used a knife, except they might be using it to cut tobacco—a small sized pocket knife.
31. Do you know what the Mint is in this country—the place where they make sovereigns—did you ever send gold there? He says he knows what it is, but he never sent gold there.
32. Did any of your countrymen ever send gold to be coined at the Mint? He says he does not know anything about it; when a Chinaman gets gold he goes to the merchants and gets sovereigns for it.
33. Are you a Christian? No.
34. What religion do you call yourself? He is a Mahometan, adoring the sun and moon.
35. Mahometans do not adore the sun and moon—are you a Buddhist? He adores the sun and moon.
36. (To Lopez:) Does he say he adores the sun and moon? They adore the sun and moon, the Emperor, and so on.
37. (To Ayong:) What is your position in your own country—are you a tradesman or a gentleman? When in Canton he sells fruit, oranges, peaches, and vegetables.
38. Are you a married man? Yes.
39. Did you ever send gold to your wife from this country? He never had gold before this time.
40. How does your wife live while you are away? He says when he came here he gave instructions to his relations—to his father and mother—to maintain his wife.
41. Do you intend to return back to this country if you go to China now? He says he does not know about the others, but he intends just to go back to see his wife, his father and mother, to deliver the money to them to buy goods, and then to come back and trade.
42. Would your wife be allowed to come to this country if you wished? Yes; the wife cannot do anything at all of her own will; she could not move from her mother's house without permission.
43. Why do not Chinamen bring their wives to this country? He says they were afraid Chinese women would not be allowed to come here.
44. Will Chinese women come here by and by, if it is known that we allow them to come here? Yes; if that were publicly known, no doubt many women would come here. If there is gold here many men will come, and women too; many of the men who are here have sent for their wives.
45. By Mr. Cox: Are you aware of any of your friends having sent gold to their wives or friends in China? Not one has sent out of this number of sixty-five; only this time, when they came to take the vessel to go to China, they had been in Sydney.
46. Do you know of your own knowledge of any Chinaman having gone to his own country before with gold? He says he does not know about other Chinese; he cannot say—only these sixty-five had no chance of sending their gold.
47. By Mr. Donaldson: Who signed these four signatures (referring to the four signatures with the seals above them)? Three other men outside.
48. Who signed that—your own name? The other head man, Aheng, signed for me.
49. Who signed the other names? They were signed by each other.
50. (To Lopez:) Do you not know the names? Senhor Lopez pointed out the names of Ayong, Aheng, Ackitt, and Amang.

Senhor Lopez further examined:—

1. By Mr. Hay: You have said that you drew up this paper? Yes.
2. Was this done in the presence of all the Chinese, or of one man? In the presence of all the Chinese—all those interested.
3. By whom were these signatures put down? By Aheng, in my presence.
4. By whom were these four marks or names at the bottom of the paper? By Aheng, by consent of the sixty-one.
5. Do you think Aheng made these figures upon the paper? Yes; they came round to my office and mentioned their names.
6. Then these signatures were appended to this paper not in your presence? They were written by one party, by consent of all the parties.
7. Did you see it done? By one party, with the consent of every one.

Senhor
Lopez.

17 Dec., 1857.

Senhor
Lopez.

17 Dec., 1858.

8. Were these signatures made in your presence? Yes; they were written by one party, by consent of all.
9. And you saw that done? Yes; they were signed in my presence; there were so many Chinamen coming to my office, and so much confusion, one saying one thing and one another, that they all consented to have these four to act for them, and Aheng signed, but I cannot say whether it was signed with the authority of every one, or whether it was signed by the other three.

Aheng, a native of China, called in and examined through Senhor Lopez:—

Aheng.

17 Dec., 1857.

1. *By the Chairman*: Are you a native of China? Yes.
2. What position do you hold in China—are you a laborer or what? He says in Canton he has a small shop where he sells tea, sugar, coffee, and so on.
3. Are you a married man? Yes.
4. Can you read and write? Yes.
5. Did you sign that paper? (*Handing the Power of Attorney to the witness.*) Yes, it was done by him; he says every one was signed by him, with the authority of all.
6. You got authority from the others to sign? Yes; every one gave him power to do it.
7. What is meant by the red mark placed over each of the four names? It is a kind of seal.
8. Have you such a seal with you? No.
9. Were you going to China lately, in the "Ethereal"? Yes.
10. On board which ship a quantity of gold was seized by the Government? Yes.
11. *By Mr. Donaldson*: How much was lost by yourself and all the rest on board? He says he had no gold himself, but the gold belonging to the whole sixty-five was 2,800 ounces.
12. Then you lost nothing on board the vessel? Nothing.
13. Of the four persons who signed this paper as the agents of the others, had any of them any gold? Only Ayong had gold, the three others had no gold.
14. How much gold had Ayong? Four ounces. These four men had the confidence of the others.
15. *By the Chairman*: Who paid your passage? He says he paid the captain £10, which belonged to himself.
16. Have you no money now at all? He says nothing at all, at present.
17. Why were you going to China if you had no money? He said his other friends invited him to go because he could do nothing here.
18. *By Mr. Hay*: How did you get the £10 to pay your passage? He says that the gold he got in digging here he sold to some parties, and got the £10 to pay his passage.
19. *By the Chairman*: How long have you been in the country digging? About a year, he says, he has been in this country, and about eight months at the diggings.
20. Did you work eight months at the diggings and only make £10? He says he sent some remittances home by his friends, in sovereigns.
21. Have you no sovereigns at all, or had you none? He says what he had he sent away to China, but that he has none now.
22. If Government would let you go to the gold fields, would you rather go back to dig again, or would you rather return to China? He says in case the Government gives the gold he intends to go back to China, and not to go to the diggings.
23. Did you sign this petition? He says the sixty-one asked the four to do it.
24. You say in this petition that gold dust and sovereigns have been taken away from you—how could you say that if you had neither gold dust nor sovereigns? He says he was obliged to do this, because he does not mention it on his own part, but that he represented the party of sixty-one as their agent.
25. Why did you, seeing that you had lost nothing at all, stay in the country to undertake this matter—what business was it of yours, you had paid your passage, why did you not go on with the vessel? He says he was very willing to go, but the others did not know anything of the Chinese characters—they did not know how to read or write—and they wished him to remain till they settled the matter, and the others would pay his passage.
26. How do you expect to live in this country when you say the others have lost all their gold, and you have got nothing? He says he is thinking the same thing, he is just waiting here for Providence, as regards his friends.
27. When the gold was seized on board by the officer was everything in the shape of either gold or sovereigns taken from the Chinamen? He says yes, he remembers that on Wednesday, at 4 o'clock in the afternoon, the Custom House Officer came on board, and took possession of the gold—he took it all.
28. Did he take any sovereigns? Yes.
29. Did he take all the sovereigns they had? He says yes, they gave everything.
30. Have these Chinamen now no sovereigns or gold at all? He says these Chinamen not one have any gold or sovereigns; only when they want they have to go to a friend to ask for the loan of money.
31. They have none but what they borrow—were there no sovereigns given back by the officers at the time of the seizure of the gold dust? He says not one. I tell him to tell me the truth. The Custom House Officers say they have delivered to you the sovereigns; but he says no.
32. Did any of the Chinamen resist the officer, or draw a knife? He says nothing at all, that there was no resistance; that the Custom House Officer came on board and mentioned that they had gold, and that they then opened their jackets, took off their handkerchiefs, with different bundles of gold in them, and delivered them to the Custom House Officer.
33. Did any Chinaman draw a knife? No.
34. Have you any knives in your possession at all, any of you? No.
35. Are you and all the other Chinamen destitute—are you starving in fact? Yes.

36. In what way have you lived since the gold was taken from you? By borrowing from friends. Aheng.
37. Did you know at the time you were going away with the gold to China without paying duty you were breaking the laws of this country? He says he did not know. 17 Dec., 1857.
38. Did you never ask anybody about the laws of this country before you went on board the vessel? He says he never asked any one, and nobody ever mentioned to him that they had any duty to pay.
39. Did not the captain tell you, through the interpreter, that you would have duty to pay on the gold? He says he never heard that from the captain.
40. Do they let Englishmen, or other people, take gold from China without paying duty? He says he knows that duties have to be paid in China upon goods, but that he does not know anything about gold.
41. Would not an Englishman in China be put to death if he attempted to break the law in such a way? He says he does not know anything about the duties, because he had only been from the diggings two days, and had got a vessel at once to China. He never heard of such a thing before.
42. What religion are you? He says like Mahometan.
43. By Mr. Donaldson: Does he use the word Mahometan? No, he says Sang-ko; but I know, because I have been in China.
44. What is Sang-ko? To adore the sun and moon, just like Mahometan.
45. By the Chairman: Did you ever hear of Christians in China among your own people? He says no; the European is quite a different religion from his.
46. Did you ever hear of any of your own people being called Christians? Yes; he says he knows many Chinamen, but he does not know what the Christian religion is. (*The Interpreter produced a Chinese book, upon which he said the Chinese were sworn.*)
47. By Mr. Donaldson: What book is this? He says the lives of all the virtuous men.
48. Do you look upon that as a sacred or as a moral work? He says he looks upon it the same as the English look upon the Bible.
49. What do the English think of the Bible? He says the book is a good book, because every good man thinks of that.
50. By the Chairman: Why did you not bring your wife to this country with you? He says he was not well enough off to bring his wife here.

FRIDAY, 18 DECEMBER, 1857.

Present:—

MR. DONALDSON,
MR. FORSTER,

MR. HAY,
MR. ROBERTSON.

WILLIAM FORSTER, ESQUIRE, IN THE CHAIR.

Mr. Charles Lockyer, called in and examined:—

1. By the Chairman: Will you state in what capacity you are employed by the Government? I am a tide waiter in the Customs Department. Mr. Charles Lockyer.
2. Do you consider yourself to be a Custom House Officer? I am always given to understand that, although I am attached to the Customs, I am not an established officer; the appointment was made by Colonel Gibbs, not by the Government, that is to say, Colonel Gibbs could dismiss me. 18 Dec., 1857.
3. Did you give the information which led to the seizure of gold on board the "Ethereal"? I did; I reported the two ships to Colonel Gibbs.
4. We wish to know the circumstances connected with the seizure of the gold on board the "Ethereal" merely,—will you state, so far as you feel at liberty, what led to your giving information? Nothing else but seeing an immense number of Chinamen knocking about the streets of Sydney, and at the Domain gates on Sunday. I attend the Custom House on Sundays; I saw that there were ships laid on for China, and as I keep the passenger lists of ships arriving from Melbourne, I saw in them the names of a number of Chinamen. From these circumstances I had a suspicion that they were going away with a large quantity of gold. I had seldom if ever seen a Chinaman come to the Custom House to pay duty on gold previous to this; but since this has taken place I believe something over £200 duty has been paid.
5. Were your suspicions confirmed by any further inquiry? No.
6. You gave information? Yes. I wished to have the two ships searched.
7. Did you yourself give information to Colonel Gibbs? Not for three weeks. To make myself certain, I asked Mr. Llewellyn to go to Colonel Gibbs, and tell him I wanted to see him most particularly. I could not say the words I made use of exactly, but I went and saw the Collector.
8. Did you communicate the information to Colonel Gibbs himself? I did. He asked me if both ships had cleared. I said I could not tell, but I believed one, the "Mary Nicholson," had. I then went and asked if the "Ethereal" had cleared, and found she had not.
9. What proceedings did Colonel Gibbs adopt? The Collector said, "Tell Mr. Bremer when he comes in I want to see him." He said, "You are not a seizing officer; you have not the power to seize, but you had perhaps better go with him."
10. You were sent with Mr. Bremer? Yes.
11. Did you go on board the "Ethereal"? I did not go on board the "Ethereal," but I went with him and took charge of the gold which had been taken from the "Mary Nicholson" while he went on board the "Ethereal."

- Mr. Charles Lockyer.
18 Dec., 1858.
12. You took part in the seizure in that way? I did not take any part in the seizure, but assisted to protect it.
 13. Do you know anything of the circumstances under which the gold was seized—did you notice whether the men resisted at first? No, I could not see; only Mr. Bremer told me when he came into the boat.
 14. Did not Mr. Bremer go to the "Herald" and apply for assistance? He wanted to go to the Water Police, but I said no, he had better go to the "Herald," as it was getting late, and it would take two hours to search sixty or seventy men. He said the "Herald" would not give us assistance. I said they were bound, if we called upon them to do so.
 15. You accompanied him then to the vessel? I did.
 16. You cannot say whether their assistance was absolutely necessary or not? I could not say.
 17. I presume you think it was from application having been made? Yes; he said he could not muster the men on deck at all without assistance.
 18. Did you see the gold at all, or the packages? I did not see the single packages, but the whole together.
 19. What in the rough should you say was the amount? I should say, from the way it was lowered into the boat, at the very least five or six pounds, either over or under two hundred weight.
 20. Have you any idea of the number of Chinamen to whom this belonged? Merely from the passenger list.
 21. What was done with the gold after it was taken away? It was forwarded to the Queen's Store, in Mr. Bremer's charge, for the night.
 22. You saw it deposited there? I did.
 23. You saw nothing further of it after that? I know that it went to the Bank the following morning.
 24. You consider yourself to have acted in the capacity of informer in this seizure? Yes, I was the informer.
 25. Do you lay claim to the whole share as informer? I do, most certainly.
 26. Had you any assistance from any other informer—was there no informer previous to you who might have a claim? None.
 27. You consider that the share of the informer should not be distributed among others? I do.
 28. Have you made any application to Government? No.
 29. *By Mr. Donaldson*: Nor to the Collector for your share? No; it is not settled yet.
 30. *By the Chairman*: You could not identify the Chinamen I suppose? No.
 31. It is stated that they are in a state of destitution, are you acquainted in any way with their circumstances? I know that I asked the Collector to let us go a second time on board the "Mary Nicholson," as I did not believe they had given up all their gold, and from £5 to £100 was found upon them. She had been to sea and come back again.
 32. But you know nothing of the circumstances of the Chinamen on board the "Ethereal"? No, I do not.
 33. *By Mr. Hay*: Nor of the mode in which they were searched? No.
 34. *By the Chairman*: Do you know anything of Coffey, the coxswain? Yes.
 35. Did he ever give you any information? Never in his life; I never heard anything about it till seven weeks afterwards.
 36. Then you did hear that a claim was to be made on his account? Yes; Mr. Bremer told me, seven weeks afterwards, that Coffey had been up to the Collector, and made a fresh information, and I told Mr. Bremer he was at the bottom of it, and he never denied it. When the boat was ordered by the Collector to go to these two ships, neither Mr. Bremer nor the boat's crew knew which way the boat was to go, whether up or down the harbour.

Sang Hyo, or Asseng, called in and examined through J. J. Lopez, the interpreter:—

- Sang Hyo, or Asseng.
18 Dec., 1857.
1. *By the Chairman*: You are a native of China? Of Whampoa, nine miles distant from Canton.
 2. Can you read and write? Neither read nor write.
 3. Can any of the persons whose names appear in this paper (*Referring to the power of Attorney previously handed in*) read or write? None of them know how to read.
 4. What religion are you?
 - J. Lopez*: He says he does not know that there is any religion equal to the Christian, but he only professes the China religion.
 5. *By Mr. Donaldson* (to Lopez): What is his very answer; what are the words he used. I think you must have imported the Christianity into that answer?
 - J. Lopez*: He is a very stupid man; he says he does not know anything about it.
 6. He does not know anything of the foreigners' religion, but does he know anything of his own? He says his religion is to believe a God, and if he do bad he will suffer for it.
 7. *By the Chairman*: What trade or profession are you in China? A workman, at eighteen pence a day.
 8. Are you a married man? Yes.
 9. Why did you not bring your wife with you? He says he did not know he would be allowed to bring his wife.
 10. How long have you been here? He says he came in here last year.
 11. Were you at the gold fields ever since? After two months he went to the diggings, and he was at the diggings eight months.
 12. How much money did you make altogether? Two hundred and a-half ounces of gold.

ON THE SEIZURE OF GOLD ON BOARD THE "ETHEREAL."

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13. How much did you lose on board the "Ethereal"? He says the Custom House Officer Sang Hye took from him 200½ ounces of gold.

14. Was this all gold dust? Yes.

15. Were there no sovereigns at all among it? No.

16. Have you any sovereigns about you now? Not a farthing.

17. Have you any property left at all? Not a farthing.

18. Did you give up your gold at once without resistance? He says he delivered it as soon as the Custom House Officer asked for it very willingly—no resistance.

19. Did any Chinaman resist? Not one resisted.

20. Did none draw a knife? Not one.

21. Had they no knives about them at the time? No.

22. Have you no knives now? He says no knife.

23. How have you lived since? He says his friends help him—one day one friend, another day another—begging.

24. Were you going to take the gold that was taken from you to China? He says yes, he intended to take it to China.

25. Did you not know that you were breaking our laws by taking it away without paying the duty? He says that being here only a short time, then going to the diggings, and then coming back for a few days only before going to sea, he not know anything of the duty of gold.

26. Was every thing in the shape of gold taken away from all the Chinamen on board? The Custom House Officer took all the gold but nothing more.

27. Did he take any sovereigns from the other Chinamen? He says he do not know about any others, he had no sovereigns.

28. Did you see no sovereigns given to the other Chinamen? Not one; he not see one.

29. Do you know a Chinaman named Aheng? Yes.

30. Had he any gold taken from him? He had none at all.

31. Have you authorized Aheng to act as your agent to do this business for you? Yes.

32. Have you authorised the four men named in the petition to act in your behalf? Yes. Sixty-one gave the power to these four.

33. Had these four no more than four ounces of gold among them? Only Ayong had four ounces, but they agreed to appoint these four because they had confidence in them.

34. Was it on account of their not having gold that they were appointed? On account of Ayong being able to write.

35. Have you full confidence that if these men were to get this money they would give it to you? No doubt for that reason, for they knew well the men.

36. Who paid for their passage if these men had no money? He says three had money to pay their passage, but only enough.

37. Why did these men stay behind with the rest if they had no gold? He said they liked to go to China, but the sixty-one said they had better remain here and we will pay your passage after this is settled.

38. Would you be inclined to go back to the gold fields if you could—if you had the means of doing it? He says if he had the gold he would go back to China, but if he does not get it he cannot help it, he must go back to the diggings.

39. *By Mr. Hay:* If he received as much money as would pay his passage back to China would he go to China or return to the diggings? He says it is no use to go to China without a cowrie in his pocket.

40. *By the Chairman:* Why did these three men wish to go back to China when they had no money? He says these three men intended to return to China because they had sent some remittances in sovereigns some time ago.

41. Do you know what the Mint is? He says he never heard of it before; he don't know nothing about the Mint.

42. *By Mr. Robertson:* I should like to know where he found the gold? He says he has been at Turon and Tambaroora.

43. Did the whole of the gold of the Chinamen come from this side or from Port Phillip? He says they all belonged to this place, to Tambaroora, the Turon, and Louisa Creek.

44. Will you ask him whether he was aware that at Port Phillip there is a tax imposed upon Chinamen upon their landing? He says he does not know anything about that, because he just came here, and then went to the diggings.

45. Did he not hear from the ship owners that if they landed at Port Phillip they would have to pay a tax of £10? He says that may be the case, but he did not know that; he had not been to Port Phillip. I told him that he must be aware from some friend, but he said he did not know nothing about it.

46. Ask when he left his own country? He says he left it to come to this place, and was here only a short time before he went to the diggings.

47. *By Mr. Hay:* Are all the sixty-one of the Chinese who signed this Power of Attorney now in Sydney? Some of the sixty-one are here; part of them are gone to Hong Kong, and the others remain here.

48. How many remain here? He says there remain here thirty-nine.

49. Is A-kin here? He says there were so many men he could not explain whether this man was here or not. He says he do not know so many names; he is very stupid this one.

50. Is Tywang here? He says he cannot say whether he is here or not; he only knows that there are thirty-nine here. I say to him you must know if they are here, how the devil don't you know the names that is here.

51. This list includes the names of sixty-one? (*Referring to the power of Attorney*) Yes.

52. This was drawn out before the ship left? No, after the ship left. [*The Chairman requested Mr. Newbon to explain the circumstances.*]

Mr. Newbon: When I first took this matter in hand, I requested the men to appoint some men

- Sang Hye, or men whom they could trust to act for the rest, and they appointed the four named in the
 Asseng. petition
 18 Dec., 1856. 53. (*By Mr. N. Wilson*): Was this document executed before the ship left? On or about the time.
 54. *By Mr. Hay*: Was it signed by the Chinese who left the country as well as by those who remained behind? It must have been signed by them—not exactly signed by them, but at their request. One man signed for all the rest.
 55. *To Sang Hye, through Lopez*: Was this (*the Power of Attorney*) made in your presence? He says yes, he saw that.
 56. Were these characters written by one Chinaman, and which? The man who did that was Aheng.
 57. Supposing the Government were to distribute a certain amount of money, say £10 each, to enable the men now in Sydney to return to the gold fields, would you be satisfied to have that distributed by the four men named here as Attorneys—Aheng, Ayong, Ackitt, and Amang? He says everything is to go to the hands of these four men, and what the four men do they all agree to.
 58. Would he go back to the gold diggings if he received £10 from Government? He says he obliged to go to the diggings again—but, on his part, he was quite ignorant of the law. In case the Government only give £10 each he shall be obliged to go to the diggings; he do not want £10.
 59. Am I to understand that he would rather take nothing at all than £10? He says he has been so long stopping here that £10 would not be enough to pay his board and lodging.
 60. Tell him the 200 ounces is forfeited to Government, and that other people have a right to that; that the Government cannot give it to them, but might give £10 to each Chinaman, to enable him to go out of Sydney—and ask him whether he would rather take that £10 or go without it? He says he do not know what his companions might do; but, for his own part, he has been suffering so much, and he knows nothing about the law; but, in case Government having no consideration for a poor man, £10 will do nothing for him; it will not pay his debts, and, on his part, he would not receive £10.
 61. *By the Chairman*: Did you hear from any one on board—the captain or any one else—that the gold was liable to duty? He says he never heard from anybody—the captain or any one—anything about the duty.

Seng How, or Ong Sing, called in and examined through J. J. Lopez:—

- Seng How, or Ong Sing.
 18 Dec., 1857. 1. *By the Chairman*: How much money did you lose on board the "Etheral"? 183 ounces, and nine sovereigns.
 2. Did you lose all you had? Yes, everything.
 3. Do you know these men—Aheng, Ayong, Ackitt, and Amang? Yes.
 4. Have you perfect confidence in them as your agents? He says every one agreed to the four.
 5. Are they very honest men? Yes.
 6. They have always had a good character? Yes.
 7. Do you understand English at all? No.
 8. If the Government were to give you any money back, say £10 each, would you go to the gold fields, or return to China? He says he would be very sorry to lose the money, he is a very poor man, but he refuses to receive £10.
 9. Do you not know that you broke the laws of this country in trying to take this gold to China without paying the duty? He says he knows nothing about duty on gold—that he came here to Sydney and only on the second day he took the ship.
 10. Had you any sovereigns taken from you on board the "Etheral"? He says he lost eighteen half-sovereigns.
 11. Where they ever returned to you? No.
 12. *By Mr. Hay*: Were they in the bag of gold, or loose? Joined with the gold inside the bag.
 13. How are you living now? He says he has some friends (Chinamen) and one day he begs of one, and another day he begs of another.
 14. What does he propose to do if he does not get the money back? He says, if he do not receive the money he do not know what he can do; he might go to the diggings; he might die in Sydney, God knows.

Aheng again called in and farther examined through J. J. Lopez:—

- Aheng.
 18 Dec., 1857. 1. *By the Chairman*: The gold dust seized by the Custom House Officers is forfeited, and the Government have not power to give it back; if, however, they were willing to give £10 to each of the Chinamen, to enable them to return to the diggings, would they take it? He says he should be obliged to consult the others; but the money party, although they are now poor men, would not like to take the money; they would rather lose all than receive £10. He says the Custom House Officers did not take the gold by force, consequently they did not resist.
 2. *By Mr. Robertson*: Was the gold that was seized obtained at Port Phillip, or in this Colony? At the Turon, Merroo, and Louisa Creek.

3. *By the Chairman:* If the Committee were to recommend the Government to remit a portion of the fine to the extent of £10, would you and your countrymen be willing to accept it, and return to the diggings? (*A conversation of some length ensued between Aheng and the interpreter.*) I say to him, he is head man, and he had better consult his friends; he says, by himself he can decide it. I say he had better not. He says he has full power. I tell him, "You had better go and consult with your friends, you may not require £10, but the others may; £10 may do many things." On his own part he says he is a poor man, God knows, he might die in Sydney, and £10 can do nothing for him, and he had better lose his life at once.

Aheng.

18 Dec., 1857.

1858.

FRIDAY, 25 JUNE, 1858.

Present:—

Mr. COX,
Mr. DONALDSON,Mr. FORSTER,
Mr. HAY,

Mr. JONES.

W. FORSTER, Esq., IN THE CHAIR.

Harold M'Lean, Esq., called in and examined:—

1. *By the Chairman:* You are a Gold Commissioner, are you not? Yes; I am Commissioner in charge of the Western Gold Fields.
2. Are there many Chinese upon those gold fields? Yes. I estimate the number at the present moment at from five to six thousand, at least.
3. Have you had any acquaintance with them, that will enable you to give the Committee any information respecting them? Yes, I think so.
4. Are they generally tolerably well acquainted with our language? No.
5. Are there interpreters among them in any number? There are interpreters.
6. Do you think there are a sufficient number of interpreters to enable them to transact business, generally, with our people? Yes, to transact business, because their habits of business are such that they soon acquire the mode of transacting it, even without an interpreter.
7. Are these interpreters a superior class of men generally? When I say interpreters, I must explain that I am aware of only one in the Western Gold Fields who may be called an interpreter, although some men act as interpreters from being able to make themselves understood in English.
8. Are these men who act as interpreters Chinese? Yes, Chinese, entirely. I have never known any other person interpret for them.
9. From your knowledge of Chinese, should you say that in general intelligence they are equal or inferior to the laboring class of our own nation you meet with? As regards the transaction of business, I consider them superior in intelligence.
10. Have you observed that they have a tolerable knowledge of our laws? So far as they affect them in money matters they have a full knowledge.
11. In particular, do you consider their knowledge of our laws, as regards their own interests, is fully equal to what is necessary? As regards money and business matters.
12. Should you suppose, from what you have heard, that they have a knowledge of all such laws as affect the production or export of gold in any way? They have now.
13. Do you recollect the period about which a seizure of gold was made on board certain vessels in Sydney Harbour? I remember the circumstance, but not the date.
14. Do you think at that time they had the same general knowledge of our laws as affecting the export of gold as they have now? I am disposed to think they then had a knowledge that a tax or impost was to be paid, but I would not like positively to say so.
15. From your general observation, you come to the conclusion that the existence of a law imposing a duty upon gold was known to the Chinese at the time of the seizure? I believe it was.
16. To the Chinese generally? Yes; but that it was not generally known in what way it would be levied—the particular method of collecting it. But there were people to whom they entrusted the carrying out that part of the business.
17. Do you suppose that the circumstance of this seizure has quickened their intelligence and knowledge upon that particular point? I think it has; their knowledge is full upon the point now.
18. You think they are better acquainted with the law now than they were then? My reason for knowing they are now so well acquainted with the matter, is from a police case which came before me a short time since, in which a man had been entrusted as an agent to convey gold, and it came out in evidence that he had been paid the duty upon every small parcel he conveyed, whether an ounce or half an ounce. He was provided with money to pay all the charges and duty.
19. Have you seen many documents in writing among the Chinese? Yes, various documents.
20. Are you aware whether they have any of our laws translated into Chinese? I am not aware; I believe not.
21. What documents have you seen among them? Letters which have been handed in at the Police Office, and read by the interpreter. I communicate with them by means of written notices, which are written by the interpreter, and posted at the various camps. I find they have the desired effect in every case. They pay every attention to them.
22. Do you think any large majority among the Chinese read and write, or what do you think is the proportion of those who read and write as compared with those who do not? I do not think a very large number read and write; a large number read and write to a certain extent, and almost every one of them can sign their names in Chinese characters.
23. Have you any reason to suppose that among them there is any large proportion of men

H. M'Lean,
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H. McLean, Esq. of superior class—I may say, in general terms, what we should understand by the term “gentlemen?” Not many; I have seen a few men whom I imagine to belong to the higher class, but not many.

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24. Have you reason to suppose many of them are Christians? I have not met with any.
25. What is their general religion—should you imagine them to be Pagans? I have never been able to ascertain.
26. Have you any knowledge of the mode in which the Chinese are employed at the gold fields—are they employed in companies, under the command or authority of an individual, or any number of individuals? There are many of them in organized parties of from twenty to forty, one man, called a head man, defraying all their expenses—he is, consequently, a man of influence among them; but when they pay the expense he has incurred they are released from his service, and go on their own resources.
27. Do you think any of them come here holding a certain amount of capital in trust for other persons? I think a great number, if I understand the question aright.
28. They come entrusted by parties in China with capital, upon which a certain amount of profit has to be paid? I believe so.
29. Should you not infer from that, that men intrusted with money in that way would be men of superior character in their own country? Yes; I should imagine they must be superior to the general run.
30. Can you conceive a large number of laborers of our own nation being sent into a foreign country entrusted in that way with capital? I could not in the case of laborers, but the men who are entrusted with money in this way are what I should call the business class; they keep stores on the gold fields. I know instances of men of this class who can command a thousand pounds, or more than that.
31. *By Mr. Jones:* These are the business men? Yes, who keep stores.
32. *By the Chairman:* Men who, among our own people, would be said to belong to the middle class? Yes. I think they form about the proportion that the European business community forms to the other, or rather a lesser proportion.
33. Should you not say it implies a rather high character for probity, even among the laboring classes, that so many should be sent to a foreign country at the expense of another person, and be entrusted with the property of others in this way? I think it shews great integrity, and I believe the Chinese are celebrated for their integrity in matters of business. They are most punctual and correct in their business transactions with all other persons on the gold fields.
34. Do you think it probable, from what you know of the character of the Chinese on the gold fields, that a large number of them would, in giving evidence before a Committee of this kind, tell a number of falsehoods? Do you mean interested witnesses?
35. Even interested witnesses? No, I think not: I find their evidence in the Police Office to have been generally very truthful.
36. Do you think it would be reasonable for a Committee like this, who, as you are aware, examine witnesses without putting them on oath, to take the evidence of a number of Chinamen, and attach the same degree of credibility to it as we should to the evidence of the same number of laborers of our own nation? I think so.
37. Have you noticed any number of Chinese employed in private service? Not many on the Western Gold Fields.
38. That is not a common occurrence? No.
39. Have you not seen any instances? Yes.
40. Have you reason to believe that those who have been thus employed have been of a different class, either superior or inferior, to those on the gold fields? I think those on the gold fields are of the average class. Those who are in hired service, chiefly as cooks, have generally been unfortunate in their digging pursuits.
41. Have you observed that these men have been as good servants as men of our own nation in the same class of life? I think they make very good servants.
42. From your experience of Police Courts, have you any reason to believe that a larger proportion of crime is committed by a number of Chinese as compared with that committed by an equal number of our own people? I believe the proportion of crime committed by them is less than that committed by our countrymen of the same class, that is, so far as it comes under the cognizance of the law, or my observation.
43. Have they a mode of settling disputes among themselves? They have men of influence among them, who rule them in a great measure.
44. I presume they decide disputes which might otherwise come before you? Yes, many cases they prefer to settle among themselves.
45. Making that allowance, would you say the number of crimes committed by Chinese on the gold fields is equal to, or less than, those committed by the same same number of our own people? Less, certainly.
46. Then your general opinion of the Chinamen on the gold fields appears to be highly in favor of their general intelligence and probity? Yes.
47. Do you consider them a cleanly people generally? They are most cleanly, in all the large camps on the Western Gold Fields, most particularly so. In a large camp of 500 Chinese you would not find one cooking utensil that was not in a clean state; their beds would be rolled up in the same state as on board a man-of-war. They have some sort of discipline in a camp that leads to this cleanliness; whether it is their natural bent or not I cannot say.
48. What is the nature of the work they perform at the gold fields—do they generally work the refuse left by others, or do they by themselves open new gold diggings? They confine themselves almost entirely to the refuse.
49. Should you not then say that they produce gold under circumstances which otherwise would not be produced at all? According to the present system of gold mining they do; but

but I believe that the refuse they work might be beneficially worked, under an improved system, by Europeans. H. M'Lean,
Esq.

50. *By Mr Jones:* You state that, according to your estimate, there are some five or six thousand Chinese on the Western Gold Fields? Yes. 25 June, 1868.

51. At what time did you form that estimate? Towards the end of last month.

52. Before the arrival of the number who have reached the Colony recently? I formed my estimate before the recent arrival, but include in the number now mentioned those I estimate to have since proceeded to the Western Gold Fields. My first estimate was under 5,000.

53. What proportion do these Chinamen on the Western Gold Fields bear to the total mining population? They exceed the total male mining population by nearly 1,000.

54. What proportion do they form to the total population on the Western Gold Fields? More than one-third. That is merely an estimate I have formed on the data of the miner's rights I have issued, and my calculation of those to whom I have been unable to issue them—those who have recently arrived.

55. From your official intercourse with the Chinese have you reason to believe that they are pretty well acquainted with the regulations affecting gold mining? They are now; whether that has arisen from the seizure of gold I cannot say.

56. I do not speak now so much of the export duty as of the general regulations—do you think they are pretty well acquainted with them? They are tolerably well acquainted with the money part; they know what payment is to be made immediately.

57. Have you reason to believe that the Chinese generally are less acquainted with the regulations than the European population? They are less acquainted, from want of sufficient means of communication. The European miners can read the regulations, and can hear at any time the decisions of the Commissioner, and talk over them among themselves. The decisions would of course be unintelligible to Chinamen.

58. Are there not among the Chinese some number who are well acquainted with the regulations? There are some of the leading men who are well acquainted with the regulations, or rather usages.

59. Have you reason to believe that these men inform their countrymen generally as to the nature of these regulations? They are acquainted with the nature but not with the detail of the regulations.

60. Do you find the Chinese as regular in taking out their miner's rights, and paying their fees on these rights, as Europeans? No; they are more averse to paying the fee.

61. Do they seem to understand that the regulations require them to take out these rights? They are perfectly aware.

62. They are perfectly aware that the regulations require them to take out these rights, but they are averse to paying? They are averse to paying the fee, as a general rule.

63. Do you know when the Gold Export Act was passed by the Legislature? I do not recollect the date; I recollect about the period.

64. Do you recollect the time when the nature of this impost was made known on the Western Gold Fields? Yes.

65. Now rather more than twelve months ago? Yes.

66. I suppose a very short time after the Act received the Royal Assent, and it became law, it was known at the gold fields that a duty of half-a-crown an ounce was payable upon gold? Yes.

67. Have you reason to believe that within a few months it was pretty generally known among the Chinese? Yes, I think it must have been.

68. Within, say, three or four months after its passing? Yes, that such a deduction was made in the value of gold was known to their leading or business men.

69. That such a duty was payable on gold exported? Yes.

70. You believe that the business men and head men among the Chinese knew pretty well when and how this duty was to be paid? I doubt whether it was known to those on the gold fields.

71. Do you think in the month of December last, some eight or nine months after this Act became law, that it is at all likely that parties of fifty or sixty Chinese would take passages in Sydney for China with a quantity of gold without some of them knowing that they had to pay a duty of half-a-crown an ounce on the gold? I think most certainly not.

72. Do you think with that knowledge among them there would be a desire to evade the payment of this duty? I think they would willingly evade the payment, but that they would not wish to do so at any risk.

73. You said just now that you generally found the Chinese, although pretty well acquainted with the regulations, averse to paying the fee for the miner's right? Yes; but the Europeans also are averse to paying the mining fees; the Chinese are, however, still more averse. Perhaps I can explain that in one way: The European generally holds a richer claim, and without this mining right he would be dispossessed. The Chinese, who are in large parties, seldom come under consideration with regard to their ground, therefore they have not the same interest in being possessed of a mining right as the European.

74. As a rule, you have found a considerable aversion among them to the payment of the mining fee? Yes.

75. Rather more than you have found among Europeans? Yes.

76. I understood you to say that you think it unlikely a party of fifty or sixty Chinese would come to Sydney and take ship for China with a quantity of gold without knowing that a duty was payable on that gold? I think it must have been known generally among them, that it would have to be paid, but I do not know whether they would be acquainted with the mode of payment.

77. *By Mr Hay:* You think the Chinese, although unwilling to pay mining fees, would not be disposed to run any great risk? Certainly not; I think they are too cunning.

H. McLean, Esq. 78. There is no great risk of forfeiture attending the non-payment of mining fees? No; only the risk of being fined in a small penalty.

25 June, 1858. 79. Have you found some difficulty in managing the Chinese, from the want of a proper interpreter? Yes, very great difficulty.

80. That is the principal difficulty you have found? Yes.

81. Have you an interpreter now attached to your department on the Western Gold Fields? Yes; and I have found great facility in governing them through him, and by means of written notices in the Chinese character.

82. Without a competent interpreter you would have great doubt as to whether the Chinese would understand what they were wished by the Government authorities to do? Very great difficulty indeed to make them understand; in fact it would not be possible to manage them without an interpreter.

83. Do you think your interpreter a competent man? The most competent man I have met with, for this reason, that he is acquainted with all the various dialects of these men.

84. What countryman is he? He belongs to Hong-Kong.

85. Is he a Chinaman? Yes.

86. Is he a British subject? I believe he is. He came from Hong-Kong, from which place he was employed as an interpreter on board ship during the Chinese war.

87. Do you know whether he professes the Christian religion? No, he does not. He does not seem to have any religion whatever, as far as I can gather from him.

88. Does he understand English well? He understands it better than he speaks it. His great qualification is his ability to speak and write the different dialects.

89. Have you found you can put confidence in him? Yes.

90. What salary does he receive? £150 a-year, providing a horse for himself.

91. Has he no means of making anything besides his salary? No; his time is entirely taken up.

92. *By Mr. Jones:* What degree of credence would you attach to the evidence of Chinamen in a case similar to this now before the Committee—that is, where their gold has been seized for non-compliance with the Customs laws—what degree of credence would you attach to their statements, made with a view to recover their gold, or a portion of the proceeds of their gold? I would give considerable credence to their statements, but I would not place implicit reliance upon them. If their statement seemed to be probable I would be inclined to receive it.

93. Would you be inclined to rate their general veracity as highly as you would the general veracity of our countrymen? As far as my own experience has gone, I have found nothing to make me form a lower estimate of their veracity than of the veracity of the lower classes of other countries.

94. *By Mr. Cox:* In the event of Government declining to pay the salary of an interpreter, do you think the Chinese themselves would willingly bear the expense for the sake of getting justice for themselves? I question whether they would be disposed to do so—certainly not until they had fully felt the inconvenience of being without one.

95. In the event of a Chinaman coming to you for a summons, do you think he would object to pay an extra half-crown for the services of an interpreter? In such a case he would not.

96. So that the interpreter might be paid in that way? He might be partly paid in that way; but the Chinese would not pay the interpreter for Government purposes; for instance, in collecting miner's rights from them, and explaining police regulations to them.

97. Then, in any event, it would be necessary to have an interpreter? Absolutely necessary, where they are in such numbers.

98. *By Mr. Hay:* It would be necessary that they should see a very distinct connection between the interpreter and their own advantage before they would consent to pay his salary? Yes.

99. *By Mr. Cox:* Are you aware whether any increased expense has been necessary on the Western Gold Fields in consequence of the large influx of Chinese there? There has been no additional expense incurred, except by the appointment of the interpreter; but increased expense will become necessary to meet the requirements of the district, from which a very large increased revenue has been derived.

100. Do you not think the influx of the same number of Europeans would have rendered an increased police establishment necessary? Yes.

101. An addition to your population of five thousand Europeans would have rendered an increase of your police force necessary before this time? Yes, a small accession.

102. Although you have not received any accession with this increased number of Chinese? No; but although I have not received them, I consider them absolutely necessary.

103. That would imply that Chinamen, as a body, require less police protection or coercion than the same number of Europeans? I think so.

104. *By Mr. Donaldson:* Do you know of your own knowledge that these people are flagrantly immoral? Not to my own knowledge.

105. Has anything come before you to prove that they are so? No.

106. You have never had an instance of a Chinaman brought up before you for any unnatural offence? No.

107. Not one? No.

108. *By the Chairman:* Should you think it at all probable, supposing these Chinamen to be fully acquainted with the Gold Duty Act, or with the fact that a duty was to be paid, they would go on board the vessels from which the gold was seized under the impression that they would pay the duty on board? I think it possible they might have gone on board under that impression.

109. Have you given any consideration to the working of the Act that regulates the duty upon gold? I have not given any consideration to the working of the Act for the collection of duty; it has not come within my province in any way.

110. You cannot give any opinion, I presume, as to whether it has worked satisfactorily or not? On the gold field it has worked well.
111. Do you think it a preferable mode of collecting an impost upon gold to the previous system? Yes. H. McLean,
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28 June, 1868.
112. Do you think it more satisfactory to the mining population generally, whether Chinese or European, than a direct tax would be in the shape of a miner's right? I think it more satisfactory to the population generally; but there must be a fee paid for the miner's right. They must have a document given to them, and for which they pay a tax, or fee.
113. For the purpose of registration? Yes; and even for the purpose of police regulation. They, the European miners, in general sense, have no objection to the payment of the present fee of ten shillings.
114. A large fee you think would be oppressive? Yes; it presses unequally.
115. You think the miners, generally, are not discontented with the levying of duty on gold? Not in the least; they would rather pay their amount to the revenue in that way, they say, than in any other; many would, of course, rather pay none at all.
116. *By Mr. Hay:* Do you think it much easier to control and manage the miners now than formerly? Yes; than if the licensing system had continued, with the increased population.
117. You have not found the increase of population attended with a great increase of trouble under the new system? No, comparatively, by the advantage of the new system.
118. Are you able to avoid any antagonism with the diggers? In a great measure. The miner's right fee is still a compulsory impost; but, as a general rule, it is unnecessary to resort to coercive measures with regard to the better classes of European miners, the fee being so small.
119. Because it is necessary for them to come before the authorities to assert their rights? There is no objection to taking out the mining right, *generally*, on the part of the European population. I remember having a conversation with the present interpreter, in whom I have considerable confidence, with regard to this particular case of the seizure of the gold, some time back, and he was not aware at the time that his conversation with me would be of any consequence to the parties, and the tenor of what he said was, that the real owners of the gold that was seized had actually paid the duty, or believed that the duty had been paid by the party who was entrusted with conducting the transaction. He blamed one man for appropriating this money.
120. Did he name him? He may have done so, but I cannot recollect his name.
121. *By Mr. Jones:* Have you reason to believe, from the conversation you had with the interpreter, that these persons on whom the gold was found when the seizure was made had other gold than that belonging to themselves, on trust for other parties? It was so stated by the interpreter; and I know it to be the custom for the Chinese at the gold fields to remit their gold by agents to their friends in China, the gold being made up in small parcels by each consignee; and whether they were carrying their own gold or gold for other people could be proved by its being ascertained whether they had it in one package or in a number of small packages.
122. Then, if a Chinaman had gold in one package, the presumption would be that it belonged to himself, but if it were in a number of small packages it would be that it belonged to a number of persons? Yes.
123. That he was conveying it to China for other parties? Yes. It is their custom in such cases for the consignee to pay the agent the commission, duty, or whatever other expenses may be connected with the conveyance of the gold. This is paid by the party at the gold field, before the agent leaves. The interpreter asserted that the gold seized belonged to a number of persons on the gold fields, and not to the sixty men from whom it was taken on board the vessel. If this were so, I believe the consignees would have paid the duty and charges rather than run the risk of losing the whole. The agent might have appropriated the duty to himself. From subsequent inquiries, I have reason to believe that the statement of the interpreter, that the duty money had been entrusted to an agent by whom it had been appropriated, was made on erroneous information. I think it most probable, however, that if the impost were well understood on the gold fields, the amounts to defray the Custom House charges were paid by the numerous consignees into the hands of the sixty persons entrusted with the conveyance.

Captain Edward W. Ward called in and examined:—

1. *By the Chairman:* You are Master of the Mint in this Colony? Yes.
2. Will you state how long you have been so? In Sydney I have been three years and a half.
3. I suppose you scarcely have any record in the Mint which will enable you to distinguish the classes of individuals from whom the gold comes to you? I think we have
4. Could you distinguish the gold that comes to you from Chinese from that which comes to you from Europeans? There are many persons at the diggings who consign gold direct to the Mint, and to whom I return the value through the Gold Commissioner.
5. Would you be able to inform the Committee, in a general way, as to the number of Chinese who have passed gold through the Mint from the time you first had the supervision up to the present date? Yes. I think I could give the name of every Chinaman, and what he sent; but I would guard the Committee against supposing that that would be an account of all the gold obtained by them which finds its way to the Mint, because they may dispose of their gold to a middleman at the diggings, an English storekeeper, or a banking establishment.
6. Would you not say that such a return would give something like a tolerable estimate of the proportion of gold sent down by the Chinese to the Mint? I should not depend upon it myself; because the banks may buy gold of Chinamen, and give them notes in exchange on the

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the spot. Then, again, the storekeepers may collect it from them, and give them cash or stores in exchange.

7. Can you give any idea of the proportion of the amount that has come through your hands from the Chinese as distinguished from the proportion paid by Europeans up to the present time? I could not give it now.

8. Could you not state it in round numbers? My idea is that very little comes in the Chinamen's own names.

9. A large quantity of the gold that has passed through your hands has been the property of Chinamen of whom you have no account? It may be so. I do not know how they do their business.

10. Have you observed any difference in the amount of gold with which the Chinese have been connected in any way since the date of the seizure of gold on board the two vessels, of which you must have heard? I may say that very little has been sent to the Mint in the name of Chinamen at all. I have seldom signed a cheque for a Chinaman by name. I know the Oriental Bank buys largely with notes up the country at Stoncy Creek; they buy it on the spot, and it is coined in the name of the bank.

11. Still, in a great number of cases, these parties remain the owners of the gold after it has passed through the Mint in the shape of sovereigns? Not in the case of the gold sent to us by the banks; the banks finally buy it, and when they buy it, it of course becomes their own property.

12. Then you would not say that any large number of Chinamen do convert their gold into sovereigns? Not as far as the records of the Mint show. I have a strong impression that nearly the whole of the proceeds of the gold fields comes to the Mint, whether from Chinese or others.

13. But in the shape of the property of Chinamen very little does come to you? Very little.

14. It is generally the property of others before it reaches the Mint? Yes—of the storekeepers or the banks.

15. Then, in fact, the Chinese seldom use the Mint direct as the means of coining gold into sovereigns? In a very small degree in proportion to other diggers.

16. You are aware of the seizure of gold on board two vessels in October last? Yes.

17. Have you observed any difference since that time as to the quantity of gold passed through your hands as respects the Chinamen? No.

18. Did you observe that a larger proportion passed through the Mint after that seizure? A larger proportion has passed through the Mint, but I do not attribute it to that cause, but to the fact, that a little before that time the Government abolished the escort fee. When the escort fee was paid, perhaps, thirty per cent. of the gold never came to the Mint at all; since that, practically, the whole has come.

19. You attribute the increase in the quantity received at the Mint entirely to other causes—you would not say it had been effected by the seizures on board the "Ethereal" and "Mary Nicholson"? No; I should say certainly not.

20. *By Mr. Donaldson*: You attribute the increase to the release from the escort fee? Yes, entirely to that.

21. *By the Chairman*: You have not observed that the Chinese have directly dealt with the Mint since that time more than before? No, I have not; their dealings with the Mint direct are very insignificant, and ever have been. I have observed nothing that would make me suppose they have been less disposed to evade the gold duty than formerly. That is the object of your question, I presume.

22. Have you given any consideration to the working of the Gold Duty Act? I have.

23. Is it your opinion that the Act has worked well and satisfactorily? I think it has worked very well—that everybody is very contented with it—and that it is very popular at the gold fields.

24. You consider it a better mode to collect a duty than to impose a direct tax on the digger? I think so; because the duty is collected at the Mint at the time the owner realizes on his produce, and the Mint furnishes him with an "Account Sales," shewing every charge. Many, I believe, act as commission agents between the digger and the Mint, charging for agency a commission on our "Account Sales."

25. *By Mr. Jones*: The storekeeper, in fact, sends the digger's gold to the market? Yes.

26. And the digger is credited with the actual amount of coin produced, less the charges? Yes. The storekeepers often consign to the Mint gold for these men. Messrs. Cohen & Co., I believe, send a great quantity down.

27. *By the Chairman*: You have no reason to suppose the imposition of this duty has in any way injured the production of gold? No; it rather encourages it; it makes the people more contented, for they have perfect reliance on the charges and valuations of the Mint.

28. You do not mean to say that the imposition of this duty operates as an encouragement, more than the imposition of a smaller duty would, or more than none at all? I mean to say that this gold duty acts as an encouragement, as compared with the old license fee. In the one case the miner pays nothing unless he obtains gold, in the other he has to pay whether he gets any or not.

29. *By Mr. Jones*: Your observation refers to the change in the system? Yes, to the change from one duty to the other.

30. *By the Chairman*: I am speaking of the duty now paid as compared with no duty—do you think it would lead to any larger production of gold if there were no duty at all, but merely a registration fee imposed? No. I think better gold regulations will do more to increase the production of gold. The subject is now under the consideration of the Government, and it has been proposed to give extended claims, and longer leases, in order to encourage mining as a distinct branch of industry.

31. You think these regulations you speak of would operate as an encouragement to production? Yes, and that a great deal of ground would be worked that cannot be touched now.

32. Do you think the duty is too high or too low? It is very contentedly paid, and does not affect the production. Capt. E. W. Ward, R.E.
33. Suppose it were reduced one-half, would it be likely to increase production? I think not. The great objection to the reduction of the duty would be that we are under a sort of pledge to Victoria that we will not. There was a sort of implied agreement that they would take our sovereigns in consideration of our placing the same duty upon gold as was levied by them. It was thought smuggling would be induced from Victoria to this Colony if coinage of the Sydney Mint obtained legal circulation there, and no gold duty were imposed in New South Wales. 25 June, 1858.
34. You consider this a federal question? I believe it was treated in that way.
35. You do not mean to infer that if we found the Act operate injuriously to our interest we should be still bound to continue it in force? No; certainly not. They would probably take their own measures, and declare our coin to be no longer a legal tender.
36. *By Mr. Jones*: Have you ever received, direct from the Chinese, gold to be coined at the Mint? Yes.
37. In many or in few instances? In few. The quantity of gold received from them has been inconsiderable, as compared with that we have received from other people.
38. In the communication you have had with Chinese had you reason to believe that those who sent their gold direct to the Mint were well acquainted with the mining regulations, and the law affecting the export of gold? Some of them are. I never communicate with them very much direct. Unless they wish to see me personally, the business goes on in another office. Men have been brought to me, who wished to know what they were to do with their gold. Dr. McKellar brought one, who appeared to be a very intelligent man, and who represented a number of others, and I gave him the information he required. Of those who have brought their gold to the Mint, some place their signatures to the receipts, and others merely put a cross; so that I should say some are educated and some are not.
39. Your intercourse with the Chinese has not been sufficient to enable you to say whether they are acquainted with the Gold Export Law or not? No.

FRIDAY, 2 JULY, 1858.

Present:—

Mr. COX,
Mr. DONALDSON,

Mr. FORSTER,
Mr. HAY,

Mr. JONES.

W. FORSTER, Esq., IN THE CHAIR.

John De Courcy Bremer, Esq., called in and examined:—

1. *By the Chairman*: What office do you hold? I am First Tide Surveyor in Sydney. J. De Courcy Bremer, Esq.
2. You recollect giving evidence before a Committee last Session with reference to the seizure of gold on board the "Ethereal"? Yes. 2 July, 1858.
3. Did you not make a similar seizure on board another vessel? Yes; on board the "Mary Nicholson."
4. Will you be so good as to state the circumstances under which the seizure took place, commencing with the information you received, and stating how the seizure was carried out? I was ordered by the Collector to go on board the "Mary Nicholson"; that was the first information I had that the Chinese had gold. The "Mary Nicholson" was the ship I first boarded. I went off, taking Mr. Lockyer, who is attached to the office, in the boat. I went on board and made a seizure of this gold on the persons of these Chinese.
5. State, in round numbers, the quantity of gold you seized, and also the circumstances of the seizure? The quantity of gold sold, seized on board the "Mary Nicholson," was 457 ozs. 8 dwts.
6. From what number of Chinese? I really cannot say.
7. In round numbers, about how many? About forty, I think, more or less.
8. Did you get gold from every one of them? No; some had not gold, if I remember right.
9. Was the gold generally in small packages? It was in belts, round their waists.
10. Did each person possess a number of small packages? Yes, generally speaking; one man might have a large piece tied up separately, or a larger quantity; but generally they had a number of packages tied up separately, and marked in their own language.
11. These packages were distinct? Yes.
12. Were any sovereigns among them? The sovereigns were found afterwards in the packages. I asked them, as I stated when I was before examined, whether they had any sovereigns, and all the sovereigns they had that we could perceive we returned; but when the gold was condemned, and was being weighed at the bank, we found some sovereigns tied up among the gold.
13. You are confident of having returned, how many sovereigns should you say? I think about sixty.
14. You returned about sixty? No. I did not understand the question. I think there were about sixty sovereigns among the gold.
15. How many were returned on board? I could not say; all coin found on them, whether silver or gold, was returned.
16. Was there some silver found on them? I think there were some shillings, or half-crowns, I cannot remember.

- J. De Courcy 17. Are you confident of the fact of having given these sovereigns back to the Chinese themselves? Yes, every one we found upon their persons. I said to Mr. Lockyer, "That is coin of the realm," and I thought we should return it, although it would be liable to confiscation under the Act—still I would not have seized it under any circumstances.
- 2 July, 1856. 18. How did the Chinese take your interference? They were very submissive on board that ship; they allowed themselves to be searched without any resistance. That was not the case on board the "Ethereal."
19. Did they appear to be surprised? Of course; a man does not like to have his gold taken away, but they gave it up, and I do not remember any remonstrance.
20. Had you any means of communicating with them, so as to let them know your purpose? A man acted as interpreter.
21. Did you take him with you? No; he was on board.
22. Was he an Englishman? No; one of the Chinese.
23. Could he speak English pretty well? Not very well.
24. Have you reason to suppose he understood you? I suppose he did.
25. You say there was a marked difference between their demeanour and that of the people on board the "Ethereal"? Yes. I should not have requested the aid of the man-of-war if the seizure of the gold on board the "Ethereal" could have been effected under the same circumstances.
26. Will you proceed to state what you did with the gold? I took the gold into the boat, and mention having been made of the "Ethereal," I then proceeded, as I before stated, to that vessel.
27. The circumstances connected with the seizure on board the "Ethereal" you have stated in the evidence you have already given? Yes. I took the gold in the boat from the "Mary Nicholson," and when I boarded the "Ethereal" I left Mr. Lockyer in charge. The gold from the two vessels was kept in two packages, and when I left the "Ethereal" I proceeded with the row-guard of the man-of-war to Colonel Gibbes at the North Shore.
28. Can you state to the Committee how the information was gained? Colonel Gibbes could state that. I was ordered on that particular duty by the Collector himself.
29. Whom do you consider to be the seizing officer? The seizing officer would, of course, be the Collector and myself.
30. You were the officer of highest rank in charge at the time? I was, with the exception of the officers of the man-of-war, who consider themselves joint seizers.
31. Have you any knowledge whether the gold has been distributed since? Yes.
32. Can you state how it has been distributed? I can only state what I received myself. I received from the proceeds of the gold from the "Mary Nicholson," sold 27th November, £287 18s. 4d., and from the "Ethereal" £1,291, and some shillings.
33. This you received as your share—did you make any distinct claim for it, or was it left for you? It was left in the hands of the Collector, who wrote out the cheques on the seizing account, and sent them to my office for my signature and receipt.
34. Are you aware what proportion that bore to the whole amount realised? No; the Collector himself could give you more information on that matter. I do not know what the gold was sold at.
35. You make no further claim on the Government? No. I was only the servant. The Collector ordered me to go, and I considered myself duly entitled to a share of it, because I was a duly qualified seizing officer. If the Collector had gone himself, I should have received nothing.
36. You are not aware what shares were distributed to other persons? I do not know.
37. You have no fault to find with the distribution? No; as far as I am concerned, none.
38. Have you any further information, with reference to the inquiry before the Committee, you would wish to lay before it? None.

Henry Newbon, Esq., called in and examined:—

H. Newbon,
{Esq.

2 July, 1856

1. By the Chairman: You are a Solicitor? Yes.
2. You gave evidence before a Committee last Session with reference to the seizure of gold on board the "Ethereal"? Yes.
3. Were there not at the same time some Chinese whom you were advising, who had had their gold seized on board the "Mary Nicholson"? I was not so particularly engaged for the "Mary Nicholson" then.
4. Were you acquainted with the Chinese who had had their gold seized on board the "Mary Nicholson"? Then I was specially engaged for the Chinese who had been on board the "Ethereal," but I have now presented a petition for the others.
5. Are you able to give the Committee any information with regard either to the seizure of the gold on board those vessels or to the circumstances of the Chinamen on whose behalf the last petition was presented? I received from Appo, who is outside, this paper. (*The witness produced a paper. Vide Appendix A.*) This paper contains the names of the men whose gold was seized, and the quantity taken from each. Leau Appa, who is also here, will be able to serve as an interpreter.
6. You think he will be able to act here as interpreter between the Chinamen and the Committee? Yes.
7. Do you know whether he in any way has an interest in the matter? I do not think he has the least. He has been engaged in business in Melbourne, I believe, and has recently come to Sydney.
8. Has he arrived since the seizure was made? Yes; he is here only by accident.
9. Are you at all acquainted with his circumstances in life? Not at all.
10. Do you remember Aheng handed in a list of the names of the Chinese whose gold was seized on board the "Ethereal"? Yes.

11. Have you reason to believe that the asterisks against the names in that list denote those who are now in the Colony? There was evidence given respecting those who were then in the Colony. I presume those against whose names there are stars were then in the Colony, for I find the names of Aheng and the others of the four men who had the power of attorney so distinguished.
12. Under what circumstances have the men whose gold was seized been living in Sydney since? So far as I understand from them, they have been living on the charity of other Chinamen here.
13. Do you think the greater number have remained in Sydney ever since? No; the greater number have gone away—some to the diggings and some to China.
14. Have you any knowledge of the circumstances under which they were possessed of the gold at the time it was seized—whether they had it in trust, or whether it was their exclusive property? Not of my own knowledge; the man who was here at the time and wrote down their names could say.
15. *By Mr. Jones:* You cannot state how many of these men are now in the Colony? I have devoted my attention more particularly to the case of the "Mary Nicholson" lately. In the Appendix annexed, which contains, as I believe, the names of the Chinamen on board the "Mary Nicholson," the first seven names, I am informed, are in the Colony; the rest have gone to China. As to the Chinamen on board the "Ethereal," my answer, No. 17, in the minutes of the evidence taken 17th December last, shows, that at that time the names mentioned in Appendix "B" with an asterisk attached were then in the Colony; the others had left.

H. Newbon,
Esq.
2 July, 1858.

APPENDIX A.

	ozs.	dwt.	grs.
Ha Hon	29	5	0
Chion How	17	14	0
Yung...	10	8	0
Ha Sing	59	6	0
Ha Por	30	19	0
Ha Chan	50	0	0
Tart How	38	19	0
Wong Min	27	4	0
Ha Youn	10	11	0
Ha Man	31	5	0
Ha Come	8	6	0
Gun Chin	4	5	0
Yiung Gee	6	3	0
Yiung Por	6	3	0
Ha Gee	3	8	0
Ha San	0	19	0
Ha Kan	5	2	0
Chung Gon	8	8	0
Coon Pung	3	18	0
Ha Sin	9	0	0
Ha Wing	5	10	0
Road How	4	10	0
Ha When	1	3	0
Chun Ing	20	9	12
Choo Piu	20	2	0
Ha Le	6	9	0
Le Koi	15	17	0
Leong Thoi	16	2	0
Total	472	5	12

Henry Leau Appa called in and examined:—

1. *By the Chairman:* You are a native of China? Yes; I born in China.
2. Do you understand English pretty well? Yes.
3. How long have you known English? I been learning to speak English about seventeen years.
4. Have you been much among Englishmen? I have been in England.
5. What religion are you? I am a Protestant.
6. Of the English Church? Yes: Independent Church—Congregational Church.
7. Were you born a Protestant, or were you converted to that religion? My father and mother were China religion.
8. Are you a naturalised subject of the British Empire? Yes.
9. Have you heard anything about the gold that was seized from some of your countrymen on board the "Ethereal" and "Mary Nicholson" in this harbour? Yes, I do hear it.
10. Are you acquainted with the Chinamen whose gold was seized? I not know every one. I know some Chinamen, tell me. I not know whose gold they take. I only come here the other day.
11. You know some of them? I know some of them.
12. Are you at all interested, in any way, in this gold? Not at all.
13. You have come to the Colony since this affair? Yes.
14. You have nothing to do with it? Nothing to do with it.

Henry
Leau Appa.
2 July, 1858.

Henry
Lean Appa.
2 July, 1858.

15. Can you tell what are the circumstances of these Chinamen—are they very destitute, very poor? Yes, very poor. I saw, the other day, some cry down there.
16. How do they manage to live? They live—other Chinaman give him the food. I ask him, I say, “Why you Chinaman doing here?” and he told me he had leased the gold. But I hear at Melbourne they say the Chinamen got the gold, not pay duty, the Custom House take all that. Then I say to him, “Why you not take the duty before you take the gold to China?” He say, “I no know duty to pay.”
17. Do you think Chinamen generally know about our laws and customs—have they a good knowledge of it? Some want interpreter. Where there is interpreter he tell them; he write a notice, and put up to tell, every place—every place he put one, and that tell Chinaman—he know it.
18. You think the law should be put up in the streets—you think, if it were put up in the Chinese language, it would be very good, and the Chinese would know the law very well? Just so.
19. I suppose they have known the law pretty well since the seizure? I asked him, “You not know the law, the duty to pay of gold?” He said, “English law, he not know English law what to do; if somebody tell him what English law, he must do so.”
20. Were these Chinese sent out by other people—did other people pay their passage money? Some.
21. A great many? Not great many, some.
22. Some came on their own account, with their own money? Yes; their own money pay.
23. Do you think some of these held money for other persons? I beg you pardon.
24. Was some of the money taken from them on board money that belonged to other men—do you think that was the case? No; some belonged to himself; some that persons had sent for to China; some was his; some his friend; some to take to China to his wife.
25. If these men were to go to China now without their money, would there be any danger to them—would they have their heads cut off for not taking the money sent by their friends? They could not go to China that way; for another friend send gold to China, perhaps to his father and mother, perhaps some to wife, some to children, and he write letter. If he go to China, one man ask, “Where the gold my father send home?” Another woman say, “Where the gold my husband send?”
26. What would happen to the man, would they cut off his head? If he not got that gold friend gave him, they would be sure sometimes to take him to prison, sometimes to kick up a row—he could not stop.
27. His life would be miserable? Yes, miserable.
28. Would he have reason to fear that he might be beheaded? If a man take money, he could not cut off his head; if he kill a man, then he can.
29. He would lose his character? Yes.
30. And perhaps be put in prison? Yes.
31. Do you think it would benefit these men if the Government here was to certify that the gold was taken from them—if a writing were given to say the gold was taken from them by the Government—do you think that would be any good for the Chinamen? Not good at all. He did not care about that; he said, “I must want my money”—that is another man—he not believe English come and take it away.
32. Do you know anything of the character of these men with whom you have become acquainted here—what sort of men are they? I am a stranger of this man; but I believe other men tell me he is a very honest man.
33. Do you think these men who come from China are good men or bad men? He could not say every one good.
34. But a good many? A good many good ones, perhaps some bad; I could not tell.
35. They were not persons who had been punished in China, and sent away out of the country—criminals? No.
36. They were not persons who had been put in prison, or punished, and afterwards sent away from the country for being bad? No. He must pay for himself. They say this country plenty gold; English law very good law; and they come to the country and get gold.
37. Why do not Chinamen bring their wives? The Chinese Emperor no approve of Chinese to bring wife; but Chinese women like to stay at home best, at own house. If the husband bring his wife that more expense too.
38. Are a great many of the men who come here married? Yes.
39. What is the general religion of those who come here—are they Protestants? No; China religion. A great many pray to idols; they put them up and pray to them; there good many gods he thinks.
40. Is this the religion of the greater number of the men who come here? Yes; very few Christians.
41. Do you think the story they tell before the Committee—these gentlemen—is to be relied upon—do you think the Chinamen who are here now will tell the truth? I believe he say the truth.
42. Do you think a great many will tell the truth? A great many will tell the truth.
43. By Mr. Cox: Do the merchants or rich people in China send out Chinamen to this Colony—do they give them so much money to pay their passages, and then trust to them to send the money back again? Yes, some do so—rich man in China pay the passage.
44. And then the miner, when he gets gold, sends back the money? Yes: he promise his word, and he tells the truth.
45. By Mr. Hay: Have you advanced money yourself in that way to bring Chinese here? I never bring Chinamen down; but my friend, some ship come over to him, and he pay for sixty-six men passenger money, and he just get back when the men get gold; only four or five men lazy, not get gold; he did not pay him.

46. *By Mr. Cox:* Supposing a rich man come here to get gold, does he sometimes send home money to China to have men sent out to work for him; suppose you wanted to get men to work for you, would you do so? Suppose I like to do it so, I may.

47. Do some of your countrymen do so? I think I heard two or three did so. My friend

send his money to his friends at home and get out the men.

48. Have these men who come out to pay back the money when they get gold? Yes.

49. So that emigration from China is carried on in two ways,—some rich men there send out people here, and pay their passages, and some send from here to China for men to come out as miners? I heard two or three do so.

50. Have you heard that miners on the gold fields when they get gold send it to China by those who happen to go back. In this list I see that Sang-he had 300 ounces of gold, did that all belong to him, do you think? It belonged to some other persons, send to some friends in China.

51. *By Mr. Jones:* Can you tell the expense of bringing your countrymen from China to this country? I think, to pay the passage, with other things, eighty dollars—forty dollars for the passage, sometimes forty-eight, sometimes fifty; they pay for all expense; sometimes they come to Hong-Kong in boats; they live more far up sometimes; then they come here and buy boots and things—everything to go to the diggings costs eighty dollars.

52. What have they to pay the owner of the ship who brings them from Hong-Kong to Sydney? Sometimes forty dollars, sometimes forty-five, sometimes fifty.

53. *By Mr. Hay:* Is it the practice among native bankers to advance money to people to enable them to come here—do they obtain money in advance from money lenders before they come here, on their promise to repay it? Yes, before they come. Only my friend, his name Afoo, send letters to his friend in China to send him a few Chinese: some must send money, some different.

54. Do you know whether the friends of individual Chinamen who come here are sometimes security for the repayment of the money advanced to pay the passages? All pay the passenger money before they come here.

55. Suppose a Chinaman wants to come down here, does he ever get the money from a Chinese banker, leaving his friends as security for the repayment of the money? No, they never do so. All I know it is all paid—the passage to the man who charts the ship.

56. *By Mr. Cox:* Suppose you send to China for a Chinaman to come here, does he sign an agreement to serve so long? Yes; some sign agreements; some without.

57. Some trust to honor? Some trust to honor.

58. *By Mr. Hay:* What is done to those fellows who do not repay their passage—what was done with those whom your friend brought out—those four or five idle fellows? When he got gold he must pay.

59. I speak of those four or five who did not pay: were they punished in any way by their countryman? He did not do anything to him, because he has no money. He said no good to take him up to Court; he got no money; no good.

60. So your friend waits, hoping he may pay by and by? Yes.

Appo was called in.

61. *The Chairman to Leau Appa:* Do you know this man, Appo? Yes.

62. Did you know him before he came to this country? No.

63. Does he come from the same part of China as you? No, a little further.

64. *By Mr. Mr. Jones:* What part of China are you from? Canton, but a little more up; about three days' journey.

65. *By Mr. Hay:* How many miles is a day's journey? It is by a passage boat; if it is a fast boat, and a fair wind, it is sometimes quicker.

66. You say it is about three days' journey: do you know the length of a mile? Yes.

67. About how many miles do you think a day's journey would be? Sometimes about forty miles a day; sometimes more than that.

68. Do you think the place where you were born was about a hundred miles from Canton? I think about a hundred and fifty miles.

Appo examined, through H. Leau Appa:—

1. *By the Chairman:* Are you a native of China? Yes.

2. What part of China? Wychow, near to Canton.

3. How long have you been in this Colony? About two years and two months.

4. What religion are you? China religion—many gods.

5. What do you believe would happen to you if you told lies? He say when he good character he must tell the truth; when he tell a lie, anything story, he be punished.

6. Does he think the gods would punish him if he tells a lie? Yes; he say when man tell a lie God will punish him.

7. You will tell the Committee the truth—you will tell no lie now about what we ask you? He say he must tell the truth.

8. Were you a passenger on board the "Mary Nicholson" in October last? Yes.

9. You were going to China in her? Yes.

10. Had you any gold with you, and how much? Thirty-one ounces.

11. Did you pay any duty on it at all? No.

12. Did you know anything about paying duty? No; he never heard it said he had got the duty to pay.

13. Were there other Chinamen on board, and how many? Thirty-four men passengers altogether, with myself.

14. Had the other Chinamen gold, and how much altogether? He says he only know himself; he does not know about other Chinamen.

Appo.
2 July, 1868.

- Appo. 15. There was more gold on board—the other Chinamen had gold? Yes, another man had gold too.
- 2 July, 1858. 16. Did the gold you had belong to yourself, or to other men? He says he had a large bag that he put it in, but inside was a little bag belonging to another man, sent by him to take to China.
17. How much had you belonging to another man? Four ounces and ten pennyweights belonging to another man.
18. Do you recollect the gold being taken from you by the Custom House officer? Yes.
19. Do you know why it was taken from you? He says the Custom House gentlemen come down and ask to see the gold, and another man say perhaps he want the gold. One man is interpreter for them all. He tell him he go away, he going to pay duty, and then he (Appo) just open his bag and give it to the gentleman; he think he pay duty.
20. You thought the duty was to be paid—did you think the gold would be brought back to you? He says he gave it to the gentleman, and he put it down in a book how much he got, and he said, “to-morrow, eleven o'clock, then I give it back to you.”
21. Were there any sovereigns or silver money among it? No, none.
22. Did you see other gold taken from other Chinamen at the same time? He says there was another man; every one open and gave it him.
23. They did not make any resistance at all? No; he says he not saucy; Custom House gentleman ask, and every one opened his bag and gave it him.
24. Were there any sovereigns or silver money taken from the other Chinamen? No; he says another man no sovereigns, only gold.
25. Did you not see any sovereigns given back to them? He says he could not see every one, only he heard Chinaman say no sovereigns taken.
26. By Mr. Jones: You mean that, as far as he saw, there were no sovereigns taken from the Chinamen? Yes.
27. By the Chairman: Can you read and write? He not read.
28. Do you know anything about that? (*Handing witness the paper produced by Mr. Newbon.*) He say after they came aware the Custom House take the gold, every one came to write down “I got so much, another got so much.”
29. Is that the paper? Not this one; I (*Leau Appo*) write this from another; I copy this.
30. Did you or any other Chinamen give a power of attorney—that is, one man gives a power to another to act for him, to do business for him—to others? Yes, some of his friends trust him, when he get the gold out of the Custom House, to take the money to China.
31. Have you lived in Sydney ever since the gold was seized? Yes.
32. How have you managed to live? Some old men gave him food.
33. Have you not worked all the time? He says he no go to work; he like to do it.
34. Why have you not worked for people in Sydney? He says he liked to do it, but he had no work here to do; but he would like to wait to get back the gold.
35. Have you nothing else—is all taken away? He says he has not one penny to pay for his food.
36. How many Chinamen whose gold was seized on board the “Mary Nicholson” are there now waiting in Sydney? He says there were about eight men wait here, and one man go up to the diggings about two weeks ago. He tell these men to wait in Sydney.
37. How many of the “Mary Nicholson’s” men have gone back to the diggings? He says there were only eight men wait here, one gone to the diggings, and the others all gone to China.
38. Supposing the Government will not give back the gold, or any part, what will you do then? He says he no know what to do if he could not get the gold; he could not go up to the diggings; he says he see the friend and who sent the gold, and he could not do it.
39. If he went to the diggings what would the other Chinaman do? He says perhaps he go up to the diggings his friend get angry, and ask him about the gold; he says perhaps “I send it for my wife—my wife not got one penny, perhaps my wife dead; you must get me back the gold.”
40. By Mr. Cox: If he afraid to go back to China, why not other men afraid to go back who have had their gold taken away? He says, another man go to China is not going home; perhaps many going to other place in China.
41. They would be afraid to go home? Yes.
42. By Mr. Hay: You say you are afraid to go back to the diggings on account of the Chinaman demanding his gold from you; if you had anything from the Government to shew that the gold had been taken from you, would not that be an advantage to you? He says he could not do that; his friend say, “I gave you the gold to take to China, why you let somebody take it away.”
43. Where is this man—at which diggings? The Mercoo.
44. Then cannot he go to the south—to Braidwood? He say he is very sorry.

Henry Leau Appa further examined:—

- Henry Leau Appa. 1. By the Chairman: Do you know this document? (*Referring to the document handed in by Mr. Newbon*) I have read it.
- 2 July, 1858. 2. Did you write any part? I wrote the English.
3. This is a list of the Chinamen who had their gold seized, and the quantity taken from them? Yes—472 ounces.
4. To the best of your belief it is a true statement? Yes; he got it in a book; the other could not write English.
5. Who put down the part in Chinese? Another Chinaman, who lost his gold.
6. By Mr. Jones: Is that the whole quantity of gold seized on board the “Mary Nicholson”? Yes.
7. Then it appears there were five Chinamen who had no gold, for there are only twenty-nine names here, and Appo said there were thirty-four on board? I do not know; I must ask.

Ha-hen

Ha-hon called in and examined, through H. Leau Appa:—

1. *By the Chairman*: Did you write this list? (*Referring to the list produced by Mr. Newbon*) Another man wrote this.
2. (*To Appa*) Do you know his language well? Yes.
3. (*To the witness*) What part of China do you come from? Yung-shang, near Canton.
4. What religion are you? The same as the other man.
5. Do you believe in many gods? Yes.
6. Are you married or single? Single man.
7. How long have you been in the Colony? He says he came about two years.
8. When you came here did you pay your own passage, or did somebody else pay it? He pay himself.
9. What did you pay? 52 dollars.
10. Did you pay with your own money, or did some of your friends give it you? He says his brother gave him the money to pay his passage.
11. To whom did you pay the money, to the captain, or to somebody in China? He pay one gentleman, Englishman, at Hong-Kong, at Stimpson's office.
12. Do you know you have come here to tell the truth? He tell the truth.
13. What do you think will happen to you if you tell a lie? When he tell a lie he will be very sorry.
14. Do you think the gods will punish you if you tell a lie? He says I tell a lie God punish him, if he no tell a lie God could not punish him.
15. Were you on board the "Mary Nicholson," going to China, in October last? He say China months not the same, he not know October.
16. Were you going to China in the "Mary Nicholson"? Yes.
17. Had you any gold with you, and how much? He says 20 ozs 9 dwts. 19 grains.
18. That is not the number here—(*referring to the list*)—it is here 29 ozs. 5 dwts.? He says he has the number here (*producing a paper in Chinese.*) He not speak proper. [*Leau Appa translated the paper as follows:—20 ozs. 9½ dwts. of his own, and 8 ozs. 10½ dwts. of another man.*]
19. How much was your own, and how much belonged to your friend? Twenty ounce nine pennyweight and a half his own.
20. The other portion belonged to another man? Yes.
21. Was the gold all taken from you on board? Yes.
22. Were there any sovereigns or silver money among the gold? No.
23. Did you see a quantity of gold taken from the other Chinamen at the same time? He say, every one.
24. Were there any sovereigns taken from other Chinamen? He says he could not see every Chinaman, but every Chinaman say they got no sovereigns at all.
25. Do you know why the gold was taken from you? He says his gold and another Chinaman's, he put all the gold round here (*the waist*). After the gentleman asked for the gold he took it out and gave it the Custom House—three bags.
26. Do you know for what reason it was taken? He says the gentleman came on the ship, and told all the Chiuamen to stand on one side. Then he says, "You got any gold, your gold must pay duty." Then this man say, "We got duty to pay, we go up to pay duty." He said, "No, you must give me the gold." He said, "It is difficult; at eleven o'clock to-morrow it will be given back again."
27. Did you expect your gold to be given back again? Yes; he thought the gentleman could pay duty, and give it him back again.
28. Did you know anything about the duty to be paid? No; he said he did not know anything about a duty to be paid, if he had he would go the Custom House and pay it.
29. Do you know how much duty you have to pay—how much an ounce? He do not know how much to pay; and he say to pay duty he did not know what to pay for ounce.
30. Have you been destitute—have you been a poor man ever since the gold was taken? Yes, he says he is feeling very poor—he not got one penny expense, only the old man to keep him.
31. *By Mr. Jones*: Why do you not go to the diggings or get work? He says, some belonging to another man to send to China; if he could not go to China, and he go up to his friend, he be getting angry, and doing something bad to him. He do not know what to do.
32. That is the reason you do not go the diggings; what is the reason you are not working for a white man in Sydney? He says he know no English language, and know no one to get work to do; he could not get any down here.
33. *By Mr. Cox*: Do you know whether Chinamen in China have to pay tax to the Government, any duty? He no know that.
34. Do they never pay duty in China? He never pay duty, he say.
35. How do the Government get money in China? *Leau Appa*—I think he keep business; he do not know about that.
36. *To Leau Appa*: How do Government get money to carry on the public business? All pay for house tax and farms—all pay tax.
37. Do people come round and collect the tax? Yes.
38. The people have not to go to any particular place to pay it? Policemen come to the place. Suppose a man got a farm, they pay the tax when the man come.
39. *By Mr. Hay*: Ask him whether, if he got a paper from the Government, written in Chinese, by yourself, under the direction of the Government, to say that this money had been taken from him by the Government, and that he was not dishonest, he would be afraid to go back to the diggings, having that certificate to shew? He says no, that would not do. (*Ha-hon said a few words in a low tone.*)
40. What does he say? He is very sorry; he do not know what to do.

Ha-hon.
2 July, 1858.

- Ha-hon. 41. Tell him he ought to go to the diggings, and make more money? He says if he go to the diggings perhaps not have him life, perhaps dead.
- 2 July, 1858. 42. He is afraid his countrymen will kill him? Yes.
43. By Mr. Cox: Why do not his countrymen kill him in Sydney—why is he not afraid to stay in Sydney as well as to go up there? He says he write a letter to his friend; he thought to get back his gold from Government.
44. By Mr. Jones: What would he have done if Government had given him £10 six months ago? He says £10, he not know what to do with £10; another friend may cast him out.
45. By Mr. Hay, to Leau Appa: I wish to ask you a question or two. Do you think there would be very great danger to these men if they went back to the diggings, supposing the Commissioner at the diggings were to assure the Chinese, through the interpreter, that the men were innocent, that the money had been taken from them by the Government, and they could not help it? Not in this way. I suppose if he did it that way the other Chinamen kick up a row with them.
46. But are not the Chinese very obedient to the Commissioners on the gold fields in Victoria—do not the Chinese believe the announcements made to them by the Commissioners, through the interpreter, to be true? I cannot say that.
47. Do not you think the Chinese know that the gold was taken from these people by the Government by force? Yes.
48. Why should they then hurt these men when they know the money has been taken from them, without any fault on their part—that is to say, when they have not stolen, or made away with it? I suppose this way: another man say, "Why the Government take it away—" "English very good law—he not take it away"—and, perhaps, not believe it; but I think if he got the interpreter to tell about it—but I do not know what way, I am sure.
49. Do you not think that you and other Chinamen who understand these things could explain these matters to your countrymen, so that these men might go back to the diggings without danger of being hurt? I think some one do it so, but I do not know.
50. Do you not think these men, and others, are what we call "sulky," because they have lost their money, and cannot make up their minds to go to work? They thought Government give it back, that is the reason he wait for it here.
51. Because the thing is not decided, that is the reason they hang about Sydney? (Leau Appa interpreted the question to Ha-hon, and replied)—He always think Government give it back, he say.
52. Does he think now there is a chance of Government giving it back? Yes, the Chinamen think so still.

Chin Ateak examined:—

- Chin Ateak. 1. By the Chairman: You are a native of China? Yes.
- 2 July, 1858. 2. What religion are you? China; all the same as joss.
3. Are you a British subject? No.
4. Have you been engaged in the trade from China to this country? No trade to China.
5. Have you been engaged in sending your countrymen from China here? Me never send them China; they come in ship you know.
6. You never paid for any men to come out here? Me no pay.
7. In sending them, do you know whether it is a common custom—do rich men very often send Chinamen here who have not paid their own passages? That a me know; I got friend send some.
8. How do these men pay back the money for their passages? Their passenger money?—that man some time he get money, he pay back.
9. Whenever he gets money? Yes.
10. Does it often happen that they cheat? Suppose some men pay; some cheat.
11. Not often? Great many pay; great many not pay.
12. These men that come here in that way, are they good men? Some men very good; some not very bad, not all—just now come and dig gold some good men—more bad men—very few.
13. Are many who come here married men? Many married men come—Yes.
14. Do you think the men, from what you know of them, who have come here to tell us about the gold, tell us the truth? Yes, me think true; me know this man; he speak true, that.
15. Do you know the men you have seen here? Yes; he very good man—he stop long while away.
16. By Mr. Jones: Do you know what is the cost to the Chinamen who come down here from Hong-Kong and other ports in China? Suppose 48 dollars, suppose 50 dollars, some ship 60 dollars. Suppose he come long way, charge more. He got another man; he go in the country tell him Chinaman "plenty gold; plenty very good law"—that way speak to people.
17. Is there any inducement held out to the Chinamen to come here by persons who want to fill their ships—do they tell the people about the country? Yes, that way, very much talk; suppose getting two or three passengers, they profit so much. Me charter ship, plenty speaking Chinamen very good country; supposing charter ship so many men, speaking that time—that way you know.
18. What do the Chinamen come here for? They come here digging.
19. To get gold? Yes; all like the digging; not like working anything.
20. You think if there were no gold here they would not come here in such numbers? No gold; then grow anything, grow the ground; suppose he like that, stop.
21. They come mainly to dig gold? Yes; they come and all like to dig gold.
22. By Mr. Hay: That is what brings so many of your countrymen here? Yes.

23. *By Mr. Jones:* Would there be any difficulty in getting any more than now come to Chin Ateak. New South Wales? Me say "good law," plenty men like to come; suppose plenty gold, men go away, come back again; some go California, good many like to come this way; 2 July, 1858. suppose they get a little money they go away, like to come back again. Suppose two three thousand men go to Port Phillip, they no get gold, they say Port Phillip no good, they come this side; suppose this side no good, they go back Port Phillip; all go where there is gold.
24. How long will a Chinaman stop in this Colony? He stop long time; very good business, very good law; some men like stop here; some men marry.
25. Some men stop here entirely—remain here? Yes.
26. Do you think many Chinamen will be induced to come here, more than come now? Me think so. No pay £10 plenty come; merchant get plenty; suppose £10 pay, would only get few; suppose pay £10, many men little fright, like Port Phillip—no like come.
27. You think if £10 tax were imposed it would check the number coming? Yes, very few men.
28. You think some would still come? Yes; some like money; he come not so much, very few. Just now he come no pay £10; little few men he come suppose pay £10.
29. Suppose the £10 tax were not put on, how many do you suppose would come in the next twelve months? Four or five thousand men; but just now not so many come; he fright.
30. They are afraid? Yes; he fright £10 pay; he say "No pay £10;" he no like to come; some men like to go Port Phillip too.
31. Suppose the people in China knew that they would not have to pay any tax, how many men do you think would come in a month? I no know that, I cannot speak; great many men in China; we cannot tell; California great many Chinamen; he say "No good California, English very good law." Just now £10 tax Port Phillip, he come here; suppose £10 tax, he go Adelaide, one way six hundred miles; he no pay £10; he like to get walk that way.
32. *By Mr. Hay:* I suppose it depends a good deal upon the quantity of gold they take home how many like to come here—if the diggings are good, and the men take a quantity of gold home to China from this Colony, others are induced to come here? Suppose diggings very good, plenty men come; any man see the gold he very like to come.
33. Have many of these men who have come to our diggings been to California before they came here? California men come down here.
34. The diggings were not so good in California? Just now these diggings better than California.
35. Do the relations of the people who come here advance money to those who come? Yes.
36. Young men get money from their friends? Yes—father, mother. China country poor man very hard work; rich man no want, poor man all working; plenty rich men take two hundred, three hundred men, all work.
37. Do rich men advance money to poor men to enable them to come to the diggings? Suppose rich man he have two hundred, three hundred poor men working, he no pay no wages; he say, "I give you so much land, you grow rice, you give me so much rice"—that way. "If I give you so many ground—suppose you give me how many you give back to me"?—he go working every year.
38. Are they generally the lowest class of men, or really good men, who come to the diggings? Come down digging, all good men. Suppose he got father, suppose mother, suppose wife, suppose children; suppose he not lazy, he like to send a little letter, and little money; he very hard work every day. Suppose he very lazy man, no father, no mother, he very bad man.
39. What wages does a working man get in China? Wages small—in country pay no wages, all give ground—"so many grounds one year, I want so many fruit, so many paddy, so many rice."
40. In town, how much wages do they get? In big town very few wages, not so good wages—carpenter, one month, one dollar; suppose he good, all the same; make table, he get one pound; suppose more coarse, one dollar; suppose you make flour, he get no more wages.
41. Suppose he digs in a garden, how much will he get? Very cheap—one dollar one month.
42. With meat and rice too? Altogether, yes; this head master he feed him.
43. Where were you born? Heang-sang, near up Macao River: we get one and a half day from Canton to Macao.
44. What was your father's profession? A merchant; he keep shop, sell cloth—anything that way.
45. You have been engaged in that sort of business yourself? Yes. Just now me go China country, sell oil, sugar, anything from English ship—American—all sell big lot.
46. You are a wholesale merchant? Yes; Messrs. Jardine me all sell for; suppose me buy opium, me send it Canton.
47. What do you do in this country? Just the same; suppose company send me cargo, I send him money.
48. Are you settled in Sydney now? All business in Sydney now; me come Melbourne.
49. How long is it since you came up from Melbourne? This Colony, six months.
50. How long were you in Victoria? Three years.
51. Are you what we call Buddhists? Me not understand.
52. Have you any priests in your religion? Yes, Emperor.
53. Are you a married man? Yes.
54. Would you like to have your wife here? Me like to have my wife here; she no like to come.
55. Is she afraid? She fright; always stop inside; never go out; all women small feet, could not walk; suppose go out any man carry her out; suppose all day stop inside.
- Leau Appu* said China woman very shy face, no like to face gentlemen.

THURSDAY, 22 JULY, 1858.

Present:—

Mr. FORSTER,

Mr. HAY,

Mr. JONES.

W. FORSTER, Esq., IN THE CHAIR.

John Black, Esq., called in and examined:—

- John Black, Esq.
22 July, 1858.
1. *By the Chairman*: You are resident in Sydney? Yes.
 2. And are engaged in business? Yes; I belong to the firm of Molison and Black, ship brokers and commission agents.
 3. Have you had any thing to do with the importation of Chinese into this Colony? We have arranged for Chinamen on their arrival in the Colony.
 4. They have passed through your hands? They have passed through our hands on their arrival.
 5. And on going out of the Colony? Yes.
 6. In that case I suppose you are tolerably well acquainted with their habits and customs, so far as they can be known from an acquaintance with the people here? I am.
 7. Do you know any thing of their language? I know nothing of their language.
 8. Have you been able to converse with them through an interpreter upon whom you can rely? Invariably.
 9. Are you acquainted at all with any of the Chinamen whose gold was seized on board two vessels in this harbour—the “Mary Nicholson” and the “Ethereal”? We engaged the passages of the Chinamen per “Mary Nicholson,” and arranged for their getting on board. Subsequently to the seizure of gold on board the “Ethereal,” I have become fully acquainted with the matter now under the consideration of the Committee.
 10. You are then tolerably well acquainted with the circumstances connected with the seizure of gold on both those vessels? I am.
 11. Are you acquainted with these circumstances partly from your personal knowledge and partly from communication with the Chinamen? Chiefly from communication with the Chinamen, through an interpreter.
 12. Have you any knowledge of the circumstances of these men when they went on board either of these vessels—whether they all were possessed of gold, or only part, or whether they had any large quantity? I have reason to believe that each of the men had gold in his possession when he went on board the vessel. In the case of the “Mary Nicholson,” the men came to us and asked us, through their interpreter, to secure passages per that vessel to China; we negotiated with Messrs. R. Towns & Co., the owners of the barque, and the men came in a body and paid their passage money to us, part in gold and part in notes. At that time we were not aware, although no doubt it was our duty to have been aware, that there was duty of 2s. 6d. an ounce on gold.
 13. If you had been aware would you have acquainted the Chinamen with it? Most assuredly.
 14. Is it your opinion that the Chinamen had a better knowledge of the law than you had? It is very unlikely: from my knowledge of them I should say they are most obedient to the laws of the country.
 15. From your knowledge of the Chinese, do you think if they had been aware of the existence of this Act they would have taken all the necessary measures to have fulfilled the law? Most readily, I feel certain, from the readiness with which they acquiesce, in all cases, in the laws of the country.
 16. Do you judge that not one of those who went on board the vessel was acquainted with the law as it stood? I do.
 17. Do you think it possible, if they were acquainted with the law, they might have gone on board, expecting that the duty would be collected on board? I think not.
 18. You think they went on board totally ignorant of it? Totally ignorant of it.
 19. Do you know whether they held this money in general as their own actual property, or whether they held it in trust for a large number of individuals? In the case of the “Ethereal,” I know these men held the property of others, and I believe it was so in the case of the “Mary Nicholson;” but I am not so fully acquainted with that. I have, from the books I now produce—*(the witness produced a variety of memorandums and other books containing writing in Chinese characters)*—made a list of the gold held by some of these Chinamen, belonging to other people. *(The witness handed in the same. Vide Appendix A.)*
 20. To the best of your belief, is this a true statement? To the best of my belief, it is a true statement: it is copied by one of my clerks from an interpretation by the Chinese interpreter, Ateak.
 21. I presume that the names given here are likely to be different from the names of the same persons put down on a list previously handed in to the Committee, from the difficulty of catching the precise sound? Yes, very likely.
 22. Still, by a careful comparison of the names, it may be possible to arrive at an identification of two apparently different names? Yes. This is the list of the “Ethereal.” *(The witness handed in the same. Vide Appendix B.)* I find from this that 17 Chinamen carried gold for 370 persons, besides themselves, and that the amount of that gold was 1,292 oz. 18 dwts. 14 grs.
 23. Do you know the actual position of these Chinamen at present—are they in a state of destitution? It is within my knowledge that they are in utter destitution.
 24. How do they live at all? They subsist on the charity of one or two of their countrymen, their kind friends, Appo and Ateak.
 25. Why do they not leave Sydney and try to get back to the gold fields? They state, through

through their interpreter, that they are afraid to go to the diggings, lest their fellow countrymen who entrusted them with the gold should kill them. I am told some of them threaten self destruction, but that may be merely a momentary feeling.

John Black,
Esq.

26. Do you think, supposing our investigation ending in not restoring the gold to the Chinamen, it would be useful to them to give them a statement to the effect that this inquiry had been held, and that they had not fraudulently disposed of the gold entrusted to them? It would be a very necessary document.

22 July, 1858.

27. It would enable them to explain matters to their countrymen more easily? Yes, it would.

28. From what you know of the personal character of the Chinamen in question, are they what you would call persons of good character, comparing them with men of the laboring class among our own countrymen? I think they are.

29. Do you judge that from your personal knowledge of them? From what we knew of them when engaging their passages by the "Mary Nicholson," and from the general knowledge I have of them, from their coming to our establishment.

30. Do they belong to the class of laborers in their own country? That I cannot answer.

31. You cannot tell whether, as it has been stated, that they are the refuse of the population? I cannot.

32. What is your opinion as to the credibility of these persons as witnesses—do you think they are likely to state the truth in an examination before this Committee? So far as they could understand the idiom of our language I have no doubt they would. My knowledge of the Chinese character is this—that if they promise to do any thing they will do it; while, on the other hand, they expect you to do everything you promise.

33. Do you think in any case where self-interest is concerned, as in the present instance, we might rely, with tolerable confidence, upon their evidence in general? I think you might. As I have already said, they readily acquiesce in the laws of the country, and they are most scrupulous in paying to the last farthing what they owe to Government; we pay Customs duty for them mostly every day.

34. *By Mr. Jones:* That is since this seizure? Yes: in fact it is only since then we have had communication with Chinamen.

35. *By the Chairman:* Do you think these men equally as worthy of credit as men of a similar class among our own countrymen? No doubt they have an interested feeling in this matter, and may appear anxious.

36. Are you aware of the circumstances under which many of these men have come to the Colony—it has been stated here that a great many Chinamen come here under engagement to persons of capital in China, who pay their passage money? I believe that is the case in several instances, but not in all.

37. In some cases they have come with capital of their own? Yes.

38. Have you any knowledge of the manner in which these people fulfil their engagements with the parties who advance the money for their passages? I have no personal knowledge.

39. Should you not infer from the circumstance of their being trusted with the means of getting on in the world in that way, that these people must have good characters in their own country for fidelity to their engagements? I have no doubt of it; it bears out my assertion, that they are strict and punctual in their engagements.

40. With regard to the circumstances under which this gold was seized—are you acquainted with any peculiar circumstances that bear upon the case? I am not prepared to say I am.

41. I allude particularly to this: It has been alleged that one of these vessels was not cleared, and that the other was—do you know anything of that? I know from my own knowledge that one vessel was cleared, the "Mary Nicholson"; the "Ethereal" was not cleared.

42. Are you aware whether the claim, or the supposed claim, of the Chinamen has been placed before the Government in any distinct shape at all? I am not aware.

43. Do you know whether they took any steps to appeal to any of the Courts? I believe a representation was made to the Government through some professional man in Sydney.

44. *By Mr. Jones:* You say you have reason to believe the Chinamen remain in Sydney, and do not return to the Gold Fields, because they are afraid of being molested by their countrymen? Yes.

45. Do you not think it is a matter of notoriety among them that the gold on board the "Mary Nicholson" and the "Ethereal" was seized by the Government? It may have become a matter of notoriety in this way—these men not having a knowledge of the law previously, may have wondered that the Government should be so strict with them for their want of knowledge.

46. Do you not think the fact of the Government having seized a large quantity of gold must have become well known to a large number of Chinese upon the gold fields? Yes.

47. Those who had entrusted gold to these men must know that the gold was taken from them by the Government? Still they are likely to blame them for want of attention to their interests when they arrived at Sydney. They might argue this—"Why did you not ascertain whether there was any duty?" They state that they did ask a fellow countryman who had been here many years, and that he said there was no duty.

48. They would be exonerated from any felonious charge if Government gave them a certificate such as that alluded to by the Chairman? If the Government do not return any part of it, such a certificate would be ample for that purpose.

49. *By the Chairman:* Are you aware whether all the requirements of the law were fulfilled with regard to these vessels, with the exception of the gold not having been reported or entered—I mean with regard to the vessels themselves? With regard to the "Mary Nicholson," everything was fulfilled that the law required, other than the payment of duty. With regard to the "Ethereal," she had not cleared out, consequently there was ample time to have paid the duty, although by the Act it is stated that gold shall not be water borne before duty is paid.

- John Black, Esq.
22 July, 1858.
50. *By Mr. Jones*: It must, I presume, have been water borne to have been placed on the "Ethereal"? It must; but the Chinamen always carry their gold upon their persons; they carry it in small bags, deposited in long strips of linen, which they tie round their waists.
51. *By the Chairman*: I presume these men had taken their passages, and intended to remain on board? They intended to remain on board.
52. They could not have intended to have gone on shore to pay duty? One man will do the work for a number; sometimes a dozen, or more, appoint one to act as their agent, and they entrust him with their business.
53. If they were utterly ignorant of the duty they would not appoint one or any number to pay? I do not think any one could have intended to pay, as they were ignorant of the law.
54. *By Mr. Hay*: Do the books you have produced contain accurate lists of every single parcel of gold found on these Chinese? Yes, found on some of them. They are most methodical in their habits. When they come down from China every man who brings any goods with him has one of these little books, in which every article, to the minutest particular, is noted down. In those books now before the Committee the quantity of gold belonging to each man, together with that under their charge, is entered, and the signature or stamp of each individual is attached.
55. The whole of this gold—(referring to the contents of one memorandum-book)—was not in charge of one person? Yes, that was in charge of one person. The man No. 1 on the list of "Ethereal" had gold for seventy persons.

APPENDIX A.

SPECIFICATION of Gold in possession of Chinamen at time of seizure on board the "Mary Nicholson," in October, 1857.

	ozs.	dwt.	grs.
No. 1 Man—Ap Pol, Ah Ling, own account	31	0	0
No. 2 " Ah Seong, own account	18	18	0
In his charge for the following persons:—			
Chee Lung	2	9	0
Do.	2	9	0
Tuck Cheu	2	7	0
Hung Quan	1	4	12
Cheong Cheon	1	4	12
Ting Cheon	3	1	0
	12	15	0
No. 3 Man—Tuck Ho, own account	38	19	0
No. 4 " Leong Sung, own account	59	6	0
No. 5 " Ah Cheong, own account	17	14	0
No. 6 " Ah Horn, own account	20	19	12
In his charge for the following persons:—			
Ah Nung	6	2	0
Yeu Kee	1	4	12
Ah Chau	1	4	12
	8	11	0
No. 7 Man—Ching Hoe, own account	53	10	0
	261	12	12

APPENDIX B.

SPECIFICATION of Gold in possession of Chinamen at time of seizure on board the "Ethereal," in October, 1857.

	ozs.	dwt.	grs.	ozs.	dwt.	grs.
No. 1 Man—Sang How—own account ... ..	...	...	...	27	0	12
In his charge for the following persons:—						
Sang Ha	3	9	0			
Ju Hing	3	13	12			
Chuck Hing	3	13	12			
Yu Sang	2	9	0			
Pung He	1	1	0			
Hing Hing	1	18	0			
Chu Hing	0	3	12			
Hung Sung	1	3	0			
Ah Kung	1	5	12			
Chip He	3	8	12			
Har Chan	0	14	12			
Jung Sung	1	2	0			
Quic Fong	12	4	0			
Puck Sung	9	15	0			
Ah Quic	21	4	12			
Ah Chou	1	4	12			
Leong Yung	1	0	12			

APPENDIX TO THE FOREGOING EVIDENCE.

43

				ozs. dwts. grs.	ozs. dwts. grs.
See Wah	...	...	...	0 10 0	
Kau Ty	...	...	...	0 10 0	
Lung Fong	...	...	...	0 10 0	
Man Sung	...	...	...	0 10 0	
You Ku	...	...	...	0 14 12	
Hock Hong	...	...	...	2 13 12	
Hong How	...	...	...
Lee Chu	...	...	...	7 1 12	
Lee Kew	...	...	...
Kau Mung	...	...	...	3 1 0	
Mung Kung	...	...	...	1 4 12	
Ky Hew	...	...	...	1 4 12	
Low Su	...	...	...	2 8 12	
Chu Hune	...	...	...	1 18 0	
Hune Chow	...	...	...	1 0 0	
Ah Lee	...	...	...	0 12 0	
Hune Ty	...	...	...	0 12 0	
Hung Choe	...	...	...	0 14 12	
Chu Tung	...	...	...	4 17 12	
Sou Hung	...	...	...	4 8 0	
Mung Hune	...	...	...	2 8 12	
Chuc Sung	...	...	...	1 14 0	
Wong Hu	...	...	...	2 8 12	
Mon Hune	...	...	...	2 8 12	
Nan Sou	...	...	...	1 6 0	
Wong Hune	...	...	...	1 0 12	
Lou Yuck	...	...	...	2 11 12	
Lou Yuck	...	...	...
Kung Wa	...	...	...	3 13 12	
Kung Hing	...	...	...	2 14 0	
Pu Hune	...	...	...	1 16 12	
Do.	...	...	...	0 12 0	
Wong Chun	...	...	...	1 16 12	
Chun Wau	...	...	...	2 16 0	
How Yone	...	...	...	1 7 0	
Yong See	...	...	...	1 4 12	
Sung Hing	...	...	...	3 3 12	
Ly Lau	...	...	...	0 2 12	
Mou Lang	...	...	...	2 5 12	
Lou Hune	...	...	...	2 1 12	
Sung Hune	...	...	...	2 1 12	
Hong See	...	...	...
Song Choe	...	...	...	1 7 0	
Yung Ku	...	...	...	2 4 0	
Hung Hong	...	...	...	2 1 12	
Hune Yong	...	...	...	2 8 12	
Hune Chung	...	...	...	1 7 12	
Chun Lang	...	...	...	2 10 0	
Hy Poy	...	...	...	2 8 12	
Chee Lung	...	...	...	1 7 0	
Kang Hock	...	...	...	1 9 0	
Sum Wah	...	...	...	1 19 0	
Wong Puc	...	...	...	2 8 12	
Pan Wah	...	...	...	2 8 12	
Kung Hing	...	...	...	2 8 12	
Chan Kong	...	...	...	1 4 12	
See Chung	...	...	...	3 13 0	
					174 16 12

No. 2 Man—Ah Sing—own account 55 4 0
Do. £9 0 0

In his charge for the following persons:—

Chup Sing	...	...	...	15 19 0
Ah Kong	...	...	...	12 10 0
Ah Chong	...	...	...	11 0 0
Sun Lep	...	...	...	8 0 0
Ah Ting	...	...	...	3 18 0
Hac Fong	...	...	...	3 3 12
King Hong	...	...	...	1 18 0
Ah How	...	...	...	0 15 0
Ah Cow	...	...	...	4 3 0
Hunk Sy	...	...	...	8 18 0
Ah Chan	...	...	...	2 2 0
Chop Chu	...	...	...	3 13 0
Ah Kung	...	...	...	1 4 0
Mou Hung	...	...	...	0 14 12

APPENDIX TO THE FOREGOING EVIDENCE.

				ozs. dwts. grs.	ozs. dwts. grs.
Mun Tuc	...	...	...	1 14 0	
Chue Fong	...	...	...	2 18 0	
Ah Chung	...	...	...	1 0 0	
Ah Hung	...	...	...	1 5 0	
Kou Chy	...	...	...	0 12 0	
Ah Choe	...	...	...	0 15 0	
Cum Chune	}	...	...	14 5 0	
Ah Mun	}	...	...	4 5 0	
Ky Yung	...	...	...	2 12 0	
Ta Tung	...	...	...	3 6 0	
Ah He	...	...	...	3 9 0	
Wung Sing	...	...	...	4 1 0	
Ah Lut	...	...	...	4 0 0	
Hock Yuck	...	...	...	3 13 0	
Che Jai	...	...	...	3 16 0	
Swie Tung	...	...	...	0 12 0	
Ah Ty	...	...	...		130 1 0
<hr/>					
No. 3 Man—Wy Soue—own account	...	...	...	...	23 11 0
In his charge for the following persons:—					
Ah Yeu	...	...	...	9 3 0	
Hung Mon	...	...	...	4 17 12	
Mung Leong	}	...	...	15 17 0	
Mung Tuck	}	...	...	8 13 0	
Swie Chung	...	...	...	6 2 0	
Quy Fong	...	...	...	4 7 12	
Puc Sung	...	...	...	3 3 12	
Hock Wy	...	...	...	3 13 0	
Ah Kung	...	...	...	1 16 12	
Ah Pang	...	...	...	1 4 12	
Hue Puc	...	...	...	3 3 12	
He Kong	...	...	...	2 8 12	
Ah Che	...	...	...	1 11 12	
Sou Chong	...	...	...	1 16 12	
Che Tuc	...	...	...	1 14 0	
Sung Hu	...	...	...	1 16 12	
Ah Sung	...	...	...	16 9 0	
Sung Sou	...	...	...	15 17 0	
Ah Sou	...	...	...	14 3 0	
Ah Yut	...	...	...	29 5 12	
Ah Cheong	...	...	...		147 2 12
<hr/>					
No. 4 Man—Ah Yu—own account	...	...	...	...	22 1 12
In his charge for the following persons:—					
Lu Pung	...	...	...	9 15 0	
Choe Tu	...	...	...	1 9 12	
Cheong Pau	...	...	...	3 13 0	
Chee Hock	...	...	...	0 12 0	
Hung Tong	...	...	...	0 5 0	
Ah Quie	...	...	...	1 4 12	
Ah Cheung	...	...	...	4 5 12	
He Hung	...	...	...	6 12 0	
Cheong Sou	...	...	...	11 0 0	
Ting Huck	...	...	...	1 4 12	
Ah Quie	...	...	...	2 11 0	
Sang Tack	...	...	...	3 18 0	
Ing Su	...	...	...	1 17 0	
Leu Pao	...	...	...	3 13 0	
Yung Mac	...	...	...	1 12 0	
Chung Ti	...	...	...	1 4 12	
Wung Hoi	...	...	...	1 19 0	
Tu Men	...	...	...	1 4 12	
Tung Su	...	...	...	1 0 0	
Kau Mu	...	...	...	1 4 12	
Hung Hune	...	...	...	3 11 0	
Ling Fy	...	...	...	11 12 0	
Mung Leong	...	...	...	17 1 12	
Yung Hing	...	...	...	6 14 0	
Cong Beang	...	...	...	1 4 12	
Cheang He	...	...	...	1 4 12	
Ah Yu	...	...	...	11 0 0	
Ah Chut	...	...	...	0 10 0	

APPENDIX TO THE FOREGOING EVIDENCE.

45

				ozs. dwts. grs.	ozs. dwts. grs.
Ah Cow	...	...	...	0 10 0	
Ah Ing	...	...	...	2 11 0	
Sa Tuck	...	...	...	2 13 12	
Ah Lung	...	...	...	2 19 0	
Ah Wong	...	...	...	2 15 0	
					124 10 12

No. 5 Man—Mou Sing—own account ... 19 10 0

In his charge for the following persons, viz. :—

Quic Hung	...	...	...	0 12 0	
Chuck Hunc	...	...	...	1 4 0	
Ke Yung	...	...	...	0 14 12	
Lu Long	...	...	...	0 10 12	
Leong Lue	...	...	...	1 4 12	
Tau Pung	...	...	...	0 11 12	
Lu Ku	...	...	...	0 12 0	
Ah Hing	...	...	...	1 4 12	
Ling Ky	...	...	...	1 4 12	
Kong Chu	...	...	...	2 16 12	
Wong Sung	...	...	...	4 17 12	
He Sing	...	...	...	3 13 0	
Luck Wong	...	...	...	4 5 12	
Sa Yu	...	...	...	0 14 12	
Ah Quic	...	...	...	1 4 12	
Sung Wah	...	...	...	1 6 0	
Yung Sing	...	...	...	2 8 12	
Wi Fong	...	...	...	1 4 12	
Ah Chou	...	...	...	1 4 12	
Ah Poe	...	...	...	0 14 0	
Chuck Sing	...	...	...	10 17 12	
Ah Tim	...	...	...	12 14 0	
Yune Hung	...	...	...	4 5 0	
Chuck Sung	...	...	...	0 10 0	
How Wah	...	...	...	9 15 0	
Ing He	...	...	...	6 2 0	
Lu Leong	...	...	...	9 15 0	
Lu Hong	...	...	...	0 12 0	
Mung He	...	...	...	1 6 12	
Ah Pou	...	...	...	1 4 12	
Ah Cheung	...	...	...	0 13 12	
Ling Hung	...	...	...	2 8 12	
Lu Kung	...	...	...	0 12 0	
Ah Kong	...	...	...	2 12 12	
Ah Thou	...	...	...	2 8 12	
Ah Cook	...	...	...	1 4 12	
Ah Chu	...	...	...	2 8 12	
Cheong Leong	...	...	...	6 4 12	
Lu Chu	...	...	...	6 18 0	
Hood Mune	...	...	...	9 2 12	
Lan Sung	...	...	...	1 7 0	
					125 8 12

No. 6 Man—Hy Yow—own account, a piece of quartz ... 35 5 0

And in his charge for the following persons :—

Yuck Lam	...	...	...	6 2 0	
Tu Sung	...	...	...	1 4 12	
Pack Pung	...	...	...	1 4 12	
Yeck Hung	...	...	...	1 4 12	
Tu Sung	}	...	...	17 14 0	
Pack Pung					
Yeck Hung					
Cheon Pung	...	...	...	6 2 0	
Ky Cheong	...	...	...	3 13 0	
Chu Tuck	...	...	...	4 7 12	
Ah Pung	...	...	...	1 4 12	
Do.	...	£2	0 0		
Pack Wong	...	...	...	5 10 0	
Do.	...	£1	0 0		
Wo Hung	...	...	...	2 8 12	
Hoc Ty	...	...	...	8 10 12	
Do.	...	£1	10 0		
Ah Chau	...	...	...	1 4 12	
Do.	...	£1	10 0		
Cheong Hung	...	...	...	1 4 12	
Yong Tau	...	...	...	2 8 12	

			ozr. det. grs.	ozr. dwlr. grs.
Yang Hung ...	...	...	2 8 12	
Ah Fu ...	...	...	3 13 0	
Ah Pung ...	...	...	2 8 12	
Cum Chuck ...	...	...	1 16 12	
Chan Lun ...	...	...	2 8 12	
Ah Pau ...	...	...	2 8 12	
Cho Wang ...	...	...	2 13 0	
Pack Hung ...	...	...	1 4 12	
				83 4 0
No. 7 Man—See Wang—own account ...	...	...		24 15 0
Do. ...	£9	0 0		
In his charge for the following persons:—				
Ah Hong ...	...	...	9 15 0	
Ah Tung ...	...	...	0 12 0	
Wung Chung ...	...	...	0 12 0	
Yu He ...	...	...	0 12 0	
A Nu ...	...	...	0 5 0	
Cheong Chung ...	...	...	0 5 0	
Do. ...	£0	10 0		
Yung Kong ...	...	£1 0 0		
Ah Pau ...	...	£1 0 0		
Ah Kee ...	...	£1 0 0	0 12 0	
Ne Sung ...	...	...	0 2 12	
Yung Kong ...	...	...	0 2 12	
Che Lang ...	...	...	2 9 0	
Waw Hip ...	...	...	3 13 0	
Chou Yung ...	...	...	1 16 12	
Kong Chung )	...	...	3 13 0	
Hue He )	...	...
Leong Quig )	...	...
Hung Pang ...	...	...	0 12 0	
Ky Yang ...	...	...	0 12 0	
Cheon Quy ...	...	...	0 12 0	
Chin He ...	...	...	0 12 0	
Ah Lee ...	...	...	0 12 0	
Do. ...	£0	10 0		
Ye Loug ...	...	...	0 12 0	
Ling Che )	...	...
Mung Sung )	...	...	1 10 0	
Hung See )	...	...
See Tack ...	...	...	0 12 0	
Wun Fy ...	...	...	0 12 0	
Wy Tong ...	...	...	0 5 0	
Ah Wah ...	...	...	0 5 0	
Ah Pu ...	...	...	0 5 0	
Hung Fong ...	...	...	0 7 12	
Mung Fong ...	...	...	0 5 0	
Chu Leong ...	...	£2 0 0		
Ton Sung ...	...	...	0 12 0	
He Qung ...	...	...	1 12 0	
Song Ke ...	...	...	0 7 12	
Hit Hu ...	...	...	0 12 0	
Yuck Cheon ...	...	£2 0 0		
Ah Leong ...	...	...	0 12 0	
King Hu ...	...	£4 0 0		
Ah Yuck ...	...	£1 0 0		
Hing Fy ...	...	£1 0 0		
Mow Ky ...	...	...	0 5 0	
Tan Ka ...	...	£1 0 0		
Cheun Leung )	...	...	18 6 12	
Lowe Chy )	...	...
Hung Cheong ...	...	...	0 5 0	
Cheon Sung ...	...	...	3 13 0	
Chou Long ...	...	...	1 4 12	
Do. ...	...	£1 0 0		
Hune Che ...	...	...	6 2 0	
Luy Kut ...	...	...	4 13 0	
Yu Kong ...	...	...	0 12 0	
Cheong Fack ...	...	...	3 13 0	
Yung Cheong ...	...	...	1 2 0	
Ah Sy ...	...	...	0 5 0	
Hue Cheon ...	...	...	1 9 12	
Do. ...	...	£1 0 0		
Tong Sung ...	...	...	1 9 12	
Chung Kut ...	...	...	0 10 0	
Yu Sung Ton ...	...	...	3 4 12	
				82 18 0

		ozs.	dwt.	grs.	ozs.	dwt.	grs.
No. 8 Man—Cheon Sing—own account...	...	...	...	...	14	13	0
In his charge for the following persons:—							
We Kan ... ..	...	8	0	0			
You Sing ... ..	...	15	5	0			
Wong Tuy ... ..	...	7	0	0			
Mon Wong ... ..	...	6	15	0			
We Cook ... ..	...	7	7	0			
Tow Wong ... ..	...	8	9	0			
Ah Tome ... ..	...	7	7	0			
Ah Chume ... ..	...	7	0	0			
Tuck Cheong ... ..	...	6	2	0			
Ah Chy ... ..	...	3	1	0			
					76	6	0
No. 9 Man—Leong Ho—own account ... ..	...	...	...	...	16	10	0
No. 10 " Tuck Yeong—own account ... ..	...	...	...	...	54	0	0
No. 11 " Kam How—own account ... ..	...	...	...	...	70	12	0
Hung—In his charge for the following persons:—							
Hung Hunc ... ..	...	6	2	0			
Ah Kow ... ..	...	6	10	0			
Ah Ing ... ..	...	1	5	0			
Chuck Pee ... ..	...	1	10	0			
Yow Sing ... ..	...	1	5	0			
Ah Tou ... ..	...	0	12	0			
Ah Tuck ... ..	...	0	12	0			
We Cook ... ..	...	0	12	0			
Tuck Jung ... ..	...	2	9	0			
Ah Tou ... ..	...	1	5	0			
		0	10	0			
					22	12	0
No. 12 Man—See Nam—own account ... ..	...	...	...	...	21	10	0
No. 13 " Ky Heng—own account ... ..	...	...	...	...	49	11	0
No. 14 " Hung How—own account ... ..	...	...	...	...	14	14	0
No. 15 " Tung How—own account ... ..	...	...	...	...	9	15	0
Do. —own account £5 0 0	...	...	...	...
No. 16 " Heong Cheun—own account ... ..	...	...	...	...	52	8	0
No. 17 " Pung How—own account ... ..	...	...	...	...	96	16	0
In his charge for the following persons:—							
Ky Mung ... ..	...	2	9	0			
Qun Cho ... ..	...	1	16	12			
					4	5	12
Do. £1 10 0	...	...	...	...
No. 18 Man—Ah Foae—own account ... ..	...	...	...	...	19	4	12
No. 19 " Cah Chung—own account ... ..	...	...	...	...	28	0	0
No. 20 " See How—own account ... ..	...	...	...	...	26	18	0
In his charge for the following persons:—							
Chu Pung ... ..	...	9	15	0			
Ah Chy ... ..	...	3	8	0			
Sam Fy ... ..	...	1	4	0			
Ah Poy ... ..	...	2	8	12			
Ah Hung ... ..	...	1	16	12			
Su Tung ... ..	...	0	19	12			
Ah Kung ... ..	...	2	8	12			
Cheun Tow ... ..	...	4	8	0			
Tong Why ... ..	...	3	3	0			
Chuck Pe ... ..	...	13	8	12			
Chung Kong ... ..	...	1	2	0			
Ah Kou ... ..	...	2	8	12			
Leung Yung ... ..	...	1	4	12			
					47	13	12
No. 21 Man—Yung Wah ... ..	...	...	...	...	8	11	0
In his charge for the following persons:—							
Ah Ning ... ..	...	6	1	0			
Yan Yunc ... ..	...	4	17	0			
Mou Chou ... ..	...	6	2	0			
Chuck Sum ... ..	...	4	17	0			
Tong Su ... ..	...	8	11	0			
Ah Tack ... ..	...	7	6	12			
Ah Chuck ... ..	...	3	13	0			
Chung Noe ... ..	...	0	19	12			
Kung Chun ... ..	...	10	19	12			
Chu Cheong ... ..	...	1	17	0			
Ting He ... ..	...	2	9	0			
Po Lung ... ..	...	2	9	0			

				ozs. dwts. grs.	ozs. dwts. grs.
	He Leong	...	...	1 4 12	
	Lu Su	...	...	1 4 12	
	Ah Wy	...	...	3 11 0	
	Ling Fu	...	...	1 11 12	
	Ah Sing	...	...	2 9 0	
	Ah Chou	...	...	2 9 0	
	Yung Tuck	...	...	3 16 12	
	Su Ke	...	...	2 9 0	
	Chung Chy	...	...	3 8 12	
	Ah Chung	...	...	3 13 0	
	Ah . . be	...	...	5 10 0	
	Cham Cheong	...	...	3 12 12	
	Tung Hun	...	...	3 13 0	
	Ah Haup	...	...	2 9 0	
	Hung Huy	...	...	2 9 0	
	Ah Yeck	...	...	2 9 0	
	Ah Sung	...	...	0 15 0	
	Ah Yeung	...	...	2 9 0	
	Ah Cho	...	...	5 2 12	
	Lu Kung	...	...	1 4 12	
	Kung Fac	...	...	6 6 12	
	Ah Tung	...	...	6 2 0	
	Cum Chu	...	...	1 4 12	
	Wba Ty	...	...	6 2 0	
	Chu Hang	...	...	10 7 12	
	Ah Tuck	...	...	4 17 12	
	Ah Fune	...	...	1 4 12	
	Cheon Tuck	...	...	3 0 0	
	Chu Quy	...	...	7 6 0	
	Cheon Luc	...	...	8 11 0	
	Wang Ke	...	...	2 9 0	
	Wy Chu	...	...	2 9 0	
	Ky Chou	...	...	2 9 0	
	Cum Fac	...	...	3 13 0	
	Ah Sum	...	...	3 13 0	
	Hung Sung	...	...	1 0 0	
					180 16 0
No. 22	Man—Pung Kit—own account	...	...	...	11 0 0
No. 23	„ Ah Hu—own account	...	...	...	30 13 0
No. 24	„ Chu Chue... ..	...	...	...	21 10 0
	In his charge for the following person:—				
	Hung Mung	...	...	...	1 5 0
No. 25	Man—Ing Sung—own account	...	...	...	8 15 12
No. 26	„ Ah Pack—own account	...	...	...	9 15 0
	Do. do. £2 0 0				
	In his charge for the following persons:—				
	Ah Yu	...	...	1 4 0	
	Yut Mung	...	£0 10 0	1 4 0	
	Foc Sung	...	...	2 9 0	
	Chuck Lung	...	...	1 16 12	
	Ah Ke	...	...	0 17 12	
					7 11 0
No. 27	Man—Ty Wung—own account	...	...	...	29 2 7
No. 28	„ Ke How—own account	...	...	...	13 4 0
	Do. „ £5 0 0				
	In his charge for the following persons:—				
	Chung Quy	...	...	1 2 0	
	Mung Tack	...	...	9 11 0	
	Wung How	...	...	7 6 0	
	Lum Tuck	...	...	1 6 0	
	Kit Hung	...	...	5 12 0	
	Ah Hang	...	...	0 5 0	
	Chuck Lang	...	...	3 13 0	
	Ah Ha	...	...	3 13 0	
	Chou Tuck	...	...	3 13 0	
	Ting Cheong	...	...	6 2 0	
	Ah Cong	...	...	1 17 0	
	Ah How	...	...	1 17 0	
					45 17 0
No. 29	Man—Yan How—own account	...	...	...	31 5 0
	In his charge for the following persons:—				
	Cham How	...	...	12 14 0	
	Ah Kow	...	...	2 8 0	
	Ah Chu	...	...	1 4 0	
					16 6 0

		ozs. dwts. grs.	ozs. dwts. grs.
No. 30	Man—Ling Fung—own account ...	...	29 6 0
	In his charge for the following person:—		
	Ah Kee ... ..	...	22 6 0
No. 31	Man—Hil Lung—own account ...	...	24 7 12
No. 32	" Ty Wung—own account ...	...	30 5 0
No. 33	" Yout Chun—own account ...	...	32 4 0
No. 34	" Ah Nim—own account ...	...	21 2 0
No. 35	" Ah Yung—own account ...	...	4 0 0

The following persons have now left for China
without gold:—

Ah Teong	14 6 12
Gong Teong... ..	23 7 0
Wah Hue	22 5 12
Sang Fy	24 9 0
Mon Chu	15 7 12
Wung Pul	8 2 0
Ah Suey	19 7 12
Tung Quy	12 2 0
Ah King	14 9 0
Sung Mon	32 7 0
Cheong Hung	23 3 0
Cheung Kow	12 2 0
Ah Kee	22 5 12
Ah Cheop	17 2 12
Chu Tong	22 3 0
Yung Chu	18 19 0
Kit Chu	19 2 0
Hock Nin	12 9 12
Ah Kun	19 2 12
Ah Ling	5 1 0
	357 13 0
TOTAL	£55 0 0
	2,637 10 19

Chin Ateak examined:—

1. *By the Chairman:* Are you acquainted with these documents? (*Referring to the books Chin Ateak, handed in by Mr. Black.*) Yes.
2. Do these contain a true statement of the quantity of gold, and the owners of the gold, 22 July, 1858, seized on board these two vessels? Yes.
3. Do you know this? (*Referring to the translation handed in by Mr. Black.*) Me know that.
4. Is that a true translation of it? Yes.
5. It makes it all right? Make him all right, same as book make him.
6. *By Mr. Jones:* This is the same as the Chinese books rendered into English? Yes.

Henry Newbon, Esq., examined:—

- By the Chairman:* Is there any statement you would wish to make, that you think essential to the interests of the Chinamen whom you represent? I should wish to see whether the list of the quantity of gold now handed in corresponds with that previously laid by me before the Committee—Aheng, who prepared the previous list, is in attendance.

H. Newbon,
Esq.
22 July, 1858.

Aheng called in and examined, through Leau Appa:—

1. *By the Chairman:* Are you one of the Chinamen whose gold was seized on board the "Ethereal"? Yes.
2. Did you give evidence before a Committee last year? Yes.
3. Can you read and write? Yes.
4. Do you know anything of these books before the Committee? Yes.
5. Do they contain an account of the quantity, and the owners of the gold, seized on board these two vessels? He say he put it in a book, and then he tell you how much he has got.
6. Does he know the books? He know the names they belong to.
7. Are they written down properly in these books? He say they put down how much they got.

Aheng.
22 July, 1858.

- Aheng. 8. Is that the right account there? Yes; it is all written down in the books.
 9. Where were those books first written? He say they were written down in the books before they went on board the ship.
 23 July, 1853. 10. By Mr. Hay: Were these books made up at the diggings, or in Sydney? At the diggings.
 11. By the Chairman: Did any of these books belong to you? No.
 12. By Mr. Hay: Do you know this book? (*Handing a book to the witness containing writing in English.*) Yes.
 13. Where was that book written? That book, he says he know it belonged to Yung-ho.
 14. Who wrote the English in it? He do not know who wrote it down.
 15. Do you know which is Sang-how's book? (*The witness selected a book.*)
 16. How much gold had Sang-how? 203 ounces 17 pennyweights.
 17. Is that what belonged to himself and others? All.
 18. How much had he of his own? 24 ounces 3½ pennyweights; and in another bag 2 ounces 17 pennyweights.
 1. The Chairman to Jean Appa: Do you know Lopez? Yes.
 2. Does he know the Chinese language? He can speak some, but not all.
 3. Does he know this man's language? He know some.
 4. You do not think he knows Aheng's language well? No.
 5. To Aheng: Does Lopez know your language well? No; he could not understand all—he understand part—he can speak some words.
 6. To Appa: When one Chinaman carries a quantity of gold for a number of others, does he get anything for his trouble—does he get a commission as we call it? A Chinaman pays two shillings an ounce for carrying gold, because going to China he must take it himself to the man's house—he must find it out—there is no carriage, no post office—he must take it himself. Sometimes a good friend he not charge it—he not take the money. Sometimes English gentleman try to speak Chinese name; he not make it sound.

SEPARATE APPENDIX.

A.

To the Honorable the Speaker, and the other Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The humble and respectful Petition of Ayong, Amang, Aheng, and Ackitt, Chinamen, on behalf of themselves and the other Chinamen who lately took their passages on board the "Ethereal," bound from the Port of Sydney for Hong-Kong,—

SHEWETH:—

That your Petitioners are foreigners, natives of China, unacquainted with the English language, and came over to this Colony to work at the Gold Fields, and have by their hard work and industry procured a large quantity of Gold Dust and property during the time they have been here.

That your Petitioners intended to take their passage by the "Ethereal," from the Port of Sydney for Hong-Kong, and had paid their passage money by such vessel.

That your Petitioners were on board the "Ethereal" on Friday, the sixteenth day of October last, intending to take their departure for Hong-Kong with their Gold, and on that day your Petitioners had all their Gold Dust taken from them by the Custom House Officers, amounting to two thousand six hundred and eighty (2,680) ounces, and also some money in sovereigns—the officers alleging that such Gold had not paid the duty imposed thereon.

That your Petitioners upon such seizure being made, so soon as they understood the nature of the seizure, voluntarily submitted.

That your Petitioners were not aware that a Gold Duty was payable on the exportation of their Gold.

That your Petitioners, on the twentieth day of October last, presented a Petition to their Excellencies the Administrators of the Government, praying that the Gold might be restored to them on payment of the duty, and that they might be enabled to proceed to Hong-Kong, to which Petition your Petitioners' Solicitor, Mr. Henry Newbon, received the following letter:—

"Colonial Secretary's Office,
 "Sydney, 20 October, 1857.

"MR. HENRY NEWBON, Hunter-street, Sydney.

"Sir,

"With reference to your letter of the 20th instant, addressed to their Excellencies the Administrators of the Government, submitting a Petition from certain Chinese passengers on board the "Ethereal," requesting the return of 2,680 ozs. of Gold, seized upon their persons by the Officers of Customs, in consequence of the non-payment of duty thereon, on the ground that they were ignorant of the Gold Duty Act and unaware of the necessity for paying any duty,—I am directed to request, that you will inform the Petitioners, that

"that having carefully considered their application, and also the circumstances attending the seizure, as reported by the Collector of Customs, their Excellencies and the Executive Council cannot see any ground calling for their interference with the due course of the Law, and decline to take any action in the matter accordingly.

"I have the honor to be,

"Sir,

"Your most obedient Servant,

"W. ELYARD."

That your Petitioners have since their arrival here conducted themselves peaceably, and are very averse to institute proceedings against the Officers of Government, preferring by Petition to represent their grievances, and trust to the generosity of the Colony.

That your Petitioners signing this Petition have lost their passage by the "Ethereal," and have forfeited their passage money, which vessel left the Port of Sydney on Thursday, the twenty-second day of October last.

That your Petitioners presented their Petition to the Members of the Legislative Assembly in the last Session assembled, which was referred to a Select Committee of the House, but in consequence of the then Assembly being dissolved, the matter lapsed.

Your Petitioners therefore humbly pray, that your Honorable House will take their grievances into consideration, and urge on the Government of the Colony to act towards your Petitioners in a manner becoming a British community, and grant your Petitioners such further relief, to facilitate the recovery of their property, as to your Honorable House may seem meet.

And your Petitioners, as in duty bound, will ever pray.

AYONG.

AMANG.

AHENG.

ACKITT.

B.

To the Honorable the Speaker, and the other Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of A-On and A-Po, on behalf of themselves and others, natives of China, who lately took their passages to Hong-Kong, in the ship "Mary Nicholson,"—

MOST HUMBLY SHEWETH:—

That your Petitioners, after having been employed at the Gold Mines in the interior, where they accumulated certain quantities of Gold, returned to Sydney, and engaged their passage on board the ship "Mary Nicholson," bound to China, taking their gold with them.

That the Customs Officers of the Port boarded the vessel, and, after searching your Petitioners' persons and luggage, seized all the Gold of which the passengers were possessed, and declared the same to be forfeited to the Crown, for the non-payment of the export duties, according to a late Act of the Parliament of New South Wales.

That your Petitioners were totally ignorant of the existence of any such Act up to the time of the seizure, never having learned at the mines that any such export duty was required to be paid before embarkation. That after having encountered many hardships in their calling they were desirous to revisit their native land, paid their passage money, and had every fraction of their Gold taken from them; thus plunging them into the miserable condition of paupers in a foreign country, and compelling them to forego their journey to their native land.

That your Petitioners presented their Petition to the Members of the Legislative Assembly of the last Session, which was referred to a Select Committee, but in consequence of the then Assembly being dissolved, the labors of the Committee came to an end.

Your Petitioners thus most humbly and respectfully submit the foregoing circumstances to your most Honorable House; and humbly pray, that your Honorable House will take the premises into your consideration, and be graciously pleased to afford to your Petitioners such an exercise of your generosity as to your Honorable House shall seem proper.

And your Petitioners, as in duty bound, will ever pray.

A-ON.

A-PO.

1858.

Legislative Assembly.

NEW SOUTH WALES.

HUNTER RIVER TONNAGE DUTY ACT.

(CHAMBER OF COMMERCE, NEWCASTLE.)

Ordered by the Legislative Assembly to be Printed, 4 June, 1858.

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

The Petition of the Newcastle Chamber of Commerce,—

HUMBLY SHEWETH :—

That an Act was passed by the Legislature of this Colony in the Sessions of 1855, intituled, “ An Act to provide funds by means of a Tonnage Duty for making improvements “ to the Navigation of the River Hunter, and to the Ports of Newcastle and Morpeth ”— “ 19th Victoria, No. 25,” whereby certain Dues were to be imposed on the Trade of the Port of Newcastle and of the Hunter generally, for the purposes specified in the Act; and that on the credit of these Dues a sum of forty thousand pounds is understood to have been since raised by Debentures.

That a pledge was given in Parliament at the time of the passing of that Act that the Dues to be levied under it should not be imposed until the contemplated improvements had been effected, in order that when the collection of the Dues commenced those paying them should derive some present benefit from them, for which purpose the collection of the Dues was postponed by the Act until the 1st January, 1857; and that the proposed works being still uncommenced, an Act was passed in the subsequent Session, 20th Victoria, No. 12, further postponing the collection of the Dues until the 1st January, 1858, in conformity with the pledge already mentioned.

That the said improvements in the Port of Newcastle remaining still unbegun, this Chamber addressed the late Legislative Assembly, by Petition, in December last, praying the further postponement of the collection of the Dues, and that in acknowledgment of the said pledge a Bill was introduced into the House postponing the collection of the Dues accordingly, and that such Bill had passed the second reading when the sudden dissolution of Parliament stopped the progress of the measure.

That in consequence of this unexpected result, the collection of the Dues, contrary to justice and the promise of Parliament, was commenced on the first day of January last, and is still being proceeded with, although no improvements have been effected at the Port of Newcastle, neither which nor the shipping frequenting it, and which pays the tax, derives any benefit from the works which are being carried on in the river above it.

That your Petitioners, therefore, pray that your Honorable House will be pleased to cause to be re-introduced, and to sanction, the measure brought into the last Parliament, as aforesaid, for further postponing the collection of the Tonnage Dues, in conformity with the pledges of Parliament already mentioned.

And your Petitioners will ever pray.

For the Newcastle Chamber of Commerce,

JOHN BINGLE,
Chairman.

1858.

Legislative Assembly.

NEW SOUTH WALES.

ALLEGED SEIZURE OF THE BRIG "FREAK"

(BY H. M. CUSTOMS, AND RELEASE.)

Ordered by the Legislative Assembly to be Printed, 16 September, 1858.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated
9 September, 1858, That there be laid upon the Table of the House,—

“Copies of all Correspondence, Informations, and Report relating
“to the alleged Seizure of the brig ‘Freak,’ on the 16th ultimo,
“by H. M. Customs, and her subsequent Release.”

(*Mr. Williamson.*)

ALLEGED SEIZURE OF THE BRIG "FREAK."

THE COLLECTOR OF CUSTOMS TO THE SECRETARY TO THE TREASURY.

Customs, Sydney,

1 September, 1858.

SIR,

In answer to your letter of this day, informing me of the Notice of Motion given by Captain Williamson in the Legislative Assembly last night, I beg to say that the brig "Freak" was *not seized*, consequently there was no report, neither, (with the exception of a letter from Messrs. Spain and Young, Solicitors, to me, and my replies thereto,) was there any correspondence.

The vessel was detained under suspicious circumstances, for rummage, under the 5th sect. of 13 Vict., No. 43, and 40th sect. of 9 Vict., No. 15.

THE SECRETARY
TO THE TREASURY.

I have, &c.,
J. GIBBES,
Collector.

Exchange, 16 August, 1858.

SIR,

We are instructed by the owners of the brig "Freak" to protest, on their behalf, against the wrongful detention of that vessel, under your order and direction, and to call upon you immediately to withdraw your men from possession, and allow the brig to pursue her voyage, failing which, we hereby give you notice that the owners will hold you responsible for damage, at the rate of £100 per day, and for all losses, costs, damages, and expenses which they may sustain, incur, or be put to by reason or in consequence of your illegal proceedings.

The Collector of Customs,
Sydney.

We are, &c.,
SPAIN & YOUNG.

Custom House, Sydney,
17 August, 1858,
 $\frac{1}{2}$ -past 1 o'clock, P.M.

Gentlemen,

Since writing to you in reply to your letter of this morning, I have had the Clearance papers of the brig "Freak" returned to me by Mr. Bremer, who states that Captain Fairclough refused to take them, but that Captain Smith, who was present, requested him to tell me that if I would send them under cover to him, with a statement that everything on board was found to be correct, he would receive them, and waive all proceedings.

Now, without being in the least apprehensive of the result of any proceedings which might be brought against me, I have no wish that the vessel should be unnecessarily detained a single hour, and therefore no hesitation in meeting Captain Smith's message, by stating that it has been reported to me by the landing-waiter who rummaged the brig that everything on board was found to be correct, as far as his examination went.

I have, &c.,
J. GIBBES,
Collector.

N.B.—Be so good as to forward to Captain Smith the accompanying papers, with an intimation that the tide-waiter will be taken off to-morrow morning.

Messrs. Spain and Young.

J. G.

Exchange, 17 August, 1858.

SIR,

We are instructed by Captain Charles Smith, the resident owner of the "Freak," that this vessel is still unable to pursue her voyage, and that a Customs' Officer is now in charge. We will thank you to inform us on what ground the brig is still detained; and as we presume you are now satisfied that no breach of the law has been committed, none having been attempted, we request you will be so good as to issue the necessary Clearance, and at the same time to state to us that you have found all correct on board. We feel that you will not hesitate to furnish this report, as due to Captain Smith, a shipowner of long standing and respectability in this port, who necessarily feels much hurt at the discredit and suspicion which has been cast upon him by the detention and examination of his vessel.

We shall feel obliged by an early answer.

The Collector of Customs,
Sydney.

We are, &c.,
SPAIN & YOUNG,

Custom

ALLEGED SEIZURE OF THE BRIG "FREAK."

3

Custom House, Sydney,
17 August, 1858.

Gentlemen,

I beg to acknowledge the receipt of your letter of this day's date, and to say that the Clearance of the brig "Freak" was handed over to one of Captain Smith's clerks by 4 o'clock yesterday evening, so that there was no obstacle to the vessel proceeding to sea this morning, as the tide-waiter would have been taken off as she dropped down the harbour.

At about ten o'clock to day the clerk brought the Clearance papers to me,—why, I could not understand, and I therefore desired Mr. Bremer, the tide surveyor, to take them to the "Freak," and withdraw the officer, which I presume has been done.

I shall be quite ready to make the statement you ask for when I have made the inquiries which will enable me, I expect, to do so.

I have, &c.,
J. GIBBES,
Collector.

Messrs. Spain and Young.

1 September, 1858.

Dear Sir,

The letter you inquired for this morning is at present in the hands of Captain Williamson; we are to have it to-morrow morning, when we shall be happy to forward it to you in order to take a copy.

Yours truly,
SPAIN & YOUNG.

Lieut.-Col. Gibbes.

Of this letter no copy was taken, and I have not yet got it back.

2 September, 1858.
J. G.
Collr.

1858.

Legislative Assembly.

NEW SOUTH WALES.

CUSTOMS DEPARTMENT.

PROGRESS REPORT

FROM THE

SELECT COMMITTEE

ON THE

CUSTOMS DEPARTMENT;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

19 November, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

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EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 14. TUESDAY, 20 APRIL, 1858.

13. Customs Department:—Mr. Egan moved, pursuant to *amended* notice,—
 (1.) That a Select Committee be appointed to inquire into the management of the Customs Department of the Colony, and the future arrangement for carrying on the business of that branch of the Public Service; and that all proceedings of the Select Committee of the Session of 1856-7 be referred to this Committee.
 (2.) That such Committee consist of Mr. Robert Campbell, Mr. Gordon, Mr. Buckley, Mr. Lord, Mr. Weekes, Mr. Flood, Mr. Donaldson, Mr. William Macleay, and Mr. Dickson.
 Question put and passed.
-

VOTES No. 40. FRIDAY, 4 JUNE, 1858.

21. Customs Consolidation Bill:—Upon the Order of the Day for the second reading of this Bill being read,—
 Mr. Donaldson moved, That this Bill be referred to the Select Committee now sitting on the Customs Department.
 Question put and passed.
-

VOTES No. 107. FRIDAY, 22 OCTOBER, 1858.

9. Seizure and Release of the brig "Freak":—Mr. Thornton, on behalf of Mr. Williamson, moved, pursuant to notice given by Mr. Williamson, That the Papers relating to the alleged seizure of the brig "Freak," laid on the Table of this House on the 16th ultimo, be referred to the Select Committee now sitting on the Customs Department.
 Question put and passed.
-

VOTES No. 123. FRIDAY, 19 NOVEMBER, 1858.

3. Customs Department:—Mr. Egan, as Chairman, brought up a Progress Report from, and laid upon the Table, the Evidence taken before the Select Committee appointed on 20th April last, to inquire into the management of the Customs Department of the Colony, and the future arrangement for carrying on the business of that branch of the Public Service,—with Minutes of the Proceedings of the Committee, and Appendix.
 Ordered to be printed.
-

1858.

CUSTOMS DEPARTMENT.

PROGRESS REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 20th April, 1858, "to inquire into the Management of the Customs Department of the Colony, and the future arrangement for carrying on the business of that branch of the Public Service," and to whom were at the same time referred "all Proceedings of the Select Committee of the Session of 1856-7," and on the 4th June last, the "Customs Consolidation Bill,"—have agreed to the following Progress Report:—

Your Committee have made considerable progress in the consideration of the matters referred to them, and have taken much valuable evidence; but they regret to state that the numerous daily meetings of other Committees requiring the constant attendance of certain of the Members of your Committee, and the importance and extent of the subject, have up to the present time prevented them from bringing the inquiry to such an issue as would enable them to report finally to your Honorable House at this late period of the Session.

Your Committee, therefore, deem it advisable to submit the evidence taken for the consideration of your Honorable House, with a recommendation that the inquiry be resumed during the ensuing Session.

DANIEL EGAN,
Chairman.

*Legislative Assembly Chamber,
Sydney, 19 November, 1858.*

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 6 MAY, 1858.

MEMBER PRESENT:—

Mr. Egan.

A Quorum of the Committee was not present.

[Adjourned till Tuesday next, at *Even* o'clock.]

TUESDAY, 11 MAY, 1858.

MEMBERS PRESENT:—

Mr. Egan,

Mr. R. Campbell.

Mr. Dickson,

Mr. Egan was called to the Chair.

By direction of the Chairman, Resolution of the House, dated 20th ultimo, appointing the Committee, and referring thereto the Progress Report and Proceedings of the Select Committee of Session 1856-7, read by the Clerk.

Committee deliberated as to their course of Proceedings, and determined to take evidence.

Whereupon Motion made and *Question*—"That J. De Courcy Bremer, Esquire, "First Tide Surveyor, and J. Collier, Esquire, Second Tide Surveyor, in the Customs "Department, be summoned before this Committee, as witnesses, for Thursday next"—*agreed to*.

Committee then deliberated relative to the mode of conducting the examination of witnesses summoned before them, and the Chairman having read from the Minutes of Proceedings of the Select Committee of Session 1856-7, as shown in the Progress Report made by that Committee, a Resolution on this head, agreed to on the 20th November, 1856;—

Motion made (*Mr. R. Campbell*) and *Question*—"That the Resolution just read be "adopted, as the mode for conducting the examination of witnesses by this Committee"—*agreed to*.

[Adjourned till Thursday next, at *Eleven* o'clock.]

THURSDAY, 13 MAY, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. R. Campbell,

Mr. Donaldson,

Mr. Flood,

Mr. Buckley.

Mr. J. De Courcy Bremer, First Tide Surveyor, and—

Mr. J. Collier, Second Tide Surveyor, examined.

Committee deliberated.

[Adjourned till Friday, 21st instant, at *Eleven* o'clock.]

FRIDAY, 21 MAY, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. Donaldson,

Mr. R. Campbell,

Mr. Flood.

By direction of the Chairman, Letters from Colonel Gibbes, Collector of Customs, and Mr. W. C. Still, Inspector of Bonded Warehouses, excusing their attendance before the Committee, as witnesses for this day, read by the Clerk.

Committee deliberated.

Motion made and *Question*—"That Colonel Gibbes and Mr. W. C. Still be now summoned before the Committee, as witnesses, for Thursday next"—*agreed to*.

Mr. George Thornton, M.P., and Mr. David Nash, Warehouse-keeper in the Customs Department, examined.

[Adjourned till Thursday next, at *Eleven* o'clock.]

THURSDAY,

THURSDAY, 27 MAY, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. Donaldson,	|	Mr. W. Macleay,
Mr. Weekes,	|	Mr. R. Campbell.

Committee deliberated.

Colonel Gibbs, Collector of Customs, examined.

[Adjourned till Friday, 4th proximo, at Eleven o'clock.]

FRIDAY, 4 JUNE, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. Donaldson,	|	Mr. Weekes,
Mr. R. Campbell,	|	Mr. Flood.

The Chairman laid before the Committee certain Papers relating to the case of Mr. Paget, late a Locker in the Customs Department, transmitted by Colonel Gibbs, when returning his evidence on the 1st instant. (*Vide "Minutes of Evidence of Colonel Gibbs, 27 May, 1858, Q. 121."*)

By direction of the Chairman, Letter from Mr. W. H. Aldis, excusing his attendance, as a witness, before the Committee for this day, read by the Clerk.

Mr. W. C. Still, Inspector of Bonded Warehouses, examined.

[Adjourned till Tuesday next, at Eleven o'clock.]

TUESDAY, 8 JUNE, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. Donaldson,	|	Mr. Flood,
	|	Mr. Weekes.

By direction of the Chairman, Resolution of the House, dated 4th instant, referring to the Committee, on motion of Mr. Donaldson, a member of the Committee, "*a Bill to consolidate and amend the Laws relating to Customs and other matters in connexion therewith*,"—read by the Clerk.

Committee deliberated as to the most expedient course to be pursued with regard to this Bill, and determined to take evidence relative to the provisions thereof from the various witnesses summoned before them for examination upon the general subject.

The Chairman then withdrawing,—

Mr. Donaldson was called to the Chair.

Mr. W. C. Still further examined.

At the close of his examination the Chairman handed to Mr. Still a copy of the "*Customs Consolidation Bill*," requesting that he would at his earliest convenience peruse the same, so as to be in a position to furnish the Committee with his opinion thereupon.

[Adjourned till Tuesday next, at Eleven o'clock.]

TUESDAY, 15 JUNE, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. Flood,	|	Mr. Donaldson,
Mr. Buckley,	|	Mr. Weekes.

Mr. W. C. Still further examined.

And Mr. Still, at the close of his examination, requesting permission from the Committee to strike out certain portions of his former evidence of a *personal* character,—

Committee deliberated, and it was *Resolved*:—

"That Mr. Still be permitted to strike out those portions of his former evidence
"which contain *personal* charges, as it was understood that the same should
"not be retained as part of his evidence when such evidence was given by
"him."

Mr. Still informed accordingly.

Committee further deliberated.

Motion made, and *Question*:—

"1. That J. Bell, Esquire, and W. H. Aldis, Esquire, be summoned before this
"Committee, as witnesses, for Friday next.

"2. That W. Lamb, Esquire, and R. Adams, Esquire, be summoned before this
"Committee, as witnesses, for Tuesday next, and that a copy of the "*Customs
"Consolidation Bill*" be forthwith transmitted to each of these gentlemen,
"with a request that he will be then prepared to give his opinion there-
"upon"—*agreed to*.

[Adjourned till Friday next, at Eleven o'clock.]

FRIDAY,

FRIDAY, 18 JUNE, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. R. Campbell, | Mr. Weekes.

By direction of the Chairman, Letter from W. Lamb, Esquire, excusing his attendance before the Committee, as a witness, for Tuesday next, read by the Clerk.

Motion made, and *Question*—"That W. Lamb, Esquire, be now summoned before the Committee, as a witness, for Thursday next"—*agreed to*.

Mr. W. H. Aldis, Tobacco Merchant, examined:—

And during the examination of the witness,—

The Chairman, desiring to withdraw from the Room, left the Chair, and

Mr. R. Campbell was called thereto.

Mr. Egan then withdrew.

The Chairman was proceeding with the examination of Mr. Aldis, when the Clerk called his attention to the fact that a Quorum of the Committee was not present.

Deliberation thereupon ensued, and

The Chairman, having before him May's Parliamentary Practice, read therefrom a Standing Order of the House of Commons, No. 226, relating to this matter.—*Vide "May's Parliamentary Practice—Third Edition, (1855,) page 313, viz.:*—

"If at any time during the sitting of a Select Committee of this House the

"Quorum of Members fixed by the House be not present, the Clerk of the

"Committee is to call the attention of the Chairman to the fact, who is

"thereupon to suspend the Proceedings of the Committee until a Quorum be

"present, or to adjourn the Committee to some future day."

Committee were deliberating as to the applicability of this Standing Order to this particular case (the Chairman having only retired *temporarily* from the Room) when

Mr. Egan, re-entering the Committee Room, resumed the Chair.

Mr. Aldis' examination then concluded.

Mr. John Bell, examined,—

And during the examination of the witness, Mr. R. Campbell withdrawing, the Clerk called the attention of the Chairman to the fact that a Quorum of the Committee was not present.

Mr. Bell's examination thereupon stopped by the Chairman.

[Adjourned till Tuesday next, at *Eleven o'clock*.]

TUESDAY, 22 JUNE, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. Donaldson, | Mr. Lord,
Mr. Weekes.

The Chairman, at the request of the Clerk, brought under the notice of the Committee the extensive corrections made by Mr. W. C. Still in the evidence given by him on the 8th instant; and stated that Mr. Still was now in attendance, and desirous of explaining the nature of these corrections, and the reasons which induced him to make them.

Whereupon Motion made, and *Question*—"That Mr. W. C. Still be now called in, "and questioned relative to the necessity for these corrections"—*agreed to*.

Mr. Still called in accordingly.

And, in reply to a question put by the Chairman, Mr. Still having stated that the corrections in the evidence of the 8th instant, made by him, were absolutely requisite for its proper elucidation and completion, and were, moreover, in the wording, and not in the substance thereof,—

Committee deliberated, and it was *Resolved*:—

"That the evidence given before this Committee by Mr. Still on the 8th instant "be printed as corrected by him."

Mr. Still thereupon withdrew.

Mr. J. N. Beit examined.

[Adjourned till Thursday next, at *Eleven o'clock*.]

THURSDAY, 24 JUNE, 1858.

MEMBERS PRESENT:—

Mr. Egan, | Mr. Donaldson.

Mr. Walter Lamb and Mr. Costigan were in attendance, as witnesses, but a Quorum of the Committee was not present.

[Adjourned till to-morrow, at *Eleven o'clock*.]

FRIDAY,

FRIDAY, 25 JUNE, 1858.

MEMBERS PRESENT :—

Mr. Donaldson, | Mr. Weekes.

Mr. R. Adams and Mr. H. Dixon were in attendance, as witnesses, but a Quorum of the Committee was not present.

[Adjourned till Thursday next, at *Eleven* o'clock.]

THURSDAY, 1 JULY, 1858.

MEMBERS PRESENT :—

Daniel Egan, Esquire, in the Chair.

Mr. Buckley, | Mr. Weekes.

Mr. *Walter Lamb*, of the firm of Lamb, Parbury, & Co., examined.

The Chairman laid before the Committee *five* papers, transmitted to him by Mr. Aldis, relating to certain goods missing from his Bonded Stores in March, 1858, with a request that the same might be returned to him, when considered by the Committee.

The Chairman, at the request of the Clerk, then brought under the notice of the Committee an Addendum made by Mr. J. N. Beit to the evidence given by him on the 22nd ultimo, and desired the opinion of the Committee as to the expediency of permitting the printing thereof with his evidence.

Committee deliberated, and it was *Resolved* :—

“ That in the opinion of this Committee, as the Addendum referred to is simply
“ explanatory of an answer given by Mr. Beit to a question put to him by a
“ member of the Committee, it is advisable to permit the printing thereof
“ with his evidence.”

Mr. *D. Costigan*, late Tide-waiter in the Customs Department, then examined.

[Adjourned till Tuesday 13th instant, at *Eleven* o'clock.]

TUESDAY, 13 JULY, 1858.

MEMBERS PRESENT :—

Daniel Egan, Esquire, in the Chair.

Mr. Donaldson, | Mr. Weekes.

Committee deliberated.

Motion made, and *Question*—“ That the Collector of Customs be summoned before this Committee, as a witness, for Tuesday next, for the purpose of giving the Committee all the information in his power relative to certain goods missing from Mr. W. H. Aldis' Bonded Store in March last, together with the name of the person who eventually paid duty thereon, and the date of such payment ”—*agreed to*.

Mr. *Hugh Dixon*, Tobacco Merchant, and

Mr. *R. Adams*, examined.

[Adjourned till Thursday next, at *Eleven* o'clock.]

THURSDAY, 15 JULY, 1858.

MEMBERS PRESENT :—

Daniel Egan, Esquire, in the Chair.

Mr. Donaldson, | Mr. Weekes.

The Chairman brought under the notice of the Committee an answer filled in by Mr. Costigan in reply to a question put to him at the close of his examination on the 1st instant, and desired their opinion as to the expediency of causing the same to be printed with his evidence.

Question and answer referred to read by the Clerk.

Committee deliberated, and it was *Resolved* :—

- “ 1. That inasmuch as the answer referred to contains charges of a personal nature
“ against certain officers of the Customs, and emanates from an officer
“ dismissed from that Department, it is inexpedient to permit the printing
“ thereof with Mr. Costigan's evidence.
- “ 2. That the said question and answer be therefore expunged from Mr. Costigan's
“ evidence.”

Mr. *Walter Lamb* further examined.

[Adjourned till to-morrow, at half-past *Eleven* o'clock.]

FRIDAY, 16 JULY, 1858.

MEMBER PRESENT:—

Mr. Egan.

Mr. Metcalfe was in attendance, as a witness, but a Quorum of the Committee was not present.

[Adjourned till Tuesday next, at *Eleven o'clock*.]

TUESDAY, 20 JULY, 1858.

MEMBERS PRESENT:—

Mr. Egan, | Mr. Buckley.

Colonel Gibbes and Mr. Almond were in attendance, as witnesses, but a Quorum of the Committee was not present.

[Adjourned.]

TUESDAY, 17 AUGUST, 1858.

MEMBERS PRESENT:—

Mr. Egan, | Mr. R. Campbell.

Colonel Gibbes and Mr. Almond were again in attendance, as witnesses, but a Quorum of the Committee was not present.

[Adjourned till Thursday next, at *Eleven o'clock*.]

THURSDAY, 19 AUGUST, 1858.

MEMBERS PRESENT:—

Mr. Egan, | Mr. R. Campbell.

Colonel Gibbes and Mr. Almond were again in attendance, as witnesses, but a Quorum of the Committee was not present.

[Adjourned.]

TUESDAY, 7 SEPTEMBER, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. R. Campbell, | Mr. Donaldson.

Colonel Gibbes further examined.

Mr. W. Almond, Storekeeper to Messrs. Campbell and Co., examined.

[Adjourned till Friday next, at *Eleven o'clock*.]

FRIDAY, 10 SEPTEMBER, 1858.

MEMBERS PRESENT:—

Mr. Egan, | Mr. R. Campbell.

Mr. Metcalfe was again in attendance, as a witness, but a Quorum of the Committee was not present.

[Adjourned.]

THURSDAY, 14 OCTOBER, 1858.

MEMBERS PRESENT:—

Mr. Egan, | Mr. Donaldson.

Mr. Metcalfe was again in attendance, as a witness, but a Quorum of the Committee was not present.

[Adjourned.]

TUESDAY,

TUESDAY, 19 OCTOBER, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. R. Campbell,	|	Mr. Weekes,
Mr. Donaldson,	|	Mr. Gordon.

Mr. M. Metcalfe, Custom House Agent, examined.

Committee deliberated.

Captain C. Smith, Merchant and Shipowner, examined,—

And during the course of his examination the witness entering upon the circumstances attending a case of alleged fraudulent irregularity on the part of certain officers connected with the Customs Department, which he stated that he had himself sufficiently investigated to be in a position to prove, and which he had deemed it his duty to bring under the notice of the Executive Government;—

Committee deliberated, and it was *Resolved*:—

“That the further examination of Captain Smith be adjourned till Thursday next, “so as to afford an opportunity of ascertaining whether the Executive Government intend taking any action with respect to this alleged “irregularity.”

[Adjourned till Thursday next, at *Eleven o'clock*.]

THURSDAY, 21 OCTOBER, 1858.

MEMBERS PRESENT:—

Mr. Egan,	|	Mr. R. Campbell.
-----------	--	------------------

Captain C. Smith was again in attendance, as a witness, but a Quorum of the Committee was not present.

[Adjourned till Tuesday next, at *Eleven o'clock*.]

TUESDAY, 26 OCTOBER, 1858.

MEMBERS PRESENT:—

Mr. Egan,	|	Mr. R. Campbell.
-----------	--	------------------

Captain C. Smith was again in attendance, as a witness, but a Quorum of the Committee was not present.

[Adjourned till Tuesday, 9 proximo, at *Eleven o'clock*.]

TUESDAY, 9 NOVEMBER, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. Weekes,	|	Mr. Donaldson,
	|	Mr. R. Campbell.

The Chairman informed the Committee that since their last meeting he had personally communicated with the Principal Secretary, and had been informed by him that the case of alleged fraudulent irregularity on the part of certain officers of the Customs and other parties, referred to in the evidence given by Captain Smith on the 19th ultimo, was under the consideration of the Executive Government, who had already taken action in the matter.

Committee thereupon *Resolved*:—

“1. That after the statement just made by the Chairman it is for the present not “necessary to examine Captain Smith further with reference to this matter.

“2. That Captain Smith be called in and so informed by the Chairman.”

Capt. C. Smith called in and informed by the Chairman accordingly.

Capt. C. Smith then further examined.

Mr. C. Clanchy, Extra Tide-waiter, examined.

Committee then deliberated, and it was *Resolved*:—

“That it is advisable that a letter should be forthwith addressed to the Collector “of Customs, requesting him to furnish, as speedily as possible, a Return “shewing the extra tide-waiters at present employed in the Customs Department, specifying their names, date of appointment, average rate of pay, and “any other information relative thereto calculated to prove useful to the “Committee.”

Committee then further deliberated, and it was *Resolved*:—

“1. That sufficient evidence has now been taken for the purposes of this inquiry.

“2. That as soon as possible after the printing and circulation thereof to the “various members of the Committee, the Chairman do convene a meeting to “consider their best course of proceeding.”

[Adjourned.]

FRIDAY,

FRIDAY, 19 NOVEMBER, 1858.

MEMBERS PRESENT:—

Daniel Egan, Esquire, in the Chair.

Mr. Donaldson, | Mr. R. Campbell.

The Chairman laid before the Committee—"Return of the extra Tide-waiters employed in the Customs Department, with the date of appointment and rate per day when employed"—transmitted by Colonel Gibbs, for the information of the Committee, on the 11th instant, in compliance with the action taken on the Resolution agreed to by the Committee in reference to this subject at their last meeting.

Ordered to printed in Appendix. (*Vide "Separate Appendix A."*)

The Chairman then stated that he had caused the present meeting of the Committee to be convened to consider their best course of proceeding at this advanced period of the Session, and to submit for their consideration a Draft Progress Report.

Committee deliberated.

Draft Progress Report read.

Committee considered, and verbally amended the same.

Motion then made, and Question—"That this Draft Report, as verbally amended, be the Progress Report of the Committee"—agreed to.

Chairman requested to Report Progress to the House.

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1858.

Legislative Assembly.
NEW SOUTH WALES.

MINUTES OF EVIDENCE
TAKEN BEFORE
THE SELECT COMMITTEE
ON THE
CUSTOMS DEPARTMENT.

THURSDAY, 13 MAY, 1858.

Present:—

Mr. EGAN,		Mr. BUCKLEY,
Mr. R. CAMPBELL,		Mr. FLOOD,
Mr. DONALDSON.		

DANIEL EGAN, Esq., IN THE CHAIR.

John De Courcy Bremer, Esq., called in and examined:—

1. *By the Chairman:* You are an Officer of the Customs Department? I am.
2. What position do you hold? I am First Tide Surveyor.
3. Are there any other tide surveyors besides you? Yes, one, Mr. Collier.
4. What are the duties of tide surveyor? The duties are various;—boarding ships on arrival, at all hours—rummaging—clearing the same—the general supervision of the duties afloat—placing tide-waiters, for the protection of the revenue, on the arrival of each ship—ship measuring for tonnage, for registration—and visiting ships in charge of tide-waiters, at uncertain hours.
5. Have you anything at all to do with the clerical duties of the establishment? On the arrival of a ship from London, for instance, I ask for the manifest, the cockets, the list of passengers, and list of dutiable stores in the ship; and of each of these I have to make out copies, and send one to the Governor General, one to the Colonial Secretary, and one to the Immigration Office, and one we retain for the ledger, to know the number of souls arriving in the Colony within a given period.
6. You have nothing to do with keeping the accounts, or receiving any cash? We receive nothing more than the moneys necessary for paying the tide-waiters and boatmen.
7. How do you receive that? By cheque from the Collector.
8. What description of voucher is there in that case? The usual pay abstract, which is sent to the Colonial Treasurer monthly.
9. Have you anything to do with the dutiable goods after landing, or in reference to their landing, in any way? The surveillance I hold is only afloat; the goods in question go under the hands of the landing waiters as soon as they are landed.
10. It appears that the chief part of the duty you have to perform is afloat? Yes.
11. Have you anything to do with dutiable goods that are being removed afloat from one part of the harbour to another? We have tide-waiters and export officers appointed for that purpose; and the duty of removing goods for export is under my superintendence.
12. Have you anything to do with the removal of goods from one bonded store to another by water? Nothing; but if a landing waiter sends to the tide surveyor for an officer to remove certain goods from such a ship to such a bonded store, an officer is sent accordingly.
13. Is there an officer sent in every instance? In every instance. There is a positive order that no boat leaves a ship without an officer.
14. Has there been any increase in your branch of the department since the evidence was taken by the Committee appointed last year? No, there has been no increase of numbers. Some men have left, and others have been placed on the list. The number we have now is twenty-five.
15. Are these men permanently employed? No; they are only paid as their services are required.
16. What is the amount of salary you receive? £325.

J. De Courcy
Bremer, Esq.

13 May, 1858.

- J. De Courcy Bremer, Esq.** 17. And there is no other emolument—no perquisites in any way? No, except in case of seizures, or things of that kind. Both tide surveyors are on the same salary.
- 18 May. 1858.** 18. Is there anything you could suggest to the Committee by way of improvement in that branch of the department which is under your direction? No, I do not see that I could suggest anything to improve the present working of the department.
19. There are no fixed hours for the performance of the duties entrusted to you? No fixed hours for the tide surveyors; we may be employed from sun-rise to sun-down, Sundays included, and there is also night work—two visits a week to all ships with tide-waiters on board.
20. Has any person any authority over you except Colonel Gibbes? I am under the direction of the Collector and the Landing Surveyor. The Landing Surveyor is the head of the waterside department.
21. What number of boats are used by the department? We have three in constant use.
22. In what way are these boats in constant use? One boat (my own) has a coxswain and four men; the next, Mr. Collier's, has a coxswain and three men; and the other boat, for the use of the Collector and the Landing Surveyor, has two men—making eleven men in all.
23. Do I understand you that three boats and that number of men are absolutely necessary? Most undoubtedly they are. Mr. Collier and myself have to perform our duties generally in different directions; he may have to go to Darling Harbour and I to the Heads, or *vice versa*. The other boat is for the Landing Surveyor to visit the wharves, which are very numerous.
24. Would he not be able to visit the wharves without the assistance of a boat? The boat is necessary for the use of the Landing Surveyor and the Collector, and has always been allowed in days gone by. In the Home service a Landing Surveyor acting as Controller is allowed two men. These three boats are in constant use, and we have also a spare boat in case of accident, or of repairs being necessary to either of the others.
25. Have you any instructions with reference to your duties? We have printed instructions, but I have not a copy with me now.
26. I suppose on some occasions you are absent from the performance of your duties, for a day or a week for instance? Yes, with the permission of the Collector of Customs.
27. Under such circumstances, who attends to your duty? The Collector appoints another officer of the department to perform the duties in my absence, or approves of such arrangement as may be made with another officer.
28. He appoints an officer next in position to yourself? Yes, if I should be sick or absent on leave.
29. I understood you to say that you receive no cash, nor have any control of any of the revenue? We receive, as I before said, the cash for paying the tide-waiters and boatmen, but nothing else.
30. You receive nothing on account of the department? Nothing whatever.
31. Do you know anything about the bonded stores? It is a branch of the department I know very little about.
32. *By Mr. Buckley:* Where did you receive your appointment? From Sir George Gipps, in 1846.
33. Did you receive your first appointment to the Customs Department from him? Yes; I came in as sixth landing waiter.
34. Had you no appointment from home? I was confirmed by Earl Grey some years afterwards. Mine was a colonial appointment, confirmed by Earl Grey. I have paid superannuation about five years.
35. What salary had you last year? £350; but it has been reduced, by the reduction of the gold increase, to £325.
36. What particular officers are under you? The extra tide-waiters and export officers.
37. Do you mean the landing waiters? No; they are the day-guards of all the wharves they are on; I am the row-guard of the harbour.
38. Are the coast waiters under you? No.
39. You have no control over any but the tide-waiters? Only the tide-waiters and export officers.
40. When a vessel is ready to be launched do you board her to take her measurement? She is measured either by Mr. Collier or myself. A certificate is sent in that such a vessel requires to be measured; that certificate comes to one of the tide surveyors, who takes it, and measures the vessel according to the time and assignments the parties may wish.
41. You have nothing to do, you say, with goods that are sent under bond from the stores? It is my duty to protect goods on the water. For instance, yesterday I had six men trying to tow off a punt laden with dutiable goods, which had stuck fast on Dawes' Point.
42. Were you in charge of the punt at the time? No; a proper officer was in charge, but I was passing, and I deemed it my duty to try and get her off.
43. Did you get her off at last? No; we had to get another boat and transfer the spirits.
44. There was no loss sustained? No.
45. Do you know of any instance of any dutiable goods having been sent by water from a bonded store without being in charge of a proper officer? Not recently; some years ago there may have been such cases.
46. Within the last two years it has not been so? No.
47. Does a proper officer go with drays that remove dutiable goods? It does not come within my province, and therefore I cannot tell you positively, but I think not; I will not be sure.
48. Does it commonly occur that you get a punt laden with dutiable goods fast in the way you have spoken of? No, very seldom; I do not think I have known such an instance before.
49. Do you ever board ships before the Health Officer? I have, perhaps, on one or two occasions, boarded a London ship before the Health Officer; but only on the pilot's assurance that things were all correct. However, it is not usual or proper to board a vessel before the Health Officer gives her pratique.

50. You do not board vessels placed in Quarantine? No.
51. Is there any proper officer to prevent smuggling at the Heads? None; there was a tide surveyor down there, but the office was done away.
52. Is there no one to see that no dutiable goods are landed from immigrant vessels in Quarantine? We give it all possible attention; but it would be impossible, as we are at present situated, to do more than we do in that respect.
53. Have you any idea, from any circumstance that has come under your own knowledge, that smuggling is carried on in the neighbourhood of the Heads? It is my opinion that a great deal of spirits are run in Middle Harbour.
54. *By the Chairman*: Now, do you think? Yes.
55. Will you state what reason you have for supposing this is done? I think many vessels may come in coastwise. There is no protective force.
56. You say you are of opinion that very large quantities are landed in this way? I do not say very large quantities; but I am of opinion that smuggling generally may be carried on there.
57. Have they facilities for doing it to a very large extent down there—I mean to say, is the Customs Department so ineffective that an active body of men might smuggle to a considerable extent? I could not exactly say that, because if they did attempt to do it on a large scale, the Customs would be apprised of it in one way or another; and we have force enough, I think, to protect the revenue if such were the case.
58. Do you think smuggling has increased since the removal of the officer stationed at Watson's Bay? I am given to understand there is smuggling there. I do not say it has increased.
59. You are frequently down at the Heads? Yes.
60. Is it in your opinion desirable that an officer should be stationed there—would the revenue benefit by it? I am of opinion that an officer in Middle Harbour would be of service; but it would be of no use to send him with only two men; he should have a full boat's crew, armed.
61. I suppose smuggling is generally carried on during the hours of darkness? I think there is very little, from what I can see, of smuggling so carried on. There may be illicit distillation; or an American ship may land a package or two of tobacco, or anything of that kind.
62. Has any information ever come to you with reference to any smuggling? I have had information with respect to illicit distillation.
63. Not smuggling from any ships? No.
64. In what you have said, do you allude to smuggling from vessels? I say that such might be the case, without protection is afforded to the revenue by the appointment of an officer to reside down there.
65. But I presume that you take the necessary precaution when a vessel arrives—that is to say, no sooner does she arrive than you place an officer on board? Most undoubtedly.
66. How do you do in case of exports—is there any supervision over them? That depends on circumstances. For instance, if a vessel is going to the port of Melbourne with dutiable goods, I do not deem it necessary to place an officer on her, because the Customs Officers there are so very particular; the clearance of the vessel would be shown on her arrival at Melbourne, and any demurrage would be found out. But, on the other hand, if a vessel were going to California, or the Islands, we would always place an officer on board of her for the protection of the revenue.
67. From the time they are shipped till the vessel is gone? Yes.
68. You say an officer is necessary at the Heads, but that he would be of very little service without an efficient boat's crew; but if this precaution be taken of putting an officer on board vessels outward bound until they leave the port, and upon inward vessels as soon as they arrive, what chance is there of smuggling unless that officer connives? I am only speaking of ships coming in casually in the night, and running goods before being boarded. A vessel may come in at eleven or twelve o'clock, run into Middle Harbour, and land fifty or a hundred hogsheads of rum before morning.
69. Did you ever know of any circumstance of the kind taking place? Never.
70. Do you enter into any bond or security? Yes; I have two sureties in £250 each.
71. *By Mr. Donaldson*: Is there any preventive officer in Broken Bay? Yes, Mr. Ross; he is the coast waiter there. Mr. Brett is at Botany.
72. *By the Chairman*: Are you not aware that it was in consequence of the tide surveyor at Watson's Bay not being considered necessary that he was removed? Colonel Gibbs removed him, I believe, for that reason, and, as far as my opinion goes, I think with only two men it was impossible he could do the duty; he could not board vessels down there in his boat when there was a heavy sea running. In fact the officer was useless, because two men were insufficient for the service.
73. If he had no officer to leave on board a ship, what was the use of his boarding her? We do not generally take officers with us in the boat when boarding for the first time; we take her report, and as soon as we get on shore we nominate an officer to go on board.
74. During the day an officer is placed on board? Yes, as soon as we can manage it.
75. *By Mr. Buckley*: What is your opinion with regard to the present system of bonded stores—are they convenient to the public? They appear to me to be so.
76. Do you not imagine it desirable to have one large store to bond everything that arrives in the Colony in charge of the Government? If you were to do the same as they do in the Home Service in the Docks, it certainly would be a benefit.
77. Would it decrease the number of officers required for carrying on the department? I do not think it would, for there must be an officer for each floor or division in the store.
78. Would it not decrease the number of lockers? It might, perhaps; but it is a matter I understand very little about.
79. Would it lessen your duties in any way? I do not see that it would, unless, indeed, it might do so by causing the concentration of ships and goods to one point.

J. De Courcy
Bremer, Esq.
13 May, 1858.

- J. De Courcy
Bremer, Esq.
13 May, 1858.
80. *By the Chairman*: Does any officer in the Customs get additional pay for overtime? The landing waiters get paid for overtime, at rates in accordance with their standing in the department; at least it was so when I was in that branch. They get a shilling an hour for every £100 of salary; if a man gets £200 a year, he gets two shillings an hour; the tide-waiters get one shilling.
81. Is that paid by the parties inconvenienced by their attendance, or by the revenue? By the parties. All ships are allowed twenty days to discharge, or twenty-four including Sundays; if they are over that time the tide-waiter goes on the pay of the ship.
82. The Government is put to no additional expense for overtime? No.
83. The men you put on board vessels in the harbour are expected to keep watch day and night, are they not? They are presumed to be on duty all day, and to see the hatches properly locked at night, remaining on the ship night and day.
84. Such an officer gets no relief at all till the ship is finally cleared? He gets no relief until she is finally jerked by the tide surveyor, rummaged, and cleared.
85. What course is adopted with reference to vessels arriving with large quantities of dutiable goods as stores? There has been no definite course of scaling up, as they do at home, or allowance made according to the number of men; they are allowed the free use of their stores during the time they are in port, but they furnish me, on coming in, with a list of their stores, and it is my duty to see that no undue use has been made of them; this I do by personal inspection, say once a week.
86. There was a practice here, I think, at one time—perhaps you can say if it is still continued—of ascertaining the quantity of dutiable stores, and issuing a supply for a certain period, say a week? It has never been done in my time.
87. It is not done now? It is not done now.
88. Do you know, or have you heard it generally rumoured, that there are a number of persons connected with the Customs Department who are frequently in such a state of intoxication as to be unfit to perform their duties? I have heard many rumours of such matters, but I have not been personally aware of it.
89. *By Mr. Buckley*: Did you never see any one round the wharves you have visited in an unfit state to perform his duties? I cannot say I ever did.
90. You have never seen any of them asleep in their boxes? No; it is very seldom I go into a landing waiter's box.
91. *By Mr. Campbell*: Are you quite sure you have never reported officers for drunkenness or neglect of duty? I have reported tide-waiters for being in a state of inebriety.
92. *By the Chairman*: Have you never seen or known any officer holding a position superior to that of a tide-waiter in that state? No.
93. Do you know if any have been reported by any other officer? No.
94. Do you know if those officers you reported were still retained in the service? Some may have been reinstated.
95. They were removed, and have since been reinstated? Yes.

James Collier, Esq., called in and examined:—

- J. Collier,
Esq.
13 May, 1858.
1. *By the Chairman*: You are an officer of the Customs Department? Yes; I am Second Tide Surveyor.
2. What are the duties you have to perform? The principal duties are boarding ships, placing tide-waiters on their ships, visiting them, measuring ships, and so on.
3. Is there any revenue derived from the measurement of ships? No.
4. There is no charge made? No; the Treasury authorises a charge, but it has never been charged in the colonies; the charge allowed by the Act is seven shillings and sixpence per section.
5. What supervision have you when ships arrive with dutiable goods, or when such goods are placed on board vessels in the harbour for export? We place tide-waiters on board ships as they arrive; and there are four export officers under our direction, whose duty it is to see to the shipment of goods for export.
6. Is there any person authorised to look after the security of goods for export after they are put on board? No, unless it is a ship for New Zealand or the Islands. We use our discretion. If there is a large quantity of goods put on board a ship bound outwards, we generally place an officer on board while she remains in the harbour. A great deal depends upon the parties shipping, or the places the vessels are going to.
7. Have you any instructions for the performance of your duty? Yes.
8. *By Mr. R. Campbell*: Are they in writing? They are the home instructions to tide surveyors.
9. Will you furnish us with a copy? I will. (*The witness handed in the same. Vide Appendix A.*)
10. *By the Chairman*: Do you give any security for the performance of your duty? Yes, £500.
11. Two sureties? Yes.
12. Do you not cause some supervision to take place over goods when being shipped, for instance, in a punt to a vessel in the stream? Yes; an officer always accompanies a punt in removing goods from one ship to another.
13. Is that always the case in removing dutiable goods from a ship to a bonded warehouse, or from the warehouse to a ship? Yes.
14. Has that been always the case, or only lately? Within the last twelve months.
15. Since this inquiry was first instituted? Yes. Spirits are moved more by boat or punt now, to save the expense of dray hire. We used to have cart followers when they were removed by drays. A messenger followed the drays, but now an officer accompanies the punt.
16. Are you constantly employed? Yes.

17. You have no fixed hours? No fixed hours; early and late, according as ships come in.
18. Have you any control over the boats? I have one for my service.
19. What boats are there? Four boats, one of which is a spare boat.
20. What number of men? I have four men; the First Tide Surveyor has five; and the small boat has two men.
21. What duty does the third boat perform? It is for the use of the Landing Surveyor or Collector when he may require a boat. Very frequently we have a man sick, and we take one of these two in his place.
22. Do you think that portion of the department connected with the water service is in an efficient state to prevent smuggling? I do not think it is, for the extent of the harbour.
23. Do you believe any smuggling takes place? I do, and I do not think we can prevent it.
24. In what way? In a small way—not in a large way. Vessels can land small quantities of tobacco or spirits.
25. Not unless they come in at night? It is landed in the day-time.
26. Is there not an officer on board every vessel? No; the expense would be enormous. It was only the other day Mr. Bremer discovered a captain landing tobacco in two trunks packed up and corded. It is not what is placed on the manifest that is smuggled, but vessels coming from the Islands bring up small quantities of tobacco, which they can get cheap there, and take it on shore as opportunity offers.
27. Do you keep any accounts at all—have you anything to do with any portion of the clerical department? We have the reports of the ships inwards.
28. You have nothing to do with any cash receipts, except what you receive from the Collector to pay the tide-waiters? Nothing more.
29. What books are kept to show the amount due, or what voucher do you produce as a guarantee for the payment of the money? Each man sends in a return of the time he has been on duty; when he is put on board a ship the time is marked in a book, and at the expiration of the month he sends in a return of his time, which is checked by myself, then the voucher is made out upon which he is paid, and they are all kept and filed.
30. Have you had any occasion to report any person belonging to your branch of the department for being drunk or asleep on duty? I am afraid most of them are too sleepy. We have not the best set of men in the tide branch that I could wish for.
31. *By Mr. R. Campbell:* Why is it the officers appointed to act as extra tide-waiters are so inefficient? They appear to creep into the department; they are not the class of men we ought to have. We require a very efficient set of men for the tide branch; it is a very responsible office, if a man performs his duty as he ought to do.
32. Who appoints these persons? They are usually appointed by the Collector, upon recommendations which he receives from the Treasury, I think, generally.
33. Are these appointments in his gift? Very few of them are solely appointed by him.
34. *By Mr. Donaldson:* Do not the extra tide-waiters get paid by the day, according to the occupation they may have? Yes, when employed they receive 10s. 6d. a day.
35. They are not regularly on the staff? No.
36. You think a better plan might be adopted? Yes; I think it would be better to appoint a superior set of men on fixed salaries.
37. *By the Chairman:* Would they not have a great deal of idle time—for instance, sometimes you may have only four employed, though at other times there may be twenty? We could employ them although they might not be on board ships. The four export officers cannot always do their duties, and we have, frequently, to call on tide-waiters to assist them. I think we might reduce the number on fixed salary from twenty-five to fourteen—twelve for permanent ship duty, and two for accompanying boats from the different ships to the stores.
38. You think that would be an improvement on the present mode? Yes.
39. How long have you been appointed? I was appointed in 1840, at home, and joined the service here in 1841.
40. What salary do you receive? It is £325 now.
41. The only difference between you and Mr. Bremer is, that he is called First and you Second Tide Surveyor? Yes, he was appointed before me; the duties are the same, and the pay is the same.
42. *By Mr. R. Campbell:* What are the average earnings of extra tide-waiters in the year? I should say the department pays them about £130 a year each, and the extra pay would make it £150; besides that, they are boarded and lodged by the ship while on duty.
43. They are not relieved while on duty? No, not as a rule. If there are two ships together we allow one of the men to go home for a time to get clean linen, and the other man gives an eye to the ship.
44. If there are not two ships together they are not relieved? No.
45. When they are asleep there is no one on guard? The officer remains on board day and night, and it is his duty to see the hatches securely fastened every night.
46. *By Mr. Donaldson:* Do you think a general system has arisen in the department of promoting men permanently to the staff from the list of extra tide-waiters? I think it has been so.
47. Then the department is recruited from inferior men? Yes; we lose the best men, and we do not get good men in return. Several men who have been under my charge, and who have been promoted, were very good men and a credit to the service, but we do not get such men in their places.
48. *By the Chairman:* When you employ them in any other way besides as tide-waiters, I suppose you generally select the best men? Yes, we select those most fit for duty. There are several we have on our list that even the agents do not feel disposed to employ, because they are not men to perform the duties satisfactorily.
49. Do you believe the department, as a whole, is efficient, or could you suggest anything for its improvement? I think, taking it as a whole it is better than it has been for some time.

J. Collier,
Esq.
13 May, 1858.

- J. Collier, Esq.
13 May, 1853.
50. Do you think it is in an improving state? I think as far as the bonds go it is improving in that respect. We have more men employed, and the public have greater facilities now than they had.
51. *By Mr. R. Campbell:* Have you any baggage searchers now? No.
52. Why were they done away with? I think the Collector recommended it.
53. By the abolition of that office there has been an opening for smuggling? It gives greater facilities, no doubt, for smuggling in small quantities.
54. *By the Chairman:* Is there any suggestion you could make to the Committee with regard to the department? There is a matter I would like to bring to your notice—the time that ships are allowed to discharge. There is no difference made between a vessel of two hundred tons and one of two thousand; the time is in every case twenty working days, and it seems to be a great grievance with shipmasters.
55. Is not that an arrangement of the Collector's? No, it is by law.

APPENDIX A.

Instructions by the Commissioners of His Majesty's Customs to the Tide Surveyors of the Customs in the British Possessions abroad.

Article 1. You will observe that by the Act 6 Geo. IV. cap. 109. sec. 11, you are required to take the oath therein set forth on your admission into office; and that by the 9th section of said Act you are prohibited from receiving any fee or reward, without the sanction of the Lords of the Treasury, on pain of dismissal for the first offence; and that by the 29th section of the aforesaid Act, if any person shall give, offer, or promise to give any bribe or reward to any Officer of the Customs, to induce him to neglect his duty, or to do any act whereby the provisions of any Act of Parliament may be evaded, every such person forfeits the sum of £500.

Art. 2. You are diligently to attend your duty at such times and places as the Collector and Controller shall direct, in order to be in readiness to board the proper number of tide-waiters upon every vessel from foreign parts on her first entrance to the port.

Art. 3. And when tide-waiters are placed on board any vessel, you are to give them a strict caution to prevent the illegal unshipping of goods, or any other frauds.

Art. 4. You are to keep a book containing an account of the arrival of all vessels, shewing their names,—name of master,—from what port,—nature of her cargo,—when boarded,—name of officer (if any) appointed to the vessel; and such an account is to be kept of all vessels sailing from the port, a daily transcript of which is to be delivered to the Collector and Controller every morning for their information: And whenever you are unable to attend your duty, from any cause whatever, you are to apprise the Collector and Controller thereof, in order that they may appoint another officer to your duty, and if your absence should be occasioned by sickness, you are to send to the Collector and Controller as soon as practicable, a medical certificate in proof of your illness and inability to attend your duty, and you are to produce to them a similar certificate once a week during the time you are absent from duty.

Art. 5. You are as soon as practicable after the vessel's arrival, to proceed on board, and with the assistance of your boatmen, strictly and carefully to examine the hold, cabins, and all suspicious places, taking an account of the stores on board for the use of the vessel, the particulars of which, and the time of your rummage you are to enter in the tide-waiter's book; observing that if you have occasion to use a candle, that it be in a lantern, secured with horn or isinglass, and in case you discover any prohibited goods, or any goods not reported, you are to secure the same, and deposit them in the King's Warehouse as soon as practicable, taking care to enter the particulars thereof in the tide-waiter's book (should any be on board), previously to your removing such goods from the vessel, and acquaint the Collector and Controller therewith, for their directions.

Art. 6. You are also frequently to rummage the vessels upon your station during the delivery of their cargoes, and to ascertain, from time to time, whether the stores left on board on the vessel's arrival appear to have been expended for the use of the vessel; and in case you discover good grounds to suspect that any part thereof has been run on shore, or improperly disposed of, you are immediately to communicate the circumstance to the Collector and Controller, for their directions.

Art. 7. You are, by the most active and vigilant superintendence, to see that the tide-waiters at their post and strictly perform their duty; and in case you discover that any of them neglect their duty, or conduct themselves improperly, you are immediately to represent the same to the Collector and Controller; and you are not to take upon yourself to order, nor are they to permit, any customable goods to be landed before entry and payment of duties, without orders in writing from your Collector and Controller, or the landing waiter appointed to the vessel, unless you shall discover any small packages of goods which appear intended to be run, when you are to secure the same in the King's Warehouse, or in such manner as the Collector and Controller shall direct; neither are you, the boatmen, or tide-waiters, under any pretence whatever, whether the same be passengers' baggage or otherwise, to presume to open, examine, or deliver any packages on board, whether from foreign parts or coastwise, but the same are to be examined by the landing waiter. Seamen's chests, however, after having been examined, may be delivered, provided you are fully satisfied, from the small quantity and inferior quality of the contents, that they are *bona fide* the personal baggage of such seamen.

Art. 8. You are frequently, and at uncertain periods, to visit all vessels so long as the tide-waiters are continued on board, in order to ascertain whether they are on duty, and are

NOTE.—This applies to those ports only where the employment of tide-waiters has been sanctioned.

are sober; and you are to take care that they do not leave the vessel until her cargo is delivered, without leave; and upon such visitations you are carefully to examine their official books, to ascertain that they are properly kept, and that they discharge their duty agreeably to these instructions; and you are to note the day and hour of such visitations, on the back of the tide-waiter's official book, and sign your initials thereto; and in case any of the officers should apply to you for leave of absence, you may grant the same for such time as shall appear necessary, first entering in their book the time they may go, and the time they are to return, taking care that it be in the day-time, and that the ship be not at work.

J. Collier,
Esq.
13 May, 1858.

Art. 9. In order that you may ascertain that the tide-waiters do not quit their vessels during the night-time, you are to make nightly visitations to the vessels on which they are boarded, taking care that such visitations be not less than twice in the week, and that the same be made at uncertain periods, varying both the night and the hour in such manner as shall most effectually prevent the tide-waiters from expecting the precise time when such visitations are to take place, and you shall on the following day prepare and lay before the Collector and Controller an account thereof, describing the names of the vessels, the hour of your visitations, and the names of any of the tide-waiters that may be found absent from duty.

Art. 10. You are to observe, that if any article cleared as stores be unshipped without payment of duty, the same will be liable to forfeiture, and the parties offending will subject themselves to the penalties which the law imposes in such cases.

Art. 11. In your daily visitations you are occasionally to rummage the vessels during the delivery of their cargoes, in order to see that no unnecessary delay takes place in their unloading; and every Monday morning you are to deliver to the Collector and Controller a list of all vessels that have been in port above twenty days uncleared, from the date of the Master's Report, containing a particular account of the goods that may be remaining on board, with the reasons thereof, and, if possible, the names of the merchants to whom they belong, in order that the proper parties may be called upon to enter the goods, and in the event of their refusing or neglecting to do so, and the Collector and Controller see no cause to allow a longer time, the goods are to be secured, and dealt with as pointed out by the 6 Geo. IV., cap. 114, sec. 23.

Art. 12. When you have ascertained that vessels have discharged their cargoes, you are in person carefully and diligently to rummage all suspicious places, in order to discover whether any goods have been concealed for the purpose of defrauding the revenue, and, should any such goods be discovered, you are to make seizure of the same, and forthwith give an account thereof to the Collector and Controller; and when you have discharged the tide-waiter who may have been boarded on such vessel, you are to note the same in his book; and if you neglect to clear vessels in due time, whereby the revenue may incur unnecessary expense in tide-waiters, or if you fail to rummage, as before described, or suffer that important duty to be performed by your boatman in your absence, it will be considered as a great breach of your duty, and be punished accordingly.

Art. 13. You are also to keep an exact account, in your book of boardings, of the employment of all tide-waiters, distinguishing therein the established from the extra men, the time when they were boarded and cleared, and the amount of their day pay, from which you are to make out bills, in the usual printed forms, comprehending all these particulars, in order to enable such tide-waiters and boatmen to obtain payment thereof in the Collector's Office; and at the end of each quarter you are to deliver to the Collector and Controller an extract from the said book, certified by you, and specifying the amount of each officer's pay, with the time, and number, and names of vessels, on which they have been respectively employed.

Art. 14. You are to observe, that if in making out such bills of the tide-waiters' boardings, or in granting such certificates of the boatmen's employment, you shall include any day or day's on which they shall not have been actually upon duty, it will be followed by your immediate dismissal.

Art. 15. You are to observe that you have no discretionary power to overlook the absence, without leave, of tide-waiters boarded on vessels; and should you in any instance do so, you will be considered equally culpable with the absent party, and be punished accordingly.

Art. 16. You shall conduct yourself with strict sobriety and subordination, pay due respect to your superior officers, obey their directions, and behave civilly to all persons with whom you may be concerned in the discharge of your duty.

Custom House, London.

FRIDAY, 21 MAY, 1858.

Present:—

MR. EGAN,
MR. FLOOD,

MR. DONALDSON,
MR. R. CAMPBELL.

DANIEL EGAN, Esq., IN THE CHAIR.

George Thornton, Esq., M. P., examined:—

1. *By the Chairman:* You were examined before the Committee which sat on the Customs Department in 1856? Yes.
2. Has any circumstance taken place since that examination which would lead you to a different conclusion, in reference to the general mode of conducting the department? No; I am confirmed in the opinions I expressed then.

G. Thornton,
Esq., M. P.
21 May, 1858.

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3. Could you inform the Committee whether, in your opinion, any reduction could be made in the clerical branch of the department? In the department generally, I would rather say, I have no hesitation in stating my firm belief—a belief founded on great experience and a thorough knowledge of the whole department—that there might be a reduction and improvement. I am sure it could be considerably reduced.

4. Do you think there has been any improvement in the management since you last gave your evidence—I think you then stated it was very inefficiently managed? I am not in so good a position now to speak of the management as I was then, because then I was fresh from the work, as it were; but my belief and opinions are unchanged.

5. Could you suggest to the Committee any plan by which it might be reduced in expenditure and made more efficient? I think I could. If the Committee would listen to my suggestions, I think I could offer some which would have the effect of making the department more efficient, and more acceptable to the general public. The question, however, comprises such a large amount of answer that it would take some time to consider it. I did not come to-day prepared to answer such a question, or I should have been more particular and precise; but I will be very glad to attend the Committee again, and give a more perfect answer than I can do to-day. In the first place I may say, that the system of tide-waiters is a failure entirely, in respect to the protection of the revenue, though it involves an expense of some £4,000 a year.

6. You mean those persons who are placed on board ships in the harbour? Yes—what are called extra tide-waiters.

7. You think they afford no security whatever to the revenue? Not a sufficient security. The system is decidedly wrong, and has not the effect intended. If you refer to my former evidence with respect to the tide-waiters, you will find that I made some suggestions with respect to that particular department—that I, in fact, suggested a totally different mode of protecting the revenue, by fastening down the hatches of ships at a certain hour every evening, and sealing them, so that they could not be opened without the knowledge of the officer of Customs, by appointing watchmen at the different wharves, varying the present system of landing waiters, and doing away entirely with the tide-waiters.

8. You think by adopting that course we could dispense with the extra tide-waiters altogether? Yes.

9. Then the Chief Tide-waiter would have to go round at certain hours in the evening to look up and seal the hatches of vessels, and again at a certain hour in the morning to open them? It would be the duty of the Landing Waiter to do that, and then the tide-waiters would be useless. There are three persons doing the duty of the tide-waiter while a ship is discharging—the mate of the vessel, the merchant's clerk, and the tide-waiter himself—I mean with respect to the duty he has to do in the day-time, in taking an account of all goods that go over the ship's side; in addition to which, the tide-waiters are supposed to be on board at night to prevent the running of dutiable goods.

10. You think this day-work unfits them for the watch they are supposed to keep at night, because they must go to sleep, of course? They must go to sleep; and I believe the officers of Customs will tell you that they have repeatedly had to punish them for being found away from their ships at night.

11. You say the duty of locking and sealing the hatches should devolve on the Landing Waiter, when the tide-waiters are done away as you propose—I believe the duty as it is at present performed by the tide-waiters is under the direction of Mr. Bremer and Mr. Collier? Yes. I think I would prefer to appoint one person to see this duty faithfully and properly carried out according to the plan I propose; and there could be no more faithful and efficient officer than Mr. Collier.

12. Do you think by adopting that course of locking and sealing the hatches at night, instead of employing tide-waiters as at present, there would be a greater check given to smuggling? I think it would afford the revenue far more protection, and would tend to increase the efficiency of the department. It would also decrease the expenditure by some twenty per cent. of itself; for, if I remember right, the expense of the whole department is about £20,000 a year, of which £4,000 is for tide-waiters. In addition to the tide-waiter performing the duty, done as I have said by the mate of the vessel and the merchant's clerk, the landing waiter has to do nearly the same thing over again; so that for that purpose, at all events, the tide-waiter is quite unnecessary, and, as we have seen, the protection he affords to the revenue at night is of a very doubtful character—in fact, he is perfectly useless. Mr. Bremer knows, and could tell you, that these men have been repeatedly punished and dismissed for being off their ships at night; it is a fact of frequent occurrence; the very nature of their position and their small pay render them liable to it, in my opinion.

13. That is the only recommendation you could make for that particular branch of the department? Yes.

14. Have you anything to suggest with reference to any other branch? I think the department generally is far too expensive, and not so efficient as it ought to be. Commencing with the Collector himself, I could not say too much in his favor, speaking of his personal character and efforts; I believe he is the most hardworking Government officer we have; he is always, day after day, at his post, constantly working at the duties of his office; but, from his kind nature, I believe he is often imposed upon. This particular department requires, in my opinion, a constant, thorough, and vigilant supervision in all its ramifications. The Collector should make himself acquainted with what is going on at all the different wharves and bonded stores every day, so that his officers would be in awe of him, and would understand that all their proceedings are well known. But that is not generally done.

15. *By Mr. Flood:* From the advanced age of Colonel Gibbs, do you consider that he can give to the duties of his department that active superintendence which you speak of? I do not think he can.

16. Do you consider that in consequence of his advanced years he is physically incapable of performing the duties efficiently? I have no doubt a younger man would perform the duties more actively. G. Thornton,
Esq., M.P.
17. Do you think a change in the head of the department is necessary, for the reasons you have assigned? I would rather not answer this question. Coming then to the second in command—Mr. Garling, the Landing-surveyor as he is called—I must say I think his office wholly unnecessary and superfluous. Mr. Garling is a very old officer of Customs, no doubt—I believe the oldest in our service—but still his office is not required. 21 May, 1858.
18. *By Mr. Donaldson*: Do you consider him competent, as second in command, to fill up the gap in the active supervision of the department left by Colonel Gibbes? Certainly not; he is incompetent for every reason; he is indolent and careless.
19. You are of opinion that the services of the Landing-surveyor might be dispensed with? Yes; there are no duties appertaining to such an officer, and whatever duties he is supposed to perform should be done by the Inspector of Warehouses, who could do them in a much better style than they have ever been done before.
20. Would you favor the Committee with your general opinion as to the efficiency of the rest of the staff of the department, so far as you have had opportunity of judging, suggesting what diminutions you think might be made in the numerical strength of the department? I think the clerical department might be modified and reduced.
21. You are of opinion that with an active Collector of Customs, and an active Inspector of Warehouses, the whole of the executive duties would be thoroughly attended to? I am quite sure of it.
22. Do you know anything of the character and proceedings of Mr. Cathcart Still, the present Inspector of Bonded Warehouses? I was one of the parties who suggested that this particular office should be created, and, without the knowledge of Mr. Still, no doubt, I have watched him particularly; and, from his mode of carrying on the duties, I have reason to be very much satisfied with the recommendation I then gave. I am quite sure, from the system Mr. Still has introduced into the bonded warehouses alone it has been a most advisable appointment.
23. In the evidence you gave in 1856, you say the officer holding this appointment "should be a man of knowledge, ability, and integrity"—does Mr. Still come up to your ideas of those requirements? Quite so.
24. Of the clerical staff in the Long Room I suppose you do not know so much? Yes, I know the whole thing; I do not suppose anybody in the Colony knows more about the whole working of the establishment than I do.
25. Could you suggest any saving in that branch of the department?
26. I find here eleven clerks under the chief clerk, with salaries varying from £220 to £575—do you imagine they can all be fully employed? I have already stated that I think there might be a reduction. For instance, there is an account kept there of imports and exports, which is quite unnecessary, except as regards imports and exports for duty, and exports for drawback; the remainder is only for statistical purposes, and might be kept in a much less cumbrous manner. That, I think, employs two clerks.
27. Do you know anything of the system of promotion hitherto observed in the department? Not of late years. I knew a good deal about it in former years; but latterly I have not been aware what the system has been.
28. Was it the case, within your recollection, that the lockers were confined to their own branch of duty, and could not rise beyond the position of First Locker? I think that was generally so.
29. Do you know of any reason for that? I do not.
30. Can you imagine any? The only reason I can see is that the amount of qualification required for the performance of a locker's duties, is not sufficient to fit him for the performance of those of a higher grade. All a locker has to do, besides keeping an eye on the store he is in charge of, is to re-gauge casks for duty.
31. A locker is supposed to be a man of integrity, sobriety, and industry—is there anything you can imagine that should prevent a locker with these qualifications from making a good landing-waiter? Certainly not.
32. Are you of opinion that for the good of the department, and as an incentive to the correct performance of its duties, it would be desirable to allow promotion to go on regularly, through all the branches, until a man rose as high as he could? Undoubtedly I am. I can easily imagine that a locker, who might be precluded from advancing, under the operation of the rule you have alluded to, might be far more qualified by character, education, and habits, than a man who was already a landing waiter at a high salary.
33. *By the Chairman*: Are you aware what is Mr. Nash's position in the department? Warehouse-keeper—a very necessary office, and a very efficient officer; he performs his duty very faithfully indeed.
34. *By Mr. Donaldson*: What are his duties? He keeps a general account of goods warehoused, under the head of Warehouse Account. All dutiable goods for bond that come in are entered and passed into his books, which are kept most excellently by Mr. Nash, without a fault I believe. I have never heard a complaint by the public, either as to his intelligence or his habits; and his books are most necessary and most efficiently kept, to my certain knowledge.
35. *By Mr. Flood*: When you were examined before was the present tariff in existence? Yes.
36. Have you any reason to think that much smuggling is carried on here? I think some smuggling is carried on.
37. In what articles particularly? Particularly in tobacco.
38. Have you anything to suggest to the Committee by which that might be prevented? That would be comprehended in my former reply—that there requires to be a more constant and

G. Thornton, and vigilant supervision, which would infuse into every officer of the department the same zealous spirit.

39. Upon what grounds do you found your belief that smuggling is carried on in tobacco to a considerable extent? Information has been given to me from a variety of sources. I have been told that there have been instances where tobacco smuggling has been detected and the parties have been punished. There are other instances where parties have been known to offer cheap tobacco, which must have been smuggled, from the price. In fact, from the lax system at present pursued, smuggling is comparatively easy; and I have no doubt some of the ships that come here do smuggle.

40. Was the information you received of a reliable character? It was, but in no way that I could trace it out. My mind was satisfied that smuggling had taken place, but that it was conducted in a way that made it impossible for me to discover it.

41. Have you endeavored to ascertain anything like the average quantity that has passed contraband? No. The smuggling of tobacco is a matter of very easy accomplishment.

42. In consequence of the lax system of the department? In consequence of the lax system of the tide-waiters' department. A great many ships come here having more or less tobacco on board; they lie alongside our wharves, near grocery stores and other houses, and it very often occurs that the tide-waiters are not on board at night when they should be—that I consider a lax system. It is impossible, too, that if a tide-waiter is on duty all day he can remain awake all night; and, therefore, while he is asleep, there is no protection against smuggling.

43. Is it not a fact that large quantities of wines and spirits which have never paid duty, are consumed on board ships in harbour? Yes; when I was connected with the department there used to be large quantities consumed as ships' stores.

44. Do you think they ought to be allowed to break bulk or to use spirits that have not paid duty? In particular cases I think they should be allowed to use spirits duty free in harbour, but that the quantity should be limited. For instance, when discharging a heavy cargo, it would be very expensive to pay duty on the spirits given to the men, who expect to get it; but there should be some regulation as to the quantity, which I am not aware exists now.

45. *By Mr. Campbell:* I think there is a regulation to that effect now. There is stock taken when a ship comes in; she reports the quantity of stores she has on board, and an officer has to see that no more than a sufficient allowance has been made use of before she departs? The system cannot be perfect. Before a vessel clears out they jerque her, but they do not generally examine into the truth of her report on her arrival. A captain may report that he has fifteen gallons of brandy in a broached hoghead, whereas he may have sixty, and as the ship is not jerqued until she has discharged cargo, he has plenty of opportunity to make away with the difference. It all goes back to the same question—that there is not that vigilant supervision which should exist in the department in all its ramifications; if it did, I would almost defy smuggling.

46. *By Mr. Donaldson:* I understand that your suggestion is now, that there should be a supervision which would check the inward statement as to the stock of spirits on board in store, and also the outward? Just so.

47. Whereas now they only check the quantity when the ship is bound outward, and, if that agrees tolerably with the unchecked statement made on arrival by the captain, that is considered sufficient? Just so.

48. *By the Chairman:* Do you know that years ago, when a vessel reported her stores, it was the practice to pump off for use a certain allowance, and then to seal up the store-room until they were afterwards examined by the tide-surveyor? It was so, but it has not been so lately. You know, as well as I do, that in old times the former Landing-surveyor, Mr. Jeffrey, conducted his business very differently from what it is now.

49. *By Mr. Flood:* After a ship has been reported, and given in an account of her cargo, does she give in also an account of her stores? Yes.

50. After she has discharged her ordinary cargo, does the tide-waiter remain on board? No, he leaves the ship. The tide-waiter is only permitted to remain on board a certain number of days, according to the tonnage of the ship; and if it should happen that the dutiable goods are not all discharged by that time, the tide-waiter must remain at the expense of the ship.

51. Supposing the ship's cargo is all discharged, does the tide-waiter still remain on board? No; when the dutiable goods are all discharged he is taken off.

52. Then, if the master of a vessel should report that he has, as stores, one hundred pounds of tobacco and fifty gallons of spirits, although he may have a thousand pounds of the one and five hundred gallons of the other, there is nothing to prevent him from landing the whole, or any part thereof, after the tide-waiter has left the ship? Nothing. I speak, of course, of the practice when I was in the department, and I know of no change since then.

53. Do you believe that considerable quantities, both of tobacco and spirits, are carried off from ships that visit this port, in small parcels, without paying any duty? I believe so.

54. *By the Chairman:* Do you believe any smuggling takes place on the arrival of vessels, before they come up the harbour? It is very likely, but I do not know any instance of it. If a ship brings up any where outside of Pinchgut, it may be done without much difficulty; there is no officer put on board until she reports herself; and there is nothing to prevent a vessel from landing a boat-load of tobacco on the North Shore, or elsewhere.

55. *By Mr. Flood:* You alluded just now to a case, or cases, where parties had been detected smuggling, and had been punished? Yes, there have been several cases of detection, but I could scarcely refer to them by name.

56. Were the quantities smuggled of any magnitude? No, not of great magnitude; it has generally been from ships' stores. I think a person of the name of Rundle made a seizure—the same man who has been since dismissed on a charge for stealing tobacco. Some time ago it is stated he was sitting in Mr. Dixon's, the tobacconist, shop, on a cask of tobacco

tobacco, waiting for orders, and while he sat there he was observed by the shopman to be filling his pockets with tobacco. The shopman told his master, and Mr. Dixon followed Rundle and asked him to have a glass of ale; they went across to a public house, and Dixon said to him, "Before you take the ale I want my tobacco out of your pocket," and Rundle thereupon delivered it up. This is the sort of man deputed by the Crown to look after the revenue.

G. Thornton,
Esq., M.P.

21 May, 1858.

57. *By the Chairman:* Are you aware whether any of the persons connected with the Customs Department receive any perquisites? Yes, some of them do receive extras, in this way: The department is supposed to be opened at nine o'clock in the morning and closed at three or four in the afternoon, but if a ship wishes to discharge before nine or after three, the landing waiter, for this overtime, gets about two or three shillings an hour, I think it is.

58. Does that frequently occur? Yes, it is a very general thing; but that is an accommodation to the public, and the public pay for it.

59. *By Mr. R. Campbell:* Is it not an injurious practice to allow these over-hours for the landing of dutiable goods? Yes, I have no doubt about that. In the summer time they should extend the regular hours for discharging.

60. When ships have authority to discharge from six to six, the bonded stores are kept open to a very late hour—is not that objectionable? I think it is a very objectionable practice as applying to dutiable goods.

61. You think over-hours should not be allowed, as regards dutiable goods, after three or four o'clock? No, they should not, because if you land a number of casks of spirits at a late hour, it is impossible to get them properly stowed in a bonded store before dark.

62. *By the Chairman:* If a landing-waiter is required to remain overtime with three or four ships at the same time at the same wharf, does he get paid for all those ships? I believe so.

63. Have you any idea what is the general average paid for overtime? No; but I think it would amount to something considerable.

64. The tide-waiter is on board the same ship, and he gets nothing? I think not.

65. The landing-waiter gets it all to himself? Yes.

66. Has the amount ever reached £10 or £15 in one case? I should say it would amount to £10 on one ship; but the officers themselves can tell you exactly.

67. As it appears to be a general rule that the size of the ship is not considered in the allotted number of days for discharging, do you think it could not be better arranged by altering the time allowed according to tonnage? I am decidedly of opinion that a ship should be permitted to commence discharging at six o'clock in the morning, and to continue till six in the evening, except for dutiable goods.

68. Would you not make a difference in the number of days allowed, according to tonnage? Yes, I would give a number of days according to tonnage, *pari passu*.

69. *By Mr. Flood:* Can you inform the Committee whether the public have suffered materially in the weighing in and weighing out of the bonded stores of such goods as sugar and tobacco, as well as in the quantities of wines and spirits—that is to say, is there much deficiency in the quantities delivered out as compared with those received in? I have no doubt not only have the public suffered to a serious extent, but the revenue has suffered to a like extent. If the Committee were to get a statement of the quantities of spirits delivered into bond in former years, and the quantity delivered out, they could not believe their eyes; it is most extraordinary.

70. What should you suppose is the loss to the revenue and the proprietors annually on tobacco? I could not say; but in spirits the loss has been very great indeed.

71. Can you state anything like the per centage? I should say an average of at least ten per cent. has been lost.

72. On the whole of the wines and spirits bonded? No; my remarks would only apply to certain stores. There are other stores where such a thing could not possibly arise, and does not arise.

73. Can you account for the loss in any way? No, except by supposing that some spirit casks leak at the bung-hole with the bung upwards.

74. *By the Chairman:* Is there any other suggestion with which you could favor the Committee, in addition to your former evidence, or the evidence you have given to-day? The department is susceptible of great improvement by an easy process;—a remodelling of the whole, adopting new and improved systematic arrangements throughout, a large reduction of the expenses, and much greater efficiency be insured, and last and not least, the revenue enormously increased; a daily, constant, and thorough supervision of the whole department in its every ramification, by a zealous, active, and experienced head; this action on his part would infuse a like spirit into every faithful officer in the department, whilst it would also have the inevitable effect of separating the worthy from the unworthy officer, of which latter the department could be relieved. I am also strongly of opinion that the bonded warehouses should be more concentrated, or rather Queen's Bonded Warehouses established; the improvement this latter would effect in many respects would surprise the Government. I am also strongly of opinion that every person, previous to appointment in the Customs, should be tested as to his knowledge of figures, arithmetic, with some other and higher branches of education. I have known lockers, whose duty it was to ascertain quantities of spirits, tobacco, &c., for duty, absolutely unable to add up a column of figures. In my evidence herein, and as formerly given, I, of course, speak of the system adopted whilst I was connected with the department. I wish to explain, in reference to a portion of my former evidence, as to incivility on the part of the Chief Clerk of the Long Room, that I intended it to apply to the late Mr. Webb, who was then officiating in that capacity. He afterwards left the service, and is now dead.

Mr.

Mr. David Nash called in and examined:—

- Mr. D. Nash. 1. *By the Chairman*: What branch of the Customs Department are you connected with? I am Warehouse-keeper.
- 21 May, 1858. 2. How long have you been Warehouse-keeper? I have been in the department about thirty years, and Warehouse-keeper eight or nine years, I think.
3. Will you state to the Committee what are the duties you perform as Warehouse-keeper? My duties are to initial all entries previous to paying duty, make out delivery orders to the lockers, all dispatch notes coastwise—
4. You keep an account of all dutiable goods in all the bonded stores? Yes.
5. And before any can be taken out there must be a certificate from you? Yes; initialled by me as to the correctness of the weight or measurement.
6. Your department is a check on the bonded stores? Yes.
7. If reference were made to you at any time, you could tell the quantity of all the dutiable goods in the various stores? I do keep a return of that kind—the total quantity in the whole of the stores; but in the stock-books, the weights and measurements are carried out separately.
8. Can you say, from the long time you have had the conducting of this department, whether there have been any deficiencies, and if so, to what extent, in the quantities of goods taken in to the bonded stores, compared with those that are delivered out—what per centage of loss do you think has occurred in tobacco, cigars, and spirits, taken separately? I should not think it would amount to more than three per cent. on the spirits, on the whole.
9. Do you believe that to have been the case during the time you have had the management of this department? Yes.
10. What would be the amount, do you think, on tobacco? Tobacco would be much less—considerably less; I could not say exactly, but I should think about one or two per cent.
11. Have you anything to do with the receipt and delivery of these goods? No; except that I issue the orders for delivery.
12. What return have you to enable you to know the goods are there? The landing-waiter delivers a return of all dutiable goods landed, and at what stores they are placed, and from that I make an entry.
13. It is from this record you make out the certificates to enable parties to get their goods out of bond? Not a certificate, but a locker's delivery order, on receiving my copy of the entry of the duty having been paid.
14. Do you receive the quantities and strength from the landing-waiter? Yes; he returns them to me in his gauging book.
15. Are the certificates made out in your department? No; they are made out by the merchants or importers. We do not acknowledge them as official documents.
16. Has the merchant's clerk access to your books, to enable him to make out the certificates correctly? Yes.
17. Do you believe there is any smuggling going on in the port of Sydney? I should think there is very little.
18. In what description of goods do you think it most likely to take place? More in the tobacco line.
19. Do you believe the goods smuggled are taken from cargo or from stores? They are more likely to be from ships' stores; but I am not aware that there is any smuggling.
20. How many persons are connected with that branch of the department of which you are the head? There are only two clerks under me.
21. What salaries do those clerks receive? One £225, and the other £195.
22. Has there been any change in the salaries of your branch since the Committee sat in 1856? No.
23. Have the duties increased in any way? Considerably.
24. Has there been any addition of strength since 1856? Not in my room. From the increase of the duties we are very much occupied. Indeed, I have not any time to move from eight or half-past eight o'clock in the morning to five in the evening.
25. Do you know how the bonded stores are conducted now? I think tolerably well, but no better than usual.
26. There have been no complaints from the public of irregularity or want of attendance? There are occasionally some trifling reports of that kind.
27. Is there anything you could suggest to improve the working of that branch of the department with which you are connected? No. We have a great deal to do.
28. You know nothing of the working of the other branches of the department? I have been in other branches, but they have been altered since.
29. *By Mr. R. Campbell*: What situation did you hold before you were appointed to your present one? I was a locker. I have been pretty well in all the branches.
30. *By the Chairman*: Do any of the landing-waiters come immediately under your control? No.
31. Under whose immediate control are they? Under the Landing-surveyor.
32. *By Mr. R. Campbell*: Up to what hours are dutiable goods allowed to be landed? The order is that they should not be landed later than twelve o'clock, that is for goods intended for bond.
33. When was that order issued? It has been issued a long time. The Customs authorities at home wrote out about it, saying that the stores were not to be open after four o'clock.
34. Are there not instances of stores being open later than that? Yes.
35. Do I understand that the instructions are not to allow dutiable goods to be landed after four o'clock? Goods intended to be warehoused should be got into bond before four o'clock, but other dutiable goods duty paid are allowed to land till four o'clock.
36. Are you sure of that? Pretty well certain. The Collector gave those orders some time ago.

37. How long ago? Eight or nine years; in fact ever since I have been Warehouse-keeper. Mr. D. Nash.
 38. Have there not been instances of stores being open as late as five o'clock? Yes frequently. 21 May, 1858.
 39. How does that arise? In consequence of goods not having been got in in time.
 40. Has the Collector's attention been drawn to it? I cannot say. It is of almost every day occurrence that stores are open after four o'clock.
 41. Do you think that is proper? No, certainly not. They ought to be closed by that time; and goods ought to be landed in time to allow them to be so.
 42. Would you make any difference in the hour of closing in winter and summer? No; I think four o'clock a very good hour; it might be a little later in summer.
 43. By the Chairman: When the bonded stores are kept open later than the regular hour, it is in consequence, I suppose, of large quantities of dutiable goods having been landed which the landing-waiters are unable to get weighed or gauged, so that they may be received into store in proper time? Yes; or perhaps it is in consequence of the drays not coming for them in time.
 44. Did you ever know dutiable goods to be landed and left out all night, not under the Queen's keys? No.

THURSDAY, 27 MAY, 1858.

Present:—

MR. EGAN,	MR. W. MACLEAY,
MR. DONALDSON,	MR. R. CAMPBELL,
MR. WEEKES.	

DANIEL EGAN, ESQ., IN THE CHAIR.

Colonel J. G. N. Gibbes, Collector of Customs, called in and examined:—

1. By the Chairman: You were examined before a Committee on the Customs Department which sat in 1856? I was. Col. J. G. N. Gibbes.
 2. Has there been any increase in the number of officers in the department since that period? An Inspector of Warehouses has been appointed; and, in consequence of the bonded storekeepers having been made to pay a license fee, and a duty on the measurement of their warehouses, the Government, to meet the views of the public, increased the number of lockers from twelve to twenty-two, because the parties who had to pay this license fee and duty expected to have greater accommodation given to them than they had had before; they expected to have their warehouses kept open all day, and consequently a locker who formerly attended two warehouses could now only attend one, and we were therefore obliged to get additional lockers. 27 May, 1858.
 3. Are you aware what increase of expenditure that has occasioned? I should suppose the increase amounts to some £1,200 a year, or something of that sort; but the whole was covered, of course, by the payments I have alluded to; in fact the Government were a trifle in pocket by the arrangement.
 4. Then the new arrangement did not increase the revenue? No; neither did the expense fall on the Government, which, instead of having to pay £2,340 a year to the lockers, as before the change, paid nothing, and thus it may be said there was that amount in the shape of increase to the revenue.
 5. Do you think the change has afforded any increased security to the public or to the Government? I do not see that it has. The increase in the number of lockers was more a benefit to the public than to the Government.
 6. It afforded the public greater facilities, by allowing the bonded stores to be kept open all day? Certainly.
 7. Did the alteration in the hours extend to the whole of the bonded stores, or only to particular stores? Some were open all day previous to this, on account of the extent of their business; but others were only open for half the day—from nine o'clock till twelve or one, and from twelve or one o'clock to half-past three. Now they are all open all day, except four, the proprietors of which did not desire the accommodation, and which are now attended by two lockers.
 8. Do you think the management and supervision of the bonded stores is at present carried on in a satisfactory way? Yes, I do.
 9. Is there any suggestion you could make for the improvement of that branch of the department? No.
 10. By Mr. Donaldson: Were not some alterations introduced into the warehouse department, after the appointment of the Inspector of Warehouses, in the way of keeping the books? Yes.
 11. Will you state what those alterations were, and whether you considered them improvements? I believe they were in some measure on the principle of double entry; and they were undoubtedly improvements.
 12. Was not some journal, or book, by whatever name called, introduced by the Inspector of Warehouses, by which he could check and tally the quantity of goods in any bonded warehouse at any time? Yes.
 13. Was not the state of the instruments also improved or looked into? The instruments had been long in use, and were defective to a certain extent, and therefore the Inspector of Warehouses, by my direction, procured a sufficiency of hydrometers to give every locker a new one. I had previously applied, through the Colonial Storekeeper's Department, to have twenty-four hydrometers sent from England; but they had not then arrived, and have not, in fact, arrived to this hour.

Col. J. G. N.
Gibbes.

27 May, 1858.

14. New instruments were procured, however? Yes, in shops in the town, where they had them of sufficient goodness for our purpose.
15. Has not some improvement been made in the system of re-gauging since the appointment of the Inspector of Warehouses? Not that I know of.
16. *By the Chairman:* Do you the present charge made by the Government on the bonded warehouses is a fair one? I think it is rather oppressive on some of the occupiers of warehouses.
17. Could you suggest any mode by which the expense of the additional convenience of keeping the bonded stores open all day could be defrayed, in preference to the one now adopted? I do not know that I could. I have heard that some propositions have been made to the Government to obviate the necessity of charging these fees, by placing a duty upon all Custom House bonds and entries. That would amount to much the same thing, and they would be relieved from the measurement duty, but not from the license fee. Every bonded storekeeper pays £50 a year for his license, to begin with, and after that he pays so much more according to the capacity of his store, the maximum being £300, which is, I think, scarcely right, because there are one or two stores that would pay £500, in all probability, if they were taxed in the same way as smaller ones.
18. Do you think a reasonable license fee would be much better than the present mode of taxation by measurement? It would, of course, be more advantageous to the occupiers; but it would leave the expense of the lockers to be borne to a certain extent by the Government.
19. Suppose a license fee were imposed to such an extent as would cover that expense? Then it would come to about the same thing, for the expense is only covered now by a mere trifle, not worth speaking of.
20. The discontinuance of the present arrangement would not increase the expenditure beyond that which it was heretofore when they paid nothing? They paid nothing then, and they pay nothing in England.
21. Do they not all pay now for the additional facilities given them? I do not know that I can say yes, because there were seven or eight stores which had the same facilities they have now, being open all day long, without paying anything; the Government bore the whole expense. The other twelve or fourteen stores were open only half a day each, and consequently only required half the number of lockers.
22. On what grounds was the privilege given to these eight to have their stores open all day? The extent of their business required it.
23. In reference to the tide-waiters,—do you think, from your experience, that that branch of the department could be dispensed with altogether? I do not.
24. Do you not think the mode—which I think has been adopted in Victoria—of sealing up the hatches after the day's delivery, could be adopted with advantage? I attach very little value to the sealing of the hatches. Seals can be imitated, and there is access to be had to the hold of a ship in half-a-dozen places. In some vessels there is not even a bulkhead between the fore-castle, where the men reside, and the hold. Then again, who is to do it?
25. The tide-surveyor? When there are perhaps four and twenty ships discharging at once, the tide-surveyor could not by any possibility do it. It is all very well at Hobart Town—I believe that system was adopted there—where all the business is transacted in a small cove, a mere nothing as compared with Sydney; but it would not do here, where we have to attend not only to Sydney Cove, but to Darling Harbour and all the different wharves besides. In my opinion it would be impracticable, nor do I think, if it could be carried out, that any advantage would be derived from it.
26. You do not think the reduction in the amount of expenditure would compensate for the inefficient way in which the revenue would be protected? I do not think the saving of expense would be equal to the loss or risk of loss by smuggling. In short, I consider the present mode safer and better. As I stated in my former evidence, these matters are not understood in many respects. In England every ship has a landing-waiter of its own, besides two tide-waiters on board; whereas we only board one tide-waiter, and have a landing-waiter to four ships, who, in some cases, has charge of two or three different wharves.
27. What are the duties of landing-waiters? A landing-waiter in England keeps a book of every single article that comes out of the ship, and the tide-waiters on board, who take it turn about, and keep watch and watch during the day and night, also keep a book which is a check on that of the landing-waiter, whose book again is a check upon them.
28. Are there any further duties which attach to the landing-waiter? Yes, many; he has to gauge and to weigh—in fact he has a great variety of duties that I can hardly enumerate off-hand. The tide-waiter is the man who weighs the cargoes of sugar and coffee here; but it is not so in England—the landing-waiter does it.
29. *By Mr. Donaldson:* Do I understand that the duties of the landing-waiters here are not the same as at home? No.
30. What are the duties of the landing-waiters here? They are on their posts at the prescribed hour in the morning, when the ships begin to discharge; and they keep books in which they enter all the goods for bond which leave the ship. But while a man is attending one ship he cannot see what is going on at another three hundred yards off, and therefore he cannot keep that account as they do in England. Still, he keeps visiting these ships, and sees that the tide-waiters are doing their duty, and examines their books. When casks are landed on the quay he commences gauging them, but while doing that of course he cannot do anything else, and meanwhile the other ships are going on discharging without any other superintendence than that of the tide-waiters.
31. Then, in point of fact, the duty of the landing-waiter is relative rather than actual—it is more a supervising duty over the tide-waiters in bulk than any specific duty? He takes charge of the whole; but he has a vast deal to do with regard to gauging and proving spirits, and he also has to check all the sugar, coffee, and various other articles weighed, to dip the wine, and to ascertain the contents and strength of the case gin and brandy. They generally weigh.

weigh the cases, and if they find one light of course they open it, as it is evident there is some breakage. Col. J. G. N. Gibbs.

32. I understood the weighing was done by the lockers? They weigh case spirits, but not sugar, coffee, &c., and I almost think it ought to be done, and fear that I shall be obliged to order it to be so, as our new Inspector of Warehouses seems to be fond of throwing odium on the waterside department, which never existed before. It is probable that differences in gauging may have arisen from the circumstance of the landing-waiters having defective hydrometers, while the lockers all had new or good ones; but the effect of the Inspector's proceedings is to have created a jealousy and bad feeling between two branches of the service which before have always worked harmoniously. 27 May, 1868.

33. Has the public service been injured or benefited by the course taken by the Inspector of Warehouses? It has not been injured, nor do I think it has been in any way benefited.

34. If any mistakes have been found out, has it not been benefited? These mistakes have often proved to be errors on their side.

35. Can you suggest any plan which would prevent errors on either side? Not without having two gaugings and two weighings, which would be very inconvenient in one point of view, but in another it might be desirable that the locker should gauge when the spirits enter the bonded store, because, perhaps three months afterwards, he re-gauges them, when required for consumption, and then it is said the original gauge was not correct; but I believe the landing-waiters are in every respect as competent to gauge as any locker we have.

36. But, as I understood you, the duty of the landing-waiters is rather confined to the supervision of a number of tide-waiters, and to gauging and weighing where it falls to them; they do not take the charge of any particular ship's cargo, but rather overlook the duties of the tide-waiters? They are responsible for the whole of that cargo and for its due discharge, and they are obliged to do the best they can to effect it.

37. They see that the tide-waiter does it? They do it as far as possible; they can see only a part of the cargo come out of each ship, but it is their province to see as much of it as possible.

38. Then there is no absolute check on the cargo of any single ship, as far as the landing-waiter is concerned? I should say not of the entire cargo. But it is the tide-waiter's duty to allow nothing to go out of a ship without my warrant for it. I will, however, give a further detail of the duties of the landing-waiters.—1st. Previous to handing his warrants to the tide-waiter, he has to check them with the ship's manifests, to see that no goods (either free or otherwise,) are entered which have not been duly reported, although it is impossible for the landing-waiter to take an account of free goods from the ship's side. He has, when they are landed, to exercise a supervision over them, and open and examine any packages which he has reason to suspect have not been properly described.—2nd. To gauge and weigh all spirits, tobacco, and cigars, &c., for bond; and perhaps, whilst so engaged, he receives a sight entry for the examination of goods to pay duty from the wharf, in which case he must leave the goods for bond to attend to those for duty. These interruptions sometimes cause the bonded goods to be later in reaching the warehouse than is desirable.—3rd. Bottled spirits, gin in particular, have to be examined at the bonded stores, as a correct account cannot be taken at the place of landing, owing to the risk of breakage in carting. But this obliges the landing-waiter occasionally to leave his wharf. At the same time sugar or coffee may be landing, the weight of which, it will be seen, can only be taken by the tide-waiter, but still his weights and calculations are afterwards checked by the landing-waiter.—4th. When his vessels are discharged, he has carefully to make up his books before returning them to the Custom House, and account for all cargo so delivered. Those goods which have paid duty, or been bonded, he takes from his own account; the free goods from the tide-waiter's. If he finds all correct, he gives notice to the tide-surveyor to jerque the ship, and take the tide-waiter off. If there is any discrepancy between the cargo landed and the ship's report, the master is called upon to account for it before the ship is allowed to clear.—5th. A landing-waiter has frequently several ships discharging at the same time, and his work in gauging (his most important duty) sometimes so accumulates that he has to get the assistance of a landing-waiter from another wharf.—6th. The practice of discharging vessels by lumpers has become so general of late, that it sometimes happens that some of the bonded goods have to be sent to the warehouse at once, and weighed or gauged on another day, although such goods are not allowed to be landed after the dinner hour of one o'clock.—7th. The landing-waiter has to attend to the shipment of goods for drawback, and those from bond, matters of considerable consequence, with many others which casually arise.

39. By Mr. Campbell: The landing-waiter checks the tide-waiter's book daily? Yes.

40. By the Chairman: The responsibility rests on the tide-waiter? No, on the landing-waiter. He checks the tide-waiter's book; and keeps an account also of all bonded goods.

41. Is the landing-waiter's return checked with the manifest? Yes; we have a clerk in the office who does nothing else than jerque these papers; and whenever he finds a deficiency, on comparison with the inward manifest, a letter is sent, which I have printed, calling upon the captain of the ship to account for the deficiency.

42. When a ship arrives, is there anything to show the tide-surveyor what quantity of stores she has on board? The manifest will, or ought to show that.

43. There will be a difference to the extent of what may have been consumed on the voyage? The captain is bound to make out a manifest here.

44. What course is adopted by the tide-surveyor in reference to spirits and other articles of stores, after a ship arrives? He visits her weekly, to see that the consumption is not greater than it ought to be; and sometimes he seizes a part of them, if they are very extensive, in such part of the ship as may be available for that purpose, and leaves out only a certain quantity.

45. Does he, in the first instance, ascertain the quantity to be there, according to the manifest? Yes.

- Col. J. G. N. Gibbes. 46. He ascertains that there is neither more or less? Yes. Frequently the consumption is greater than the law allows; but, as he boards the ship as early as possible after her arrival, nothing can have taken place within our territory.
- 27 May, 1858. 47. By Mr. Donaldson: Is any actual examination of the stores made by the tide-surveyor—does he gauge and weigh, to see that the quantities stated are correct, on the arrival of each ship? I do not think he does—in fact it would be impracticable.
48. He starts on the assumption that the captain's statement is correct, without taking stock? He is obliged to do so. He sees it, but he does not gauge or weigh, which, as I have said, is impracticable. Any person who has seen the store-room of a large ship will know that the stores are usually so jammed and stowed that they cannot be moved or got at immediately, and if they could, the tide-waiter has no scales with him, nor if a cask of rum was got out and hoisted on deck could he gauge, as he has no instruments with him, nor would he have time, having frequently to board other ships. If a man says he has two puncheons of rum unbroached (if come-atable) he sounds them to ascertain whether they are full.
49. Suppose a man says he has ten gallons in a cask that has been broached, does he ascertain whether it is so? I am inclined to think he cannot dip until the ship comes to her moorings; he looks at the stores to see, as far as he can, that they correspond with the report of the captain, and, on the ship coming to her anchorage, he goes off again and ascertains the fact. I believe they are rather particular.
50. By the Chairman: You believe, that during the time of discharge there is a weekly inspection, to see that nothing more than ought to be consumed is consumed? Yea. Besides, the tide-surveyor has an interest in it; sometimes he discovers that half a keg of tobacco, for instance, has not been reported, and he then immediately seizes it.
51. He has an interest in the seizure? Yea.
52. Do you believe there is any smuggling going on in the Port of Sydney? There may be, and, I believe, always has been, on a small scale; but I see no means of checking it, without going to an expense that would amount to ten times the loss which may be now sustained.
53. Do you believe that what smuggling takes place is from stores or from cargo? I suspect it is not perhaps from either the one or other; I imagine it is chiefly in cigars brought out by the mates and other people, and landed in small quantities whenever they can manage to do so without detection. Some of the captains would smuggle, no doubt, but, in general, I do not think that is the case; the masters of vessels coming here are usually most respectable men.
54. There is a Landing-surveyor, as he is called, attached to the Customs' Department? Yes; he is the second officer of the port, next in authority to myself.
55. Will you state the duties he is expected to perform? He supervises the whole of the water side department, and used to superintend the bonded warehouses; he is Surveyor of Warehouses, according to appointment of the Board of Customs.
56. That duty has been taken from him in consequence of the new arrangement? He is still Surveyor of Warehouses, but they are now left to the Inspector. He visits all the wharves to see that the landing-waiters do their duty; and if disputes arise, he decides them, if possible on the spot, and if he cannot do that, they eventually come before me.
57. Do you believe there is an absolute necessity for such an officer? Beyond a doubt there is. I know no port of any consequence in all England, or in any port of the British dominions, without one. I will here take leave to give a statement of the Landing-surveyors in the United Kingdom, leaving out the great ports of London and Liverpool:—Bristol, 3; Hull, 3; Dublin, 2; Glasgow, 2; Southampton, 2; Leith, 2; Belfast, 1; Cork, 1; Plymouth, 1; Gloucester, 1; Limerick, 1; Sunderland, 1; Dover, 1; Folkstone, 1; Greenock, 1; Newcastle, 1; and 88 other minor ports where the Controllers are also Landing-surveyors. At Melbourne there are 2; and at Geelong, 1.
58. Does the Landing-surveyor here hold any authority over the Inspector of Warehouses? I consider that if he thinks proper to give an order to the Inspector of Warehouses the latter is bound to obey it. The Landing-surveyor is over him; but he very rarely gives such an order. A circumstance, however, lately arose which will now be brought before the Government. The Inspector of Warehouses does not think he ought to be controlled by the Landing-surveyor. I differ with him.
59. You think it better that he should be controlled by the Landing-surveyor? I do. The appointment of the Inspector of Warehouses is a very peculiar one. I never see him. I do not know where he is; he may be in attendance all day, or not all; but I am not aware of it.
60. By Mr. Donaldson: Has he not a room in the Custom House? He has.
61. Does he not keep books which you can have reference to, and check at any time? Yes; they remain at the warehouses.
62. They can always be sent for? Yes, certainly.
63. Before and at the time the appointment of Inspector of Warehouses was made, was it not supposed the Landing-surveyor did the duty? Yes; it was his province to visit the warehouses, and keep a check over them.
64. That duty was not then efficiently performed? It was not, because it could not be well done by the same man who had to superintend all the waterside branch.
65. A mistake was found out in some port wine, which you were of opinion could have been prevented had there been an Inspector of Warehouses, and which could not occur now? It could not occur now, because I gave strict instructions, before the Inspector was appointed at all, that I would dismiss any locker who allowed bonded goods to go into a free store, as was done in that case. At the time this occurrence took place, we had a locker—Mr. Edenborough—who was in bad health, one week sick and another week well; and he having—on one occasion of the bonded store he attended being full—allowed this port wine to be placed, as he intended temporarily, in a free store, and neglected afterwards to inform the locker who

who took his place; the consequence was that this wine was by degrees forgotten. But when we came to take stock, some two or three years afterwards, it was found that some seventy-five casks of port wine, shewn by the books to be in Messrs. Lamb's bond, were not there, which led to inquiry, and it was then discovered that the casks had been placed in the free store, under the circumstances I have stated. No doubt the Messrs. Lamb, when the bonded store became less full, ought to have had the wine removed into it.

Col. J. G. N.
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66. *By the Chairman:* Ought not the wine, in the first instance, to have been placed in some other bonded store? Certainly it ought. It was an indulgence granted by the locker without being reported, until by degrees it was lost sight of. I believe the Messrs. Lamb themselves had lost sight of the circumstance, or they never would have passed the wine into consumption. Captain Lamb had just gone home, and Mr. Parbury also; in short, the gentlemen acting for the firm were totally unconscious that it was not duty-paid wine.

67. *By Mr. Donaldson:* Is not the system of checking stocks so much improved now that the same thing could not occur again? The same thing could not occur again, because no bonded goods would be allowed to go into any other store than that for which the entry was passed.

68. With regard to the clerical staff, consisting of eleven clerks, do you not consider that capable of reduction? I feel a good deal of difficulty in answering that question. Our department is a peculiar one; it is not easy to place on the same shoulders many duties—they are so perfectly distinct and different from each other. I have myself reduced one clerk; that is, I took the opportunity of a man leaving us clandestinely and embarking for England, to abolish his office; or rather I recommended that it should be abolished, and it was so.

69. Was that one of these eleven? No; one of twelve. There are only ten clerks I may say actually belonging to the Customs; because one (Mr. Mackenzie) is the distillery clerk, and performs various other duties.

70. Then you do not see your way to a reduction of the clerical staff? I do not.

71. Can you furnish the Committee with a correct list of all the officers of your department at this date, with their designations, dates of appointments, and so on? I have caused a list of that kind to be prepared, and I beg now to hand it in to the Committee. (*The witness handed in the same. Vide Appendix A.*)

72. With regard to the lockers, I suppose while there are so many bonded stores no reduction can be made in their number? Certainly not.

73. Have you considered lately the subject of a Government bond? No, I have not considered it recently; but I think I gave my opinion to the previous Committee that considerable advantage would be derived from such an establishment. I do not think, however, that one would be sufficient; there should be one on each side of the town—on the Circular Quay, and somewhere in Darling Harbour.

74. In the return of officers of the department supplied to the Committee of 1856, there are two baggage searchers—they have been since dispensed with? Yes. I recommended the reduction of those officers.

75. Have you seen any cause to regret that? Not at all.

76. The coast-waiter at Watson's Bay has also been removed? Yes. I recommended the removal of Mr. Keon from Watson's Bay, because he did not seem to be very much needed there, and there was an opening for him at Eden, Twofold Bay, without distressing him and his family; but there was then a Water Police boat, with six men stationed there, which has since been removed, and consequently there is no revenue officer there now further than this, that I have given deputations to all the pilots to act as Custom House officers wherever they see a necessity for doing so. At the same time I do not think that that is the place where smuggling would go on, if there was any.

77. You do not think there is any occasion to re-establish a branch of the Customs' Department at Watson's Bay? I do not.

78. Speaking generally, there is nothing in the strength of the department, as it stands at present, that you could safely recommend should be reduced? No. I shall be quite happy to go into the clerical department, and see if I can so arrange the duties that they could be efficiently performed by a smaller number of clerks. But it should be borne in mind that I have now to receive the pilotage dues, which is a duty that was not done by my department before; and if the tax proposed to be levied on the Chinese is adopted, I shall have to take that also. I feel pretty well convinced that with our present duties only, you could not take off more than one clerk—I do not say you could take off one—but if you did, when these additional duties were placed on us he would have to be restored.

79. You think, however, that the present strength of the department would be sufficient to undertake the duty of collecting a tax on the Chinese immigrants, and also the collection of the pilotage rates? Yes.

80. *By the Chairman:* Does not the Harbour Master furnish you with a minute of the amount of pilotage due on each ship? Not in sufficient time. Some party comes and pays the pilotage on the tonnage of the vessel, and two or three days afterwards comes the ticket from the Harbour Master, by which we perhaps find, when it is too late, that instead of sixteen feet the ship drew seventeen feet of water, and should therefore have paid a higher sum, because it is the depth she goes out at with cargo that is paid for. The mistake cannot always be remedied afterwards, because oftentimes there is no agent, and if there is, the accounts of the ship being wound up previous to her departure, it is always a troublesome piece of business.

81. Is there not some portion of the accommodation provided in the Custom House which is not used by your department? Yes; there are two rooms occupied by Custom House Agents.

82. Do you not think that, when you have to do the additional duties you have spoken of, the whole of that accommodation will be required by the Customs Department? Perhaps it

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may be so, for we have long since given up to the Port Officer two of the best rooms in the house.

83. Has not the privilege thus given to some of the Custom House Agents caused a good deal of jealousy on the part of others who have not been able to obtain the same facilities? It possibly may; but, of course, they know very well we cannot give rooms to everybody. The parties who occupy these two rooms at present have conducted the business for twenty years.

84. There has never been any charge made for the use of these rooms? There has not been as yet, but there is going to be.

85. Do you not think it more desirable that no privilege should be given to one Custom House Agent which cannot be conceded to all, and that the whole of the building should be used for Government purposes? In one point of view, no doubt, that would be the best; but in another I suspect the public would find great inconvenience if the agents were removed from the building, because offices are not to be had within any short distance of the Custom House unless they build them. I may mention that recently an application was made by the Steam Navigation and Pilot Board for a small room in the Hall of the Custom House occupied by some of my clerks. I declined it. Mr. Drew said it was absolutely necessary for the Steam Board to assemble in it, and I, in answer, stated that if it *was* absolutely necessary they should have a room—they could remove the Custom House Agents, or tax them with a rent sufficient to find a place for the Steam Board to meet in. The Government have adopted the latter proposal, and these Custom House Agents will for the future be charged £50 each per annum for the use of a single room; and it is to be the understanding that they are to turn out at any time they may be required to do so, on a fortnight's notice.

86. Do not the additional or extra tide-waiters require some place in the Custom House which should be appropriated to their use? Perhaps they do, and they have none.

87. *By Mr. Donaldson:* You think it desirable there should be accommodation at the Custom House for the tide-waiters? I do. Our tide-waiters—although some of them may not be all we could wish—are a superior set of men to the tide-waiters in England, who are generally of a lower class, such as working shoemakers, tailors, and so on.

88. Is not that counterbalanced by the greater supervision which is given in England by the landing-waiters or other officers? Yes. All I meant to say was, that, as a better class of men, they ought to have accommodation which is not granted to persons in the same capacity in England.

89. Would the revenue be benefited by their having a better means of checking their books, which it is to be presumed the accommodation we speak of would afford them? No, I do not think it would have any effect in that way. They make up their books the last thing before they leave their ships.

90. *By the Chairman:* These tide-waiters have no place allotted to them at present in the Custom House? No.

91. *By Mr. Weekes:* You think it desirable they should have an office in the Custom House, but you are unable to give them that accommodation in consequence of the Custom House Agents occupying two of the rooms? I think they should have some place; but they would scarcely require one room to themselves.

92. Do you know whether it is the custom at home for the Custom House Agents to occupy rooms in the Custom House? I am not aware. While we are on this subject I may mention, that a few years ago it was proposed by the Custom House Agents to finish the wings of the Custom House, according to the plan proposed by Mr. Lewis, the then Colonial Architect; and they would have done that at their own expense if they had been allowed to occupy the rooms.

93. Was that offer made by the Custom House Agents as a body or by individuals? There were not so many at that day, but there were at all events a certain number who made the offer; whether the whole of the parties who were then acting as Custom House Agents were desirous of joining in the proposal I cannot say.

94. Do you not think it would have been a very good investment for them, if they had obtained an exclusive right to occupy those rooms? Yes, I think it would. We could not allow them to build the wing at the east end, because it would block up the Port Master's Office.

95. *By the Chairman:* Have not some Custom House Agents been allowed to erect offices in the neighbourhood of the Custom House on the adjacent land? Yes.

96. Are you aware whether that privilege would be extended to any person who had a license to act as a Custom House Agent? I should suppose it would, because they have all built on the condition that their erections should be pulled down at a moment's notice, if required.

97. *By Mr. Weekes:* Is not the land belonging to the Custom House very limited? The Custom House land is, but the Government land opposite is where these places are built.

98. Does not the fact of their being within the building give great advantages to those agents who have offices in the Custom House? I should say it did.

99. And, therefore, the privilege is exceedingly valuable? I believe it to be so.

100. If you think it desirable they should be there at all, would it not be better to put these offices up for tender, and so throw them open for competition—would not that be likely to bring an increased sum to the revenue? I dare say they would bring a higher rent in that way, because others would run the present occupants up, probably for the sake of annoying them.

101. Between the two, the public would get the benefit? Yes.

102. Have you acted on the instructions of the Government so far as to commit yourself to any engagement with the present occupants of the rooms? No. I considered the matter to be so far settled that I could at once call upon these parties to consider themselves as tenants at will; but I would not do so until I got the necessary documents. Another point for consideration

consideration is, how this rent is to be paid, whether half-yearly in advance, or quarterly, or whether it is to be paid only at the end of each quarter. If they have paid half a year in advance, and you turn them out at a fortnight's notice, you must refund, of course.

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103. Taking into consideration the requirements of the department of Customs, are you of opinion that any of the officers of the Custom House should be let to Custom House Agents? I cannot say as to that, further than I have already stated, that I believe their position there is very convenient to the public, but not more so than if they were *immediately* outside of it. I know for a fact that persons have been put to considerable inconvenience from not being able to ascertain where particular Custom House Agents were to be found. Besides the two agents who have rooms in the Custom House, there is a third who has a desk in the passage, for which he is to pay £10 a year.

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104. *By the Chairman:* In 1852 a Committee was appointed by the House of Commons to inquire into the Customs Department in England, and I see that they make the following recommendation in their Report: "The original importer of goods is liable by law for all duties thereon, however long they may remain in bond, and although he may have parted with his interest in them years before, and the property been transferred from one to another of the various parties. Many cases of consequent hardship have been brought before your Committee, and they suggest that the warehouse-keeper, not the importer, should be held responsible for the duties, with the following securities to himself:

"That the Customs locker be bound to hand to the warehouse-man, in the care of the bonded goods, a duplicate warrant for their delivery, such warrant to protect him against any action on the part of the Crown.

"That in the case of an examining floor, where the goods may be said to pass in transit, either such warrant must be given, or the signature by the Customs Officer of the Warehouse-keeper's books, will be held equally valid.

"That at the expiration of four years from the landing of the goods, stock thereof be taken by the Crown, so as to limit the responsibility of the warehouse-man, and the Customs should then call on the then proprietor to re-enter the goods, and, in cases where the duty is assessed on the landing weights or quantities, to pay up the duty on such deficiency as may be ascertained to exist at the time, and cannot be traced to natural causes;"—Is any such course adopted here? No.

105. Any deficiency is a loss to the Government? The law here is this; if you have goods in bond and you dispose of them to another party you may ask to have your bond cancelled, and the other party is immediately called upon to enter into his own bond. But the goods may pass through twenty hands, and the consequence is nobody ever does it.

106. Is not a certain amount allowed for leakage? No; all deficiencies are allowed to pass by our law, and I think it ought to be so; I do not consider that an importer of goods ought to be obliged to pay for that which he does not get. If he puts a cask containing sixty gallons into a bonded warehouse, and ten of those gallons run out in consequence of some defect in a stave, he has it not to sell, and I do not think he ought to be called upon to pay duty for it. It is very well to say it might be discovered; but I deny that. The casks are stowed in tiers three deep, and a cask may leak in a small way for a long time, until a large quantity of spirits be lost, before that cask is required to be taken out; and that being so, why should the owner be called upon to pay duty for it? He has not even the control of his own cask—it is in the hands of the bonded storekeeper, and he cannot get at it. Therefore, I am one of those who consider that the Crown has no right to the duty on these deficiencies. If it can be proved that the casks have been spoiled, then of course the bonded storekeeper would be liable.

107. *By Mr. Wesker:* In former days has it not been sometimes found that a mere bundle of staves represented a cask of spirits? It was on one occasion, many years ago.

108. It came out before the Committee which sat in 1856, that dutiable goods, spirits for instance, about to be placed in a bonded store, remote from the wharf where the ship was discharging, were sent to that store simply in the charge of an ordinary carter, no one attached to the Customs Department following the cart—does the same practice prevail now? It does, to a certain extent; some little changes have taken place. But the cart-notes shew the locker to whom the cart is despatched the quantity sent, and it is his province to see that it is right, and to give a receipt. It is just a question of expense. If the Government like to have cart followers, who would cost a great deal of money, of course it can be done.

109. Are the casks gauged on landing on the wharf? They are.

110. Are they re-gauged when they get to the bonded store? In all probability they are not; but, perhaps, they may be re-dipped.

111. There is no rule to that effect? No.

112. Is it not possible that something may be abstracted from the casks *in transitu*, and what check is there against such a thing? My own impression is that there is very little risk. The carter must go out of his direct line, into some obscure place, in order to spile a cask and get half a gallon or a gallon of brandy; and in doing so he would be subject to great risk of detection; people would be alive to that sort of thing. It would not be worth his while to risk detection and punishment. I do not doubt the possibility of such a practice, but I do doubt that it exists. But I am quite willing to introduce cart followers on all occasions, if it is thought worth the expense.

113. In point of fact, however, the goods are for a period out of the custody of the Customs authorities and in that of ordinary carters? They are. That is one of the reasons why I hope that in any new Act there will be provision made for the licensing of carters for this purpose. I think that would afford sufficient protection.

114. *By Mr. Donaldson:* You assisted the late Government in preparing a Consolidated Customs Act? I did.

115. Have you seen any reason to alter the opinions you then entertained as to the desirableness of such an Act? I have not.

116.

- Col. J. G. N. 116. Generally, do you think the Bill prepared by the Government of that day a good one?
Gibbes. I do.
- 27 May, 1858. 117. It would simplify the law in some respects, so that it would be more readily understood by the officers of your department, and would be more intelligible to the public? Yes, it would have that effect.
118. It repeals four Acts entirely and other four partially? Yes.
119. You think the course indicated in that Bill is the course that legislation on the Customs Laws should take in this Colony? Yes.
120. Do you recollect the appointment of a man named Paget to your department? I do.
121. Do you also recollect the cause of his dismissal? I could not detail the particulars at this moment; but he was found to have been guilty of certain irregularities, which could not be overlooked.
122. Can you furnish any papers connected with his case? I can.
123. Do you recollect whether there was any reference to the Executive Government? Yes, there was. He was regularly tried by myself, and evidence was pretty extensively taken.
124. You are not in the habit of dismissing any officer without reference to the Executive Government? No; except in the case of extra tide-waiters, whose appointment and dismissal belongs, as I consider, to the Collector of Customs. I consider it my duty, however, to suspend any officer who commits himself, and then make a reference to the Government.
125. Was not a person named Snow reinstated as an officer in your department, after having been dismissed? He was, for two days.
126. Why was that—was he not dismissed for drunkenness and impropriety of conduct? It was in this way:—After having been dismissed from the Customs he was appointed to another Government office as a clerk, after having been kept without an appointment for some seven or eight months. While in that situation he gained a very good character from the head of the department, for assiduity, attention, and punctuality; but he was not competent to fill the place in which he was put. I believe their time in the office was too much occupied to give him instruction, and he was consequently removed. I understood he was to be appointed to some other place more suited to him, and, in the meantime, I put him again on the tide list. I believed then that the man was reformed, and I hope he is. The Minister of Finance objected, however, to his being placed on the tide list, and what he is doing now I do not know.
127. Was he not dismissed for being drunk, and for not having given up the keys which were in his possession as a locker? Not quite so bad as that. On his way to the Custom House with the keys he was fallen in with by the Inspector of Warehouses in a state of gross intoxication; the keys were taken from him, and upon the circumstance being reported he was immediately dismissed. I have often thought that not permitting the man to re-enter the service was a harsh measure; for it was supposed at the time—and I have known other instances—that he had called at some public house on his way to the Custom House to deliver his keys, and had taken ale which was drugged, and consequently became in the state in which he was found. Of course he has suffered most severely. His mother, who is the widow of a Lieutenant-Colonel in the army, was dependent upon him; for his father having sold out, she has no pension; and his estate having been sold in the Encumbered Estates Court in Ireland, they came out here to see if they could do anything better than at home.
128. By Mr. Wickes: Did the facts you have stated come out on your investigation previous to his dismissal? No investigation took place. The Inspector of Warehouses reported to me the state in which he had found him, and that was sufficient to ensure his dismissal.
129. Was he dismissed by the Government or by yourself? By the Government.
130. He was suspended by you, and dismissed by the Government? Yes.

SELECT COMMITTEE ON THE CUSTOMS DEPARTMENT.

21

APPENDIX A.

A RETURN of the Persons employed in the Customs' Department.

NAME OF OFFICE.	NAME OF HOLDER.	WHEN APPOINTED TO CUSTOMS' SERVICE OF THIS COLONY.	WHEN APPOINTED TO PRESENT OFFICE IN CUSTOMS' SERVICE.	BY WHOM APPOINTED.	Amount of Fixed Salary.	Length of Service in the Customs' Dept. N. S. W.
Collector	John George Nathaniel Gibbes	1 May, 1834	1 May, 1834	Lords of the Treasury	1,700	21 1
Landing Surveyor	Frederick Garding	12 Sept., 1837	10 Nov., 1847	Do	630	30 8
Chief Clerk	William Norman McWilliam	6 Jan., 1842	1 Jan., 1853	Originally appointed by the Lords of the Treasury; present appointment made by the Governor Gen.	530	16 4
Second do. and Cashier	John Halford Madlocks	15 Feb., 1843	1 Jan., 1853	Do	530	15 3
Inspector of Warehouses	William Cathcart Still	19 Jan., 1857	19 Jan., 1857	Governor General	500	1 4
Third Clerk	Henry John Rucker	16 Jan., 1849	1 Jan., 1853	Originally appointed by the Lords of the Treasury; present appointment made by the Governor Gen.	375	9 4
Fourth do.	Stewart Marjoribanks Mowle	8 Sept., 1852	16 Aug., 1855	Governor General	325	5 8
Fifth do.	Thomas Fairbairn	30 Dec., 1847	1 Mar., 1857	Do	275	10 5
Sixth do.	Charles Henry Manton	16 Jan., 1853	"	Do	250	5 4
Seventh do.	William Edward Rogers	22 Sept., 1854	8 Apr., 1858	Do	225	3 8
Eighth do.	Richard Kelly	17 Jan., 1854	"	Do	205	4 4
Ninth do.	George Green Emmett	12 Dec., 1853	"	Do	200	5 5
Tenth do.	Tom Night Muckenzie	3 Mar., 1857	"	Do	195	1 2
Eleventh do.	Francis Spence	26 May, 1846	1 May, 1858	Do	105	2 0
First Landing Waiter	Arthur William Rolleston	12 Sept., 1849	1 July, 1853	Originally appointed by the Lords of the Treasury; present appointment made by the Governor Gen.	375	8 8
Second do.	John Bramwell	19 Jan., 1843	1 July, 1853	Do	325	15 4
Third do.	Perival Hindmarsh	6 Aug., 1850	"	Do	325	7 9
Fourth do.	John Kidd	8 Sept., 1850	8 June, 1857	Governor General	275	15 8
Fifth do.	Augustus Tierney	5 Feb., 1855	"	Do	275	3 3
Sixth do.	Henry Anderson	20 Dec., 1845	"	Do	275	12 5
Seventh do.	Wm. Richd. Templeman Passmore	22 Aug., 1853	1 Jan., 1858	Do	225	4 9
Eighth do.	William Carron	26 April, 1848	1 Mar., 1858	Do	225	10 2
Ninth do.	Arthur Irwin Ormsby	23 Feb., 1857	1 Jan., 1858	Do	225	1 3
First Tide Surveyor	John DeCourcy Bremer	28 Feb., 1846	1 July, 1853	Originally appointed by the Lords of the Treasury; present appointment made by the Governor Gen.	325	12 3
Second do.	James Collier	6 Jan., 1841	4 Feb., 1854	Do	325	17 4
Warehouse Keeper	David Nash	13 Jan., 1848	16 Sept., 1850	Do	375	30 4
First Looker	John Edwistle Turner	19 Sept., 1849	8 June, 1857	Governor General	275	8 8
Second do.	Thomas Barwick Corbett	6 July, 1849	1 Mar., 1858	Do	250	8 10
Third do.	William King	28 Nov., 1852	"	Do	225	5 6
Fourth do.	William Hunt	12 July, 1852	"	Do	225	5 10
Fifth do.	Dennis Burke Garvan	5 April, 1850	"	Do	195	8 1
Sixth do.	Charles Henry Horsley	23 Feb., 1857	"	Do	195	1 3
Seventh do.	Thomas Thompson	13 May, 1853	"	Do	190	5
Eighth do.	William Mundy	14 May, 1853	"	Do	185	5
Ninth do.	John Cunningham	16 May, 1853	"	Do	185	5
Tenth do.	Quallier Sears	17 Nov., 1853	"	Do	185	4 6
Eleventh do.	William Beck	10 Nov., 1853	"	Do	185	4 6
Twelfth do.	John Stubbin	22 Dec., 1853	"	Do	185	4 5
First Acting Looker	Alexander Fraser	22 July, 1853	"	Do	165	4 10
Second do.	Wallis Adams Ring	20 Jan., 1854	"	Do	165	4 4
Third do.	Thomas Ball Eldredshaw	14 Jan., 1856	"	Do	165	2 4
Fourth do.	Thomas Gains Jamison	1 July, 1857	"	Do	165	0 10
Fifth do.	John Green	"	"	Do	165	0 10
Sixth do.	William Wall	19 Feb., 1858	"	Do	165	0 3
Seventh do.	William Warburton	19 Jan., 1851	"	Do	165	17 4
Eighth do.	Reginald Lewis	27 Oct., 1850	3 May, 1858	Do	165	1 7
First Tide Waiter	George Norton Russell	1 July, 1858	18 July, 1853	Originally appointed by the Lords of the Treasury; present appointment made by the Governor Gen.	225	19 10
Second do.	Michael George Brown	9 July, 1849	15 Mar., 1853	Governor General	215	8 10
Third do.	Edward Newton	23 July, 1844	"	Do	205	8 10
Fourth do.	Thomas Dwyer	8 Oct., 1852	"	Do	195	5 7
Housekeeper	Sarah Wilkins	19 Nov., 1855	19 Nov., 1855	Collector of Customs	40	2 6
Messengers, Weighers, &c. &c.	William Wilkins				120	
1 Head Messenger	Henry Faulkner				104	
1 Long-room do.	at £50 per annum (each)					
2 Warrant do.	at £50 " " "					
4 Weighers, &c.	at £50 " " "					
1 Porter	Samuel Jones				100	
1 Watchman	Michael Hambley				114	
Boatmen.						
2 Coxswains	at £120 per annum (each)					
9 Boatmen	at £104 " " (each)					
OUT PORTS.						
NEWCASTLE.						
Sub-Collector	Charles Bolton	1 June, 1837	21 Aug., 1846	Lords of the Treasury	325	21 0
Landing Waiter (Morpeth)	John James Allman	11 July, 1843	20 Dec., 1849	Governor General	309	11 10
Tide Surveyor	Edwin Marshburn	29 Sept., 1851	17 Aug., 1856	Do	225	3 8
Clerk	William Platt	17 Aug., 1853	"	Do	195	1 9
1 Coxswain	at £120 per annum.					
2 Boatmen	at £104 each per annum.					
BRISBANE.						
Sub-Collector	William Augustus Duncan	11 May, 1846	14 May, 1846	Governor General	480	12 0
Landing Waiter	William Thornton	"	"	Do	325	12 0
Tide Surveyor, Moreton Bay	Richard Bingham Sheridan	7 Feb., 1849	15 Feb., 1853	Originally appointed by the Lords of the Treasury; present appointment made by the Governor Gen.	275	12 3
Clerk and Looker	Charles Edward Vyvyan	1 Feb., 1853	18 Sept., 1855	Governor General	195	5 4
1 Coxswain	at £120 per annum.					
5 Boatmen	at £56 each per annum.					
1 Weigher and Officekeeper	at £118 per annum.					
FREMANTLE.						
Sub-Collector*	George Plunkett Keon	3 Jan., 1851	20 Sept., 1846	Governor General	275	7 4
1 Coxswain	at £152 per annum.					
3 Boatmen	at £108 each per annum.					
SUB-STATIONS.						
BROKEN BAY.						
Coastwaiter*	Alexander Thos. Ross	16 Feb., 1840	1 Jan., 1855	Governor General	250	18 3
4 Boatmen	at £90 each per annum.					
BOTANY BAY.						
Coastwaiter*	George Brett	8 Jan., 1846	8 Jan., 1846	Governor General	245	12 4
2 Boatmen	at £96 each per annum.					

* Provided with Quarters.

* First appointment of Colonel Gibbes in the Customs' Service as Collector, 1 January, 1830.—First appointment in the service of the Crown as Custom House, Sydney, 27 May, 1858.

J. GIBBES,
Collector of Customs.

FRIDAY, 4 JUNE, 1858.

Present:—

MR. EGAN,
MR. DONALDSON,MR. WEEKES,
MR. FLOOD,

MR. R. CAMPBELL.

DANIEL EGAN, ESQ., IN THE CHAIR.

William Cathcart Still, Esq., called in and examined:—

- W. C. Still, Esq.
4 June, 1858.
1. *By the Chairman:* You are connected with the Customs, I believe? Yes. I am Inspector of Bonded Warehouses.
 2. That office is under the control of the Collector of Customs? Yes.
 3. How long have you filled that appointment? I was appointed acting inspector on the 19th January, 1857, and my appointment was confirmed on the 19th of April of that year.
 4. Is that the first appointment in that capacity that has been made in that department? I think so.
 5. What is the chief duty you have to perform? If the Committee would allow me, I would give them the information from a copy of the instructions I received. If permitted, I will read them.
 6. *By Mr. Donaldson:* Who are they from? From the Collector of Customs, on my being gazetted. This is the original. I can give a copy if desired by the Committee. (*Witness read instructions from Colonel Gibbs. Vide Appendix A.*)
 7. *By the Chairman:* Now, since the date of your appointment, you have endeavored to carry out your instructions? I have.
 8. What was the state of the bonded stores—was the manner of conducting them very efficient—what state did you find the various bonded stores in? There appeared to have been no supervision at all over them.
 9. No supervision? None by a superior officer.
 10. Did you make any report or suggestions in consequence? I did.
 11. Can you state what was the result? In my letter-book I have two letters, or reports, which would give the Committee an idea of some of the matters requiring supervision.
 12. Were these letters submitted to the Collector of Customs? Yes.
 13. Was there any action taken upon them? Not immediately upon all the matters brought under notice.
 14. Part of your suggestions were acceded to, and part of them there was no action taken on? Yes.
 15. *By Mr. Donaldson:* Let us have the suggestions? (*Witness read from letter-book.*)
 16. *By the Chairman:* That is the first letter you wrote after your appointment? (*Witness read letter, dated 29th April, 1857. Vide Appendix B.*)
 17. *By Mr. Donaldson:* In that first letter you suggested that cart-notes should accompany the cart to the bonded store—is that the case now? No; that is not invariably the case. (*Witness read letter, dated 6th May, 1857. Vide Appendix C.*)
 18. Was the general incorrectness of the hydrometers considerable? Yes, and some of the instruments had not been properly adjusted.
 19. *By the Chairman:* The two letters you are now speaking of are your suggestions for the better management of bonded stores? There are three letters—one I forgot to mention. (*Witness read a third letter, dated 16th May, 1857. Vide Appendix D.*) These are the particular letters which I refer to. There are other things which occasionally transpire that I correspond about.
 20. Now, with reference to the first letter containing your suggestions—was there any part of them carried out? Yes.
 21. Will you state what part? I pointed out the defective state of the hydrometers, and discovered that six new ones were procurable; they were purchased at my suggestion, and that enabled me to go on. The whole of the defective instruments have not been replaced, but I have a mode of adjusting them, so that no injury results to the revenue.
 22. Is there any other suggestion not complied with? I never got the rods. I do not know whether any steps were taken to get them. I may state, in fairness to the Collector of Customs, that there is a difficulty in getting rods. I bought one set afterwards—all that could be procured. The object of my suggestions was to apply a check on the landing-waiter's gauges as much as possible, which struck me as very desirable.
 23. Are the rods obtainable in the Colony or not? I heard during the last few days that one set might be obtained.
 24. Was there any other suggestion in your first letter not acceded to? The cart-notes were not entirely followed out. The regulations regarding them have not been strictly obeyed. At some of the warehouses, when the superintendence devolved upon me, there were no cart-notes received at all, at others only occasionally, and frequently so incorrect as to be almost valueless.
 25. Is that the case now? The system is greatly improved since I took charge, but still we do not get them regularly, and then of course we have only the carter's account of what was despatched from the wharf.
 26. You trust the carter, and no documents accompanying? As I said before, they are not sent invariably.
 27. Is the latter part of your suggestion complied with—in the event of cart-notes not coming with each cart, at the end of the day a return to be sent to shew the quantity forwarded? Not in all cases.
 28. The man who took the load, could he not bring it to you at all? He could do it.

29. Then you have no check at all? Not immediately, for a month may elapse before the landing-waiter calls upon the locker to sign his book for the number of packages received. These cart-notes, if sent regularly and correct, would be of great value to the locker, because he cannot always spare time in the midst of deliveries and other duties even to count the packages as they are removed from the drays, and he must therefore trust a good deal to the landing-waiter.

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30. If there is any fraud committed you cannot tell by whom it is committed? You could not immediately, but after a time you could.

31. That is almost a temptation to fraud. Your appointment, with reference to that particular branch has not been the means of any greater supervision than before? I have done all I can in the matter. The direction to the landing officers in regard to these cart-notes does not rest with me; but, as a set-off to their irregularity, I have introduced into the warehouses a book called a "Locker's Journal of Receipts and Deliveries," in which every day's work is entered, and that checks the packages received by the drays.

32. That affords some check on what is received? It is a check upon what was despatched from the wharf to the warehouse.

33. You have no documents accompanying it? Not in all cases.

34. Whose business is it to see the documents signed—is it the landing-waiter or the tide-waiter? That belongs to the landing-waiter's branch.

35. You say in one of your letters that you suggested a remedy which has not been carried out? Yes.

36. *By Mr. Donaldson*: Did you say in your letters that there should be cart-followers or cart-notes? I think cart-notes would be sufficient if the landing-waiter was enjoined to send them invariably. But it does not appear clear who is to blame—the landing-waiter or the tide-waiter. The landing-waiter gauges and despatches the casks. All other packages are discharged by the tide-waiter.

37. Are the tide-waiters strictly directed and supervised by the landing-waiter to send these notes? Hitherto not in all cases, seemingly.

38. The matter of fact is, he is not looked after? The landing-waiter trusts the tide-waiter.

39. *By Mr. Flood*: Would it not meet the difficulty if the cart receipts were kept in duplicate—the officer delivering the goods to the carter to keep one, forwarding the other to the officer who receives the goods? I think it would. I endeavoured to do something of that kind with regard to sugar. I am very particular about sugar. Where the ship is in the neighbourhood of the warehouse I endeavour to arrange between the locker and the tide-waiter that they make and receive a note, at the end of each day, of the quantity received at the warehouse. I have no power to direct the tide-waiters in these matters.

40. If the cart-notes are kept in duplicate, and the tide-waiter is compelled to furnish his book at the close of the day for the purpose of being compared with the accounts and receipts which have been received by the locker, the detection of goods not delivered would be discovered immediately? I think that plan would answer completely.

41. Without giving much more labor to the officers concerned? I think it could be done without much extra labor.

42. *By Mr. Weekes*: The principle you are referring to would only check the quantity? It would check the number of packages only, although, in sugar, coffee, and some other articles, it could be brought to check the weight also.

43. You say that only the carter, and not an officer of Customs accompanies the dray in going from the wharf to the bonded store? No officer.

44. Does it not strike you that the revenue could be defrauded by the possibility of dray loads of goods in transitu being tampered with, either casks of an inferior quality being substituted for goods of a superior quality, or by weakening the contents by taking out a portion and filling it up with water—what check really exists against such things as that? It certainly could be done, but it would be found out ultimately.

45. In what way? By a sample order. After the cask is warehoused you can taste the spirit—you can also have a private re-gauge at any moment, and the usual re-gauge if a month in bond will give you the strength and certified quantity. If the spirit has been tampered with it will then shew.

46. How would you trace it—to whom—the party who bought the spirit might let the goods remain for a considerable time in the bonded store; how would you find out who tampered with it; the loss to the revenue is certain, and the loss to the owner of the goods certain? Supposing no cart-note accompanied it from the wharf, we still would have some trace—from the bond mark and number we find the ship; that gives us the wharf, and the officer who discharged at that particular date, and he might have some recollection of the carters, who are all well known to the officers; but, of course, if a very considerable time were to elapse the deficiency would be difficult to trace.

47. Still it is possible that you may be in a position not to be able to find it out? Yes. If I may be allowed to state, among my orders to the lockers I directed them "to go over the gauges of the landing officers, whenever their other duties will permit, and report to the Inspector any discrepancies they may detect in regard to the original return of the strength or quantity of any package received into their charge." In obedience to my directions, one of the lockers reported to me that he had discovered a deficiency of fifteen gallons in the original gauge of fifteen casks. The treatment the locker received in this case would deter, I think, other lockers from subjecting themselves to similar consequences.

48. Your rule being re-gauging after deposit in the warehouse? Yes.

49. You were alluding just now to the locker and the re-gauge, and that he found out that there was a deficiency? Yes.

50. Tell the Committee what you refer to when you say that the locker received such treatment that you think he would be deterred obeying your order again? I do not say that he would never obey my order again; I meant that it might deter him or others from obeying this particular order.

51.

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51. Repeat the case you were referring to? The locker reported to me the deficiency, as before referred to, and I brought it under the notice of the Collector of Customs, who directed the Landing-surveyor to send the landing-waiter to correct his gauge. This officer went to the locker and spoke in such a way that he considered he was insulted. This officer is in charge of two warehouses—a morning warehouse and an afternoon warehouse.

52. What is the name of the locker? Mr. Mundy. The error was discovered at the forenoon bond, but the landing-waiter, instead of visiting the locker there, called upon him at his afternoon bond, and in an insulting manner demanded his keys, that he might proceed to correct his gauge unaccompanied by the locker. To this the latter demurred, as he wished to be present during the time his store was open. The landing-waiter returned to the Custom House, and complained to the Collector of the obstruction thrown in his way by the locker, and obtained an order to Mr. Mundy "to accompany the landing-waiter" to his afternoon bond. Now this was what the locker himself had offered to do, but it seems the landing-waiter concealed this from the Collector, for, instead of making use of this order, he procured one of an opposite nature from the Landing-surveyor, whom he kept in ignorance of the previous order from the Collector. The landing-waiter then returned to the locker, and, after some more abuse, obtained the keys on the Landing-surveyor's order, and went to correct the gauge by himself. As I had witnessed on one or two occasions previously an interference with the warehouse duties, I thought this a fitting opportunity to elicit the opinion of the Minister as to whether I was to have the complete control of the lockers or not. I therefore requested the Collector of Customs, in reply to a note from him, to bring the matter under the notice of Mr. Jones, then Minister, whose Minute in regard to it I thought would have been a protection to me for the future. I considered that the Landing-surveyor, in issuing this order to the locker, had gone beyond his province, and that he was trenching upon my authority.

53. By Mr. Donaldson: Read the minute of Mr. Jones? (Witness read the same. Vide Appendix E.) I considered in practice that gave me the independent supervision of the warehouse branch.

54. It has not in practice been carried out, that minute? No, it has not. The locker in this case complained bitterly of the treatment he had received from the landing-waiter, who threatened him with ulterior consequences. The order seems to be a very unpalatable one to the lockers.

55. By Mr. Weekes: That order being re-gauging? Yes. I am sure it is an unpalatable duty to correct the landing officers, and persons in their position are not willing to incur the ill-will of their superior officers. The landing-waiters will not admit that the lockers should be allowed to correct their gauges.

56. Then you think some influence does work prejudicially to the interest of the public in the Customs Department in that particular? I think it does in that particular.

57. You think it is a very unpalatable duty to carry out? Yes, I think the lockers view it so. It brings them into collision with their superiors.

58. Is it not an ordinary thing to submit these matters to a check in every other department? It is.

59. This is simply a check on the officer who gauges, you observe? Yes, but it seems to be viewed more as personal matter.

60. Then, do I understand that it is your opinion that you should have power to give instructions to the lockers to re-gauge every thing that is deposited in the warehouses? Yes. I wish to institute a check.

61. Is that the only locker that carried out your instructions? Yes.

62. Did he continue to do it? That officer would, but, as I stated, he was insulted in consequence. When at leisure this duty can be performed, but at some of the warehouses the lockers are too busy to attend to it.

63. Do you think it of that importance that it should be part of the duty of the lockers—taking all those circumstances into consideration, such as tampering, &c.? I think it should be part of their duty.

64. But at the same time you say that their duties are so extensive that in all cases they could not do it? They could not in all cases.

65. By Mr. Donaldson: I should like to learn from you, Mr. Still, now that we are on the subject of re-gauging, something about the certificates. Dutiable spirits are, I believe, principally and originally gauged by the landing-waiter. I should like to follow up the question of the preparation of the certificates, and see how it affects the revenue—is it the case that the certificates on which duty is primarily charged are made up from the gauge by the landing-waiter? The original entry is the landing-waiter's gauge. If your goods are bonded you can pay on that, or take out a re-gauge order.

66. Generally what is the system? They pay on both; on the re-gauge orders and on the original entries.

67. If a re-gauge order is considered so essential as to be almost always considered necessary, where do you see the importance of checking the gauge of the landing-waiter? It is not always the case to pay on a re-gauge; you then pay on the quantity returned by the landing-waiter.

68. The difficulty you see is, that duty might be paid on a defective gauge without a check of the bonded store? Yes.

69. Would that be favorable to the importers, or otherwise? In some cases it would be favorable, and in other cases it would be against them. There might be errors. In the hurry of gauging a large number of casks, mistakes might occur at the landing, and we cannot be too particular in seeing that the full duty is collected on all articles.

70. By Mr. Weekes: Who issues the certificates in the various bonded stores? The certificates are copied from the Custom House entries. We do not issue them.

71. Suppose I put 20 hogsheads in bond, who gives me the certificates? The importer or his agent makes out these certificates from our entries.
72. Is it signed by a private storekeeper? Either by the bonded storekeeper himself or his manager.
73. Is it within your knowledge that certificates in duplicate, or rather certificates that do not represent the goods in the warehouse, have been issued by bonded storekeepers? Nothing of that kind has come within my knowledge.
74. Do you know any check against that being the case? The bonded storekeeper could make out as many copies as he likes; we have nothing to do with the certificates.
75. I want to know what protection there is that a bonded storekeeper does not issue as many certificates as he likes. We know that they are merchantable articles, and that you can sell 50 hogsheads on the certificates—they go from hand to hand? We have nothing to do with them.
76. Can you suggest any system that would be a check? By making it a Government document instead of a private one.
77. Bearing the signature of some officer of the Customs—would that check it, or can you suggest any other mode? The fact is, this is a matter I have very little to do with; it does not come within my province at all.
78. You are not aware that it has been said in some recent instances that these duplicate certificates have been issued in fraud, in fact? I am not cognizant of it. I should think a respectable storekeeper would not do such a thing.
79. Are the certificates always kept in duplicate? I cannot say.
80. *By Mr. Flood:* Is there any place where I can go and ascertain that the certificates are genuine? Yes. If you go to the Custom House and get a sample order, the locker will soon prove whether the goods are in bond or not.
81. Suppose when he applied to the Warehouse-keeper for a sample of the goods there were no goods there? Then it would be palpable that the certificates were not genuine.
82. Have you a book kept in any place shewing the casks of spirits as set forth in the certificates as having been deposited? Yes; the Customs Warehouse-keeper has his Register. He is an obliging person, and from him the party would soon ascertain in what particular store the goods were warehoused.
83. *By the Chairman:* Do you know whether in former days the certificates were not signed by the Collector of Customs? I cannot say whether it was the practice in former days.
84. *By Mr. Weekes:* Would it come within your particular province—would it entail much duty on you if you were called on to countersign the different certificates in your daily visits to the warehouses—you being responsible that what you signed was in the warehouses? The mere initialling or signing would not entail so much trouble. It would be impossible for me to visit daily all the warehouses for this purpose—perhaps, for some days I cannot see them at all. I may have business at one warehouse which may keep me a whole day engaged, or, perhaps two days. I should have to be followed about, and this might be inconvenient to parties. The delay also might frequently prevent a sale. Should, however, it be considered necessary to have a better protection to the public than at present exists, of course it might be arranged that I should be in attendance at the Custom House at a particular hour to sign these documents.
85. *By the Chairman:* Is there not some Custom regulation which prohibits the re-gauging of spirits unless a certain time has elapsed? There is. I have arranged with the Landing-surveyor that nothing is to be re-gauged under a month in bond.
86. It was a longer period than that formerly? I think it was three months.
87. Have you found any great difference between the re-gauge of a month and that which was the gauge at the time of it being put in store? Occasionally I find a deficiency, and occasionally a surplus of measurement.
88. If it were correctly gauged there could be no surplus? There could be no surplus if correctly gauged.
89. *By the Chairman:* How many lockers are there under your control? Twenty.
90. Are you aware of what is the amount of salary these lockers receive? They vary—from £275 to £163 per annum.
91. Now, what is the manner in which the duties of the warehouse branch of the department are performed by those at present employed—is it in a satisfactory way, and are they such men as you have entire confidence in? I think, with the exception of one officer, who is just now on good behaviour, they are all doing their duty satisfactorily.
92. With the exception of one? Yes; but I have no fault to find with him at present.
93. Are the keys of the bonded warehouses left in their possession any time, or are they deposited entirely with the persons in charge? They are deposited with the Customs Warehouse-keeper every evening on the bonds closing.
94. I suppose duplicate keys are kept by the bonded storekeepers—what is the mode of security so far as locks and keys go? There are two keys to each entrance to the warehouse, one held by the warehouse-keeper and the other by the locker. I discovered that some of these keys supposed to be found by the Government were in reality the private property of the warehouse-keeper.
95. A good many keys that are supposed to be public keys are the private property of the warehouse-keeper? Yes. In the course of some correspondence with the Collector of Customs some time back, I pointed out this, and the Collector seemed to think it a most unprecedented and unusual practice.
96. *By Mr. Weekes:* You pointed out that these keys which were supposed to be public were not so? Yes.
97. What do you mean by public keys? Keys held by the locker and purchased at the expense

- W. C. Still, Esq.
4 June, 1858.
- expense of the Crown. In this instance they were at the expense of the warehouse-keeper.
98. You think it objectionable that the public keys should be his private property? Yes. I agreed with the Collector of Customs that these keys should not be found by private individuals, but by the Government. I have made a requisition for the proper number, and we are gradually replacing those keys by others purchased by the Government.
99. Is the Queen's lock different to the padlock which was purchased by the owner of the store? Yes, in some instances; but I do not see that any injury to the revenue could have occurred, because, from the description of locks used, duplicate keys are not sold with them. I think they were Barron's locks.
100. Then you do not think this has affected the revenue? I do not think the revenue has been affected.
101. A man might have duplicate keys? With the superior patents you get duplicate keys. You do with Marr's and Chubb's, but not with Barron's.
102. You can get hold of one of the keys and make a duplicate key from it? You can do that with any key, however superior, and whoever finds it. It is the principle of these keys being purchased by private individuals that I consider objectionable.
103. *By the Chairman*: Then, in reference to the security in that particular there has been a change since you took charge? Yes; we are gradually placing our own locks upon all the doors.
104. *By Mr. Weekes*: You said the lockers take the Queen's keys to the Warehouse-keeper? Yes, to Mr. Nash, the Warehouse-keeper, every evening.
105. Is that always the case? It came to my knowledge that it was not the case on one occasion.
106. *By Mr. Donaldson*: What case was that? That was the case of a Mr. Snow.
107. Did you report that to the Collector? I did.
108. Will you relate the circumstances of that case? Mr. Snow was the locker of Messrs. Griffiths and Cooper's warehouses. The Warehouse-keeper reported to me that Mr. Snow had not returned his keys over night, nor had he appeared that morning to sign his name in the Attendance Book. In the afternoon I went up to Cooper's, and found Mr. Snow had just left. I discovered him in the street, in a state of intoxication. As he was too insensible to deliver to me the warehouse keys, which were in his pocket, I was obliged to resort to the aid of the police to procure them; and having obtained them, they were forwarded to the Custom House. On my report, Mr. Snow was dismissed the next day.
109. *By the Chairman*: Do you think it would be desirable that there should be a Queen's Bonded Store? I have thought over the matter, and I think it would be desirable.
110. *By Mr. Flood*: I want to know how many lockers you have any control over? Twenty.
111. What control have you over the lockers? I considered when I was appointed by the honorable member Mr. Donaldson, then Minister over my department, that I had the complete superintendence of the warehouse branch, and I was under that impression while that honorable gentleman remained in office. The very week, however, that Mr. Donaldson retired, I received a note from the Collector of Customs, which, if the Committee will allow me to read, will give them some information on the point. (*Witness read the same. Vide Appendix F*) This note was in reply to my complaint of the Landing-surveyor's interferences, and informed me that, although I was Inspector of Warehouses, Mr. Garling was *Surveyor of Warehouses*. As this concerned my position in the department, a correspondence ensued, and the Minister, Mr. Jones, made the Minute I have already read. I claim no superiority over the Landing-surveyor; I merely wish to be allowed to attend to my own duties without the interference of others.
112. Are you compelled to communicate through the Landing-surveyor, Mr. Garling? No; in all cases I communicate to the Collector, direct. My position in the department does not appear to have been properly pointed out to the officers or to the public. As Inspector of Warehouses, I consider that all matters connected with the Warehouse Branch should be arranged by me; but the reverse is the case. Many things are done through the Landing-surveyor, and not unfrequently orders to the lockers are issued by him: this interference fetters my exertions. It is no encouragement to devise improvements. I feel it the more, as I was given to understand by the Minister who appointed me, that my position as Inspector of Warehouses was, except to the Collector himself, entirely independent of any other officer.
113. *By Mr. Donaldson*: Do I understand that it compromises your usefulness rather than your authority? Both. I consider it not only fetters my exertions, but that it also compromises my authority at the warehouses.

APPENDIX A.

Copy of Instructions issued to Inspector of Warehouses.

*Custom House, Sydney,
7 April, 1857.*

Sir,

Agreeably to your request, that I should furnish you with some written instructions for your guidance in the performance of the duties of the office to which you have been appointed, I beg to say that you are to take upon yourself the general superintendence of the Warehouse Branch of this department.

2. It will be necessary that you visit daily as many of the bonding stores as circumstances will admit of, and that you will see that the lockers have entered the hour of their arrival at the warehouse in the Appearance Book kept for that purpose, and that they are at their post.

3.

3. You will examine the entries of goods for the warehouse, and see that they have been duly copied into the Stock Book; and by a comparison of the "Locker's Orders" of the day preceding with that Stock Book, ascertain that all deliveries have been written off, at the same time putting your initials thereto.

W. C. Still,
Esq.
4 June, 1868.

4. You will take care that the casks are stowed in tiers, of not more than three tiers in height, (except where all are quarter-casks, in which case there may be four tiers in height,) the larger packages at the bottom, and the quarter-casks above.

5. All casks should be stowed in such manner that the marks and numbers can be ascertained at any time, by having a passage between the heads.

6. By this arrangement it will not be difficult to ascertain if any cask is leaking; and when such is the case, it should be immediately got out, and the owner called upon to have it re-coopered.

7. In the event of his refusing to do so, you have the power to order it to be done, causing the locker to enter the occurrence in the Stock Book, with the expense incurred; and the cask is not to be delivered until that expense is repaid.

8. When coopered, it would be desirable to re-gauge or dip it, and to note the contents in the Stock Book, with the date.

9. Should a cask be found empty, the head should be taken out, to ascertain if it has been spiled, and the cask then removed from the store, and then written off the Stock Book; the circumstance being notified to the Warehouse-keeper, that he may discharge it from his ledger.

10. None but persons on business should be allowed in the warehouse.

11. You will direct the lockers not to allow any samples to be drawn off, without a proper order from the Customs Warehouse-keeper or myself.

12. You will allow no private gauging for sale by the lockers to interfere with their public duty.

13. You will direct the lockers to acquaint you, when any re-gauging, re-packing, re-weighing, or vatting is required.

14. It will be a part of your duty to see that no inferior brandies are re-packed into casks with superior brands, unless those brands are first erased.

15. You will ascertain, on your visits to the warehouses, that cart or boat notes are received by the lockers from the landing-waiters, for all goods sent from the ship to the warehouse, and that those notes are filed.

16. You will ascertain that all goods have been properly marked and numbered, previous to their being stowed, or immediately after being stowed.

17. You will give the lockers to understand that the warehouses are not to be kept open after four o'clock, p.m., without special permission.

18. It will be your express province to report to me any dereliction from duty on the part of the lockers, either from incapacity, negligence, or any other cause.

To the Inspector of Warehouses,
Port of Sydney.

I have, &c.,
J. GIBBES,
Collector.

APPENDIX B.

From Inspector of Warehouses, to Collector of Customs, respecting Irregularity of Cart-notes.

Custom House, Sydney,
29 April, 1877.

Sir,

I deem it my duty to bring under your notice that, contrary to the regulation on the subject, in most instances goods are conveyed from the wharves to the various warehouses without being accompanied by cart-notes.

As the landing-waiters' returns are frequently not made up for a considerable time after the commencement of the landing, the presence of these notes in the interim—in checking the import entry, and the actual quantity of goods, particularly case packages, forwarded by the drays to the warehouses,—is of great value to the locker; and I may also observe, that in the working of the journal about to be introduced under your sanction, the value of these notes will be still more enhanced.

I venture, therefore, respectfully to suggest, that the landing-waiter be directed "to forward, when practicable, a cart-note by every load of goods leaving for the warehouse," and that, when circumstances prevent his doing so, and no cart-notes have been made out for any previous loads during the day, "the last load leaving the wharf be invariably accompanied by a note containing full particulars of the whole day's despatch to the particular warehouse."

The Collector of Customs.

I have, &c.,
W. CATHCART STILL,
Inspector of Warehouses.

W. C. Still,
Esq.

4 June, 1858.

APPENDIX C.

From Inspector of Warehouses to Collector of Customs, respecting Defective Hydrometers.

Custom House, Sydney,
6 May, 1857.

Sir,

Having considered it very desirable, among some of my first labors, to test the hydrometers in use at the different warehouses, I have the honor to acquaint you that on receipt from the Landing-surveyor of an instrument which, although not a correct one, I adjusted by the standard (No 6919) in the Custom House, I proceeded on the first day of the month to carry out my views, and beg to enclose a detail of the results of the examination, which I finished yesterday.

At Gilchrist's, Wilkinson's, and at Towns', I found that neither the warehouse-keepers nor the lockers had any instrument in use at all, and that whenever strengths are required to be taken, the practice is to borrow from the nearest warehouse possessing one. I need not allude to the inconvenience and delay such a course must obviously occasion to the locker, as well as to the dissatisfaction naturally enough felt on the part of the warehouse-keepers, who generally do not scruple to express their surprise, to use their own words, that in the face of the large item of revenue now collected from their premises, ostensibly for the purpose of defraying the expenses of supervision, the lockers in charge are so stinted in the supply of the necessary implements to enable them to carry out their duties. At Brown's, Kirchner's, Leigh's, and at Smith's, the instruments in use are private property, but permitted to be used by the lockers to avoid the impediments to the despatch of business which would result in having to wait for the loan of one.

It will be seen from the enclosed detail that some of the hydrometers are in a very defective state, and where they have not been previously tested and adjusted, the revenue must have suffered to some extent.

Although I have determined upon periodical adjustments, namely the first week in each month, and may by this course prevent errors of any serious amount occurring, yet these frequent regulations of the instruments cannot but lead to considerable doubt and dissatisfaction on the part of a large section of the public connected with transactions at the warehouses.

I would therefore suggest, that whenever our stock of hydrometers can be replenished, either from home or by purchase on the spot, each locker be placed in possession of a new and correct instrument, and the defective ones called in and condemned.

While on this subject, I beg to allude to the mode hitherto adopted of adjusting an incorrect instrument, which I respectfully venture to state, from a long practical experience in these matters, is *erroneous*.

Having succeeded in regulating the instruments in use in the branch under my supervision, so as to produce that degree of uniformity in testing samples so essentially necessary to preserve the accuracy of the accounts of the department, as well as to meet the expectations of the public, I cannot but think that if the hydrometers of the water-side officers were adjusted at fixed and frequent periods upon a similar principle, one general agreement in the declaration of strengths would result, and prove not only a source of satisfaction to the individual officers themselves, but also to the many persons whose speculations in business may be affected by any variation in the instruments of the Customs Officers.

I have, &c.,

W. CATHCART STILL,
Inspector of Warehouses.

The Collector of Customs.

APPENDIX D.

From Inspector of Warehouses to Collector of Customs, respecting supply of articles at the Warehouses.

Custom House, Sydney,
16 May, 1857.

Sir,

I do myself the honor to bring under your notice several matters connected with the supervision at the warehouses, which I beg to be permitted to condense in one communication, in place of interrupting you with a separate letter on each subject.

I will allude to, first,—

The supply of gauging rods.—I find that, except at Brown's, Kirchner's, the Argyle, and at Lloyd's, where they are the property of the warehouse keepers, a complete set of rods are not in the possession of any locker, and that where a re-gauge all round of the original packages, or a re-pack into a new one is required, it frequently becomes a difficulty with the locker, who generally has but the head and bung-rods to work with, to arrange the matter, and the diagonal gauges thus arrived at do not, it is well known, always agree with the results of a complete or all-round measurement.

With the view, therefore, to render each locker as efficient in his duties as possible, I respectfully have to suggest that the warehouses where they are wanted be each supplied with a complete set of rods, and that the lockers individually be held responsible for their order and safe custody.

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I may state, while on this subject, that it is my intention, when the stowage in the various stores is sufficiently completed to facilitate stock taking, in connection with the weekly balancing of the new Journal, to test daily the gauges of the lockers, as well as those arrived at previously by the waterside officers; but without the full complement of rods at each warehouse, this duty, which I think would be viewed favorably by the public, will be arrested.

W. C. Still,
Esq.
4 June, 1858.

Secondly, the supply of weights and measures.—As disputes occasionally occur respecting low ullages, and the gauges of case liquids, and as small measures are not always furnished at the warehouses, but have to be borrowed when required from the nearest landing-waiter, if he can spare them at the time, I would suggest, that I should be supplied with a complete set of measures (5 gallons down) for general use, as well as a complete set of the small weights (14 lbs. down), and scales to test the gauge of cigars and snuffs, and other light goods.

Thirdly, the locks in use at the warehouses.—I find that altogether there are about 100 locks and keys in charge of the lockers; and although the majority of these are of a very fair description, and answer the purpose required, yet there are several of a very inferior sort, which I cannot but desire to see changed for a better kind. A patent lock can be broken as well as a common one, but the latter is with much less difficulty opened or picked. There are about a dozen which I think should be removed at once; and as an extension of the flights for bonding goods at some of the large warehouses is not improbable, I would propose, to meet all contingencies, that twenty-four (24) new locks be obtained, of a medium patent, such as Barron's, which, although not so good as Hobbs', Chubb's, or Marr's, would answer equally as well, and besides are much cheaper.

Fourthly, the lockers' office accommodation.—I cannot but observe that the lockers meet with many impediments in the performance of their duties from the want of sufficient office conveniences. Although the Warehouse-keeper generally allows the use of some kind of a desk or table in the corner of the store, yet I think on examination it would be found that in most instances the accommodation thus provided is not altogether so compatible with the locker's official position, and the safety of the Government documents entrusted to his care, as could be desired. Nor can I too strongly advert to the expediency of preventing such free access to the lockers' books and papers as at present is afforded to any person who from curiosity or design may wish to inspect them.

I hope, therefore, that it may be possible to obtain from the Colonial Architect a sufficient number of well-secured desks, of uniform size, to supply those warehouses where they may be needed.

I also beg to bring under your notice the demands made upon me for stationery by the lockers. These gentlemen inform me that they have hitherto been obliged to defray the expenses of all indispensable articles, such as paper, pens, pencils, ink, &c., from their own private resources, no stationery of any description having been furnished from the department.

As stationery is so generally expected to be supplied as a matter of course for the performance of Government duties, I trust, sir, that after the foregoing explanation I may be empowered to deliver to each locker periodically a sufficient allowance for the duties of his position.

The hydrometers I have already addressed you respecting in a separate communication; and I beg respectfully to tender my thanks for the reception given to the suggestions which I ventured to place before you.

Finally, I beg to recapitulate the number of the articles required, viz.:—

- 20 sets gauging rods, complete.
- 1 complete set weights and scales (14 lbs. down.)
- 1 do. measures (5 gallons down.)
- 24 medium patent locks.
- 12 desks, uniform size, with fastenings.
- Stationery to supply 22 warehouses periodically.

I have, &c.,

W. CATHCART STILL,
Inspector of Warehouses.

The Collector of Customs.

APPENDIX E.

MINUTE of Minister of Finance on Letter of Collector of Customs transmitting Letter from Inspector of Warehouses complaining of interference of Landing-surveyor.

WHILE concurring generally with the views expressed by the Collector of Customs as to the powers and the rank of the Landing-surveyor, I think in practice the latter officer should, to the utmost extent possible, avoid interfering with the duties which are peculiarly cast on the Inspector of Warehouses; and where this interference should be unavoidable, it should be exercised in such a way as not to compromise the authority and position of the Inspector with those who rank below or are subordinate to him.

In the cases mentioned in paragraphs 2 and 3 of the Collector's letter, it would have been better if the Landing-surveyor had acted through the Inspector of Warehouses.

R. J.
Sept. 22, '57.

APPENDIX F.

W. C. Still,
Esq.

8 June, 1858.

From Collector of Customs to Inspector of Warehouses, in reply to his complaint of interference of Landing-surveyor.

My Dear Sir,

Referring to your Memo. of yesterday's date, I beg to say, that if you will read the copy of my letter to Mr. Kidd (which Mr. Llewellyn will shew you), you will see that I have exonerated Mr. Mundy from all blame, and called on him (Mr. K.) for an explanation of his conduct.

With respect to your observations about Mr. Garling, I think I can take upon myself to say that he had no intention whatever of acting discourteously towards you, or to infringe on your duties, but was himself also misled by Mr. Kidd. At the same time, it may be well to explain to you, that Mr. Garling is not only the second officer in the Port, but that he is also the "Surveyor of Warehouses," having been so appointed when he succeeded Mr. Jeffreys as Landing-surveyor, and that office not being abrogated by your appointment of Inspector.

I am, &c.,

J. GIBBES,

6th Sept., 1857.

Enclosed I send you an extract from the Instructions issued by the Board of Customs to Landing-surveyors, under which we continue to act with the consent of the Government.

J. G.

W. C. Still, Esq.,

&c., &c., &c.

TUESDAY, 8 JUNE, 1858.

Present:—

Mr. DONALDSON,
Mr. EGAN,Mr. WEEKES,
Mr. FLOOD.

THE HON. S. A. DONALDSON, Esq., IN THE CHAIR.

William Cathcart Still, Esq., called in and further examined:—

1. *By Mr. Flood:* Were you not appointed, Mr. Still, for the purpose of taking stock and examining the warehouses generally? I was first appointed for the purpose of taking stock, in consequence, as I understood from the Minister of Finance, that there had been some defalcations in the warehouses.
2. In pursuance of the verbal instructions you received from Colonel Gibbes, did you take stock at the various warehouses of the City? I did, except at the Sugar Company's Bond.
3. Previous to your doing so, were any documents or books placed in your hands for the purpose of guiding you in taking stock? None whatever.
4. After you had taken stock, what became of the accounts so taken? I forwarded them to the Custom House as I transcribed my rough notes.
5. Were you ever called on to compare them with the original or supposed contents of the warehouses? I was not communicated with in that respect after I sent in my returns.
6. Did they acknowledge the receipt of your returns, or was that unnecessary from the position you occupy? I forwarded the returns in an official letter, and I got one acknowledgment, I think, when I had sent in the returns of the first seven warehouses.
7. Then, in point of fact, you, of your own knowledge, cannot inform the Committee whether there was any deficiency or not, you not having been called on to compare the result of your examination with the original or supposed contents of the warehouses? No, I cannot, except in regard to a case which has lately arisen in connection with Mr. Aldis. That case may throw some light on the way the returns were corrected.
8. Will you state to the Committee the particulars of that case? It is the custom to have an "overtime sale" of all goods over three years in bond, if not re-warehoused. On searching the register for the purpose of making out this list in January last—
9. The goods you speak of after three years are considered confiscated? They are not considered confiscated, but they are put up for public sale, and sold to pay rent and other charges.
10. Are they sold for rent or duty? They are put up at an upset price, which is the rent amount. They are sold in bond, to be cleared for home consumption or exportation within three months from the day of sale. If they bring more than the rent amount, the surplus is reserved for the owner of the packages, and he obtains it on application at the Custom House. In making out the usual list in January last, the Warehouse-keeper reported to the Collector that certain packages belonging to Mr. Aldis, and warehoused three years' back, did not appear from the reports of the lockers to be in any of the bonds, although the entries were open in the register. Mr. Aldis was then communicated with, and he replied, that at the time the inspector took stock "he had pronounced his stock to be correct."
11. *By the Chairman:* Meaning you? Yes. Mr. Aldis' communication was then referred to me.

W. C. Still,
Esq.

8 June, 1858.

12. *By Mr. Flood*: Mr. Aldis said it was pronounced to be correct by you? Yes.
13. *By the Chairman*: At the time of taking stock by you it was correct? He stated "that at the time I took stock I said it was correct." This letter was referred to me to report on.
14. What was your report? I replied that Mr. Aldis must be mistaken in regard to my having "pronounced his stock to be correct." So far as respects the stock then in store being taken by me, my account was right; but, as regards the checking of the return with the Customs' books, that was not left in my hands. Mr. Aldis had mistaken my meaning altogether, and evidently took it for granted that there was no deficiency.
15. *By Mr. Flood*: You did not on the first occasion compare the stock taken with the books of the warehouse? No. I also pointed out to the Collector of Customs in my report —
16. Is that your report of Mr. Aldis' case? Yes.
17. To what effect did you report? I expressed my surprise that when my stock account of last year was forwarded for examination, the discrepancies were not then detected, and at once reported. I considered that this absolved me in the matter.
18. *By Mr. Weekes*: Did you make any statement at all on taking stock that Aldis' Bond appeared to be correct? I said, very probably, my stock taking was correct—meaning my inventory of the packages then in store.
19. What did you compare them with when you made that statement? I could not have stated that the quantity in store was correct. I had merely to send in my returns of what I found. I had nothing to do with comparing the returns with the books.
20. What is the date of that report? 19th March, 1858. I took stock in February of the preceding year, and this deficiency, which should have been reported then, does not appear to have been discovered until the lapse of a year after the proper time.
21. Did this taking stock of Aldis' store form part of your general stock taking? It was included among the other warehouses. Since then that bond has closed.
22. In the paper presented to the House, and ordered to be printed, Colonel Gibbs says, (this is dated 15 March, 1857)—"I beg leave to state that Mr. Still, who was appointed to take stock in the several bonding warehouses, closed his inspection on the 6th instant, and that the comparing his returns with the Warehouse-keeper's stock-books has occupied the clerks in the warehouse branch from the 27th ultimo to the 13th instant, which will account for my not sooner having made any report. (2.) I am happy to say that the discrepancies are insignificant, and that the deficiencies, out of fifty-two thousand two hundred and forty-six packages in bond, amount to only twenty-seven quarter-casks of wine"—Have you any means of knowing whether that statement is correct? As I said before, I had not the correction of the stock accounts. I had no official knowledge of a deficiency, except the case I am now alluding to of Mr. Aldis.
23. The correction rested with the Custom House? With the Custom House.
24. *By the Chairman*: Was your attention drawn to the 27 quarter-casks of wine? No; I received no information about them. The only letter, as I stated before, concerning these stock accounts, was an acknowledgment of the returns of the first seven warehouses.
25. What was the deficiency in Aldis' Bond that you were called on to report—what was the character and nature of the goods? Tobacco and cigars.
26. Colonel Gibbs says in his letter of the 15th March—"I am happy to say that the discrepancies are insignificant, and that the deficiencies, out of fifty-two thousand two hundred and forty-six packages in bond, amount only to twenty-seven quarter-casks of wine"—How do you reconcile that statement made by Colonel Gibbs that there was only a deficiency of twenty-seven quarter-casks of wine, when there was also the deficiency of Aldis', which you reported on? The deficiency in tobacco and cigars was discovered in March last, in 1858. I think the non-detection of the deficiency at the time resulted from the peculiar mode of book-keeping.
27. In the Custom House? Yes, and the out-door department also.
28. *By Mr. Flood*: Did you ever see the letter alluded to by Mr. Weekes, and signed by Colonel Gibbs? That report I have merely read in the papers as a public parliamentary document. It was never referred to me for any official use.
29. Then it would appear that the letter which Mr. Weekes has called your attention to has been found to be incorrect, inasmuch as a deficiency has been discovered in Aldis' store? Yes.
30. *By Mr. Weekes*: Were these deficiencies arising after your inspection of March? No, previous. This bond was almost immediately afterwards closed.
31. *By the Chairman*: What was the deficiency in Aldis' store stated to be? I will read it from my letter-book, which I have with me.
32. What were the quantities you were called on to report on—what was the deficiency that was pointed out to you? 14 cases of cigars, weighing altogether 850 lbs., and 16 cases of tobacco, weighing altogether 2,080 lbs.
33. What else? Nothing else.
34. The Warehouse-keeper's report was referred to you to report on? Yes.
35. *By Mr. Weekes*: On this investigation you made a report that there was a deficiency—did you learn this from the books at the Customs? I found it out by the Warehouse-keeper's books.
36. You inspected the books, and so of your own knowledge obtained the deficiency? The bond had been closed, and I could not discover any of these packages in going over the stock in other stores. I found the Warehouse-keeper's report of the deficiency was correct.
37. What was your report after that? (*Witness read his report. Vide Appendix A.*)
38. *By Mr. Flood*: Are there any warehouses in Sydney in which the owners of the warehouses bond their own goods? Yes.

- W. C. Still, Esq.
8 June, 1858.
39. Is that the case with Mr. Aldis? Yes, it was; he bonded his own goods in his own warehouse.
40. When you took stock in the warehouse, if there was any deficiency, unless comparison was made with the original contents, the deficiency could not be discovered? No.
41. You are not aware any such comparison took place with the return you sent in and the original contents? I attribute these apparent deficiencies or errors to the peculiar mode of book-keeping, and to carelessness in not writing off correctly. I say, apparent errors, because an export warrant for the tobacco has been discovered since. This has relieved Mr. Aldis of the responsibility as regards the tobacco, although in the books the deficiency still appears against him in regard to the cigars. At the same time, I do not attribute anything wrong to Mr. Aldis, as warrants may turn up for the cigars, as in the case of the tobacco.
42. Do you know who was the owner of the wines in Mr. Kirchner's stores? I do not. I have had no official information respecting any deficiency, except Mr. Aldis'.
43. According to your statement, Mr. Still, it appears then, first of all, that the errors stated against Mr. Aldis ought to have been discovered in the Custom House books when you made your report in February or March, 1857; and, secondly, that according to the statement now made, an export warrant had actually been issued by the Custom House authorities, and that this warrant does not appear to have been written off in their books at all—is that the case? Yes, that is the case.
44. *By the Chairman:* I infer, from what you said, that there have been considerable inaccuracies in the mode of keeping the Custom House warehouse books—will you state to the Committee if you have altered that system in any way or improved it, and if so in what respects? I found that in some of the warehouses the books were very badly kept. In some instances, I found entries omitted to be written off; and in other cases I found goods in the bond which the books did not show.
45. *By Mr. Weekes:* That is, the books in each store? Yes. I also found entries in the books and no goods in the bond to correspond. It struck me that some change was necessary, and I supplemented these stock books by the introduction of a "Lockers' Journal of Receipts and Deliveries." This book I can show to the Committee if they desire it.
46. This book you intended to be kept by each locker at each bonded store? Yes.
47. *By the Chairman:* You have introduced this? Yes. This journal is kept in Dr. and Cr. form. The locker debits himself with every thing that comes in, under its proper head, and takes credit for the same on delivery, and the balance stock in hand is shown every Friday evening. Every paper that goes through the locker's hands is initialled by me before being put away, and must correspond with the entry in this journal and stock-book. By this means, the stock on hand in the whole of the warehouses can be ascertained at any time, as the books, in fact, can be balanced at a moment's notice.
48. Would you hand in the heading of that book to the Committee? I hand in a spare sheet with the heading. (*Witness handed in the sheet.*)
49. You can take out a particular item and state the stock there ought to be in a minute? Yes.
50. This book was introduced by yourself? Yes.
51. Now give us some information of the principal books of the department—do you know anything of them? I have nothing to do with the in-door department. This book is in connection with my own department.
52. You don't check it with the Custom House books? No.
53. What officer is responsible for the principal books? There are different branches. The Warehouse-keeper keeps charge of the register and quarterly sheets relating to the warehouses. Mr. Llewellyn keeps the impress ledger. Then the Cashier has his accounts, which are checked by the Collector and Landing-surveyor.
54. You don't know anything of the books? No, not practically.
55. *By Mr. Weekes:* Judging from the system of book-keeping which prevails in the Custom House, there is very little probability of their stock on hand agreeing with your stock on hand, as shewn by your books? That will depend, in a great measure, as to their correctness, and how the entries have been written off. Their books are kept differently, and, as they have no journal, they cannot possibly show the quantity of stock on hand so readily as the lockers can, or state the actual stock at such frequent dates.
56. It is the same system that prevailed when this letter was sent from Colonel Gibbs to the Minister of Finance—has there been any alteration? In the warehouse there is an alteration.
57. In the Customs is there any alteration? I am not aware of any. It all depends (for correctness) as to the mode in which the entries are written off.
58. It is not probable that their books would agree with your return? There may be errors arising, but which, in taking over-time stock, will always transpire. If a journal had been in existence at each store formerly, these deficiencies would have been discovered much sooner.
59. *By the Chairman:* Do you hand in copies of these returns to the Collector? No, I do not.
60. You are not bound to furnish these returns to the head of the department, to check their books with? No. They are so comprehensive I don't know whether they could be published.
61. Would it not be useful to them to check the books of the head department with. If found different would they not look in to it? The mode of keeping the warehouse register is somewhat different to that observed at the warehouses. The registers consist of many volumes, and contain an account of all the goods in the several bonds; while the locker only keeps an account of his own store, and can add up his book daily, and check it by his journal. The Warehouse-keeper has such constant occupation in writing off and passing entries, that I am sure neither he nor his assistants could spare time to compare these returns with their books so frequently. (*Witness handed in a Return of the Stock taken at Campbell's Bond up to last Friday, 4th June. Vide Appendix B.*)

62. *By Mr. Weekes*: That is the stock as shown by your books at each respective store? Yes. W. C. Still, Esq.
 63. You do not know whether this agrees with the Custom House or not? No; it would take a considerable time to compare it.
 64. *By the Chairman*: You know that return is correct? Yes. 8 June, 1858.
 65. *By Mr. Weekes*: The packages, of your own knowledge, are in the stores? They are, to the best of my knowledge; the balances are correct.
 66. *By the Chairman*: You start with stock-taking, and assuming the entries you then made are correct, so far as you know, you could take any item, and check it, and prove the number of packages were there? Yes.
 67. This is not taken from any hypothesis? No.
 68. You would be prepared to verify it? Yes.
 69. *By Mr. Flood*: The stock is not taken by any other person? No; this is compiled from the balance of the books we commenced originally with my stock-taking.
 70. *By Mr. Weekes*: You charged each store with what you actually found there? Yes.
 71. *By the Chairman*: You do not know whether the Customs agree with this return? No.
 72. *By Mr. Flood*: In taking particulars at each warehouse, do you take them yourself, or by the lockers? The lockers enter everything that comes in and goes out; therefore they get a true account. I prepared the account to start with. This is a faithful account of what takes place.
 73. Is this compiled from the locker's books or from actual survey? From actual survey, as the goods come in and go out.
 74. Not from the locker's books? It is from the locker's books, and his own actual count.
 75. *By Mr. Weekes*: Are you aware whether this return of the stock in bonded stores agrees with the statement of stock as published periodically in the *Government Gazette*? It is differently compiled, and the stock published in the *Government Gazette* only enumerates a few articles, viz., rum, brandy, gin, colonial spirits, snuff, tobacco, and cigars. My return mentions every dutiable article.
 76. That document is not made up from your returns? It is not.
 77. *By Mr. Flood*: Have you any reason to believe that the public revenue is improved in consequence of this system of book-keeping which you have introduced in bonded warehouses? I think there is a better check now upon the packages in bond; instead of waiting to compare with the register in the Custom House, you can at any moment, by adding up the journal, see whether the figures tally with the stock in bond.
 78. So fraud would be easily detected? Yes.
 79. *By the Chairman*: Can you inform the Committee, generally, on the system calculations are made in over-time sales—the mode the sales are conducted—generally, give us what you know on that subject? At the end of every six months the register is examined, and all goods found to be in bond over three years are, except permission is granted to have them re-warehoused, put up for public sale, to be cleared for home consumption or exportation, within three months of the day of sale, or else confiscated and destroyed.
 80. Were the goods always found there, do you know, when these sales were advertised? I cannot speak, except from experience of my own time.
 81. Well, since you have had experience? I may mention, that the management of these sales has hitherto been under the Landing-surveyor, and even after my appointment of Inspector of Warehouses, they continued under his direction, but as the last sale in January approached, I requested their future supervision, conceiving they came within my peculiar province in connection with the warehouses. The Collector assented, and I drew up some suggestions, which has altered the system hitherto pursued.
 82. To what effect? I suggested, that instead of holding a sale at each warehouse, a sale of the whole of the goods should take place at the Queen's Store, in the Custom House yard, and that the lockers should furnish me, a week previous to the day of sale, with samples of each article, properly labelled and initialled by the officer, as a guarantee to the purchaser that the goods were in bond. The last sale was carried out on this plan, which appeared to give general satisfaction. The whole of the goods were sold in about three hours, whereas previous sales sometimes occupied three days.
 83. Did your sale take place in the Queen's Warehouse? Yes.
 84. Did you find in every instance the goods stated to be in the warehouse over-time were there, of your own knowledge? I satisfied myself completely on that point; and I may mention, I was the more particular from a circumstance I witnessed attending a sale when I first entered the department. I was tempted, from curiosity, to attend this sale, and upon the first article being put up after I arrived, the locker or storekeeper called out "not in bond."
 85. What was the article? I cannot recollect.
 86. What became of the article? They went on to the next article.
 87. What was the article? I cannot recollect. I have gone round (since I had the management of the sales) and examined every article, and as the lockers send me samples they are labelled for inspection.
 88. At what bond did this occur? Lloyd's Bond.
 89. *By Mr. Flood*: Were there any other lots that were put up and dealt with in this manner? I am not aware of any. I only remained a few minutes. I merely visited from curiosity.
 90. *By the Chairman*: Will you state your experience of the weighing tobacco for duty, and how the tares are corrected on the weight? The tares are adjusted by the Landing-surveyor, Mr. Garling.
 91. Are they weighed there and then, and is that the weight on which they pay duty, or is there any re-weigh? A re-weigh frequently takes place after the goods have been in warehouse some time.

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92. The re-weigh would be less than the original weight on cigars? Yes, it should be.
93. You have known instances of a re-weigh shewing an excess? I do not recollect, in tobacco or cigars.
94. In any other article have you known an excess on a re-weigh? Sugars are less. Occasionally we find sugar, when weighed out for duty, shew a surplus on the original entry.
95. Not on the original weight? Yes, occasionally we find a surplus.
96. Sugar is always weighed on coming from the ship? Yes; and I have known it weigh more when it leaves the store.
97. *By Mr. Flood:* When you first joined the service, did you find a superior class of persons employed, or were they generally inefficient—I mean those appointed as lockers and persons under you? I found one or two parties whom I did not think quite suited to remain as lockers; two in particular.
98. From what reason? One was pointed out to me as addicted to habits of intoxication, and the other could not gauge, although in charge of a bond for a considerable time. The first soon committed himself, and has been removed from the department; the other has been reduced to the tide list. He is an elderly person, and has a large family to support; and except in the knowledge of gauging, in other respects is not wanting in ability.
99. *By Mr. Weekes:* In every other respect, except where he was of importance, he was competent? Yes. His defect was from weak sight; he could not see the figures on the rods.
100. *By Mr. Flood:* Have you received the cordial co-operation of the officers immediately above you, in carrying into effect the various improvements you have suggested? In most instances I think the Collector has attended to my suggestions. There are some matters, however, in which my position does not appear to be properly understood; and I do not meet that acknowledgment of my appointment which I consider I should receive. I may state, that in all my communications with the Collector of Customs I have always addressed him in most respectful terms, and invariably treated him with the courtesy due to his high position.
101. Then, in point of fact, the head of the department does not cordially assist you in carrying into effect the alterations you have suggested for the purpose of improving the department? My suggestions are attended to, but I cannot but perceive that there is an under current of feeling, which I conceive is prejudicial to my position in the department and with the public.
102. *By the Chairman:* Is that on the part of the Collector, or the next officer under him, or whom? Well, if the Committee were to read the various memoranda that passes between the Collector and myself, and the correspondence with the Treasury, I am sure they would be satisfied that I do not meet with encouragement. I may allude to the results of my instancing the "re-gauge" system. I addressed a letter to the Collector of Customs on the 2nd of June last year, and on the 24th of the same month I reported a case to him the moment I discovered the re-gauge had not been presented in the Long Room.
103. Was the "re-gauge" in excess? It was. It was a re-gauge of two casks of brandy at Gilchrist's bond. The locker who gauged the casks endorsed the order, which shewed an increase in the strength of the spirit in both packages; the calculations gave two additional gallons at proof to pay duty upon; as duty was paid upon the original entry in lieu, of course the revenue suffered. This proved my representation of the 2nd June was right, and that these things could be done. I will read to the Committee my letter of the 2nd June, 1857. (*Vide Appendix C*)
104. Was there not some legal proceeding respecting this letter? Not with respect to this letter, but legal proceedings subsequently arose in connection with the case of "re-gauge" I have just mentioned. In reporting on the conduct of a locker against whom a complaint had been made, I reminded the Collector of Customs of a conversation respecting this very case. After my report had gone in, and the locker's matter ended, the Collector of Customs and the Custom House Agent had an interview, and the Collector then addressed to me the following memorandum, to which I replied. The day after receipt of the Collector's memorandum a lawyer's letter was forwarded to me, succeeded shortly after by a second one. I will read to the Committee these letters, as well as a letter published in the *Sydney Morning Herald*, from which will be gathered the result of these proceedings. (*Vide Appendices D., No. 1 and No. 2; and E., No. 1, No. 2, and No. 3.*)
105. What did your law expenses come to? £6 6s.
106. And you paid this sum? Yes. The plaintiff sued for £30 damages. The Court assessed damages at one shilling, which in the Court of Requests causes each party to pay their own costs. I may mention that the agent states in his published letter that I *colled in witnesses*. This is either a mis-statement or a mis-print. Although I had three witnesses in attendance, viz., the Customs Warehouse-keeper, to prove the issue of the "re-gauge requisition"; the locker, who gauged the casks, and handed back the "re-gauge" to the agent; and the officer from the Long Room, to prove that duty had been paid upon the original entry in lieu,—my lawyer did not place either myself or these parties in the witness-box, conceiving it unnecessary, the admissions drawn from the plaintiff himself when under cross-examination rendering him confident of a verdict in my favor.
107. *By Mr. Flood:* Was there any other case of excess after re-gauge discovered? This was the only case reported to the Collector of Customs, and I did it to instance my representation of the 2nd June, 1857. It was not for a considerable time after that any check was adopted in the Custom House in regard to the issue of these "re-gauge orders." Mr. Nash, the Warehouse-keeper, now places a red-ink note in his Register when they are issued.
108. *By the Chairman:* Mr. Nash puts a red-ink note against the re-gauge? Yes.
109. Have you considered at all the propriety of passing a Bill to consolidate the laws relating to the Customs? I think it is very desirable.
110. Will you take a copy of the Bill, and favor the Committee with your comments on the Bill next time? Yes, I shall be happy to do so.

111. *By Mr. Flood:* Have you discovered any articles containing spirits which have passed free of duty? On analysing a sample of some liquids hitherto passing duty free, a considerable quantity of proof spirit was found to be contained in it.

112. *By the Chairman:* You represented that to the Government? Yes. I suggested that duty should be charged as on spirits. I have also made other experiments.

113. It was not in your time that the "Old Tom" was discovered? No.

114. *By Mr. Flood:* Have you the necessary instruments for testing the various liquids? It requires to be acquainted with distillation. I had rough apparatus at first, but since entering the Customs I have procured a complete set of philosophical instruments from England, with a view to being as useful in my position as possible.

115. Were these paid for by the Government? No, by myself. I do not claim to be reimbursed. I take an interest in my duties, and wish to render myself as useful to the Government and the public as possible.

116. Have you the power of seizing articles? The Collector of Customs considers that a warehouse officer cannot seize, and I believe he includes me under that head.

117. *By the Chairman:* Do you think the Customs laws should give you that power? Yes.

118. *By Mr. Flood:* Do you think it absolutely necessary that the Inspector of Warehouses and lockers should have that power? Yes, I think so. I would point out that the lockers at the water-side warehouses have opportunities of using this power, but at present they are obliged to call upon the nearest landing-waiter to assist them. I would also observe, that when this is the case the Crown's share of the seizure is diminished, the proceeds being divided amongst three instead of two, if the lockers were given the same power as a landing officer.

W. C. Still,
Esq.

8 June, 1858.

APPENDIX A.

Report of Inspector of Warehouses on goods missing from Aldis' Bonded Warehouse, reported in the first instance by the Customs Warehouse-keeper, to Collector of Customs.

I have examined the Entries in the Warehouse-keeper's Register, and find them as stated by Mr. Nash in his communication of the 9th instant.

With respect to the boxes of tobacco marked Q411, I perceive that although the Register, the landing-waiter's entry in the book, and the Import Warrant, all shew that these goods were intended for bonding in Aldis', yet thirteen out of the original number landed appear to have been exported from Pollard's, on the 19th May, 1856.

On questioning Mr. Pollard's warehouse assistant, he informs me that in consequence of Aldis' being shut, and no officer in attendance there at the time the drays arrived from the wharf, thirteen of the packages (Nos. 1 to 13,) were brought to Pollard's for temporary security, but were allowed to remain there until exported, some time afterwards; the remaining packages now missing, (Nos. 14 to 29,) Mr. McCrae further states, he is positive were not received into the bond under his charge.

Mr. Aldis, on being called upon for explanation, mentions that when I took stock in his warehouse, on the 3rd February, 1857, "I pronounced his stock to be correct." Mr. Aldis must be mistaken. I cannot recollect any conversation with Mr. Aldis on the subject, although he was, I think, present when his stock was taken, and any remarks that may have passed between us must have had reference to the packages then in store being correctly counted and entered in my inventory.

The examination of the "Returns of Stock" in the different warehouses, in January and February, 1857, was not entrusted to me. As I completed my lists I forwarded them to the Custom House, and I do not know upon whom the responsibility rested of checking them with the Custom House registers; nor did I receive any official communication respecting them after they had left my hands.

The goods now reported by the Warehouse-keeper appear to have been missing previous to my taking stock at Aldis' on the 5th February, 1857, as they are not mentioned among the packages I then found, and I am only surprised that when my Return went in for examination, the discrepancy between it and the Register was not then detected, and at once reported.

W. CATHCART STILL,
Inspector of Warehouses,
19th March, 1858.

APPENDIX B.

FORM OF "LOCKERS' JOURNAL OF RECEIPTS AND DELIVERIES."—RETURN OF STOCK IN CAMPBELL'S WAREHOUSE, 4TH JUNE, 1858.

RECEIPTS.

Dr.		RECEIPTS.																																		
Date Warehouse, 1858.	WHENCE.	Pipes.	Hogsheads.	Quarter-casks and octaves.	Cases.	Butts.	Punchons.	Hogsheads.	Quarter-casks and octaves.	Cases.	Punchons.	Hogsheads.	Quarter-casks and octaves.	Cases.	Butts.	Pipes.	Hogsheads.	Quarter-casks.	Octaves.	Cases.	Beer, casks.	Opium, cases.	Colonial Spirits, casks.	Perfumed Spirits, cases.	Liqueurs, cases.	Tea, chests.	Sugar, bags.	Molasses, casks.	Coffee, packages.	Chicory, cases.	Tobacco, packages.	Cigars, cases.	Snuff, cases.	Total number of packages.	Folio in Stock Book.	
May, 29	Imported .. .. .	..	..	6	..	..	..	..	..	..	..	..	..	..	220	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	226	152, 151
" 31	Imported .. .. .	..	..	..	..	..	..	..	..	..	..	..	..	..	316	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	316	149, 152
June, 1	Imported .. .. .	..	..	..	..	..	..	..	..	..	..	..	..	..	95	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	95	149
" 2	Imported .. .. .	..	..	..	..	..	..	..	..	..	..	..	..	..	108	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	108	149
" 3	Imported .. .. .	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	17
" 4	Re-packed .. .. .	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	14	149, 152
" 4	Imported .. .. .	..	..	..	..	..	..	..	..	..	..	..	..	..	14	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Stock on hand 28 May		..	773	145	1413	..	16	803	..	6	16	39	379	41	11	753	..	14	125	543	..	..	..	..	..	152	..	..	..	..	..	20	24	..	760	12,446
		..	773	152	1413	..	16	803	..	6	16	39	379	41	11	8679	..	14	125	543	..	..	..	..	..	152	..	..	..	..	..	20	24	..	13,206	

DELIVERIES.

Cr.		DELIVERIES.																																			
Date delivered 1858.	NATURE OF DELIVERY.	BRANDY.				RUM.				WHISKEY.				GIN.				WINE.					Beer, casks.	Opium, cases.	Colonial Spirits, casks.	Perfumed Spirits, cases.	Liqueurs, cases.	Tea, chests.	Sugar, bags.	Molasses, casks.	Coffee, packages.	Chicory, packages.	Tobacco, packages.	Cigars, cases.	Snuff, cases.	Total number of packages.	Folio in Stock Book.
		Pipes.	Hds.	4-casks & octaves.	Cases.	Butts.	Puns.	Hds.	4-casks & octaves.	Puns.	Hds.	4-casks & octaves.	Cases.	Hds.	4-casks & octaves.	Cases.	Butts.	Pipes.	Hds.	Quarter-casks.	Octaves.	Cases.															
May, 29	Home Consumption...	..	1	1	..	..	1	..	..	..	..	..	..	..	..	..	..	..	4	24	..	..	..	..	..	..	..	..	..	..	..	3	89, 32, 196
" 31	Home Consumption...	..	1	4	..	..	..	..	..	..	..	..	..	..	65	..	..	..	..	..	..	..	..	..	12	..	..	..	..	..	..	110	138, 47, 93, 143, 8
" "	Exported .. .	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	109, 65	
June, 1	Home Consumption...	..	1	..	..	..	..	6	..	..	..	..	..	..	115	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	123	80, 101, 108, 14, 55, 134, 93, 207, 48	
" "	Exported .. .	..	..	..	..	..	..	4	..	..	..	..	..	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	9	125, 93
" 2	Home Consumption...	..	1	1	..	..	..	8	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	10	17, 11, 101, 124, 115	
" "	Exported .. .	..	..	..	..	..	..	3	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	3	202
" 3	Home Consumption...	..	3	..	34	..	..	3	..	..	..	..	..	..	20	..	..	..	14	..	..	..	..	..	..	..	..	..	..	..	..	74	119, 138, 223, 8, 13, 92, 99
" "	Exported .. .	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	3	..	..	..	..	..	..	..	..	..	..	..	..	..	3	201
" 4	Home Consumption...	..	..	..	..	..	..	6	..	..	..	..	..	..	60	..	..	..	10	..	..	..	..	..	..	..	..	..	..	..	..	76	34, 101, 115, 45, 93, 130
" 4	Balance Stock on hand	..	7	6	34	..	1	30	..	6	16	39	379	41	11	265	..	14	7	48	..	..	..	..	12	..	..	..	..	1	1	412	12,794
" 4		..	766	146	1379	..	15	773	..	6	16	39	379	41	11	8414	..	14	118	493	140	19	23	..	12,794			
" 4		..	773	152	1419	..	16	803	..	6	16	39	379	41	11	8679	..	14	125	543	152	20	24	..	13,206			

APPENDIX C.

From Inspector of Warehouses to Collector of Customs, bringing under notice a system attending Re-gauge Certificates.

W. C. Still,
Esq.

8 June, 1858.

Custom House, Sydney,
2 June, 1857.

Sir,

I have the honor to bring under your notice, that since the adjustment of the hydrometers, the lockers occasionally find on the re-gauge by requisition the strengths of spirits show considerably higher than when originally warehoused.

When this is the case, the re-gauge requisition is not always presented in the Long Room, but duty is paid on the article according to the original entry in lieu.

With the view therefore to preserve the revenue from any further evasion of the full duty, I beg to suggest that the lockers be directed, on discovery of an increase in *either strength or quantity* of any article on a re-gauge, to forward the "Requisition" to the Custom House by the warrant messengers, and that duty only be calculated upon the figures returned by the locker in that document.

I have, &c.,

W. CATHCART STILL,
Inspector of Warehouses.

APPENDIX D.

No. 1.

Memorandum of Collector of Customs to Inspector of Warehouse.

As a report to which Mr. Still alludes *was* current some considerable time back, it becomes necessary to explain that such was *not* the case.

It appears that Mr. Larmour was so pressed for time that he preferred paying duty on the article according to the original certificate, without waiting for the re-gauge being made; and in consequence, Mr. Cohen immediately reported the circumstance to Mr. Nash, but did not, I believe, return the re-gauge order, which had not been made use of, and which he consequently considered waste paper.

It would, however, have been more proper if he had done so.

30 January, 1858.

J. GIBBES,
Collector.

No. 2.

Inspector of Warehouses in reply to Memorandum of Collector of Customs, dated 30th January, 1858.

Mr. Still is sorry to recur again to the subject of Mr. Cohen's re-gauge of June last; but having a clear recollection of the whole transaction, and two consequent conversations with the Collector, he finds it impossible to alter his first view of the matter.

In the explanation now given, which is entirely new to Mr. Still, and places the matter in a different light, there are two points requiring remark.

In the first place, the name of the owner of the spirits was *Tolano*, and not Larmour; and, secondly, that so far from the "Re-gauge Requisition" *not having been made use of*, it was filled up without delay, and handed back to the agent by the locker, shewing a considerable increase in the strengths originally returned of the two casks in question—this result gave two gallons additional at proof to pay duty upon; and, although the certificate was treated as waste paper, *its non-production*, under whatever explanation may be given, and the paying duty upon the original entry in lieu, caused a loss to the revenue of 20s., and, of course, a corresponding saving to that amount to the private individual.

It was not this trifling amount, however, so much as to prevent the evil for the future that led Mr. Still to move in the matter—he would have considered it a grave dereliction of duty on his part if he had not done so.

APPENDIX E.

Letters to Inspector of Warehouses from Mr. D. L. Levy, Solicitor.

No. 1.

Lloyd's Chambers, 213, George-street,
2 February, 1858.

Sir,

Mr. P. J. Cohen has consulted me respecting certain libellous and slanderous expressions made use of by you towards him in a letter addressed to the Collector of Customs, with a view to injure him in his business and reputation. He has therefore requested me to commence proceedings against you, unless you retract the said expressions, and apologise to him for writing the same, and pay the costs of this application (£1 1s.) by 12 o'clock to-morrow morning.

Mr. W. C. Still,
Custom House.

I am, &c.,
DAVID L. LEVY.

W. C. Still,
Esq.

8 June, 1858.

No. 2.

Lloyd's Chambers, 213, George-street,
5 February, 1858.

Dear Sirs,

In answer to yours of yesterday's date, I beg to say that the expressions of which Mr. Cohen complains are contained in a letter written by your client to the Collector of Customs, in justification of a second complaint made by my client against a Mr. Garvan, one of the Customs lockers, wherein he accuses Mr. Cohen with having defrauded the revenue, to which letter your client has free access, and can see it any time in the Collector's office. I have, therefore, to state, that unless your client at once retracts the words contained in that letter, and makes an apology, I am instructed to at once commence proceedings against him; and it is also the intention of my client to lay the whole correspondence before the Government. In the event, therefore, of your client not complying with the above request, I shall feel obliged by your informing me whether you will accept process in his behalf.

I am, &c.,

DAVID L. LEVY.

Messrs. Dick & Brown,
Solicitors, 63, Pitt-street.

No. 3.

Letter published in the Sydney Morning Herald, addressed to the Editor of that Journal.

COHEN v. STILL.

To the Editor of the Sydney Morning Herald.

Sir,

I have to call your attention to the above report in this day's *Herald*. The facts proved in evidence on oath were simply these. Having had occasion to complain of the negligence of one of the lockers, it was referred to Mr. Still for his report—some words in his reply made me write a second letter to the Collector, in which, whether right or wrong, I stated it appeared to me "Mr. Still evidently was disposed to screen him." The libel for which I brought the action was in reply to this second letter, couched in a memo. to the Collector, in these words:—"I now beg to make observations upon the liberty Mr. Cohen has taken with my name. This person is the same individual whom the Collector and informed me he had reprimanded a short time since for destroying (contrary to his bond "license as a Custom House Agent) a re-gauge certificate, by which the revenue suffered."

I called Colonel Gibbes, the Collector of Customs, as a witness, and he distinctly denied, on oath, that he ever had reprimanded me, or heard that I had destroyed a re-gauge certificate; he also distinctly denied, on oath, that he ever told Mr. Still so. I was also called as evidence, and on my oath denied that I had ever been reprimanded by the Collector, or that I had ever destroyed a re-gauge certificate. This was the whole substance of the case. The defendant, Still, called in witnesses, and on this evidence I obtained a verdict in my favour. Your reporter is in error in stating that the defendant sent in a letter to retract the words I had made use of, when it was I who sent him two letters previously to commencing proceedings to retract his statements, or to apologise, which he refused to do. As to damages, I gave no proof that I ever sustained any, consequently I could expect none.

Trusting you will insert this explanation,

I am, &c.,

T. J. COHEN.

March 22.

TUESDAY, 15 JUNE, 1858.

Present:—

MR. EGAN,

MR. DONALDSON,

MR. BUCKLEY.

MR. FLOOD,

MR. WEEKES,

DANIEL EGAN, Esq., IN THE CHAIR.

William Cathcart Still, Esq., called in and further examined:—

1. By Mr. Flood: From whom do they (the Custom House officers) derive the power of seizing, and from what law? There are certain officers, by virtue of their position, have the power of seizing under the Customs Law.

2. Who are the officers who have the power of seizing under the law? So far as I can understand, the Collector, the Landing-surveyor, the tide-surveyors, and the landing-waiters only have the power of seizing.

3. Does the Collector of Customs possess the power of deputing or authorizing any one to seize contraband goods? The officers I have mentioned can seize independent of any delegation from him.

4. Does he possess the power under the Custom House law to nominate and appoint persons who afterwards possess the power of seizing without any further authority? That is a question of law.

5. I wish to know whether you are aware he has that power—have you seen the Act? I think it is a question of law whether he can nominate persons with the power to seize.

6. You are of opinion that the Collector of Customs does not possess the power of nominating the lockers, and giving them the power to seize contraband goods? It is a doubtful question. I believe the Collector has stated it is doubtful whether the lockers have the power of seizing.

7.

W. C. Still,
Esq.

15 June, 1858.

7. What is the practice of inspectors of distilleries with respect to seizures? They all have the power of seizing. They are commissioned officers, and, by virtue of their commission, make seizures. Their commission alludes more to illicit distillation and frauds in licensed distilleries.

W. C. Still,
Esq.

15 June, 1858.

8. *By the Chairman:* I recollect that Henry Hothersall Browne, Esquire, had some commission to seize everything? I believe he had a writ of assistance, which is different from the ordinary authority. A "writ of assistance" is a perpetual search warrant. Under the ordinary commission the officer must take out a warrant before a magistrate before he can enter premises to seize.

9. *By Mr. Flood:* Whatever the law is with regard to seizure, you conceive it necessary that the lockers should have the power of seizing all contraband goods? As I said before, I think the Inspector of Warehouses, and all lockers, should have that power; and that the Inspector of Warehouses should have, in addition, a "writ of assistance," to facilitate his proceedings in cases requiring secrecy and expedition.

10. How do you determine the contents of a case of cigars? Cigars are weighed on landing, and the tare adjusted by the landing-surveyor. The locker has nothing more to do than to deliver the packages, except when a re-weigh order is taken out, when, if there is any difference in the weight, it is endorsed on the order and paid for accordingly. While on this subject, I would mention that I suggested, at the instance of a merchant, a new method of weighing cigars, which, I believe, has been adopted, and prevents a good deal of altercation about the tares. Hitherto the tare has been arranged by the weight of the wood being deducted from the weight of the whole case. My plan is to weigh the cigars only; you then get the correct weight, and save altercation between the officers and the importers.

11. Do you unpack the cigars? You empty one box of the case, and weigh the cigars, and from that result you average the weight of the whole.

12. Is it done in all cases now? I believe it is the practice now.

13. *By Mr. Donaldson:* Will you favor the Committee with your opinion as to the desirableness, or otherwise, of having a Queen's Bonded Storehouse, either for spirits alone, or for all dutiable articles, in substitution of the present system of private bonded warehouses? Although it will be admitted by impartial persons that there is a degree of order and discipline at the warehouses which did not exist when the superintendence first devolved upon me, I am of opinion that the present system of private bonding will never meet with the full confidence of the public. I do not by these observations intend to convey the slightest imputation upon any of the present bonded storekeepers, who are all highly respectable persons, and many of their stores are as orderly and as well conducted as any public bond could be. The warehouses, however, are now so numerous, so scattered throughout the city, and some of them so distant from the wharves and the Custom House, that, to lessen the inconvenience, loss of time, cartage expenses, &c., thus occasioned to the public, I would recommend the erection of one large Government bond—to be situated centrally; the old Commissariat offices, I think, would form an excellent site—such bond to be a receptacle for spirits, tobacco, and cigars only. I have already made a suggestion respecting certain articles which the merchants might be permitted to store on their own premises, and be exempt from the locker's continuous supervision. Should the idea I have ventured to intrude upon the Committee,—and which I have reason to believe is also entertained by a large number of persons practically versed in the working of the present bonding system,—be considered worthy of consideration, I would further suggest, that no alteration of an old building be attempted, but that the warehouse be built *purposely*, otherwise the object in view will be only half attained. In planning a building of this description, regard should be had to the points of approach and departure, so that no unnecessary delay be occasioned in loading and unloading drays; and to the roof of each section of the warehouse should be attached hoisting tackle, for the more expeditious mode of cutting out casks from the tiers. At present there are twenty-four bonded warehouses in Sydney, employing twenty lockers. In a Government bond, such as I have suggested, the work now performed by these persons could, I think, be discharged by one inspector, an accountant, and a clerk, and about eight lockers; of course the necessary gang of laborers, coopers, &c., will be required; but the proceeds from a reasonable rent and other charges would, I am sure, soon render the establishment self-supporting. While on this subject I may perhaps be allowed to allude to the bonding of wine and beer; the latter seldom finds its way into the warehouse, generally paying duty from the ship's side; but the former article is bonded in large quantities. From some calculations which I have made, I find that the duty collected last year on wine was at the rate of about 18 per cent. upon the declared value on importation, and upon beer the collection is not quite $3\frac{1}{2}$ per cent. *Ad valorem* duties are considered completely out of date, I am aware, by many persons; but, supposing these articles had been placed at an equal rate, say 10 per cent. under that system, I find that the revenue would have derived £8,000 more than from the fixed duty. Wine occupies a large space in a warehouse, and at some of the bonds the re-gauge and delivery of this article form the principal duty of the lockers. Whether wine and beer, in any future arrangement, should not be the exceptions to the abandonment of the *ad valorem* system, may perhaps be worthy of consideration.

14. Have you perused the Bill, called the Customs Consolidation Bill, handed to you on the last occasion? I have.

15. Will you favor the Committee with your remarks—have you read it? I have read it, and have drawn up a few suggestions.

16. Do you consider, from your experience in the department, that such a law as that is desirable under the present system of legislation? I think it very desirable, and would give great satisfaction to the mercantile community.

17. As consolidating the laws relating to gunpowder, coasting duties, &c.? Yes.

18. You think it useful? Yes.

- W. C. Still, Esq.
15 June, 1858.
19. Will you state to the Committee your suggestions? I beg to hand in the following suggestions. (*Vide Appendix A.*)
20. Will you favor the Committee with your opinion as to the present state of the law as regards bonded warehouses, and any amelioration or improvement that may occur to you, with regard to the present licensed Bonded Store Act? The bonded warehouses are principally governed by certain clauses in the Act 9 Victoria, No. 21; but I think it highly necessary that some special enactment should be passed for their better regulation. The Act 20 Victoria, No. 21, imposing a duty upon bonded warehouses, may be considered to be suspended, after the discussions which have taken place in Parliament, and the expressed intention of the Government to introduce some other measure in lieu. Perhaps the Committee will allow me as an answer to the question, to read some suggestions that I embodied and forwarded to the Government when the debates in Parliament closed, and it was understood that some modification of the present Act was intended. (*Vide Appendix B.*)

APPENDIX A.

Additional provisions to "Customs Consolidation Bill," suggested by Inspector of Warehouses on perusal of the Bill, by direction of the "Select Committee on Customs Department."

1. After clause 2, page 2:—Provision to clear up doubts as to who are seizing Officers of Customs.
2. Clause 9, page 3, to be altered:—*Bonded warehouses to be licensed by Minister of Finance and Trade. Such license to be renewed annually, on report of Inspector of Warehouses that "the enactments and provisions of this or any other Act for the time being relating to the warehousing of goods subject to duty have been complied with," so far as the particular warehouse is concerned.*
3. After clause 16, page 5:—Should follow the new measure the Government, it is said, contemplate introducing in lieu of the present Bonded Store Act. In that measure provision should be made to permit importers to warehouse tea, sugar, molasses, coffee, and chicory, in *free stores*; such stores to be open at any time to the inspection of the Inspector of Warehouses, or officers acting under him. Importer to enter into a bond for payment of full duties on the above articles, according to import weight. Sugar to be allowed 3 per cent for waste, if in store over *six months*. Quantities under £50 duty value at one shipment to be cleared for home consumption on importation. Importer to keep a journal, to be provided by the Government, of all receipts and deliveries of such articles; such account to be balanced weekly. The quantities delivered at any time to be covered by amount in duty paid warrants. Any untrue declaration of entries, or balance in journal, to involve a penalty, as well as forfeiture of remainder of the particular parcel of goods, if in the warehouse.
4. Clause 76, page 24:—Should be altered—to read after the words "warehoused therein"—"to the satisfaction of the Inspector of Warehouses," "so that easy access, &c."
5. After clause 90, page 28:—A provision should follow making it imperative on owners of goods in bonded warehouses to take out "re-weigh" or "re-gauge orders" before removal, on discovery of any excess in the import or landing quantity of such goods, by Inspector of Warehouses, or any officer acting under his directions.

Departmental arrangement:—Re-gauge orders to be numbered, and counterparts to be retained in the Custom House.

A provision respecting non-production of re-gauge orders by owners of goods, to involve a penalty of £10; to Custom House Agents, forfeiture of license.

6. After clause 180, page 53:—Persons intimidating or using threatening language to any officer of Customs, while in attendance in the execution of his duty at any public wharf, or bonded or free warehouse, or in charge of any dutiable goods, to pay a penalty of for each offence.

APPENDIX B.

Suggestions to be embodied in "An Act to amend an Act to impose a duty on Bonded Warehouses."

1. So much of the said Act to be repealed as relates to the payment of any additional duty beyond the annual sum of fifty pounds, by the occupier of any warehouse appointed for the free warehousing and securing therein of goods subject to duty.
2. The privilege of warehousing goods subject to duty, to terminate on the thirty-first day of December next following the granting thereof; such privilege to be renewed annually, upon payment of the sum of fifty pounds.
3. It shall not be lawful for the occupier of any warehouse, *not* approved of as a bonded store *previously* to the passing of this Act, to have the privilege of warehousing goods subject to duty, unless it be certified by the Inspector of Warehouses that the capacity of such warehouse is not less than one thousand five hundred tons, and that such warehouse is situate within the distance of one hundred yards from any public wharf or landing place; and the cubical contents of such warehouse shall be ascertained by admeasurement of the internal space, and forty cubic feet shall be calculated to the ton.
4. Fees to be demanded upon warehousing entries, and upon giving bond to warehouse goods, according to the following scale:—

Upon every warehousing entry, "*one shilling.*"

Upon giving bond to warehouse, at the rate of "*Seven shillings and sixpence*" in every one hundred pounds of duty value mentioned in such bond.

MEMORANDUM.—The provisions of clause 3, as regards size and position of warehouse, not to apply to the Out-Ports; neither are these suggestions intended to have a retrospective effect.

FRIDAY,

FRIDAY, 18 JUNE, 1858.

Present :—

Mr. EGAN, | Mr. WEEKES,
Mr. R. CAMPBELL.

DANIEL EGAN, ESQ., IN THE CHAIR.

William Henry Aldis, Esq., called in and further examined :—

1. *By the Chairman* : I believe you have been previously examined before this Committee? W. H. Aldis, Esq. I have.
2. Has any other circumstance come within your observation since you gave evidence before this Committee which would enable you to suggest anything by way of improvement in the general management of any branch of the Customs Department, either in reference to the Custom House or bonded stores? I have no particular circumstance to relate in addition to my former evidence. I am happy to say that the Customs officers are far more particular in the weights of tobacco and general business than they were formerly. I shall be most happy to give you any suggestions upon the new Customs Bill when I have an opportunity of reading it.
3. *By Mr. Weekes* : Did Mr. Still, the Inspector of Warehouses, shortly after his appointment take stock of your warehouse? He did.
4. Did he report to you that it was correct? We understood it to be correct. He has no authority to report to me. He goes through it, and if it is correct he passes on to the next store; if it is not, I presume, he would very soon let us know. His report, I imagine, goes in to the Collector.
5. How long ago is that? That was somewhere about the time I was examined here before. It must have been in February last year, I think.
6. Has there been any deficiency or alleged deficiency brought to light since that time? Yes.
7. What did it consist of—can you give us the particulars—and how was it discovered? The deficiency, I presume, was discovered in the Warehouse-keeper's department by Mr. Nash. He sent in a statement to the Collector—and the Collector to me—that there were 14 or 16 cases of cigars and upwards of a ton of tobacco that had been bonded three or four years previously, alleged to be deficient in my store.
8. Had those articles that you describe—the cigars and tobacco—been in your store previous to the stock taking by Mr. Still? Some of them had never been in my store—the tobacco had never been in, although I was charged with upwards of £200 duty upon this particular article.
9. Was any portion of it in your store previous to taking stock? Yes; the cigars were in my store originally. They were bonded as long ago as 1854.
10. What steps did you take on receiving that intimation from the Custom House? I waited for a day or two, and then wrote a letter to the Collector, telling him it was impossible I could account for it; and that if there had been any deficiency, Mr. Still ought to have reported the same when he took stock. I told him that it was not worth my while, under the new regulations, to keep on a bonded store; that I intended to transfer the whole of my stock to Pollard's, with the sanction of the Collector of Customs, provided he would allow me to put all my goods into Pollard's store—which was agreed to. After my stock had been examined by Mr. Still—after it had been checked by Mr. Pollard's clerk, the whole of my stock was removed to Pollard's store, and again passed by the Customs as correct; this occurred while I was in Melbourne, and during, or immediately after the removal of my stock, the whole of the warrants and orders which were left at my warehouse were taken away by the Customs, so that when the deficiency the other day was said to exist, I had no means of proving how they went out of the store.
11. How long after the whole of your stock of bonded goods had been removed to Pollard's was it that you received information of the deficiency? More than twelve months afterwards.
12. And what steps did you then take? I wrote to the Collector, stating that I had not the means, but if I could I should be most happy to furnish him with the information. Shortly after that I looked at my invoice book, but could not find out where or what this tobacco was. I have a vast deal of tobacco going through my hands in the course of the year—I should say nearly three parts of all the tobacco imported into Sydney. When the documents were taken away I had no means of proving the alleged deficiency. A thought, however, occurred to me (quite accidentally) that the tobacco charged to me was never in my store at all, and that its description answered a parcel I sold to one of Her Majesty's ships of war. I mentioned the circumstance to Mr. McCrae, Mr. Pollard's clerk, and in less than half an hour afterwards, Mr. McCrae came up and informed me that I was quite correct in my surmises—that the tobacco had been shipped in the "Herald" or "Juno," and in fact produced the Customs warrant for the same. The export warrant was signed by a clerk in the Warehouse-keeper's office, named Rogers.
13. Where did Mr. McCrae say he had obtained that document? From off the file in Pollard's store.
14. What then? Well, it appeared that Mr. McCrae took it to the Custom House, and gave the Warehouse-keeper the information, and found it to be correct. It had been signed by Mr. Rogers, a clerk there, and not by Mr. Nash. Then it was discovered.
15. Then, in point of fact, that ton of tobacco was shipped without the knowledge of the Customs? There was a regular export entry passed for it, signed by Mr. Rogers, (who is there now,) and I presume had been omitted to be entered by him in the Customs books. Mr. Nash, the Warehouse-keeper, cannot do everything. He has far too much to do. He is the first who crosses the threshold of the Custom House in the morning, and the last who re-crosses it at night, and is the hardest worked officer in the Customs.

W. H. Aldis,
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16. But at all events the information came from the Custom House of this deficiency of one ton of tobacco, among other goods? Yes.
17. At the same time that tobacco had been regularly shipped in one of Her Majesty's ships? Yes, and never was in my store. But after that I received another letter from the Collector.
18. How long after? About a month: calling upon me to pay the duty upon the cigars.
19. To pay the duty upon the cases of cigars before alluded to? Yes. And then I immediately took all the correspondence (I would not have anything further to say in the matter myself,) and referred the Collector of Customs to my solicitors, Messrs. Bradley and James.
20. What was your motive for placing the matter in the hands of your solicitors? I was informed that the Collector could make me pay it. I thought it very extraordinary if he could compel me to keep his books—the Customs books.
21. Did you take any steps to explain your case to the Collector of Customs? No. Mr. Nash called upon me, and I told him it was utterly impossible I could explain it.
22. You maintaining that there was not that deficiency? I maintained that they had either paid duty or had been exported, but that I was not in a position to prove anything of the sort, because they took away all my documents when I went to Melbourne, and it was understood to be all correct.
23. Did any correspondence take place between your solicitors and the Collector of Customs with respect to the cigars? Yes; Mr Bradley wrote a letter, stating my case.
24. Was there any reply to that? There has been no reply.
25. Then what has been the result? Since then they have found out some more of the cigars—not the Customs—some one in the Customs—am not prepared to say whom.
26. That is another shipment of which the Customs had omitted to take due account? With which they had charged me as deficiency in my store.
27. Do you say that the whole of these cigars have been found, or that some portion remain yet unaccounted for? There were three shipments, amounting to twelve or fourteen cases; one of those shipments has since been discovered.
28. Then two are at present standing as deficient? They stood as deficient, but I believe the duty has been paid by some one—not by me.
29. You believe the duty has been paid by somebody? I was told so.
30. On those two shipments of cigars which at present it is not explained what became of them? Yes.
31. Do you know by whom the duty has been paid? I do not. It must have been paid by some one connected with the Customs.
32. Have you had no further communication from the Collector of Customs since the letter apprising you of the deficiency? I had a gentleman calling upon me to know whether I would allow the duty to be paid upon them. I said "of course"; it was not for me to allow it, or otherwise. I had nothing to do with it.
33. That is, the duty on the missing cigars? Yes.
34. Was that an officer of the Customs? No.
35. Was he applying on his own account? No; he must have applied on behalf of some other person. He was a relative of a gentleman in the Customs.
36. By Mr. R. Campbell: Have you any objection to name him? I hardly think it necessary.
37. By Mr. Weekes: He did not state on whose account he applied to you? He did not; he merely wished to know whether I would allow the duty to be paid, and the duty has been paid.
38. And no one can tell what became of the cigars? I cannot. The Customs ought to know.
39. Then I understand from you that the affair is now, and in that way, finally settled? It is finally settled.
40. So that of this alleged deficiency the ton of tobacco was found to have been duly shipped, and one of the shipments of cigars to have been regularly re-shipped? Whether the duty has been paid or the goods re-shipped I know not.
41. The remaining part being paid by some mysterious agent, and so the matter ends—is that the case? Something of that sort.
42. By Mr. R. Campbell: When you say that the cigars and tobacco were duly shipped for exportation, you do not know that of your own knowledge? I saw the voucher for the tobacco, and that is all.
43. You only saw the export voucher? I did not see it until it was taken to the Customs.
44. That is the way in which it was found out—from an indistinct remembrance you had of the transaction? Yes.
45. What is the gross amount that would be paid under the circumstances? I should think about £300 to £400.
46. Can you state to the Committee the name of the ship that brought these cigars and tobacco to the Colony, and the marks and numbers? The following are the particulars:—
 $\frac{Y}{359}$ || 27-3153, six cases cigars, 450 lbs. net, ex "Arrogant," Dye, from Manila, bonded 3rd October, 1854; $\frac{Y}{364}$ || 1-6, six cases cigars, 306½ lbs. net, bonded 1st November, 1854, ex "Oscar," Videll, from Manila; $\frac{F}{378}$ || 1-2, two cases cigars, weighing 100 lbs. net, bonded 19th January, 1855, ex "Helène," from Hamburgh; $\frac{Q}{411}$ || 14-29, sixteen cases tobacco, 2,080 lbs. net, ex "Telegraph," Warner, from Melbourne, January 14, 1855.

John

John Bell, Esq., called in and examined:—

1. *By the Chairman:* In what capacity are you? I have the direction of the wharf and stores of Messrs. Willis, Merry, and Company. John Bell,
Esq.
2. Is there a bonded store there? Yes, sir.
3. How long have you been in that capacity? I was with the former proprietors; first with Mr. Botts, then during the time of Messrs. Sheppard and Alger, and since that time I have been in the employ of Messrs. Willis, Merry, and Company, since the beginning of 1854, and except about three months I have had the management of it. 18 June, 1858.
4. I suppose there is a large amount of bonded goods in that warehouse? Very large.
5. Chiefly consisting of spirits and tobacco, or of every description? Little tobacco. There is a large quantity of tea and sugar, but a preponderance of spirit.
6. What are the hours during which the bonded store remains open? It opens nominally at nine, and closes at about half-past three; but those hours are hardly sufficient, and we pay a considerable amount for over-time to the officers; we cannot do our business in the time prescribed.
7. Is there any particular locker appointed to your bonded stores? They are occasionally changed; in the course of four years we have had, I think, three lockers.
8. What are the hours of attendance of the lockers? From about half-past nine. They have to go to the Custom House, for the keys, at nine.
9. And they remain there the whole time that the bonded store is open? The whole time.
10. Are they visited during that time by any officer of the department? Since the appointment of an Inspector of Bonded Stores, he has very frequently visited the stores. Other Custom House officers are occasionally round, but whether superintending or on business we cannot possibly tell. We do not allow any one in the bond, not even the locker himself, unless on business; his office is outside the bond.
11. I suppose the proprietor of the bonded store keeps a key as well as the Customs? Yes; we hold one key and the Customs the other.
12. It would not be possible for either to go in without the other? Unless in some clandestine manner, it would be quite impossible.
13. *By Mr. Weekes:* Who supplies the locks? The Customs supply their locks, and we supply ours.
14. Are spirits ever landed on the wharf and suffered to remain there all night? Never at our place.
15. Is that a rule at your place? It is the rule of the Customs that if bonded stores which are landed during the hours they are allowed to be landed be not removed by 4 o'clock, the landing-waiter gives directions for them to be placed inside our bond, and if we did not place them in the bond, a Custom House officer would be appointed to watch them during the night, and the expense would fall on the spirits—to whom they may belong. But in our case I have never known an instance where a man has had to watch them.
16. You are not aware that at some wharves large quantities of spirits are suffered to remain all night long on the wharf? No; I am not aware of it. If the Customs regulations were carried out at their wharves the same as at ours it would not be the case. I never heard of an instance, unless there were persons set to watch them.
17. Did Mr. Still take stock of your warehouse? Yes.
18. Did you have any report that it was correct? We had no official report; we presumed that it was correct, because we heard nothing to the contrary. In the bonded stores generally, I believe, there was hardly an instance where the stocks were found to be incorrect.
19. Where did you gather that information from, that when the stock of the bonded stores was taken they were nearly all found to be correct? From the conversation I had with the Custom House officers themselves. We naturally inquired about the result of the stock-taking, being anxious, partly on our own account. It had not been done by the Customs during the time I had been there, so that I was rather anxious, as far as we were concerned, to know that we were right.
20. Are you aware that the stock in stores reported to be correct has since been alleged to be deficient? I think there were two cases, but I know but little about them.
21. Have you any suggestions that would tend more to the protection of the public interest in regard to bonded stores than the rules which now exist? I do not think the rules at present existing protect the revenue in any way.
22. How do not the present rules protect the Customs in any way? They protect them in some degree, of course; but they afford no efficient protection to the revenue—your protection is derived from quite a different source.
23. In what way? I think the only protection for your revenue is on all goods coming from the United Kingdom,—the English caskets, they are the best protection; and next to them, the probity and respectability of those who keep the stores. All the other machinery is very little protection indeed.
24. *By Mr. Campbell:* No honest Custom House officers? I should be very sorry to say that. Some of them are, I believe, most respectable men; but I think there is no necessity for the larger part of them.
25. *By Mr. Weekes:* In what class of Custom House officers do you consider this reduction might with propriety be made? I think if the manifests were duly entered at the Custom House, all these men who attend the ship while she is discharging might be done away with. They would never be a preventative to smuggling; and all that class of officers who attend the ships from different wharves to take the things away are totally useless—little better than an expense and incumbrance.
26. Why is that? Because, for instance, if goods are being shipped we have now an officer sent down to see them aboard. They go into the charge of the landing-waiter at the wharf.
27. You are now speaking of export? Yes. They are taken to the wharf, and the landing-waiter

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waiter there would be sufficient—on receiving a pass or a permit from the landing-waiter at the wharf, or the bonded store from which they were sent.

28. Can you state the course pursued in exporting spirits—the party goes to the Custom House with a certificate, and from thence what is the course? He passes an entry at the Custom House through the Custom House Agent. There is an officer appointed then, and a dray or drays to go and take these things from the particular bonded store to the place where they are to be shipped. The officer accompanies the dray. He gets the landing-waiter of that wharf to say that they are duly deposited and delivered over, and I suppose his report is handed in at the Custom House.

29. During that process, which is the unnecessary officer? The officer who attends the removal—who accompanies the dray. All that class of officers I do not consider any protection, but a great impediment to business. For instance, if I wanted to take twenty tons of sugar from our wharf, and ship them to Melbourne, I should have no difficulty probably in getting twenty drays, but it would require twenty officers to accompany them. Consequently, if one man has to do it, it is a great impediment to business.

30. Is it a fact that an officer accompanies each dray? In practice it is not always the case.

31. And you do not consider it necessary? Not in the slightest degree.

32. Do you think it is safe to commit the custody of dutiable goods to the sole care of an ordinary carter? I think it is perfectly so. The usual class of draymen, particularly the licensed draymen, are men of a little standing and property; and, besides, there must be several parties concerned in a transaction of that sort. In taking goods from one place to another, there must be more than one, and that part of the business managed by the Customs officer would, I think, be much better managed by the imposing of fines and penalties. I think there could never be an instance in Sydney of the revenue suffering from draymen.

33. Do you think it possible that without the protection of a Custom House officer spirits confided to the care of an ordinary drayman might be subject to be tampered with on the route, either by extracting some of the contents or otherwise? I think not, if it were done as was the case in London: If there is a certain time allowed on the pass for the landing-waiter of the wharf which is going to receive it, it would be easy to examine the cask and see whether it had been tampered with or otherwise. If just sufficient time were given, I think it would be equally secure with the draymen as with the underpaid officers of the Customs. If I were going to smuggle anything, I would much prefer to have the officer with me, because I fancy I could do it with more impunity. Being underpaid men, they are of course open to the corruption of human nature. It would be rather an assistance than otherwise.

34. In fact, you think it would be safer to smuggle when the goods were in charge of an officer? If they do it under the lynx eyes of the London officers, I think they would be able to do it here.

35. Then does your objection to the necessity of these officers apply to their being inadequately paid, and, therefore, perhaps subject temptation? No; it is merely the non-necessity for them. I do not think they are the slightest use in the way of protection.

36. Are you aware what is the practice at home in this matter? I cannot speak of the last twenty-five years; but in early life I was in a shipping office, and saw a great deal of it.

37. In London and the principal towns of England the bonded stores are generally within docks, are they not? Not in all cases. There are bonding stores independently, but nearly the whole are held by the dock companies of London.

38. Are you aware of the practice pursued with regard to the stores in exporting dutiable goods? I could hardly speak at this distance of time. I could hardly give sufficient information on that subject.

39. Then, if I understand you, you consider that both of these classes of officers—that is, the extra tide-waiters and those officers who accompany goods for exportation to the water side—quite unnecessary? Yes. If you had a proper system by which one landing-waiter communicated with another, he would have to receive the goods within a certain time, and if they did not duly arrive it should be reported to the Customs by the landing-waiter, and fully inquired into. Under the present system the landing-waiters, when efficient, are the best officers for protection to the revenue.

40. Then you consider that the English cocket would be protection enough as against the ship? Yes.

41. And to land all that was on board of her? Exactly so. We had an immense number of ships to discharge—more than any perhaps, except Messrs. Campbell, and I do not know whether last year we were not equal to them—so that I have the opportunity of seeing the whole system of receiving and bonding dutiable goods. If any goods are short-landed, or deficient in quantity, it is easily known to the landing-waiter, by the ship's manifest and his gauging. I have never known an instance where it has passed the observation of that officer, or that the deficiency has been otherwise than satisfactorily accounted for, as far as the ship has been concerned. The best security you have for your English shipments is the English cocket.

42. Are ships limited in the amount of their stores—spirit stores—shipped as stores from home? I cannot speak as to that. It is duly entered on the manifest what stores they bring with them.

43. Would it not leave a door open for smuggling out of that amount of ships' stores without the protection of an extra tide-waiter? The landing-waiter would have full cognizance, by the manifest, of what stores the ship contained, and could at any time demand to see and verify them, and would answer the purpose better, being a superior officer; but if you consider the small amount it would be possible for a ship to dispose of, and the large amount of the cost of collecting, I think the Customs here cost fifteen per cent., while at home, if I recollect aright, it is under five per cent. While you are reducing the expenditure seven-and-a-half per cent., I do not think the loss by smuggling would be half that amount. That is not the point.

point where you have to fear smuggling—it is from goods shipped on board ships when they leave port. If, for instance, I wanted to smuggle, and I could clandestinely enter our stores and empty a certain number of casks of brandy, and fill them with water, and if afterwards I were to take them to a ship going on a voyage to the South Sea Islands, or some other place where there was no Customs—the captain signs the bill of lading; the officer follows the water instead of the spirits; the captain signs bill of lading; the freight is paid here—and they are shipped off to order, and we should probably never hear anything at all about it. But if goods, on the other hand, were shipped from here to Melbourne, or places where there is a known Custom House, it is not from those places you will have to fear. What you want is more police. A vessel going from here might land in the harbour on a dark night. There is no difficulty in a boat going alongside and taking anything out. A good police in the harbour would probably get rid of these difficulties. I have heard that there are such things done, but I do not know it of my own knowledge; still there is a possibility. It is not from ships coming from the United Kingdom that you have to fear. Their cockets, and the honesty and integrity, and respectability, of the occupiers of wharves and stores will, I apprehend, be the largest part of the security you have.

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44. Have you had any means of ascertaining the vigilance of the watch—of any of the extra tide-waiters that board ships at your wharf? Yes.
45. How did you find it? Well, perhaps at our place they may be rather off their guard. I sleep on the premises myself, and I have a watchman. We are closely walled in, and have never lost a package. The watch has strict orders to stop everything that goes in and out—all goods—after six o'clock. I think it is very possible, and I know it has been the case, that these officers have depended on our watchman on dark nights when it is more comfortable to be at home. I have frequently known the ships to be left in that way by the officer.
46. Left entirely? Left entirely.
47. Left entirely by the extra tide-waiter placed in charge by the Customs? Yes.
48. Have you known that often to be the case? I do not know that I have very often. My means of arriving at the information has been from my own observation that the surveyors have come and found them absent.
49. Are the surveyor's visits made at uncertain hours, or not? Yes, at all times, when he thinks it necessary.
50. When have these absences been detected? They have been generally at night.
51. Are you aware when they remain on board that they turn in and sleep? Yes; there is a cabin provided for them.
52. And they generally sleep? They are generally men who have been in decent circumstances, and the captains generally seem to provide for them in the cabin.
53. Then, for all practical purposes of protection, you think that class of officers useless? Quite useless—an expense to the ship and an impediment to business.
54. Do you know of consequences following the detection of those officers' absence from their duty—either suspension or otherwise? I believe they have been reprimanded, or something of that sort, and put back on the list, unless they could show some very extraordinary excuse for it.
55. But, however guarded and protected the wharf may be by gates and walls, is it not open on the sea side, so that anything could be lowered from the sides of the ship into boats dropping alongside? Yes; but then we have a watchman constantly on the place. He is always on the wharf from six o'clock in the evening.
56. But then he cannot see the other side of the ship? He can have full superintendence. It is part of his business. It is part of my business to see that he is on duty.
57. When ships are alongside are you aware whether a watch is kept by the ship? It ought to be.
58. Is it a fact? In some cases they have been fined for not doing so.
59. Are you aware that all hands turn in? Yes; they have been detected. It is very customary for our watchman to be employed by the captains themselves to watch.
60. Can you suggest any further protection for the export of spirits than that now in operation? No, sir. I think, as far as the system goes, there is no defection in the revenue on account of the present mode, any more than there would be if it were altered.
61. When spirits leave your store for home consumption, are they re-gauged? Almost invariably. There is always evaporation going on, and consequently the buyer likes to pay duty on the smallest quantity.
62. Are you aware whether the duty is paid upon the re-gauge or upon the original certificate? Upon the re-gauge.
63. Have there been any instances on your wharf of spirits increasing not only in bulk but also in strength? Never, but where there was a mistake in the calculation at gauging. I never knew an instance of the strength increasing, excepting in case of a mistake by the gauging officer, in our stores. I presume other stores are conducted in the same manner. There is no possibility of tampering taking place.
64. The spirits are not re-gauged when they are deposited in the store—they are gauged on the wharf at landing, are they not? They are gauged on landing, and a return made to the Customs. Then, on being taken out to pay duty, they are generally re-gauged.
65. On receiving them into your store from the ship—say coming from some other wharf—is it the practice to re-gauge them when they are deposited in your store, generally? When they are lightered the landing takes place at our wharf, and the landing-waiter at our wharf gives the original gauge at our wharf; but if they were brought by drays, the landing-waiter where they were landed would have to gauge them.
66. In that case, what is borne by drays you do not re-gauge? No; the original gauge is taken at the other wharf.
67. When these spirits are conveyed by water from another wharf to your wharf, by lighters, are they not in the custody of a Custom House Officer? They have lately been.

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68. How lately? I suppose within the last six or eight months.
69. Previous to that it was not the custom? Previous to that it was not the custom.
70. They came simply in the case of the lighterman? Yes.
71. And as to your remark about the non-necessity of anybody to accompany the drays,—does it not apply to lighters also? Immediately we take them in our lighters from the ship, Messrs. Willis, Merry, and Company are liable for anything that occurs to them; and the responsibility is too great for us not to take very great care that we run no risk of that sort. We are far more particular in our stores even than the Customs are. For instance, if a cask is landed at our place, either from a ship discharging or by lighter from another wharf, the landing-waiter gauges them, and enters into a Customs book, kept for that purpose, both what each cask would hold if full, and the actual content, and the strength. We examine this book, and if any cask shows a deficiency of more than three gallons the storekeeper's attention is called to it, and notice given to the owner who has entered it for our bond of the unusual deficiency, and the causes, if any, that he may protect himself and absolve us from further responsibility.
72. The spirits that are brought to your bonded store from other wharves having been previously gauged at those wharves, do you ever ascertain if what professes to be spirit is spirit? No.
73. Then, supposing, in the absence of any protection on the route, spirit is extracted and water put in, it would not be detected until that cask was required for use for home consumption or export? It is very difficult to touch a cask or extract anything from it; it could not be done in the streets. The business of the storekeeper is to look most narrowly at the casks. He can better judge, from the way in which the cooper does his work, whether the casks have been tampered with.
74. The bungs are not protected by any lead or tin? No; it would be simply starting a bung.
75. Starting a bung would enable anybody to get at the contents? Yes.
76. And then it would not be found out until some years after, when that cask might be sold? It might not; but still I do not think your revenue has anything to apprehend from that source.
77. Do you know whether it is the practice at the other bonded stores similar to what you describe at your own—that the store is never opened except for the actual discharge of business? I do not know what is the practice at the other stores. It used not to be so in ours. The locker used to have his office inside. We do not allow the Custom House officer to take a glass of spirits out of any cask, beyond what is necessary to try the strength. On one occasion, on going into the store when some people were there, the locker was seen to open a cask. It was reported to the Customs, and he was suspended.
78. Do not you think for that protection which it is desirable to carry out that bonded stores should never be opened excepting when required, and that the locker should have an office outside the door, instead of inside? I have got it so in ours. On one occasion I found the locker—a temporary one during the illness of the regular one—in with some of his friends. I requested them to go outside, and got the office removed.
79. *By Mr. Egan*: Do you think an officer of the Customs, or some responsible officer, should sign the certificate as well as the bonded storekeeper? No. As far as the Customs' warehouse-keepers are concerned, there never could be a better system—every package is numbered, and known instantly.
80. *By Mr. Weekes*: Is there any other suggestion, Mr. Bell, that you would like to make to the Committee in reference to the subject of bonding goods? I think it would be conducive to the interests of the revenue and the public, that all the officers connected with the bonded and dutiable goods should be concentrated under the direction of one responsible and experienced officer—controlling the landing-waiters, warehouse-keeper, and lockers, and appointing them to their respective stations. The office of Inspector of Bonded Stores, at present with insufficient power and authority, I would merge into it. On all dutiable goods for export I would cause the entry to be passed the day preceding, and also, on all goods for home consumption, and due notice given from the chief officer to the respective officers stationed at the bonds, and at the places of shipping. By this arrangement much unemployed time of various officers would be saved, and time given for the proper examination of export goods. By reducing the duties of the landing-waiters in respect to free goods, for the reasons to be hereafter stated, the landing-waiter would have time to perform the duties of inspector of the bonded stores of that wharf on which he was stationed, and being at all times on the spot, it could be done more effectually than by the present system, where one officer has the inspection of more than twenty bonds. That it is not, I think, good policy to allow private bonds, and that no more should be granted than those at present existing; and where a retail business is carried on, they should be at once abolished. As regards the question of having only one general bond at the Commissariat, and in the hands of Government, I would beg to submit, that it is no part of the functions of a Government to keep bonded stores any more than to keep a wharf, or trade in any other way. That, therefore, if such a store were instituted, it must be farmed out, as the Circular Quay now is, to a lessee; and that lessee would be, to all intents and purposes, in the position of a private bonded storekeeper, and the public deprived of that wholesome competition which is beneficial to their interests. It would require an area twelve times more extensive than the present building to contain the goods, and, as a matter of equity, it would be necessary to indemnify the present bond holders. The whole of the goods would have to be carted or lightered to the store at an expense to the owners, whereas it now costs them nothing. That proper printed instructions should be handed by the Customs to bonded storekeepers, and all new regulations duly notified, which has not been the case hitherto; and if any alterations be made in the hours allowed to the various bonds, a written notice to that effect should be forwarded to the bond-keeper. On one occasion when, during a considerable period, Botts' Bond had been paying for

for over-hours more than one-fourth of the time allowed by the Customs—the hours, without the common courtesy of any notice, were reduced from half past three o'clock to one o'clock. As it arose from the caprice of a sub-official, the difficulty was removed afterwards by the Collector. Having nothing further to say on the subject of bonded goods, I should be glad to be allowed to mention the subject of free goods. The system of passing entries for free goods, and the manner in which the landing is carried out, is a source of great discontent to vessels arriving at this port—subjecting the ships, wharves, and laborers, to great expense and loss of time, and conducted with great expense to the Customs, without any revenue derived from them. As no vessel can discharge free goods without the entry being passed and delivered at the wharf by a Customs messenger to the landing-waiter, a ship is sometimes detained a whole day till it can be obtained, and the loss to the ship and laborers is both heavy and needless. Very serious inconvenience and loss has been sustained by the consignees of goods arriving before Lent and Christmas, and suited to those seasons, but detained till other goods for which entries are not passed are cleared from over them, and the market lost. It would, therefore, be a great boon to all parties, that the necessity of passing entries for free goods be abolished; but, for statistical purposes, to require that every consignee shall, by himself or his agent, declare the nature and value of the goods consigned to him within 48 hours after the manifest of the ship has been deposited at the Customs, or become subject to such penalties as the Customs may think it proper to inflict. By these means a host of unnecessary forms would be got rid of, and the time of the landing-waiter would be spared for the more material purposes mentioned before. In conclusion, I would beg that it should be an instruction to the Customs officers generally, that, having a due regard to the protection of the revenue, every facility should be given to business.

John Bell,
Esq.

18 June, 1858.

TUESDAY, 22 JUNE, 1858.

Present:—

MR. EGAN,
MR. DONALDSON,

MR. WEEKES,
MR. LORD.

DANIEL EGAN, Esq., IN THE CHAIR.

John Nicholas Beit, Esq., called in and examined:—

1. By Mr. Donaldson: Have you favored the Committee by perusing and considering the Customs Consolidation Bill which was introduced last session? I have.
2. Will you favor the Committee with your opinions generally on it, and on some of the details, if there are matters that require modification? I think it would be more desirable if you were to take the details, instead of asking my opinion on the Bill generally.
3. Have you considered the advisability of consolidating the several Customs Acts relating to gunpowder, coasting, &c.? So far as that goes, I think there can be no difference of opinion, if there are several Acts of Parliament relating to that subject.
4. In the schedule there are seven Acts—will you state if it is desirable to consolidate these Acts? There is no question about it. Where there are several Acts it is always desirable for the Legislature to consolidate them into one.
5. More particularly Acts relating to duties? Yes.
6. You know that the same steps were taken in England with regard to the Customs Consolidation Act and the Customs Laws Consolidation Act? Yes.
7. Now, be good enough to state anything in the details that requires amendment in this Bill? I have gone very carefully through it, and, without wishing to express myself very strongly upon the subject, I do not think the Bill as it stands is applicable to the Colony.
8. Please state why? There are a great many clauses that are not applicable, which I will point out to the Committee; and the whole construction appears to have been taken from English Bills, which have been consolidated and regulated. But these particular Bills excite so little attention in England that they are made by the Solicitor of Customs, who takes the old Bills of 120 years ago and cuts out the clauses, and beyond these which are particularly objected to, and which are omitted, he leaves the others standing. There are clauses contained in this Bill which I scarcely think any Member of the House would like to bring forward under his auspices.
9. Why? There are several clauses very objectionable, which give jurisdiction to a single magistrate to inflict penalties, as much as five years on the roads.
10. For certain frauds committed? Yes; it is no matter for what it is. There are many other clauses which are entirely of an obsolete description of legislation. I have made marginal remarks against them, and if you wish it I will go through them. There are a great many things which I think unnecessary. It is an extremely long Bill, and I think might be very advantageously reduced to less than half the size. There is in the eighth clause only an insertion wanted. The clause says, "and the performance of all duties connected therewith, under the control and direction of the Minister of Finance, and to grant to such persons such salaries or allowances, or to permit them to receive such emoluments, for executing the duties of their respective offices as may be proper." I think the salaries allowed from time to time should be sanctioned by the Legislative Assembly. Surely you would not give the Minister of Finance *carte-blanc* to fix the salaries!
11. That means the Executive Government? It is an Act of Parliament.
12. There is nothing in that objection? It is a trifling matter. I think the salaries should be sanctioned beforehand, and not after the appointments. It is generally objected to.

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13. I wish your general opinion of the Bill? Very well; perhaps you will ask me a question on any particular part of it.

14. Is there any thing you see relating to the Customs regarding the Bill that has struck you—have you considered the Bill as bearing upon the Customs law? I have, a very great deal, and am very much opposed to the enactment with respect to the warehousing system. I think this is extremely objectionable, both for the sake of the revenue as well as the convenience and security of the merchants. I think that the chief articles which are charged with high duties, such as spirits and tobacco, should, like in the Mother Country, only be allowed to be warehoused in warehouses of *special security*, which means, in buildings separated by outer walls from all adjoining buildings, and approachable by water carriage on the wharf. I have expressed that opinion for many years; it is nothing new. I believe I expressed it to Mr. Donaldson, when he was in the Treasury. I have, years before Responsible Government was introduced, pressed it on the Government, and am perfectly certain they will never get a good system of Customs established without it. At present the merchant who has not got his own bonded store has no security—the bonded warehouse-keeper not being responsible to the merchant. Even by this Bill he is allowed to charge what he pleases, and from time to time to alter his charges; and the time when you can attend to your goods is limited, and, in point of fact, while very disadvantageous to the merchant, there is a total want of security for the revenue by this system which at present exists. I have considered it very fully, and am perfectly clear that the system adopted at home, to allow spirits and tobacco only to be warehoused in warehouses of special security, is immensely superior, both for the revenue and the merchant.

15. *By the Chairman:* You mean Queen's Warehouses? They are not Queen's Warehouses in England, but subject to the Queen's; they are entirely separated, cannot be entered by any one, and are guarded at night. In the docks are separate warehouses, entirely separated for these purposes, and separate from the other warehouses; and it is not allowed in England to carry these goods, which pay heavy duties, in bond *landwise* at all; they are not allowed to be carried by land at all till the duty is paid, and that is a matter which, I think, is so very much required here. An objection has been urged to that—what is called here vested interest has been created, by giving to some bonded warehouse-keepers the facility to have bonded warehouses, thereby deriving an extra revenue from their premises. In compensation for that, the Government might give greater facilities to the community, and that would afford some indemnity to the warehouse-keepers, by allowing bonded warehouse-keepers other goods—not spirits and tobacco—to be bonded in their warehouses, on sufficient bond and guarantee, without the Queen's lock at all. It would be a great boon to the trading community, and an advantage to the bonded warehouse-keepers, because they would have the advantage of having a great many goods warehoused without any difficulty, and the duties could be charged upon the landing weights and measures.

16. *By Mr. Donaldson:* Under a bond? Yes, under a bond from the warehouse-keeper, with two sureties. The warehouse-keeper first gives a large general bond, with two or more sureties, that nothing is to be allowed to go out of his warehouse until the duty is paid and a discharge from the Customs lodged with him. You then, when goods are put in the warehouse, take the bond of the importer, the warehouse-keeper, and another security; and I think on small duties, such as are payable on tea, sugar, and such like matters, you may well treat in that way, without any necessity for having any officer at all.

17. *By the Chairman:* You would thus do away with a large number of lockers? Yes, because you know what duties are payable from the landing-waiter's report, verified by the landing-surveyor.

18. *By Mr. Donaldson:* How would you regulate the time when the duties should be paid? I should be very liberal in that matter. You would not wish to hamper the merchant, by saying, you must pay your duty if the goods are not to go into consumption. I think it would be time when the goods are to be taken out to pay the duty.

19. Without stating the time? I don't think it ought to be less than in England; I think it is three years.

20. What time would you say here? Two years, I think, would be long enough. It is no consequence, because you can re-bond.

21. You are aware over-time goods are sold here at the end of three years? Yes, unless re-bonded and charges paid up; that is the same time as in England.

22. Would you continue the rule? Yes. It is no consequence; you might take a shorter time, for the purpose of overhauling stock every two years. There is no hardship upon any one, because you can re-bond.

23. No doubt about the goods being there, you would allow to re-bond them? Yes.

24. Is there any other point which you object to? You say, in clause 9 and others, something about sugar houses, and for refining in bond; it is perfectly inapplicable in this Colony. After some explanatory conversation, Mr. Donaldson admitted that he was in error.

25. Have you any further suggestions to make? I object to clauses 12 and 13, as unreasonable. Clause 14 is very bad.

26. What is your objection to that clause? It is very objectionable, and affords no security for the revenue. Here is an extreme facility given for smuggling. Perhaps it was suggested by some bonded storekeeper. The facility given is, that the bond of the warehouse-keeper shall be bond for the goods. It is quite enough that I send them to the bonded warehouse; I have no occasion to give any bond for them; I never heard of such a thing. I think bond ought to be given by the importer, with the warehouse-keeper, and one other security, unless there is a Queen's Warehouse, and even then the importer must give bond, as in England.

27. *By Mr. Weekes:* What is your reason for making the importer give security, when he has no control over the deposit? But he has got a control over it while it goes in and out, and even while in the warehouse.

28. By collusion with the officers of the Customs? He might.

29. Upon what grounds do you justify the imposing a bond upon the importer for goods deposited in a bonded store, keeping in view that on arrival the goods are deposited in the store, and the property has departed from him, he having sold them by certificates—why should the original importer continue bound in a heavy penalty for the safe custody of the goods? It is not for safe custody.

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30. Well, to secure the duty? It is an objection which may be urged, but I think on the part of the revenue I would never consent to be without it, because you throw too much charge on the bonded warehouse-keeper, or even if there was a Queen's Warehouse, the importer should be held liable for the truth of his declaration of contents, which he signed when the goods were taken out of the ship to go into the warehouse. So far as the goods being removed or taken away from the warehouse without his knowledge or consent, I don't think there is much risk of that. The bona fide merchant or importer that gets the goods in the warehouse cannot be damaged by giving bond for the goods that are there.

31. Supposing he disposes of the goods on arrival (if they are spirits)—on what principle of equity is he to be bound if he has no further interest in the goods? He need not bond them; if he sells them on arrival the purchaser may bond them. If I sell them on arrival, I hand the purchaser my bill of lading.

32. Suppose he disposes of them immediately after he has placed them in a bonded store, why should he be bound and become responsible for the acts of others? How?

33. I understood you to say he is bound for the goods deposited—that is for the duty to be paid to the Queen? That is the form of the bond.

34. Is not that what you aim at,—that all spirits deposited in a bonded store should be exported, or pay duty before the obligation of the importer is ended? Yes, certainly; and if that person thinks there is any risk attached to it, the goods can be re-bonded in the name of the purchaser. There is no difficulty for the person to say, I sell you fifty casks of rum; if you keep them in bond, they must be re-bonded.

35. The objection to that is, that you would require for each fresh sale of a parcel of spirits that they should be re-bonded in the name of the purchaser? I don't think it is necessary; the objection has never been raised. I have had a great many years experience in England, and no importer has felt any difficulty in that respect.

36. It seems hard that a man should be held responsible for goods over which he has parted with his interest long ago—it is not equity, although it may be a good Customs law? But you can protect yourself if you think proper. You have got the means of protecting yourself by—when you transfer the goods from the name of yourself you can likewise transfer the bond.

37. That would involve the system of everlastingly taking bond as the parcels of spirits change hands—sometimes fifty times in a month, in speculative times? If the present seller of goods is so extremely nice that he will have the bond discharged, there are the means of doing it.

38. It is only to protect himself? I cannot see how you can get over the bond being given by the importer with any real security to the revenue, unless you take the bond of the importer. Even if you had a Queen's Warehouse you could not do it, but, in private warehouses I think I would never consent to do away with it. If you did you could never control it, and you would have everlasting swindling. You must recollect that the Legislature, the British Legislature, of a free country must look on their Customs laws—that it is not only to secure the revenue, but also to protect and secure the honest trader. The protection of the revenue is the protection of the honest trader. If you allow any facility to evade the duty you do wrong to the honest trader, besides the loss to the revenue. You cannot be too stringent with the preventative Customs laws.

39. By Mr. Donaldson: What is your opinion of the Bill, as a whole? I think the best thing you could do with it is to put it in the fire. (*Vide Appendix A.*)

40. By the Chairman: You have had some considerable experience in reference to the working of the Customs in Sydney? Yes.

41. Is there any particular branch of the Customs that has come more immediately under your notice—and can you make any suggestions for the better management of it? As I mentioned before, the warehouse department ought to be entirely re-constructed. I think no private bonded warehouse should be permitted for spirits and tobacco.

42. Then, in reality, your view is, that the warehouse immediately under the control of the Government should be the warehouse for bonding that description of dutiable articles? Yes; and the only one.

43. Do you think all other dutiable articles should be bonded in the present warehouses, the importer and warehouse-keeper giving proper security for the payment of the duties? Yes; and without being under Queen's lock.

44. Then you would not, with the exception of spirits and tobacco, have any locks? No lockers; the store should be entirely under the control of the warehouse-keeper.

45. Under a bond for these duties? The warehouse-keeper must be a responsible man, and give sufficient security. I think it would be a great advantage to the public at large, that he should have control of the goods at all times, and the revenue would be just as secure.

46. I think I understood you to say that the bonded warehouse should be in such a position that no carting should be allowed on depositing goods landed from the ships? Spirits and tobacco are not allowed to be carried by land in England until the duty is paid.

47. Not from the ship? If the ship lies some distance away, the goods (spirits and tobacco) are placed on board lighters, under the charge of licensed lightermen, and under lock.

48. Would that give greater satisfaction to the public and security to the revenue? Yes, the security to the revenue is greater; it annihilates smuggling, and is of advantage to the trader, the merchant, and importer—in fact to the whole trading community; they will be as safe under such a system as the merchant is in London.

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49. The bonded warehouse you would have open from nine to four? I think it ought to be before nine.

50. It may be open before nine for receiving goods, but you would not expect an officer to be there before nine? No. In the Docks it is arranged in this way: The landing-waiters are obliged to be there at the opening of the Docks, which I believe is eight o'clock, so that ships can work.

51. If that course was pursued, what mode would you suggest with reference to granting certificates? Not as at present; the certificates should be granted by the Warehouse-keeper General of Customs, and by a proper arrangement would avoid the possibility of fraud of any kind.

52. I am speaking of the Queen's Warehouse-keeper? At present there is no security beyond the bonded storekeeper who gives the certificate. As to the quantity of certificates he may issue there is no control over him, and the Customs know nothing about it. Here you would have a good security, because the public officer being accountable not only to the revenue for such goods being in the warehouse, he of course would only give one certificate. That certificate is another advantage—a collateral one—because it is so safe and secure that there would not be the least difficulty in obtaining advances on it, which is a very great advantage to the trading community.

53. Is there anything, Mr. Beit, you can suggest in reference to the clerical working of the department, so as to give greater security? No, I could not. I am not sufficiently acquainted with the working of it here. I could not give any information that would be advantageous, except that many of the forms might, with advantage, be simplified.

54. Do you think any alteration should be made in the hours for paying duties. It is only during certain hours that duties are payable, and after that no money is received? It is from ten till half-past two o'clock. I think it is quite long enough. I do not see any necessity for any longer time. It would only give trouble to the department of the Customs, seeing that the Banks close here at three o'clock.

55. Do you think, according to the present mode of bonding goods, that proper supervision of the revenue takes place? I don't, by any means; and I don't see how it can be done without a most expensive staff.

56. I suppose that is in consequence of there being so many bonded warehouses dispersed through the town? Yes.

57. Do you know anything of what is termed extra tide-waiters on board ship; what duties they perform, and whether they are any protection to the revenue? I think they are very unsatisfactory, but at the same time I don't see how you can do without them. The landing-waiter is on shore receiving goods as they come from the ships. I may be prejudiced of what is the practice in England. I don't see how you can do without tide-waiters. I think you require tide-waiters where there are heavy duties. I should certainly like to see a few more higher officers employed and fewer of the subordinates. I think the supervision is not equal to what it ought to be.

58. Do you think any smuggling is going on at all? Yes, I am afraid there is.

59. To any extent? I have no means of telling. I think the whole arrangements that exist in the harbour are insufficient. While on this subject, I would wish to express my view on it. I cannot see the justice (it prevails in New South Wales, contrary to English practice,) of allowing spirits and tobacco to be consumed in bond on board ship.

60. You mean the stores of the ships whilst in harbour? Yes; it is in this way a great deal of smuggling arises—it is almost inviting persons to smuggle. In England, as soon as a ship drops anchor the Custom House Officer who comes on board seals up all the stores, and they are removed to the warehouse in the Docks, or Queen's Warehouse, until the ship sails out again.

61. Is he not allowed to draw off something for the consumption of the vessel? No; no bonded spirits are allowed in the harbour. I cannot see why it should be. It is of great advantage to the shipowner and the public that it should not be. It is for the protection of the subject that it should be altered, because you would not have so much drunkenness.

62. By Mr. Lord: That would apply also to wine and beers? You may do it as you like, but it is not absolutely necessary—I don't see that you must do it.

63. You would only do it in the case of spirits and tobacco? Yes. In England it is upon wines also. But I think it is a matter of consideration whether you would extend it to wines where the duty is comparatively small. I don't think it is scarcely worth while.

64. By the Chairman: You would not have that restriction on wine and beer? Certainly not on beer; and the same also should apply to vessels trading coastwise.

65. Are you not aware that vessels trading coastwise are not allowed spirits duty free? I thought they were. I would just also mention one very great matter with respect to the bonded system at present; even as proposed by the Bill there is not a sufficient provision made against smuggling by allowing crafts of a small size to carry bonded goods.

66. How do you mean—by exporting bonded goods? Yes, exporting bonded goods, and carrying coastwise bonded goods, or importing the same.

67. Is that on the grounds of the unsafety of it? On the ground of the facility of smuggling. Vessels of 50 or 30 tons can run in anywhere. No vessel should be allowed to carry bonded goods, (i. e., spirits and tobacco,) under 200 tons, and should be square rigged.

68. I suppose there are not many harbours where vessels of 200 tons could get in? Then there is no occasion to have bonded goods go in there.

69. Why? Because they should pay the duty.

70. Then, where there was deep water for vessels you would give the preference to places where there was no deep water? I would only give the preference to the harbour where foreign importations can take place. What is the reason, unless to facilitate smuggling, that you should allow bonded goods to be carried coastwise at all? I cannot see it. It is the principle that harbours where duties on importation are paid should be specially where bonded

bonded warehouses are established. They are specially named, and should be specially pro- J. N. Beit, Esq.
claimed.

71. Are you aware that there is nothing to prevent goods being taken to Morpeth, and that there is a bonded warehouse there? It ought not to be; I object to it. Why should there be a bonded warehouse at Morpeth? 22 June, 1868.

72. Don't you think the convenience of the public ought to be studied? It is not the convenience of the public, it is only the convenience for smuggling.

73. Is it not for the convenience of a man who has a great quantity of goods in bond to take them out when he wants them, and is able to pay the duty? Why not leave them here? A bonded warehouse should only be allowed for *direct importations*.

74. *By Mr. Weekes*: In these free stores, where certain dutiable goods are to be placed, when do you propose the duty is to be paid? At any time you would name. It is at present three years; I think a shorter period would be desirable.

75. Do you mean that the total amount of duty is to be paid at the end of two years? Unless the goods are re-bonded.

76. Then the revenue would have to wait all that time for the sum total of dutiable goods that are in that store? No, I beg your pardon, the duties are paid before you take them out.

77. How, when no officers are there? The warehouse-keeper is the officer. He gives a general bond that no goods shall be removed unless the duty is first paid, nor will his certificate be discharged unless he has got the discharge of the Customs with it.

78. Now, take the case of a warehouse devoted to sugar—thousands of tons of sugar coming in and going out—when can you prove that a certain quantity had not gone out without paying duty, or what the quantity was? Any particular pile of sugar warehoused pays duty before it leaves. The ship comes with, say, ten thousand bags; they are, when warehoused, piled, and the name of the ship put against them, and different qualities and different marks in different piles, so that all of one quality or mark is in one pile. Just as a quantity of sugars are required to be taken out the owner pays the duty and proceeds with the certificate of discharge from the duty to the warehouse. The warehouse-keeper cannot allow them to go out of the warehouse until the duty is paid. Thus you make them much more efficient men to look after such small duties than any of your lockers. You have got no security if you depend on your lockers. If you have a substantial man as warehouse-keeper, and get security for the duty he undertakes, I cannot see how any difficulty can arise, or how a single package can be got away.

79. *By Mr. Lord*: If the accounts are kept correctly? Yes. There should be kept a book in which he enters so many packages gone in, or so many chests of tea as he delivered; he is liable to the merchant and to the Customs. It is very easy so to arrange the certificates that it is impossible for the warehouse-keeper to send out any goods before the duty has been paid.

80. *By the Chairman*: They are both liable to the Customs? Yes.

81. *By Mr. Weekes*: But there is no supervision? Yes; the Surveyor of Customs can go in at any time, and say, "Where is the sugar—what is the quantity?"

82. But they are all mixed up with the free goods—you said it was to be a free store? No; it is a bonded store.

83. Not under the control of the Customs or lock? It is carried on just as now.

84. It is a bonded store not under the control or custody of the Customs? It is under the control, but not under the lock of the Customs, so that the owner can always have access to it, and he may work from morning to night, so that it would be of great advantage to the trade.

85. *By the Chairman*: Before removing a bag he must pay the duty? Yes. I have made a superficial calculation that if you establish the Queen's Warehouse, and work it most effectually upon the system that these warehouses are worked in London, and that you do away with the consumption of spirits and tobacco in the harbour, that, both by the reduced expenses and the greater revenue, the revenue will be benefited altogether considerably over £50,000 a year.

86. *By Mr. Weekes*: What is your calculation based upon? It is not based upon statistics, only on approximation.

87. It is conjectured in a great measure? I took the amount consumed and the amount smuggled, and the expenses you can to some degree calculate. A fair amount can be calculated of what is consumed on board ship in this harbour, which does not pay duty, and which is very considerable.

88. *By the Chairman*: The Government would get all the rent of the bonded store? Yes; and the rent of the bonded store is something very considerable. Upon that subject I do not think it necessary to give a very detailed reply, because I have three times given it in writing very elaborately to two of our Finance Ministers, and before that to Mr. Thomson. It is on record in the Government offices over and over again.

89. *By Mr. Lord*: You propose to do away with private bonded stores altogether? I would not allow *spirits and tobacco*, but all other dutiable articles I would let them have, and I would give them greater facilities, which would render their bond more valuable.

90. You are altering the nature of bonded stores altogether by taking away spirits and tobacco? Yes; there is that difference, and it ought never to have been allowed. Because it exists is it for that reason that it should continue? There is no such thing as vested interest,—what is wrong is wrong. I think the Government ought to take the matter fairly into consideration, and that the smaller dutiable articles should be put in the private warehouses without having locks. This would be full compensation; they would derive an adequate benefit, and would have no reason to complain.

91. *By the Chairman*: What do you think of the working of the recent law passed with reference to bonded storekeepers, and the license to be paid by the bonded stores? I wrote very strongly at the time on the subject, and shewed the impropriety of it, and the very great objections to it.

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92. What is your opinion as to the measurement schedule? The whole concern is bad. I cannot see why there should be any duty put upon them.

93. You don't think they ought to pay any license, or anything else? They may pay a license, just to pay the expenses of the officer to overlook them. Even that I think is paltry and unbecoming in the Legislature. I have written very strongly on the subject; and I told Mr. Donaldson when he introduced the Bill it was a paltry revenue production, and unstatesmanlike. If you put on a duty on the bonded warehouse-keeper, he has a right to make a charge to his customers upon it in the same proportion. If, therefore, it is to be borne by the public, you have done it in the worst way possible. If it were thought right to tax goods bonded, a very simple matter would give a greater revenue without bearing hard upon any body. You need only put a stamp duty on certificates of Gd.

94. A stamp duty on certificates? I say only if you want it, but I do not advocate it.

95. Would you allow the warehouse-keeper the power of regulating the rent as he might think proper? I think I would never allow it. It is one of the objections already raised,—the public are never protected here by any Legislative measure. You favor the bonded storekeeper at the expense of the public. In England, before anything of the kind is granted, it is after you give a list of the maximum of all charges.

96. The charges are regulated by the Government? No; they are allowed to regulate them by the warehouse-keepers themselves. It is his own look-out; he says, these are my charges. That is the principle which exists in the best regulated countries in this and in many other things. In Prussia an hotel-keeper, or public-house or innkeeper, may charge what he likes; but he must, before he gets out the license, give his whole list of charges to the police, and there it remains. When it is stuck up in his house he cannot alter it. He may take less if he likes, but he cannot take more. It is the duty of the Legislature to say, What will you charge? Charge what you like—give us your list, and you cannot take more.

APPENDIX A.

Explanation of Answer to Question 39.

I wish to explain, that upon Mr. Donaldson putting the *general question*, I particularly expressed myself desirous rather to state in *detail* the objections I entertained to the Bill than to express a sweeping opinion, not founded upon *stated facts and arguments*. After considerable conversation—not reported—in which the time required to go into the details was urged, I was pressed to give my opinion *formally* upon the *WHOLE*, and then I could honestly give no other. The result of an examination in detail would, I believe, be the same, as it must appear to be far more convenient and satisfactory to construct a new Bill, adapted to the present age and to the requirements of this country, than to make something tolerable of this extraordinary production.

JOHN N. BEIT.

THURSDAY, 1 JULY, 1858.

Present:—

MR. EGAN, | MR. BUCKLEY,
MR. WEEKES.

DANIEL EGAN, ESQ., IN THE CHAIR.

Walter Lamb, Esq., called in and examined:—

W. Lamb,
Esq.

1 July, 1858.

1. *By the Chairman:* You are a merchant of Sydney, and a bonded storekeeper? Yes.
2. How long have you been a bonded storekeeper? I have been a bonded store proprietor since the year 1847.
3. And I suppose during that period a large quantity of dutiable articles have come into your custody? Yes, very large.
4. I suppose of every description? Every description of dutiable goods.
5. Will you state to the Committee what is the mode in which goods are received into your store from the ship—what is the process previous to their being received, and under whose supervision? In the first place, the warehouse-keeper, in conjunction with the importer, signs a bond for double the amount of duty. The entry, of course, is passed on the strength of that bond for our store. The goods are then lightered round, in the event of the ship not being at our own wharf—wherever the ship may be—under the charge of our boatmen.
6. The lighter, with the goods, are under the charge of your boatman? Yes.
7. Not an officer of the Customs? No. The officer on board the ship takes an account of the goods when they go into the boat, and he sends a note of what the boatmen have to our store.
8. That is what is called the extra tide-waiter? Yes.
9. But no officer accompanies the goods from the ship to the bonded store? None.
10. Who is there to receive the goods when they arrive—any officer of the Customs? Yes, the Custom House locker.
11. The locker or landing-waiter? The landing-waiter is supposed to look after the goods, I presume, until they are in charge of the locker, and are about going into the store; but our place being situated by the water, the locker has them at once under his supervision.
12. Well, but is there no means adopted for ascertaining the qualities and strength before they go into the charge of the locker? Yes; that is the landing-waiter's duty. When the goods

goods come out of the boat they are arranged for examination, and the landing-waiter then comes and gauges. I hardly know the distinct duties of the locker and the landing-waiter, but I suppose the goods pass through the landing-waiter's hands before they come to the locker's.

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13. All spirits are gauged before they come into the store? Yes, all. As soon as they are landed, if they do not come too late.

14. Then it has happened that goods have been landed at such an hour that you were unable to gauge or ascertain the quantities and strength until the following day? Yes, occasionally.

15. Do you know if any dutiable articles were allowed to remain on the wharf? Never.

16. Have you ever heard of it? No. It has sometimes happened that a ship has discharged goods on our wharf intended for some other bonded store, and the Custom House Officer—the landing-waiter—has asked us to put them in our store until he could get them away in the morning.

17. The dutiable articles placed under the lock of the officers of customs—that have not been gauged—you say that they are put into a store: is that store under the charge of a locker? Yes.

18. Have you or the locker the key in such case? We have a lock and the Custom House has a lock.

19. Have you ever, in the course of your experience, known spirits to be gauged, and marked with certain quantities and strength, which have afterwards either exceeded or been of less strength and quantity? Yes, I have known such a case, where the gauger has made a mistake. A case occurred with my own goods at one time, and there was a great difference.

20. Was it in one particular package or in many? Oh! in a great lot—fifty or sixty casks. I can only account for it by the gauger having made a mistake. It struck me directly that the contents given were incorrect. In that case I gave notice to Mr. Garling. Mr. Garling came down to gauge them, and found that the casks were two or three gallons short.

21. But has it never come within your knowledge that dutiable goods have been in the custody of a bonded storekeeper, without being under the control of a locker? Never. Oh! I might mention my own case, which was rather an extraordinary one, and I believe it is the only case that ever occurred. It was discovered while I was in England. I had a long correspondence with the Government about the matter, and I dare say the papers have been laid on the Table.

22. Then there was an instance? Yes; where the Government benefited £120 by my mistake, (if it was a mistake,) but I have always maintained that it was not so much mine as the Custom House officer's.

23. There was an instance where dutiable goods had been left in charge of a bonded storekeeper which had not paid duty at the time? The circumstance must be explained. It occurred in this way: It was an importation of wine, if I remember rightly, from Oporto; at any rate it was port wine, and I think it was direct. To the best of my recollection there were 140 casks landed on this particular day, half of which was duty paid and half intended for bond. The only way I can account for the mistake is this —

24. Will you first state the mistake? The mistake arose in consequence of half the wine having been entered for bond and half for home consumption. The Custom House officer, who was a dreadful invalid at the time, could not have looked properly after the goods, and our storekeeper was in some measure to blame, because he ought to have looked after them as well. It is all a matter of conjecture, of course. I could not trace how the mistake occurred, but believe the wine was placed in the free store under the impression that it was all duty paid. I must explain that whether for bond or whether for duty it would be gauged alike. The confusion I think occurred in this way, and, strange to say, it was never discovered until two years afterwards. I must point out that the wine was all sold and delivered whilst the duty was 1s. per gallon, and that when the mistake was discovered the duty was 2s. per gallon. I always maintained that it was hardly right to come down upon me for double duty, because the Government themselves acknowledged that it all arose from a mistake. We were of course liable upon our bond, but I could never discover why the Government demanded the 2s. duty. It came to a good deal more than what they could claim under the bond. Instead of being a loss to the revenue, it was a gain of £120.

25. That is, when it was discovered? Yes. The full amount of duty was never charged upon our account sales. The account sales went to our constituent, and he never discovered the mistake; and as they extended over a period of two years, perhaps they were made up seven or eight different times. It is strange, after passing through so many hands, the error was never discovered.

26. If I understand you aright, the half of that quantity of wine was duty paid and half not duty paid, but that the whole was put into a free store by some mistake? Yes; but very likely this particular lot of wine was supposed to be duty paid. I cannot say the number of casks now, but there might have been some five or six hundred in all, a certain portion of which was duty paid and a certain portion for bond. I think it was the first time we had bonded wine, and my storekeeper supposed it to be all duty-paid wine.

27. Can you state to the Committee how and by whom it was discovered? I came out here in February last year, and it was discovered about three months before then—at the very end of 1856 I think. I believe it was discovered by the Collector, or some one at the Custom House.

28. Are you aware whether the present Inspector of Bonded Warehouses was appointed at that time? I think he was appointed soon after that.

29. You believe he was not appointed previous to the discovery? Oh! no; some time after.

30. Then it was discovered by the Customs? By the Customs, who called upon us for the amount of duty at 2s., and we disputed it. If we had paid the 2s. nothing would have been said; but we were so conscious of having done nothing wrong that we contended we were only bound to pay 1s. duty, the rate at which we were ready to prove that the wine had been sold and delivered from our free store.

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31. Then, if I understand you right, this mistake occurred some two or three years before it was discovered? It must have been two years, perhaps three years.
32. Is there ever such a circumstance takes place as what is termed stock-taking in the bonded warehouses? The Customs now take stock I think every year; but they did not at that time. I remember them taking stock in former days, but I do not think there was previously any regular system of stock-taking.
33. Until lately? Until lately. No doubt there ought to be every year, if not six months; because then you can trace a mistake. That is what bothered me so much: the mistake was discovered so long after. The storekeeper had left the place, and I tried all in my power to get information relative to the mistake, but could not obtain any. I wrote a letter to the Colonial Treasurer of that time, stating what I believed to be the facts of the case.
34. Then you had to pay the duty upon the wine, which it appears had been taken into a free store by mistake, some years after? Yes; I had to pay double what I ought to have been called upon to pay.
35. You had to pay the additional duty which had been imposed since the period of the sale of it? Just so. I must explain with regard to the custom in our store prior to my going to England. Indeed all along I had given strict orders that—even if the Customs should ask such a thing—bonded goods should never be taken into the free store; or, if such a thing should happen that any goods were landed which could not be stowed away in the store for which they were intended, and placed for the night in a free store, I always insisted upon our storekeeper giving the Custom House officer our key. I do not remember such a case happening.
36. Now, is there anything that you could suggest by way of greater security to the revenue and property in reference to the mode in which it is now carried out—can you suggest any improvement? Nothing more than taking stock more frequently. I think now that there is an Inspector of Bonded Stores who cannot have very heavy duties to perform; he ought to take stock every six months upon spirits and tobacco. You could not do it very well upon goods that are stocked in bulk, such as tea and sugar.
37. There was an Act passed last year called the Bonded Stores Act? Yes.
38. Did that act very well? It acted very oppressively, and it is a wonder that the storekeepers did not agitate more when the Bill was before the Legislature to prevent its passing.
39. But do not you think that they should pay something for a privilege which other people do not enjoy? I do not see why they should not pay something like the wine and spirit merchants.
40. Then you think that they should have a license, and pay an annual amount for it? Yes.
41. What amount do you think would be fair and reasonable, and would you have the same rate for large and small stores? I should put a bonded storekeeper much on the same footing as the spirit merchant. I would charge all alike, because the extent of his business is not considered, and it would have the good effect perhaps of obliging people to take out licenses only for decent sized stores, instead of for little places which are really no accommodation to the public. Such a course as that would probably reduce the expense of the Customs Department.
42. Do you think that what are called the extra tide-waiters in harbour are any precaution against smuggling—you have had vessels lying at your wharf with them aboard? I think they are. I think it is necessary to have some one on board.
43. Do you think that they would be the means of preventing smuggling at night? Yes, and prevent the concealment, I think, of dutiable goods. We must lose sight of the fact that some of the commanders who come here are men of a low stamp, especially the masters of the smaller vessels; they cannot be altogether trusted.
44. You do not think it would be safe unless some person were there? I think it is necessary to have some one there.
45. Are you acquainted with the manner in which the Customs Department is managed—the clerical part of it? I cannot say I am very conversant with that. I cannot say further than this, that I have noticed a great improvement within the last year or two. A great many of the worst officers, I think, have been dismissed.
46. From your knowledge, and from every day mixing with them, do you consider them, as a body, efficient and suitable for the various offices which they hold? I think most of the officers are quite able and competent men, although there are some perhaps who were not quite efficient, particularly amongst the lower branches.
47. Do you know, of your own knowledge, whether any persons connected with the department, who are engaged in receiving and gauging bonded goods, have ever been seen in a state of intoxication whilst on duty? None within the last year or so; previously I have seen them. I have observed none since my return from England—in fact since the introduction of Responsible Government.
48. Then you think, as far as that goes, Responsible Government has improved the Customs? I do, indeed. About three years ago there were some dreadful drunkards in the Customs, but I have missed them of late. I suppose they have been dismissed—that they have died, or been pensioned off, or something of the kind.
49. By Mr. Buckley: What course is pursued in the event of your receiving bonded goods from a vessel not at your wharf? We lighter them. They are all brought by our lighter. I have explained that a note was given to the boatmen, stating what was in the boat, and that that note was handed to the landing-waiter or the locker.
50. As a general rule, are those goods in the lighter generally in charge of a Custom House officer? No, not further than I stated: there is no officer on board the boat.
51. What is the general character of the landing-waiters? The landing-waiters are a very respectable class of men now. The fact was this:—Before Responsible Government was introduced there was no one to complain to—the officers, I believe, holding their appointment from the Home Government. We have reported officers found drunk, and caused them to be dismissed.

52. *By Mr. Weckes*: Is the office of your warehouse-keeper within the store itself, or on the outside? It is outside the store.

53. Then your store is only opened when actual business is required to be transacted? It is open from nine till three, or from ten till three.

54. Kept open? Yes, of course, in case orders should come down. There are orders coming down all day for goods for home consumption; the store must always be open.

55. Yes, but still, the office being outside, when any person came to take goods out they would be able to open this door. As a rule, do you keep the doors open for people to go into it? No, not except business is going on. There is a Custom House officer present, and nothing could pass out without his seeing it. He used to have his office in the store, but there is a new Custom House regulation, and we had to build a new office to fulfil its provisions.

56. Who provides the locks—do the Customs provide their own and you your own? Yes.

57. In the case of which you have spoken, there was a difference in the gauge of a considerable quantity of spirits: was it a smaller quantity or a larger quantity? Oh! a smaller quantity. It happened a long time ago, so that I would not like to name the officer. He is still in the Customs, and is, I believe, a very deserving man. How it happened in this case I cannot imagine. Of course it was to our interest to have the exact gauge, but I saw that the casks held more than the gaugers marked on them. I must explain to you that the officer gave a reason for it. He said the store was dark, and that he could not see very well; of course he ought to have had them rolled out of the store: but perhaps it was a rainy day.

58. Do bonded storekeepers pay for any leakage or deficiency? No; not unless it is a case of bad stowage, and then he is liable, of course, to his constituents—to the party who bonds the goods.

59. But an unexplained case of evaporation or leakage he does not hold himself responsible for? No.

60. You do not know an instance of a bonded storekeeper taking that responsibility. No.

61. As a rule you do not think they do? It would not do in this climate, the evaporation is so great. They do it in England, because there they have arrived at the exact evaporation.

62. Have you been able to form any idea of the average of evaporation here? It varies from one gallon a year in a hogshead of brandy to four gallons—according to the store. If it is on the ground floor perhaps the evaporation is not more than a gallon a year, but if it is placed up-stairs it would perhaps make a difference of one or two gallons more. That makes three gallons a year; but of course it rarely occurs that goods are stowed off the ground. It is only when stores are very full that casks are taken off the ground floor.

63. Then, at that rate, it is very easy to determine how soon a hogshead of brandy would be empty? Oh! yes; it is easy to calculate that, but it is never kept very long. The law provides that in three years goods not released shall be sold for duty, and I think it is provided by the new Act.

64. On what principle do you think bonded storekeepers should be called upon to pay a fee? On the same principle that wine and spirits merchants, and others dealing with this description of goods, have to pay. I do not know of any other. It has never been the custom to pay anything at all until last year, when we were taxed most enormously.

65. Is not the system of private bonded warehouses a convenience to the public, and a necessity, in fact, for the commercial community? There is no doubt that it is a very great convenience to the public.

66. But is it not a necessity, and must not the Government provide these bonded stores, unless the bonded storekeepers build their own, or provide stores for that purpose? You must have bonded stores where the duty is so high; if you had not, people would have to pay the duty on the importation of their goods.

67. That would be impossible—you could not insist upon all datiable goods being paid on landing? No. A man not engaged in the spirit trade may have a consignment of 50 hogsheads of brandy, for instance. It would probably take all his money to pay the duty, and he might not sell the brandy for two years after.

68. Well, then, this being a public convenience, rendered necessary by the tariff of the Government, why should bonded storekeepers, any more than any other class of persons, be called upon to pay a fee? I do not know why they should be; but I, as a bonded storekeeper, would not object to pay a fee. I do not know that there is really any reason for it, unless a fee is required from every one who trades in spirits. The man who sells spirits has to pay a fee; and he may argue that the people who bond spirits ought to pay too. For my part, I do not know why they should not pay a moderate sum.

69. Then you do not object to pay a fee? No; but I should object to pay the whole expense of the lockers.

70. Do you object to the present mode of charge upon the bonded storekeepers? You mean the £300 license. I certainly object to the mode unless the rate is reduced. There is no limitation at present, so that the large bonded store proprietor could swamp the smaller one.

71. Then the present system you think rather tends to a monopoly? It would be so in time. That would be the ultimate effect; and not more than two or three stores would be able to stand longer than three or four years.

72. Then it would be doubly disastrous—it would create a monopoly for two or three at the expense of the rest? The small stores could not have gone on if the license had been imposed—they must have shut up.

73. Do you think it desirable that there should be bonded stores in various parts of the town? I do not like the idea of bonded stores up the town, for fear of accident. If a bonded store caught fire it would blow up all the houses within, at all events, some hundreds of yards, or shake them very severely.

74. But divesting your mind entirely of the idea that you are a bonded store proprietor by the water-side, do you consider it desirable that bonded stores should be confined to the water-side

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water-side as much as possible? I think that they should either be by the water-side or detached from other buildings. That is the only reason why I object to bonded stores being in the town.

75. Do you think that the present system is preferable to the Government undertaking the bonding themselves? I certainly think that, both as a convenience to the public, and as a matter of justice to those people who have held licenses for a large number of years, the present system is preferable.

76. But setting aside that question? I think the people could never be served so well by the Government as by the bonded store proprietors competing for the business.

77. Do you think the system is as safe to the public as it would be under a Government bond? I think nothing can be safer than the present system, providing the head of the Customs were to use a wise discretion in the granting of licenses.

78. No bonded store can be licensed but by the consent of the Collector, of course? The Collector, I believe, merely recommends now, and the Colonial Treasurer issues the licenses.

79. And therefore that should be a sufficient protection that there will be no unsuitable stores licensed? Yes, if the Government exercises a wise discretion; but more than that, I think a bonded storekeeper ought to come under some bonds. I do not think then that any but respectable persons could find bondsmen. I think that is provided for in this Act.

80. What is the nature of the bond that a bonded storekeeper enters into security, and for what? Security for the duty.

81. That is, that the goods shall pay duty? Yes; if the goods are removed by any accident he must pay. I suppose if they were removed by fraud there would be some other penalty. He has to enter into a bond for double the amount of duty. The bonded storekeeper would, of course, be liable to the full amount.

82. Do you think it would be just that the importer of dutiable goods should be called upon to enter into a bond as well as the bonded storekeeper? No; I never could understand that part of it. I think the bonded storekeeper alone should enter into a bond.

83. Is it not the case that the importer of dutiable goods may often previous to landing, or on landing, part with the certificates representing the goods? Yes.

84. Then why should the liability continue? That is a case of hardship, but it is his own fault. I think he can have the liability transferred, if he chooses. I think that the Act provides for it.

85. But then, would not that create a constant system of taking bonds—of renewal of bonds whenever the certificates changed hands? No doubt. There is, however, one advantage in the importer being joined with the bonded storekeeper; such a course ensures the respectability of the bonded storekeeper, because no man in his senses would join himself with another unless he was convinced of his good character. That is the only advantage I see why the old Act ought to stand as it is.

86. How is the bonded storekeeper able to do any injury to the property placed in his charge, or as rendering it necessary that the importer should satisfy himself as to the respectability of the bonded storekeeper? He could only do it, of course, by bribing the officer in charge. I do not think he could do it in any other way. If you could be quite satisfied as to the respectability of the Custom House officer in charge, of course the bonded storekeeper could do no harm.

87. But a collusion between the bonded warehouse-keeper and the Custom House officer—the locker—might lead to any amount of trickery? Oh! yes, any amount. They might take out the spirits and fill up the casks with water, and play any amount of tricks if the Custom House officer proved corrupt.

88. Do you ever bond spirits that are brought landwards? No.

89. All by water? All by water with us.

90. And therefore, being brought by water they are not gauged on the wharf where the ship lies, but on arrival at your wharf? On arrival at our wharf.

91. It is the case, is it not—or are you aware that spirits which are conveyed from a wharf by a dray to a store are gauged on the wharf? They are gauged on the wharf.

92. Do you know whether they are taken from the wharf to the store in charge of a Custom House officer? I think they are, but I am not quite sure.

93. At all events, your own business only relates to lightering? Entirely to lightering.

94. I think you say you think it desirable that the tide-waiters should be cautioned to board ships immediately on arrival? Yes.

95. Have you had any means of observing how those officers discharge their duties while ships have been lying at your wharf? Not of late; but I did not think much of them when I had a chance of seeing them. I frequently heard of their leaving the ship for a few hours—being away for a few hours and coming back to the ship—especially of an evening.

96. Are you aware whether they keep watch at night? I think they do not. I think they make themselves snug for the night.

97. Is not that the time when smuggling could be carried on with the greatest probability of success? No doubt that is the time; but I think the captain of a ship would always be frightened to attempt anything of the sort, knowing that there was an officer on board.

98. But some of these inferior captains that you have been speaking of, would they not be likely to take advantage of his slumbers? Oh! there is always that risk, but the risk would be greater if there was no officer aboard.

99. Where would that risk exist—only in reference to ships' stores, would it? Would not the London cocket be a sufficient protection otherwise? Well, it might so happen that the captain was an importer, and did not report the goods. There is no doubt he would have to smuggle them aboard to begin with. If they had been shipped through the Custom House authorities in England, or any other port, of course there would be the cocket. He would have, in the first instance, to smuggle them on board, or take a large quantity of ship's stores. Those he can report just as he pleases. If he chooses to act the rogue he can deceive the Customs.

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100. Are you aware if there is any limit to ship's stores in proportion to the tonnage, the number of passengers, or crew? I think there is; but still a ship could take a quantity of spirits, because now there are a good many ships sailing on the teetotal principle. A captain disposed to smuggle could very easily conceal spirits, I think.

101. Have you noticed recently any improvement generally in the mode of conducting the business of the Customs? Yes, certainly. There is a more satisfactory class of officers.

102. And regularity in the discharge of their duties? Yes; and an avoidance of drunkenness, for which some were famous at one time. I make it a point to report every officer I see in that state, and I have not for a long time seen a man guilty of drunkenness of any sort.

103. Do you think that they have been removed, or that they have been cautioned, and have become more steady: do you still find the same men you complained of? I do not see them at all.

104. You think that they have been removed, and a better class of men introduced? Yes. I have seen some of them intoxicated off duty and not on; if I saw them in such a state on duty I would report them at once.

105. *By the Chairman:* Do you think the appointment of a Superintendent of Lockers has been an improvement in that branch of the department? I am rather in favor of that appointment; some of my brethren think him of no use. There are so many bonded stores now that the Landing-surveyor could scarcely attend to them. I think that Mr. Still, always moving about among the stores, does some good.

106. You think he is an efficient officer? Yes; he is a very zealous and efficient officer.

107. Do you think that bonded storekeepers should be allowed to charge whatever rent they thought proper upon bonded goods? I am an advocate for free trade, but I do not wish to see the rates high.

108. Do you know that they were very high? They were very high, but under extraordinary circumstances—never likely to occur again.

109. The importer had no control over the price to be charged for his goods when they got into the store? He could make his own arrangements.

110. But do you not recollect that all of a sudden the rate rose from 200 to 300 per cent. by the bonded storekeepers meeting and arranging the matter between themselves? Yes; the case happened through the insufficiency of store accommodation for the sudden increase of trade consequent on the gold discovery; it could never happen again. I am a great advocate for low rates.

111. Do you not think it advisable that the Government should fix a scale of charges? It would just have this effect: The bonded storekeeper could never exceed it, but he would cut down just as low as ever. I should have no objection to such a course, because I am sure the Government would fix upon a scale which would pay. I think competition has been most beneficial to the trade of this country. I often receive goods here, and am told to ship them to Melbourne when the market is favorable.

112. With reference to the certificates for bonded goods, do you think the present mode is a desirable one—that of the bonded storekeeper alone signing the certificates—do you not think that some officer of the Customs should be identified with those certificates? I did think so at one time, but I have almost changed my mind. If the Government here are particular about the stores they license, about the respectability of the parties, and take sureties, I do not think there is any necessity for it, because the importer of the goods has his own remedy; he should only put his goods into a store where there will be no tricks played.

113. I believe the former course adopted was the Collector of Customs signing the certificate? Yes.

114. And that would pass current, that would be a sort of security that the articles were in the store? There would be that security, but the security is in the hands of the importers and the trade. It may easily be supposed that unless the importer places his goods in a proper store there would be no security.

115. *By Mr. Weekes:* Are not certificates generally used for the purpose of raising money? No doubt, to a large extent.

116. Are you aware of cases where certificates have been issued in duplicate, or even triplicate—that is, that three sets of certificates have been represented by one parcel of goods? I have heard of a case where certificates had been issued in duplicate, but I was informed that the matter had been satisfactorily explained.

117. Under the present system is it not possible for the keeper of a bonded store to issue any amount of certificates represented by nothing? Yes, no doubt he might.

118. And therefore, that being an ordinary mode in mercantile usage of raising money—a common mercantile practice—is the present system not fraught with danger to the community? There is that danger of some man playing the rogue and issuing those duplicate certificates, but, as I said before, the remedy lies in the hands of the people.

119. You say the remedy lies in the hands of the people? In the hands of the constituents of the bonded storekeepers.

120. In what way? They should only put their goods in stores where they know that no such tricks will be played.

121. Is that possible to ascertain? I should say so, certainly; just the same as you know what men to give credit to when you sell goods.

122. Is it not a thing upon which people may differ, as to the character of any keeper of a bonded store? Yes. A man must pay for his error in judgment if he commits an error of that sort.

123. But I understand you to say that they have the remedy in their own hands? They should only put their goods into the hands of respectable people. A consummate rogue would be guilty of the practice you allude to.

124. Then it comes back to this, that the present system leads to their being placed in the hands

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1 July, 1858. hands of people who are not trustworthy, does it not? I hardly go that far, because I cannot believe that the Government will issue licenses in that way. I do not think that now I know of a single individual holding a license for a bonded store who is not really trustworthy. It would be a protection if some system of transfer could be recognized by the Customs.

125. But as one certificate represents one parcel of goods—until that parcel is either exported or entered for home consumption, it would not entail very much trouble on the Customs Department, would it, if some official of the Customs were empowered to sign or countersign the certificates; that is, proving to the public generally that at all events what was represented on the certificates had been deposited in the bonded stores? I think such a plan as that would be very feasible, and I do not think it would incur the expense of more than one additional clerk.

126. Do you think it would answer if some small fee for giving this official character to the certificate was charged—a trifling fee? I am rather against those fees and charges at the Customs, because they are all supposed to be paid out of the revenue collected there; but I do not think it would be felt much if you mean such a fee as would pay the man's salary.

127. Where would be the objection to the certificate being countersigned by the locker of the respective warehouses;—the locker and warehouse-keeper having joint custody of the goods, why should not the locker countersign the certificate signed by the bonded store-keeper—that would divide the labor? I think it would be greater protection if it were done at the Custom House, because there would be danger of collusion. You can easily imagine that a man who would not mind issuing a duplicate certificate for the purpose of raising money, would have no hesitation in bribing a man; and, assuming collusion between these two parties, there is no end to the roguery that might be practised. They could very easily, and without fear of immediate detection, obtain a sum of money on certificates thus signed. It is a dangerous power to place in their hands.

128. But, at all events, you think it would be desirable that some Custom House officer should countersign the certificates? Yes. It would not entail so much labor. The writing out of the certificates would take three or four clerks, but the mere comparing and countersigning could be performed by one.

129. And would be more comprehensive, and a greater security to the public? Yes.

Daniel Costigan, Esq., called in and examined:—

- D. Costigan, Esq.
1 July, 1858.
1. *By the Chairman*: What position are you in? I am not in any occupation at present.
 2. *By Mr. Weekes*: But lately what? The last occupation was in the Customs.
 3. *By the Chairman*: When was that? I left the Customs two years last Christmas.
 4. How long were you engaged in the Customs? Three years. I joined it in the early part of 1853.
 5. How long did you remain in it? Until December, 1855—three years within a month.
 6. What office did you hold? I was a tide-waiter.
 7. Is that what is called an extra tide-waiter? Yes.
 8. To board ships? Yes.
 9. Did you ever leave the Customs? I left the Customs in the early part of December, 1855.
 10. How? I was removed from the Customs by order of Colonel Gibbes, the Collector.
 11. Were you dismissed, suspended, or what? Dismissed. He made use of the word "removed."
 12. From being a tide-waiter? From being a tide-waiter, in consequence of—as was alleged against me—being absent from the ship the "Maid of Judah."
 13. Were you not twice employed by the Customs? No. I arrived in the Colony in the early part of January, 1853. I had been known to the late Sir Charles Fitz Roy from my youth, and he recommended me to the Customs, and promised me another appointment, perhaps I need not name, as soon as there was a vacancy; but there was no vacancy during the time.
 14. You were dismissed in consequence of a charge being brought against you of being absent from your duty? Yes. I should rather wish the word "removed." That was the word the Collector made use of, and I rather think it was entered in the book. I do not think there is any difference.
 15. But a man may be removed from one part to another—that is very different from being dismissed altogether? The distinction between being removed and dismissed from the Military or Civil Service is as follows:—The former implies less censure or reproach for a minor offence, whereas the latter includes all great or atrocious offences. My offence (which I did not think was one) was this—I, hearing a noise at the east end of the Circular Wharf, about 8 o'clock at night, a hundred yards or little more from my ship, went to ascertain the cause, thinking it was part of my duty to do so; having satisfied myself I returned to the ship, and had not been absent more than ten or fifteen minutes, which was certified by the Chief Officer who was on board at the time. I remained on board several days after the Collector had sent an order for my removal, in fact until the ship had discharged the whole of her cargo.
 16. *By Mr. Weekes*: You are not in the service now? No.
 17. Did you leave it of your own accord? I did not.
 18. Then, in point of fact, you were dismissed? It is tantamount to a dismissal.
 19. *By the Chairman*: During the time you were employed, were you employed during the whole of that time in the same capacity? No; for several weeks during that time I was off duty, and not employed in any way.
 20. That was because there was no duty to perform? Yes.
 21. Were you ever engaged in performing any duty except that of an extra tide-waiter? No; excepting a day, or perhaps a few hours, when I was in charge of a bond.

22. What was the duty you performed when you were a tide-waiter? I was put on board a ship, perhaps a day or two after her arrival in the harbour, and remained there. I kept account of cargo as it was discharged, and was removed by the tide-surveyor after the ship was out. He came and what is called jerques the ship, and I gave him my book, with a faithful account of all the cargo the ship discharged. D. Costigan,
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4 July, 1858.
23. Do I understand you that a vessel was three or four days in harbour before you would be on board? Some, sometimes, four days—it depends upon the tide-surveyor.
24. Then you were immediately under the surveyor? Yes. The tide-surveyor is supposed to visit the ships every day. There are two now, but when I went into the Customs first there was only one. They take it in turns, a week alternately, one to visit the ships, and the other—I do not know how it is performed. I do not know how the tide-surveyor passes his time in that week when it is not his turn to visit the ships; nor do I believe any one can (in a public point of view) satisfactorily say how. There is also a clerk in the tide-surveyor's office, who, upon an average, has not one hour's employment during the day—of that I feel confident. I often meet him walking during Custom House hours; he is classed as an extra tide-waiter, and did receive £4 4s. per week.
25. Is that duty performed in the manner you describe—that visiting of the extra tide-waiters in charge of vessels? I apprehend you only want the truth.
26. Of course we only want the truth? Well, then, they do not.
27. How frequently do they visit? Just when he pleases. I was on board a ship for 24 days and Mr. Bremer did not visit me once.
28. For 24 days and he never visited you? For 24 or 22 days, I think it was—twenty some days—it might be 21—I cannot tell to a day. It was the ship "Isabella Hercules." As near as I can recollect I was about three weeks on board. During the whole of that time I was on board the "Isabella Hercules"; she discharged her cargo at Moore's Wharf; the tide-surveyor did not come a-board.
29. He never visited you once? No. You cannot detect the irregularity of the tide-surveyor, because when—I should perhaps state that every other day, or every day that he visits he puts the hour of the day and his initials. For instance, it was John Bremer, and he would put J. B. When he took me from the "Isabella Hercules" he inserted all those at the same time.
30. Showing a number of visits that had never taken place at all? Yes. He would put, say, 14 minutes to 4 o'clock, J. B.—or, say, the 16th, 2 o'clock, J. B.—the 18th, 2 o'clock, J. B., and so on; and the captain marks the time. It is a very off-hand way of discharging business.
31. And this was the day previous to being removed that all the memoranda were made upon the inside cover of the book? Yes, the day I was taken from the ship. On one occasion he did not visit me for five weeks. I was five weeks a-board the "Allandale," off Pinchgut. Mr. Collier, the tide-surveyor, visited me.
32. How often? Perhaps twice or three times. Mr. Collier visited me when it was his visiting week.
33. *By Mr. Wickes:* Do you say you were five weeks on board? I was five weeks.
34. Was she outward or inward bound? Inward bound. There was some dispute, and some litigation took place, I think.
35. Then, in his week, Mr. Collier visited you about three times a week, but Mr. Bremer did not visit you at all? No; nor would his name be found, for he could not introduce his name between.
36. He could not very well do so? He could not introduce his initials between Mr. Collier's. Mr. Collier wrote the day of the month and his initials. It could not be done, and therefore the book will convince you that I am speaking the truth, if you choose to send for it.
37. Then you have been often employed on vessels as tide-waiter during the discharge of the cargo? A great many times.
38. Was there ever an instance where it was necessary the vessel should discharge overtime? Yes; I think so.
39. *By the Chairman:* Does any officer of the Customs attend on those occasions—during what they call overtime, I believe, for which some compensation is given? I can tell the Honorable Chairman I took particular notice of many things, though I did not note it down in a book—so many irregularities that I am afraid I made myself unpopular. The first ship I was put aboard of was the ship "Pelham," Anderson, master. She was lying at Campbell's Wharf. The ship discharged overhours, and the landing-waiter was a Mr. Rolleston; he did attend on most occasions during the discharge of the ship at overtime. I believe he has a shilling to so many hundred pounds of salary, but the tide-waiter has only a shilling per hour.
40. Well, during the discharge did he attend? Well, he did attend, certainly, on most occasions, I remember.
41. Are you aware of any occasion when the landing-waiter should have been present at the discharging of goods when he was not there at all? Oh! yes. The next ship I went to was a Dutch ship, called the "Pietars," at Macnamara's Wharf. I was sent to relieve an officer of the name of Rundle, who was taken poorly. This ship was discharging at overhours, and on no occasion did the landing-waiter appear there.
42. Whose duty was it? Should I mention his name?
43. Well, I don't know? Mr. Kidd. On no occasion was Mr. Kidd there. That will be five years last month.
44. For what period of time? I cannot tell exactly, but the weather was very unsettled.
45. Was it more than one day? Yes.
46. How many days do you think—several days? Several days I was on board this ship, but we did not discharge, the weather being so very unfavorable.
47. What description of goods were being discharged? A great quantity. There was a general

- D. Costigan, Esq. general cargo. I remember that the last thing was brandy, or spirits of some kind; brandy, I think it was.
- 1 July, 1862. 48. But if he did not attend for several days what was done with the spirits? I mean that he did not attend the extra hours—not the whole of the day—but for two days I did not see him at all. On one occasion Mr. Kidd was drunk, and fell asleep in his office; at the time there was about one gallon of wine in a utensil on the floor. I saw a person (discharging clerk) drink some of it: whose wine it was, or where it came from, I do not know.
49. But what was done with the spirits landed during overhours? There were no spirits landed during overhours.
50. Other descriptions of cargo? Other descriptions of cargo. On one occasion two casks of spirits were left for two days and two nights on the wharf, and on the third day they were removed. I do not recollect what the spirits were; believe it to have been either brandy or rum; but they were entered in my book as for the gun-room of the "Electra," a sloop-of-war that lay here at the time.
51. They were there for that period not in charge of an officer of the Customs, but whether they were interfered with you do not know? I do not know if they were interfered with.
52. They were afterwards removed? Yes.
53. You do not know where to? No; nor am I positive whether I put them on shore, or whether it was the officer whom I relieved.
54. Do you know any other instance where any dutiable goods were allowed to remain without being under the control of the Customs? No; not of my own knowledge. At present I do not recollect any. The last thing taken from the ship was spirits.
55. Then dutiable goods taken from the ship, either by land or by water, to the various bonded stores, are not accompanied by any Custom House officer? They were not at the time I am speaking of—two years ago.
56. By Mr. Weekes: Are you quite sure that so many days as four or five, as you stated, elapsed without a tide-waiter being placed on ships arriving in harbour? I think I can state for four days—though I cannot tell you the name of the ship; for I know it was the subject of remark by the tide-waiters—so many ships in harbour, and no officer going aboard. It arose, I suppose, from the negligence of Mr. Bremer.
57. Have you any reason to suppose that goods have been landed from ships in harbour at any of the bays of the harbour by night or by day? I could name an instance, but to say that I could prove it would be going too far; I can only state it from report.
58. Was it your custom to keep watch at night? No.
59. Did you turn in then? Oh! yes, always.
60. Then you might as well have been ashore? Just the same.
61. Do you know whether that is the custom generally? Oh! yes, certainly.
62. Then, at the most dangerous period, that is at night, when smuggling could be carried on with the greatest safety, the officer whose particular duty it is to watch over the Customs is asleep? Yes; he is in his berth.
63. Is that part of your instructions, that you are to turn in and sleep? Yes, certainly.
64. Your written instructions? No, I had no written instructions. I saw the Collector, and he gave me verbal instructions. It is well known that the Custom House officers go to bed at night.
65. You say you were instructed—were you instructed either in writing or verbally that you were to turn in at night and keep no watch when on board ship? I do not remember the Collector mentioning a word upon the subject; he gave me no instructions to sit up to watch.
66. Well, then, you naturally turned in at bed-time? Yes. I used to take my bed on board.
67. Then if a tide-waiter slept soundly a ship might be half emptied without his knowing it? Yes; more especially if he is under the influence of liquor.
68. Are you aware whether those Custom House officers that you describe, whether it frequently occurs that they are under the influence of liquor? I am sorry to say it is too true.
69. Officers in responsible positions of that kind? I am sorry to say it is too true.
70. How are you aware of it? By seeing it.
71. Seeing it when you were visiting other ships? Let me explain—are you speaking of officers in general?
72. No: you made a remark that they would sleep particularly sound if they happened to be drunk—that was alluding to the tide-waiters—I ask, within your own knowledge, is that class of officers guilty of it? Yes; I am sorry to say it is so.
73. How do you know that it is so? It is true I do not know that they are drunk aboard ship; but I know there are persons who have been removed from the ship in consequence of intemperate habits, and that others have been reported. It is not that I have been aboard their ships to see them drunk; but a drunken man is known; it is impossible to conceal the habits of an intemperate man.
74. By the Chairman: Is there any other branch of the department that is addicted to the habit? Oh! I am sorry to say it is so.
75. Without giving any names, would you name what branch of the department? There are many.
76. You mean to say then, generally, that drunkenness prevails through the department? Through very many branches.
77. Do you know whether there is any smuggling carried on in any way in the port? I was going to relate a circumstance —
78. By Mr. Weekes: Is that what you know? I do not know it, but I believe it.

TUESDAY, 13 JULY, 1858.

Present:—

Mr. DONALDSON,

Mr. EGAN,

Mr. WEEKES.

DANIEL EGAN, Esq., IN THE CHAIR.

Mr. Hugh Dixon called in and examined:—

1. *By the Chairman:* You are a merchant in Sydney? Yes; a tobaccoist and merchant. Mr. H. Dixon.
2. Are you well acquainted with the mode in which goods are entered, and also discharged from the Custom House? Yes; and have been for nearly the last twenty years in this Colony. 13 July, 1858.
3. Do you consider that the present mode of conducting business in connection with the Custom House one which it is desirable to continue, or are you prepared to suggest any change that would give greater security to the revenue, and benefit to the public, than the present? As far as the Port of Sydney is concerned, I do not think there could be any very material alteration in the mode of landing and bonding goods, but with regard to some of the more distant districts—for instance, the neighbourhood of the Murray, and Albury—there is a great quantity of tobacco and spirits even now brought in which pays duty to the South Australian or Victorian Governments.
4. Brought by way of Melbourne? Brought overland, both from Melbourne and from Adelaide.
5. Do you export much tobacco? Sometimes I have exported largely.
6. Are you aware whether there is any officer of Customs sent in charge of goods during their removal? Yes, generally; indeed I believe there is always an officer of the Customs employed to follow the drays when goods are removed.
7. Have you exported any lately when that officer has been in charge? I have seen lately officers in charge of goods being removed, and about to be exported.
8. Has there been any officer in charge of dutiable goods with which you have been connected? I cannot say positively; I have not taken that particular notice.
9. Do you know an officer who has performed that duty of the name of Rundle? Yes.
10. Was he ever in charge of dutiable goods with which you were connected? He has been in charge of goods, removing them both for export and from store to store.
11. Has there at any time any circumstance taken place which has caused you to feel dissatisfied with this officer in the discharge of that duty? Not in the mere removal of goods.
12. Will you state in what way? There was a matter respecting which I felt a good deal annoyed. The circumstance was this:—He came into my shop while some of my customers were there, and, taking a seat by a cask of tobacco, he pocketed a considerable quantity—in fact he filled his pocket, and went away. I followed him up the street, tapped him on the shoulder, and told him that he must give up to me the tobacco he had taken. He did so, and, being an aged man, out of respect to his grey hairs I kept the thing concealed for a very long while, not liking to expose the poor man; but I afterwards named it in consequence of his shewing a very vindictive spirit to another person, who had been an officer connected with the Customs.
13. Did you make any report of it? The Collector of Customs sent his Landing-surveyor specially to inquire of me about the matter, whether it was true; of course I acknowledged it was true, and stated the particulars, and in consequence of that he was discharged. He has, however, since been taken on again.
14. Since then do you say he has been again employed in the department? Since then I have seen him performing, and he has performed the export duty ever since regularly. He is still employed in a situation of trust in the Custom House, which, in my opinion, he ought not to fulfil.
15. *By Mr. Weekes:* How was it that the information respecting Rundle reached the Custom House authorities at all? The matter reached the Custom House authorities principally in this way:—I had confidentially named it under a promise of secrecy to an officer of the Customs who did not consider himself authorized to name it until another circumstance elicited it. The rumour at length reached the ear of the Collector of Customs, and the matter ended in the Collector sending the Landing-surveyor to me to inquire respecting it.
16. Then you made no written communication to the Collector of Customs? I have not up to the present time.
17. Are you aware that the knowledge of the circumstance reached the Collector of Customs? I am quite cognizant of that; I know it has reached the Collector, and he acted upon it, and fulfilled his duty in that respect by discharging the officer.
18. *By the Chairman:* Are you aware that within the last eighteen months there has been an Inspector of Warehouses appointed? Yes.
19. Do you consider that that appointment has afforded greater protection to the revenue, and greater facility to the public in bonding? No; although I consider the Inspector of Warehouses to be a highly respectable man, and a good Government officer, yet I think it is quite a superfluous appointment, so much so, that the very necessity under which he is of showing that he has something to do, even against his will, inconveniences the trade.
20. Do you not believe that the strict supervision caused by his appointment is a greater protection to the revenue than before existed? I think not; for if people are positively determined to do what is wrong they could evade it notwithstanding. This would afford a greater blind rather than otherwise.
21. You are then of opinion that the mode adopted previous to his appointment was more calculated to secure the public? I think so.
22. Are you aware whether any account was kept of the various bonded goods by the locker

Mr. H. Dixon. at each bonded store previous to his appointment? There were the store-books, and if they were incorrectly kept they ought not to have been.

13 July, 1858. 23. Do you know whether they were frequently examined, so as to ascertain whether the quantity taken out and the quantity remaining amounted together to what should be there? I have no experience of that, for that is in the detail of the working of the Custom House itself.

24. Do you consider such an examination necessary? Yes.

25. If that duty were not performed by any person before, but were now attended to by him, you would consider that a check upon any fraud on the revenue and a security to the public? Yes, if it were not, and could not, be performed by the warehouse-keepers; but I consider it should principally rest with the warehouse-keepers.

26. Do you not think there should be an officer of the Customs? There might be one in that capacity, but so far as that goes there would be no very great difficulty about it. I do not know the internal details of the Custom House business, but it would be a very small matter, I conceive, to take stock and compare the books.

27. Are you aware whether that has been the practice before the appointment of this officer? I know stock has occasionally been taken, formerly by officers visiting the stores by special appointment. That, I think, was a very proper thing, and I think stock ought to be taken at least once a year.

28. By Mr. Donaldson: I do not understand you to say that you think the appointment of an Inspector of Bonded Warehouses was an useless one, from any knowledge you have of what is done: you say you do not know the internal working of the Custom House regulations—you do not know whether more checks are kept upon bonded storekeepers now than before? I cannot say that positively.

29. Therefore, you form that opinion more with reference to the convenience of warehouse-keepers rather than from a knowledge of the duties performed by him? That can only be known to the Collector or some superior officers of the Customs, because the public cannot go into these books.

30. You do not speak from any knowledge of your own with respect to that subject? Not of my own with respect to that subject, but with reference to what may happen to come under my own notice. There were formerly more conveniences and accommodations with respect to getting samples, and not only as to getting samples, but greater facilities for shipping goods prior to the appointment of Mr. Still.

31. Do you not think that facility might have been abused? There is a possibility of abusing every thing.

32. By Mr. Weekes: Can you point out any particular instance in which difficulty has been thrown in the way of exporting goods? Not voluntarily on the part of Mr. Still.

33. Can you state in what the difficulty has consisted? I have known, for instance, goods which required to be shipped, and in consequence perhaps of the difficulty of getting Mr. Still, who of course cannot be in two or three places at one time, they were hindered from being shipped on the day. That might have been accompanied with great inconvenience; supposing the vessel had been going away and could not stay for the clearance of a small quantity of goods. Though the freight of the goods might be small, the shipment of the goods might be of considerable importance in trade.

34. Did the difficulty to which you refer arise simply from the rules of the Custom House being carried out? I think not; I think from the circumstance of not being able to get Mr. Still to attend.

35. It was in consequence of the absence of Mr. Still at the particular warehouse from which the goods were required to be exported? Of his not being procurable at the time. I forget what the circumstance was, but it delayed the shipment of the goods till the next day, and it was by mere accident we got the goods shipped. It does not facilitate the operations of commerce.

36. Where does Mr. Still's interference commence in the respect of goods; is there any document which requires to be passed through his hands, or how does he interpose his authority in any way as the Inspector of Warehouses? A Custom House Agent would be better able to answer that question than I, more especially of late; because, although I have passed entries for home consumption, I have never passed my own entries for export, but leave it to an agent. The only thing I know is, that if I give an agent instructions to pass entries, if the forms are gone through, and the goods are not shipped, there must be some cause.

37. And on inquiry as to the cause of delay, you have been told that it has been the Inspector of Warehouses? On one occasion I was very desirous of shipping goods on a particular day, and I was told they were delayed in consequence of Mr. Still not being procurable.

38. Then, I gather from you that before goods can be exported from any warehouse, it is necessary that Mr. Still should be present? I cannot positively answer that question, because it is out of my ordinary observation.

39. Have you a bonded store of your own now? No.

40. How long have you abandoned it? Since the imposition of a tax.

41. Up to that period when goods were brought to your store were they at all times accompanied by a Custom House officer? Generally, but not in every instance.

42. Your store, I believe, was principally confined to tobacco and cigars? To tobacco and cigars; nothing else.

43. Do you think there was any risk to the revenue from valuable goods like those being left in the custody of a drayman, to convey them from the wharf to the store. Is not the lid of a case generally raised on the wharf, to ascertain the contents? I should never consent to that, if I could by any possibility have them opened and weighed in the store; because the cases are very unsafe when opened—they are very apt to be plundered.

44. Is it not the fact that they have been opened on the wharf? They have been, but not **Mr. H. Dixon.** lately; I have in every instance made a very strong objection to it, as it leaves the goods exposed to carters, porters, and idlers. I have known a whole box of cigars to be walked off 13 July, 1858. in bundles.

45. *By the Chairman:* Do you believe any smuggling is going on in the port of Sydney? There always has been, more or less.

46. Do you believe that smuggling takes place from the cargo, or from the stores of the ship? I think in some instances seamen bring private speculations of their own. There may be instances in which that is connived at by agents and captains, but I have never positively known of any.

47. Have you any further suggestions to offer to the Committee with reference to the subject of this inquiry? I would respectfully suggest that some means be used to save to the revenue of this Colony the large amount of duties which are at present paid to the revenue of Victoria on spirits and tobacco consumed in the District of Albury, in this Colony, and which, on account of convenience of transit, and cheapness of transit, are purchased at Melbourne, and pay Victorian duties, although consumed in New South Wales. I would also suggest, that payment of duties at the Custom House, Sydney, should continue to be received until three or half-past three o'clock, as by their receipt ceasing at half-past two o'clock, as formerly, the advantage to the public of the prolonged hours of attendance of the clerks at the Custom House being by the present arrangement lost. This might easily be carried out, by arranging with one of the banks to receive that particular deposit up to half-past three or four o'clock.

Mr. Robert Adams called in and examined:—

1. *By Mr. Donaldson:* What are you? I manage the business of Mr. Ford, Custom House Agent. **Mr. R. Adams.**

2. The Committee are desirous of obtaining from you some information as to the working of the Custom House system: will you give us your ideas upon the mode in which the revenue is protected by the present system, or any suggestions as to its amendment and improvement—I will begin specially with the landing and bonding of goods? I do not see that there could be any great improvement upon the present system of landing, except that some expenses might be avoided. Under the present system, when a ship comes in with spirits on board, an officer, like the cart followers on shore, has to accompany the boat either to the place of bond or to the ship to which the spirits are to be transhipped. I do not see why a respectable licensed waterman should not be employed in this way—a receipt from him would be sufficient; instead of that I now see people every day coming in for cart followers.

3. We are informed that it is not the practice now to employ cart followers—is your experience to the contrary? I do not think it is so much the case to employ officers as cart followers, and that is where the anomaly strikes me; while goods are on the water in boats an officer accompanies them, but as soon as they are brought on shore and placed in carts they are left to the custody of the carmen, as far as I know, as a general rule.

4. We have it in evidence that very few officers accompany the boats? I do not say it is invariably the rule.

5. Do you think there would be no risk in transferring goods from ships to boats to be brought on shore without the surveillance of an officer? Not if a respectable licensed boatman were employed, such as Bayliss, Lord, &c. I would not give them to Tom, Dick, and Harry.

6. As a matter of fact, are not the goods often conveyed on shore in the ship's boat? I think they seldom go to bond—perhaps they are transhipped in that way. Supposing the captain of one ship buys a few cases of wine of another, it may then be taken in the ship's boat. I have been seven years engaged in business, and I think there is very little smuggling here, as a rule, as far as the mercantile community are concerned—the small dealers in ship's stores may be an exception.

7. With regard to the cartage of goods from the wharf to bonded stores, do you not think there would be some risk in sending goods on a cart unattended by an officer? There might be some risk, but I do not think it sufficient to counterbalance the expense of sending an officer, provided the drayman was a properly licensed man, and himself and owner bound by a bond of reasonable amount, irrespective of any penalty the law may award for smuggling.

8. You do not think there is any smuggling in that way? I do not think there is a reasonable chance of it. A note is given to the drayman for so many packages, and when these are received the note is signed and brought back by the drayman. Suppose a man has 500 cases of gin to cart up, the landing-waiter and the officer of the bond have each a copy of the entry, and the locker is bound to see that these 500 cases are delivered.

9. *By Mr. Weekes:* Suppose the gin is changed for water on the way to the store? It is possible that such a thing might be done; but such a thing never has been done, that I have ever heard of or believe.

10. *By Mr. Donaldson:* Do you believe this could be done? Suppose a man to take fifty cases of gin on a cart, and to take fifty to bond, but on the way to change the cases of gin for cases containing water, and afterwards to export the fifty cases in bond—do you think if that were done there would be any possibility of detection? Such a thing is possible.

11. Do you think such a thing has ever happened? I have never heard of such an instance. But people have come to me and said, "You know the ins and outs of things, would you do "so and so, and I will make it worth your while." That was for a thing that Government had no check upon. If a man wanted to go into smuggling it would be upon the drawbacks.

12. Explain why smuggling by the system of drawbacks is so easy? I do not know that it could be done now; I was referring more particularly to a year or two since; because, under the new tariff—

- Mr. R. Adams. 13. Explain what you refer to, and how under the old system smuggling was easy? I refer to teas more particularly. The chests are generally marked with the name of the ship they are to go by. Suppose the chop is bought in China and marked "Agamemnon," the "Agamemnon" may not take it all, and the remainder may come by another ship. So that the name of the ship on the chest is no guide as to the vessel by which it actually came. In the case to which I have referred, I was offered £50 if I would claim the drawback upon 300 chests of tea which had come out in a vessel under the old tariff, but which the owner wished to claim drawback for as paid under the new.
14. *By Mr. Weekes:* As I understand, that could only take place at the time of an alteration of duty? Yes, or within three years.
15. The chests having the name of a particular ship on them, but coming by another vessel after the alteration of the tariff? Yes. I merely refer to that to shew that the name of the ship on the chests affords no means of checking the quantity imported by a particular ship.
16. How could the drawback be obtained? By a false declaration. If a party claims a drawback, he says, "I declare these goods were imported by such a ship, and that the duty was paid on such a date," and on that he obtains the drawback, if he has paid the former duty; but it could not be done now, because the tariff is over three years old, and you cannot claim the drawback after three years. I think most of the smuggling is in ship's stores. A ship comes in from London, or more particularly from Holland, and other foreign ports; an officer is not put on board for a couple of days, and the captain is then told he may be allowed so much spirits—a gallon per month for each man on board—and is asked to give a faithful report: he may say, "I have sixty gallons on board," when perhaps he has two hundred. When the jerking officer goes on board, the captain may have landed the difference.
17. *By Mr. Donaldson:* As a matter of fact, these jerking officers do not check the statement of the captain? He does, as far as he is able: when he goes on board the captain says, "I have sixty gallons on board"; at the end of the month he says, "I have thirty"; and supposing his crew to consist of thirty men the statements would agree, as the allowed quantity of thirty gallons would have been consumed; and, mixed up as ships' stores generally are, it is almost impossible for a downright correct list to be made by the officer.
18. If the captain says "I have got sixty gallons," does the officer see whether he has that quantity and no more on board? No; that is why I complain of the stores being so mixed up. I never saw an officer take his gauging instruments to gauge the ship's stores, although I have heard of its having been done where any cause for suspicion existed. What I think should be done when a pilot boards a ship is, not to give the captain a long rigmarole which it would take two hours to read through—you must do so and so, and you are not allowed to do so and so—but to put an officer on board, or seal up the stores.
19. Have you had much experience in bonded stores? No farther than as relates to putting goods in bond, and to shipping them again.
20. Do you think there has been any improvement in the bonded store system since Mr. Still has been appointed? Yes; I think Mr. Still has done a great deal of good.
21. They think he is a troublesome person? Yes. He looks after his business and does justice to the Government.
22. Do you think the liability to frauds or little peculations has been diminished since Mr. Still's appointment? I think there was no extent of wrong ever done beyond the lockers or storekeeper taking out a glass of grog; but I do not think anyone can get a nobbler now in bond if disposed for one; and not only that, but the officers are a much better class than a few years since.
23. Are you aware whether there formerly existed a system of checking the stock? Mr. Still, I believe, wanted to check the books by double entry, but Mr. Nash's, (the Warehouse-keeper) system of keeping his books is a very good one, and the only fault I see is, that the nominal returns of goods in the Custom House stores is not checked by the quantity of goods actually in stock, as far as I know; but really, this being a matter I have seen scarcely anything of, I do not feel competent to give a definite answer.
24. Do you know anything about the clerical department of the Custom House—whether it is very strong, or too strong for the requirements? I think—to make a paradox—for the way the work is done, in consequence of the divided duties, there are too many; and to do the work properly there are too few. By properly I refer to the London system, where every ship has a landing-waiter and officer; and therefore my remark is scarcely applicable to the in-door department, where, on consideration, I can only see that one clerk's work could be dispensed with, as in answer 25.
25. How do you unravel that? I think expense is unnecessarily incurred; for instance, there is a jerking clerk, who jerks all the ship's papers; he is an officer appointed entirely for that duty; and I dare say in the course of twelve months may find out what may save the Government £50, or may be £100.
26. *By Mr. Weekes:* Or may be £1,000? That may be possible; but considering that the ship has a tide-waiter on board, that secondly there is a landing-waiter who is supposed to check him, I think it supererogatory to send the books on shore to a clerk to check them; I think the landing-waiter should be sufficient;—he sending in to the clearing clerk a notice if anything was short landed, who would of course refuse to clear the ship till it was accounted for; whilst the clerk who does the duty of jerking at present might assist the warehouse-keeper, who has the most onerous duty in the whole department.
27. *By Mr. Donaldson:* Have you seen the Customs Consolidation Bill? Yes; and as far as I see it is synopsis of the present system. There are, no doubt, many matters of detail which require modification, but this will, I presume, be done when the Bill goes into Committee.
28. Generally, do you think the Bill a good one? Yes.
29. And that it would be useful if brought into operation? Yes; but believing, as I do, that the mercantile community here are very honest, and that there is very little smuggling going on, there are many things which I think rather too restrictive.

30. Generally, you think the alterations proposed to be made are desirable, and that such an Act would work? Yes. Mr. R. Adams.
31. Will you look to the schedule—do you think, with reference to the Acts named there, 13 July, 1853. they should be brought into one Act? I think this should repeal all former Acts.
32. Would not that cause the Bill to be of enormous length? I think the main points are contained in the present Bill. With regard to the time allowed for the discharge of vessels—at present twenty days is the time allowed for all vessels—I think there should be a differential rate; for such a vessel as the ——— for instance, which is about 1,000 tons, I should allowed thirty days.
33. Have you been in the habit of seeing Custom House officers, landing and tide-waiters much engaged? Yes.
34. Do you think them generally a highly respectable and faultless set of men? I am placed in a rather peculiar position, and I would rather not answer the question categorically, but certainly consider them, and more particularly the landing-waiters, as equal to any similar class of gentlemen, and as a whole far superior to what they were some years ago—some of them in fact being in a position far below what their education and abilities have fitted them for.
35. Is it the common practice now for ships to work overtime when discharging? Yes.
36. Are you aware whether it is the practice for dutiable goods to lie on the wharf all night long? I think not. In the case of goods with which I have been connected, when they have been left on the wharf I have sent them to the Queen's Wharf on my own responsibility; but that was only in one instance, some years since.
37. Do you know anything of the duties of tide-waiters, and how they are performed? Yes; they are very simple: they are sent on board ships to check the discharge of cargo.
38. Have you any experience as to how they perform their duties at night—do they keep watch on board vessels, or do they turn in and sleep? That they do. As to keeping watch, I suppose they scarcely dream of such a thing; but, of course, I know very little of this subject of my own knowledge.
39. Is not night the most likely time for smuggling to be carried on? Yes; but it stands to reason that no man can be kept on his legs all day and that he can watch all night too. I think, as a class, these men are much underpaid. I know instances where men having wives and families to support have not received more than thirty shillings at the end of a month, and it is not to be wondered at if men under such circumstances are not proof against temptation, not that I ever knew of but one instance, and he was dismissed. I think a much better class of men would be secured if there were some fixed rate of pay given, or half-pay when off duty.
40. Have you any further suggestions to offer to the Committee? I think that, if practicable, all spirits should be in one Government bond; that duty should be paid up till 3 o'clock; that timber ships and inter-colonial vessels with free cargoes should be allowed to discharge from 6 or 7 in the morning; that certificates of goods in bond should be certified as correct by a Government officer before delivery, (many of them being at present made by private and incompetent persons, and often very incorrect); that the wharf messenger should bring up the gauging-books of all the wharves each day at 4 p.m., and the day's work be jerked by the proper officer before leaving, (paying him of course overtime), whilst the messenger or the landing-waiters could take the books back in the morning; that all casks should be coopered, if necessary, before going into bond and likewise on delivery; that ships should be warned by the pilot not to give up their papers to any but the Customs, and if the boat does not board them by the time the anchor is down, that they should send the manifest and cocket at once to the Customs. And, in conclusion, I think that a form like the accompanying would be of service, to be left by the pilot on his boarding.*

*APPENDIX A.

Memo. for ships entering Port Jackson.

Get up that portion of the stores consisting of spirits, wine, beer, tobacco, cigars, sugar, tea, and coffee, and put some in a cabin for Customs to seal up when officer boards.

You must not take gunpowder above Pinehgut.

You must keep a light burning whilst in the stream and an anchor-watch.

If the Customs boat does not board before anchoring, send the cockets and manifest at once to the Customs, and get receipt for same, and do not deliver the papers to any one else than the Customs.

Make up a list of stores as above enumerated, and bring on shore when going to report at Customs.

And for general information regarding duties respecting ship whilst in port, see Harbour Regulations, left herewith, and peruse same at earliest convenience.

THURSDAY, 15 JULY, 1858.

Present:—

Mr. DONALDSON, | Mr. EGAN,
Mr. WEEKES.

DANIEL EGAN, Esq., IN THE CHAIR.

Walter Lamb, Esq., called in and examined:—

- W. Lamb, Esq.
15 July, 1858.
1. *By Mr. Donaldson*: You have been kind enough to give the Committee evidence, so far as your experience goes, respecting the management of the Customs Department; will you now favor us with your opinion, more particularly with respect to the Bill now before us—the Customs Consolidation Bill? I cannot say that I have gone through it so carefully as may have been desirable, but I can express a general opinion respecting it. I may state, however, that although I am not acquainted with the Act under which the Custom House is now working, I have never heard any complaints respecting it, and I believe it would be quite efficient, with some modifications, to suit the altered circumstances of the Colony.
 2. *By Mr. Weekes*: Would not that go to the effect that this Bill is unnecessary? I am told that very many of the objectionable clauses in the Bill exist in the present Act, which might therefore require amendment.
 3. *By Mr. Donaldson*: Will you look to the schedule of the Acts proposed to be repealed by this Bill; you will see that not only the Customs but a variety of other Acts will be repealed by it? I think it would be an advantage to have them all consolidated into one Act, for all these matters come under the surveillance of the Custom House authorities; but many of the clauses in this Bill are so oppressive that I would defy any merchant, if the Collector of Customs were a strict man, to work under them.
 4. *By Mr. Weekes*: That is, if the Collector of Customs were to do his duty? Yes.
 5. *By Mr. Donaldson*: You are not aware whether the clauses you object to are or are not clauses of the present Bill? Some are, some are not.
 6. Will you point out those you object to? Clause 13 enacts that bonded goods on which charges have been unpaid for six months shall be sold. This is decidedly objectionable. It appears by that clause, that directly the six months have expired the bonded store proprietor has only to give notice to the Collector of Customs, and the goods are then sold. I think the time is too short. I believe this clause has been taken from the Melbourne Act, where the charge for rent was so excessive that in six months it would amount to the value of the goods. The clause in the old Act gives three years, and I think that not too long for spirits, &c., although a shorter period might be fixed for perishable goods.
 7. Will you point out any other clauses you object to? I object to the wording of the 15th clause, as I understand it. I come now to the prohibitions in the 31st clause. Some of these appear to me highly objectionable—for instance, goods are allowed to be imported only in certain sized packages. “Snuff or tobacco, unless in ships of fifty tons burden at least;” and in whole and complete packages, each containing not less than 80lbs. net weight.” Cigars, again, are to be in packages not less than 60lbs. net weight. Now, Manila cigars, No. 3, which have been imported here the last fifty years, are very little over that. I think some of these prohibitions would be found to be inconvenient and unjust, because persons shipping from England and other parts might be ignorant of them, and expose themselves to loss. Eighty pounds is the weight prescribed for tobacco, and a box of cavendish is very little over that. In the 38th clause fresh fish is excepted. No fresh fish comes here.
 8. *By Mr. Weekes*: We have some by coasting craft? I do not know whether coasting craft are amenable to this Act. I would suggest, however, that live stock should be added to this clause. I consider the clause generally objectionable, as, in case of any mistake, goods would be liable to be forfeited, if the Collector of Customs felt it to be his duty to carry out the Act strictly. Clause 48,—With reference to this clause, I think it hard that the importer should be compelled to deliver a bill of entry to the Collector of Customs within forty-eight hours after the report of the ship; nor do I think there is any necessity for it; the goods may be at the bottom of the hold and may not come to hand for a month. I think, if the goods are at hand and no entry is passed, the captain should have power to pass the entry, provided he satisfies the Custom House authorities of such necessity.
 9. An importer living at Maitland, for instance, could not comply with this clause? No. At the end of clause 65 it is provided, “that, if any period after the arrival or report of any ship is specified in the bills of lading for the discharge of her cargo, or any part thereof, and the importer, owner, or consignee of such goods, or his agent, shall neglect to enter and land the same within such period at any port or place approved by the Board, the master or owner of such ship may, immediately on the expiration of such period, enter and land such goods.” This steps in between the captain of a ship and the importer in a way that would give the captain very great power; and I think it is quite unnecessary. For, in fact, it provides that the terms of the bill of lading should be carried out; and captains are in the habit of putting such unreasonable clauses into their bills of lading that they cannot be fulfilled. By such a clause the captain has the complete control over the goods. Clause 66 gives every ship twenty working days. That ought to be regulated by the size of the ship.
 10. *By Mr. Donaldson*: Would you make twenty days the minimum, and give large ships a longer time? I think twenty days too high for a minimum; the time should range from five to forty days. Clause 71 I object to, because goods may often be removed by mistake; I would propose that the words “unless good reason can be shown” should be added after the word “forfeited.” The clause does not provide for any appeal, and I do not think any such provision is made in a subsequent clause. I think the penalty of £5 imposed by the 76th clause is very severe, because in bonded stores sometimes there is nothing doing for a week, and then

then, when a lot of goods arrive from England, there is such a rush, that it is hardly possible to stow them away. The penalty imposed by the 78th clause for goods improperly warehoused or concealed is I think not a proper one, because it might not be found out until after the goods had been shipped off, when their forfeiture would be an impossibility; where it was proved the storekeeper should lose his license. The 79th clause I think quite unnecessary, for I cannot imagine the occurrence of such a case as that for which it provides.

W. Lamb,
Esq.
15 July, 1853

11. *By Mr. Weekes*: Is there any particular quantity allowed for evaporation under the present law? No; the duty is payable on the re-gauge.

12. Then there is no amount of duty payable upon deficiencies? Not at all.

13. Do you think it proper or just that there should be duty payable upon deficiency? Not at all just; I do not think it just even where the deficiency occurs through carelessness, for this reason,—that the bonded storekeeper is liable to the proprietor of the goods, and is punished sufficiently by having to pay for any leakage caused by carelessness; I do not conceive that the Customs is entitled to any duty unless the goods are removed for consumption.

14. May it not be the case that from a defective stave in a cask the spirits or wine may all leak out? Yes; I had a cask which came into our store some time ago, and the next morning half the contents had run out. I had a survey immediately, and found there was an imperfect stave.

15. As that had not been consumed would it have been fair to have charged duty upon it? Certainly not; but I would go further, and say it should not be charged even in case of carelessness.

16. *By the Chairman*: The only ground upon which it could justly be claimed would be that the storekeeper should see that the packages were properly coopered before they were taken in? I think it is sufficient that they are liable to the importer for the value, without the duty.

17. *By Mr. Weekes*: Are you aware whether in this Act under consideration there is any allowance for evaporation or leakage? There is no allowance; when I say no allowance, I am comparing this with the English Act, where there is a certain amount per month or per year allowed for evaporation. It is here said, "to such allowance as hereafter mentioned," and clause 94 provides for that.

18. Is it a fixed allowance? No; duties are payable upon re-gauge or re-weight. Clauses 91 and 92, with regard to the refining of sugar, I do not think at all necessary; indeed they are not applicable to the present circumstances of the Colony.

19. It has been suggested in evidence that licensed watermen should be employed to conduct goods when waterborne to bonded stores—do you think it would be desirable instead of sending boat officers to employ only licensed watermen? I do not think there would be any greater protection than now; the bonded storekeeper is now liable under his bond, and of course he would employ none but proper men.

20. As a matter of fact, do officers accompany boats? No; I explained that when I was last before the Committee.

21. Have you any further observations to make with reference to this Bill? It appears, under this Act, that almost for any offence connected with the landing or removing goods, even when committed by people over whom the owner of such goods has no control, such for instance, as the captain of a ship discharging cargo before the entry has been passed (see clause 38), the penalty is nothing less than forfeiture of the goods; and what makes the law particularly severe under such circumstances, the seizing officer (see clause 205) gets one-third of the net produce. In my opinion, goods should only be forfeited at discretion of a board quite unconnected with the Customs, and disinterested in the payment of moneys realised on the forfeiture.

A clause should be inserted obliging the captain of a ship to land his cargo at the wharf for which the entry is passed, otherwise he might moor his vessel many miles away from the wharf where the consignee wishes the goods landed. Where a ship has a general cargo he should be obliged to deliver to lighters for conveyance to the wharf for which the entry is passed.

TUESDAY, 7 SEPTEMBER, 1858.

Present:—

MR. R. CAMPBELL, | MR. DONALDSON,
MR. EGAN.

DANIEL EGAN, ESQ., IN THE CHAIR.

Colonel J. N. Gibbes again called in, and further examined:—

1. *By the Chairman*: Will you inform the Committee the particulars with reference to some goods that were bonded in Mr. Aldis' bonded warehouse; it has been stated that a large quantity of dutiable goods, tobacco and cigars, was in bond for a certain time, and that afterwards duty was demanded from Mr. Aldis as though they had been abstracted from the store and the duty not paid? It was only with regard to the cigars; the tobacco was all cleared from Pollard's bonded warehouse.

Colonel
J. N. Gibbes.
7 Sept., 1858.

2. That could not have been known by the Customs at the time the demand was made? It was overlooked at the moment, but on reference to the books it was found that the tobacco had been exported on board H. M. S. "Herald" from Pollard's Warehouse. It was merely an error on the part of the warehouse-keeper in going over his books.

3. Was not that some time after Mr. Aldis had ceased to be a bonded warehouse-keeper? Yes.
4.

Colonel
J. N. Gibbs.

7 Sept., 1858.

4. Can you state how it was discovered that these goods had been taken away? Yes. At the end of 1854 and beginning of 1855, nine cases of cigars were warehoused by Mr. Aldis, the tobacconist, in his bonded store. On taking stock for overtime sale at the beginning of the present year, these cigars were not to be found—neither duty, entry, nor export entry could be found, nor were they written off in my Warehouse-keeper's books. Aldis' warehouse had, for some considerable time past, been given up, and the goods removed to Pollard's bonded store, but Mr. Pollard could give no account of these cigars; he believed they had never been transferred to his warehouse. Mr. Aldis was then called on to account for the disposal of these cigars, but pleaded oblivion, and declined to give any information about them; he would not produce his cheque-book to shew that the duty had been paid; he had no document to prove that he had sold the cigars in bond, or had exported them; but, on being threatened with an action, intimated through his solicitor that he would defend it.

5. Have you since discovered anything with reference to these cigars? Nothing.

6. Is the legal process still going on? No; it has not gone on at all, because I was afterwards told the duty would be paid, and the duty has been paid. There can be no doubt but that the absence of these cigars should have been perceived by the Warehouse-keeper of Customs, when a general taking of stock by Mr. Still (then an officer in the Distillery Department) in February of last year (1857) occurred, and he sent in an inventory of the goods in Aldis' bond, without these cigars being included; but Mr. Hayley, the Warehouse-keeper's clerk, to whom the comparison of those inventories with the register was intrusted, complained that the mistakes made by Mr. Still were so numerous in returning goods under a wrong denomination, such as cordials for cigars, &c., that he could not carry it out in a satisfactory manner when he had about 50,000 packages to compare. Still, the Warehouse-keeper's books are so kept that any mistakes which may arise must eventually be discovered, as is shewn by the present case, and that of Messrs. Lamb and Company. It is impossible that anything can escape from our books. After a certain period, when we take stock for overtime sale, a list is sent to the lockers to shew what goods are in our books as having remained in bond more than three years. In the case of Messrs. Lamb and Co., the man who went over the stock in the warehouse found there was a deficiency in the number of casks of wine, and reported it immediately; and that led to the discovery that the wine had been taken into consumption without payment of duty.

7. Will you inform the Committee what took place with respect to the cigars; who was the party who passed the entry and paid the duty? There was an entry since passed, and the duty was paid by Mr. Aldis.

8. You mean in Mr. Aldis' name? Yes.

9. Do you know who passed that entry? One of the Custom House Agents.

10. As the agent of Mr. Aldis? I believe so; we have nothing to do with that; if an entry is tendered it is the duty of the cashier to pass it.

11. You have never learned how these cigars left the bonded warehouse? We have not, and cannot. Of course all we can do in a case of that kind is to put the bond in suit; but the bond was over-time when it was discovered, and therefore could not be put in suit. The next process is to recover the duty, and the duty has been paid. I should have been very glad indeed to have prosecuted Mr. Aldis, but there were some difficulties in the way. I feel satisfied that, originally, these cigars got into consumption without payment of duty.

12. Or without any entry having been passed? Of course.

13. The full amount of duty has since been paid by Mr. Aldis' agent? Yes; there is an entry in Mr. Aldis' name, and passed by one of the agents.

14. Then, I suppose you thought the entry having been passed and the duty paid, it was not necessary to carry on any farther proceedings? Looking to the doubtful state of the affair, I did. In fact I did not know that the entry was passed. I do not see the entries; they are taken by Mr. Maddocks, the cashier. I did not know, until a day or two afterwards, that the duty was paid.

15. Has it come within your knowledge that any one connected with the customs has paid the duty out of his own pocket, and that Mr. Aldis has allowed his name to be used? Such might have been the case, but I have not heard it, and I cannot tell whose money was received by the cashier. If a person comes to pass an entry, he is not asked whether it is for himself or for any one else.

16. Do you not think if any one connected with the Customs has called upon Mr. Aldis and asked permission to pay the very duty he was charged with, that is a matter which ought to be inquired into? Perhaps it ought to be inquired into, if there is reason to suppose it is so; but I do not know that it is the case, and I do not know what it would lead to.

17. How do you account for such mistakes occurring in the Custom House as for goods to be shipped from bond without discovery, and then a considerable time afterwards a demand to be made upon the party to whom the goods had belonged for the payment of duty? I do not quite understand this question. If it alludes to the cigars, they never were shipped from bond; it is not known what became of them, although some boxes of them have, I am told, been recently seen in Mr. Aldis' shop, they being of a very peculiar character; and it is possible that such an arrangement might have been made by Mr. Aldis with the officiating locker that the goods never went into the bonded warehouse at all, for I cannot believe that they could have been got out of bond without payment of duty.

18. With reference to this tobacco—how do you account for that? It was simply that on looking over his books it escaped Mr. Nash's observation that the tobacco had been sent on board H.M.S. "Herald;" nevertheless it had been so written off. Our books are very voluminous, and there is a vast deal of business in this department—this might have caused him to overlook the matter. He said he believed the tobacco was at Pollard's stores, and we applied to Mr. Pollard to know if he could throw any light upon this matter, but Captain M. Crae, his managing man, denied point blank that it had ever been in Mr. Pollard's warehouse; nevertheless we have since proved that every package had been in that store.

19. I suppose you do not trust to the bonded storekeeper for the correctness of the goods in his store? No; but we knew the goods had been there, and, from the omission or oversight of Mr. Nash, we thought they were still there. Colonel J. N. Gibbes.
20. *By Mr. Campbell:* Is there any check upon the Custom House officer in charge of the bond letting goods go out of the store? Yes, of course; the lockers order is sent down. 7 Sept., 1858.
21. What check is there upon the officer allowing goods to go out of the store without a locker's order? Of course there is none; if a man is a rogue he may allow packages to go out of the store.
22. The Custom House officer could allow things to go out? Yes; but he would incur the danger of discovery, of course.
23. There is no check upon him? No; I consider that there is very little check. For instance, at some warehouses, (take Sir Daniel Cooper's) there are no landing-waiters. At Moore's Wharf, and others, there is a landing-waiter, and he might if he pleased interfere; although I believe the Inspector of Warehouses fancies that no one, not even his superior officer, the Landing Surveyor, has any right to interfere with the lockers; but I differ with him. The lockers are of inferior grade to the landing-waiters; and I consider that if the latter saw anything wrong going on they would be justified in checking it, and reporting to me.
24. Your answer is that there is no check? I think there is no other real check than our books.
25. The check of the Custom House is the taking of stock? Yes; every six months for overtime sales.
26. That is the only check you have upon the Custom House officer doing his duty faithfully? Yes.
27. In consequence of the discovery of this irregularity in connection with Aldis' store, do you not think it would be prudent on the part of your department to provide that the bonded storekeeper should have authority, together with the Custom House officer, to prevent goods going out without the production of the document from the Custom House—I apprehend that is the case: surely your storekeeper would not allow goods to go out without his consent: besides, how is a locker to remove a pipe of brandy without the warehouse-keeper's men—and who orders these men? The Custom House officer has no power in such a matter, but the warehouse occupier. The warehouse occupier orders the men to get out such a cask, the locker producing the order for the delivery.
28. That is not a regulation, is it? Yes. I have given the order more than once.
29. Then, in fact, the bonded storekeeper is now responsible for the delivery of these goods? Yes, I should say he was.
30. Do you not think the delivery of these goods at Aldis' stores makes it imperative upon the Custom House to make some rule for the prevention of a repetition of such an occurrence? Yes. I shall take steps to prevent any closed stores being in future allowed: I look upon it that all this has arisen from that store not having been regularly attended, and regularly opened; and it is the only case, to the best of my recollection, that has led me to believe it to be necessary to send cart-followers from the ship to the warehouse, where there may be no locker constantly in attendance. We do send them when goods are exported from the warehouse to the ship, or when for drawback; but, from motives of economy, we do not send them from the ship to the warehouse.
31. You mean that the bonded storekeeper should be made responsible with the Custom House officer for the delivery of the goods—but the storekeepers do not acknowledge that responsibility at present? If, upon examination of my books, I found that fifty cases had been delivered from Mr. John Campbell's stores without a locker's order, I could have been fined £5 for every one of those packages: that is the law.
32. I understand that the bonded storekeeper considers himself to be entirely at the mercy of the Custom House officer? I do not consider so at all. On the contrary, it is the province of the locker to say, "Here is the warrant for the removal of ten hogshheads of brandy marked so and so; will you get the goods removed out of the store."
33. The bonded storekeeper has full authority to let no goods go out of bond without having your authority shown to him by the Custom House officer in charge? No question about it.
34. How long has that arrangement been pursued by your department? I cannot tell you; but I have given orders to that effect—it is a long standing order. The officers may not have attended to it; but it is my order. A complaint was made to me that a locker at some particular warehouse—I do not remember which, for it is a long time ago—refused to show the locker's order to the bonded storekeeper, and I wrote a minute upon it immediately, and sent it down; but as it was a solitary instance I did not write any general circular afterwards.
35. The bonded storekeeper should be a check upon the locker in the issue of dutiable goods? Yes, for his own sake, I may say, he should.
36. *By Mr. Donaldson:* You have stated, "There can be no doubt but that the absence of these cigars should have been perceived by the Warehouse-keeper of Customs when a general taking of stock by Mr. Still (then an officer in the Distillery Department) in February of last year (1857) took place."—I do not gather from you that you imply any blame to Mr. Still, the present Inspector of Warehouses? Not the least. The case of the cigars Mr. Still could have had nothing to do with; he was not instrumental to the discovery, nor could he have known anything respecting it.
37. He merely took stock of what he found there? Yes.
38. *By the Chairman:* Will you state the system pursued in your department with reference to drawbacks? Duties, of course, are paid upon certain articles, and for these articles, if afterwards exported, the parties to whom they belong may claim the drawback, or the full amount of the duty paid.
39. Is it ascertained by some officer of the department that the same article is exported as that upon which the duty has been paid? Yes.

- Colonel J. N. Gibbs. 40. Is that always the case? Yes.
- 7 Sept., 1868. 41. No imposition can be practised upon the Customs in that way? I think not; there is no drawback allowed upon spirits of any kind or upon tobacco—they are excluded.
42. Upon tea and sugar? Tea, sugar, coffee, ale, and porter—but there are not many articles liable to duty. The drawback is obtained upon wine as a matter of course.
43. Have you a person employed in the department of the name of Rundle? I have.
44. Has his conduct ever been of such a nature as to call for his dismissal? Yes.
45. Could you state the circumstances? I cannot at this moment state what the circumstances were.
46. He was dismissed? Yes.
47. Has he since been reinstated by you? Not by me—by orders from the Government.
48. Are you not aware that the man went into a tobaccoist's shop, filled his pockets with tobacco, and was followed by the tobaccoist, who took the stolen tobacco from him—was not that the ground of his dismissal? I think not; but I am taken at unawares with the question. I shall be happy to give the Committee all the information I can upon the subject.
49. Did not Mr. Dixon report the circumstance to you? I do not think it was regularly reported to me, for I did not hear of it until two years after it had occurred.
50. *By Mr. Campbell:* Has Rundle been the cause of several cases of smuggling having been discovered? Of only two, I think, and one of those was an accidental circumstance. He went and told one of my officers that he had got wind of some tobacco being in a certain place. The officers went to the place named, and found the premises all secured. They broke in and found no tobacco, but, to their utter astonishment, they discovered an extensive distillery. Rundle, however, knew nothing whatever of it—it was at the old Commercial Hotel.
51. He was the cause of the discovery of that? Yes, in that way. He is a man who has been playing upon Government continually. At one time he was a tide-waiter, and afterwards he was a baggage searcher—the offices of baggage searchers were not of my appointment originally; they became useless, and I proposed they should be done away with. He was one of those who were removed, and I then put him on as punt follower and cart follower. I have known him to go away with a punt at ten o'clock in the morning, say to Lamb's Wharf, and not return until three o'clock in the afternoon, and charge a whole day's work for what might have been done in a couple of hours.
52. But you never reported him as an improper person to be an officer of Customs? No; but I have recently broken the system down.
53. How long has he been in the Customs? A good while.
54. It has been brought under my notice that there are two officers in your department employed on fixed duties, one as a clerk in the Custom House and one as acting locker, who are paid out of the vote for extra tide-waiters? Yes, and it is perfectly right.
55. You conceive that you have a right out of that vote to pay for the services of these fixed officers? Most assuredly. They are not fixed officers; they are tide-waiters, and they are paid out of the tide-waiters' fund, and the Government have now come to the conclusion that it must be so, as there are no other funds for it. Supposing a locker is ill, and laid up for a week or a month, who am I to send to take the duty but one of these tide-waiters; he must be a man of character, and of course there are some of the tide-waiters whom I could not send; they have not brains enough—from what fund is he to be paid? There is a vote for twenty tide-waiters, and therefore he is paid out of that fund. Whatever the duty required to be performed, whether cart following, punt following, or anything else, he is paid from this; there is no other means of paying him, unless you mean to say the sick man is to lose his salary, or to pay out of his own pocket for these extra lockers.
56. In the estimate for the Customs Department there are salaries voted for eight acting lockers? Yes.
57. You have appointed a ninth acting locker, and paid him out of the extra tide-waiters' vote? Yes, I have; for a new store was appointed, with the approbation of the Governor General, and it was necessary that a person should be appointed to officiate as locker.
58. You have also paid out of the tide-waiters' vote the salary of a clerk in the Customs, Mr. Lockyer? Yes.
59. That has been the custom of the department? Yes; but I do not call that a fixed duty. At any time when the shipping duty was falling off I could send him back to his true position of tide-waiter, and when business increased recal him to the office, where he would perform the clerical duty for the two tide-surveyors, who cannot perform it for themselves. The matter is already before the Government. He is now an extra tide-waiter.
60. Before the matter was brought to your notice he was employed in the Custom House as a clerk? Yes, in the tide-surveyor's office; I must insist upon that, because it is a distinct thing. The tide-surveyors are the head of his branch; he goes there to perform a duty which those officers cannot perform themselves. If Sir William Denison, Mr. Cowper, and Mr. Browne will cease to require the returns of every ship that comes in, such clerical assistance might be dispensed with.
61. These two officers have been paid out of the vote for extra tide-waiters when they should have been returned as fixed officers? They could not have been; there was no vote for them. Contingencies must arise, and they can only be provided for in that way. At this moment I have one of the lockers very ill indeed, and I have a tide-waiter doing his duty. The Governor General has lately approved of an additional warehouse as a bonded store, and, of course, no goods could be taken in until some one was there to attend to it; and according to established usage, I have ordered Mr. Bernon to attend to that bond.
62. *By the Chairman:* Is that a warehouse lately appointed? Appointed this year.
63. Did you consider an additional warehouse to be necessary, considering the number there are already? No; but I did not think I had any right to object to it. I have had discussions with some bonded storekeepers, who seem to think they have a right to a monopoly, and

- and that so long as they have a crevice in their own stores into which anything could be put, Government should not approve the opening of a new one.
64. Is that a small store? It is —
65. Near the Custom House? Close to it.
66. Is it the case that the outer door which leads to the ordinary business premises leads to this very bond? Yes; you enter the building by folding doors, and the goods are hoisted in the presence of the locker to the floor above, which is separated from the free part by thick sheets of iron.
67. The lower part of the building is in no way connected with the bonded warehouse? Not at all.
68. Although you must go through the ordinary business store to get into the bonded store? No; the one has nothing at all to do with the other. It is a common thing for bonded storekeepers to have a warehouse for ordinary goods below, and a bonded store above.
69. Does not the door, in this instance, which leads to the bonded store lead also to a wine and spirit store? I should think not a spirit store. I should think the storekeeper would naturally put any goods of that kind into the bonded store.
70. Unless this private store were opened nothing could be put into the bonded store? They are quite separate.
71. But there is the same front door to both? Yes; but when the the front door is locked our locks are on it as well as the storekeeper's, and no one can get in.
72. How can the party have access to his ordinary business premises supposing he wanted to go there at seven or eight o'clock? He could not get in.
73. Nor could you go in? No; nobody lives in the place.
74. Supposing a fire were to break out out in the building, the Custom House officer would not be able to enter? He could only open our own locks; but in such a case he would break the others.
75. Do you not think it objectionable to allow a private store in the same building with a bonded store? It has been the practice ever since this has been a port.
76. Do you think it a practice desirable to be continued—would it not be better that a bonded store should be altogether separate? I think it would be better. But even where they have been distinct they have been broken into. Unwin's store was broken into from the outside, and so also was Willis'. In neither of those cases was there connection with a private store. You can never guard against that, but by a watchman. Willis' store was twice broken into; and I was surprised that in both instances the Government should have allowed a remission of duty. After the first occasion I called upon him to have a watchman; he had one, but a short time afterwards the warehouse was again broken into and robbed, and the duty on the stolen property was again remitted.

Colonel
J. N. Gibbes.
7 Sept., 1858.

ADDENDUM.

I find that I omitted to state that the warehouses of Mr. Dixon and Mr. Aldis were unlike any others.

They were too insignificant to be allowed to have the attendance of a locker.

They were closed warehouses, only opened on a requisition from the occupier to have them so opened for the purpose of taking in or delivering out goods, when an officer was sent with the keys, who unlocked the stores and closed them again on the transaction being finished.

Such is the practice in many ports in England.

But Mr. Aldis was negligent, and did not always make the requisition, so that it has happened that when goods have arrived from the ship at his store they could not be taken in, but were obliged to be carried away to another bond which was open, which created much confusion.

Mr. William Almond called in and examined:—

1. *By the Chairman:* You have charge of Campbell's Bonded Store? I have.
2. How long have you been so employed? Six years, next month.
3. Are you acquainted with the officers employed in that department of the Customs? I think I know almost the whole of them.
4. Have you seen anything in the conduct of any of them that would lead you to think they were not proper persons to be so employed? There are some of them who are not what they ought to be, no doubt—to what particular department do you refer?
5. To those engaged in the bonded warehouses? We have some very excellent men; of course there are others—
6. That you think are unfit to be employed? I should not say unfit to be employed, but there is a vast difference between the officers, as to their ability and conduct. I could not bring a charge against any man.
7. By "conduct" do you allude to want of sobriety? I have seen instances of that.
8. Are you aware whether any check is kept, or do you keep any check respecting goods bonded at your warehouse? Yes.
9. What course is taken when overtime goods have to be disposed of by the Customs Department? Of course my book and the locker's book correspond, and shew the quantity on hand. It was formerly usual to hold the sale in the bonded store, but within the last two years samples have been taken to the Custom House, and the goods have been sold there.
10. It is not then from the entries in your book that the Customs ascertain the quantity of overtime goods in the store? No, from the locker's book; the Customs Department has nothing to do with my book.
11. Do you consider that you are in any way responsible for goods taken out of the store by any

Mr. W.
Almond.
7 Sept., 1858.

Mr. W.
Almond.

7 Sept., 1858.

any of the lockers—for instance, supposing a locker were to order certain goods to go out, you might suppose he was authorized to do so? It would be impossible for him to do so without authority. I must see the warrant.

12. Do you always see the warrant? We always do now.

13. That is lately? For some years past. I consider it to be as much my duty to see the warrant as it is the locker's.

14. Supposing any goods should be taken out by the locker without your seeing the warrant, you would consider yourself responsible for them? To a certain extent. There is one observation I would wish to make: I think it an objectionable practice to remove the landing-waiters every three months. We have at our wharf felt the ill effects of it most grievously. You are aware that our bond and wharf are, perhaps, the most extensive in Sydney; at times we have a very large amount of business, and there is a great difference in the landing-waiters, as to their ability and quickness; for three months we may have a very excellent man, and for the next three we may have a man not fit to be upon a busy wharf.

15. *By Mr. Donaldson*: You would rather have one set of men always? No doubt.

16. *By the Chairman*: Have you any further suggestions to offer to the Committee? I may state, that my motive in making the above observations was not to praise one officer more than another—or I should mention the names of Messrs. Hindmarsh, Birnie, Kidd, &c.—but to shew how necessary it is that the most efficient and active men should be placed where the greatest amount of business is done. These remarks apply equally both to lockers and landing-waiters.

TUESDAY, 19 OCTOBER, 1858.

Present:—

MR. CAMPBELL,
MR. DONALDSON,

MR. EGAN,
MR. GORDON,

MR. WEEKES.

DANIEL EGAN, ESQ., IN THE CHAIR.

Michael Metcalfe, Esq., called in and examined:—

M. Metcalfe,
Esq.

19 Oct., 1858.

1. *By the Chairman*: Have you looked into the proposed Customs Consolidation Bill? Yes, with the exception of the last ninety clauses, to which I have not paid much attention. Half of it appears to me to be unnecessary.

2. *By Mr. Donaldson*: You are aware that the Bill is a compilation from the Customs Consolidation Act, the Customs Laws Consolidation Act of England, and the Victorian Customs Consolidation Act? Yes.

3. And some portions of the Customs Regulations necessary in England might be necessary here—have you formed an opinion favorable or unfavorable to the Bill as it stands? I have, quite unfavorable. It appears to me that the Bill is not what we require here, and that, altogether, it is not so good as the Act at present in force.

4. But we have no Consolidation Act at present? No; but you will observe that this is a consolidation of parts only of some four or five Acts: for instance, of that which refers to gunpowder only a small part is taken, and there is nothing said about the post office with regard to the Customs, which appears to me to be very important. The length of the Act is altogether too great.

5. Can you state generally what are your objections to the Bill, beyond the one you have mentioned, that it is too lengthy? I could not state generally—I should have to go through the Bill clause by clause. Out of 130 clauses I think there are 70 I should object to.

6. Do you think a Consolidation Bill is desirable? Yes.

7. Will you state on what grounds you would frame your Bill? I do not mean to say that the English Consolidation Act, or the Melbourne Act, should not be taken into consideration, but I think in the case of the Bill before the Committee the scissors have been used too freely, and clauses have been admitted without reference to their applicability to the circumstances of the port. For instance, in this Bill reference is made to the Finance Minister, who may be utterly unacquainted with everything belonging to the Customs. This, in my opinion, is objectionable. I think it would be desirable that there should be a Board similar to the Pilot Board, composed of men who understood matters connected with the Customs. This might be conducted at a very small expense, as there would be no salaries to pay, and the non-official members who attended might be paid by fees.

8. You are in favor of a Board of Customs? Yes; I think the establishment of such a Board imperatively necessary.

9. Will you state what class of officials you would put on that Board? I could not say what class of officials; they should not be put on unless they understood the business.

10. Of what kind of men should the Board be composed? There should be two merchants, or gentlemen conversant with Custom House business, at least, and two or three persons official or non-official, acquainted with such matters.

11. *By Mr. Weekes*: You would have no members simply *ex officio*? I think Government should have a representative at every Board; but I mean to say that I do not think the Auditor General, for instance, should be a member, unless he understood the working of the Customs Department. It is a department which requires an amount of business acquaintance

in

in order to deal with peculiar cases, and if a man do not understand it he is likely to make mistakes, and to do things injurious to the whole department. M. Metcalfe,
Esq.

12. *By Mr. Donaldson:* This Bill has been based upon the English Customs Consolidation Act, and drawn up under the superintendence of the Collector of Customs himself—what plan would you suggest for the framing of an Act? I think this Bill might be remodelled by two or three gentlemen who understood the matter. It is to be remembered that the Collector of Customs has been some fifty years in the department, and is naturally wedded to old-fashioned rules. 19 Oct., 1858.

13. You recommend that it should be considered by gentlemen outside? Yes; by not more than three.

14. *By the Chairman:* And these three should be merchants, conversant with the matter? Yes, merchants or other gentlemen conversant with the business. There are a great many things exceedingly objectionable in this Bill; but it would take a long while to go through the whole. There is one point, however, which I think would, upon a moment's thought, strike any one as objectionable: All the lowest officers in the Customs are excluded from making a seizure, and these are the very men best suited to perform that duty. It is said that no man being a tide-waiter shall make a seizure, and he is the very man who is likely to see anything that may be going wrong, and, if he is not able to make a seizure, the probability is that the party will escape.

15. *By Mr. Weekes:* How long have you been connected with the Customs of this port? Twenty-two years; and for some time in England, although not in the Customs. I was in the St. Katharine Docks, in London, where I saw a good deal of the working of the Customs.

16. *By the Chairman:* From your experience, are you of opinion that any alteration could be made in the department that would lessen the expense of the department, or give greater facility to the public, than the present mode of conducting the business? Yes. I will begin with the outside branch: There are four people employed—according to the English practice—export officers or cart followers—all of whom might, in my opinion, be dispensed with. It appears to me that they are a clog to the business of the port, and that they are not the slightest protection to the revenue.

17. *By Mr. Weekes:* Are they cart followers in name only, or do they follow carts? They do follow carts.

18. In every case? I believe so. I think the greater part of them perform their duty very well when called upon to do so; but they are utterly unnecessary.

19. Is it not the custom to send bonded goods from the wharf, perhaps, to some distant store, in the custody only of a drayman? I can hardly answer that point correctly. I know such things have been done, but I believe rarely. I regard the attendance of the officer as an absurdity.

20. Then, as you consider the cart follower as an absurdity, you must suppose that there is no risk attending the transit of these bonded goods from the wharf to the store, however distant? Not the slightest.

21. In whose custody and under whose protection would these bonded goods be from the time they left the wharf until they reached the bonded store? They would be under the same conditions as when they were in bond. The carter would be the responsible man; they would be in his custody, and if he did not deliver them of course he might be brought up at the Police Office.

22. Then, for the time being the carter is the custodian of the goods on behalf of the Queen? Certainly not; these goods are under bond.

23. Exactly; but while they are in his cart he is their sole keeper? Yes, of course, they are under his charge, but they are still under bond.

24. Supposing that in the removal of six casks of brandy from the wharf to the store they are half emptied and filled up with water, how is that to be discovered? I do not know how that would be detected, if they had been gauged on the wharf, until they were taken out of bond again.

25. That might be years after? Yes; but I cannot conceive that a carter would do such a thing as that.

26. It appears to me that it would be a strong temptation to some men if they had a valuable dray load of bonded goods entirely under their control? The temptation would be as great if he had to remove a quantity of spirits from one merchant to another, and the danger would be greater. If such a thing as that you have supposed were done, the party who signs the bond would be liable. The party in that bond becomes liable to a penalty, according to the amount of duty payable, "from the first landing thereof to any time within three years." So that if a cask were half empty, or were 10 U. P. instead of 20 O. P. the bond would be liable.

27. When gauged on the wharf you would not regauge spirits on being deposited at the bonded store? No.

28. Supposing, therefore, that on the transit to the store casks of spirits were tampered with, and some inferior spirit or water were put in, and subsequently these casks were taken out of the store and shipped as being full of spirits, how could that possibly be detected? In such a case as that the detection would be difficult; but all goods are re-gauged when taken out of bond for exportation.

29. Are they gauged to ascertain the strength as well as the quantity? Only if the merchant requires it.

30. It is not the ordinary practice to gauge the strength as well as the quantity? I think not. You are supposing a case of downright fraud.

31. I am supposing a case that I believe to be a possible one? It does not appear to be so to me.

32. A carter is in collusion with somebody, and instead of going to the bonded store direct he

M. Metcalfe, he takes his dray load of spirits into some by yard, where the spirits are taken out and the
Esq. casks filled up with water; he then goes to the bonded store, gives in his dray load, and
gets his receipts—that appears to be a very probable case? I think not.

19 Oct., 1838. 33. After perhaps two or three years the spirits are found to be only half the proper strength; upon whom, in such a case, could the guilt be placed—how could it be traced? That is a case which I conceive to be almost an impossible one; but the possibility of such an occurrence might be entirely prevented by sending an officer with the goods; but I believe the Government would lose more by keeping officers to follow carts than by any such frauds as that supposed.

34. If these frauds should exist they might never be discovered, and therefore the amount of which the revenue might be defrauded could never be known? I can hardly conceive that, for most merchants sell their goods within a year.

35. *By the Chairman:* Do you not think that in cases where goods were intended for exportation, and were being removed from a bonded store at some distance, a cart follower should go with them? I do not think a cart follower should go with them, but that an officer should be placed on board the ship at the expense of the exporter, or the ship, and that he should have the particulars of the goods being passed, and should remain on board till the ship goes to sea. And, again, I think all men employed to take spirits from bonded warehouses to ships should be licensed carters, the same as in England.

36. Such a course is not pursued as that you have suggested of placing an officer on board a ship? It is pursued if there is any suspicion.

37. Vessels going to the Islands, for instance? Yes; they ought to have officers put on board.

38. But they are not put on board now? No.

39. Is it not possible, then, that the goods after being taken from the store might be taken to some other place and not be shipped at all? Yes, but the Customs take this precaution—they make the officer sign that he has shipped the goods on board, and they also have a receipt from the master or mate of the ship; therefore, in any such fraud as that supposed there must be collusion between two or three persons.

40. But the officer is not there at the shipping of the goods, you say? Yes, he is present; he takes the goods down to the ship.

41. Do you know that now in every case an officer does follow the goods to the ship? I believe so; I do not know of my own knowledge.

42. Is it not frequently the case that a large amount of bonded goods are entered out, and have to be delivered in the course of a day—is the staff sufficiently strong to attend to this duty in such cases? Yes, there are a number of men—I think nearly a dozen—extra officers, who have not earned a shilling for a month or two.

43. Extra tide-waiters? Yes; these men are employed when the four cart followers are occupied.

44. What means have the Customs of knowing whether goods entered out for exportation have really been shipped—what check is there? The check I have mentioned—the receipt is signed by the master and mate.

45. Are these things examined before a ship is allowed to clear? That is supposed to be the case; that is the duty of the clearing clerk.

46. Have you any further information to give the Committee with reference to that particular branch of the department? I think not. I have already said that when a ship is going to a place where there is no recognized custom house, it would be better to put an officer on board at the expense of the exporter or of the ship, but that the maintenance of the present cart followers is a waste of money.

47. Are there any changes you would suggest in the clerical department of the Customs: do you think it is at present efficient, or that any reduction might be made in the expense? I think improvements might be made; I do not think the gentlemen who are there have their time fully occupied, by any means, or that there is a sufficient check kept upon the duties; for instance, a man pays duty, which is properly entered in the cash-book immediately, but that cash-book does not contain particulars by which the goods on which the duty has been paid can be traced. In illustration of the necessity for this check, I may state that the fact came under my notice in the case of one importer (Mr. Aldis) to whose books I had occasion to refer. In his books I found that in 1854 a sum was paid for duty on imported cigars, and on looking (with my partner, Mr. Powell,) through the cash-books and warrants at the Audit Office, I found that this sum had actually passed through the Custom House and been accounted for as a cash receipt, but was not traceable to any particular mark or parcel of goods.

48. Are you aware whether the duty upon these goods for which application was made to Mr. Aldis has since been paid? I believe so.

49. Then, in your opinion, the duty has been twice paid? Yes.

50. That was owing to the insufficient manner of keeping the books? That is my impression.

51. *By Mr. Donaldson:* With reference to the system of re-gauging spirits which have been some time in bond, are you aware whether when spirits are taken out of bond duty is paid upon the old, and not upon the new gauge? We used to consider we had a privilege of this description; if a cask gauged a gallon more than when it went in, we could destroy the paper of the new gauge and take the first gauge.

52. You actually thought you ought to pay upon the smaller quantity? Yes: these are the very words of the Act, "according to the first account taken thereof." In such a case there is no fraud committed; but it does not occur once in three years. The difference might be owing to the state of the atmosphere and its effect upon the spirit, and in some cases the advantage would be given to the Crown, and in others to the merchant.

53. You do not suggest any modification of the regulation with regard to re-gauges? No; I do not think any objection can be taken to that.

54. You think the original gauges are sufficiently correct to satisfy the scrupulous; and have *M. Metcalfe, Esq.* any further remarks to offer with reference to the warehouses? Yes. In all warehouses where there is nothing but sugar and coffee, or articles on which there is a small duty, I think there should be no locker at all. The Customs have the merchant's bond, and should take care that the duty is paid. 19 Oct., 1858.

55. *By Mr. Gordon*: Does it come within your knowledge that persons employed to gauge and re-gauge are altogether incompetent? I believe some of the lockers are not competent.

56. *By Mr. Donaldson*: They are the persons upon whose gauge you would depend? I think they get some one to gauge for them in cases of doubt.

57. *By the Chairman*: From your experience in the Customs I suppose you are somewhat acquainted with the general management of bonded stores? Yes.

58. Do you believe the present management to be such as to secure the due protection of the revenue? I think so, generally; but I object to the number of bonded stores. In England spirits would not be allowed to go into a store unless it were a warehouse of special security, detached, and being surrounded by a wall.

59. Do you think any place should be licensed as a bonded store where the door through which the goods are received, or delivered, is used for the purposes of a private store as well? Certainly not; I think it highly objectionable.

60. You are aware that there are buildings used both as private and as bonded stores? Yes, there are; in some cases spirits are sold in the store below while they are in bond up-stairs.

61. *By Mr. Donaldson*: Then the up-stairs portion is supposed to be locked? Yes, of course.

62. *By the Chairman*: There is no access to that store to which, I presume, you particularly refer, except through the door leading to the bonded store? I have never been in the store, therefore I cannot say.

63. *By Mr. Weekes*: Are you speaking of a store now in operation? Yes.

64. *By the Chairman*: Will you have the kindness to favor the Committee with any suggestions that may occur to you for the improvement of the internal management of the Customs Department? I beg to offer the following suggestions for the information of the Committee.

ADDENDUM.

I think the present system of the Landing Department very inefficient, and in lieu thereof I beg to make the following recommendations:—

1. That the duties of Landing Surveyor and Surveyor of Warehouses should be performed by the same person, who should be allowed forage for a horse, as, from the great extent of wharves and warehouses at this port, it is impossible without a horse to do the duties satisfactorily.

2. That the officers now termed landing waiters should be employed as gaugers and supervisors of the junior waterside officers.

3. That the officers now designated tide-waiters should be termed *landing clerks*, and should be paid by the Government a fixed salary of £100 a-year each, and for the remainder of their subsistence they should look to the ships on which they are stationed, *e. g.*, on every ship arriving with cargo from places beyond the seas one of these officers should be boarded, for whose maintenance the ship should be charged with five shillings per day, to be paid to the Collector at the Custom House, at or before the clearing of the ship outwards; and that the ship on which such officer is boarded should have the privilege of discharging cargo one or two hours before and one or two hours after the usual hours of business (Saturdays excepted) without extra charge; that these officers should be responsible for the landing of the whole of the cargo, (and should keep an account thereof), and should weigh such portion (not being tobacco or cigars) as may require to be weighed, but that the gauging and measuring of wines and spirits, and the weighing of tobacco and cigars, should be attended to by the landing-waiters, who should have notice given them by the landing clerks for the purpose; and that, whenever deemed advisable, the landing clerks should remain on board the ship on which they are stationed during the night. I believe that if such a plan were adopted a class of intelligent and respectable young men might be procured who would protect the revenue, and not bring the department into the contempt that the present system of tide-waiters renders it peculiarly obnoxious to, and that it would not cost the Government more than the present inefficient system. All promotion to the office of landing-waiter should be from the landing clerks.

4. That the lockers should keep a book of all the goods in the warehouse under their charge, and should make a return, daily, at the close of each day to the Warehouse-keeper at the Custom House of the deliveries which have taken place during the day, which return the lockers should have certified by the proprietor of the warehouse, or the person who may have charge of the same.

5. That the Warehouse-keeper should on the following morning compare such return with the warrants he has received from the Cashier, and if any discrepancy should be discovered, he should make immediate inquiry into the matter, and post up his Register from the lockers' returns, and afterwards endorse the same, and deposit them in a place of safety. I beg also to recommend an alteration in the form of the Warehouse-keeper's Registers, which are at present unwieldy and expensive, and might easily be reduced both in bulk and cost.

6. That a book be kept in the Long Room containing the particulars of all goods on which duty has been paid, and that such book be compared the following day with the Cashier's cash-book.

7. That an officer be appointed, to be called Deputy or Assistant Collector, who should be a person thoroughly conversant with the in-door and out-door duties of the department, and whose duty should be to assist the Collector in the thorough supervision of every branch of the department, and who should in the absence of the Collector be able to take the management thereof.

M. Metcalfe,
Esq.

19 Oct., 1858.

8. That the appendix to the Consolidation Act should contain a specimen of all the forms required in the transaction of business at the Custom House, and that the same be *not* printed (as at present) for distribution, but that, as in Melbourne, the stationers of the City should have the benefit of supplying them to parties requiring them, at fair charges. I believe that the Government now pay a considerable sum annually for printing Custom House forms and bonds.

9. There are several other subjects on which I could offer suggestions, but as they are chiefly matters of detail, it is perhaps unnecessary to enter into them at present. The remarks I have above made are intended to be taken in connection with my evidence.

M. METCALFE.

Charles Smith, Esq., called in and examined:—

C. Smith,
Esq.

19 Oct., 1858.

1. *By the Chairman*: You are, I believe, a shipowner and merchant? Yes.
2. And have been for some considerable period? Yes, for some fourteen years.
3. During that period you have had, I suppose, a great deal to do with the Customs Department? Yes; more particularly within the last eight years.
4. Are you acquainted with the course adopted with reference to the importation and exportation of bonded goods? Yes, I have a general knowledge of Custom House business.
5. Can you favor the Committee with any suggestions, the adoption of which would give greater protection to the revenue, greater convenience to the public, or tend to lessen the expense of the department? There is an Act in force in England—the Customs Consolidation Act—which might, I think, be adopted with advantage here. Portions of it might require to be modified to suit the wants of the Colony, but, generally speaking, I believe such an Act would work very well. I have a memorandum here of the several parts which I think would be beneficial for us here. The second section provides that sureties shall be given by all Custom House Officers. This, I think, should be adopted here. The third section is a very good one. The fourth section enacts that bonded warehouse-keepers shall enter into a bond. The sixteenth, that bonds shall be entered into by Custom House Agents. These I would also recommend. The thirty-third and thirty-fourth sections enact that an open court shall be held for the redress of any grievance with reference to duties, or for hearing complaints against Custom House Officers. The nature of this open court is more particularised in the London Custom House Order of the 26th November, 1853. In the Act there is a Comptroller of Customs named, and I think it would be necessary if a new Act were passed here that such an officer should be appointed. In England there is now a court held twice a week, in which a Commissioner sits, and where evidence is taken, and if the complainant is dissatisfied with the decision of the Commissioner he can apply to another court.
6. Have you any other suggestions to make with reference to this Act? I do not know that I have any other general suggestion. The subject came more particularly under my notice in consequence of some irregularities that have occurred in the Customs.
7. Will you have the goodness to state what those irregularities were? The first case that came under my notice was when I was one of the arbitrators in the matter of the “Catherine Adamson.” It was then clearly shewn to me that a quantity of bonded goods that were taken into the Custom House warehouse were never accounted for, to either the salvager or the agents of the vessel.
8. Into what Custom House bond were they put? Into the Sydney Custom House bond—the Government Warehouse in the rear of the Custom House. A large quantity of brandy, champagne, and other wine, was never accounted for.
9. Was there a considerable quantity? A considerable quantity.
10. Will you state any further circumstances that came under your notice? A recent irregularity has come under my notice, where the Customs Department has been defrauded to a large amount.
11. Will you state the particulars? A vessel was cleared out here, and a large portion of the bonded goods which were entered outwards by her were not shipped.
12. When did this occur? She cleared here in last September.
13. Do you know her name? The “Louisa.”
14. Are you making this statement of your own knowledge? Yes, of my own knowledge.
15. The “Louisa” cleared out in September last as having a quantity of dutiable goods in her, which goods were never put on board? Part of them were never put on board; part of them were not taken out of the warehouse till the day after the vessel had sailed from here.
16. Do you know what became of the goods? No.
17. *By Mr. Weekes*: Do you know whose bonded store they were taken from? They were taken from Walker’s wharf. These goods that I refer to generally were said to have been taken from five different stores for exportation to New Caledonia.
18. *By the Chairman*: Were the goods you speak of taken from the bonded stores and shipped on board the vessel? They could not have been, for they were taken out of bond the day after the vessel sailed. I have taken particular pains to investigate this matter, and, as I believe I am now in a position to prove the various facts connected with it, I have communicated with the Executive Government upon the subject.

TUESDAY, 9 NOVEMBER, 1858.

Present:—

Mr. EGAN,
Mr. WEEKES,Mr. R. CAMPBELL,
Mr. DONALDSON.

DANIEL EGAN, Esq., IN THE CHAIR.

Charles Smith, Esq., called in, and further examined:—

1. *By the Chairman:* Captain Smith, I may remark to you, in reference to your last examination here, that the subject is now being inquired into by the Government, and that we decline to further proceed in that matter. A Commission having been appointed for the purpose of making full inquiry into that matter, we shall not think it necessary to examine you upon the subject; but there are other matters we should be glad to have your evidence upon. You understand me, do you? Yes, perfectly.
2. You have been already examined here? Yes.
3. You are a merchant and shipowner? Yes.
4. And have been for some considerable time? Yes, for thirteen or fourteen years.
5. During that period you have had many transactions with the department of the Customs? A great many.
6. In the various matters of your business? Yes.
7. Such as the shipping, and passing of entries and clearances? Yes; goods and clearances, and that.
8. Have you found, in the course of your business with the Customs Department, that facilities were given in every way for the dispatch of public business, in such a way as you thought desirable for the benefit of the public? I have not had much to complain of in that way.
9. Not much to complain of? No.
10. A ready compliance when an application has been made in reference to the duties connected with that department—no impediments thrown in the way? Yes; an impediment occurred in regard to the "Freak," the last time she was here—a vessel belonging to me.
11. What was the nature of the impediment? If you will allow me I will just state the case to you, and you can ask me what questions you please afterwards. I think that will, perhaps, be the shortest way.
12. I may first ask you whether this impediment was during the process of loading or discharging? After the vessel had cleared for sea.
13. This was no impediment then connected with the working of the department? No. The brig "Freak" duly cleared at the Customs on the 13th August, and hauled off the wharf on the morning of the 16th, and at 9 a.m., when preparing to get under-way, a Customs boat went alongside and a Mr. Berney, in plain clothes, went on deck, armed.
14. Who? Mr. Berney.
15. What is he? Assistant landing-waiter.
16. *By Mr. Campbell:* He is fifth landing-waiter? He is, and the Collector's son-in-law. The boat's crew went on deck, armed with pistols and cutlasses, and began breaking out the cargo.
17. *By the Chairman:* I beg your pardon—were you there? I was on board afterwards.
18. *By Mr. Weekes:* This is what you saw? Yes. I saw them breaking out the cargo, and I saw the pistols and the cutlasses lying on the skylight.
19. *By the Chairman:* Was there anything said to you previously? Nothing whatever.
20. No statement made to you, and no request? None whatever. The captain hailed me, and asked me to come aboard.
21. This was done without any complaint, or any fault in any way was stated to you? None stated to me, nor do I believe there was any made to the captain. The captain asked Mr. Berney what he required, and the answer was, that he had orders to search the ship, and that she could not proceed to sea until he had done so. Mr. Berney then ordered the pilot to take the vessel back to the wharf, which was done by the Customs boat's crew—the captain having given up all charge to the Customs people. I must state, that from the time of going on board first I went up to the Customs to try and see the Collector, to see what reason he had for the manner in which he was acting towards the vessel, but I could not find him. I then went to my solicitor, and instructed him to inform the Collector that I should hold him responsible for damage, at the rate of £100 per day, and for other damages which might arise from such detention. When I got back I told the captain that as they seemed to have taken all power out of his hands he had better write to the officer saying that he considered the vessel under his charge, and leave her to them. They ordered the pilot to take her back to the wharf, where she was made fast, and they broke out part of the goods and put them into my store.
22. *By Mr. Weekes:* All this was done by the Customs people? Yes.
23. The moving of the ship, I mean? Yes; they ordered the pilot to move the ship back.
24. *By the Chairman:* And the goods also? Yes. Mr. Berney wanted me—in fact he said to me on the wharf, "You had better give us all the facilities you can, and I will make it easier for you afterwards." I said, "My good fellow, you have got the ship entirely under your own control—you have got every convenience—I have placed a store at your disposal—you must do what you like with the vessel. If it is my people you want," I said, "you will certainly not have them." Whilst the boat's crew were discharging a portion of the tobacco into my store, the Collector paid a visit on board, but said nothing to me regarding the seizure or detention of the vessel. In the afternoon the tobacco was returned to the vessel, and the clearance left with a clerk in my office. On the 17th, at ten a.m., the clerk returned the clearance to the Collector, and at 1 p.m. the clearance was tendered

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tendered to the captain by a tide-surveyor, and declined, (I was by when it was tendered to the captain), unless I received a note from the Collector stating that the vessel was all correct, and at liberty to proceed to sea. In the afternoon I received, through my solicitor, the clearance, and a note from the Collector, stating that the vessel was found to be correct, and was at liberty to proceed to sea. With regard to that note from my solicitor, I may mention that he made it a condition that I should stop proceedings against the Customs, and I took it up to my solicitor. He did it in this way,—that the officer tendering the clearance should say that I said if I got this note from the Collector I would stop any proceeding with regard to the vessel. I did not state that; I said I had no wish to be at variance with the Customs, and that if they would enclose the clearance in a note, stating that the vessel had been found to be correct, I would allow the captain to accept the clearance. When I received this note from the Collector, through my solicitor, I took it back to him, saying that I would not accept the clearance on these conditions. My solicitor's advice to me was, that as I had not stated such a thing it would be of no effect; therefore I accepted it. On the 18th (that is after this had occurred) at 6 a.m., hove the vessel off the wharf, and at 9 a.m. the Collector, with Mr. Berney, went on board, and again detained the vessel until she was again searched—at least they pretended to search her. They never, in fact, searched her at all, properly. There were five tierces of tobacco, which were never seen, in the vessel—which they never did see. That was the reason I would not allow her to proceed to sea until I had his note stating that she was all correct. He ordered the pilot not to remove her until he had further orders.

25. Was that after she had been taken away from the wharf? That is the second time, after she was off the wharf. When the Collector came on shore—that is, after detaining her the second time—he informed me that he had received further information at nine o'clock last night, and that he must detain the vessel—again detain the vessel. After consulting with his officers for some time, and going on board and sampling the tobacco, the Collector finally left the vessel.

26. Did you say "sampling" the tobacco? Yes.

27. Then he must have seen the tobacco? He took up one, and sampled it according to representations which I will make to you directly. He finally left the vessel, and when in the boat he told the captain that he might now go and do what he pleased.

28. That was the Collector? Yes. That was about afternoon.

29. Thereby releasing her, I presume? Yes; but it was done in such a way.

30. But I presume it was understood that he had no further ground for detaining her? It was not stated in that way. After detaining the vessel the second time, the Collector told me that it was the tobacco on which the suspicion rested; and I replied that it appeared to me a very foolish affair, as his (Customs) locker at Pollard's would testify that the quality of the tobacco was such that it could not be worth smuggling; and further, that his son-in-law had acted in a most insulting manner; and was going on to explain in reference to his conduct, when I was stopped short by the Collector, stating that he had his authority for all that he had done. This of course precluded me from again seeking redress from the Collector; but he stated to my agent, Mr. Metcalf, that he thought I was entitled to the name of the informer, although he would not give it me without that person's authority. I believe that is all in reference to that matter.

31. That is all with reference to it? Yes.

32. Then what you have stated to the Committee is the substance of what you conceive was an impediment in your way in reference to that particular vessel? Yes.

33. *By Mr. Weekes:* Did you ever ascertain from the Collector, or any other officer of the Customs, what was their object in detaining the vessel, or upon what grounds they proceeded? No. They would give me no grounds of procedure. That was where I consider I was badly used. I knew the information was malicious, and I considered that I had a right, by British law, to have the name of the informer given up to me, so that I might prosecute him.

34. There was no allegation then that the cargo did not correspond with the clearance? None whatever.

35. Or something to justify their interference? No.

36. No explanation at all? None whatever, further than the Collector stating that he had "received further information at nine o'clock last night."

37. Without saying what? Without saying what.

38. *By Mr. Campbell:* You are aware that the authority under which Colonel Gibbs rummaged the vessel was under the 5th section of the 13th Victoria, No. 43, and the 40th section of the 9th Victoria, No. 15? I do not object to that. He had a right to rummage the vessel if he had any information; but the manner in which he did rummage it—in not sending a proper officer; and when he found that the information must have been malicious, then his duty afterwards was, I think, to have given me the name of the informer.

39. *By Mr. Weekes:* The "Freak" is your property? I am the resident owner. The captain has a share.

40. Was the cargo your property? Not exclusively.

41. None going on freight? No. She is a vessel in the Island trade, and she took away less dutiable goods the last time than she is in the habit of doing.

42. *By the Chairman:* It is inferior tobacco taken to the islands which none would pay duty for here? No. I could furnish the names of the parties from whom I bought the tobacco.

43. *By Mr. Campbell:* Have you that letter in your possession which the Collector wrote and which he mentions? Those are all the letters—(pointing to the return). Those papers are arranged so as to mislead parties.

44. *By Mr. Weekes:* You have in your hand, Captain Smith, a return moved for by Mr. Williamson, and ordered by the House to be printed, on the 16th September, containing certain correspondence between your solicitors and Colonel Gibbs? Yes.

45. Are those letters as printed in the order in which they were sent? No.

46. Will you state how they should run? The first one is right; but I may mention that it is stated here that the vessel was not seized. Now, if taking possession by an armed force is not seizing I do not know what is. The letter dated the 16th August is No. 1. The letter dated the 17th August, on page 3 of the Return, should be No. 2. The letter dated the 17th August, on page 2—that of Messrs. Spain and Young—should be No. 3, and the one dated 17th August, half-past one, should be No. 4—to which last letter the note of Colonel Gibbes, at the end of the Return, dated the 1st of September, 1858, refers.

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47. Is this occurrence which you describe as having happened to the "Freak" a usual occurrence in the port of Sydney? It is a very unusual occurrence.

48. *By the Chairman*: And after the Collector left the vessel, and said, "You can do as you like," was there any further proceedings before proceeding to sea? No.

49. *By Mr. Campbell*: Did you ever hear of a vessel being rummaged in the harbour before? I do not recollect where she discharged her cargo again. This tobacco was stowed on the top ground tier.

50. Did you ever hear of the Customs Department rummaging a vessel before as they rummaged the "Freak"? No.

51. *By Mr. Weekes*: How long was the vessel detained in consequence? Three days.

52. What particular circumstance is it that you complain of in this transaction? I complain in not having the name of the informer given up to me.

53. That is the principal ground of complaint? That is the principal ground of complaint.

54. Do you complain of the way in which the search was made—that there was any unnecessary? I complain of the insulting manner in which the officer executed his duty—insulting me in the execution of it—and the detention of the vessel. Had the proper tide-surveyor come round and told me that there was something the matter with the tobacco, I could have shown it to him in one hour, and we could have proceeded to sea; and two days afterwards the Collector telling me it was only the tobacco, I considered that it was not my duty to put myself forward to convince him that it was right, but let him come and find it out himself. These five tierces of tobacco they did not see. I could have shown them in ten minutes, by taking a plank or two out of the fore-castle bulkhead.

55. You do not complain of the proceeding as an illegal one? Certainly not.

56. But of the mode in which it was carried out? Just so.

57. As giving more inconvenience than was necessary? Than was necessary.

58. And therefore causing loss to you? Yes. I may mention my reason. I considered that being here, and owning ships, sometimes 12 or 14 of them at a time, either wholly or in conjunction with respectable firms, it was due to me to let me know what was wrong with my vessel. The collector stating that the officer had his authority for all that he had done, stopped me from applying for the information; but you see I sent my agent to see if the information could not be given, and the answer was that he thought I was entitled to it, but he would not give it me.

59. Are you aware whether it is customary at home to give up the name of the informer? Where the information is malicious.

60. Do you know that to be the case? I know it. I will tell you how it is arrived at: it is held in an open court.

61. *By the Chairman*: The inquiry? Yes. If this had occurred in London—this being on Monday morning—I had only to write a note to one of the Commissioners of the Customs, who sits on a Tuesday in open court in the Custom House. I could have had up the officers and examined them; I could have had the Collector there too, and have put what questions I pleased. He would not have given me the name of the informer, but I could have gathered whether the information was malicious or not; and if circumstances appeared to make it malicious, I could have asked the Commissioner to have given me the name of the informer, and I believe he would have considered himself bound to do so.

62. If the result of the inquiry showed that it was a malicious information? Yes.

63. *By Mr. Weekes*: Did you apply to the Customs for the name of the informer? No, I did not apply.

64. Did you or your agent apply? I cannot say. I considered what had passed between me and the Collector precluded me from having anything more to say to him.

65. I understood that one of the grounds of your complaint was, that they would not give up the name of the informer? Yes.

66. But now you say you did not apply for it? I did not apply for it. I considered it was just to me to have it without the application. I applied for it indirectly, but not directly. I found out what the Collector's sentiments were on the matter, and I would not risk a refusal from him. You understand that after what had passed between him and me I would not again place myself in a position to receive a refusal from him.

67. *By the Chairman*: You had determined not to place yourself in communication with him any further upon the subject? Yes.

68. *By Mr. Weekes*: Then the refusal of the Customs to give up the name of the informer is rather an inference or supposition than a fact? I may state that I mentioned the circumstance to a Member of the Legislature, who applied for that information, and it was not given through the House; that information has been refused through the House.

69. *By the Chairman*: I do not think it was asked for, the name of the informer? If we got the information it would lead to the informer.

70. *By Mr. Weekes*: Are you aware whether these informations to the Customs are made upon oath? They are made in various ways. I believe the Collector can take it upon oath if he chooses. I believe in this instance it was so stated that the informer offered either to make an affidavit or to face me—so I was informed by Mr. Metcalf, my agent.

71. *By the Chairman*: Have you any other suggestions to make in reference to the Customs Department? It is my opinion that the Customs require entirely remodelling, and that half the officers are unfit to fulfil their duties.

Mr.

Mr. Christopher Clanchy called in and examined :—

C. Clanchy,
Esq.

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1. *By the Chairman* : You are attached to the Customs Department? Yes.
2. What office do you hold? That of a tide-waiter.
3. How long have you held that office? Since 1850. I was put on the list of tide-waiters in 1852.
4. Is there a greater number of tide-waiters now than there was at that period? Double the quantity; I may say three times the number.
5. How many were there when you first joined? I think there might be about eight or ten.
6. And how many are there now? I think there are about thirty.
7. And what are the duties generally performed by these tide-waiters? The duty?—the moment a ship arrives and casts anchor officers are just put on board, and they have to remain until the cargo is discharged.
8. Is there any difference in the manner in which that duty is discharged now and when you first joined? Yes.
9. Will you state in what way? In the first place, in Mr. Bramwell's time—
10. It is Mr. Bramwell's time now; he was there all the while? He was a tide-surveyor then, and he did the duty of three—tide-surveyor and clerk—
11. Then you mean to say that there was only him at that time? At that time.
12. How many are there employed now? There have been three until lately, and one of the clerks who acted in the room of the tide-surveyor has been removed.
13. Who are the tide-surveyors now? Mr. Collier and Mr. Bremer.
14. Is the same course pursued in reference to vessels arriving with dutiable cargoes on board as that which was pursued when you first joined that department? Far from it.
15. Will you state what is the mode of conducting that branch of the business at present, after the arrival of vessels? When a vessel arrived and cast anchor, Mr. Bramwell, as tide-surveyor, sent an officer immediately on board.
16. That was when you first joined? Yes.
17. There was always an officer put on board the moment she cast anchor? Yes.
18. Is that the course now? No.
19. What is the course adopted now? Perhaps two or three days after a vessel casts anchor an officer is placed aboard.
20. *By Mr. Weekes* : Do you mean that as a rule generally? I do not believe it to be a general rule. I believe if the Collector were to know it he would not allow it.
21. But are you speaking of exceptional cases, or as a general rule, that tide-waiters are not put on ships for several days? In many instances they are not. I know of one instance, where I was put aboard a ship myself, that the ship had been at anchor for three days before I was put on board of her. I do not say it is generally the case, but it often occurred.
22. *By the Chairman* : You say you know of one instance where a tide-waiter was not put aboard for three days? I know that in one case the vessel was three days anchored before I was put on board.
23. And whose duty was it to see that there was an officer put on board that particular ship? The tide surveyor's.
24. And what tide surveyor was that? I believe it was Mr. Bremer.
25. *By Mr. Weekes* : Can you account for the negligence which took place on that occasion? I cannot.
26. *By the Chairman* : The rule has been departed from since Mr. Bramwell has been removed as landing waiter? In his time he would scarcely allow a vessel to cast anchor before he placed an officer on board.
27. And did you make any report or statement to any of the principal tide surveyors in reference to this matter? I did.
28. To whom? Mr. Bremer.
29. And were there any steps taken in consequence? No; the matter passed over.
30. There are only two surveyors now? Two now.
31. Are those persons who attend strictly to their duty and are generally in a state fit to carry it out? One of them very much so.
32. Who is that? Mr. Collier.
33. The other, what is his name? Mr. Bremer.
34. And what have you to say in reference to the manner in which Mr. Bremer discharges his duty : what have you ever seen which leads you to believe that the duty is not properly discharged by Mr. Bremer : did you ever hear anything, or do you know of anything yourself which leads you to believe that the duty is not properly discharged by Mr. Bremer : did you ever know of any circumstance taking place in reference to either of them which led you to believe that one of them did not do his duty occasionally, or that something took place which prevented him from doing it? The last ship but one—the "David M'Iver"—had dutiable goods on board, and I was taken off before the ship was discharged. She discharged during four days after I was taken off.
35. She had dutiable goods on board, which she discharged four days after you were removed? I do not say that dutiable goods were discharged, but I say I was taken off four days before the cargo was discharged. Four days, I am almost certain.
36. Did anything take place at all in connection with that vessel and the tide-surveyor? Nothing particular.
37. Do you know of any accident that happened to any one connected with the Customs in the discharge of his duty. Was he on board (Mr. Bremer) while you were there? Yes.
38. Did you notice anything taking place—did anything happen which attracted your attention? The captain induced him to take me off.
39. That is not the question. Did you notice anything in his conduct or manner? Nothing particular.

40. And you did not know of anything happening to him at all? I heard that formerly— C. Clanchy, Esq.
not on the present ship—
41. Will you tell us anything that you know of your own knowledge in reference to the officer you now speak of, and the mode and manner of his discharging his duty? I cannot 9 Nov., 1858.
recollect anything particular for the last three, four, or five years. He had leave of absence and went home.
42. I do not want to know about his leave of absence, but in reference to the manner in which he discharges his duty—anything within your own knowledge? He generally comes sober in the morning.
43. What about the remainder of the day—are you in the habit of seeing him in the remaining part of the day? Perhaps twice or three times he may come on board to sign my book: every visit they sign; the tide surveyors put their initials in the books.
44. And you do not recollect any accident happening to any officer in the discharge of his duty? I recollect, previous to his going to England, that he got his leg dislocated.
45. Are the Customs officers in the habit of purchasing anything on board the ships where they have duty to perform—or are they prohibited by the regulations? I believe they would not be allowed to purchase anything.
46. Have you ever known them to purchase anything, or to receive anything as presents? I have.
47. Who has ever received any presents, to your knowledge, or purchased anything? I have seen, on the last ship—the David M'Iver—a barrel of flour. I saw it given to Mr. Bremer, and put over the side into the Customs boat, and put into the office at the Custom House.
48. You do not know whether he purchased it, or whether it was given to him as a present? No.
49. *By Mr. Weekes*: Did you ever see anything else put over the side at any time? No, nothing else, except by order of the surveyor, who would not allow it.
50. *By the Chairman*: But have you seen anything else—of what kind was it, and to whom? I never saw any presents further than that cask of flour.
51. *By Mr. Donaldson*: Do you sleep on board these ships? We are obliged.
52. What time do you go to bed, generally? At any hour we think proper after the hatches go down.
53. What time do you get up, generally? Five o'clock, generally.
54. Now, from the time you go to sleep to the time you get up, do you know anything that goes on in the ship as to putting things over the side, or anything of that sort? I have not seen anything.
55. But have you the means of knowing what goes over the ship's side during that time? As you ask me that question I believe I can tell you, as one that I recollect, of a circumstance that occurred on board a foreign ship, where a collier—a coal ship—anchored within a short distance of us.
56. *By Mr. Weekes*: What is the name of the ship? I cannot tell without reference to my books. The collier anchored nigh her, and the captain of the collier sent on board to speak to the foreign captain. This ship I happened to board three days after. I had not seen it, but having been told by a young lad that I knew, and could place the greatest reliance in that his information was correct—I do not know whether it was ten or fifteen hogsheads of brandy were taken out of this foreign ship and put into this collier; I intimated this to Mr. Bremer, and told him I would bring him proof of it, but he passed the matter over.
57. Were you on board? Yes, after.
58. *By Mr. Donaldson*: Do you know this of your own knowledge? No.
59. I come back to my former question. You say you sleep on board these ships: now, I ask you, from the time you lie down to the time of your getting up, have you any knowledge—do you know anything of what goes on aboard these ships? I have never seen any.
60. No, but could you know anything, or do you know anything? No; I never detected it.
61. But I am asking you if you could detect it; you state that the hatches are battened down, but is it not constantly the case that communication exists by a door, or trap, or hatch—is there not generally a means of access from the deck without going through the hatches? In some ships there is, but not in many.
62. But in those where that means of access exists you know nothing about the moving of packages, such as single cases of gin, or cigars, or flour? No.
63. Was that the ship to which you alluded in your previous evidence when you said that there was no officer on board for two or three days, and that you had heard, upon good authority, that some casks were sent aboard the collier? Yes.
64. And you reported that circumstance? Yes.
65. And there was no notice taken of it? No.

ADDENDUM.

I beg to add in addition, that when I was put on board the "Clarence Packet," bound for New Caledonia, on the 10th instant, two days previous to my being placed on board dutiable goods were put on board the said brig, and such goods might and could have been made away with previous to my being sent on board the brig.

SEPARATE APPENDIX.

(A.)

A RETURN of the Extra Tide-waiters employed in the Customs Department, with the Date of Appointment and Rate per Day when employed.

NAME OF TIDE-WAITER.	DATE OF APPOINTMENT.	RATE PER DAY.
Robert Cragy	1st June, 1853	10s. 6d. per day.
Frederick Field	22nd August, 1853	
Peter Smithwick	4th January, 1854	
Charles Lockyer	5th March, 1854	
Christopher Clanchy	13th November, 1854	
Alcide Bernon	11th December, 1854	
Joseph King	5th February, 1854	
Loftus Dickinson	15th January, 1856	
Charles Kelly	18th January, 1856	
Henry Moore	2nd February, 1856	
Frederick Darling	5th October, 1856	
Robert Donelan	28th October, 1856	
George Lewis	2nd January, 1857	
Nehemiah Rundle	2nd January, 1857	
Charles Smith	2nd March, 1857	
Philip Henry	3rd March, 1857	
Richard Douglas	21st March, 1857	
Carden Williams	20th August, 1857	
George Robinson	1st May, 1857	
Daniel Toole	20th July, 1857	
John Lawson	9th October, 1857	
Charles Toogood	27th October, 1857	
Claudius Wright	28th October, 1857	
Joseph C. Ross	11st March, 1858	
William Heard	17th May, 1858	
George Kempe	18th May, 1858	
William Bushby	10th February, 1858	

The average pay of extra Tide-waiters employed during the 12 months commencing 1st November, 1857, and ending 31st October, 1858, was each £105 10s.

11 November, 1858.

J. GIBBES,
Collector of Customs.

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(MESSRS. CATTLEY AND CROUCH, ON BEHALF OF THE ALLIANCE FOR THE
SUPPRESSION OF INTEMPERANCE.)

Ordered by the Legislative Assembly to be Printed, 1 June, 1858.

To the Honorable the Members of the Legislative Assembly, in Parliament assembled.

The Petition of the undersigned, on behalf of the Committee and Members of the New South Wales Alliance for the Suppression of Intemperance, and for the moral, social, and intellectual elevation of the people,—

HUMBLY SHEWETH :—

That we are deeply impressed by the conviction, that the opening of Public Houses on any part of the Lord's Day promotes the demoralization of the people, whilst it allures many persons from the public worship of Almighty God, and the discharge of important religious duties.

That the Lord's Day being with a majority of persons their only day of leisure, is that on which they are peculiarly exposed to temptations, and it is therefore highly inexpedient to increase the force of these temptations by any change in the law.

That the statistics of crime clearly prove that the sale of intoxicating drinks on the Lord's Day is a prolific source of immorality.

That the recent closing of Public Houses in Scotland on the Sabbath Day has been followed by a considerable diminution of the number of committals for offences of all kinds.

Your Petitioners, therefore, humbly pray your Honorable House not to assent to any measure which will give to publicans the privilege of opening their houses for the sale of intoxicating liquors on Sunday evenings.

And your Petitioners, as in duty bound, will ever pray.

J. G. CATTLEY,
G. J. CROUCH,
Secretaries.

Signed on behalf of the Committee and Members (in number seven hundred) of the Alliance for the Suppression of Intemperance.

— *Journal of the American Medical Association*

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

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$\mathcal{H}^1(\mathbb{R}^n) \cap \mathcal{H}^1(\mathbb{R}^n) = \mathcal{H}^1(\mathbb{R}^n)$ and $\mathcal{H}^1(\mathbb{R}^n) \cap \mathcal{H}^1(\mathbb{R}^n) = \mathcal{H}^1(\mathbb{R}^n)$.

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$$S_{\text{eff}} = \int d^4x \sqrt{-g} \left[\frac{1}{2} R - \frac{1}{2} (\partial_\mu \phi)^2 - V(\phi) - \frac{1}{4} F_{\mu\nu} F^{\mu\nu} - \frac{1}{2} \bar{\psi} \gamma^\mu \partial_\mu \psi - \bar{\psi} \psi \right]$$

DOI: 10.1002/chem.200500000

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthal and Whistler (1973).

100 100 100

Figure 1

[illegible]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(YOUNG MEN'S CHRISTIAN ASSOCIATION.)

Ordered by the Legislative Assembly to be Printed, 8 June, 1858.

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

The Petition of the undersigned Members and Subscribers of the Young Men's Christian Association of Sydney,—

HUMBLY SHEWETH:—

That having viewed with deep concern a clause in a Bill now before your Honorable House, intituled, "*A Bill to amend and consolidate the Laws relating to the licensing of Public Houses and the sale of fermented and spirituous Liquors*," we find that the forty-fifth clause of this Bill provides for the opening of Public Houses on the afternoon and evening of the Sabbath Day; we would, therefore, respectfully urge upon the attention of your Honorable House the injury that is likely to be done to the morality of this city if such provision be carried out.

We would further plead, that as we believe that Christianity exalteth a people, so we think that desecrating the day commemorative of a risen Saviour, by the sale of liquors, cannot but bring evil consequences upon us as a community; and we think that if Public Houses are opened on the Sabbath, many young men will be found in them instead of attending Places of Worship, and thus the Christianity that as a nation we love will be despised.

We would, therefore, pray your Honorable House, alike for the sake of decency, morality, and Christianity, to so alter or modify the forty-fifth clause of this Bill, that no spirituous liquors may be sold on the Sabbath Day, and especially between the hours of eight and ten on the evening of that day.

And your Petitioners will ever pray.

[*Here follow 35 Signatures.*]

1858.

Legislative Assembly.
NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(SOCIETY FOR PROMOTING THE DUE OBSERVANCE OF THE LORD'S DAY.)

Ordered by the Legislative Assembly to be Printed, 9 June, 1858.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the undersigned Members of Committee of the Society for promoting the observance of the Lord's Day,—

HUMBLY SHEWETH:—

(1.) That your Petitioners are the representatives of a Society consisting of a large number of persons in the Colony whose earnest desire it is to advance the religious and moral interests of the community, by promoting the observance of the Lord's Day.

(2.) That they have already been the means of forwarding to your Honorable House several Petitions with reference to this important subject, one of which was signed by upwards of 5,600 persons.

(3.) That they have learnt with the deepest alarm that a Bill has been brought before your Honorable House providing for the opening of Public Houses on the Lord's Day.

(4.) That they deeply regret to observe that not only is such provision therein made, but also permission is given to open the Public Houses on the Sunday evening, thereby affording additional facilities for the desecration of the Holy Sabbath beyond those hitherto possessed.

(5.) That the evils which will certainly result from such a permission being given, appear to your Petitioners to be of so grave and serious a nature as to justify their humbly approaching your Honorable House to implore protection from so grievous a calamity.

(6.) Your Petitioners therefore pray that your Honorable House will be pleased to withhold your sanction from any clause which will have so sad an effect upon the morals and religion of the community.

And your Petitioners will ever pray.

[Here follow 21 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(S. CALLAGHAN, AS CHAIRMAN OF THE CHRISTIAN TOTAL ABSTINENCE SOCIETY.)

Ordered by the Legislative Assembly to be Printed, 22 June, 1858.

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

The humble Petition of the Christian Total Abstinence Society,—

SHEWETH :—

(1.) That your Petitioners have learned that a Bill has been recently introduced into your Honorable House, intituled, "*A Bill to amend and consolidate the Laws relating to the licensing of Public Houses, and the sale of fermented and spirituous Liquors.*"

(2.) That your Petitioners find, that in addition to the hours already authorised for the opening of Public Houses on the Sunday, it is proposed to embody in the Bill a provision for opening those houses also from 8 o'clock to 10 o'clock on the Sunday evening, thereby materially interfering with attendance on Divine Worship, and the peace and good order of that day.

(3.) That your Petitioners further find, that it is proposed to open the Public Houses, on the week days from 4 o'clock a.m., till 12 o'clock p.m., instead of, as at present, from 6 o'clock a.m., to 10 o'clock p.m., thus affording increased inducements to intemperance.

(4.) That your Petitioners regard those provisions as fraught with incalculable mischief to the moral interests of the whole country.

(5.) That your Petitioners regard drunkenness as the bane of the Colony, and as the parent of almost every form of crime; and they consider that the Bill before your Honorable House will greatly increase an evil which is already alarmingly prevalent in the community.

(6.) That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which would arise from its desecration; and that they earnestly deprecate the increased violation of that day, and the abounding licentiousness and evil which they cannot but fear will result from the passing of the Bill containing the provisions above referred to.

(7.) That your Petitioners are aware that in the Colonies of Victoria and Tasmania, and in two of the Provinces of New Zealand, the Public Houses are wholly closed upon the Sunday; and that this arrangement gives entire satisfaction to the respectable and orderly inhabitants of those Colonies.

(8.) That your Petitioners believe that the entire closing of all Public Houses on the Lord's Day would confer an inestimable boon to the community.

Your Petitioners therefore humbly pray your Honorable House to take the foregoing premises into your serious consideration. And, as in duty bound, will ever pray, &c.

Signed, on behalf of the Society,

SAML. CALLAGHAN,

Chairman.

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1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(PETITION FROM COMMITTEE OF TEMPERANCE ALLIANCE.)

Ordered by the Legislative Assembly to be Printed, 23 July, 1858.

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

The humble Petition of the Committee of the New South Wales Alliance for the suppression of Intemperance, and for the social, moral, and intellectual elevation of the people,—

SHewETH:—

That your Petitioners are strongly persuaded of the many evils which arise to every community, and particularly to this Colony, from the sin of intemperance, and especially, from its prevalence on the Lord's Day.

That your Petitioners, convinced that the opening of the Public Houses for the sale of intoxicating drinks on any part of that day is at variance with its sacred character, unnecessary, and productive of much evil, are earnestly desirous of obtaining such alteration in the existing law regarding Public Houses as may effectually prohibit their sale on that day.

That your Petitioners are aware that in the Colonies of Victoria and Tasmania, and in two Provinces of New Zealand, the Public Houses are wholly closed upon the Sunday, and that this arrangement gives entire satisfaction to the respectable and orderly inhabitants of those Colonies.

That your Petitioners have observed that a Bill, intituled, "*A Bill to amend the Publicans' Licensing Act,*" is now before your Honorable House.

That they are of opinion that a clause might be introduced into the said Bill enacting that all Public Houses be closed during the whole of the Lord's Day.

Your Petitioners therefore pray that your Honorable House will introduce such a clause as shall entirely prohibit the sale of intoxicating drinks on the Sunday.

And your Petitioners, as in duty bound, will ever pray.

[*Here follow 16 Signatures.*]

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

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1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(WHOLESALE WINE AND SPIRIT MERCHANTS, SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 2 June, 1858.

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

The humble Petition of the undersigned, Wholesale Wine and Spirit Merchants, of Sydney.

We, the undersigned, humbly petition against the passing of the fifth clause, Schedule A in the Bill now before your Honorable House, entitled, "A Bill to amend and consolidate the laws relating to the Licensing of Public Houses, and the sale of fermented and spirituous Liquors."

The clause provides for the sale of liquors by Wholesale Wine and Spirit Dealers in quantities not less than five gallons, of any one and the same description of liquors, and that the rate of license is also to be increased to the sum of fifty pounds sterling.

Your Petitioners most humbly submit, that the clause is quite opposed to the existing laws of England; the law there provides for the sale of liquors in quantities of two gallons or more, as at present in force here. The effect of the passing of this clause would be, that no private family either in town or country could purchase from the wholesale dealer a case or cask of either wines, spirits, or fermented liquors, containing a less quantity than five gallons, equal to nearly three dozen—and thus force the private trade on to the publican, which your Petitioners submit would be highly objectionable to private parties, and at the same time would entail a serious injury and loss of trade to your Petitioners, who are now duly licensed and subject to the same amount of license as paid by the publican.

Your Petitioners, therefore, humbly pray that the law at present in force with respect to Wholesale Wine and Spirit Dealers may not be altered.

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

[Here follow 34 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(CERTAIN INHABITANTS OF SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 8 June, 1858.

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

The humble Petition of the undersigned, Ministers of Religion, Magistrates, and other Inhabitants of the City of Sydney, and its suburbs, in Public Meeting assembled,—

SHewETH :—

(1.) That your Petitioners have learned that a Bill has been recently introduced into your Honorable House, intituled, "*A Bill to amend and consolidate the Laws relating to the licensing of Public Houses, and the sale of fermented and spirituous Liquors.*"

(2.) That your Petitioners find that in addition to the hours already authorised for the opening of Public Houses on the Sunday, it is proposed to embody in the Bill a provision for opening those houses also from 8 to 10 o'clock on the Sunday evening, thereby materially interfering with Divine Worship, and the peace and good order of that day.

(3.) That your Petitioners further find that it is proposed to open the Public Houses on the week days from 4 o'clock a.m., till 12 o'clock p.m., instead of, as at present, from 6 o'clock a.m., to 10 o'clock p.m., thus affording increased inducements to intemperance.

(4.) That your Petitioners regard those provisions as fraught with incalculable mischief to the moral interests of the whole country.

(5.) That your Petitioners regard drunkenness as the bane of the Colony, and as the parent of almost every form of crime, and they consider that the Bill before the Honorable House will greatly increase an evil which is already prevalent alarmingly in the community.

(6.) That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which arise from its desecration; and that they earnestly deprecate the increased violation of that day, and the abounding licentiousness and riot which they cannot but fear will result from the passing of the Bill containing the provisions above referred to.

(7.) That your Petitioners are aware that in the Colonies of Victoria and Tasmania, and in two of the Provinces of New Zealand, the Public Houses are wholly closed upon the Sunday, and that this arrangement gives entire satisfaction to the respectable and orderly inhabitants of those Colonies.

(8.) That with these views, and upon these grounds, your Petitioners pray that your Honorable House will so modify the 45th clause of the Bill as that Public Houses shall not be open more hours than at present, either during the week or on the Sunday.

And your Petitioners will ever pray.

Signed on behalf of the meeting,

THOMAS HOLT,

Chairman.

June 3, 1858.

1858.

Legislative Assembly.
NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(CHAMBER OF COMMERCE, SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 8 June, 1858.

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

The humble Petition of the Members of the Sydney Chamber of Commerce,—

SHEWETH :—

That your Petitioners have taken into consideration a Bill which is now before your Honorable House, intituled, "*A Bill to amend and consolidate the Laws relating to the licensing of Public Houses, and the sale of fermented and spirituous Liquors.*"

That the said Bill, although purporting to be a Publicans' Licensing Bill, and providing only for the repeal of the Acts of Council 13 Vict., 29, and 17 Vict., 6, (which are specially applicable to that class of traders,) appears, in fact, to assume the entire control over the sale of any fermented or spirituous liquor, inasmuch as by clause 3 it is proposed to enact that "every person who shall sell in any house or place in the Colony any liquors "without a license granted under or in accordance with this Act," shall be liable to certain penalties :—the term "liquors," being previously interpreted as "any fermented or spirituous "liquor, or any mixed liquor partly fermented or partly spirituous."

Notwithstanding the comprehensive nature of the measure, as thus interpreted, the succeeding clause provides that only four descriptions of license, and no others, shall be granted, namely :—(1) The Wholesale Spirit ; (2) The Publican's ; (3) The Packet ; and (4) The Confectioner's Licenses.

According to clause 5, "every Wholesale Spirit License may be granted to any "merchant, storekeeper, or other wholesale vendor, who shall thereby be authorised to sell "all or any liquors provided that not less than five gallons be delivered at any one time, the "whole so delivered being of any one and the same description of liquors."

Clause 24 prescribes that the annual fee for such license shall be Fifty pounds, (that of the other licenses being respectively Thirty pounds, Five pounds, and Three pounds.)

Without pausing to inquire in how far Wholesale Spirit Dealers, registered under the provisions of the Act 13 Vict., 26, who are now liable to an annual registration fee of Thirty pounds, under the 20 Vict., 37, would be affected by the enactment of such a measure as that under review, your Petitioners are of opinion that the clauses to which they have adverted are in themselves highly objectionable, and would, if carried into effect, form an oppressive interference with the free course of trade.

Your Petitioners deem it unnecessary to enter into the merits or bearing of the other clauses, which relate more particularly to the ostensible character of the Bill, but cannot refrain from directing attention,—

- (1) To clause 10, which provides that no license shall be granted (amongst others) to any licensed Auctioneer,—on what grounds, or to what useful end, your Petitioners are at a loss to imagine.
- (2) To clauses 75, 76, and 77, which, viewing the general applicability of the Bill, appear to your Petitioners to contain many elements of annoyance and oppression.

Your Petitioners therefore humbly pray that the Bill now before your Honorable House may not be passed.

Signed, by order of a General Meeting, for and on behalf of
the Members of the Sydney Chamber of Commerce,

JOSEPH S. WILLIS, Chairman.

1858.

Legislative Assembly.
NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(MERCHANTS, &c, SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 8 June, 1858.

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

The humble Petition of the undersigned Merchants and Traders of the City of Sydney, and others,—

SHEWETH :—

That your Petitioners have taken into consideration a Bill which is now before your Honorable House, intituled, "*A Bill to amend and consolidate the Laws relating to the licensing of Public Houses, and the sale of fermented and spirituous Liquors.*"

That the said Bill, although purporting to be a Publicans' Licensing Bill, and providing only for the repeal of the Acts of Council 13 Vict., 29, and 17 Vict., 6, (which are specially applicable to that class of traders,) appears, in fact, to assume the entire control over the sale of any fermented or spirituous liquor, inasmuch as by clause 3 it is proposed to enact that "every person who shall sell in any house or place in the Colony any liquors without a license granted under or in accordance with this Act," shall be liable to certain penalties:—the term "liquors," being previously interpreted as "any fermented or spirituous liquor, or any mixed liquor partly fermented or partly spirituous."

Notwithstanding the comprehensive nature of the measure, as thus interpreted, the succeeding clause provides that only four descriptions of license, and no others, shall be granted, namely:—(1) The Wholesale Spirit; (2) The Publican's; (3) The Packet; and (4) The Confectioner's Licenses.

According to clause 5, "every Wholesale Spirit License may be granted to any merchant, storekeeper, or other wholesale vendor, who shall thereby be authorised to sell all or any liquors provided that not less than five gallons be delivered at any one time, the whole so delivered being of any one and the same description of liquors."

Clause 24 prescribes that the annual fee for such license shall be Fifty pounds, (that of the other licenses being respectively Thirty pounds, Five pounds, and Three pounds.)

Without pausing to inquire in how far Wholesale Spirit Dealers, registered under the provisions of the Act 13 Vict., 26, who are now liable to an annual registration fee of Thirty pounds, under the 20 Vict., 37, would be affected by the enactment of such a measure as that under review, your Petitioners are of opinion that the clauses to which they have adverted are in themselves highly objectionable, and would, if carried into effect, form an oppressive interference with the free course of trade.

Your Petitioners deem it unnecessary to enter into the merits or bearing of the other clauses, which relate more particularly to the ostensible character of the Bill, but cannot refrain from directing attention,—

- (1) To clause 10, which provides that no license shall be granted (amongst others) to any licensed Auctioneer,—on what grounds, or to what useful end, your Petitioners are at a loss to imagine.
- (2) To clauses 75, 76, and 77, which, viewing the general applicability of the Bill, appear to your Petitioners to contain many elements of annoyance and oppression.

Your Petitioners therefore humbly pray that the Bill now before your Honorable House may not be passed.

[Here follow 146 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(MINISTERS OF RELIGION AND OTHERS RESIDENT IN SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 20 July, 1858.

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

The humble Petition of Ministers of Religion, Magistrates, and other Inhabitants of the City of Sydney and its Suburbs, in Public Meeting assembled, July 14th, 1858,—

SHEWETH :—

1. That your Petitioners have learned that a Bill has been recently introduced into your Honorable House intituled, "*A Bill to amend the Publicans' Licensing Act.*"

2. That, in the opinion of this Meeting, the closing of Public Houses entirely on the Sunday would tend greatly to promote the good order and peace of society on that day.

3. That your Petitioners regard drunkenness as the bane of the Colony, and as the parent of almost every form of crime ; and they consider that the Bill before your Honorable House would tend greatly to check the evil if it provided for such closing of the Public Houses on the Lord's Day.

4. That your Petitioners are desirous that this community should fully enjoy the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, but which benefits cannot be fully realized so long as the Public Houses are allowed to be opened on that day.

5. That your Petitioners are aware that in the Colonies of Victoria and Tasmania, and in two of the Provinces of New Zealand, the Public Houses are wholly closed upon the Sunday, and that this arrangement gives entire satisfaction to the respectable and orderly inhabitants of those Colonies.

6. That, with these views and upon these grounds, your Petitioners pray that your Honorable House will introduce a clause into the Bill disallowing altogether the opening of the Public Houses on the Lord's Day.

And your Petitioners will ever pray.

Signed, on behalf of the Meeting,

J. R. HOULDING,
Chairman.

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(MINISTER AND OFFICERS OF PRESBYTERIAN CHURCH, PITT STREET, SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 11 June, 1858.

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

The Petition of the Minister, Elders, and Deacons of the Presbyterian Church,
Pitt-street South, Sydney,—

RESPECTFULLY SHEWETH:—

That your Petitioners have learnt that a Bill has been introduced in your Honorable House making legal provision for opening Public Houses on Sabbath Days from one till three o'clock in the afternoon, and from eight till ten o'clock in the evening, and on week days from four o'clock a.m. till twelve o'clock p.m.; and they regard such a provision as directly calculated to increase drunkenness, and to promote vice and immorality throughout the whole Colony.

Your Petitioners think that none but the intemperate and abandoned can desire to have Public Houses opened on the Sabbath Days, and before six o'clock in the morning and after ten at night on week days.

Your Petitioners submit, respectfully, that as God Almighty has commanded us "to remember the Sabbath Day to keep it holy," it is not competent for the Members of any Legislature to sanction, by a legal enactment, the desecration of the Sabbath.

That the history of the world shews that national sins are followed by national judgments, and that the desecration of the Sabbath has in every country been productive of licentiousness and crime.

Your Petitioners humbly pray, therefore, that your Honorable House will not sanction any measure in contravention of the known commands of Almighty God,—that you will protect the Publicans and the rest of the community in the enjoyment of the privileges of the Sabbath,—and discourage everything calculated to promote intemperance, vice, and immorality.

And your Petitioners will ever pray.

[Here follow 7 Signatures.]

Signed at Sydney,
this 5th day of June, 1858.

1858.

Legislative Assembly.
NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.
(MINISTERS AND OFFICERS OF THE SCOTS CHURCH, SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 11 June, 1858.

To the Honorable the Legislative Assembly of New South Wales.

The Petition of the undersigned Ministers, Elders, and Members of the congregation of the Scots Church, Sydney,—

HUMBLY SHEWETH :—

That your Petitioners have learned with sincere regret that in a Bill now before your Honorable House, called the "Publicans' Licensing Bill," it is proposed to allow Public Houses to be kept open between the hours of eight and ten p.m. on the Christian Sabbath.

That, in the opinion of your Petitioners, there is no conceivable necessity, in so far as the wants of the well disposed portion of the community are concerned, for allowing Public Houses to be open on the Christian Sabbath at all; and that to allow them to be open between the hours of eight and ten of the evening of that day would only be multiplying the temptations to intemperance, with all its accompanying vices, for the worst part of the city population, besides creating in every neighbourhood a serious nuisance and annoyance to the peaceful and orderly inhabitants of the city.

Your Petitioners, therefore, humbly pray that your Honorable House will, if possible, prevent the opening of Public Houses on the Christian Sabbath altogether; but if this cannot be done, that you will not allow them to be opened between the hours of eight and ten in the evening of that day.

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

[Here follow 104 Signatures.]

Sydney, 5 June, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(MINISTER AND CONGREGATION OF THE WESLEYAN CHAPEL, PRINCE STREET.)

Ordered by the Legislative Assembly to be Printed, 15 June, 1858.

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

The Humble Petition of the undersigned Ministers, Leaders, Stewards, and Congregation of the Prince-street Wesleyan Methodist Chapel,—

SHewETH :—

That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which arise from its desecration.

That Your Petitioners, influenced by these considerations, as well as by the Divine Command to "Remember the Sabbath Day to keep it holy," are desirous for the adoption of such measures as may tend to the better observance of the Lord's Day.

That your Petitioners, convinced that the opening of the Public Houses for the sale of liquors on any part of that holy day is at variance with its sacred character, and productive of much evil, are earnestly desirous of obtaining such alterations in existing laws regarding Public Houses as may effectually prohibit all Sunday trading.

That your Petitioners learn, with feelings of deep regret, that a Bill is now before your Honorable House, one clause of which will empower publicans to open their houses for the sale of liquors from the hour of eight till ten o'clock on the Lord's Day evenings, and your Petitioners believe that such an act will be a fruitful source of increased evil, and desecration of that Holy Day.

Your Petitioners therefore pray that your Honorable House will reject this clause from the Bill, and also make such alterations in existing laws relating to this subject as may effectually prohibit Public Houses from being opened for the sale of liquors on any hour of the Sabbath.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 97 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(MINISTER AND CONGREGATION OF THE WESLEYAN CHAPEL, YORK-STREET.)

Ordered by the Legislative Assembly to be Printed, 15 June, 1858.

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

The humble Petition of the undersigned Ministers, Stewards, Leaders, and
Congregation of the York-street Wesleyan Methodist Chapel,—

SHewETH:—

That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which arise from its desecration.

That your Petitioners, influenced by these considerations as well as by the Divine Command to "Remember the Sabbath Day to keep it holy," are anxious for the adoption of such measures as may tend to the better observance of the Lord's Day.

That your Petitioners, convinced that the opening of the Public Houses for sale of liquors on any part of that holy day is at variance with its sacred character, unnecessary, and productive of much evil, are earnestly desirous of obtaining such alterations in existing laws regarding Public Houses as may effectually prohibit all Sunday trading.

That your Petitioners learn with feelings of unmitigated regret that a Bill is now before your Honorable House, one clause of which will empower publicans to open their houses for the sale of liquors from the hours of eight till ten o'clock on the Lord's Day evening, and your Petitioners believe that such an Act will be a fruitful source of much evil, and increased desecration of that holy day.

Your Petitioners, therefore, pray that your Honorable House will be pleased to make such alterations in the law relating to this subject as in your wisdom may be deemed fit.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 223 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(WESLEYAN METHODIST CHURCH, NEWTOWN.)

Ordered by the Legislative Assembly to be Printed, 18 June, 1858.

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

The humble Petition of the Minister, Members, and Congregation of the Wesleyan Methodist Church at Newtown,—

SHWETH :—

That your Petitioners have learned that a Bill has been recently introduced into your Honorable House, intituled, "*A Bill to amend and consolidate the Laws relating to the Licensing of Public Houses, and the sale of fermented and spirituous Liquors.*"

That your Petitioners find, that in addition to the hours already authorised for the opening of Public Houses on the Sunday, it is proposed to embody in the Bill a provision for opening those houses also from 8 to 10 o'clock on the Sunday evening, thereby materially interfering with attendance on Divine Worship, and the peace and good order of that day.

That your Petitioners further find, that it is proposed to open the Public Houses on the week days from 4 o'clock a.m. till 12 o'clock p.m., instead of, as at present, from 6 o'clock a.m. till 10 o'clock p.m., thus affording increased inducements to intemperance.

That your Petitioners regard these provisions as fraught with incalculable mischiefs to the moral interests of the whole country.

That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which arise from its desecration; and that they earnestly deprecate the increased violation of that day, and the abounding licentiousness and riot which they cannot but fear will result from the passing of the Bill containing the provisions above referred to.

That with these views, and upon these grounds, your Petitioners pray that your Honorable House will so modify the 45th clause of the Bill as that Public Houses shall not be open more hours than at present, either during the week or on the Sunday.

And your Petitioners will ever pray.

[Here follow 49 Signatures.]

100

6. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthaler and Sponholz (1980).

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(WESLEYAN METHODISTS OF EAST MAITLAND.)

Ordered by the Legislative Assembly to be Printed, 22 June, 1858.

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

The Petition of the undersigned Members of the Congregation of the Wesleyan Methodist Chapel, and others at East Maitland,—

HUMBLY SHEWETH:—

That your Petitioners are fully persuaded that the Lord's Day is commanded in the Sacred Scriptures to be kept holy, and that the observance of this Sacred Day, as thus commanded, is conducive to the temporal as well as to the spiritual welfare of man.

Your Petitioners, entertaining these views, are grieved to find that in a Bill now before your Honorable House, intituled "*A Bill to amend and consolidate the Laws relating to the Licensing of Public Houses, and the sale of fermented and spirituous Liquors*," a paragraph is inserted in the 45th clause which will permit Public Houses to be opened, and liquors to be sold, on the Sabbath Day between one and three o'clock in the afternoon, and between eight and ten o'clock in the evening.

Of the liberty to open Public Houses on the Lord's Day, except to travellers, granted by the law as it now stands, your Petitioners strongly disapprove; but they view with especial alarm the extension of that liberty as contemplated in the paragraph above quoted, for they are assured that whilst the existing arrangement leads to the desecration of the Lord's Day, and to produce demoralization, the extended liberty would greatly increase these evils.

Your Petitioners therefore pray your Honorable House that the words "and between eight and ten o'clock in the evening," which are inserted in the 45th clause, may not obtain the consent of your Honorable House.

And your Petitioners will ever pray.

[Here follow 96 Signatures.]

E. coli O157:H7 was isolated from ground beef samples collected from retail outlets in the United States.

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1. *Phragmites australis* (Cav.) Trin. ex Steud.

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1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(WAVERLEY METHODIST CONGREGATION.)

Ordered by the Legislative Assembly to be Printed, 8 June, 1858.

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

The humble Petition of the undersigned Ministers, Stewards, Leaders, and
Congregation of the Waverley Methodist Chapel,—

SHEWETH:—

That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which arise from its desecration.

That your Petitioners, influenced by these considerations, as well as by the Divine Command to "Remember the Sabbath Day to keep it holy," are anxious for the adoption of such measures as may tend to the better observance of the Lord's Day.

That your Petitioners, convinced that the opening of the Public Houses for the sale of liquors on any part of that holy day is at variance with its sacred character, unnecessary, and productive of much evil, are earnestly desirous of obtaining such alterations in existing laws regarding Public Houses as may effectually prohibit all Sunday trading.

That your Petitioners have heard with feelings of unmitigated regret that a Bill is now before your Honorable House, one clause of which will empower publicans to open their houses for the sale of liquors from the hours of eight till ten o'clock on the Lord's Day evenings,—and your Petitioners believe that such an Act will be a fruitful source of much evil, and increased desecration of that holy day.

Your Petitioners therefore pray that your Honorable House will be pleased to make such alterations in the law relating to this subject as in your wisdom may be deemed fit.

And your Petitioners, as in duty bound, will every pray.

[Here follow 54 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(SURRY HILLS METHODIST CONGREGATION.)

Ordered by the Legislative Assembly to be Printed, 8 June, 1858.

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

The humble Petition of the undersigned Ministers, Stewards, Leaders, and
Congregation of the Surry Hills Wesleyan Methodist Chapel,—

SHEWETH :—

That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which arise from its desecration.

That your Petitioners, influenced by these considerations, as well as by the Divine Command to "Remember the Sabbath Day to keep it holy," are anxious for the adoption of such measures as may tend to the better observance of the Lord's Day.

That your Petitioners, convinced that the opening of the Public Houses for the sale of liquors on any part of that holy day is at variance with its sacred character, unnecessary, and productive of much evil, are earnestly desirous of obtaining such alterations in existing laws regarding Public Houses as may effectually prohibit all Sunday trading.

That your Petitioners have heard with feelings of unmitigated regret that a Bill is now before your Honorable House, one clause of which will empower publicans to open their houses for the sale of liquors from the hours of eight till ten o'clock on the Lord's Day evenings,—and your Petitioners believe that such an Act will be a fruitful source of much evil, and increased desecration of that holy day.

Your Petitioners, therefore, pray that your Honorable House will be pleased to make such alterations in the law relating to this subject as in your wisdom may be deemed fit.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 167 Signatures.]

1858.

Legislative Assembly.
NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.
(SABBATH SCHOOL TEACHERS, YORK-STREET CHAPEL.)

Ordered by the Legislative Assembly, to be Printed, 15 June, 1858.

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

The humble Petition of the undersigned Sabbath School Teachers, in connexion with the Wesleyan Church, York-street, in the City of Sydney,—

SHEWETH:—

That your Petitioners have learned that a Bill has been recently introduced into your Honorable House, intituled, "*A Bill to amend and consolidate the Laws relating to the Licensing of Public Houses, and the Sale of Fermented and Spirituous Liquors.*"

That your Petitioners find, that in addition to the hours already authorised for the opening of Public Houses on the Sunday, it is proposed to embody in the Bill a provision for opening those houses also from eight till ten o'clock on the Sunday evening, thereby materially interfering with attendance on Divine Worship, and the peace and good order of that day.

That your Petitioners further find, that it is proposed to open the Public Houses on the week days from four o'clock, a. m., till twelve o'clock, p. m., instead of, as at present, from six o'clock, a. m., to ten o'clock, p. m., thus affording increased inducements to intemperance.

That your Petitioners regard these provisions as fraught with incalculable mischiefs to the moral interests of the whole Country, and especially to the youth of this Colony.

That your Petitioners regard drunkenness as the bane of the Colony, and as the parent of almost every form of crime; and they consider that the Bill before your Honorable House will greatly increase an evil which is already alarmingly prevalent in the community.

That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which arise from its desecration; and that they earnestly deprecate the violation of that day, and the abounding licentiousness and riot which they cannot but fear will result from the passing of the Bill containing the provisions above referred to.

That your Petitioners are aware that in the Colonies of Victoria and Tasmania, and in two of the provinces of New Zealand, the Public Houses are wholly closed upon the Sunday, and that this arrangement gives entire satisfaction to the respectable and orderly inhabitants of those Colonies.

That, with these views, and upon these grounds, your Petitioners pray that your Honorable House will so modify the forty-fifth clause of the Bill, as that Public Houses shall not be open more hours than at present during the week, and wholly closed upon the Sunday.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 29 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(RICHMOND AND ITS VICINITY.)

Ordered by the Legislative Assembly to be Printed, 15 June, 1858.

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

The humble Petition of the undersigned Inhabitants of Richmond
and its vicinity,—

HUMBLY SHEWETH:—

1. That your Petitioners have learned that a Bill has been recently introduced into your Honorable House, entitled, "*A Bill to amend and consolidate the Laws relating to the licensing of Public Houses and the sale of fermented and spirituous Liquors.*"

2. That your Petitioners find, that in addition to the hours already authorized for the opening of Public Houses on the Sunday, it is proposed to embody in the Bill a provision for opening those houses also from eight to ten o'clock on the Sunday evening, thereby materially interfering with attendance on Divine Worship, and the peace and good order of that day.

3. That your Petitioners further find, that it is proposed to open the Public Houses on the week-days from four o'clock a.m., till twelve o'clock p.m., instead of, as at present, from six o'clock a.m., to ten p.m., thus affording increased inducements to intemperance.

4. That your Petitioners regard those provisions as fraught with incalculable mischiefs to the moral interests of the whole country.

5. That your Petitioners regard drunkenness as the bane of the Colony, and as the parent of almost every form of crime; and they consider that the Bill before your Honorable House will greatly increase an evil which is already alarmingly prevalent in the community.

6. That your Petitioners are strongly persuaded of the many important benefits, social, moral, and religious, which accrue to every community from the due observance of the Lord's Day, and of the numerous evils which arise from its desecration; and that they earnestly deprecate the increased violation of that day, and the abounding licentiousness and riot which they cannot but fear will result from the passing of the Bill containing the provisions above referred to.

7. That your Petitioners are aware that in the Colonies of Victoria and Tasmania, and in two of the Provinces of New Zealand, the Public Houses are wholly closed upon the Sunday, and that this arrangement gives entire satisfaction to the respectable and orderly inhabitants of those Colonies.

8. That, with these views, and upon these grounds, your Petitioners pray that your Honorable House will so modify the 45th clause of the Bill, as that Public Houses shall not be open more hours than at present, either during the week or on the Sunday.

And your Petitioners will ever pray.

[Here follow 43 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(PETITION FROM HUNTER RIVER VINEYARD ASSOCIATION.)

Ordered by the Legislative Assembly to be Printed, 28 May, 1858.

To the Legislative Assembly of the Colony of New South Wales.

The Petition of the Hunter River Vineyard Association,—

HUMBLY SHEWETH :—

That in the Bill now before your Honorable House, entitled "*A Bill to amend and consolidate the Laws relating to the licensing of Public Houses and the sale of fermented and spirituous Liquors*," it is proposed by clause the third "that this enactment shall not apply to any grower or maker of wine from grapes the produce of the Colony selling the same in any quantity not less than five gallons of one and the same sort of wine at one time." Your Petitioners respectfully submit,—

That this clause, proposing as it does to prevent the sale of Colonial wines in quantities not less than five gallons (instead of two gallons, as heretofore), is an alteration of the existing law which is not called for by expediency, nor justified by necessity; and your Petitioners beg to urge their respectful but earnest remonstrance against its enactment, for the following reasons :—

That it has been admitted by all statesmen in this and the Continental States of Europe, that the consumption of wine, particularly wine produced in the country in which it is consumed, is conducive to sober habits in the mass of the people.

That it will entail a grievance on the consumers of wine, by preventing the purchase of small quantities.

That the quantity proposed being larger, it will not be so portable, nor within the compass of the poor man's means.

That the larger quantity will afford inducement and facility to consume a greater portion at one time.

That the successful cultivation of the vine on poor soils, unfit for the profitable growth of cereals, by the wine-growers of the Hunter River and of the Colony generally, has given a value to lands which otherwise they would not have possessed; so that, if wine culture be not discouraged and fettered by arbitrary and repressive enactments, persons will be induced to buy such lands at the Government sales for the culture of the vine only.

That the alteration of quantity will be highly injurious to wine-growers, because it will deprive them of the opportunity of a free disposal of an article of daily increasing consumption, in the perfecting of which many thousands of pounds have been expended, after a long period of toil, expectation, and years of inadequate return to their expenditure.

That now that a prospect of success is in the distance, this disheartening prohibition would mar a legitimate branch of agriculture, prevent the cultivation of land of otherwise useless quality, the introduction of an orderly class of persons from the European wine countries,

countries, and the employment of the labor of the vignerons now in the Colony in that description of work with which they are most conversant, and in which their skill is most valuable to the Colony.

That the change, it is submitted with all deference, would be an invasion of the rights, and hurtful to the interests, of those who have purchased land with a view to the cultivation of the grape.

That your Petitioners have with patience toiled many years, under great discouragements, without asking for protective measures, and have (with others) succeeded in making Colonial wine in such perfection that it has become one of the staple products of the Colony, and thereby drawn the attention of distant countries to the capabilities of the soil for producing superior wines; so that, if any exodus from the German, Spanish, Portuguese, or French wine districts should at any time take place, we may reasonably expect that New South Wales would be their chosen home, because offering the best field for their labor and skill;—the effect of which would be to make this Colony a large wine-producing and wine-exporting country. And that the wine-growing interests deserve the careful legislation of Parliament.

That it being universally admitted that increasing the facilities for the disposal of wine in small quantities will be conducive to the cause of temperance and morality.

Your Petitioners respectfully pray that you will favorably consider the premises, and enact that the sale of wines by the makers be permitted in quantities as small as heretofore, of one and the same sort of wine at one time.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 6 Signatures.]

1858.

Legislative Assembly.
NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(MAITLAND BRANCH OF THE LORD'S DAY OBSERVANCE SOCIETY.)

Ordered by the Legislative Assembly to be Printed, 28 May, 1858.

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

The Petition of the undersigned, Members of the Committee of the Maitland Branch
of the Society for promoting the due Observance of the Lord's Day,—

RESPECTFULLY SHEWETH:—

That your Petitioners are fully persuaded that the Lord's Day is commanded in the Sacred Scriptures to be observed and kept holy, and that the observance of this sacred day, as thus commanded, is conducive to the temporal as well as the spiritual welfare of man.

Your Petitioners, entertaining these views, are grieved to find that in a Bill now before your Honorable House, entitled, "*A Bill to amend and consolidate the Laws relating to the licensing of Public Houses, and the sale of fermented and spirituous liquors,*" a paragraph is inserted in the 45th clause which will permit public houses to be opened, and liquor to be sold, on the Sabbath Day, "between one and three o'clock in the afternoon, and *between eight and ten o'clock in the evening.*"

Of the liberty to open public houses on the Lord's Day, except to travellers, granted by the law, as it now stands, your Petitioners strongly disapprove, but they regard with special alarm the extension of that liberty, as contemplated in the paragraph above quoted, and expressed by the words "*between eight and ten o'clock in the evening,*" feeling assured that whilst the existing arrangement tends to promote the desecration of the Lord's Day, and to produce demoralization, the extended liberty will greatly increase these evils.

Your Petitioners, therefore, pray your Honorable House that the words objected to may not obtain the consent of your Honorable House.

And your Petitioners will ever pray.

[Here follow 18 Signatures.]

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1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(J. BINGLE, AS CHAIRMAN OF NEWCASTLE CHAMBER OF COMMERCE.)

Ordered by the Legislative Assembly to be Printed, 9 June, 1858.

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

The Petition of the Newcastle Chamber of Commerce,—

HUMBLY SHEWETH:—

That a Bill has been introduced into your Honorable House, intituled, "*A Bill to amend and consolidate the laws relating to the licensing of Public Houses, and the sale of fermented and spirituous Liquors.*"

That the necessity for the leading provisions of such Bill, which as a legislative measure has originated in no responsible or official source, has not been ascertained by any previous inquiry, nor is it justified by any well grounded complaints of the existing law, or by any public requirement.

That the principle of the Bill in question, where it would interfere with the existing regulations applying to wholesale spirit licenses, is a restriction on the free course of trade, for, as it seems to your Petitioners, the benefit of a class without conferring any real or assumed advantage on the consumer or on the public.

That your Petitioners, therefore, pray your Honorable House against the said Bill, and that the same may not pass into law.

And your Petitioners will ever pray.

For the Chamber,

JOHN BINGLE,

Chairman.

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(PETITION FROM R. MASON, DUNGOG.)

Ordered by the Legislative Assembly to be Printed, 20 July, 1858.

To the Honorable the Representatives of the Colony of New South Wales, in
Parliament assembled.

The Petition of Robert Mason, of Dungog,—

HUMBLY SHEWETH:—

That your Petitioner having observed that a Bill is now before your Honorable House for the purpose of amending the Publicans' General Licensing Act, and as the first clause of the said Bill is rather ambiguous, your Petitioner prays that some way may be pointed out to applicants how to proceed to obtain the necessary certificate.

That your Petitioner having sustained much loss from animosity, having thereby been almost ruined by the regulations of the existing Act, your Petitioner prays that in case of refusal by a majority of Magistrates, an application signed by at least twenty respectable householders, and delivered to the Clerk of Petty Sessions, shall be deemed a sufficient warrant and guarantee for the party applying, and that the said Clerk of Petty Sessions shall forward the said application to the authority to receive the same, and if approved of, a certificate be returned to the Clerk of Petty Sessions, who shall furnish the applicant with the certificate, and on presentation of the certificate to the Colonial Secretary, or his deputy, by the applicant or his agent, and by paying the fee thereon, a license be issued.

That your Petitioner feels dissatisfied with the section of the existing Act whereby a publican is not allowed to sell liquors to the aborigines, who are native born subjects of the Crown, and acknowledged so by Vice-Regal authority, by Order in Council, issued in March, 1840 or 41, and often since that time aborigines have been convicted and suffered under the administration of British Law, thereby confirming the said Order in Council,—the aborigines thus being refused a privilege enjoyed by aliens, against whom, recently, a stringent Act has been passed by your Honorable House.

Your Petitioner therefore prays that the 4th section of the existing Publicans' Licensing Act may be absolutely repealed.

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

ROBT. MASON.

Dungog, July, 1858.

1858.

Legislative Assembly.
NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(WHOLESALE SPIRIT DEALERS, GOULBURN.)

Ordered by the Legislative Assembly to be Printed, 9 June, 1858.

To the Honorable the Legislative Assembly, in Parliament assembled.

The humble Petition of the Licensed Wholesale Wine and Spirit Dealers of the
 Town of Goulburn,—

HUMBLY SHEWETH:—

That your Petitioners view with alarm the Bill now before your Honorable House
 entitled "The Publicans' Licensing Bill, 1858."

That the clauses contained therein, whereby the Registry Fee for Wholesale Wine
 and Spirit Dealers is made £50, and quantity to be sold not less than five gallons, while the
 Publicans' License Fee is only £30, with liberty to sell in any quantity, appear to your
 Petitioners unequal and unjust.

That the increased fee of £30, with the proposed enactment disallowing the sale in
 quantities of less than five gallons of any one kind of wine or spirits, amount, in the minds
 of your Petitioners, to a prohibition of selling wines and spirits altogether.

That your Petitioners believe that the obnoxious clauses would tend to increase sly
 grog selling and intemperance, rather than diminish these evils, the over-stringency of laws
 invariably engendering evasion.

Your Petitioners, therefore, humbly pray that your Honorable House will take the
 premises into consideration, and that you will not sanction the foregoing clause or clauses to
 stand part of the aforesaid Bill.

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

[Here follow 10 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

PUBLICANS' LICENSING BILL.

(MEMBERS OF PRESBYTERIAN CHURCH, SHOALHAVEN.)

Ordered by the Legislative Assembly to be Printed, 23 June, 1858.

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

The Petition of the undersigned, Members and adherents of the Free Presbyterian Church of Shoalhaven, and others,—

HUMBLY SHEWETH:—

That your Petitioners regard the Christian Sabbath as an institution of Divine appointment, and of perpetual obligation, and that they consider all unnecessary work performed on that day as a breach of the Divine Command.

That your Petitioners have seen with regret that an attempt is being made to give Legislative sanction to the desecration of the Sabbath, by the introduction into your Honorable House of a Bill to regulate the Licensing of Publicans; in which Bill there is a clause giving permission to Licensed Publicans to sell spirituous liquors at certain hours on Sabbath.

That your Petitioners would deprecate the passing of the Publicans' Licensing Bill without the omission of this objectionable clause, as in itself a very great evil, and fraught with incalculable mischief to the best interests of multitudes of our population.

That your Petitioners would therefore earnestly, but respectfully, pray your Honorable House to refuse your sanction to any proposal for opening the Public Houses on Sabbath,—especially that you will be pleased to expunge any such provision from the Publicans' Licensing Bill now before your Honorable House.

And your Petitioners will ever pray.

[Here follow 122 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

REMOVAL OF CAPTAIN POCKLEY AND MR. DREW

(FROM THE OFFICES OF HARBOUR MASTER AND SECRETARY TO LIGHT, PILOT AND NAVIGATION BOARD,
RESPECTIVELY.)

Ordered by the Legislative Assembly to be Printed, 1 June, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly,
dated 18 May, 1858, praying that His Excellency the Governor
General would be pleased to cause to be laid upon the Table of this
House,—

“ Copies of all Correspondence, and other papers, relating to
“ the removal of Captain Pockley from the office of Harbour
“ Master in the Port of Sydney ; and of Mr. Drew from that
“ of Secretary to the Steam Navigation Board, and Accountant
“ to the Light, Pilot and Navigation Board of Sydney.”

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REMOVAL OF CAPTAIN POCKLEY AND MR. DREW.

No. 1.

TREASURY MINUTE.

As provision is not made beyond the 31st March instant for the Light, Pilot, and Navigation Board, I beg to submit, for the consideration of my colleagues, what, after much consideration, appears to me the proper mode of dealing with this subject under existing circumstances.

The Assembly having rejected the Bill for incorporating a Board with extended powers, I cannot recommend that in the ensuing short Session any attempt be made to legislate upon this matter, nor can I advise a continuance, beyond the 31st instant, of the present complicated and expensive machinery.

My predecessor intended, I believe, to dispense with the services of the Warden and his colleagues on the 31st December last, and only continued them in consequence of the resolution providing for the same expenditure for three months longer; but from all the information which I can glean, one Board is not only quite sufficient for all the requirements of the service, but that the existence of two is injurious rather than beneficial.

I propose, therefore, that the Warden and his colleagues be informed, in a complimentary letter having reference to their past services, that their functions will cease on the 31st instant.

That, the Steam Navigation Board be requested to perform the duties of the late Pilot Board.

That as the Assembly have not made any provision for the office of Superintendent of Lights, Pilots, and Navigation, and as the notification of that appointment was not favorably received, that no proposal be made for the salary of that office, which, in my opinion, is not necessary.

I would also recommend that all the Pilot and other Fees or Dues be in future collected at the Custom House.

The clerical duties of the Board generally are, in my opinion, not such as to justify the maintenance of the Office Department upon the scale now authorized.

I propose, therefore, that Messrs. Pockley and Drew be informed that their services will not be required beyond the 31st instant.

That Mr. Wilshire, the present Clerk to the Establishment, be retained as the Clerk to the Board, who, with Mr. Hinton, the present second Clerk, will be found fully competent to perform all the clerical duties of the Board and the Department.

Mr. Wilshire should, in consideration of his increased duties, receive an additional £100 per annum to his stipend.

The state of the Board and its officers will be as enumerated in the accompanying Schedule.

R. C.

*The Treasury, New South Wales,
12 March, 1858.*

STATE

STATE of the Steam Navigation and Pilot Board.

SITUATION.	NAME.	SALARY OR ALLOWANCE.	REMARKS.
Chairman	H. H. Browne		
Members	G. K. Mann	300 0 0	
	W. S. Deloitte		
	B. Darley		
	S. North		
Clerk to Board	W. J. Wilshire	350 0 0	
Engineer Surveyor	E. O. Moriarty	375 0 0	
Shipwright do.	John Cuthbert	175 0 0	
Harbour Master	John Crook	400 0 0	
Assistant do.	B. Shaw	300 0 0	
	J. R. Myhill	300 0 0	
	T. McVeigh	300 0 0	
Clerk	Alfred Hinton	200 0 0	
Messenger (Boy) .....	.....	52 0 0	
		£2,752 0 0	

R. C.

The Assistant Harbour Masters' situations will be abolished when the Bill for increased Pilotage is passed.

This Bill substitutes for them Mud Pilots, under certain fees to be received by themselves without any fixed salary, as the Government may direct.

These officers will perform precisely the same duties as the Assistant Harbour Masters.

Present Estimate of Salaries for 1858 £3,720

Proposed do. 2,752

Saving under proposed Estimate, in consequence of increased taxation £968

The Treasury, New South Wales,
12 March, 1858.

R. C.

Having carefully considered this Minute and the proposals therein contained, the Executive Council, concurring in the views expressed by the Honorable the Treasurer on the subject, advise the adoption of the several measures recommended by him.

EDWD. C. MEREWETHER,
Clerk of the Council.

Confirmed 22 March, 1858.—No. 58-169.

No. 2.

THE HONORABLE THE TREASURER to THE HONORABLE JOHN LAMB, M.L.C., R.N.

The Treasury, New South Wales,
17 March, 1858.

SIR,

With reference to the personal conference which I had with you recently, in company with the Chief Secretary, and to your subsequent communication to him, I now do myself the honor to acquaint you, that the Government has determined that the functions of the Light, Pilot, and Navigation Board shall cease on the 31st instant, no provision having been made by Parliament for its continuance beyond that date.

The functions of the Pilot Board will be resumed by the Steam Navigation Board, of which, with the exception of yourself, all your present colleagues are members.

I take this opportunity of conveying to you the thanks of the Government for the readiness with which you have at all times given your attention to such questions as were submitted for your consideration.

I beg to request that you will also communicate the same to your colleagues.

I have, &c.,

THE HON. JOHN LAMB, M.L.C.,
Commander, R. N.,
Senior Warden,

R. CAMPBELL.

Light, Pilot, and Navigation Board.

No. 3.

No. 3.

THE HONORABLE THE TREASURER to THE STEAM NAVIGATION BOARD.

The Treasury, New South Wales,

18 March, 1858.

GENTLEMEN,

The Assembly not having entertained the Bill for incorporating the Light, Pilot, and Navigation Board, I have the honor to acquaint you that after the 31st instant the members of that Board will be released from office.

The Warden and his colleagues have, accordingly, been informed by me that their functions will cease on that date; and I have now the honor, under the authority of a Minute of the Governor General and Executive Council, to request that you will resume the duties of the Pilot Board, from which you were relieved by Mr. Donaldson's letter of 21 July last.

No salary for the office of Superintendent of Lights, Pilots, and Navigation has been provided by the Legislature, and Mr. Pockley has been apprised accordingly.

As the Board has been dissolved, the services of Mr. Drew, the Secretary to that Board, will not be required; and I have intimated to him that his engagement with the Government will also cease from the 31st instant.

Mr. Wilshire, the second clerk in the establishment, will perform the clerical duties required by the Steam Navigation Board.

I have, &c.,

THE CHAIRMAN AND MEMBERS OF
THE STEAM NAVIGATION BOARD.

R. CAMPBELL.

No. 4.

THE CHAIRMAN OF THE STEAM NAVIGATION BOARD to THE HONORABLE THE TREASURER.

Steam Navigation Office, Sydney,

25 March, 1858.

SIR,

I have the honor to acknowledge the receipt of your communication, informing me that the functions of the Light, Pilot, and Navigation Board will cease on the 31st instant, and requesting the Steam Navigation Board to perform the duties of the late Pilot Board.

Having laid your letter before the Steam Navigation Board, I am requested to inform you that they are willing to perform the duties of a Pilot Board, agreeably with the wishes of the Government.

They also wish me to explain their regret that it has become necessary to supersede Mr. Drew in the office of Secretary of the Steam Navigation Board, that gentleman having for the last eight months performed the duties which devolved on him with considerable ability and assiduity.

I have, &c.,

H. H. BROWNE.

THE HONORABLE THE TREASURER.

The Executive Council express their opinion that the Superannuation Regulations for service under 10 years should be applied in such cases—that is, one month's salary for each year of service; and advise that Mr. Drew and Captain Pockley should receive compensation in accordance with that rule.

EDWD. C. MEREWETHER,

Clerk of the Council.

Confirmed 10 May, 1858.—No. 58-271.

Approved,

W. D.,
18 May, 1858.

No. 5.

THE HONORABLE THE TREASURER to ROBERT F. POCKLEY, ESQ.

*The Treasury, New South Wales,
18 March, 1858.*

SIR,

I beg to inform you that, as no provision has been made by Parliament beyond the 31st instant for the payment of a salary for a Superintendent of Lights, Pilots, and Navigation, and His Excellency the Governor General and the Executive Council not having considered it desirable to make any proposal to the Assembly for such stipend, your engagement under the Government will be considered at an end from the date above-mentioned.

At the close of the month, therefore, you will please transfer over all books, papers, &c., confided to your charge, to Mr. John Crook, Assistant Harbour Master.

I have, &c.,

ROBERT F. POCKLEY, ESQ.,
Superintendent of
Lights, Pilots, and Navigation.

R. CAMPBELL.

No. 6.

ROBERT F. POCKLEY, ESQ., to THE HONORABLE THE TREASURER.

*The Port Office, Sydney,
20 March, 1858.*

SIR,

I do myself the honor to acknowledge the receipt of your letter of the 18th instant, No. 58-48, informing me that, as no provision has been made by Parliament beyond the 31st instant for the payment of a salary for a Superintendent of Lights, Pilots, and Navigation, and that His Excellency the Governor General and the Executive Council not having considered it desirable to make any proposal to the Assembly for such stipend, my engagement under the Government will be considered at an end from the date above-mentioned.

In reply, I respectfully beg to express my regret that the Government finds itself under the necessity of dispensing with the office of Superintendent of Lights, Pilots, and Navigation, and at the same time to state my willingness to continue to perform the duties of Harbour Master, to which station I was appointed by the Government on the 22nd July, 1857; and I trust that my endeavors to efficiently perform the duties of that office have merited the approval of the Government, and will entitle me to be continued in the appointment.

I have, &c.,

ROBT. F. POCKLEY,
Superintendent of Lights, Pilots, &c., and
Port and Harbour Master, N. S. W.

THE HONORABLE THE MINISTER
FOR FINANCE AND TRADE.

No. 7.

ROBERT F. POCKLEY, ESQ., to THE SECRETARY TO THE TREASURY.

*The Port Office, Sydney,
29 March, 1858.*

SIR,

I have the honor to request that you will bring under the consideration of the Honorable the Minister for Finance and Trade, that in consequence of receiving no reply to my letter to that Minister of 20 March instant, I am left ignorant of the intentions of the Government respecting my continuance in office. I have, therefore, most respectfully to request to be informed whether I am to consider myself dismissed from the service of the Government after the 31st instant; and whether I am, in obedience to the instructions contained in the letter of the Honorable the Treasurer, dated 18th March, to hand over the charge of my Department to the Deputy Harbour Master, Mr. John Crook.

I have, &c.,

ROBT. F. POCKLEY,
Superintendent of Lights, Pilots, &c.

THE SECRETARY TO THE TREASURY.

No. 8.

No. 8.

THE SECRETARY TO THE TREASURY to ROBERT F. POCKLEY, Esq.

*The Treasury, New South Wales,
29 March, 1858.*

SIR,

I am directed to acknowledge the receipt of your letter of the 20th instant, and in reply to inform you that, no provision having been made for the continuance of the office now held by you after the 31st instant, The Honorable the Treasurer regrets that he cannot sanction the retention of your services beyond that date.

I have, &c.,

HENRY LANE.

R. F. POCKLEY, Esq.,

Superintendent of Lights,

Pilots and Navigation.

No. 9.

ROBERT F. POCKLEY, Esq., to THE SECRETARY TO THE TREASURY.

*The Port Office,
Sydney, 31 March, 1858.*

SIR,

I have the honor to acknowledge the receipt of your letter of the 29th instant, conveying the regret of the Honorable the Treasurer that he cannot sanction the retention of my services after this date.

I shall, therefore, in obedience to the instructions communicated to me in a letter from that Minister, dated 18 March, 1858, hand over the charge of the Department to Mr. John Crook accordingly.

I would now beg most respectfully to be informed whether I am, in thus being discharged from the service of the Government, chargeable with any misconduct or dereliction of duty, which will preclude me from seeking re-employment from them, or compensation for loss of my appointment.

I have, &c.,

ROBT. F. POCKLEY,

THE SECRETARY TO THE TREASURY.

Superintendent of Lights, &c.

No. 10.

THE SECRETARY TO THE TREASURY to ROBERT F. POCKLEY, Esq.

*The Treasury, New South Wales,
1 April, 1858.*

SIR,

In reply to your letter of yesterday's date, I am directed by the Honorable the Treasurer to state, that the short time he has been in office will only permit him to say, that he has not been informed of any misconduct, and that he has not observed any dereliction of duty on your part.

I am to add, that your removal arose from the vote of the Legislature, and will not prevent your seeking re-employment under the Government.

I have, &c.,

HENRY LANE.

ROBERT F. POCKLEY, Esq.

No. 11.

ROBERT F. POCKLEY, Esq., to THE SECRETARY TO THE TREASURY.

*Pictouville, North Shore,
10 April, 1858.*

SIR,

I have the honor to request that you will please to inform the Honorable the Minister of Finance and Trade, that, as he was good enough to state that I was entitled to compensation for the loss of my appointment, he will be kind enough to inform me what is the amount of the compensation it is the intention of the Government to offer me.

I have, &c.,

ROBT. F. POCKLEY.

THE SECRETARY TO THE TREASURY.

No. 12.

No. 12.

THE SECRETARY TO THE TREASURY to ROBERT F. POCKLEY, ESQ.

The Treasury, New South Wales,

13 April, 1858.

SIR,

In reply to your letter of the 10th instant, I am directed to inform you that you will be entitled only to receive compensation as provided by the Rules of the Service.

I have, &c.,

R. F. POCKLEY, ESQ.,
Pictonville, St. Leonard's.

HENRY LANE.

No. 13.

ROBERT F. POCKLEY, ESQ., to THE SECRETARY TO THE TREASURY.

Pictonville, St. Leonard's,

21 April, 1858.

SIR,

I beg to acknowledge the receipt of your letter of the 13th instant, informing me that I am only entitled to compensation as provided by the Rules of the Service. I beg leave respectfully to inform you, that the very short notice that was given to me of the intention of the Government to dispense with my services prevented me making myself acquainted with the rules in question, and my object now being to obtain a knowledge of the sum which I am to receive in compensation for such sudden removal from office,—Will you please have the goodness to move the Honorable the Treasurer to afford me the information required?

I have, &c.,

THE SECRETARY TO THE TREASURY.

ROBT. F. POCKLEY.

No. 14.

THE SECRETARY TO THE TREASURY to ROBERT F. POCKLEY, ESQ.

The Treasury, New South Wales,

19 May, 1858.

SIR,

In reply to your letter of the 21st ultimo, I am directed by the Honorable the Treasurer to acquaint you, that His Excellency the Governor General and Executive Council approve of your receiving compensation on the abolition of your office, at the rate authorised by the Superannuation Regulations for service under 10 years, viz.:—One month's salary for each year of service.

I have, &c.,

ROBERT POCKLEY, ESQ.,
Late Superintendent of Lights,
Pilots, and Navigation.

HENRY LANE.

No. 15.

ROBERT F. POCKLEY, ESQ., to THE SECRETARY TO THE TREASURY.

Pictonville, North Shore,

25 May, 1858.

SIR,

I have the honor to acknowledge the receipt of your letter of the 19th instant, informing me that His Excellency the Governor General and Executive Council approve of my receiving compensation for the loss of my appointment according to the rate authorised by the Superannuation Regulations, viz., one month's pay for each year's service. I have therefore the honor to request, that you will cause the Honorable the Minister for Finance and Trade to be informed that, with all respect to that Honorable Minister, I beg leave to doubt that the Superannuation Regulations will be found to apply to my extraordinary case, viz.: that of being summarily dismissed without cause. The award, therefore, of so paltry a sum as that proposed, I can only consider as an insult added to the monstrous injustice I have sustained

sustained at the hands of the present Government, such, as I believe, has no parallel in the history of any British Country.

I beg to request that you will represent to the Honorable the Treasurer that the consequences of such an unceremonious and unexpected removal from office will be most ruinous to me. When I received my appointment, I made such arrangements in my private affairs as would enable me to devote all my energies to the performance of my public duties; and never doubting but that I should be retained in the service during good behaviour, I depended entirely upon my salary for the maintenance of my family, and was consequently quite unprepared to find myself so suddenly deprived of the means for their support. Nevertheless, when I discovered that I was obnoxious to the Honorable the Minister, and that he wished to fill my place with another person, I determined (that, as remonstrance against the injustice of my dismissal would be of little avail, and that as the Honorable the Treasurer had told me that I was entitled to compensation in consideration of such removal,) not to take further trouble than would be necessary to place before the public the fact, that I was not dismissed in consequence of any incapacity or misconduct on my part. The insignificance of the amount of the proposed compensation dictates now, however, in common justice to my family's welfare, a different course.

I now, therefore, most respectfully but firmly protest against the inadequacy of the amount of the compensation approved of by His Excellency the Governor General and the Executive Council, and to state my intention of seeking, by every constitutional means, redress for the wrongs I have suffered.

I have, &c.,

ROBT. F. POCKLEY.

THE SECRETARY TO THE TREASURY.

No. 16.

THE HONORABLE THE TREASURER to W. L. G. DREW, Esq.

The Treasury, New South Wales,

18 March, 1858.

SIR,

I beg to inform you, that as no provision has been made by Parliament beyond the 31st instant for the payment of a salary for a Secretary to the Light, Pilot, and Navigation Board, and His Excellency the Governor General and the Executive Council not having considered it desirable to make any proposal to the Assembly for such service, your engagement under the Government will be considered as at an end from the date above-mentioned. At the close of the month you will please to deliver over to Mr. Wilshire all books, papers, and documents confided to your care.

I have, &c.,

R. CAMPBELL.

W. L. G. DREW, Esq.,

Secretary, Light, Pilot, and

Navigation Board.

No. 17.

W. L. G. DREW, Esq., to THE HONORABLE THE TREASURER.

Port Office, Sydney,

19 March, 1858.

SIR,

I do myself the honor to acknowledge the receipt of your communication of yesterday's date, intimating to me that as no provision has been made by Parliament beyond the 31st instant for the payment of a salary for a Secretary to the Light, Pilot, and Navigation Board, that therefore my engagement under Government will be considered at an end from that date.

I feel it my duty, Sir, to point out, in reply, that it by no means follows that because the Bill incorporating the Light, Pilot, and Navigation Board was rejected by the Assembly, that therefore I should be deprived of other offices I hold under Government, viz., those of Secretary to the Steam Navigation Board, and Accountant for this and the out-ports; the papers connected with which appointments you inform me are to be transferred to Mr. Wilshire, clerk in this department.

The Steam Navigation Board are still in the active discharge of their duties; and not only so, but have this day been requested by the Government to perform in addition the duties which formerly devolved upon the Pilot Board; nor could I have been in any way prepared for this sudden announcement of the intentions of the Government, when I knew that in the Estimates prepared by the present Ministry, although no provision is made for the Light, Pilot, and Navigation Board, a salary is nevertheless provided for a Secretary and Accountant.

The Government possess the undoubted right to propose such salaries only as they may think commensurate with the duties of each particular appointment; and to whatever amount they may think proper to reduce the salary of the offices I hold, I must submit, and either perform the duties with the salary reduced, or resign; but it is contrary to long-established usage, and I beg to add, contrary to justice, to compel the senior to resign in favor of the junior, without giving him any option in the matter.

In this instance, Mr. Wilshire, without (as you are aware) any knowledge whatever of accounts, is to perform the duties of public accountant, with nearly £30,000 a year passing through his hands; his salary being raised by £100 beyond that of his present appointment, or £50 only below that which I have received for all duties.

I do now, therefore, respectfully but firmly protest against the injustice of removing me from an appointment in which I have worked hard, and have given general satisfaction, in order to appoint another in my place; and I claim the privilege which I understand has always been accorded to the senior in any office where reductions have taken place, viz., the option of accepting the reduced salary or resigning.

I have, &c.,

W. L. G. DREW.

THE HONORABLE

THE COLONIAL TREASURER.

No. 18.

TREASURY MINUTE.

I feel assured whatever claims Mr. Drew may have, the Government will give to them a careful and attentive consideration. I can have no personal knowledge of his services to this Government, but from his own statement I think there must be many more who have greater claims than ever he had.

In making this minute upon Mr. Drew's application, it is my duty, as Colonial Treasurer, to observe upon his conduct on the occasion of his waiting upon me, and to state that he had received the verbal private communication through Captain Pockley in reference to this subject. He then availed himself of the opportunity to make observations and insinuations upon Members of the Government which were highly improper. He also added this statement, that he was glad I (the Treasurer) could honestly feel that I had done my duty in the matter, but he felt that he had been dishonestly dealt with—immediately leaving me, giving me no time to reprimand him for his conduct.

This display of temper and language justify me in not recommending Mr. Drew to another appointment under this Government.

R. C.

20 March, 1858.

No. 19.

W. L. G. DREW, ESQ., to THE HONORABLE THE TREASURER.

Light, Pilot, and Navigation Office,

Sydney, 30 March, 1858.

SIR,

I do myself the honor to draw your attention to my letter of the 19th instant, remonstrating against being removed from the offices of Secretary to the Steam Navigation Board and Accountant for the Harbour Department, which offices are in no way affected by the rejection of the Bill incorporating the Light, Pilot, and Navigation Board; and as tomorrow is the date mentioned in your communication as that with which my connection with the Government is to cease, I would respectfully beg an early reply to the letter referred to.

I have, &c.,

THE HONORABLE THE TREASURER.

W. L. G. DREW.

No. 20.

No. 20.

THE SECRETARY TO THE TREASURY to W. L. G. DREW, Esq.

*The Treasury, New South Wales,
30 March, 1858.*

SIR,

I am directed to acknowledge the receipt of your letters of the 19th and 30th instant, and, in reply, to inform you that His Excellency the Governor General, to whom you submitted your case, having referred the matter for the consideration of the Executive Council, their decision, when given, will be communicated to you.

I have, &c.,

HENRY LANE

W. L. G. DREW, Esq.,

Secretary to the

Light, Pilot, and Navigation Board.

No. 21.

W. L. G. DREW, Esq., to THE HONORABLE THE TREASURER.

*Port Office, Sydney,
30 March, 1858.*

SIR,

With reference to your letter of this date, informing me that my case has been referred for the consideration of the Executive Council, I should respectfully beg to be informed whether (pending their decision) I am, or am not, to hand over to-morrow all books, papers, &c., entrusted to my keeping, to Mr. Wilshire, clerk in this department, as directed in your communication of the 18th instant.

I have, &c.,

W. L. G. DREW.

THE HONORABLE THE TREASURER.

No. 22.

THE SECRETARY TO THE TREASURY to W. L. G. DREW, Esq.

*The Treasury, New South Wales,
30 March, 1858.*

SIR,

In reply to your letter of this date, I am directed to inform you that you will be required to hand over to Mr. Wilshire all books and papers in your possession, as stated in the letter from this office dated 18th instant.

I have, &c.,

HENRY LANE.

W. L. G. DREW, Esq.,

Secretary to the

Light, Pilot, and Navigation Board.

No. 23.

W. L. G. DREW, Esq. to ALFRED DENISON, Esq.

*Light, Pilot, and Navigation Office,
Sydney, 27 March, 1858.*

SIR,

I have the honor to request you will be pleased to lay before His Excellency the Governor General the accompanying copies of letters marked 1 and 2.* The former addressed to me by the Honorable the Finance Minister, conveying the intimation that my engagement under Government will cease from the 31st instant, and directing me to deliver over to Mr. Wilshire all books, papers, documents, &c., confided to my care; and the latter a copy of my reply, respectfully remonstrating against what I cannot but feel to be most unjustifiable treatment.

I am aware that under Responsible Government it is not the usual course to address His Excellency the Governor General; but as more than a week has elapsed since my letter of remonstrance was delivered to the head of my department, and as no notice whatever has been

* See Nos. 16 & 17, p. 9.

been taken of that communication, and as four days only remain between this and the day of my contemplated removal from office, I have not hesitated to bring the matter before His Excellency, with a view to the subject being reconsidered in Council, or to such other steps being taken as justice may require, and as to His Excellency may appear fitting.

ALFRED DENISON, Esq.,
Private Secretary.

I have, &c.,
W. L. G. DREW.

No. 24.

W. L. G. DREW, Esq., to ALFRED DENISON, Esq.

North Shore,
31 March, 1858.

SIR,

I have the honor to thankfully acknowledge the receipt of your note of the 27th instant, acquainting me that the subject of my contemplated removal from the offices of Secretary of the Steam Navigation Board and Accountant should (by His Excellency's desire) be brought before the Executive Council.

In connection with the foregoing, I have now the honor to enclose copies of two letters* I have received from the Honorable the Finance Minister, intimating that my case has been submitted by His Excellency the Governor General for the consideration of the Executive Council, and that their decision, when given, will be communicated to me; and the second informing me that I am to hand over all books, papers, &c., as originally directed, to Mr. Wilshire, my successor, and which I have this day accordingly done.

It is with the greatest reluctance I again venture to address His Excellency, but Mr. Campbell having taken upon himself to remove me from the Government Service whilst the very question of my removal or retention was under the consideration of the Executive Council, appears to me to be a manifest injustice to me personally, and to take away all practical utility in an appeal to that high body in questions of this nature. I am at a loss to understand the treatment I have received at the hands of Mr. Campbell throughout this matter. I had hoped that unremitting attention to the duties of my office, and a sincere desire to do all in my power for the benefit of the service, would have secured me the support of the head of my department; but, on the contrary, when the intelligence of my contemplated removal was first communicated, and I sought an explanation from that Minister, he informed me that the intended changes were for the greater *efficiency*, as well as economy, of the Public Service, and further added, that if I felt aggrieved I had better appeal to Parliament.

Encl. 3. I beg to enclose a copy of a letter this day addressed to Mr. Campbell by Captain Lamb, Senior Warden of the late Light, Pilot, and Navigation Board, and also an extract
Encl. 4. from a letter from the Chairman of the Steam Navigation Board, which I submit are at least sufficient to shew that the implied inefficiency cannot be substantiated. It was urged by a Member of the present Government, as an objection to my late appointment, that as a Naval Officer I was but a temporary resident in the Colony, and it may consequently be inferred that my removal is not so great a hardship as it would be under other circumstances. In reply to this I would state, that in returning to the Colony my intention was, and still is, to remain here, and in accepting employment under Government I had no idea of its being a temporary measure, nor can I now recognise it in any other light than as a change of persons and not of office.

Feeling, as I do, that the treatment I am now experiencing might at any time overtake me, it is not my intention again to solicit employment under Government, and it only remains for me, therefore, whilst apologising to His Excellency for the length at which I have addressed him, to request he will be pleased to direct this letter, with its enclosures, to be submitted to the Executive Council, in order that I may be granted the compensation for loss of office which I understand is provided for cases of this nature.

I have, &c.,
W. L. G. DREW.

ALFRED DENISON, Esq.,
Private Secretary.

[Enclosure]

REMOVAL OF CAPTAIN POCKLEY AND MR. DREW.

13

[Enclosure 3 to No. 24.]

*Light, Pilot, and Navigation Office,
March 31, 1858.*

Sir,

The Light, Pilot, and Navigation Board, being desirous of obtaining from Government a favourable consideration of the case of Mr. Drew, beg leave to lay before you the annexed Extract from the Minutes of their proceedings:—

"At this their last meeting the Board think it right to record their approbation of the very efficient services of Mr. Drew, and their hope that the zeal and ability he has displayed in the discharge of his duties as Secretary to the Light, Pilot, and Navigation Board, may be rendered available to the public service, by his appointment to some other office in lieu of that which is now abolished."

To the Honorable
Robert Campbell,
Minister for Finance and Trade.

I have, &c.,
JNO. LAMB,
Senior Warden.

[Enclosure 4 to No. 24.]

Extract from a letter from the Steam Navigation Board, addressed to the Honorable the Finance Minister, under date March 25, 1858.

"The Board also wish me to express their regret that it has become necessary to supersede Mr. Drew in the office of Secretary of the Steam Navigation Board, that gentleman having, for this last eight months, performed the duties which devolved upon him with considerable ability and assiduity."

H. H. BROWNE,
Chairman.

The Executive Council advise that Mr. Drew be granted the compensation for the loss of his office to which he is entitled under existing regulations by rank and length of service.

EDWD. C. MEREWETHER,
Clerk of the Council.

Approved,
W. D.
12 April, 1858.

Confirmed, 12 April, 1858.—No. 58-209.

No. 25.

THE SECRETARY TO THE TREASURY to W. L. G. DREW, Esq.

*The Treasury, New South Wales,
15 April, 1858.*

Sir,

Recurring to my letter of the 30th ultimo, I am now directed to inform you that the Executive Council having had your case under their consideration, advised that you be granted the compensation for the loss of your office to which you may be entitled under existing Regulations by rank and length of service; and that the Auditor General has been requested to compute the same.

W. L. G. DREW, Esq.

I have, &c.,
HENRY LANE.

No. 26.

THE SECRETARY TO THE TREASURY to W. L. G. DREW, Esq.

*The Treasury, New South Wales,
19 May, 1858.*

Sir,

Referring to your letter of the 31st March last to the Private Secretary, I am directed by the Honorable the Treasurer to acquaint you, that His Excellency the Governor General and Executive Council approve of your receiving compensation on the abolition of your office, at the rate authorised by the Superannuation Regulations for service under ten years, viz.:—One month's salary for each year of service.

W. L. G. DREW, Esq.,
Late Secretary to the
Light, Pilot and Navigation Board.

I have, &c.,
HENRY LANE.

20. *Journal of the American Medical Association*

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

most common cause of death in the United States is heart disease. It is a disease of the heart muscle, which is the organ that pumps blood throughout the body. The heart muscle is made up of cells that are very sensitive to oxygen. If the heart muscle does not get enough oxygen, it can become damaged and eventually die. This is what happens in heart disease. The heart muscle becomes weak and cannot pump blood as effectively as it should. This can lead to a variety of symptoms, including chest pain, shortness of breath, and fatigue. In some cases, heart disease can lead to a heart attack, which is a medical emergency.

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

— *Journal of the American Medical Association*

1858.

Legislative Assembly,

NEW SOUTH WALES.

STEAM DREDGE FOR HUNTER RIVER.

(PAPERS RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 26 March, 1858.

E. O. MORIARTY, ESQ., to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

33 Hunter-street,

20 February, 1858.

SIR,

I have the honor to report, for the information of the Honorable the Secretary for Lands and Public Works, that the operations on the Hunter River at the Flats are being attended with considerable success.

The upper flat, which was the principal impediment to the navigation after the floods of last year, has, since the formation of the stone dykes, been deepened over 18 inches, and the process of deepening is still going on.

The new channel which I opened by means of the Steam Dredge has now not less than 8 feet 6 inches water at the shallowest place, being 1 foot to 18 inches deeper than the old channel.

Before the convenience of the new channel will be fully felt, it will be necessary to widen it at the lower end; this I was unable to do when the dredge was down, as I was obliged to send her away after having merely opened the channel. As, however, it is now so much deeper than the old channel, and only requires buoying out to render it available for steamers and other craft, I have the honor to request permission of the Honorable the Secretary for Lands and Works to expend the sum of £30 in purchasing and laying down buoys.

I have, &c.,

E. O. MORIARTY.

M. FITZPATRICK, ESQ.,

Under Secretary for Lands
and Public Works.

E. W. GEARY, to E. O. MORIARTY, ESQ.

Newcastle, 23 March, 1858.

SIR,

I have the honor to inform you that I have carried the Eastern Dyke down along the edge of Long Bank, as you directed, and have raised the upper portion of it to the level of high water.

The next place which will require raising is the Dyke, from your trigonometrical point round to Snapper Hole piling, all of which has sunk some inches since it was put down.

There has been a good supply of stone coming in during the last month, and we may expect it to continue for some months yet. The steamers always make use of the new channel now, and so do the sailing vessels, in preference to the old one, and I hear no complaint about the sharp turn at the entrance.

The buoys are constantly breaking away, because the chains by which they are fastened are old ones, and not sufficiently strong, otherwise they suit very well.

All the piling is secure, and no difference in the channels that I can see.

I am, &c.,

E. W. GEARY.

E. O. MORIARTY, ESQ.

1858.

Legislative Assembly.

NEW SOUTH WALES.

BREAKWATER AT STOCKTON.

(REPORT OF MR. MORIARTY UPON ADVISABILITY OF.)

Ordered by the Legislative Assembly to be Printed, 27 April, 1858.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated
16 April, 1858, for,—

“ The Report, Plans, and Estimates, furnished by Mr. Moriarty,
“ Civil Engineer, respecting the advisableness of constructing a
“ small and inexpensive Breakwater, to run seawards from the
“ south-east end of Stockton, in order to secure the entrance to
“ the Harbour of Newcastle from all obstructions, by preventing
“ the continual shifting of the sand at this particular point, and
“ by stopping the heavy drift of the same from the Long Beach,
“ caused by the prevalent north-easterly winds, both tending to
“ the formation of shoals and the narrowing of the channel.

BREAKWATER AT STOCKTON.

MR. MORIARTY to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

25, Pitt-street,
April 4, 1857.

SIR,

In reply to your letter of the 4th March, enclosing a communication from the Secretary to the Newcastle Chamber of Commerce, on the subject of the obstructions in the Coal or South Channel of the Harbour, on which you request me to report,—I now do myself the honor to forward, for the consideration of the Honorable Secretary for Lands and Public Works, a full statement of my views on the subject of the harbour improvements generally.

Before, however, going into the question at large, perhaps it is as well I should state my opinion that although there may be, and undoubtedly are, some obstructions in the Coal Channel, of the kind described in the letter of the Secretary to the Chamber of Commerce, yet that the principal impediments to the navigation in that channel arise from other and remoter causes, and that if we seek to effect a permanent cure we must go at once to the root of the evil. It would be in vain that we expended time and money in removing a few heaps of ballast or coal, unless, at the same time, we took measures to prevent the sand from forming in their places.

The natural drawbacks to the Harbour of Newcastle may be classed under two heads.

1st. Those at its entrance, which render it at times almost inaccessible to sailing vessels, and always difficult and dangerous either to enter or leave, except with a fair wind and flood tide; and, 2ndly, the extensive banks of sand within the harbour, whereby the space available for large vessels is so greatly contracted.

The dangers of the entrance to the port are—1st, the Bar; 2nd, the Oyster Bank, (a large and dangerous bank with only five feet water on it, which extends right into the harbour's mouth,) and, 3rd, the peculiar set of the ebb current, which runs in a direction right across the Oyster Bank, and which is, I believe, the immediate cause of most of the wrecks which have taken place.

I have myself frequently observed vessels, when attempting to enter the harbour with a light or an adverse wind and ebb tide, obliged to anchor, in order to avoid being set by the current across the banks, and if while in this position it should come on to blow hard from the east, south-east, or south, (which are the prevailing points from which the gales on this coast come,) they run serious risk of dragging their anchors, (the bottom being of the very worst kind for holding,) and going on shore either on the Oyster Bank or on the Long Beach, where they would inevitably be lost.

I saw this very strikingly illustrated when the "Eleanor Lancaster" and four other vessels were wrecked, in the early part of last summer.

They all passed the Bar in safety, but, as it was blowing hard from the south-east, they were unable "to beat up" into the harbour, and had to anchor outside; their anchors held on till the ebb tide set down in force, when they began to drag, and eventually they all drifted down into the "bight," and were lost—the "Rover" going on shore about twelve miles to the north of the entrance. On the same occasion I observed the life-boat, which had broken adrift from the buoy to which she had been moored, after drifting away nearly due north for about eight miles to where the current lost its force, when she was forced by the waves in on the beach, and broken to pieces; but the most convincing proof of the northerly or along shore set of the ebb current is furnished in times of the land floods, when the brown discolored water of the river may be seen extending to the northward as far as the eye can reach, while immediately to the eastward, or seaward of Nobby, may be seen the pure green of the sea.

The

The along shore direction taken by the ebb current on leaving the harbour is, I think, in a great measure due to the breakwater and the stony point under Nobby. I believe, therefore, that the first step to be taken in order to render Newcastle at all a safe or convenient harbour, should be to form the south and east shore to an uniform or fair curve, and to run out a pier from the north shore in such a direction as would give the ebb tide a seaward set. This latter would not only make the harbour to open in a direction more favorable for receiving as well as discharging the tidal wave, and for concentrating its action on the bar, but would also tend, in a great degree, to prevent the inrun of sand during flood tide.

Such a work would, therefore, improve the inner parts of the port as well as the entrance, and, by bringing the south and east sides to a fair curve, the tidal waters would be allowed an uninterrupted flow along the front of the wharf.

It is an axiom in hydraulic engineering, that a harbour should always be made, if possible, to open in such a direction as will correspond as nearly as can be with the set of the tidal currents on the coast, while it should at the same time afford shelter against the prevailing gales. By the former, the tidal wave is allowed to flow more freely into and out of the harbour, without forming those eddies and counter-currents which always lead to the deposit of sand. By the latter, vessels are always enabled to run into the port for shelter or to leave it in bad weather. Sailing vessels attempting to enter Newcastle now during an easterly, south-easterly, or southerly gale, would encounter almost inevitable destruction.

Another principle which has been laid down by all the most experienced hydraulic engineers,—Smeaton, Telford, Milne, and the Rennies,—a principle which they never lost sight of in their designs for harbours, is, that in forming or improving a harbour on a sandy or shingly shore, it is essential, to prevent the inrun of sand from the adjoining beaches during flood tide, and to preserve sufficient back water space to scour the entrance or bar on the return or ebb tide. The littoral curve and waves beating on the beach stir up the sand or shingle, and keep it in constant motion, so that it is gradually drawn into the harbour during the flood tides, where it immediately settles in the still water; to prevent this, therefore, and concentrate the power of the ebb tides, it is generally necessary to carry the entrance beyond the line of the beach, which is done by forming piers on each side extending into deep water, always taking care that they point in such a direction as will correspond with the prevailing currents, and afford protection during storms, without being so oblique to their direction as to prevent vessels freely entering or leaving during their prevalence, by straightening and deepening the inside channel a larger body of the tidal water is admitted and discharged, each tide, and so tends to scour the bottom and keep down the bar, if there should happen to be one at the entrance.

On these principles have been improved the harbours of Newhaven, on the River Ouse, by the elder Rennie, namely, by straightening the channel of the river, and preventing the inrun of sand during flood tides by constructing parallel piers, which project considerably beyond the line of the beach; also Shoreham Harbour (which much resembles Newcastle), Rye, and Dover Harbours, both suffer from the constantly moving shingle or sand, which threatened eventually to fill them up, for which the remedies proposed and recommended by Sir John Rennie were—"Extension of piers in a proper direction, straightening and deepening, and duly regulating the width of the river channel, and increasing the tidal backwater as far as practicable."

In Sunderland Harbour, which was formerly far worse and more dangerous than Newcastle now is, the most beneficial results have been obtained from straightening the channel, which has been cut through a quick sand, and protecting the entrance by parallel piers projecting beyond the reach of the sand, and by regulating the channel within. I quote from Sir John Rennie's remarks on Sunderland Harbour:—"The principal defect of the lower part of the river arose from its want of depth and the numerous shallows, and the proper course to be adopted was to regularize the channel and quays in such a manner as to avoid the eddies as far as practicable, and to increase the quantity of tidal water, which should act as a scour upon the channel and bar in the most effectual manner; also to construct piers at the entrance for the furtherance of the same object, and to prevent the too great inrun of waves during storms."

"These works, as far as they have been executed, have produced very satisfactory results upon the channel and bar, and should be continued further."

Many

Many other instances might be adduced, as Aberdeen, Leith, Dublin, Yarmouth, &c., in which the general principles above laid down have been acted upon, and have produced the most beneficial results.

That the set of the tidal wave upon this coast is nearly east and west, and that, therefore, the harbours should be made to open nearly in the same direction, there are abundant facts to prove.

Time of High Water, Full, and change of Moon, at—	U. N.
Norfolk Island.....	7:45
about 800 miles to the eastward of this coast.	
Port Curtis	9:45
Moreton Bay	9:30
Port Stephens	9:15
Newcastle	9:45
Broken Bay	8:0
Sydney Heads	8:0
Sydney	8:30
Botany Bay	8:0
Shoalhaven	8:20
Twofold Bay	10:0
Kent's Group	11:0
Wilson's Promon- tory.....	12:0
Port Phillip Heads	12:30

The time of high water at full and change of the moon at the different ports noted in the margin will show that the tide-wave moves from the east to the west, and that its crest reaches nearly all the parts of this coast about the same time; the slight difference in the times of high water arising from local circumstances—the depth of water off them, or the conformation of the coast. But although the great tidal-wave runs nearly east and west, the currents immediately on the coast are a southerly current of from $\frac{1}{2}$ to $1\frac{1}{2}$ miles per hour outside the principal headlands, and an eddy, or counter current, of about the same velocity, running to the northward, within those headlands—increasing during the flood-tide, and falling away almost to nothing during the ebbs.

The points of the compass from which we have usually the heaviest gales are east, south-east, and south; as a general rule, therefore, all harbours on this coast should be made to open somewhat to the north of east, so as to afford shelter and to preserve smooth water within, while they should be easily accessible during southerly gales, and the ebb currents would have a seaward set, which would be of the greatest service in assisting vessels to work off the land, if they should miss or be unable to reach the entrance of the port.

The harbour of Newcastle opens nearly due north, and the form of the entrance is such as to set the ebb current in the most dangerous direction it could possibly take, namely, across a shallow sandbank, and parallel with the beach, on which there is almost always a heavy surf. So long, therefore, as the current is allowed to take this direction, Newcastle must continue to be a most dangerous port, and quite unapproachable by vessels in distress. It appears to me therefore, that one of the first steps to be taken for the improvement of the harbour should be to endeavour to render it safe and accessible at all times—or, at all events so much so that vessels might make the attempt without risking almost certain destruction if they failed to get in. The most effectual means, as far as I can see, of attaining this object, is by the formation of a north pier, which would carry the entrance into deep water, at the same time that it would alter the direction taken by the ebb tide at present, giving it a set more to seaward; and even during southerly gales, vessels might attempt to work in on a flood tide, as, when once they got within the influence of piers, they would have a stronger and more concentrated tide under their lee, while the width of channel available for navigation would not be diminished.

I now come to the obstructions within the harbour. The sand all along the beach to the northward of Newcastle is kept in constant motion by the beating of the surf upon the shore, so that quantities of it are drawn into the harbour during the flood tide, and settle down in the neutral lines of the currents. On looking at the soundings it will be observed that a shallow rocky ledge extends from the foot of the Signal Station Hill, about half across the inner entrance, to what is called the 13-feet Rock, and on studying the course of the flood-currents, indicated by the blue lines on the accompanying plan, it will be observed that they follow as nearly as can be the general outline of this rocky ledge; the consequence is, that the main body of the flood water passes up the north channel, leaving a broad space on the south side, in front of the town, in a comparative still water, when, of course, the sand brought in by the tide settles, forming what is commonly called the Great Horseshoe Bank.

It is the constant accumulation of sand upon this bank, and its extension in towards the wharfs, which is, in my opinion, the cause of the shallowness of the coal channel; although it may be, and no doubt is, aggravated in places by heaps of stone ballast, or of coal dropped from the shoots, as stated in the letter of the Secretary to the Chamber of Commerce. The evident remedy for this is, first, to stop as far as possible the indraft of sand from the sea. Unless we do so we would most likely find that fresh deposits of sand would form as fast as we removed it; but if we once stop its entrance into the harbour, we may then confidently hope that the ebb currents, if properly concentrated and directed, and assisted by dredging, would soon diminish the banks, and perhaps ultimately remove them altogether.

The

The most effectual means of checking the indraft of sand, as far as I can see, is by forming the north pier to which I have alluded, and extending it from the beach into deep water: as it is a well known fact that waves do not agitate or disturb the bottom to a greater depth than from ten to fifteen feet below the ordinary water level. A pier, such as I have mentioned, would be useful from the very beginning of its construction, and might be gradually extended as its advantages were felt, and as the trade of the port increased. Active measures should also be taken to reduce the Sand Hills on the south side, and prevent the large quantities of sand which are blown across them from entering the harbour.

That the sand from which the lower banks are formed is a pure sea sand the most cursory examination will show. It is totally different from the alluvial deposit which forms mud banks, and which is found in all the upper parts of the river where the tidal influence is not so strong.

A most effectual means of deepening the coal channel, and of preserving deep water in front of the town, would be either to remove altogether the stony ledge I have alluded to as extending across the harbour, or to cut a channel through it, so as to admit the flood water to pass up along the wharf. I do not propose undertaking this work at present, as it would be too costly and tedious, and would not, perhaps, be justified by the present amount of traffic to the port; but I believe at some future time it will be carried out; and even now I think it might be accomplished, if the water frontage were leased for a term of years to private parties or companies, on condition of their deepening the channel in front. However, in the meantime we must trust to the effect of the ebb currents to keep this channel open, which can only be done by bringing in wharfs to a fair curve, and by setting as much of the ebb water against them as possible. To accomplish these objects, the first step will be to fill in the indentations in the wharf line with ballast, and bring it to one uniform sweep. The next will be to lay a border of ballast along the face of the bank, extending from Bullock Island to opposite the A. A. Company's coal staiths, in the manner shewn in the accompanying plan. By these means a commencement would be made for an extensive line of wharfs, and the wide space between it and Honeysuckle Point, as well as back of Bullock Island, would become a large sluicing reservoir, and all the water received into it, or discharged from it, would be made to pass up and down the coal channel, the effect of which would soon be to widen and deepen it. This might be assisted artificially by the use of the Marine Harrow and Steam Dredge.

The cost of lining this bank with ballast would be about £3,500. Sluicing reservoirs, intended to attain the same object as that here sought to be obtained, have been artificially constructed at great cost in many of the harbours in England, as at Dover, Hartlepool, Bristol, and many others.

I think some steps should, if possible, be immediately taken to prevent the townspeople removing the stone ballast from the wharfs, as nothing can be done till they are brought to a fair curve in front; and after that is done, the ballast will take twelve months to settle before it would be safe to found a wall upon it.

In framing the estimate for the north pier, I have allowed liberally both for material and price; the sum I have estimated (£22,792) would be fully sufficient to complete it. Stone, fit for the purpose, could be got from a quarry close to the line of the Maitland Railway, at about two and a half or three miles from Newcastle, from which place it could be brought down by rail for about two shillings per ton, or less.

If my plans for the formation of the wharfs at Newcastle have been approved by the Honorable the Secretary for Lands and Public Works, it would be well to take measures for importing the cast iron piles, so as to have them ready when the works commence.

I have, &c.,

MICHAEL FITZPATRICK, Esq.,

E. O. MORIARTY.

Under Secretary for Lands and Public Works.

1858.

Legislative Assembly.

NEW SOUTH WALES.

SIGNAL STAFF, NEWCASTLE.

(REMOVAL OF.)

Ordered by the Legislative Assembly to be Printed, 9 November, 1858.

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

The Petition of the undersigned Merchants, Traders, and Masters of Vessels,
resident at, or trading to the Port of Newcastle,—

HUMBLY SHEWETH:—

That, contrary to remonstrance from a Committee of the inhabitants of Newcastle, praying further inquiry, (of which remonstrance no cognizance whatever was taken) and without any previous public inquiry or notice, the Signal Station at Newcastle has been removed by the "Steam Navigation and Pilot Board" from its former position—to the situation of which no complaints had been made—to the peninsula called Nobby's, more than half a mile to the northward of it.

That, as will be certified by every respectable ship master having any experience of the Port of Newcastle, such removal is pregnant with risk to life and property, by endangering the safety of vessels approaching the harbour.

That the position of the entrance of the Port of Newcastle, and the circumstance that its trade is almost exclusively with places to the southward of itself, make it most important that vessels approaching it from that quarter should, at some distance before making the harbour, be able to discern the signals, it being dangerous at certain times of tide, &c., with the wind strong from the south or south south-east, to approach too near the port, as at such periods vessels in light ballast trim (as nearly all are which come here for coal,) being unable to enter the harbour, or to clear Point Stephens, are in much danger of being driven ashore in the bight.

That, it being necessary for security, therefore, that the signals, which it is difficult to distinguish in hazy weather, when they are most required, should be placed at some distance to the southward of the port, instead of at the entrance at Nobby's,—

Your Petitioners pray that the Signal Station may be removed, without delay, to its former position.

And your Petitioners will ever pray.

[Here follow 79 Signatures.]

1858.

Legislative Assembly.
NEW SOUTH WALES.

SIGNAL STAFF, NEWCASTLE.

(RETURN RELATIVE TO REMOVAL OF.)

Ordered by the Legislative Assembly to be Printed, 25 November, 1858.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated 2 November, 1858, That there be laid upon the Table of the House,—

“Copies of all Correspondence and Papers connected with the
“removal of the Signal Staff at Newcastle to its present
“position at Nobby’s.”

(*Mr. Hodgson.*)

SIGNAL STAFF, NEWCASTLE.

EXTRACT from the Report of the Chairman of the Steam Navigation Board, and of the Harbour Master of Sydney, on the Tour of Inspection made by them to the Port of Newcastle.

Having on the evening of Thursday, the 8th instant, proceeded to Newcastle, and having, on our arrival there, made a careful inspection of the Light House, Buoys, Beacons, Signal Station, Wharfs, &c., and also inquired into the manner in which the Harbour Master's Department is conducted, and the system on which the Pilots' Duties are carried out,—we propose, first, to submit a Report of the result of our inquiries and inspection, and then to make such recommendations for the consideration of the Board as the several matters which come under our notice seemed to warrant.

Although it was arranged that the Member for Newcastle, Dr. Bowker, should meet us there on our arrival, and point out the several subjects requiring our most immediate attention, that gentleman was unavoidably prevented from attending, but in his absence we availed ourselves of the assistance of the Sub-Collector of Customs, Mr Bolton, an officer who, by his long residence at that port and local experience, was, in conjunction with the Harbour Master, Captain Livingstone, able to afford us much information and assistance.

THE SIGNAL STATION.

A new Signal Master's house has been lately erected in the vicinity of the position of the old Coal Beacon, at an expense of about £1,200, and the signals continue to be made from this hill as heretofore.

This establishment was in tolerable order, but the person in charge—an old servant of the Government—appeared to us to be almost physically incapacitated by age and infirmity from performing the duty devolving upon him.

* * * * *

RECOMMENDATIONS.

* * * * *

We advise that the Signal Stations, as at present existing, be abolished, and that the Flag-staff be moved, or, if not capable of removal, another be erected on Nobby's Island, and placed in charge of the Principal Light Keeper, who might be allowed an additional salary of £20 to perform the duties now performed by the Signal Master, which would not only cause a saving to the Government of one hundred pounds a year, but would also, from its position, be more available for vessels at sea, and at the same time be more distinctly visible in the town.

Having disposed of the Signal Station, we would advise that the house lately erected there be made the residence of the Harbour Master, and that the old buildings in its vicinity—a portion of which is now occupied by the late Shipping Master and boats' crews—be devoted to the accommodation of one of the Pilots, and about six of the men employed in the boats. This arrangement would make a Pilot and crew always available in case of emergency, and would enable a good look-out to be kept, instead of depending altogether on the Signal-man for information.

We would also recommend that, either at this Station or at the Light House, a strict watch be kept, by both night and day, by the Pilots or their crews; and that regulations for their guidance be framed and printed on conspicuous placards, and, as in Sydney, furnished to each of the Pilots—as also to be exhibited at the Custom House and Harbour Master's Office.

* * * * *

H. H. BROWNE,
Chairman.
JOHN CROOK,
Harbour Master.

EXTRACT

EXTRACT from a Letter from THE UNDER SECRETARY TO THE TREASURY to the HARBOUR MASTER. Dated 27 August, 1858.

SIR,

In acknowledging the receipt of your letter of the 16th ultimo, enclosing the Report of the Chairman of the Steam Navigation and Pilot Board, and of yourself, upon the Harbour Department of the Port of Newcastle, I have the honor to inform you that the Honorable the Treasurer, having maturely considered the Report in question, now directs that the following recommendations, therein made, be carried out with as little delay as possible, viz. :—

1. That the Signal Stations as at present existing be abolished, and that the Flag-staff be moved, or, if not capable of removal, another be erected on Nobby's Island, and placed in charge of the Principal Light Keeper.

2. That the house lately erected at the Signal Station be made the residence of the Harbour Master, and that the old buildings in its vicinity—a portion of which is now occupied by the late Shipping Master and boats' crews—be devoted to the accommodation of one of the Pilots, and about six of the men employed in the boats.

3. That, either at the Signal Station or at the Light House, a strict watch be kept, night and day, by the Pilots or their crews; and that regulations for their guidance be framed and printed on conspicuous placards, and, as in Sydney, furnished to each of the Pilots—as also to be exhibited at the Custom House and Harbour Master's Office.

* * * * *

THE HARBOUR MASTER SYDNEY to THE HARBOUR MASTER NEWCASTLE.

The Port Office, Sydney,

3 September, 1858.

SIR,

I am directed by the Steam Navigation and Pilot Board to request that you will have the Flag-staff removed as soon as possible, and at such a time as will be least inconvenient to the shipping interest.

THE HARBOUR MASTER,
Newcastle.

I have, &c.,
JOHN CROOK,
Harbour Master.

EXTRACT of a Letter from HARBOUR MASTER, NEWCASTLE, respecting removal of Flag-staff.

Harbour Master's Office,

Newcastle, 4 September, 1858.

SIR,

I have the honor to acknowledge the receipt of your letter of yesterday's date, requesting the Flag-staff to be removed to Nobby's, which I shall lose no time to accomplish, or so soon as I can obtain the means of doing so. At present I am entirely without means, without coming under obligations to private individuals, which I am much averse to. I have only 1 block (14-in. treble), neither pick nor shovel, or any means of transit for the mast, which can only be speedily accomplished by dray, and I have no authority to hire any; to attempt the removal by manual labor would be attended with much loss of time.

I have inspected and fixed on a site for the mast on Nobby; the present one and all attached are in good condition; the lower mast is iron bark, about 38 feet long by 16 inches diameter.

THE HARBOUR MASTER,
Sydney.

DAVID T. ALLAN,
Harbour Master.

THE HARBOUR MASTER, SYDNEY, to THE HARBOUR MASTER, NEWCASTLE.

The Port Office, Sydney,

6 September, 1858.

SIR,

In reply to your letter respecting the removal of the Flag-staff, I am directed by the Steam, Navigation and Pilot Board to inform you, that you are authorized to incur whatever expense may be necessary, either in the hiring of a dray or the purchase of materials, for the purpose; and to request that you will forward, when the removal is completed, a report of the same, and of the expenses incurred.

THE HARBOUR MASTER,
Newcastle.

I have, &c.,
JOHN CROOK,
Harbour Master.

TO THE HONORABLE THE PILOT BOARD,
SYDNEY.

WE, the undersigned Shipowners, Merchants, Agents, &c., Masters of Vessels, hearing that the Pilot Board purpose the removal of the present Flag-staff to Nobby's, respectfully beg to represent:—

1st. That such removal, instead of a benefit, will be attended with considerable inconvenience and danger to the seafaring community.

2nd. That the removal to Nobby's is too far to leeward when vessels are running for Newcastle, especially when the winds are from the south to west. That this being the only time the signals are at all serviceable, such removal as the one contemplated will be entirely useless for all practical purposes, as light vessels upon making the signals would then be too far to leeward to recover themselves.

3rd. That, should it be deemed necessary and advisable for your Honorable Board to remove the present Signal-staff, at all, that it be removed farther to the south than any farther to the north.

Signed by

ANGUS CAMPBELL, Master of "H. M. Warfield."
WILLIAM FIRTH, "Viceroy."
PETER SLATER, "Fayaway."
LAURENCE WILLIAMSON.
W. & J. DONALDSON, Shipowners.
W. T. BOYCE, Agent for Underwriters, Sydney and Melbourne.
BINGLE & SON, Lloyd's Agents.
HENRY S. BLAY, Agent
HENRY G. COLE, Master Mariner.
EDWD. HILL, Master and Owner of "Martha Ellen."
ROBT. SIMMONS, Master of Schooner "Athol."
GEO. MITCHELL, U. S. Vice-Consul.
ALEXR. DUGUID, Master of Schooner "Ariel."
JOHN JOHNSTON, Master of Brig "Janet."
JAMES DONALDSON, Coal Merchant.
GEORGE BERNER, Agent.
WM. HENRY WHITE, Agent and Shipowner.
W. F. WEATHERILL, Master Mariner and Surveyor.

THE HARBOUR MASTER to MESSRS. A. CAMPBELL AND OTHERS.

The Port Office, Sydney,

25 September, 1858.

GENTLEMEN,

In reply to your petition of the 9th instant, respecting the proposed removal of the Flag-staff to Nobby's Head, I have the honor, by direction of the Steam Navigation and Pilot Board, to inform you that the Board have fully considered the reasons urged against the removal in question; and further, that they have taken the opportunity of examining the masters of vessels who have been before them for certificates of competency upon the subject, and, from the answers given by a considerable number, the Board do not consider that the objections made by the petitioners are valid.

Being

Being thus supported in their own practical opinion, in which I also fully concur, the Board see no reason why they should depart from their original recommendation, that the Flag-staff should be removed to Nobby's Head.

I have, &c.,

MESSRS. ANGUS CAMPBELL, WILLIAM FIRTH,
and the other Petitioners.

JOHN CROOK,
Harbour Master.

THE HARBOUR MASTER, SYDNEY, to THE HARBOUR MASTER, NEWCASTLE.

The Port Office, Sydney,
25 September, 1858.

SIR,

I have the honor, by direction of the Steam Navigation and Pilot Board, to request that you will be good enough to proceed forthwith with the removal of the Flag-staff to Nobby's Head.

I have, &c.,

THE HARBOUR MASTER,
Newcastle.

JOHN CROOK,
Harbour Master.

MR. S. WRIGHT to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Chamber of Commerce,
Newcastle, 29 September, 1858.

SIR,

I am instructed by the Newcastle Chamber of Commerce to bring under your notice the intention of the Government to remove forthwith the Flag-staff of this port from its present position, and place it upon Nobby's, near the Light House, and to assign its reasons against such removal.

In the first place,—If the Flag-staff be placed upon Nobby's it will be too far to the northward for vessels making for the port from the southward, with a strong and fair wind, for the Masters to see the tide signals in time to stand off, if so required, and in hazy weather, with a heavy swell of the sea on, vessels would get too far to leeward before the signals could possibly be seen in time to enable them to clear Point Stephens, and would consequently be placed in great danger of being wrecked, unless the wind at the time should be from the west (going northward till it comes) to south-south-east.

Secondly.—The distance of the Nobby's is too far off for the flags to be distinguished with the naked eye, more especially so during the winter months, when the sun is more to the northward, then, in the fore part of the day, even with the aid of a telescope, it is attended with much difficulty. It is also a matter of much importance to the inhabitants and travelling community at Newcastle, as well as to the Pilot Establishment, that every facility should be afforded in giving timely notice of the approach of vessels to the port, more especially the steamers.

Thirdly.—That should the Flag-staff be removed without due notice being given, (at least three months) through the public papers, to masters of vessels coming to this port; the sailing directions would be so changed as to endanger their vessels before such alteration would be discovered, more particularly so with masters of vessels who are strangers to the port. I am therefore requested further to state, that, in the opinion of this Chamber, which is supported in its views by masters of vessels who for many years have been well acquainted with the navigation of this port, that instead of removing the Flag-staff more to the northward it ought to be more to the southward, where the tide signals could be seen much earlier from vessels approaching the port than at present, as it would then afford ample space to stand off and on without danger, till the proper time of the tide for entering the port.

The Chamber begs to solicit that further inquiry on the part of Government will be made, and the objections herein stated be duly considered, before such contemplated removal of said Flag-staff from its present position be carried out.

I have, &c.,

THE HONORABLE THE SECRETARY
FOR LANDS AND PUBLIC WORKS,
Sydney.

S. WRIGHT,
Hon. Secretary.

P. MACAULIFFE ESQ., to THE STEAM NAVIGATION AND PILOT BOARD.

Newcastle, 30 September, 1858.

GENTLEMEN,

Instructed by the Committee appointed here in public meeting in reference to the affairs of this Port, I have the honor to state, that they have been informed that it is the intention of your Board to remove the Signal Station at this port from its present position to Nobby's Peninsula; and that as the Committee has good reason to believe that such removal would prevent the signals from being perceptible to vessels approaching the harbour from the southward, under the important conditions in which they are now found most useful, until too late to be availed of,—I am desired to beg the favor of your causing the removal to be suspended, until the Committee can supply your Board with that further information or evidence which the Committee feel assured it would be your desire to have under the grave circumstances here mentioned.

I have, &c.,

STEAM NAVIGATION AND
PILOT BOARD,
Port Office, Sydney.

P. MACAULIFFE,
Secretary.

P. MACAULIFFE, ESQ., to THE MINISTER FOR FINANCE AND TRADE.

Newcastle, 30 September, 1858.

SIR,

Instructed by the Committee appointed here in public meeting in reference to the affairs of this port, I have the honor to state, that they are informed that it is the intention of the Steam Navigation and Pilot Board to remove the Signal Station at this harbour from its present position to Nobby's Peninsula; and that as such removal would seriously impair the utility of the signals to vessels approaching here from the southward with a strong wind (to which they are now of greatest importance), by preventing them from being perceptible until the vessels were too far to leeward, when probably the signals would be intended to indicate that the port could not then be entered,—I am desired to beg that the removal may be suspended, until at least the Committee can furnish the Board with further information or evidence on the subject, to which effect, as in your Department, I am instructed to request the favor of your interference.

I have, &c.,

THE HONORABLE THE MINISTER
FOR FINANCE AND TRADE,
Sydney.

P. MACAULIFFE,
Secretary.

THE SECRETARY TO THE TREASURY to P. MACAULIFFE, ESQ.

The Treasury, New South Wales,
5 October, 1858.

SIR,

I am directed by the Honorable the Treasurer to inform you, that upon the receipt of your letter of the 30th ultimo, upon the subject of the contemplated removal of the Signal Station at Newcastle, it was without delay referred to the Steam Navigation and Pilot Board. Their Report was laid before Mr. Campbell this morning, and returned for further evidence.

So soon as the Report in question shall have been completed, you will be again communicated with upon the subject.

I have, &c.,

P. MACAULIFFE, ESQ.,
Newcastle.

HENRY LANE.

THE HARBOUR MASTER to THE SECRETARY TO THE TREASURY.

The Port Office, Sydney,
2 October, 1858.

SIR,

With reference to the enclosed communications respecting the removal of the Flag-staff at Newcastle to Nobby's Head, I have the honor, by direction of the Steam Navigation and Pilot Board, to forward, for the information of the Honorable the Treasurer, a copy of a letter which has been addressed to certain petitioners upon the subject, and to request that you will be good enough to intimate to that Minister that the Board have examined masters of vessels (whose names are in the margin hereof) in the coasting trade, and who are therefore likely to be well acquainted with the Port of Newcastle, upon the question.

R. W. Sharpe of the
"Triton,"
J. D. Harleys, "Clarence,"
J. Cummins, "Ripley,"
R. Darby, "Architect,"
J. S. Walsh, "Fortune,"
R. Henderson, "Har-
"graves," "doubtful,"
S. Hellow, "Pearl," J. J.
Warner, "Telegraph,"
disapprover.
W. Keft, "William IV,"
C. H. Fletcher, "Pros-
"pector,"
J. George, "Caroline."

Eight of the eleven individuals mentioned are in favor of the removal of the Flag-staff to Nobby's, two opposed to it, and one doubtful upon the subject,—and, in the absence of anything to justify the Board in arriving at a different conclusion from that set forth in the letter in reply to the petition, they do not feel inclined to rescind the instruction given to the Harbour Master at Newcastle to remove the Flag-staff.

Should the Honorable the Treasurer, however, consider that there is anything material in the petition now forwarded, the Board will have no objection to take additional evidence upon the subject; but their own impression is that Nobby's is the proper place at which the signals ought to be made.

I have, &c.,

JOHN CROOK,

Harbour Master.

THE SECRETARY TO THE TREASURY.

THE HARBOUR MASTER, NEWCASTLE, to THE HARBOUR MASTER, SYDNEY.

Harbour Office, Newcastle,

16 October, 1858.

SIR,

I have the honor to inform you that the Flag-staff was placed on Nobby yesterday; and, according to your instructions, the signals will, on and after Monday, the 18th instant, be hoisted from that place, under the care of Mr. Hannell. I would recommend that the present tide-signals be continued, with this difference, that they should only be hoisted half up to the yard-arm until half flood, then close up until high water, when they are changed to the other yard-arm, and there to remain until half ebb, then again to be lowered half down until low water.

DAVID. T. ALLAN,

Harbour Master.

THE HARBOUR MASTER,
Sydney.

P. MACAULIFFE, ESQ., to THE COLONIAL TREASURER.

Newcastle, 19 October, 1858.

SIR,

Instructed by the Committee appointed in public meeting in reference to the affairs of this port, I have the honor to acknowledge receipt of your communication of 5th instant, and to express its sense of your courteous attention to the subject of the intended removal of the Signal Station here to Nobby's Peninsula, in reference to which, I am desired to inform you, that—contrary to the tenor of your letter, which the Committee understood as conveying a promise that the Station would not be removed until they had been again communicated with—it was removed on Saturday last to Nobby's.

I am desired to add, that in the present position of the subject the Committee deems it well to apprise you of the removal, without comment, and to state that a memorial declaratory of opinion on the question will be forwarded to you in a day or two.

I have, &c.,

THE HONORABLE
THE COLONIAL TREASURER,
Sydney.

P. MACAULIFFE,

Secretary.

THE

THE HARBOUR MASTER to THE SECRETARY TO THE TREASURY.

The Port Office, Sydney,
22 October, 1858.

SIR,

In returning the correspondence which has taken place respecting the removal of the Flag-staff at Newcastle, I am directed by the Steam Navigation and Pilot Board to state, for the information of the Honorable the Treasurer, that the Board have examined masters of vessels (whose names are mentioned in the margin hereof, in addition to those already reported,) upon the subject, all of whom concur in the view taken by the Board, that Nobby's Island is the proper place at which the Flag-staff should be placed.

Capt. McLean, "Hebe"
J. C. Thomas, "Dora."
R. Paddle, "City of
Sydney."
W. J. Lowe, "Nora
Croina," Schooner.
J. Toeb, "Ranger."

The Board cannot but regret that the views taken by them in this matter have been misconstrued by the Chamber of Commerce at Newcastle, as their object in carrying out this measure was the improvement of the port only; and the Board cannot but consider that any practical person who may take the trouble to look at the locality, as marked on a chart, will at once observe that the placing of the Flag-staff on Nobby's Island is an advantage to the shipping generally.

Some of the masters of vessels who were examined by the Board described the position of the yard on the old site, being north and south, as inconvenient during southerly winds, and spoke of the flags as being too small, to remedy which I have been directed to cause the yard to be placed east and west, and to furnish a new set of larger flags.

Under all the circumstances the Board see no reason to alter the decision arrived at, and as the Flag-staff is now removed and reported in working order, the Board hope to be able to carry out their other arrangements, as to the placing of the Pilots in the immediate vicinity thereof.

I have, &c.,

JOHN CROOK,

THE SECRETARY TO THE TREASURY.

Harbour Master.

Approved.—It seems to me that the residents at Newcastle, from the proceedings of a meeting as reported in the newspaper of this week, wished to have had the old Flag-staff retained, for giving information of vessels approaching the city, and not because it was of use for the safety of vessels approaching the harbour. This, I think, was not prominently mentioned, or perhaps it might have been provided for; but I hope that as the size of the flags is to be increased, the signals may be seen as distinctly from Nobby's as they were from the old site.

If this be so, it may be communicated to the gentlemen, with this report from the Harbour Master.

R. C.
23 October.

23 October, 1858.

The Board did examine several additional witnesses on the subject of the Flag-staff at Newcastle, and the result has been already communicated to the Treasurer; and as the opinion of these persons was equally conclusive with that given on a previous occasion, the Board did not consider it necessary to revoke the order formerly given to the Harbour Master for the removal of the staff; neither did they conceive by the Treasurer's minute that such a step was intended, or that any fresh authority was requisite, unless a different opinion were arrived at by the Board on the subject.

The quarters occupied by the Signal-man are urgently required for the use of the Harbour Master, to enable him to make his Pilots and crews available; and as this could not be done until the staff was removed, the Board did not hesitate to adopt a course which was, in their opinion, for the benefit of the port.

The Harbour Master having, in accordance with his previous instructions, removed the staff, the Board have taken the necessary step to afford the information to the public, and have notified the same in the usual way in the public journals, and forwarded copies of the notices to the various Boards of the neighbouring Colonies.

H. H. BROWNE.

The Honorable the Minister
for Finance and Trade.

THE

THE UNDER-SECRETARY TO THE TREASURY to P. MACAULIFFE, ESQ.

New South Wales,

The Treasury, Sydney,

26 October, 1858.

SIR,

Referring to previous correspondence upon the subject of the removal of the Flag-staff at Newcastle to Nobby's Head, I am directed by the Honorable the Treasurer to forward, for the information of the Committee appointed in reference to the affairs of the Port of Newcastle, copies of two communications received from the Steam Navigation and Pilot Board, by which it will be observed that nearly all the Masters of coasting vessels examined in reference to the proper site for the Flag-staff are in favor of Nobby's Head.

It will, however, be seen, that the second objection raised by the Committee has been met by increasing the size of the flags to be used at the new Signal Station, so as to make them more distinguishable at Newcastle.

Mr. Campbell therefore trusts that the conclusions arrived at by the Board, after much inquiry and deliberation, will be considered by the Committee as satisfactory.

I have, &c.,

P. MACAULIFFE, ESQ.,
Newcastle.

HENRY LANE,
Under-Secretary.

P. MACAULIFFE, ESQ., to THE COLONIAL TREASURER.

Newcastle, 26 October, 1858.

SIR,

I have the honor to forward to you, under separate cover, by this post, a Memorial from Merchants, Traders, and Masters of Vessels at this port praying against the removal of the Signal Station to Nobby's Peninsula, which Memorial was referred to in mine of 19th instant, and the transmission of which has been delayed in order to afford an opportunity to Captains arriving here in the interim to record their opinion of the propriety of the removal by signing it, which, I am desired by the Committee for which I have the honor to act to state, has, without exception, been done by all to whom it was offered for signature, being thirty-six Masters of vessels in all.

I have, &c.,

THE HONORABLE
THE COLONIAL TREASURER,
Sydney.

P. MACAULIFFE,
Secretary.

TO THE HONORABLE THE COLONIAL TREASURER.

The Memorial of the undersigned, Masters of Vessels, Merchants, and others, trading to or interested in the Port of Newcastle,—

RESPECTFULLY SHEWETH:—

That your Memorialists have heard, with regret, that it is proposed to remove the Signal Station at Newcastle from its present position to Nobby's Peninsula.

That your Memorialists, who number amongst them several of the most experienced Masters of vessels frequenting the port, have reason for believing that such removal would be inexpedient, and dangerous to the safety of vessels trading to Newcastle.

That, without detailing the reasons which enter into the consideration of the subject, it may be sufficient here to state, that the position of the Port of Newcastle, the difficulty sometimes of entering it, and the circumstance that its trade is principally with places to the southward of itself, make it important that vessels approaching it from that quarter should, at some distance before making the harbour, be able to discern the tide signals; it being dangerous at certain times, with the wind strong from the south, or south-south-east, to approach near the port, as at such periods vessels in light ballast trim (as almost all vessels are which come here for coal), being unable to enter the port, or to clear Point Stephens, are in much danger of being driven on shore in the bight between here and Port Stephens.

603—C

That

That for these reasons, which may be more detailed by inquiry, and because that Nobby's is considerably to the northward of the present station, your Memorialists pray that the removal of the Signal Station, as contemplated, may not be permitted.

And your Memorialists will pray.

William O'Hagan, "Ann and Maria."	Wm. Henry White.
William Murphy, "Herculean."	Alexander Livingstone, Newcastle.
George Walker, "Jessie."	W. P. Coles, Newcastle.
James Wilson, "Alex and John."	James Donney, Newcastle.
William Belither, "Oceana."	W. K. Lochhead.
Francis Ruwald, "Australia."	P. M'Auliffe.
John Frazer Paterson, "Pakeh."	Robt. C. Knaggs.
William Dunn, "Louisa."	James Hannell.
George Kenny, "Speculant."	Simon Kemp.
Peter Spence, "Scotia."	Martin Richardson.
John Gorge Thomas, "Deva."	E. M'Pherson.
William Jewell, "Shamrock."	James Menzies, Newcastle.
A. Campbell, "H. M. Warfield."	William Dow, schooner "Alma."
Chas. Clark, Master Mariner.	Alex. Duguid, schooner "Ariel."
John Roberts, "Sword Fish."	Lewis Hodge, "Saracen."
P. G. Revels, Master "Venus."	Isaac Thomas Wilson, Master Mariner.
John Poole, barque "Indus."	J. Lee, schooner "Caroline."
M. S. Rundle, Master Mariner.	James Firth, schooner "Gilbert
Chas. C. Beer, schooner "Zone."	Jamieson."
T. M'Alpin.	Robert Kelly, schooner "Pacific."
J. B. Gray, brigantine "Mary Ann."	A. E. Prangnall, schooner "Sisters."
Alexander Barraek, "Lion."	J. P. Martin, schooner "Mary."
George Tully, shipowner.	T. Her Rusberg, ketch "Æolæ."
John Broughton.	James Tosh, "Ranger."
Wm. Henderson.	James Stanton, "Emma Prescott."
W. T. Bryce, Agent for Underwriters,	James Farrar "Edward."
Sydney and Melbourne.	Edward Bond, barque "Favorite."

1858.

Legislative Assembly.

NEW SOUTH WALES.

NAVIGATION OF CASUARINA CREEK.

(LETTER FROM MR. COMMISSIONER WISEMAN RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 30 September, 1858.

W. H. WISEMAN, ESQ., C.C.L. to THE CHIEF COMMISSIONER OF CROWN LANDS.

*Leichhardt, Crown Lands Office,
17 September, 1858.*

SIR,

I do myself the honor to report to you, for the information of His Excellency the Governor General's Government, that I rode down to the mouth of the Casuarina Creek, about 35 miles from here, where I found, by appointment, Mr. William Archer, in his small vessel, engaged in bringing up a cargo for Mr. Landsborough's sheep station on that creek.

2. Mr. Archer excused himself from taking me in his boat for the purpose of taking soundings, as he was anxious to return to the "Eagle," at that time in Keppel Bay. But Mr. Archer is of opinion, from what he saw of this creek, and of another large channel running into it on the west, and being nearly parallel with the Fitz Roy River, that there is anchorage and wharfage for hundreds of large vessels. As I could ascertain then no more I returned; but by this you will be able to judge whether further survey is desirable. This creek runs into Keppel Bay.

3. The Captain of the "Eagle" steamer, notwithstanding that his vessel was delayed for two days from sticking on a mudbank, reports that the Fitz Roy, when marked with buoys, will be the best navigable river yet seen by him in Australia.

I have, &c.,

W. H. WISEMAN,

THE CHIEF COMMISSIONER OF CROWN LANDS,
Crown Lands Office, Sydney.

C. C. L.

1858.

Legislative Assembly.

NEW SOUTH WALES.

NAVIGATION OF RIVER MURRAY AND ITS EFFLUENTS.

(CAPTAIN CADELL'S CORRESPONDENCE UPON.)

Ordered by the Legislative Assembly to be Printed, 27 April, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 15 December, 1857, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House :—

“ (1.) Captain F. Cadell's last Report respecting the clearing
“ of the River Murray, addressed to the Commissioner of
“ Public Works, South Australia, and a Letter addressed by
“ that gentleman to the Honorable the Secretary for Lands and
“ Public Works, dated the 8th December, 1857.

“ (2.) All Correspondence that has taken place between the
“ Executive and other Colonial Governments, relative to the
“ clearing of the River Murray, since 5 June, 1854.

“ (3.) All Correspondence that has taken place between the
“ Executive Government and other parties, respecting the
“ clearing of the River Murray, since 27 May, 1856.

“ (4.) Letter from Mr. Crawford, addressed to the Governor
“ General, relative to the cultivation of land on the banks of
“ the River Nile.”

SCHEDULE.

NO.

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NAVIGATION OF RIVER MURRAY AND ITS EFFLUENTS.

I.—CAPTAIN CADELL'S REPORTS.

No. 1.

EXTRACT of a letter, dated 5 June, 1857, to the Commissioner of Public Works in South Australia, with regard to clearing the River Murray.

" In my letter stating the probable cost of a snag steamer at about £6,000, I was guided in my calculations by economy and the strength of the current in the river, being well aware at the same time that a much larger description of vessel, with more powerful engines, (equal to about 200 horse-power), is employed on the American rivers, but that they are frequently used to tow off steamers when aground,—a contingency not contemplated on the Murray.

" In my letter to the Chief Secretary, assigning 50 miles of clearing per annum as a boat's work, I alluded to the worst parts of the river, and such distance must only be considered as approximate, being possessed of no data as to the performance of a snag steamer in the removal of heavy timber, such as yarra-gum.

" My own opinion is, that I have under-estimated the boat's power of clearing. Setting down the navigable waters of South-eastern Australia at 4,500 miles, (the Mississippi being estimated at 25,000), a large portion of which requires no clearing; and allowing 100 miles per annum as one boat's work, she would take forty-five years in the execution of the whole, and three steamers would necessarily occupy fifteen years.

" Estimating the cost of three snag steamers at £6,000 13s. 4d. each, and the	£20,000
" annual working expenses, including the keeping up of the machinery at £2,500, would	112,500
" make a total of=£132,500, which, expended over a distance of 4,500 miles, would show a	£132,500
" cost of clearing, per mile, of under £30. Allowing that about four miles and two-thirds	
" of this immense river frontage were sold per annum, at the upset price, or say seventy	
" miles in fifteen years, it would fully repay the outlay to each Colony. The basin of the	
" Murray comprises upwards of 500,000 square miles, the sale of a two-thousandth part of	
" which would more than cover the expenditure.	

" But it would be preposterous to imagine that the enhanced value of Crown Lands, owing to the improvements of the rivers, would not exceed this calculation, as it would be absurd to suppose that such a small portion only would be sold during a period of fifteen years; and I would be afraid to commit to paper the future which I foresee for the valley of the Murray, many portions of which are, doubtless, capable of, and destined to support a large Anglo-Saxon population.

" F. CADELL."

" N. B.—It is also proposed to have a Sapper, or other competent surveyor, attached to each snag-boat, so as to chart the river, commencing from a given trigonometrical station on the Victoria Bank. Such charts should delineate an accurate longitudinal section of the levels of the waterbed, and shew how advantageous, or otherwise, the removal of any of the bars might prove to the permanent deepening of the river.

" F. C."

No. 2.

CAPTAIN CADELL to THE SECRETARY FOR LANDS AND PUBLIC WORKS, NEW SOUTH WALES.

Sydney, 9 December, 1857.

SIR,

I have the honor to submit the following suggestions relative to the sum of £2,000, on the Estimates for clearing the channel of the Murray.

Having stated in my evidence before the Committee of the House, now sitting, that the South Australian Government have a snag steamer all but completed for the purpose of
totally

totally extracting from the bed of the Murray all the fallen timber,—the proposed vote of £2,000 from your Government is, therefore, rendered practically useless.

I therefore proposed to the Committee that the sum in question should be transferred to the clearing of the Murrumbidgee, in addition to balance of £500 remaining out of vote in 1855.

And to carry into effect such proposition I would submit that clearing parties should be organized at the following points of the river, viz. :—No. 1, Wagga Wagga; No. 2, Yanko; No. 3, Burraboggy; No. 4, Kieta,—the last locality being the position where the clearing party belonging to the New South Wales Government left off in 1856. Should your Government deem it advisable to commence such operations in the early part of next month, the River Murrumbidgee would be cleared of all impeding timber, down to its lowest summer level, before the annual rise of its waters, and be rendered navigable during the six or eight months' continuance of such rise.

I have, &c.,

THE HONORABLE T. A. MURRAY,
Minister of Crown Lands and Public Works.

FRAS. CADELL.

II.—CORRESPONDENCE BETWEEN THE EXECUTIVE GOVERNMENTS OF NEW SOUTH WALES AND SOUTH AUSTRALIA.

No. 1.

THE CHIEF SECRETARY, SOUTH AUSTRALIA, to THE CHIEF SECRETARY, NEW SOUTH WALES.

*South Australia,
Chief Secretary's Office,
Adelaide, 9 February, 1857.*

SIR,

I have the honor to inform you that the Legislature of this Colony has appropriated the sum of Two thousand pounds, to be expended in improving the navigation of the River Murray, by removing snags and other impediments; but as the obstacles within the South Australian Territory are comparatively unimportant, it is proposed to expend the greater part of this sum in clearing the river wherever the greatest amount of benefit can be secured.

2. With this view Captain Francis Cadell has been furnished with funds, and appointed by this Government to superintend the work, which he proposes to commence immediately; and as the greater part, if not the whole, of his operations have to be carried on in that portion of the River Murray which is beyond the limits of South Australia, and within the Territory of Victoria or New South Wales, I have the honor to request you to move the Government of New South Wales to favor this project by instructing their officers who may have jurisdiction over the river and its banks to permit the operations of the working parties under Captain Cadell's command to be carried on without hinderance. A copy of the directions, as suggested by himself, under which Captain Cadell will act for the present, at the cost of this Colony, is herewith forwarded.

3. I cannot omit this opportunity of alluding to the importance to the several Colonies which are watered by the Murray of a combined effort to improve the navigation of the river; and to express a hope that a sense of general benefit will lead the several Legislatures to grant sums in proportion to their means to effect the common object, which may be expended by mutual arrangement, to be hereafter settled, under one general superintendence.

4. I have only to add that a similar communication has been addressed to the Government of Victoria.

I have, &c.

B. T. FINNISS,
Chief Secretary.

THE HONORABLE
THE COLONIAL SECRETARY,
New South Wales.

[Enclosure

[Enclosure in No. 1.]

Adelaide,
6 February, 1857.

SIR,

I have the honor to make the following propositions regarding the most advantageous method of expending the vote of £2,000 for the purpose of clearing the River Murray.

I would propose that two, or, if possible, three parties should be organized with as little delay as possible, and that they should commence operations from the following points.

1st party should commence at the junction station (near the junction of the Owens) where the clearing operations conducted at the expense of the New South Wales Government terminated last season.

No. 1 party have my instructions to make use of the boats, punts, cutting tools, &c., &c., the property of the New South Wales Government. I have advised the Commissioner of Crown Lands of the Murrumbidgee District on this head, and will arrange the matter with him, as it saves much valuable time when the water is low.

No. 1 party, provided early floods do not come down, could probably clear a channel flush with the low water level as far as Garrawangy or Boomanoomana, a distance by the river of about one hundred miles.

I would propose that Mr. Dorward, pilot of the R. M. N. Company, should leave for Melbourne this day per "White Swan;" from thence he should immediately proceed to the Murray District and comply with my letter of instructions, copy of which I enclose herewith.

Enclosure not sent.

No. 2 party having received their outfit from Melbourne, should commence at Boomanoomana, and, with the same proviso as to the early floods, should be able to clear flush with low water mark to Hennessy's (Bombabula,) or to the old Police Paddock, distance a little under one hundred miles.

When in that locality they would likely find the water rising so much on them as to put a stop to all profitable clearing in the bed of the stream; in such a case they would at once desist from any useless expenditure, and make the best of their way to the narrow channel of Lake Moira, where they would cut down the overhanging timber, which in some places impedes so much as not to leave above thirty feet of clear water across. Having accomplished this, the party would proceed to Maiden's Punt, and there be broken up.

No. 3 party, if found desirable that such a party should be started, at Gunawarra, about one hundred miles by land above Maiden's. This party would commence clearing the Victorian Channel of Campbell's Island, having effected which they would push down to Coghill's Run, (Pyangil,) and clear from its upper end to the junction of the Wakeool, where it would be broken up.

I enclose list of cutting tools necessary for the outfit of punts, of one officer and ten men, together with a list of material requisite for the punts and cooking utensils.

To meet the preliminary expenses of the parties, I would wish to draw from the Colonial Treasury (£600) six hundred pounds on account, as agreed upon during yesterday's interview.

I have, &c.,
FRAS. CADELL.The Honorable
The Chief Secretary.

No. 2.

THE CHIEF SECRETARY, NEW SOUTH WALES, to THE CHIEF SECRETARY, SOUTH AUSTRALIA.

New South Wales,
Colonial Secretary's Office,
Sydney, 1 April, 1857.

SIR,

I have the honor to acknowledge the receipt of your letter of the 9th February last, notifying the appropriation, by the Legislature of South Australia, of £2,000, for improving the navigation of the River Murray, by the removal of snags and other impediments, and stating, that as the obstacles within the South Australian Territory are comparatively unimportant, it is proposed to expend the greater part of that sum in clearing the river wherever the greatest amount of benefit can be secured; and in reply, to enclose a copy of a letter from the Secretary of the Department of Land and Public Works in this Colony, by which you will perceive that measures have been taken by this Government, not only to give Captain Cadell the use of the plant belonging to it, but also to authorize the expenditure by him of the residue of the money voted by the Legislature of this Colony for improving the navigation of the Murray River.

I have, &c.,
HY. WATSON PARKER.THE HONORABLE
THE CHIEF SECRETARY,
South Australia.

No. 3.

THE CHIEF SECRETARY, NEW SOUTH WALES, to THE CHIEF SECRETARY, SOUTH AUSTRALIA.

*New South Wales,
Colonial Secretary's Office,
Sydney, 11 April, 1857.*

SIR,

In transmitting herewith the copy of a Notice recently issued by this Government, respecting the rules to be observed by the Masters of Steamers navigating the River Murray, and by the owners or lessees of Punts or Ferries traversing that river,—I have the honor to request that you will be good enough to cause the purport thereof to be conveyed to the Masters of the Steamers which clear at Goolwa, bound up the River Murray.

I have, &c.,

THE HONORABLE

THE CHIEF SECRETARY,
South Australia.

HY. WATSON PARKER.

[Enclosure in No. 3.]

*Department of Lands and Public Works,
Sydney, 27 March, 1857.*

NAVIGATION OF THE MURRAY.

THE attention of Masters of Steam Vessels plying on the river Murray, and of lessees or owners of punts or ferries traversing that river, is invited to the propriety of observing the course indicated hereunder, for the prevention of injury to property,—the neglect of which may expose them, in case of collision, to legal consequences.

1. Whenever a steam vessel, passing up or down the river, shall arrive within one mile of a crossing place where a punt or ferry is established, the Master, or other person having charge of such vessel, shall give reasonable notice of the steamer's approach.

2. The lessee, or owner of the punt or ferry, should thereupon (due regard being had to the current, and to the position of the steamer with respect to the dangers of the channel,) keep as far as practicable to one or other side of the river until the steamer passes, and lower the ropes or chains (which should at all times be kept ready for sinking) to a sufficient depth below the surface of the water to keep clear of the paddles or screw of the steamers.

3. Masters of Steamers should on no account anchor, moor, or warp their vessels at any crossing-place, in a way that it will interfere with or obstruct the working of a punt.

JOHN HAY.

No. 4.

THE CHIEF SECRETARY, SOUTH AUSTRALIA, to THE CHIEF SECRETARY, NEW SOUTH WALES.

*South Australia,
Chief Secretary's Office,
Adelaide, 14 May, 1857.*

SIR,

Your letter of the 1st ultimo, reporting the measures adopted by the Government of New South Wales to assist in improving the navigation of the River Murray, having been forwarded to the Commissioner of Public Works in this Colony, for his information and remarks, I have now the honor to annex copy of that officer's reply.

"The thanks of this Government are due to the Government of New South Wales for the ready and serviceable co-operation tendered by them in aid of Captain Cadell's works for the development of the Murray Navigation."

I beg to express my entire concurrence in the above remarks.

I have, &c.,

THE HONORABLE

THE COLONIAL SECRETARY,
New South Wales.

T. B. FINNISS,

Chief Secretary.

No. 5.

THE CHIEF SECRETARY, SOUTH AUSTRALIA, to THE CHIEF SECRETARY, NEW
SOUTH WALES.

*South Australia,
Chief Secretary's Office,
Adelaide, 30 July, 1857.*

SIR,

I have the honor to enclose, for the information of the Government of New South Wales, a copy of a letter addressed to me by the Commissioner of Public Works in this Province, relative to the removal of snags from the bed of the River Murray.

In forwarding this communication the Government of Sir R. G. Macdonnell desire to express their hope that the mode of proceeding therein recommended will meet with the concurrence of the Government of New South Wales.

I have, &c.,

THE HONORABLE

THE COLONIAL SECRETARY,
New South Wales.

B. T. FINNISS,

Chief Secretary.

[Enclosure in No. 5.]

*Commissioner of Public Works' Department,
Adelaide, 15 July, 1857.*

SIR,

I have the honor to call your attention to the position of the measures directed towards rendering navigable the River Murray and its tributaries, with a view of those measures being submitted to the notice of the Governments of New South Wales and Victoria, in order to secure the greater advantages and economy of combined operations.

It seems now practically admitted that the development of this system of river navigation is the common interest of the three Colonies; and the extent to which both New South Wales and Victoria have recently indicated their willingness to contribute towards that end appears to justify the conclusion that these Governments will join that of South Australia in any reasonable scheme of common co-operation.

The present provision made by South Australia consists of an appropriation for the current year of the total sum of £10,000.

Of this sum, £2000 voted in the estimates of the year is being expended in maintaining at work three clearing gangs at as many separate parts of the river line. The limited mechanical means possessed by them allows no more than the cutting down of snags to the level of low water-mark. Their operations to the present time have extended over a distance of 300 miles.

The inadequacy of the means to produce that amount of clearance which the importance of the navigation demands, both as affecting the depth of draught of vessels which may be engaged in the service, and the length of the season over which they may ply, has led to the adoption of the more powerful instrumentality of a steam snag-boat, for the immediate construction and working of which the House of Assembly of this Province has, by resolution, pledged itself to appropriate a sum of £8,000.

It is estimated that a steam snag-boat, to cost from £600 to £700, will haul out from beneath low water-mark the various snag obstructions existing in the river, at the rate of 50 miles clearance per annum, and that the annual working cost will be about £2,500, exclusive of superintendence.

Captain Cadell has been authorised to proceed with the construction of this snag-boat, and when completed, its working will be confided to his charge.

The Government have tendered to Captain Cadell the annual sum of £250, with £100 additional as a covering allowance for travelling expenses incurred for this service, on behalf of South Australia.

Such being the relationship of South Australian expenditure in Murray River navigation clearance works, it is submitted, for the favorable consideration of the Governments of New South Wales and Victoria, whether common advantages would not accrue from an arrangement under which the means they also may respectively devote to the common end of these navigation facilities shall be placed under the charge of the same experienced and practical agent, Captain Cadell, to whom also would fall the additional proportionate shares of their annual remuneration.

In the event of the adoption by the three Colonies of such joint co-operation, under Captain Cadell, it is proposed that he be instructed, from time to time, to issue progress reports to the several Governments, detailing to each the nature and result of the expenditure of the common fund, as well as to the Government addressed the nature and result of the expenditure of its specific contribution.

I have, &c.,

SAML. DAVENPORT,

Commissioner of Public Works.

The Honorable

The Chief Secretary,
South Australia.

No. 6.

THE CHIEF SECRETARY, NEW SOUTH WALES, to THE CHIEF SECRETARY, SOUTH AUSTRALIA.

*New South Wales,
Colonial Secretary's Office,
Sydney, 9 October, 1857.*

SIR,

I have the honor to acknowledge the receipt of your letter of the 30th July last, enclosing the copy of one addressed to you by the Commissioner of Public Works in South Australia; relative to the removal of snags from the bed of the River Murray, and expressing a hope that the mode of proceeding therein recommended will meet with the concurrence of the Government of New South Wales; and I now transmit, for your information, the copy of a letter from the Department of Land and Public Works in this Colony on the subject, by which you will observe that the inquiry made in your communication cannot be definitely answered until the Legislative Assembly, to which it is proposed to submit the question of facilitating the navigation of the Murray, shall have expressed an opinion upon the entire matter.

I have, &c.,
CHARLES COWPER.

THE HONORABLE
THE CHIEF SECRETARY,
South Australia.

[Enclosure 1 in No. 6.]

*Department of Land and Public Works,
Sydney, 2 October, 1857.*

SIR,

With reference to your letter of the 25th ultimo, relative to the inquiry on the part of the Government of South Australia, as to whether any funds voted by this Colony for the improvement of the navigation of the Murray will be entrusted to Captain Cadell, for expenditure,—I am directed by the Honorable the Secretary for Lands and Public Works to request, that you will have the goodness to move the Honorable the Colonial Secretary to cause the South Australian Government to be informed that there is every probability that the question of facilitating the navigation of the Murray will be referred to a Select Committee of the Legislative Assembly; and that the question put by that Government cannot be definitely answered until the Assembly shall have expressed an opinion upon the entire matter.

I have, &c.,
MICL. FITZPATRICK.

The Principal Under Secretary.

III.—CORRESPONDENCE IN NEW SOUTH WALES.

No. 1.

THE CHIEF COMMISSIONER OF CROWN LANDS to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Crown Lands Office,
Sydney, 27 February, 1857.*

SIR,

In transmitting the enclosed communication from Commissioner Lockhart, requesting instructions relative to the disposal of a certain sum of money realized by the disposal of Timber cut by the Murray River clearing party, and suggesting that he may receive authority to hand over the amount in question to Captain Cadell, I do myself the honor, under the circumstances stated, to recommend that Commissioner Lockhart's request may be complied with.

I have, &c.,
GEO. BARNEY,
Chief Commissioner of Crown Lands.

THE UNDER SECRETARY FOR
LANDS AND PUBLIC WORKS.

[Enclosure

[Enclosure in No. 1.]

Murrumbidgee District,
Crown Lands Office,
17 February, 1857.

SIR,

I do myself the honor to submit, for your consideration, the following circumstances connected with the expenditure of the money voted for clearing the bed of the River Murray from obstructions to its navigation.

It is necessary for me to recall to your memory the manner in which Mr. Francis Cadell, the Managing Director of the Company, to whom the expenditure of the money voted was entrusted, proceeded to carry out the object in view. The plan adopted was by taking the low summer level of the water of the river as the basis of operations, and cutting all snags down flush with that level. Putting on one side the consideration as to whether these snags or the cut timber could be fairly considered as permanently got rid of; it would appear on the face of the *modus operandi* that any subsequent rise in the river would leave a clear navigable stream of the depth of that rise.

But this *modus operandi* to become practically beneficial pre-supposes two circumstances which in 1856 were not to be found:—

1. That the river shall be at the time of operation at or about the usual level of the summer season.
2. That whatever the level might be, it should be steady for some lengthened period, and that any variation should be slight.

In the summer of 1856, however, that the river never fell to its usual summer level was well known to the inhabitants of the district, being caused by the unusual quantity of rain—and that rain falling in heavy occasional gushes kept the pitch of the water constantly fluctuating.

It was, therefore, soon found by Mr. Cadell that cutting away the snags during these freshes was worse than useless, and it was agreed between us that the clearing party should, on these occasions, be employed in cutting and stacking wood fuel for the steamers, the same to be purchased by the Company, and the proceeds to be held at the disposal of the Government of the Colony of New South Wales.

I have, therefore, withheld from the last instalment now being paid to Mr. Cadell the sum of £187, until I receive further instructions on the matter from the Department. Mr. Cadell signs the voucher in full, including this sum of money, which, in reality, I apprehend, should be paid by me into the Treasury, as a collection on account of Government property sold; but it must be remembered that for the actual saving of this money the Treasury may be considered as actually indebted to the personal exertions of Mr. Cadell; and that had the party been allowed to sit down idle because they could not go on with the clearing (as would have happened in many cases) there would have been no question as to how this money might be disposed of—it would not have been in existence.

If the money be paid into the Treasury, it cannot be made available for clearing without a vote for the purpose of making it so available.

As Captain Cadell has informed me that he has obtained £2,000 from the Government of South Australia, and that the balance available from New South Wales will be highly welcome as a supplement, I do myself the honor to request that Captain Cadell may be informed that the sum of £187 may be added to the actual balance, and may be expended by him for the clearing of the River Murray.

I have, &c.,
CHARLES LOCKHART,
Commissioner of Crown Lands.

The Chief Commissioner
of Crown Lands,
Sydney.

No. 2.

THE CHIEF COMMISSIONER OF CROWN LANDS TO THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS.

Crown Lands Office,
Sydney, 16 March, 1857.

SIR,

The sum of £2,000 having been voted to enable Captain Cadell to clear the Rivers Murray and Murrumbidgee, namely, £1,000 for each river, the expenditure, as intimated to me by the Colonial Secretary's letter of 27 May, 1856, was entrusted to Mr. Commissioner Lockhart, and, as it would appear, advances to the amount of £2,000 were made to him. At the end of last year he rendered an account, with a certificate, of the moneys disbursed. From that certificate it is to be gathered that the sum of £687 18s. 4d. was still available, and at the same time Mr. Lockhart returned to the Treasury, as unexpended cash, the sum of £616 7s. 10d., making the whole sum still available amount to £1,304 6s. 2d.

2. It will be seen from the letter of Mr. Lockhart, dated 7th instant, (copy of which is enclosed), that Captain Cadell is about to renew his operations, and Mr. Lockhart requests that the sum of £616 7s. 10d. may be again placed to his public credit in the London

Chartered Bank. To this, I conclude, there will be no objection; and I beg, therefore, to recommend that the authority of the Honorable the Secretary for Lands and Public Works may be obtained for the issue of the required amount, and that the Auditor General be instructed accordingly.

I have, &c.,

THE UNDER SECRETARY FOR
LAND AND PUBLIC WORKS.

GEO. BARNEY.

[Enclosure in No. 2.]

Murrumbidgee District,
Crown Lands Office,
7 March, 1857.

SIR,

I do myself the honor to report that Mr. Francis Cadell, the Managing Director of the Murray River Steam Navigation Company, has again commenced operations on the river by removing obstructions to the navigation.

Having submitted all the accounts for moneys expended out of the vote of £2,000 by the Colony of New South Wales, and having, on the 23rd January last, forwarded the balance, amounting to £616, to the Treasury, Sydney, I now do myself the honor to request that the sum of £616 may be re-placed to my credit in the London Chartered Bank, Sydney, in order to enable me to make prompt payments for the labor performed by the clearing parties.

I have, &c.,

The Chief Commissioner
of Crown Lands,
Sydney.

C. G. N. LOCKHART.

No. 3.

THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS to THE CHIEF COMMISSIONER
OF CROWN LANDS.

Department of Land and Public Works,
Sydney, 23 March, 1857.

SIR,

Alluding to your letter of the 16th instant, in which, in reference to the improvement of the navigation of the River Murray by removing snags and other impediments, you request, in consequence of Captain Cadell being about to renew operations, that the unexpended balance, part of the vote of £2,000 for this purpose, may be placed to the public credit of the Commissioner of Crown Lands for the Murrumbidgee District, who has previously been entrusted with this work as far as this Colony was concerned,—I am directed to inform you that no replacement of the balance, namely, £616 7s. 10d., to Mr. Commissioner Lockhart's public credit has been authorized.

2. I am, at the same time, to apprise you that a communication has been received from the Government of South Australia, stating that the Legislature of that Colony has appropriated the sum of £2,000 to be expended for the like purpose, and that Captain F. Cadell has been furnished with funds and appointed to superintend the work, the greater part of which will have to be carried on within this Colony; and I am to request that you will be so good as to instruct the Commissioner of Crown Lands for the Murrumbidgee District to permit to Captain Cadell the use of the plant belonging to the Government of New South Wales, in the clearing of the Murray, during the present season, under the Government of South Australia.

3. I am also to request you to instruct the Commissioners to make arrangements with Captain Cadell for the expenditure of the residue of the vote of last year of the Legislature of this Colony in clearing the channels of the Murray and Murrumbidgee, in conjunction with the work now going on under that gentleman, if he can make arrangements for the expenditure of such balance beneficially, in addition to the South Australian vote.

4. I am, at the same time, to impress upon you the necessity of no time being lost in the matter, as the season will be too far gone for operations.

5. In conclusion, I am to request that you will be so good as to explain the conclusion of the first paragraph of your letter, now under reply, in which it is stated that the whole sum still available amounts to £1,304 6s. 2d.

I have, &c.,

THE CHIEF COMMISSIONER
OF CROWN LANDS.

MICL. FITZPATRICK.

No. 4.

No. 4.

THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS to THE CHIEF COMMISSIONER
OF CROWN LANDS.

*Department of Land and Public Works,
Sydney, 23 March 1857.*

SIR,

Referring to my letter to you of this date, in which you are informed that the necessary instructions have been issued relative to the payment of the unexpended balance of the sum of £2,000 for clearing the River Murray, I am now directed to inform you that, under the circumstances mentioned in the enclosure to your letter of the 27th ultimo, there will be no objection to Mr. Commissioner Lockhart being authorised to hand over to Captain Cadell the amount realised by the disposal of certain timber cut by the Murray River clearing party, amounting to the sum of £187.

I have, &c.,

MICL. FITZPATRICK.

THE CHIEF COMMISSIONER
OF CROWN LANDS.

No. 5.

THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS to THE PRINCIPAL UNDER
SECRETARY.

*Department of Land and Public Works,
Sydney, 23 March, 1857.*

SIR,

In returning to you the communication which was forwarded to this Department 9 Feb., 1857. ment, under blank cover, of the 20th ultimo, from the Government of South Australia, respecting the appropriation of £2,000 by the Legislature of that Colony to be expended in the improvement of the navigation of the River Murray, I am directed to forward to you, for the information of the Honorable the Colonial Secretary, a copy of a letter which has been addressed to the Chief Commissioner of Crown Lands, with a view to the co-operation of the Commissioner of Crown Lands for the Murrumbidgee District with Captain Cadell in removing impediments to navigation from the channel of the river, and to request that you will move the Minister to cause to be communicated to the Government of South Australia the measures taken, not only to give Captain Cadell the use of the Plant belonging to the Government, but also to authorise the expenditure by him of the residue of the vote of last year.

I have, &c.,

MICL. FITZPATRICK.

THE PRINCIPAL
UNDER SECRETARY.

No. 6.

THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS to THE SECRETARY TO THE
TREASURY.

*Department of Land and Public Works,
Sydney, 23 March, 1857*

SIR,

I am directed to request that you will have the goodness to move the Honorable the Minister of Finance to cause the sum of £616 7s. 10d., being the unexpended balance of the sum of £2,000 voted for the removal of obstructions to the navigation of the River Murray, paid by Mr. Commissioner Lockhart into the Treasury on the 23rd January last, to be placed to that officer's credit in the London Chartered Bank, Sydney,—operations for clearing the river in question having again commenced.

I have, &c.,

MICL. FITZPATRICK.

THE SECRETARY TO THE TREASURY.

No. 7.

No. 7.

THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS to THE AUDITOR GENERAL.

*Department of Land and Public Works,
Sydney, 23 March, 1857.*

SIR,

I am directed to inform you, that the Secretary to the Treasury has been requested to move the Honorable the Minister of Finance to cause the sum of £616 7s. 10d., being the unexpended balance of the sum of £2,000 voted for the removal of obstructions to the navigation of the River Murray, paid by Mr. Commissioner Lockhart into the Treasury on the 23rd of January last, to be placed to Mr. Lockhart's credit in the London Chartered Bank, Sydney,—operations for clearing the river in question having again commenced.

I have, &c.,

MICL. FITZPATRICK.

THE AUDITOR GENERAL.

No. 8.

THE CHIEF COMMISSIONER OF CROWN LANDS to THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS.

*Crown Lands Office,
Sydney, 27 April, 1857.*

SIR,

In reference to the 5th paragraph of your letter, No. 57-950, of 23rd March, relative to funds appropriated for clearing the rivers Murray and Murrumbidgee by which you request me to explain the conclusion of the first paragraph of my letter of 16th March, in which it is stated that the whole sum still available amounts to £1,304 6s. 2d.—I have the honor to state, for the information of the Honorable the Secretary for Land and Public Works, that the object of the remarks alluded to was to shew the present state of the fund; but I now perceive that there was no necessity for an allusion to the £687 18s. 4d., for, although it is stated in Mr. Lockhart's summary of his account to be a balance in the Bank of New South Wales, still, on further reference to his certificate, it appears that this £687 18s. 4d. is due to Mr. Cadell, and, consequently, that there is only £616 7s. 10d. really available.

I have, &c.,

THE UNDER SECRETARY FOR
LAND AND PUBLIC WORKS.GEO. BARNEY,
Chief Commissioner of Crown Lands.

IV.—MR. CRAWFORD'S LETTER.

JAMES C. CRAWFORD, ESQ., to THE SECRETARY OF STATE FOR THE COLONIES.

*Reform Club, Pall Mall, London,
28 April, 1857.*

SIR,

During the summer of 1838-39 (south latitude) I proceeded down the Murrumbidgee and the Murray, from New South Wales to Adelaide. Two years afterwards I passed through Egypt on my way to England, and was then impressed with the possibility of converting the basin of the Murray into an Australian Egypt. I then foresaw the destiny of that valley in an indefinite future; but I could not then perceive that the rapid progress of colonization, brought about by the discovery of gold, would render a consideration of the subject desirable as early as the present moment.

From the Australian Alps, the highest known land on that continent, the principal sources of the Murray, viz., the Murrumbidgee, and the main branch of the Murray, (called the Hume before its junction with the Murrumbidgee) take their rise. Flowing at first through a mountainous country, as we proceed to the westward the ranges rapidly decrease in height, until immense plains are reached, covered with a scanty herbage of shrubs, and separated by narrow hillocks of sandy pine scrubs. These plains only require moisture to give them immense fertility.

The

The plains continue not much above the level of the river until the latter commences, in South Australia, to wear a deep bed through the fossiliferous limestone formation which is here reached. The valley from this point to Lake Alexandrina is narrow, and consists of alluvium, covered by a fine forest, the river meandering between steep cliffs, some 200 or 300 feet high.

The table-land is here desert. What I propose is, that before the Valley of the Murray shall have passed into private hands, a survey should be made, and plans adopted, for damming the Murray and its tributaries, at various points, and of forming irrigating canals through the plains.

Whether or not these proposed plans can be made subservient to the internal navigation of the country should also be inquired into. Connected with a system of railways diverging in three directions—to Sydney, to Melbourne, and to Adelaide—the irrigation of the Valley of the Murray would be tantamount to the creation of a new empire.

What I have to ask is, that you will submit my project to the consideration of the Government of New South Wales, Victoria, and South Australia.

I am, &c.,

JAMES C. CRAWFORD.

THE RIGHT HONORABLE

H. LABOUCHERE,

&c., &c., &c.

Foregoing forwarded to the Surveyor General, for his Report, under Blank Cover of 25 August, 1857.

M. F. P.

THE SURVEYOR GENERAL'S REPORT.

The reserves Murray and Murrumbidgee have been surveyed from their sources to the boundary of South Australia, with circumferentor and chain.

No levels have been taken, neither has any gauge of the waters been made, by this Department.

Some of the Royal Engineers (who are now under the supervision of the Chief Commissioner of Railways) are, I believe, engaged in preliminary railway survey in the Valley of the Murrumbidgee, and any survey, levelling, or gauging, which it may be considered desirable should be made, could, perhaps, be economically performed by them, otherwise the work could be done by contract, under the direction of the District Surveyor.

A copy of the Map has been furnished to Mr. George Macleay, for the use of the Committee of the Assembly.

GEO. BARNEY,

Surveyor General.

Surveyor General's Office,
Sydney, 21 November, 1857.

The foregoing Report, together with Mr. Crawford's letter, forwarded to the Chief Commissioner of Railways, with a request that he would state whether any Sappers and Miners are surveying in the Valley of the Murray, or that of the Murrumbidgee; and if so, whether they have sent in any report or sections.

B. C.

T. A. M.

2 December, 1857.

THE CHIEF COMMISSIONER OF RAILWAYS REPORT.

In reply to the Honorable the Secretary for Lands and Public Works (Minute 57-8822), herewith returned, on a proposed survey of the Valley of the Murray,—there are two Sappers now exploring the country between Yass and Albury, with a view to ascertain the best line for a railway; but the reports sent in from time to time by them are confined to this subject.

B. H. MARTINDALE.

5 December, 1857.

1858.

Legislative Assembly.

NEW SOUTH WALES.

SNAG BOAT FOR RIVER MURRAY.

(FURTHER CORRESPONDENCE RELATIVE TO.)

*Ordered by the Legislative Assembly to be Printed, 9 June, 1858.**FURTHER Correspondence from the South Australian Government respecting the Snag Boat lately constructed by that Colony for clearing the River Murray.*

CHIEF SECRETARY, SOUTH AUSTRALIA, to COLONIAL SECRETARY, NEW SOUTH WALES.

*South Australia.**Chief Secretary's Office,
Adelaide, 20 May, 1858.*

SIR,

By instructions from His Excellency Sir R. G. MacDonnell, I have the honor to enclose, for the information of the Government of New South Wales, copy of a communication received from the Commissioner of Public Works in this Colony, covering a Report on the condition and capabilities of the Snag Boat recently constructed near Echuca, at the expense of the Government of South Australia, for the purpose of assisting to clear away the impediments at present existing in the bed of the River Murray.

The successful prosecution of this work may be regarded as necessary to the development of a route for the cheap transit of goods and produce to and from the interior of New South Wales, whilst its cost, if divided amongst the Colonies interested, will be trifling when compared with the advantages which must accrue to the resident population. I am, therefore, confident that these reasons will induce the Government of New South Wales to take their part in the scheme proposed in the letter of the Commissioner of Public Works of South Australia, dated 15th July, 1857.

I may add that, from data furnished to this Government, more than 5,000 tons of goods were forwarded during the season of 1857-8 up the River Murray for the consumption of the settlers and others in the interior of New South Wales and Victoria; and there exists good grounds for believing that were the impediments to the safe navigation of the river removed, the cost of the transit of these commodities would be much reduced, and the supplies consequently furnished to the consumers at a proportionately reduced price.

I have, &c.,

WM. YOUNGHUSBAND,
Chief Secretary.THE HONORABLE
THE COLONIAL SECRETARY,
New South Wales.

[Enclosure to the foregoing]

Public Works Office,
29 April, 1858.

Sir,

I have the honor to state, for the information of His Excellency the Governor-in-Chief, that the Snag Boat for the clearance of the Murray River, for which a sum of £8,000 was voted during 1857, has been completed and launched, and is now engaged in removing obstacles to the navigation of the river in the Upper Murray, beyond the frontiers of South Australia.

The Honorable the Treasurer during his recent visit to Victoria was requested by me to visit and examine the Snag Boat, and to furnish such a report thereon as his observation would justify.

From that report, a copy of which is enclosed, it will be seen that this Colony has every reason to be satisfied with the exertions of Captain Cadell, and with the result he has produced; and, so far as South Australia is concerned, the clearance of the river can now be proceeded with, with energy and success.

The question, however, arises, as to whether the burthen of the clearance of the Murray is to fall exclusively on South Australia. In the letter of Mr. Davenport to Mr. Finnis, of the 15th of July, 1857, (255-57), it is estimated that such a Snag Boat as has been built is capable of clearing fifty miles per annum. If the work does not proceed more rapidly, it is obvious that a very small impression will be made upon the obstructions which beset the navigation of the stream.

In view of this fact, Mr. Davenport recommended that the co-operation of the Victorian and New South Wales Governments should be invited to aid in carrying out this important undertaking; and accordingly letters were sent to those Governments on the 30th July, 1857.

The reply of the Victorian Government merely stated that the subject had been brought under the notice of the President of the Board of Land and Works; while that of New South Wales intimated that a definite answer could not be given until the House of Assembly had expressed its views thereon.

Whether any further action has been taken in the matter is not known; but as the uncertainty which exists has the effect of casting the onus of the clearing operations upon South Australia, it is desirable that the position of this Colony should be properly determined.

I have therefore the honor to suggest that the Governments of New South Wales and Victoria should be again addressed on the subject, that the whole of the circumstances should be brought before them, and a definite reply urgently requested.

I have, &c.,

T. REYNOLDS,
Comr. Public Works.

The Honorable

The Chief Secretary.

[Sub-Enclosure.]

Treasurer's Office, Adelaide,
23 April, 1858.

Sir,

In compliance with the request contained in your letter of the 30th ultimo, that I should visit Echuca, and hold a survey on the Steam Snag Boat that had been constructed for the South Australian Government,—I have the honor to report that, accompanied by Captain Cadell, I left Melbourne on the 7th instant, and arrived at Echuca on the evening of the 9th.

On the morning of the 10th I made a minute examination of the "Grappler," and report that she is complete, and fit for service. At noon, in order to test her power and efficiency, steam was got up, and the vessel proceeded against the stream at the rate of three miles per hour, and when abreast of the township several large snags were removed from the channel with great ease and rapidity, and were landed on the bank. Judging from this trial, I consider the vessel, in her model and fittings, well adapted for the purpose designated.

The "Grappler" is 80 feet long on deck, 26 feet beam in the widest part within the sponsons, with a depth of 6 feet 6 inches, and is propelled by paddle-wheels of 13 feet 6 inches in diameter; she is fitted with two 15 horse-power horizontal engines, by Napier, of Sydney, which work smoothly and satisfactorily; gearing for the lifting power is by means of leathern straps; she is fitted with three large substantial davits, each with a three-fold purchase, and has a powerful crane with a beam 27 feet long, capable of swinging snags of any weight high on the bank of the river; the scantling of the hull of the vessel is of red gum of superior quality, and the planking of the sides is of New Zealand and American pine, of 2½ inches thickness; she is flat-bottomed, and will probably draw a little over two feet water with her stores on board; she appears to have been well put together; she has ample space for the comfortable accommodation of the crew and officers. The only objection made was, that I considered the number and dimensions of the beams were not in proportion equal to the other scantling, and the only suggestions I offered to Captain Cadell were, that an extra beam should be placed at the after part of the paddle-boxes, and that as there was no inside lining, the floor should be lined in the way of the crews' quarters to prevent injury to the outer planking.

After

SNAG BOAT FOR RIVER MURRAY.

3

After the survey and trial of the boat, I proceeded to examine, with Captain Cadell, the papers relative to the cost of building; but as the whole of the accounts and vouchers had not been furnished, I could only arrive at an approximation of the cost of construction. The vouched accounts were as follows:—

			£	s.	d.
22 October, Account	No. 1	...	1,459	9	7
"	No. 2	...	1,238	9	5
26 February	No. 3	...	1,569	9	6
Vouched, but not yet forwarded to Commissioner ...	No. 4	...	1,799	18	11
Accounts not rendered (say)		...	500	0	0
			£6,567	7	5

To this sum has to be added the charge of Captain Cadell for superintendence.

The vessel will, therefore, cost the Government about £7,000, which sum, considering the high rate of labor at Echuca, and that so large a portion of the building materials, and the whole of the machinery, have been carted 170 miles from Melbourne, is not in excess of what might have been expected.

In conformity with the further instructions contained in your letter, I conferred with Captain Cadell in reference to his suggestions for the future employment of the vessel. In the course of conversation Captain Cadell informed me that he did not propose taking any action in, or continuous superintendence of the workings. He shewed me the correspondence between himself and the late Commissioner, Mr. Davenport, by which it appeared that a scheme had been proposed for building, at an estimated cost of £20,000, three steam Snag Boats, at the joint expense of the three Colonies of New South Wales, Victoria, and South Australia. They were to be constructed under the superintendence of Captain Cadell, and to be employed under his management for the general improvement of the navigation of the river. For his services he was to receive £250 per annum, and an allowance of £100 for travelling expenses from each Government. That the other Governments have not fallen into the proposed scheme for building the boat you are aware.

The question as to where the South Australian boat is to be employed will, I presume, depend on whether or not the other Colonies join in the working expenses now to be incurred; and I should have recommended Captain Cadell, under all the circumstances, to suspend the working until he could communicate with this Government on the subject; but, unfortunately, the crew had, for the most part, been shipped under written engagement for various periods, as set forth in the enclosed list. I thought it more advisable, therefore, not to interfere with the existing arrangement.

The comparative uselessness of South Australia attempting single-handed to clear the navigation of the river to the extent required is apparent; and as the greatest portion of the work to be accomplished is within the territories of the other Colonies, I have but little doubt that they would, in a spirit of fairness, if applied to, join in what must be considered a great Australian undertaking, or, otherwise, this Colony will have to bear the whole expense to be incurred in the employment of Captain Cadell, or some other equally competent person as superintendent and surveyor, without which there can be no satisfactory supervision over the workings of the boat, and no control exercised over the large monthly expenditure that must necessarily be disbursed in cash by the master.

I have, &c.,

JOHN HART,
Treasurer.

The Honorable
The Commissioner of Public Works.

1858.

Legislative Assembly.

NEW SOUTH WALES.

NAVIGATION OF THE MURRAY, &c.

REPORT FROM THE SELECT COMMITTEE

ON THE

NAVIGATION OF THE MURRAY, &c.;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

29 *October*, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

—o—
1858.

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1857.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 21. TUESDAY, 27 OCTOBER, 1857.

5. Navigation of the Murray and its Effluents :—Mr. George Macleay moved, pursuant to notice :—
- (1.) That a Select Committee be appointed to report upon the advantages likely to accrue to the Colony of New South Wales from opening up the navigation of the Murray and its Effluents, the Murrumbidgee and the Darling, and upon the best mode of clearing the Channels of these Rivers.
- (2.) That such Committee consist of the following Members :—Mr. Donaldson, Mr. Garland, Mr. Hay, Mr. Jamison, Mr. Jones, Mr. Lang, Mr. W. Macleay, Mr. Murray, and Mr. Suttor.
- Question—(1.) That a Select Committee be appointed to report upon the advantages likely to accrue to the Colony of New South Wales from opening up the navigation of the Murray and its Effluents, the Murrumbidgee and the Darling, and upon the best mode of clearing the Channels of these Rivers—put and passed.
- Question—(2.) That such Committee consist of the following Members :—Mr. Donaldson, Mr. Garland, Mr. Hay, Mr. Jamison, Mr. Jones, Mr. Lang, Mr. W. Macleay, Mr. Murray, and Mr. Suttor—put and passed.

VOTES No. 49. TUESDAY, 15 DECEMBER, 1857.

10. Navigation of the Murray and its Effluents :—Mr. George Macleay moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of the following Papers, with a view to their being referred to the Select Committee now sitting on the Navigation of the Murray and its Effluents :—
- (1.) Captain F. Cadell's last Report respecting the clearing of the River Murray, addressed to the Commissioner of Public Works, South Australia, and a letter addressed by that gentleman to the Honorable the Secretary for Lands and Public Works, dated the 8th December, 1857.
- (2.) All Correspondence that has taken place between the Executive and other Colonial Governments, relative to the clearing of the River Murray, since 5th June, 1854.
- (3.) All Correspondence that has taken place between the Executive Government and other parties respecting the clearing of the River Murray, since 27th May, 1856.
- (4.) Letter from Mr. Crawford, addressed to the Governor General, relative to the cultivation of land on the banks of the River Nile.
- Question put and passed.

[*Further Proceedings stopped by Prorogation.*]

1858.

VOTES No. 10. TUESDAY, 13 APRIL, 1858.

12. Navigation of the Murray :—Mr. George Macleay moved, pursuant to *amended* notice,—
- (1.) That a Select Committee be appointed to report upon the advantages likely to accrue to the Colony of New South Wales from opening up the navigation of the Murray, the Wakool, the Edwards, the Murrumbidgee, and the Darling—and upon the best mode of clearing the Channels of those Rivers ;—and that all proceedings before the Select Committee of last Session be referred to this Committee.
- (2.) That such Committee consist of the following Members,—Mr. Donaldson, Mr. Hay, Mr. Jamison, Mr. Jones, Mr. William Macleay, Mr. Murray, Mr. Robertson, Mr. Suttor, Mr. White, and the mover.
- Question put and passed.

VOTES

VOTES No. 21. FRIDAY, 30 APRIL, 1858.

18. Navigation of the Murray :—Mr. George Macleay moved, pursuant to notice, That the Return to the Address in reference to the Navigation of the Murray and its Effluents, adopted on motion of Mr. George Macleay, on the 15th December, 1857, and ordered to be printed on the 27th April, 1858, be referred to the Select Committee on the Navigation of the Murray, the Murrumbidgee, the Wakool, the Edwards, and the Darling.
Question put and passed.
-

VOTES No. 76. FRIDAY, 13 AUGUST, 1858.

8. Navigation of the Murray and its Effluents :—Mr. William Macleay moved, pursuant to notice given by Mr. George Macleay, That the Copies of Mr. Surveyor McCabe's Reports to the Surveyor General on the River Darling, laid upon the Table of this House on the 3rd instant, be referred to the Select Committee now sitting on the "Navigation of the Murray and its Effluents."
Question put and passed.
-

VOTES No. 111. FRIDAY, 29 OCTOBER, 1858.

3. Navigation of the Murray :—Mr. Hay, on behalf of Mr. George Macleay, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee appointed on the 13th April last, to report upon the advantages likely to accrue to the Colony of New South Wales from opening up the Navigation of the Murray, the Wakool, the Edwards, the Murrumbidgee, and the Darling, and upon the best mode of clearing the channels of those rivers, with Minutes of Proceedings and Appendix.
Ordered to be printed.
-

1858.

NAVIGATION OF THE MURRAY, &c.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly appointed on the 13th April last, "to report upon the advantages likely to accrue to the Colony of New South Wales from "opening up the Navigation of the Murray, the Wakool, the Edward, the Murrumbidgee, "and the Darling, and upon the best mode of clearing the Channels of these Rivers;" and to whom at the same time were referred "all Proceedings of the Select Committee "of last Session;" on the 30th April last, "the Return to the Address in reference to "the Navigation of the Murray and its Effluents, adopted on motion of Mr. George "Macleay, on the 15th December, 1857;" and on the 13th ultimo, "Copies of Mr. "Surveyor M' Cabe's report to the Surveyor General on the River Darling,"—have agreed to the follow Report:—

Your Committee have to express their regret that they should not have laid their Report upon the Table of your Honorable House before this late period of the Session. The delay is to be attributed to the hope which they have entertained, up to the last moment, of being able to procure further information on the very important subjects which they have had under their consideration.

Of the five rivers embraced in their inquiry, your Committee may now state that three, the Murray, its anabranch the Wakool, and the Murrumbidgee, have been navigated either completely or partially. The channels of the other two, the Darling and the Edward, another anabranch of the Murray, have not yet been entered.

The navigation of the Murray was first opened in 1853, and for some years past a considerable number of large steam-boats, with their attendant barges, have been plying on its waters, from its embouchure to Albury, a distance of nearly 1,800 miles,—1,300 of which are within the Territory of New South Wales.

Vide Appendix A. to evidence given by Captain Cadell on 12 Nov., 1857.

The channel of the Wakool has been tested for 50 miles, and within the last few weeks the highly gratifying fact has been made known to the Colony that the navigation of the Murrumbidgee has also been achieved.

Captain Francis Cadell, who so honorably distinguished himself by taking the first steam-boat to Albury, has now passed up the Murrumbidgee to Gundagai in a similar vessel,—the towns Albury and Gundagai being regarded as the extreme points on their respective rivers which at present it is considered desirable to attain.

Vide separate Appendix D.

Thus, within the Territory of New South Wales:—

The Murray has been navigated about ...	1,300 miles
The Wakool	50 "
The Murrumbidgee	800 "
Making a total of	2,150 "

To which may be added as yet to be navigated:—

The Edward and Wakool about...	350 miles
The Darling	800 "
Making an aggregate amount of navigable water	—
of	3,300 miles.

394—b

Adding

Adding 200 miles for lakes in connection with the Murray, and the navigable portion of that river above Albury, Captain Cadell makes this aggregate 3,500 miles—an enormous amount of water carriage, which in some measure compensates the Colony for the want of a seaboard on its southern and western limits. It must, however, be borne in mind, that from the tortuosity of all these rivers this aggregate would be represented on land by less than half of the distance.

The Rivers Murray and Murrumbidgee have their *basins* in a country rich in minerals, and admirably adapted, so far as soil and climate go, for agriculture; and both of them are navigable for some considerable distance within this superior region. Where they fall into the depressed levels of the interior, from the peculiar aridity of the climate, agriculture ceases to be practicable. On the other hand, the dry temperature and the saline vegetation of the vast and open plains on their banks, are singularly congenial to the flocks and herds there depastured. The latter remarks apply also to the country watered by the Wakool, the Edward, and the Darling.

The Murray, with its anabranches abovenamed, and the Murrumbidgee may be said to be navigable, as a matter of certainty, from May to the end of December in every year, and for the whole twelve months in those years when more than the average amount of snow and rain falls in the Alpine country in which they take their rise. The Darling not having its sources in mountains of such altitude, though it drains an enormous extent of country, cannot be looked upon as so certain; though Captain Cadell is of opinion that it would be navigable in all ordinary seasons were the drift timber, which at present encumbers it, once removed.

The boats and barges employed, when laden, are said to draw on the average 4 feet 6 inches. If this amount could be reduced to 2 feet, as is the case with the steamers on the Rhone, and many other shallow rivers in other parts of the world, there can be little doubt but that the two principal rivers could be made available for traffic from one year's end to the other; but their courses are so sinuous, their bends so numerous and so short, that it is impossible, according to Captain Cadell, to use vessels of that size which would give the displacement requisite for such light draught.

Before entering upon the advantages which in the opinion of your Committee the Colony must derive from the opening up of these rivers, they would wish to combat the idea, which seems to have obtained in Sydney, that the interest of that city must necessarily suffer thereby. Your Committee would point out that the large saving derived from water carriage necessarily ensures at a much earlier period than would otherwise take place the complete occupation of the districts in question, and that the certain result of such occupation is the increased production of animal food, a matter which has lately become to Sydney a question of the greatest interest, of far more import, in fact, to the inhabitants of the city at large than the retention of the traffic which has passed, or may pass, into the hands of the South Australian merchants. Your Committee would also take this opportunity of repelling the assertion that commercial severance must, as a consequence, be attended sooner or later by political separation. All frontier states must necessarily be more or less commercially connected with those with which they are conterminous; yet experience shows that it is precisely on the frontiers that annexation is always most unpopular. Your Committee are not disposed to ignore the fact that in the districts watered by these rivers a cry for separation has already arisen; but the desire, as at present expressed, is not for a junction with that Colony with which there is most traffic, but for a *distinct existence*; and this desire, your Committee believe, would entirely cease, were the fair and legitimate demands of the inhabitants to be met in an equitable and liberal spirit.

Proceeding with the benefits which are likely to result from carrying out the objects in view, your Committee would indicate, first, the social improvement that must inevitably attend the facilities for intercourse thus obtained throughout the whole length of the country permeated by these rivers, but more especially in the pastoral districts before described, through which the cheap transmission of the comforts and conveniences of life, heretofore unattainable, will give a fixed and civilized character to a society which has been up to the present time comparatively rude and nomadic. Under such improved circumstances families will be found where previously a male population only existed, and towns will arise

as commercial depôts, and as stations for laborers and mechanics, from whence in due time Churches and Schools will each dispense their own peculiar blessings.

With reference to the more direct and material advantages, among the chief may be classed the demand which must arise for the possession of the adjacent land, and this not only in the mountain country, which is so well adapted for agricultural occupation, but also in the level and exclusively pastoral districts. With the conveniencies and certainty secured by water communication, it cannot be doubted that many proprietors of stations will become fixed and permanent residents, and as such seek to obtain the fee simple of the land on which they may have placed their establishments. Your Committee are fortified in this belief by the fact, that even at this early period of the navigation of these rivers, upwards of 71,000 acres of land in their neighbourhood have already been sold, while twenty towns,—some of them of considerable size, such as Albury, Deniliquin, Gundagai, Tumut, and Wagga Wagga,—have been called into existence, to be augmented in a short time by seven more, about to be proclaimed.

The land on the banks of the earlier settled rivers, and on the Darling, as high as Fort Bourke, is all held under pastoral license, as are also the intermediate countries lying between the Murray and the Murrumbidgee, and between that river and the Lachlan; but the almost boundless plains which stretch from the Lachlan to the Darling, and from the western bank of that river to the South Australian boundary, are still unoccupied. These extensive regions contain areas sufficient to depasture many millions of sheep and cattle, and are believed to be, like other salt-bush countries, especially adapted for that purpose. Unfortunately they are without natural supplies of water, and under ordinary circumstances would, in all probability, be left untenanted for generations yet to come. With the facilities, however, offered for such operations by cheap access, there is reason to believe that, before any great lapse of time, these countries will be supplied with water by artificial means, and become as thickly covered by flocks and herds as the immediate banks of the river. Thus will the general wealth of the Colony be enormously increased, and its revenue proportionably improved. And while on this subject, your Committee would refer to Mr. Commissioner Perry's letter, (Appendix A, page 17), as evidencing the great enhancement of the value of leases of Crown Lands in the western interior districts, which has already been brought about by the successful navigation of the Murray River alone. Not only, however, will this new country be made available by the means just mentioned for pastoral purposes, but, from the possession of similar facilities, the back country in the other localities already specified may be made to depasture far more stock than at present—a consideration, as has been said before, of great and increasing importance, the price of butcher's meat throughout the whole Colony being now nearly as high as it is in the Mother Country.

Your Committee feel that too much stress cannot be laid upon the fact, that, unless it were for the medium offered by the waters of the Murray, by far the greater part of the dutiable goods consumed by the frontier population would be brought from Victoria, and that no revenue would be derived from these articles by New South Wales unless through the agency of frontier Custom Houses—a peculiarly unpopular, and, as experience has pointed out, a most inefficient system. By the arrangement at present subsisting with South Australia—an arrangement which evinces great liberality on the part of that Colony, and for the history of which your Committee would refer to the evidence of the Honorable Stuart Donaldson, Esquire—New South Wales secures the whole of the revenue of the articles that are river borne. And your Committee would here mention, that, though the proposed Railway from Melbourne to Echuca, when completed, may enable the Victorian merchants to undersell those of Adelaide in that immediate neighbourhood, this will not affect the traffic on the Darling, the Murrumbidgee, and the Lachlan; and, as the carriage from Echuca to Albury, &c., must continue to be by water, the same means, if a proper arrangement can be entered into with the Victorian Government, will still be offered for the collection of duties on goods to be conveyed upwards.

That the basins of both the Murray and Murrumbidgee are highly auriferous, and that they contain other valuable metals are now recognized facts. The gold fields of these districts, though yet in their infancy, are beginning to attract general attention. One of them indeed, Adelong, which is situated within 16 miles of a point already reached by the steamer "Albury," promises shortly to take a high rank among the most remunerative diggings

diggings of New South Wales. For the proper development of the wealth of these gold fields, abundant supplies, both of food and machinery, accompanied by certainty of delivery, are absolutely essential, and it is by water carriage alone that these accessories can be obtained.

Your Committee finally would point out—among the benefits to be derived from supplying the wants of these districts by water—the great amount of labor now employed in carting up goods by land, which would thus be rendered available for other purposes; to which may be added the saving of human food in the bullocks that are now in great numbers annually wasted in such employment.

The advantages, then, that this Colony would obtain by the opening up the navigation of these rivers may be thus summed up:—

A rapid settlement of the country on their banks.

An improved social condition of the population.

A great increase of the general wealth of the Colony.

A large addition to the revenue through the increased sale of land and leases of runs.

The means of collecting the whole of the duties leviable upon goods consumed in the adjacent districts.

An increased impulse given to the development of the gold fields in the neighbourhood.

The saving of human labor, and the saving of human food.

All these, your Committee submit, are matters of deep import, and not the less worthy of consideration from the fact of this Colony just now being threatened with a very great curtailment of her eastern sea-board.

With respect to the next branch of their inquiry,—as to what has been done in the way of clearing the channels of the rivers enumerated, your Committee have to report, that on

THE MURRAY

About 700 miles have been partially cleared, that is, the drift timber for that distance, in the places where it offered most obstruction, has been cut down to the lowest water-mark. For the most part, this has been done at the expense of South Australia, but about 220 miles have been so cleared at the cost of New South Wales. These operations have not been continuous, since many reaches of the river were found comparatively free from obstructions of this nature; as they have, however, been put into effect where most needed, the Murray may be said to be cleared for the whole distance from its mouth to Albury, so far as hand labor can be rendered effectual for that purpose. There is, indeed, an exception of a small portion above the Wakool, but for this there are South Australian funds in hand. The whole of the operations which have been done in this way have been carried on by the River Murray Navigation Company, under the immediate superintendence of Captain Cadell, and that the work has been well done is shewn by the certificates given by Masters of steamers which were running in opposition to the boats of the Company. Latterly, a complete and effectual process for clearing the channel of this river has been commenced by the South Australian Government, through the agency of a snag-steamer.

Vide page 20 of Evidence.

THE MURRUMBIDGEE.

Of this river about 70 miles have been cleared in the partial manner above mentioned, commencing at the junction of the Lachlan and going downwards—that portion of its channel offering most obstruction. This work, also carried on under the superintendence of Captain Cadell, cost £500. In the opinion of that Gentleman, the sum now in hand (including the sum of £2,000 voted during the present Session) available for the purpose, will be sufficient to clear the whole river in this mode, from its junction with the Murray to Wagga Wagga, and a further sum of £1,000 would suffice for the same process between that town and Gundagai.

THE WAKOOL, THE EDWARD, AND THE DARLING.

Remain still in their natural state.

With

With respect to the means through which these operations have been carried on, your Committee have to state, that in 1855 a sum of £1,000 was voted by the Legislative Council of New South Wales for the purpose of clearing the Murray, and a further sum of £1,000 for the clearing of the Murrumbidgee, of which latter vote £500 only, as above mentioned, has been expended. Your Honorable House has just voted £2,000 with a like view—thus, by New South Wales, £4,000 in all has been devoted to the purpose described.

In 1857, South Australia, following the example of New South Wales, voted £2,000 to be applied to the clearing of the Murray, and in the same Session a sum of £8,000 for the construction of a snag-steamer, and to meet its working expenses, was placed on the Estimates, and passed.

MODES OF CLEARING.

The partial clearing alluded to consists in cutting off, at the season when the water is lowest, all projecting timber, allowing the lighter boughs to float down the stream and rolling the logs into the deep holes. This process, though it enables the various vessels navigating the Murray, and your Committee may now add the Murrumbidgee, to pass up and down, has not freed them altogether from risk of injury, and still less from the annoyance of continual "bumping" when the water is low. It is obviously an imperfect mode of obtaining the object in view, but is perhaps the only practical method where immediate effect is desired, and that at no considerable cost.

The South Australian Government, as before mentioned, has lately placed a snag-steamboat upon the Murray, which is understood to be doing its work most effectually. This boat cost between £5,000 and £6,000, and the remaining portion of the vote of £8,000 is considered sufficient to pay its working expenses for twelve months, in which time Captain Cadell calculates that it will clear thoroughly about 50 miles of the river.

Vide Mr. Treasurer Hart's letter, Separate Appendix C.

It was originally proposed by the South Australian Government that New South Wales and Victoria should each build and equip a similar boat; and it was understood that this proposal was favorably entertained by the then existing Governments of both these colonies. This arrangement however has not been carried out; on the part of New South Wales, your Committee believe principally, if not entirely, from the difficulty which has existed in raising the requisite funds.

This state of things having happily now passed away, your Committee cannot but express the strongest hope that the Government will at once take steps to ascertain by the examination of a competent officer the degree of success which has attended the use of the snag-steamboat thus far, and should it be found to have accomplished its object without materially exceeding the estimated expenditure, to make the necessary arrangements for preparing and equipping two such boats—one for the Murray, and the other for the Murrumbidgee.

It will be seen on reference to Captain Cadell's evidence, page 23, in his answer to questions 99 *et seq.*, that he is of opinion that the Colony of Victoria is so deeply interested in this matter, from the fact that the Murray is regarded as the great feeder for the River Murray Railway, that it would be prepared, in conjunction with South Australia alone, to do all that is needful on this river. Should this be found to be the case, one such boat on the Murrumbidgee would be all that at present perhaps could be expected.

Before leaving this part of the subject, your Committee would beg to refer to the letter of Mr. Eaton, obtained through the kindness of the late American Consul Mr. Williams.

Vide separate Appendix B.

The machine described in the latter part of Mr. Eaton's communication your Committee are inclined to believe might be found of great service, in the narrow parts of the Murrumbidgee more especially. It is simple and cheap, and, as some of the Members of your Committee have had an opportunity of observing, of extraordinary power: such machines might easily be constructed on the spot where required; and your Committee would suggest that Captain Cadell, to whom it is understood the superintendence of these works is to be committed, should be directed to test their efficiency at once.

One thousand pounds appear from Captain Cadell's evidence to be still required for this preliminary clearing of the Murrumbidgee between Wagga Wagga and Gundagai. As the same general superintendence could take in hand a number of detached parties as easily

as a few, and as it is desirable to get the whole line of the river cleared during the next working season, your Committee would beg to recommend that a further sum of £1,000 be put on the Supplementary Estimates for 1858, for this purpose.

The clearing of the channels of the Wakool and the Edward is comparatively of less importance; but the clearing of the Darling, which runs so far into the north-western interior, scarcely otherwise approachable, is of little less consequence than the opening of the two principal rivers, and no time should unnecessarily be lost in paying due attention to so desirable a work.

Your Honorable House will not have failed to observe that much has already been done in the matters under consideration, and that, at an expense which may be regarded as trifling when compared with the important results obtained. Your Committee feel it their duty to point out how very much of this has been done by Captain Cadell.

Since the year 1852 the whole of that gentleman's time and energies has been devoted to the opening up of these rivers. In 1854 he reached Albury, in the "Lady Augusta," a steamer of 72 tons, and he has just succeeded in attaining Gundagai, a town which occupies the same position on the Murrumbidgee as Albury does on the Murray, in a steamer of still larger tonnage: thus opening up for commercial purposes at least 2,600 miles of internal water carriage. He has in the meantime also proved that the sea mouth, which is common to all these rivers, and which had been regarded as peculiarly dangerous, is with proper precautions a perfectly practicable exit.

He has further superintended the clearing of both the Murray and the Murrumbidgee so far as this operation has gone, and that in a manner which probably could have been carried out by no other person than himself.

For these services the Legislature of South Australia has awarded him—or rather the company to which he belonged—£6,500, the third of which sum only fell to his share. From New South Wales, deriving at least as much benefit from his exertions as South Australia, Captain Cadell has received *nothing*.

In 1854 a motion was made in the Legislative Council that a sum of £3,000 should be granted to Captain Cadell in requital of his services on the Murray, which was subsequently altered into a proposition that a bonus of £2,000 should be given to Captain Cadell upon his taking a steamer to Albury, and another bonus of a like amount upon his carrying up a steamer to Gundagai. This motion was withdrawn, on the understanding that it was to be brought on again at some subsequent period.

Your Committee feel that they are doing but an act of common justice when they recommend that a sum of money, somewhat commensurate with that which he has received from South Australia, should be awarded by the Government of New South Wales to this most enterprising Colonist, as an acknowledgment of the extraordinary zeal and energy which he has devoted to this particular cause, and of the great practical skill which has so effectually secured its consummation.

With respect to the letter which has been referred to your Committee, addressed by Mr. Crawford to the Secretary of State for the Colonies, drawing a comparison between the valley of the Nile and that of the Lower Murray, and suggesting that no land in the latter district should be alienated until after some general plan for its irrigation might be determined upon, your Committee are of opinion that as an enormous amount of rich agricultural land, requiring no expensive preparation of this description, is available in other parts of the Colony, such a gigantic work as that contemplated cannot be required or looked for, for many years to come; and that, when the proper time arrives for such operations, they can be carried on as well by private proprietors under Legislative enactment, as by the Government.

Your Committee therefore are not inclined to urge the adoption of Mr. Crawford's recommendation.

Mr.

Mr. Surveyor McCabe's reports on the River Darling, also referred to your Committee, contain a great amount of valuable information; but as they refer almost exclusively to the character of the country on its immediate banks, now occupied, and not to the channel and capabilities of the river itself, and are, moreover, very voluminous, your Committee have not thought it worth while to append them to this Report.

Your Committee in the course of their inquiry, while seeking for information respecting the quantity of live stock and goods which passes across the frontier from New South Wales to Victoria, have been struck by the fact that it is in the latter Colony alone that a registry of it is kept. From the Appendix to Captain Cadell's evidence of 20 November, 1857, and separate Appendix F, Nos. 1, 2, and 3, it will be seen that it is very great indeed—amounting at this time, probably, in value to not less than a million and a half sterling annually.

It is obvious that, for the sake of the commercial credit of New South Wales, this most important traffic, far from being ignored, should be recorded regularly in the financial statistics of the Colony.

Your Committee, therefore, in addition to the recommendations contained in this Report—though the matter may not come strictly within the scope of their inquiry—would strongly urge that proper steps be taken to collect this information at all the principal crossing-places on the frontiers both of Victoria and South Australia.

GEO. MACLEAY,
Chairman.

*Legislative Assembly Chamber,
Sydney, 29 October, 1858.*

1857.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 12 NOVEMBER, 1857.

MEMBERS PRESENT:—

Mr. G. Macleay,		Mr. Garland,
Mr. W. Macleay,		Mr. Hay,
	Mr. Suttor.	

Mr. G. Macleay was called to the Chair.
Committee deliberated.

The Chairman requested the various members of the Committee then present to supply him with the names of any witnesses whose evidence might, in their opinion, be found serviceable in rendering this inquiry as complete as possible, and directed the Clerk to take a list of such names as a datum to direct the Committee in their subsequent selection of witnesses.

After further deliberation,—
Captain F. Cadell examined.

[Adjourned till Tuesday next, at Ten o'clock.]

TUESDAY, 17 NOVEMBER, 1857.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. Jones,		Mr. Donaldson,
Mr. Suttor,		Mr. Hay,
Mr. W. Macleay,		Mr. Garland.

The Chairman, having before him the manuscript evidence given by Captain F. Cadell on the 12th instant, read the same.

Captain F. Cadell further examined.
Committee deliberated.

Motion made and *Question*,—"That a letter be forthwith addressed by the Chairman to the Under Secretary for Lands and Public Works, requesting him to supply the Committee, at his earliest convenience, with the undermentioned documents, viz. :—

- "(1) Captain F. Cadell's last Report respecting the clearing of the Murray River addressed to the Commissioner of Public Works, South Australia.
- "(2) All correspondence that has taken place between the Executive Government and other Colonial Governments relative to the clearing of the River Murray, since 5th June, 1854.
- "(3) All correspondence that has taken place between the Executive Government and other parties respecting the clearing of the River Murray, since 27th May, 1856.
- "(4) A letter from Mr. Crawford, supposed to be addressed to the Secretary for Lands and Public Works, relative to the cultivation of land on the banks of the River Nile."

[Adjourned till Friday next, at Ten o'clock.]

FRIDAY, 20 NOVEMBER, 1857.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. Donaldson,		Mr. Hay,
Mr. W. Macleay,		Mr. Suttor,
Mr. Garland,		Mr. Jamison.

Captain F. Cadell further examined.

Motion made and *Question*—"That the Reverend W. B. Clarke be summoned before this Committee as a witness on Thursday next, for the purpose of being examined relative to the auriferous and other mineralogical features of the basin of the River Murray"—
agreed to.

[Adjourned till Thursday next, at Ten o'clock.]

THURSDAY,

THURSDAY, 26 NOVEMBER, 1857.

MEMBERS PRESENT:—

Mr. Hay,	|	Mr. Donaldson,
Mr. Garland,	|	Mr. Suttor,
Mr. Jamison,	|	Mr. W. Macleay.

Mr. Hay, in the absence of the Chairman, was called to the Chair.

Committee deliberated, and it was *Resolved*:—

"That the two plans appended to the evidence given by Captain F. Cadell before the Committee on 20th instant be lithographed."

By direction of the Chairman, letter from the Under Secretary for Lands and Public Works, in reply to a communication addressed to him by the Chairman, requesting to be supplied with certain documents, &c., for the information of the Committee, under a Resolution agreed to on the 17th instant,—read by the Clerk.

Committee deliberated.

Motion made (Mr. W. Macleay) and *Question*,—"That the Chairman be now requested to move in the House, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of the House, copies of the following papers, with a view to their being referred to the Committee."

- "(1.) Captain F. Cadell's last Report respecting the clearing of the River Murray, addressed to the Commissioner of Public Works, South Australia, and a letter addressed by that gentleman to the Honorable the Secretary for Lands and Public Works, dated the 8th December, 1857.
- "(2.) All correspondence that has taken place between the Executive and other Colonial Governments relative to the clearing of the River Murray, since 5th June, 1854.
- "(3.) All Correspondence that has taken place between the Executive Government and other parties respecting the clearing of the River Murray, since 27th May, 1856.
- "(4.) Letter from Mr. Crawford, addressed to the Governor General, relative to the cultivation of land on the banks of the River Nile."

Captain F. Cadell, further examined.

Rev. W. B. Clarke, examined.

[Adjourned till Wednesday next, at Ten o'clock.]

WEDNESDAY, 2 DECEMBER, 1857.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. Donaldson,	|	Mr. Suttor,
Mr. Jamison,	|	Mr. Jones,
Mr. W. Macleay,	|	Mr. Hay.

The Honorable S. A. Donaldson, a member of the Committee, examined in his place.

Committee deliberated.

[Adjourned till Thursday, 17th instant, at Ten o'clock.]

THURSDAY 17 DECEMBER, 1857.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. Hay,		Mr. Jones.
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Committee deliberated relative to the expediency of making a Progress Report to the House, and as to the tenor of such Report.

Motion made (Mr. Hay) and *Question*,—"That the Chairman be requested to draft a Progress Report for the consideration of the Committee"—*agreed to*.

[Adjourned.]

[Further Proceedings stopped by Prorogation.]

1858.

WEDNESDAY, 9 JUNE, 1858.

MEMBERS PRESENT:—

Mr. G. Macleay,
Mr. White,
Mr. Suttor,

Mr. Hay.

Mr. Jones,
Mr. Donaldson,
Mr. W. Macleay,

Mr. George Macleay was called to the Chair.

By direction of the Chairman, Resolution of the House appointing the Committee, and referring thereto all Proceedings of the Committee of last Session—read by the Clerk.

Committee deliberated.

Motion made and *Question*—"That these Proceedings be now adopted as part of the "Proceedings of this Committee"—*agreed to*.

The Chairman stated that the Clerk had already, under his instructions, transmitted a copy of the Minutes of Evidence taken before the Committee of last Session to each member of the Committee.

By direction of the Chairman, Resolution of the House, dated 30th April last, referring to the Committee a Return to an Address moved for by the Chairman on the 15th December last under a Resolution agreed to by the Committee of last Session on the 26th November last—read by the Clerk.

The Chairman then stated that as he was desirous of taking the evidence of Mr. G. B. White, a member of the Committee, upon the subject, he had requested that gentleman to attend in his place *this day* for the purpose of being examined, and that Mr. White was consequently now present, and willing to be examined.

Whereupon Mr. G. B. White, a member of the Committee, examined in his place.

Mr. W. H. Suttor, junior, examined.

[Adjourned till Wednesday next, at *Eleven o'clock*

WEDNESDAY, 15 JUNE, 1858.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. Jamison,
Mr. Suttor,

Mr. Hay.

Mr. Donaldson,
Mr. William Macleay,

Mr. A. G. McLean, Chief Draftsman in the Survey Department, examined.

The Chairman read a letter—addressed to Messrs. Wilkinson, Brothers, and Company, of Collins-street, Melbourne, by Mr. C. L. Eaton, of Creswick, on the 15th January last—relative to the removal of snags from the beds of rivers.

Ordered to be printed in Appendix. (Vide Separate Appendix B.)

Committee deliberated.

Motion made and *Question*—"That the Chairman do move that there be laid upon the Table of the House copies of any Reports made by Mr. McCabe relative to the "Darling River, with a view to their being referred to this Committee"—*agreed to*.

[Adjourned till Wednesday next, at *Eleven o'clock*.]

WEDNESDAY, 23 JUNE, 1858.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. Suttor,

Mr. Jamison.

Mr. W. Macleay,

Mr. J. Tyson and Mr. F. A. Gwynne, examined.

Committee deliberated, and it was *Resolved*:—

"That this Committee will, at its next meeting, on Wednesday, 30th instant, proceed to consider the heads of a Report."

[Adjourned till Wednesday next, at *Eleven o'clock*.]

WEDNESDAY, 30 JUNE, 1858.

By direction of the Chairman, the meeting of the Committee convened for *this day*
[Postponed till Thursday next, at *Eleven o'clock*.]

THURSDAY,

THURSDAY, 1 JULY, 1858.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. Suttor,

Mr. William Macleay.

Committee having met, pursuant to a Resolution agreed to at their last meeting, to consider the heads of their Report, deliberated, and it was *Resolved*:—

- "1. That, in the opinion of this Committee, without a larger attendance of members it is inexpedient to proceed to the consideration of the heads of a Report."
- "2. That this Committee do now therefore adjourn till Ten o'clock on Wednesday next."

[Adjourned till Wednesday next, at Ten o'clock.]

WEDNESDAY, 7 JULY, 1858.

By direction of the Chairman, the meeting of the Committee convened for *this day*
[Postponed till to-morrow, at Eleven o'clock.]

THURSDAY 8 JULY, 1858.

The meeting of the Committee convened for *this day* lapsed, in consequence of the adjournment of the House from Tuesday, 6th instant, to Tuesday, 13th instant, owing to the demise of the Venerable Archdeacon Cowper, Father of the Principal Secretary.

WEDNESDAY, 14 JULY, 1858.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. W. Macleay,

Mr. Hay,

Mr. Jamison,

Mr. Suttor.

Committee deliberated as to the heads of a Report.

[Adjourned till Wednesday next, at half-past Ten o'clock.]

WEDNESDAY, 21 JULY, 1858.

MEMBERS PRESENT:—

George Macleay, Esquire, in the Chair.

Mr. Jones,

Mr. Suttor,

Mr. William Macleay,

Mr. Jamison,

Mr. Hay.

The Chairman laid before the Committee certain Resolutions to form the basis of a Report.

Motion made and *Question*—"That these Resolutions be now read and considered *seriatim*"—*agreed to*.

Whereupon the following Resolutions 1, 2, 3, 4, 5, and 6, read, and considered *seriatim*, viz:—

- "1. That it is expedient to report upon the advantages which the Colony will derive from the means of communication offered by the principal Western Rivers.
- "2. Upon what has been done and is now doing in the way of clearing the channels of the Rivers Murray and Murrumbidgee; their present state in this respect, and the different modes of clearing, preliminary and complete, by means of steam snag-boats; and to refer also to the lever boats in use on the Mississippi.
- "3. That it is expedient to recommend that the sum of £2,000, already on the Estimates, for clearing the channels of the River Murray and Murrumbidgee, be expended on the latter river.
- "4. That Captain Cadell be appointed to superintend such operation.
- "5. That Captain Cadell, if so appointed, be instructed to test the Mississippi lever plan on the River Murrumbidgee.
- "6. That provided such mode of clearing proves efficacious, the Government should then employ without loss of time boats of this kind on the Rivers Murray and Murrumbidgee, and as soon as practicable on the Rivers Darling, Wakool, and Edwards also."

Whereupon Motion made, and *Question*—"That the purport of these Resolutions be embodied in the Report"—*agreed to*.

The following Resolution, 7, then read and considered, viz:—

- "7. That it is expedient to recommend that a donation of £1,000 be awarded to Captain Cadell for the meritorious services he has already rendered to the Colony in opening up the navigation of the River Murray."

Whereupon Motion made and *Question put*—"That the purport of this Resolution be embodied in the Report."

Committee

Committee divided.

Ayes, 4.
Mr. W. Macleay,
Mr. Jamison,
Mr. Hay,
Mr. Suttor.

No, 1.
Mr. Jones.

The remaining Resolutions, 8, 9, 10, and 11, then read and considered *seriatim*, viz. :—

- " 8. That it is expedient to recommend that a further sum of £1,000 be proposed as a *bonus* to Captain Cadell, provided he keeps a steam-boat for two seasons running on the River Murrumbidgee as high as Wagga Wagga.
- " 9. That officers be appointed at certain spots along the frontiers for the purpose of collecting the amount of traffic existing between the three Colonies.
- " 10. That reference be made to Mr. Crawford's letter, to the effect that it is not desirable to adopt the recommendations contained therein.
- " 11. That incidental allusion be made to the probable effect which the remission of assessment dues might have upon the occupation of the back country on both sides of the River Darling."

Whereupon Motion made, and *Question*—"That the purport of these Resolutions be also embodied in the Report"—*agreed to*.

Committee deliberated, and it was Resolved :—"That the Chairman do, at his earliest convenience, prepare a Draft Report for the consideration of the Committee."

[Adjourned]

THURSDAY, 14 OCTOBER, 1858.

MEMBERS PRESENT :—

George Macleay, Esquire, in the Chair.

Mr. Donaldson, | Mr. Hay,
Mr. White.

By direction of the Chairman, Resolution of the House referring to the Committee on the 18th August last, "Copies of Mr. Surveyor McCabe's Reports to the Surveyor General on the River Darling,"—read by the Clerk.

Committee considered these Reports.

The Chairman then laid before the Committee a Draft Report.

Report read 1^o.

Committee deliberated.

Motion made (Mr. Donaldson) and *Question*,—"That prior to the final consideration of, and agreement to, this Draft Report, it is expedient that the same be printed,"—*agreed to*.

Committee further deliberated, and it was Resolved,—"That the following documents be printed in the Separate Appendix to the Report of this Committee, viz. :—

- " 1. Copy of Report of a Survey, dated 23rd April last, held by Mr. John Hart, Treasurer, on the Steam Snag-boat constructed by Captain Cadell, for clearing the River Murray, furnished to the Commissioner of Public Works, South Australia, by Mr. Hart. (*Vide "Separate Appendix C."*)
- " 2. Extract from *Sydney Morning Herald*, notifying the arrival of the steamer "Albury," of Captain Cadell's line of steamers, at Gundagai. (*Vide "Separate Appendix D."*)
- " 3. Comparative Table shewing the distances of the most remarkable places along the Murray River from Goolwa to Albury, compiled October 1856. (Extract from *South Australian Register*.) (*Vide "Separate Appendix E."*)
- " 4. Return of goods imported during the quarters ending 31st March and 30th June, 1857, respectively. (*Vide "Separate Appendix F, Nos. 1 & 2," and Appendix to evidence given by Captain F. Cadell on 20th November, 1857."*)

[Adjourned till Thursday next, at Eleven o'clock]

THURSDAY, 21 OCTOBER, 1858.

By direction of the Chairman, the meeting of the Committee convened for *this day*.

[Postponed till to-morrow, at Twelve o'clock]

FRIDAY, 22 OCTOBER, 1858.

MEMBERS PRESENT :—

George Macleay, Esquire, in the Chair.

Mr. Donaldson, | Mr. Jones,
Mr. Hay.

Printed copies of the Draft Report proposed by the Chairman laid before the Committee.

Committee deliberated upon and *verbally* amended the same.

Motion made, and *Question*,—"That this Report, as *verbally* amended, be the "Report of the Committee"—*agreed to*.

Chairman requested to report.

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1858.

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W. H. Suttor, Esq., junior	5
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A. G. McLean, Esq., <i>Chief Draftsman in the Survey Department</i>	8
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[Further Proceedings stopped by Prorogation.]

1858.

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Legislative Assembly.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

NAVIGATION OF THE MURRAY AND ITS EFFLUENTS.

THURSDAY, 12 NOVEMBER, 1857.

Present:—

Mr. GARLAND,
Mr. HAY,Mr. G. MACLEAY,
Mr. W. MACLEAY,

Mr. SUTTON.

GEORGE MACLEAY, ESQ., IN THE CHAIR.

Captain Francis Cadell, called in and examined:—

1. *By the Chairman:* You are a sailor by profession? Yes.
2. You have been living for some years past in South Australia, and on the banks of the River Murray? Almost solely on the banks of the river, and on the river; not very much in South Australia.
3. You have turned your attention to the navigation of the Murray? Yes; I have devoted my entire time to it for some years.
4. When did you first take the matter into your consideration? In 1848.
5. When did you first become practically acquainted with the navigation of the river? Not till 1852.
6. You then, I believe, went down the river in a boat? I examined the river, from Swan Hill to its estuary, in a small canvas boat.
7. How many miles is it from Swan Hill to the mouth of the river? By the best maps it is generally termed from eleven to twelve hundred miles.
8. When were steamers first introduced on the Murray, and by whom? I introduced the "Lady Augusta," through the sea mouth, in 1853. Another small steamer, the "Mary Ann," was put on the river in the same year by Mr. Randell.
9. Were you assisted in any way by the South Australian Government in your first attempt? I received considerable assistance from the South Australian Legislature and Government.
10. To what extent? For the steamer "Lady Augusta," under the conditions on which she was placed on the river, I received altogether, £2,500.
11. Was the "Lady Augusta" built at your expense? She was laid on at my expense; but before she was built, I took two other partners into the enterprise.
12. Your association with them formed the germ of the Murray River Steam Navigation Company? It did. Mr. Turnbull, of Melbourne, and Mr. Younghusband, of South Australia, were my two partners.
13. In 1851, I believe, the Government of South Australia had offered a bonus of £4,000 to any one who would place two steamers on the Murray? Yes; they were very anxious to have the river navigated. They were apprehensive that it could not be ascended higher than the junction of the Darling; and they offered £2,000 each for two iron steamers to reach that point.
14. You did not endeavor to obtain that bonus? It was out of my power, on account of iron steamers being required. The conditions distinctly stated that they should be iron steamers.
15. You had not the means of getting iron steamers? Not at that time in the Colonies.

Captain F.
Cadell.

12 Nov., 1857.

Captain F.
Cadell.

12 Nov., 1857.

16. I presume there was some difficulty in building even wooden vessels at that time in the Colonies? Yes, very great difficulty.
17. Were iron steamers looked upon as indispensable, on account of the snags in the river? Yes, and on account of the very light draught required. They thought it would be most advisable to have iron steamers, for strength and a lightness, I suppose.
18. That proposal was afterwards withdrawn? Yes. Sir Henry Young accompanied me in the first steam voyage up the Murray, and immediately after his return to Adelaide, with the advice of his Council, these bonuses were withdrawn.
19. He accompanied you in the "Lady Augusta"? Yes. We ascended many hundred miles beyond the junction of the Darling, so that these bonuses were not required.
20. The objects they were intended to accomplish were already attained by your exertions? Yes, and more than attained.
21. Then the two sums of £2,000 were given to you instead, the South Australian Government looking upon you as having done all that they had expected? Two fresh votes were made out, solely in my name, for equal sums of £2,000 each.
22. Then you received £4,000? Yes, £4,000, for two more steamers.
23. Immediately after the "Lady Augusta" was built, you built a second steamer? We sent home to England for two more.
24. Where was the "Lady Augusta" built? In Sydney. The machinery was also constructed in Sydney, by Messrs. Russell & Co.
25. What did she cost? About £8,000. It cost nearly £1,000 to take her round to the Murray mouth.
26. Had you any difficulty in getting her across the bar? Not any great difficulty; we selected our opportunity, but had to wait some time for it.
27. She was taken in eventually, without damage? Yes.
28. Does that bar operate as a very serious impediment to the navigation? It is a shifting bar, and more or less changes with almost every gale of wind. It is by no means a safe entrance.
29. Accidents have occurred? There have been frequent boat accidents, and one other accident, the stranding of a steamer, very lately.
30. No system of buoying could alleviate the danger? I think the buoys would require to be frequently renewed and shifted.
31. Two or three times in the course of a year? More than that even.
32. That would be attended with great expense? It would. The sea-mouth, I may mention, was surveyed by an engineer (Mr. Abernethy) the other day, and he proposes to the South Australian Government that it should be piled along both sides of the channel towards Encounter Bay, and the water retained within those rows of piles.
33. Following the present channel, or digging a canal through the sand hummocks? Following and confining the present channel.
34. Is that plan likely to succeed? I think so. The estimated cost is £24,000.
35. Failing that, the port will be at the Goolwa? The trade will continue for some time as at present between Port Elliot and the Goolwa.
36. On what conditions did you receive those two sums of £2,000 each from the South Australian Government? That the steamers should be kept plying on the rivers for three years.
37. There was no monopoly granted to you? Not the slightest.
38. The navigation of the river was open to any others? It was open to every one.
39. You mentioned that Mr. Randell had built a small boat—did she continue to ply? He very soon improved and enlarged her very much. He got new machinery for her, and made her double the size she was originally. She is still plying.
40. Did Mr. Randell receive any assistance from the Government? He had no stipulation with the Government that he was to receive assistance; but the Legislative Assembly voted him either three or five hundred pounds.
41. On the same conditions as in your case? On no conditions whatever.
42. Was the "Lady Augusta" capable of carrying much cargo? She and a barge were very useful vessels; at that time they could freight one hundred and forty tons up, and six hundred bales of wool down.
43. Did she ever do that? She has done that—upwards of six hundred bales.
44. Is wool sent down from both sides of the river? From both sides of the Murray, and from the Darling, the Murrumbidgee, and the Lachlan.
45. By Mr. Garland: And from the Albert District? Yes.
46. By the Chairman: Since the year 1853 there has been a very great increase in the number of steamers on the river, has there not? A very great increase.
47. How many steamers were plying on the river at the end of 1856? Eight. There are now ten.
48. And how many barges? Nine barges.
49. Are there any more building? There is another steamer launched, and nearly ready for starting, and another iron barge coming from England.
50. What is the power of these steamers generally? They average about forty horse power.
51. What is the average capacity of the barges? I can hand in to the Committee a statement showing the number of steamers and barges, and their capacities. (*The Witness handed in the same. Vide Appendix.*)
52. You never take goods on board the steamers themselves, I believe? We do, to a certain extent—seventy or eighty tons, a hundred tons, or even more sometimes.
53. These steamers have been principally built upon the river, have they not? The steamers are all British built, with the exception of three.
54. Have they all crossed the bar, with the exception of three? No; some came out in sections, and have been put up on the lake.

Captain F.
Cadell.

12 Nov., 1857.

55. They have been carried across by land to the Goolwa? Yes.
56. Have all the barges been built on the river? All the wooden barges have been built on the river; the iron ones came out from England, in the same way as the steamers. Three of the iron steamers were built at Port Adelaide, after having been imported from England.
57. What is the draught of these steamers generally? When laden, four feet six inches, or five feet when very deeply laden; but it is only on rare occasions they are so deep. The best steamers on the river draw about twenty-one inches when light.
58. If the river were low you would not load the steamers? The system of working the traffic is by towing in barges, not loading the steamers.
59. What is the draught of the barges when laden? Four feet, or four feet six inches.
60. Since your acquaintance with the River Murray—that is, since the year 1852—have there been any years when the steamers with their barges could have passed up throughout the whole of the twelve months, provided the timber were removed? In the summer of 1854, I think the steamers could not have passed; but, in other years, I believe they could have done so.
61. Are there any sand banks or bars in the river which act as obstructions to the navigation, in seasons when the water is low? There are sand banks and rocky bars of sandstone.
62. How many of these bars exist in the river? They are very numerous below the junction of the Murrumbidgee.
63. I presume they might be removed by the agency of gunpowder? Yes; the sandstone is very soft indeed.
64. What is the depth of water on the upper side of these bars—would it make any difference in the navigation above them, if these obstructions were removed? I rather think not; but, until a proper engineering survey has been made, it would be difficult to offer an opinion.
65. These bars act as falls, do they not? Very slight falls; they are rather rapids than falls. There is only an acceleration of the current.
66. As far as your observation has gone at present, you do not think their removal would be injurious to the navigation? I think not; I think it would benefit the navigation of the river.
67. In the summer of 1854 you say the river was so low that you believe steam-boats could not have passed up—could they have plied on the river all through the year 1853? I think they could, had the river been quite clear of timber.
68. Were there no boats on the river then? No. Our object was to complete all the work during the favorable season for the navigation, not to run the risk of hurting the boats in the dry season.
69. Could the "Lady Augusta" have plied in the winter of 1853 and 1854? She did ply. The "Lady Augusta," in the winter of the driest season ever known on the Murray, reached within twenty-four miles of Albury, when the river was in a perfect state of nature.
70. Have there been many accidents on the river? There have been some accidents, but none of very serious importance—no entire losses.
71. Have these been owing to the obstructions offered by timber in the channel of the river? Entirely, with one exception.
72. These, in fact, are the only obstructions that are in any way dangerous? They are the only obstructions that are dangerous.
73. In the last two years the steamers have increased from five to ten—just double? I think that is the number.
74. Do you suppose any further increase will take place—is it likely the number of steamers will go on increasing? I think, with the exception of that steamer which, as I have said, is now ready for starting, there will not be an increase on the main Murray.
75. So far as that river goes, you think there are a sufficient number of boats for all the traffic required? Yes, I think so, considering that freight is scarce now.
76. Are the upward freights greater than those down? The boats are always full going up, but about three-fourths of the cargo is upon owners' account.
77. *By Mr. Hay:* I suppose the same number of boats could do a much larger trade if the river was cleared? They could, because they would be enabled to run during more months in the year if the obstructions were removed.
78. About double the time on the average? About a fourth more. The boats have been running for the last nine months. One year we kept up the navigation to the Darling uninterruptedly.
79. *By the Chairman:* Do you believe that if the timber and the rocky obstructions were removed the river would be navigable for the whole twelve months? In every common season it would; in seasons of drought, perhaps not.
80. Did you ever see the river so low that a boat drawing two feet could not pass up? In summer time it is often as low as that; in such a year as 1854, for instance.
81. Have you ever seen it lower than that? I have known it so low that there were only eighteen inches of water on the bars.
82. I spoke of those being removed? There is plenty of water in other places.
83. If these and the timber were removed, could vessels drawing two feet and a-half ply all the year round? In every common year they could; but in some years they might not be able to run for three or four months.
84. *By Mr. Garland:* To what distance? To Albury.
85. *By the Chairman:* Are you particularly acquainted with the River Murrumbidgee? I have descended it for two hundred miles in a boat. I am also generally acquainted with it from Gundagai to its junction with the Murray.
86. Will what you have said apply to the Murrumbidgee also? I think so, with the exception of the bars of sandstone: I do not know any to exist in the Murrumbidgee.
87. Have you any acquaintance with the Darling? For about one hundred and sixty miles by land, and for two or three hundred miles by the river. I have a pretty fair knowledge of its lower portion.

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88. Would you say the same in reference to the Darling as you have said of the Murray and Murrumbidgee? I think not. The Darling is the most uncertain river of them all; the floods do not come down it with the same regularity as on the other rivers.
89. The truth is, the basins of the Murray and Murrumbidgee being in an Alpine country, their waters are supplied from the annual fall of snow? To a great extent they are.
90. That is not the case with the Darling, which rises to the north? It is not.
91. You say the steamers are fully employed just now on the Murray going up? They are fully employed going up; the cargoes are principally on owners' account. The greater portion of the traffic is connected with the supply of the Ovens gold field.
92. What proportion should you say? Fully three-fourths of the cargoes up are on account of the Gold Fields.
93. Of what character are the cargoes down? Almost entirely wool, what there are; but the boats generally go down empty, or nearly so.
94. Are hides sent down at all? To a very limited extent.
95. Is the whole of the wool grown on the banks of the Lower Murray sent down by the steamers to be shipped at Adelaide, or what proportion of it? All the wool grown below Swan Hill goes to Adelaide, with the exception of that from two stations.
96. And from above Swan Hill where does it go? It generally goes to Melbourne.
97. What is the rate of carriage by land to Melbourne? Do you allude to winter or summer?
98. Summer carriage it would be—the rate for wool? About £12 a ton, or sometimes as low as £10.
99. What is the charge by the steamers? To the Goolwa ten shillings a bale; to Adelaide one pound—from the station to Adelaide.
100. How much would that be per ton? About £7 altogether to Adelaide.
101. Why is it, under these circumstances, that the wool grown above Swan Hill does not go down by water to be shipped at Adelaide? One reason, I think, is, that Melbourne is a very much better wool market than Adelaide. They have not been in the habit of giving such a high price for wool sold at Adelaide as for wool sold at Melbourne.
102. Is that the sole reason? I think the character of the South Australian wool is inferior to that of the wool grown on the Murray.
103. But although shipped from Adelaide it might be marked as coming from the Murray, so that its character in the home market would not be affected? Each shipment is accompanied by a certificate of produce from the settler who grows the wool, attested by the captains of steamers who receive it, upon which the Collector of Customs at Port Adelaide issues a fresh certificate. It is only in the Colonial Market it will not fetch its full price.
104. Are not the settlers on the Murray likely to ship their wool home themselves? The settlers we have done business with generally sell; they are anxious to sell.
105. *By Mr. Hay:* Do you not think the previously established mercantile connection of the settlers with Melbourne houses has something to do with the preference? That has very much to do with it; the settlers do not like to shift their accounts.
106. *By the Chairman:* What is the distance from Melbourne to Swan Hill? About two hundred miles.
107. What time does the carriage by land take? Drays are about a fortnight going down.
108. Not more than that? No, not much.
109. What length of time do your barges take from that point to Adelaide? Nine or ten days to Adelaide.
110. From the fact that a steamer has just been constructed, as you have stated, I suppose we may conclude that the present number of boats is not in excess? Not on the main Murray, if owners will continue shipping on their own account.
111. How many companies exist at the present time who have taken this matter of the navigation of the Murray in hand? Only one public company; but there are two private companies, the other boats being held by individuals.
112. What do you mean by private companies—firms? Several firms associated together.
113. Then there are three proprietaries? Five altogether.
114. With how many boats to each? Five steamers and seven barges belong to the Murray River Steam Navigation Company; two large boats held in the name of Ackerman, Maine, Lindsay, and Company; and the other three boats are held by private individuals, of whom two or three may be associated together. I do not exactly know how they stand.
115. *By Mr. Garland:* Is the Murray River Steam Navigation Company an incorporated company? It is.
116. *By the Chairman:* Was the £4,000 voted to you by the South Australian Legislature handed over to that company? It went in equal shares to myself and my co-proprietors, whom I mentioned to you before, before the company received their Colonial charter.
117. You personally received only a portion of it? Only a third.
118. Do you think, if the Darling and the Murrumbidgee, tributaries of the Murray, were open for navigation, there would be an increased number of steamers; or would those already on the Murray be sufficient to undertake the traffic of both these rivers in addition? I think small steamers might find employment on the tributaries, if they received encouragement or assistance.
119. What do you mean by encouragement? The same encouragement that South Australia held out for reaching certain points on the rivers, and voting sums of money for clearing away obstructions.
120. Would not the traffic be sufficient to pay them, if the obstructions were once removed? I think it might pay them, but the augmentation in the number of steamers would be more gradual if they only trusted to their freights to pay them.
121. Would it be requisite to have a great number of steamers—is it at all desirable to have a greater number of steamers than what would be sufficient to carry away the produce and supply the wants of consumers on the banks of the rivers—I presume the traffic would call into

into action exactly the number required? A very considerable demand exists now, but no steamer has ever gone beyond Balranald.

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122. Is not the difficulty of passing through the timber the cause of the steamers not going up? That is the principal cause.

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123. Is not that the only cause? There is a disinclination on the part of steam-boat proprietors to send steamers on a new and unknown river.

124. If they went up for the sake of a bonus in the first instance, are they not likely to require one for the second trip? The bonuses ought to be made out in the same form as those of the South Australian Government; that is to say, with restrictions as to plying on the river for a certain number of years.

125. *By Mr. Hay:* The Chairman supposes the obstacles removed, in the first instance, by the Government, and then asks you whether, in that case, there would be any further disinclination to send steamers up and take whatever freight might offer? I think if the obstacles were removed the steamers would gradually find their way up to the head of the navigation.

126. Is there not greater inducement to settlers to send their produce by the steamers from the Murrumbidgee than from the Murray? There ought to be; their land carriage is higher.

127. *By the Chairman:* Do you happen to know what the rate of carriage is from the lower Murrumbidgee to Sydney and Melbourne? There is no carriage from that quarter to Sydney. I think Mr. Morris is paying £12 or £14 per ton from Kieta to Melbourne.

128. Do the flockowners thereabouts send their wool to Sydney or to Melbourne? There is no other sheep proprietor there but Mr. Morris, except Messrs. Phelps and Chadwick, and they have been accustomed to send to Adelaide.

129. What are the rates of carriage from the country about Yanco Creek? The last rates up there have been about £26 for horse-drays, from Melbourne; Mr. Lang has paid that.

130. Do you think the rate would be the same, or nearly the same, to Sydney? Very nearly as much.

131. One-half that sum would pay a company very well, would it not, to take wool down by steamers? I think it would. A company would not charge so much as one-half.

132. So that there would be reason to believe that the whole of the wool from that neighbourhood would be sent down by water? I think a company would only charge £10 a ton at the outside.

133. Therefore the inducement to send by water would be great? Yes, it would be.

134. Why then should any bonus be offered to steamers for ascending the river when they would be certain of all that custom? The steamers would naturally only work on the lower part of the river; perhaps they would be years and years before they got to the head of the navigation of the Murrumbidgee.

135. At the head of the navigation of the Murrumbidgee people come within the influence of Sydney agencies; it is, therefore, rather the lower and intermediate country that would receive the greatest benefit from steamers? Yes.

136. *By Mr. Hay:* From the Yanco downwards? Yes.

137. *By the Chairman:* Did it come within your knowledge that the numbers of sheep in that country—on the Murray and Murrumbidgee—have decreased very considerably; that sheep have been removed to make way for cattle? In the season of 1855 there was a very great decrease in the number of sheep in the Murrumbidgee District—upwards of three hundred thousand—but now the tendency is quite the other way—cattle are being removed to make room for sheep.

138. Do you think that, with the facilities afforded by water communication, sheep will again take the place of cattle? I think, owing to the low rates of carriage by the steamers, sheep will very much increase in the valleys of the Murray, Murrumbidgee, and Darling.

139. So that even from these valleys alone you may look for a great increase of freights from wool? I think we will never take wool down from higher up the Murray than at present.

140. But might not many of the stations there now occupied by cattle be occupied by sheep? I think that will be the tendency.

141. And also on the Murrumbidgee? I think so; and on the lower Lachlan also.

142. And with respect to the Darling,—is there not a great deal of country on the banks of that river not yet taken up? For about three hundred miles the country is taken up.

143. For cattle or sheep stations? Principally sheep. When I say taken up, I mean that the country is stocked for three hundred miles; it is taken up as far as Fort Bourke.

144. Is that country well adapted for sheep? Yes.

145. Would it not tend very much to induce the proprietors of these stations to put sheep upon them if they had the advantage of water carriage to bring up their supplies and take their wool down to market? I am quite sure it would.

146. *By Mr. Sutter:* Do you think the Darling would be generally navigable in ordinary seasons? I think so; if the timber were cleared away.

147. Do you know what has been the state of the Darling for the last two years? Generally speaking, floods have prevailed—indeed almost uninterruptedly to a certain extent—for the last two years.

148. *By the Chairman:* Is a sufficient amount of produce grown on the Darling to make it worth while to send a boat up there now? A boat might pay very well for a trip, if the timber were removed so far as the stations extend; or, even in its present state, when the river is very high she might make a run up and down.

149. Is there any probability of any other produce being grown upon the banks of these rivers which it would be worth while to convey to a distant market? I think there may be an increase in the articles of hides and tallow shortly.

150. Could wheat be grown, or any other grain, on the level country on the banks of these rivers? Wheat could be grown extensively in the neighbourhood of Albury.

- Captain F. 151. I mean in the level country. Have you ever been in Egypt? I have.
 Cad. Al. 152. Two or three particular kinds of wheat are grown in Egypt which ripen in a very short
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 is the case.
153. There is a strong similarity, is there not, between the climates of Egypt and our western interior? I think, with regard to the dryness of the climate, there is a very strong similarity.
154. Do you think a system of irrigation could be introduced which would enable grain to be grown in these level countries? I think it is quite possible to introduce a system of irrigation; but when so much fine land is to be found on other portions of the river it would not be resorted to.
155. People are not likely to grow grain there for exportation? I think not for exportation. I can, however, mention instances of wheat having been grown in these parts. Below the junction of the Edward, about twenty miles from Deniliquin, wheat has been grown for years, at Mr. Maclaren's station.
156. Is the land irrigated? It is not. It is simply land on the sand hills that have been covered with pine, cleared and cultivated.
157. Year after year? Year after year. Cattle are occasionally folded there.
158. How many bushels are produced to the acre? I have had some difficulty in ascertaining; but I believe about thirty bushels.
159. How is it that example has not been followed? It does not appear to be worth while; so little does Mr. Maclaren think of it that he intends to give it up. It is the expense of getting the grain taken to a mill that will induce him to give it up. He has grown it for about ten or twelve years. At another point, about fifty miles from the junction of the Darling, wheat has been grown for years consecutively, at a place called Tarpaulin.
160. It is only on the sand hills? Only on the sand hills.
161. On the level back plains it would be impossible to grow anything whatever after the warm weather sets in? I should not be desirous of forming a conjecture on that head; but these plains are never harder than the Adelaide Plains.
162. Where grain is grown? Yes; nothing can be harder than the Adelaide Plains.
163. Are they of the same character of soil? Very much the same, and grain is now grown down at the Campaspe more than it has been.
164. The rains are periodical at Adelaide? Yes, generally.
165. And the hot winds are not quite so blighting? I think they are quite as blighting.
166. Do you, then, look upon the Lower Murray and Murrumbidgee as likely to become agricultural districts? I think not; but the vine grows on the Murray without irrigation.
167. What is the difference between the plains of the Campaspe and those we have been speaking of? There is much less moisture on the latter.
168. *By Mr. Hay*: Is there not some peculiarity in the situation of the land at Mr. Maclaren's, where you have spoken of wheat being grown; is it not surrounded by extensive swamps? It is generally a very level flooded country about it; but I do not think those swamps have any effect upon the sand hills.
169. *By the Chairman*: Does not the sand act as a sponge—there must be a great absorption? The altitude of this sand hill is considerable.
170. *By Mr. Hay*: Do you not think the effect of the swamps is to moderate the influence of the hot winds? There are no swamps to the north of that sand hill, and they are dried up before the hot winds set in.
171. Nor to the north-westward? Nor to the north-westward: it is intersected by water-courses, however.
172. Is there not an extensive scope of timbered land to the north and north-westward of Mr. Maclaren's place? Yes, a good deal of timbered land.
173. And land subject to inundation? Yes.
174. It is known in that part of the country as a place peculiarly favorable for gardening and crops? It is known as a favorable spot, because the attempt has been made there.
175. Have you ever seen any crops grown on the clay plains there? Never. It has never been attempted.
176. Was it not attempted at Warbreccan? Not with wheat, that I know of; barley grows very well, I believe.
177. On the plains? On the plains; close to the head station it has been tried.
178. *By the Chairman*: Have you ever ridden over these plains in summer time? Yes, frequently and repeatedly.
179. What was then the appearance of the grass and vegetation generally? Completely burnt up.
180. In winter these plains look green and luxuriant? Yes.
181. But become burnt up by the month of November? Generally before that time.
182. In October? I think so.
183. That is invariably the case, year after year? Yes.
184. Is not the country of the same character as that bordering the valley of the Nile? The valley of the Nile is a very much more hopeless-looking country; but I mention those cases where wheat has been grown as isolated cases, as no others have occurred.
185. Do you think, if there were great facilities afforded to the settlement of these districts, by means of vessels plying on the rivers, that any people would at any time attempt agriculture there? I think not; I do not look upon it as an agricultural country at all—the valley of the Lower Murray.
186. Do you think villages and towns would arise? I think that would be the natural tendency of events.
187. From what sources would the people of these villages and towns derive their means of existence? On the Lower Murray do you mean?

188. On the Lower Murray, or the Murrumbidgee, or the Darling. I speak on the understanding that steamers would be plying on the rivers, conveying all that they might want from other parts of the world at a cheap rate? On the Upper Murray I conceive they would live by agriculture.

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189. I am talking of the peculiar country of which we have been speaking—the level country of the interior? I do not think the present generation will see a very numerous population on that portion of the Murray.

190. Do you think any number of villages would arise on the rivers dependent on the pastoral population? Not under the present system of “pastoral occupation.”

191. Would tradesmen, for instance, settle there and form small communities? Not to any extent under existing circumstances.

192. But small villages might be formed you think? I think on some favorable points small villages might be formed.

193. You have reached Albury in the “Lady Augusta,” and steamers have been there frequently since? Yes.

194. Albury is in the mountain country? Yes, just at the base of the mountainous country.

195. There is rich land and a favorable climate there? Yes, a great deal of rich land.

196. For how many miles below Albury down the river? I should think to about the neighbourhood of Mullally.

197. How many miles is that from Albury? About sixty-four miles.

198. That district is emphatically a good agricultural country? I think it is a good agricultural district, especially the upper portion.

199. At present they find a market for their produce at the gold fields of Victoria? A ready market.

200. Suppose that market were fully supplied, could they send their wheat and potatoes down to South Australia for sale? It will be many years before they will do that. At present, the South Australian farmer can send his flour up to them much cheaper than they can produce it there.

201. That is owing to the high price of labor ruling in the neighbourhood of the gold fields, is it not? I think that has not so much to do with it as the very small quantity of land that has been sold.

202. I do not see how that can affect the case? There is less breadth of land under cultivation.

203. I spoke of there being a surplus there. At present we of course know they get first rate prices at the neighbouring gold fields; but the question I asked was this: supposing the gold fields ceased to be productive, and the people upon them left the neighbourhood, if the farmers there had a quantity of wheat and potatoes on hand, would it pay to send those products to Adelaide to be consumed there, or taken to other parts of the world? Unless matters are entirely altered, it would not pay them. They never can produce cheaper than the South Australian people.

204. Could the farmers of Albury hope to share with the South Australians in the profits they are drawing from exportation? I think Albury for many years will have enough to do to supply the interior of New South Wales, and the gold fields of Victoria.

205. Looking to the future, and the prospective advantages of steam communication on the river, what is your opinion? I think in the event of a surplus, the Albury farmer would be forced to do what other farmers do in other parts of the world—ship his produce down the stream.

206. What is the freight down from Albury? For weight alone, such as tin ore, £4 10s. per ton.

207. What do you suppose would be the price for wheat or potatoes? The proprietors of the South Australian steamers would endeavour to lay on a very heavy freight on these productions.

208. There might be steamers belonging to Albury? No doubt.

209. £4 10s. a ton would be about half-a-crown a bushel; would not less than half-a-crown a bushel pay the proprietors of steamers? I think when the time has arrived when the Albury farmer would need to send down his produce to South Australia, the proprietors of steamers would take much less than that—perhaps a shilling a bushel.

210. *By Mr. Suttor*: We may understand from your answers that for a very long time the Albury farmer will not be able to compete with the Adelaide farmer? He will be almost shut out from exportation for a long time.

211. *By Mr. Hay*: I understand you to mean that we must look to the market of the interior for Albury produce? Yes.

212. And you think that will be sufficient for many years to come to take off all the produce of that district? Yes.

213. *By the Chairman*: A large quantity of flour is brought here from South America? Yes.

214. Do you not conceive that flour might be ground at Albury and sent down the Murray, and conveyed from thence to Sydney, which would compete with the Chilian exporter? I would remark, that all the Chilian wheat is grown very near the sea coast, close to water carriage.

215. But then there is a long sea voyage? I think it must be a very remote period before the Albury farmer would send his produce to Sydney, to compete with the Chilian producer.

216. No doubt it will be a considerable time, but I want to know whether you do not think the time might arrive when it would be worth his while to grow, to send to Sydney round by water? I believe the time *might* arrive.

217. Could this produce hereafter be taken down the stream by barges, without the aid of steamers, if the river were free from obstructions—a number of these barges being towed back again together by a steamer? I think it will always be economical to combine steamers with barges, the saving of time would be so great.

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218. Do you know of any other products grown in Egypt that could be introduced into the country we have been speaking of? I believe on the middle Murray there is a splendid rice country, self irrigating, fully equal to any I have seen in any part of the world.
219. Within the boundaries of New South Wales? Yes.
220. Are the rises of the floods in the Murray sufficiently regular, so periodical that the growers of rice could hope for success—that is, I believe, an absolute essential? In the part of the country I speak of, I believe they are sufficiently regular.
221. *By Mr. Hay*: Whereabouts is that? In the neighbourhood of Swan Hill.
222. In what are called the Reed Beds? Yes.
223. *By the Chairman*: How many thousand acres do you suppose there are in that area adapted for this purpose? On the New South Wales bank of the river, I should say upwards of one hundred thousand acres.
224. Do you know of any other product which would suit that climate, such as beans that are grown in Egypt? I believe beans, such as are grown in Egypt, could be produced there also.
225. For horse food? Yes.
226. How is that country occupied now? Entirely under pastoral lease.
227. With cattle? Cattle, chiefly.
228. The whole of the land on the Murray and Murrumbidgee is taken up? The whole of it is entirely taken up.
229. Do you know anything of the country between the Murrumbidgee and the Lachlan? I know there is a vast tract of country there not taken up.
230. If the Murrumbidgee were navigated, the people living on the Lachlan would of course take advantage of the facilities afforded by the steamers? It would be supposed that they would; but I believe the navigation of the Darling would have much more to do with that country being taken up.
231. There is country between the Lachlan and Murrumbidgee not occupied? I believe there is.
232. The occupation of that country would be affected by the facilities afforded by the navigation of the Murrumbidgee? Yes.
233. I believe it is not occupied now because of the want of water; but if steamers could carry up men and machinery to enable the stockholders to sink for water, its occupation would be facilitated? I believe the more the navigation is facilitated the greater effect it will have in getting all the Waste Lands of the Crown taken up.
234. Have you turned your attention to irrigating these dry countries with water? I have, to some considerable extent; as irrigation is the panacea for all the evils of the interior.
235. You were consulted as to the practicability of the scheme for supplying the country between Billabong and Murrumbidgee with water, in the neighbourhood of Yanco Creek, by deepening that creek? Yes.
236. That work has been carried into effect? It has, and answers remarkably well.
237. Are there other ana branches similar to the Yanco that might be rendered available for irrigating the country? I believe there are numerous ana branches that might be made useful in the same way.
238. You are aware that a company has been formed for sinking Artesian Wells on the back plains? I am.
239. Can you give any information respecting that company? I can give a little general information. I may state that Mr. Woolley, late Secretary to the Mount Alexander and Murray River Railway Company, has undertaken the contract for sinking these Artesian Wells on the back country of the Murrumbidgee, and that he is prepared to go to the depth of six hundred feet, certainly, at so much per foot, namely:—six shillings for the first hundred feet, if through sand, and nine shillings, if clay; with an addition of three shillings a foot in either case for the next hundred feet. There are also clauses in the agreement, that in the event of his striking rock he is to receive an additional sum for the boring.
240. If this experiment should be successful, I presume these wells will be sunk in abundance? I think there can be no doubt of it.
241. The machinery required for boring, being rather cumbrous, would eventually come by water? I conceive so.
242. So that facilities of water communication will tend very much to increase the advantages at present enjoyed by the lessees of the runs within reach of it, and will enable them to keep much more stock? Yes; a very much larger amount of stock may be eventually carried.
243. And in that way increase not only the general wealth but the public revenue? Yes.
244. *By Mr. Garland*: Do you think there is any danger of the water being impregnated with salt? I am very apprehensive that such may be the case.
245. *By the Chairman*: Why do you think so? All the wells that have been sunk as yet have always been salt; I should say most of the wells, I cannot say all, because I believe Mr. John Brougham has obtained very fair water at eighty feet deep on the Billabong. I would remark also, that the Murrumbidgee navigation would have the effect of opening out the Adelong gold field, by enabling them to get machinery up there.
246. *By Mr. Suttor*: You allude to wells sunk in that part of the country, when you say the water is brackish? Yes.
247. *By the Chairman*: There is a very great extent of country between the Lachlan and the Darling quite unoccupied? Yes.
248. Do you know anything of that country? I know generally that the country is a good pastoral country—quite a prairie. I have been out to short distances on it myself.
249. There are some millions of acres at present unoccupied? Hundreds of square miles totally unoccupied.
250. But which, if supplied with water, would be taken up in a few years? No doubt of it.

APPENDIX.

NUMBER OF STEAMERS and BARGES on the MURRAY RIVER.

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NAMES OF STEAMERS.	H. P.	GROSS TONNAGE.	NAMES OF BARGES.	TONNAGE.
Albury	50	156	Darling	150
Gundagai	50	156	Murrumbidgee	100
Melbourne	45	135	Eureka	100
Lady Augusta	40	72	Wakool	100
Leichhardt	60	250	Mitta Mitta	40
Sturt	60	250	Goolwa	40
Gemini	30	140	Arcoa	30
Moulgwart	20	72	Kennedy	140
Corio	30	120	Lady of the Lake	40
Mosquito	8	40		
TOTAL	393	1,391	TOTAL	740
			Steam-boat Tonnage ...	1,391
			TOTAL AMOUNT OF TONNAGE	2,131

TUESDAY, 17 NOVEMBER, 1857.

Present:—

MR. G. MACLEAY,
MR. SUTTOR,
MR. JONES,MR. GARLAND,
MR. W. MACLEAY,
MR. HAY,

MR. DONALDSON.

GEORGE MACLEAY, ESQUIRE, IN THE CHAIR.

Captain Francis Cadell, called in and further examined:—

1. *By the Chairman:* On your last examination, in speaking of sinking Artesian Wells on the back plains of the Murrumbidgee, you were saying that there is some danger of the water in those wells being brackish? I imagine there is.
2. It is a matter of doubt even whether the principle of Artesian Wells will be found to apply to that part of the country? It is a matter of very great doubt, I think.
3. In the event of the experiment proving a failure, what would you suggest in lieu of these wells as a mode of procuring water for these plains far back from the river? I would suggest the formation of tanks, such as those that have been found to answer so well on the Billibong.
4. Are you practically acquainted with the formation of tanks? I have some information with regard to them that may be interesting to the Committee.
5. Have you yourself constructed any? I have not constructed any; but I have seen tanks that have retained water for years, ever since they were formed in fact. These tanks were covered in, and the runs on which they were made were entirely dependent upon them for water.
6. They were not fed by water draining from the river? They were not fed by water from the river, nor from any creek, but were supplied just by taking advantage of the natural hollows of the surface.
7. To what depth have these excavations been made? Nine to ten feet.
8. Are these tanks covered to prevent evaporation? The best tanks are such as Mr. Robert Brown's, at the back of Ballindina, and Mr. Robert Kennedy's. The water is always very cool, and the evaporation very trifling indeed.
9. Are trees planted over them? Not as yet; though I am of opinion that trees might be very advantageously planted over such water tanks, to shade them.
10. How are the covers formed? They are merely bark roofs.
11. Rafters being placed across, and the bark laid on the top? Yes. Mr. Kennedy's is simply like a common bark roof on any hut.
12. At an angle? At a slight angle, I think.
13. There is no soil placed on the top? No soil.
14. What is the width of the tanks? Mr. Kennedy's is sixty feet wide.
15. *By Mr. W. Macleay:* Is it sufficiently large to supply stock with water? Yes; Mr. Brown's tank watered 3,000 sheep during the whole year. It was constructed previous to the opening of the gold fields, and has never been dry since.
16. What is the capacity of that tank? About 25,000 cubic feet.
17. Do you know what it cost? It cost £40 for the whole excavation, roofing, and every thing.

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18. *By the Chairman*: How was the excavation made—by bullocks, with ploughs? That tank was not made in that way; it was done by hand labor, in the cheap times. Mr. Kennedy's was made by the scoop and plough.
19. A much cheaper process? A much cheaper process than even the digging in cheap times. I calculate that the expense of excavation by the scoop and plough is about 3d. per cubic yard.
20. Is Mr. Kennedy's of the same capacity? It is much larger—100 yards by 20 yards in width by 3 in depth.
21. How long has that been in existence? I think about three years now.
22. Has it not been exhausted at any time? Not that I know of for a certainty, although a report circulated in the district that it was dry this season. I am quite sure that Mr. Brown's has never been exhausted, though it has been longer formed.
23. Is the water drawn from it to supply the sheep? Mr. Kennedy's is a cattle station. The water was drawn from Mr. Brown's tank.
24. In winter sheep do not require to be supplied artificially with water, inasmuch as they get, from surface water on the plains, and from succulent plants, moisture enough for their support? I believe such is the case.
25. Tanks of this description might be formed, I presume, over all the plains of the interior? I see no reason why they should not.
26. On these prairies or plains, could timber be found at a moderate distance? Quite sufficient timber for the purpose of roofing.
27. The tanks are not slabbed on the inside? They should be slabbed. That is the opinion of those who have had experience in the formation of them. The tank at Mr. Brown's, which I have alluded to, has given way at the sides.
28. That would add considerably to the expense? It would add to the expense.
29. *By Mr. Hay*: The country where Mr. Brown's tank is formed is not a plain country, is it? It is very slightly undulating indeed.
30. A great portion of it is covered with timber? There is timber at no great distance. The tank is about twenty miles back from the head station.
31. It is not on the Billibong Plains, properly speaking? It is not on the Great Billibong Plain, but it is on one of the back plains which form the commencement of the Billibong.
32. Is it not in one of the tracts of timbered country? There are tracts of timbered country almost all over the Billibong.
33. There are not any belts of timber at a distance of ten miles or so back from the creek—no forest country? Not forest country, but there are belts of timber here and there.
34. Are there not plains on which it would be impossible to find enough timber even for the roofing of such tanks, between the Murrumbidgee and the Billibong Creek? It would be very difficult to find sufficient for the bark roofing on many of the plains.
35. *By the Chairman*: Do they not procure bark in that part of the country only from the Yarra tree? Flooded box is generally used.
36. Do you think any substitute could be found for that bark? Long wire grass or reeds would do; but on these dry plains no reeds occur, of course.
37. Salt bush and plants allied to it are found over the whole of these plains? To a certain extent they occur over all these plains; but the salt bush is diminishing in quantity from the cattle eating it so much.
38. There is myall also? Plenty of myall.
39. Could faggots be formed of these plants sufficiently dense to be laid on the roofs of tanks to prevent evaporation? I think that could easily be managed.
40. You think there would be no practical difficulty then in forming these tanks over all the plains of the interior? No practical difficulty throughout the majority of them. I may state that Mr. Kennedy—who has done more, perhaps, than any other man in this way—when sinking the last tank came on hard red sandstone, and was obliged to give it up. The other tanks have been made with very great facility.
41. The soil is generally of a retentive character on these plains? Extremely retentive.
42. The loss to be prevented is not so much loss by absorption as loss by evaporation? Just so.
43. *By Mr. Donaldson*: I suppose you would not allow the salt bush to come in contact with the water when using it to roof the tanks—it must be kept clear of the water? It possibly might impregnate the water; but I think it is not at all applicable for the purpose when there are so many other descriptions of trees and shrubs.
44. *By Mr. Hay*: The plains at a considerable distance from the water are not much covered with salt bush? Not much. The salt bush is disappearing.
45. Would it not be worth while, when the expense of carriage is reduced by the operation of steamers on the rivers, to use iron in the construction of these tanks? The settlers are finding that iron is the cheapest roof they can put on their woolsheds and other buildings.
46. Galvanized iron? Yes.
47. Would it not be much cheaper and more effectual for lining the tanks than slabs, where timber is scarce? I think it might be cheaper. Sawn stuff is very dear in the interior.
48. Galvanized iron, I presume, would be almost everlasting? It would be very durable. On the Billibong zinc has been employed in facing the dams, to prevent the crabs from eating through them, by Mr. Broadribb and others.
49. The cheapness of that sort of material would depend on facilities of carriage? No doubt of it.
50. Is there not a great disposition to increase the quantity of fencing on runs in that district? A very great disposition. I can mention one run, the fencing of which is just now being completed, and on which there are upwards of forty-one miles of fencing. I allude to a run of Mr. Maiden's, on the Murray. It cost about £100 a mile. It is a cattle station. There has been a contract taken at Deniliquin for fencing at £80 a mile. I think all the runs on the Edward will be fenced in ere long.

51. There is a pretty good supply of timber in that part of the country? On the Murray there is a good supply of splitting timber, but on the Edward it requires to be cut by a saw-mill, because the timber does not split well. Captain F. Cadell.
52. Do you think iron fencing would answer? I think iron fencing below, with a top rail of strong timber, would be cheaper, and answer better. I do not think it will pay a saw-mill at £80 a mile. 17 Nov., 1867.
53. *By the Chairman:* If tanks of the kind you have been describing could be formed without any extraordinary expense, the number of sheep on the stations on the banks of the rivers would be materially increased? Yes.
54. Have you formed any idea to what extent? The runs would carry fully one-half more stock if that system of tanks were carried out sufficiently.
55. There would be an enormous extent of country taken up which at present is not occupied? Yes.
56. It is proposed, I believe, by the Victorian Government, to form a Railway from Melbourne to Echuca? Yes; there is a line known as the Mount Alexander and Murray River Railway.
57. Would not the facility afforded by such a Railway for the transit of goods and wool very materially interfere with the profits of the steamers on the Murray? I think not. I think more traffic would be engendered from that cause. The lines of Railway must be fed by the rivers.
58. Would the steamers carry weighty goods, like wool, cheaper to Adelaide than the Railway could carry them to Melbourne? Not if the wool were delivered at the Railway station at Echuca; but the difficulty would be to get the wool there. The mere cost of Railway carriage would be very trifling, I imagine.
59. The steamers could collect the wool at various points on the banks of the rivers, whereas it would have to be carried to the Railway from all the stations? Yes.
60. Which would add considerably to the expense? It would. I have no doubt the Railway will do a large business with the Upper Murray when it is established.
61. That Railway would not have much effect on the producers of wool, or any other articles of commerce, on the Murrumbidgee or the Darling? I am apt to imagine it would be a competitor for the entire traffic of the interior.
62. *By Mr. Donaldson:* From your experience of that country, do you think the trade of the districts to the north of the Murrumbidgee is tending towards the traffic of the River Murray, or would it do so to the Railway if there were one—would supplies find their way to Tarcutta and to places higher up the Murrumbidgee, either by the steamers or by the Railway? I think they would from both sources.
63. In preference to the land carriage from Sydney? I think so.
64. Can you give me any idea of the distance on the river northwards to which the carriage would naturally flow from the river or the rail, in preference to coming overland from Sydney—how far would carriage by river or rail have the advantage over carriage from Sydney? I am inclined to imagine that from Gundagai, and all below that, goods supplied by water would compete successfully with land carriage from Sydney.
65. Not north or north-east of Gundagai—Yass, for instance? With my present knowledge of that part of the country, which is not very precise, I do not think we can supply Yass to any extent; but the proximity of the steamers would materially lower the rates of carriage.
66. To within how many miles of Yass can you carry at a rate lower than the carriage by land? You must understand that I am speaking of what will be done when we can go to Gundagai, which may be looked upon as the head of the navigation of the Murrumbidgee.
67. How far is that from Yass? About sixty miles.
68. Then you contemplate carrying by water to within sixty miles of Yass? Yes.
69. *By Mr. W. Macleay:* What will be about the cost to Gundagai by steamer? I think about ten pounds.
70. Do you know what the rate of carriage from Sydney to Gundagai is now? I believe at present it may be quoted at fully twenty pounds.
71. In that case, do you not think the storekeepers in Gundagai might compete, even in Yass, with goods brought from Sydney? I do think so, to a certain extent, though we might not supply it exclusively.
72. *By the Chairman:* Your goods would be conveyed up by water during the winter? Yes.
73. And during the winter months the roads between Sydney and Yass are generally very bad? They have sometimes been impassable for the mails even this year.
74. So that goods taken up by water would be on the spot at a time when they could not be brought by land? Yes; it would supply the great want of internal communication. In the Lower Murrumbidgee District this year, we have always received our recent Sydney intelligence by Melbourne.
75. Have there not been frequent complaints of the quality of the goods sent up the river by the steamers? There have been some complaints.
76. They have been of an inferior class? Some of the goods have been inferior; but it was the manifest interest of the storekeepers, who had other connections, to vilify that description of goods if possible; and, I think, a great deal that has been said is to be attributed to that cause.
77. Has there not been much truth in the assertion? I believe there has been some truth in it.
78. The goods have not been first class? I believe some goods have been complained of with reason.
79. Had they been of superior quality, would there not have been a great demand for them on the banks of the Murray—would not all parties rather have procured them by water than have sent to Melbourne, as I understand some have done? I think if the goods had been uniformly good the demand would necessarily have been greater.
80. Have you ever been on any of the American rivers? Not on the Atlantic rivers. I have been on the Amazon, and some of the Brazilian rivers. 81.

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81. Can you give us any information as to the character of the steamers that run up the great rivers of America? I am acquainted with the nature of their construction and dimensions.
82. Are there not vessels employed on those rivers which draw even less water than you have stated the steamers on the Murray do? There are vessels which draw less water.
83. Why has not that particular class of vessels been adopted on the Murray? I am of opinion that we never can have upon the Murray the same description of steamers that they have on the American rivers.
84. Why not? The sinuosities of our rivers are so very great that we cannot get length into our steamers.
85. The sudden bends would prevent the use of steamers of great length? Yes. We cannot have them of that *great size which gives displacement*, and, consequently, light draught of water. I may also state that we have had to make our steamers very strong and heavy, to reduce the risk from the timber collected at different places.
86. The Murrumbidgee is very sinuous? Extremely sinuous.
87. But the Murray up to the junction is not so? Not so extremely sinuous, although there are very great sinuosities there also. Here is a Map of the Murray and its tributaries, which will show the sinuous character of these streams. (*The witness placed the same on the table.*)
88. *By Mr. Hay*: Are there not steamers of a smaller class than those you have described, which are employed on the branches of the great American rivers—vessels of little displacement? I believe steamers of a smaller class are employed in towing barges; but I may say I think there is very great misapprehension existing as to the very small draught of water with which these very light steamers are said to run upon the American streams; they are rather passenger boats than cargo boats; they run up the rivers when they are comparatively low. When you come to put cargo in a vessel you must have displacement of water. Some of our barges are very beautifully formed vessels, 120 feet long, by 14½ beam.
89. *By Mr. Donaldson*: Are they flat on the floor? Quite flat.
90. When is the proper season for navigating the Murray? We imagine the season commences in May and ends about January.
91. But you are of opinion that if barges could be constructed to draw no more than two and a half feet of water, they could find employment all the year round, provided the snags were removed? Yes, in all common seasons, if they are constructed when laden not to draw more than 2½ feet.
92. *By Mr. Hay*: Have you ever seen a season when you could not reach Albury under such circumstances? In the summer of 1854 Albury was not approachable by water.
93. Where did the difficulty present itself? The first difficulty occurred within the South Australian boundary, where the river spreads itself out into broad sheets of water, and sand banks occur.
94. In one particular place? No, in many places.
95. About what part of the river? Perhaps a hundred and fifty miles on the South Australian side of the boundary.
96. Near the Great Bend? Yes, a little below the Great Bend.
97. Coming upwards, where would you have met with the next difficulty? We would have met with a succession of difficulties in the dry season of 1854.
98. Where did the different shallows occur below Albury? The first great shallow occurred at Dight's, Ginginderra; a succession of crossing places might have been found on the river that year.
99. What was the depth of water on these crossing places? Many of these places were not more than eighteen inches or two feet deep.
100. *By Mr. Jones*: What did the difficulty of navigation chiefly arise from in 1854? Simply from the want of water along the entire bed of the river.
101. From these natural shallows? From the natural shallows, and from the timber existing there.
102. From what cause did the difficulty chiefly arise—from the shallows or the timber? Chiefly from the timber.
103. Would the removal of the timber in the upper portion of the navigation have been of any advantage, so long as the shallows existed below the South Australian boundary? The removal of the timber, in such a year as 1854, would not have been of any great avail.
104. *By Mr. Hay*: The navigation could not have been carried on, even though the timber had been removed? No.
105. *By the Chairman*: Do you think it likely that, if the timber were removed, these shallows would be swept away by the augmented force of the current? I think there would be such a tendency.
106. *By Mr. Jones*: Might not the removal of the timber have the effect of leaving the water above it shallower than before? The removal of the bars might have that effect; but in any common season the timber is the only obstruction, not the bars.
107. In common seasons, when you can cross the shallow points without difficulty, is the timber a very serious obstruction? It is.
108. *By the Chairman*: During 1854, would the navigation have been impeded by these natural bars alone? For from three to four months, at the outside, it would.
109. The river Murray is supplied periodically with water, by the melting of the snow in the range of mountains where it takes its rise? Yes.
110. Its supply of water is derived principally from that source? I should say it receives quite as great a supply from melted snow as from other causes.
111. It is that which gives it its character as a true river—a constantly running stream? It is.
112. What is the rate of the current? The average rate is about two miles and a half an hour.

113. Until you reach Moorundce—the bend? It is rather more sluggish below the bend.
114. Are the two ana branches—the Edward and the Wakool—navigable in ordinary seasons? The Wakool is decidedly navigable in ordinary seasons up to Boon Boon; and the Edward also, as far as Deniliquin from its lower junction with the Murray.
115. Have their navigable qualities been tested yet—have any boats passed up? No boats have passed up the Edward. I speak of its navigability with reference to the depth of water; but there is some timber which I consider should be removed before the navigation will be safe.
116. Steamers would pass up both these branches if the timber were removed? Steamers have been on the Wakool repeatedly; in fact, every year since the navigation was opened.
117. How many miles have steamers been on the Wakool? About fifty miles.
118. What is the length of the Wakool from the time it leaves till the time it rejoins the main river? I can hardly answer that question, because the Wakool is formed by a number of creeks converging into one. It is not navigable more than fifty or sixty miles at any time.
119. *By Mr. Garland:* The Edward is the largest? The Edward is the largest in the upper part of its course; but the Wakool, having been augmented by so many streams falling into it, becomes very much larger than the main Murray; it is fully three times larger than the main river where it joins it again; the Murray seems a perfect ditch in comparison.
120. *By Mr. W. Macleay:* In navigating the Edward, you go up the Wakool first? Yes. The Edward, the Billibong, the Yanco, and a number of creeks, all flow into it.
121. *By the Chairman:* Could you pass up the Edward from the place where it rejoins to the place where it flows from the Murray? To do so you would require to go through gum forests and reed beds; it cannot be termed navigable at present for steamers.
122. Taking these two ana branches together, for how many miles do you consider them navigable? Four hundred miles.
123. All within the Colony of New South Wales? All within the Colony of New South Wales.
124. For how many miles is the Murray navigable within the Colony of New South Wales? About twelve or thirteen hundred miles, by the best maps.
125. From the boundary of South Australia to Albury? Yes. The river has never been thoroughly surveyed, so that we cannot speak with precision.
126. Is Albury the extreme point of the navigation—in winter time could steamers go beyond Albury? I do not look on Albury as the permanent head of the navigation.
127. In building a bridge there, then, you would suggest that allowance should be made for vessels to pass through? Decidedly. I think we may look for considerable traffic above Albury.
128. You have said the Murray is navigable for twelve or thirteen hundred miles, and its two ana branches, the Edward and Wakool, for four hundred miles in addition, within the boundary of this Colony—will you now state for how many miles the Murrumbidgee is navigable? About eight hundred miles.
129. To Gundagai? Yes.
130. And the Darling? The Darling, in such a year as this, is navigable for eight hundred or a thousand miles.
131. Up to what place? Decidedly up to Fort Bourke, and beyond there, I believe.
132. That makes altogether an aggregate of three thousand and three hundred miles of navigable waters within the boundary of this Colony—does it not? I consider there are more; I think our internal water communication is above four thousand miles, of which the Murray is the main trunk.
133. Do you include that portion of the Murray which is below our boundary, or only those within the Colony of New South Wales? The waters I consider peculiarly belonging to New South Wales are navigable for about three thousand five hundred miles altogether above the boundary.
134. *By Mr. Garland:* Have you any acquaintance with the Lachlan? With the Lower Lachlan I have.
135. Is it navigable? That portion I have seen is decidedly so. It is a perfect canal.
136. For what distance? I only speak of thirty or forty miles of the lower portion of it. When I speak of navigable waters, I allude to the proper season—not during the dry season.
137. *By the Chairman:* Perhaps you saw the river during a time of great flood? I saw it in the middle of summer—it was then in flood.
138. *By Mr. Suttor:* Is there any well defined channel for some miles from the Murrumbidgee? The Lachlan waters hardly ever reach the Murrumbidgee; it loses itself in reed beds.
139. How then would it be navigable? A boat must be built upon it.
140. *By the Chairman:* It must be an isolated navigation? Yes, to be permanent.
141. *By Mr. Garland:* Would it not be capable of canalization? I think so, highly.
142. *By Mr. Hay:* In its present state there is no open communication between the Lachlan and the Murrumbidgee, even in times of flood? No. It is a matter of dispute whether the waters of the Lachlan ever reach the Murrumbidgee. One settler on one side of the river says they never reach it; but the Messrs. Tyson, who, I think, know the river better, say they do. I speak from actual knowledge when I say I have seen the river come down bank and bank within a few miles of, and yet not a drop has reached the Murrumbidgee. There is a hard dry road between.
143. *By Mr. Suttor:* Have you noticed that lately? In the summer of 1856.
144. *By the Chairman:* Is the Railway or Tramway finished between the Goolwa and Port Elliott? It was finished in 1853.
145. What is the charge per ton for the transit of goods from the Goolwa to Port Elliott? It began at sixpence a mile; it is now a shilling.
146. Are these charges included in the charge made by the Steam Company per ton for taking goods down the river? When we used the Railway they were.

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147. *By Mr. W. Macleay*: You do not use the Railway now? Not since we got a steamer to run through the sea mouth. I may mention that by far the larger amount of our trade is in flour, and that is grown on the shores of the lake.
148. Near the Goolwa? Near the Goolwa, on the shores of the lake. About 500 tons of flour and 10,000 bushels of wheat have been shipped this season at Milong, a small port which has been called into existence since the navigation of the Murray.
149. *By the Chairman*: What is the amount of freight by the steamers to the junction of the Darling? About £4 10s. per ton.
150. About what amount of wool—how many bales—is grown on the Darling now? I think they have shorn about a hundred thousand sheep on the Darling.
151. *By Mr. Suttor*: That is on the lower Darling? Yes. We calculate that there will be this year from one thousand to twelve hundred bales of wool on the Darling.
152. *By the Chairman*: That wool is taken down to Adelaide? All of it; every bale.
153. I suppose no owner of a station on the Darling would dream of taking his wool from there to Sydney? Before the navigation of the river was opened one settler did take his wool to Sydney.
154. What length of time did it take him to do so? About six months and a half, going and coming. He was connected in Sydney, and could not help himself.
155. Stations have been taken up on the Darling with great rapidity since the steamers have plied to the junction? They have.
156. *By Mr. W. Macleay*: How far up do the stations extend? The outer station now is at Mount Murchison, belonging to the Messrs. Jamison, about three hundred miles up the Darling. I can produce a letter from Mr. Perry, the Commissioner of the Albert District, with regard to the pastoral leases taken up since the navigation was opened, stating the effect that circumstance has had upon the demand for runs in that district, and upon the rates of premium obtained for them. (*The Witness handed in the same. Vide Appendix A.*)
157. *By the Chairman*: What is the highest amount of premium you have heard of? I believe £232 for a block supposed to be capable of carrying four thousand sheep or their equivalent in cattle, is Mr. Perry's quotation.
158. *By Mr. Donaldson*: You mean premium on the whole lease, not annually? The annual rent, not premium.
159. *By Mr. Hay*: Do you know the particular run that was let for £232? I think I do—immediately below the junction.
160. It is what is called a junction run, is it not? Yes; Mr. Cameron is the lessee; Nilpo is the name of the run, I think.
161. Do you know anything of that station? I know the station.
162. Do you think it is not capable of depasturing more than four thousand sheep as an actual fact? I think there are more upon it.
163. These blocks were adjusted by Mr. Lockhart, the Crown Lands Commissioner, were they not? I only know they were not leased until perhaps two years after Mr. Lockhart had been there: they were not leased until after Mr. Perry went down.
164. You are not aware of the circumstances then? I am not.
165. You are not aware that these runs were laid out by Mr. Lockhart with the view of enabling the Government to realize their full value, without reference to the way in which they had been previously taken up? I am not minutely aware of the circumstances.
166. You are aware that they are of various capabilities? I am.
167. Those that brought the highest prices were valuable blocks of comparatively rich country? I believe they were only comparatively rich; the navigation of the river gave them value.
168. *By the Chairman*: They are in the salt bush country? Yes.
169. Fit only for pastoral purposes? Fit only for pastoral purposes. I may mention that the Darling settlers were not at all well used with regard to their country; they did not get their country at all as they ought.
170. *By Mr. Hay*: This country had all been occupied for years before the runs were put up to tender? Yes; the present occupants are not the parties who originally took up the runs. The particular run we have been speaking of did not belong to the present occupant.
171. *By the Chairman*: The present occupants came in over the heads of those who were so long in possession of the runs? Yes. What I wished to point out was, that the Sydney men came in over the heads of the Darling men, because they had not time to send in tenders. The very day the advices came to the Darling junction that the runs were offered for tender the tenders were received in Sydney.
172. *By Mr. Hay*: That was in the case of a second batch of runs, not the ones we have been speaking of? Yes; they were further up the river.
173. *By Mr. Jones*: So that the original occupants not only did not get their runs but did not get the chance of competing for them? No; they had fought for these runs for years and did not get them after all. Some of the settlers were so annoyed that they sold out and left the country.
174. *By the Chairman*: These runs on the Darling were at one time comparatively valueless, from their enormous distance from head quarters, and they have been rendered very valuable by the prospect of water carriage? That is the only reason to which we can attribute their present value.
175. *By Mr. W. Macleay*: Have the company any intention of taking up the navigation of the Murrumbidgee? They have no immediate intention of doing so, unless the settlers will guarantee them a certain amount of freight.
176. If guaranteed a certain amount of freight they would take it up? If it were put on board I believe they would send a boat up.
177. If the river were cleared of the timber that at present obstructs the channel, do you think the company would then send their boats up? Not as long as there was trade on the main Murray. I have not been able to induce them to do so.

178. *By the Chairman:* Is there sufficient trade on the Murray to occupy ten steamers? Captain F.
CadeH.
Up to the present time we have found sufficient up traffic; the boats carrying on owners' account.
179. On the Murrumbidgee it would be up and down? It would. By my last advices I 17 Nov., 1857.
learn that we are glutting the Ovens gold fields with our supplies just now.
180. *By Mr. W. Macleay:* You say you have been on the Murrumbidgee for three hundred miles—was that on the lower part of it? The lower part principally; but I am acquainted with the stream generally from Gundagai downwards.
181. You believe it would be perfectly navigable for many months in the year? Yes.
182. *By the Chairman:* A Captain Robinson was sent by your Company to ascertain the fitness of the Murrumbidgee for navigation? Yes.
183. What was his report? It was highly favorable.
184. *By Mr. W. Macleay:* Is there as much water as would render it navigable for ships of the same size as those employed on the Murray? The breadth of the stream is less, and its sinuosities are greater than on the Murray; and, from its being a narrower stream, the timber occupies more of the water bed of the river.
185. *By Mr. Hay:* Where is the obstruction most remarkable? On the lower part of the river, from Kinta downwards.
186. To its junction with the Murray? Yes.
187. Then the worst portion is near the junction? Yes, by far the greatest portion of the timber lies in that part of the river.
188. The great difficulty, therefore, is to get the boats on the river? Boats have never been on it, except a small one to Balranald.
189. *By Mr. W. Macleay:* The steamer that went up to Balranald had to overcome considerable difficulty? Yes, as far as the timber was concerned.
190. *By Mr. Garland:* The timber is not a permanent difficulty—that is to say, the timber that might present difficulty in one year might not do so another year—the timber moves in times of flood, does it not? The timber that obstructs the navigation, I conceive, never moves. The drift timber is nothing.
191. *By Mr. Hay:* Trees which fall into the river remain *in situ*, and accumulate the drift? Yes, it lies where it falls. The drift timber is very trifling in quantity—just charred timber, which comes off the plains.
192. *By the Chairman:* If the timber were once removed from the rivers, would there be danger of its accumulating again if continual care were not taken? To a very limited extent. There would always be some trees falling in.
193. Are there many trees growing on the banks of the Murray? Yes, a great number. Its general course is through a forest.
194. Are there any casuarina trees growing on in banks? They never approach near enough to the river to fall into it.
195. No very great amount of care would be required then to keep the channel free if it were once cleared? No great amount of care.
196. *By Mr. Hay:* The timber at present impeding the navigation is the accumulation of centuries? Yes.
197. It seems to last a very long time? Yes.
198. *By the Chairman:* I presume all the rivers in the world have been in a similar state when first opened for navigation? I should imagine so. A tree newly fallen can never hurt a steamer, because the force of collision is broken by the small branches and leaves, so that no danger is to be apprehended from that source. All the small branches eventually get broken off, until only the stout strong branches and the barrel remain, these then are dangerous.
199. The timber becomes hardened by lying in the water, does it not? By lying in the water, and by exposure.
200. Is it not rather by the action of the water and the adhesion of small aquatic plants? From all these causes it becomes much harder.
201. The wood does not decompose? Decomposition is very slow.
202. *By Mr. Jones:* What is the general character of the supplies taken up the Murray by the steamers? Rations for the supply of stations, and the general supplies required upon the gold fields; flour is much the largest article.
203. Are there many goods taken up the Murray which are subject to duties? Not a very large proportion.
204. From what place is the tract of country lying between the southern boundary of the Colony and Gundagai on the Murrumbidgee, including the lower part of the Lachlan and the lower part of the Darling, supplied with the bulk of the articles consumed there? Partly from Adelaide, and partly from Melbourne.
205. Scarcely at all from Sydney? Scarcely at all from Sydney, below Mr. Lang's station. Above Mr. Lang's station, on both sides of the Murrumbidgee, they draw their supplies from Sydney.
206. But below that point, to the southward, they draw their supplies from Victoria, or from South Australia? Yes.
207. So that the duties payable on dutiable goods consumed in this tract of country are paid not in this Colony but in the neighbouring Colonies? Yes; but South Australia refunds to New South Wales her proper proportion.
208. Where do the people on the Yanko and Billibong get their supplies? From Melbourne and South Australia.
209. And those living in the main valley of the Murray? From South Australia.
210. Whence is Albury supplied? Conjointly from South Australia and Victoria, and, to a limited extent, from Sydney.
211. Have you any idea what the amount of duty paid over to this Colony by South Australia

- Captain F. Cadell.
17 Nov., 1867.
- Australia is at the present time? I have no idea what it is this year? I can furnish the Committee with an account of the quantities of goods taken up the Murray since the trade has been opened, as read by Mr. Younghusband in the Legislative Assembly of South Australia:—"During the first season, (1853-4,) there were taken up 276 tons of goods, and 1,362 bales of wool were brought down; the whole valued at about £25,000. In the second season, (1854-5), 365 tons were taken up, and 3,009 bales of wool brought down; valued at £35,000. During the third season, (1855-6,) there were 700 tons up, and 2,700 bales of wool down; value, £50,000; and in the fourth season, (1856-7,) when the trade to the Ovens Diggings commenced, and there were three more steamers on the river, 3,629 tons of goods were carried up, and 2,370 bales of wool were brought down; the whole valued at £247,000 for that season."
212. Is there any attempt made to collect Customs duties on the Murray? Not the slightest. South Australia has a Custom House at the Goolwa.
213. The revenue derived from dutiable goods brought up the river by the steamers is paid either to the Government of South Australia or that of Victoria, and retained by them, excepting the portion which is handed over to New South Wales by the Government of South Australia? Victoria, in one respect, gains the advantage from the duties, as there are no Border Custom Houses. South Australia derives no advantage from them, because she pays a portion over to New South Wales.
214. By Mr. Hay: Except the portion paid over by South Australia to New South Wales, the South Australian and Victorian Governments derive the whole of the benefit? New South Wales and Victoria divide the amount, so that South Australia makes no direct gain.
215. By Mr. Jones: The only Customs revenue derived by this Colony from such of these goods as are consumed within its territories, is the amount annually paid over to us by the Government of South Australia? Yes. Victoria sends her goods across the frontier free.
216. So that, in point of fact, a great proportion of our Customs duties, which should go to support the expenses of our Government, in this section of the territory of New South Wales, passes to Victoria or to South Australia? South Australia pays the contribution which is due to New South Wales—and more than the proper contribution—because three-fourths of the goods brought up the Murray are landed in Victoria, while New South Wales receives payment for one-half.
217. By Mr. Donaldson: You have means of knowing that? I have. I hand in Returns of the amount of goods shipped in seven steamers during the present season, characterising the Colony in which they were landed. (*The Witness handed in the same. Vide Appendices B and C.*)
218. By Mr. Jones: Supposing the navigable channel of the Murray to be improved, would that tend to increase the supply of dutiable goods by way of South Australia? The more the navigation of the river is rendered easy, the cheaper will the goods be brought up from South Australia; and the more likely they will be, therefore, to displace goods brought from Victoria. This will be especially the case with regard to that portion of the Murrumbidgee which is supplied with spirits and tobacco from Victoria.
219. What is the present rate of freight from the Goolwa to Albury by the Murray? £10 10s or £11, I am not sure which.
220. Have you any idea what is the rate per ton from Melbourne to Albury? £24 per ton is the lowest rate at present.
221. By Mr. Hay: When you say at present, you mean at this particular season of the year? Yes.
222. Does it not fall much below that rate in summer? The rate is £12 in summer.
223. By Mr. Jones: Then, in point of fact, in the summer season, the rate of freight from Melbourne to Albury is about the same as from the Goolwa to Albury? Nearly so.
224. What is the present rate from Sydney to Albury? I can furnish the Committee with the average rates of carriage from Melbourne to Albury, and from Sydney to Albury, for the last four or five years. (*The Witness handed in the same. Vide Appendix D.*) As an illustration of the delay which sometimes takes place on the roads, I have heard of an instance which occurred at Albury, where a carrier left that place to go to Sydney, and another man left about the same time to go to England; the man went home and came back again before the carrier had returned to Albury from Sydney.
225. By Mr. Hay: Even supposing the navigation of the Murray to be closed altogether, do you think it would extend the present traffic between Sydney and the Southern Districts very much—would the traffic which was so created go to Melbourne or to Sydney? To Melbourne.
226. Almost exclusively? Almost exclusively.
227. By Mr. W. Macleay: But if the navigation of the river is extended as much as it may be, Sydney will suffer a good deal by that? I think Sydney will suffer, but New South Wales will benefit.
228. By Mr. Donaldson: What is the character of the country upon the boundary line of New South Wales on the banks of the Murray? The most wretched country imaginable.
229. That locality would be inconvenient then for the establishment of a Custom House? Yes; it is a miserable country.
230. By Mr. Hay: It would be very difficult to evade a Custom House there? No man could go up there without its being known to all on the river bank.
231. It would be very difficult to land goods from a steamer anywhere in the neighbourhood, within the South Australian boundary, and convey them to a point higher up, on the New South Wales side? It would be impossible, I think, to make the trade profitable.
232. By the Chairman: The Castlereagh, the Macquarie, and the Bogan are tributaries of the Darling? They are.

233. These rivers are occupied by stations, I believe? Yes.

234. Would the inhabitants of those districts derive their supplies, if the Darling were navigable for eight hundred miles, from that source, rather than get them by land from Sydney *via* Wellington? Undoubtedly. Carriage to Mount Murchison or Fort Bourke by water would not exceed ten guineas.

235. What would be the rate of carriage from Sydney *via* Wellington? About £40 a ton, I should say.

Captain W.
Cadell.

17 Nov., 1857.

APPENDIX A.

Crown Lands Office,
Moorua, Albert District,
6 August, 1857.

MY DEAR SIR,

I have to acknowledge the receipt of your letter of the 20th ultimo, in which you request me to point out any beneficial results that may have occurred with reference to the value of Crown Lands in this district by the successful navigation of the River Murray. I have very great pleasure in being able to state, that I am of opinion that the high rates of premium offered, and accepted by Government, for certain runs (21 in number) in this district, in the year 1854, would not have been obtained had the navigation of the Murray proved a failure, instead of, as it did, a successful and beneficial result. It may be well to remark, that the runs before mentioned realised premiums from £100 to £232 per annum, for the pasturage of 4,000 sheep, or their equivalent in cattle. At a subsequent period (in April 1855), fifteen adjusted runs in this district, on the River Darling, were offered to public competition, commencing at about 100 miles from the confluence of the Darling and Murray, and extending upwards. These runs also realised the very high rates of premium, ranging from £70 to £125 per annum (notwithstanding the distance from the present head of navigation). It is my decided opinion, and I may venture to say that it is the opinion of residents here, that such extraordinary high rates of premium would not have been offered had the navigation of the Murray proved a failure. The Darling is now occupied for a distance of three hundred miles, and wool is conveyed by drays to the present head of the navigation, and there would not be any difficulty in ascending the Darling this season to that point, provided there was sufficient inducement. If you wish this information to be placed in an official shape I shall have much pleasure in doing so. Meantime,

I remain,

Yours very truly,

G. M. PERRY.

CAPTAIN CADELL.

APPENDIX B.

SUMMARY of Goods shipped per R. M. N. Company's Vessels, Season 1857-8.

VICTORIA.

MERCHANDIZE.

48,200 feet flooring boards.
18,388 " 11 x 3 deal.
23,843 " 9 x 3 "
7,376 " 8 x 3 "
9,704 " 7 x 3 "
Suppose 50 tons deal per "Gundagai."
310 packages cedar.
805 tons flour.
140 " bran.
1,574 bags salt.
19 barrels "
149 bags sugar.
776 casks bottled beer.
50 hds. beer.
132 cases brandy.
194 " whiskey.
212 " wine, each 1 doz.
18 " " 3 "
90 " sublime oil.
20 " raisins, each 2 qrs.
5 " figs, each 2-2 qrs.
4 " candles, each 5 qrs.
308 bags rice, 32 tons.
53 " coffee.
2 cases cheese.
50 barrels plaster Paris.
20 " oatmeal.
199 bales hay.
2 cases bedstead.
57 tons bar and rod iron.
10 " galvanized corrugated iron (sheet).
4 cwt. rivets, burrs, &c.
5 bales paper.
37 crates earthenware.
16 casks glassware.
3 cases "

197—F

NEW SOUTH WALES.

MERCHANDIZE.

3 packages hardware.
5 hds. earthenware.
12 packages oilmen's stores.
18 bags sugar.
5 cases champagne.

SETTLERS' STORES.

2 hds. sugar.
1 cask "
1 case "
195 bags "
29 chests tea.
14 half chests tea.
1 cask tobacco.
2 half tierces tobacco.
2 quarter " "
1 case tobacco.
3 quarter casks wine.
10 cases wine.
4 " brandy.
3 " gin.
1 quarter cask whiskey.
4 casks bottled beer.
1 bag coffee.
1 " rice.
1 " pearl barley.
10 " oats.
1 " biscuit.
1 cask peas.
1 " oatmeal.
2 cases Lucerne seed.
20 bags salt.
34 boxes soap.
4 boxes raisins.
1 cask dried apples.
40 bushels wheat.

SETTLERS

Captain F.
Cadell.

APPENDIX B.—Continued.

17 Nov., 1857.	VICTORIA. SETTLERS (OR MISCELLANEOUS) STORES.	NEW SOUTH WALES. SETTLERS' STORES—Continued.
	56 bags sugar.	10 bags potatoes.
	12 chests tea.	35 packages oilmen's stores or groceries.
	4 half chests tea.	33 packages slops, drapery.
	1 case tobacco.	2 trunks boots.
	3 „ wine.	7 cases saddlery.
	1 octave „	6 bales woolpacks.
	2 cases brandy.	1 package tarpaulins.
	2 cases gin.	3,000 palings.
	2 casks bottled beer.	25 packages timber.
	2 bags rice.	113 pieces hardwood qtns.
	3 „ oats.	103 deals.
	2 „ bran.	4 packages building materials.
	9 boxes soap.	4 casks pitch.
	41 packages groceries or oilmen's stores.	2 „ resin.
	18 „ furniture.	4 „ tar.
	1 pianoforte.	8 bundles oakum.
	1 weighing machine.	4 kegs nails.
	1 hay rake.	10 bundles rod iron.
	4 casks hardware.	16 packages hardware.
	21 packages „	3 „ agricultural implements.
	3,000 palings.	2 reaping machines.
	15 bundles deals and boards.	1 gig.
	3 packages building materials.	5 packages fruit trees.
	5 „ leather.	1 case stationery.
	1 trunk boots.	1 pianoforte.
	1 case saddlery.	29 packages furniture.
	1 bale woolpacks.	24 tons flour.
	1 case drapery.	
	1 „ hams.	
	9 tons flour.	

Total freight to date, 2,170 tons weight.

Goolwa, 8 November, 1857.

APPENDIX C.

A RETURN of Goods shipped for Upper Murray, in the Steamers "Sturt," "Leichhardt," and "Mosquito," during the Season of 1857.

VICTORIA.	NEW SOUTH WALES.
3,399 bags flour, 319 tons.	480 bags flour, 48 tons.
1,089 „ bran, 66 „	5 „ biscuits.
389 „ oats, 1,570 bushels.	2 cases confectionary.
12 „ malt, 46 „	22 $\frac{1}{2}$ chests tea.
144 bales hay, 17 tons.	242 bags sugar, 15 tons.
227 bags potatoes, 12 tons.	4 „ coffee.
953 „ rice, 70 $\frac{1}{2}$ „	47 „ salt.
723 „ salt, 36 $\frac{1}{2}$ „	4 casks vinegar.
— „ bacon, 1 „	99 boxes groceries.
326 bags sugar, 21 $\frac{1}{2}$ „	8 crates and 1 cask earthenware.
109 $\frac{1}{2}$ chests tea.	183 packages sundries.
1 bag coffee.	479 sheets galvanized iron.
12 $\frac{1}{2}$ casks 4 $\frac{1}{4}$ do. vinegar, 322 gallons.	14 kegs nails.
340 boxes soap.	4 packages drapery.
10 cases oilmen's stores.	16 deals.
134 packages groceries.	2,069 pieces timber.
50 cases bottled fruits.	2 casks and 58 cases brandy, 150 gals.
6 firkins butter.	1 „ rum, 5 gallons.
51 cases and 2 hds. brandy, 193 gallons.	8 „ and 4 casks wine, 190 gallons.
6 hds., 1 cask, 1 punch. rum, 475 „	191 „ and 22 cases bottled beer, 2,036
2 casks and 50 cases whiskey, 128 „	gallons.
1 cask and 86 cases gin, 158 „	21 cases gin, 47 gallons.
51 packages wine.	
730 casks bottled beer, 6,538 gallons.	
1 cask ironmongery.	
iron bars, 23 cwt.	
1 bale woolpacks.	
1 cask glassware	
12 cases drapery.	
267 cases sundries.	
2,295 flooring boards.	
100 cedar boards.	
469 deals and planks.	
12,000 6 feet paling.	

APPENDIX D.

CARRIAGE from Melbourne to Albury, and from Sydney to Albury, during 1853, 1854, 1855, 1856, 1857.

Captain F.
Cadell.

17 Nov., 1857.

Average from Melbourne to Albury, 1853, £80 per ton. In this year it reached as high as £140 per ton.

Average from Melbourne to Albury, 1854, £60 per ton. In this year it reached as high as £110 per ton.

In 1855, £40 per ton; in 1856, £30 per ton; in 1857, £25 per ton.

From Sydney to Albury.

Year 1853	1854	1855	1856	1857	} all averaged.
Per Ton £80	£60	£40	£35	£35	

FRIDAY, 20 NOVEMBER, 1857.

Present:—

Mr. G. MACLEAY,
Mr. W. MACLEAY,
Mr. SUTTOR,

Mr. JAMISON,
Mr. DONALDSON,
Mr. HAY,

Mr. GARLAND.

GEORGE MACLEAY, ESQUIRE, IN THE CHAIR.

Captain Francis Cadell, called in and further examined:—

1. *By the Chairman:* Before I proceed to ask you to give us information upon the subject of clearing the rivers, I should like to ask a question having reference rather to a matter inquired into previously. Sir Henry Young was on board the "Lady Augusta" when you went up the Murray the first time; and, as appears from a letter written by him subsequently to that voyage to the Government of New South Wales, as well as from the measures he himself took with respect to the land on the banks of the Murray within South Australia, he formed a very high opinion as to the qualities of the country: Now, as you have since told us that you do not look upon that as an agricultural country, I wish to ask you how you account for the discrepancy of opinion? I am inclined to imagine that Sir Henry Young's opinion was influenced by the very favorable season in which he saw the valley of the Murray; the country looked beautiful and promising; everything looked green and luxuriant; but I am not aware that Sir Henry Young has ever been so high up the Murray as the neighbourhood of Swan Hill, or even the junction of the Murrumbidgee, during an average season. It was a particularly favorable season when Sir Henry Young went up.

Captain F.
Cadell.

20 Nov., 1857.

2. In what month was it? In the months of September and October.

3. At which time the country always looks green and luxuriant? Yes, and in that year particularly so.

4. You have had opportunities of seeing the same country at all seasons of the year? Yes.

5. And have formed your opinion from those opportunities? Yes. I look upon it as a pastoral not an agricultural country.

6. In the year 1855 a sum of £1,000 was voted by the Legislature of this Colony for clearing the channel of the Murray, and another sum of £1,000 for clearing the channel of the Murrumbidgee? Yes.

7. These sums have been expended by the River Murray Navigation Company, under the superintendence of the Commissioner of Crown Lands of the district? Yes; those were the conditions specified in the vote.

8. You were employed by the company to clear the rivers? I cannot say I was employed by them. They would have nothing to do with the clearance of the river until they had the funds in hand to set about it. I volunteered to carry on the operations.

9. Then you took upon yourself, with the assent of the company, to superintend the expenditure of these votes? I did.

10. Subject to the general supervision of the Commissioner of the district? Yes.

11. Was the money immediately available for the purpose? It was not immediately available. All the preliminary expenses were carried on at my own individual outlay.

12. What length of time elapsed before you could get the money? Nearly a year; but for a portion of that time the money was kept out of my hands, through some informality in the papers. If the proper forms had been used, I should have got the money perhaps four or five months sooner.

13. Through whose fault did that informality take place? I believe principally through my own. I had not been accustomed much to Government returns.

14. But there was some delay on the part of the Government in placing that money at the disposal of the Commissioner? Yes; the Commissioner himself had not the money for several months.

15. A correspondence took place between the Commissioner, the representative of the district, and the Government, I believe? Yes.

16. Has the whole of that sum of one thousand pounds been expended for the purpose intended? I may say the whole of the money voted for the Murray has been expended to all practical purposes; the exact amount is £996 7s. 11d., in the two seasons, leaving the small balance of £3 12s. 1d. The punts and cutting tools are still forthcoming.

Captain F.
Cadell.
20 Nov., 1857.

17. And available for any further operations? Yes.
18. What amount of money was expended on the punts and other requisite apparatus? I suppose the cutting tools and punts may be worth some £40 or £50; they have undergone a good deal of hard work in the two seasons.
19. What did they originally cost? The outfit cost about £140, I think, including punts, carriage of materials, &c., &c.
20. How much was expended more immediately upon the clearing of the river—somewhere about £700, was it not? Yes, including the rations and necessary travelling expenses.
21. How many miles of the Murray were cleared with that money? In round numbers, about two hundred and twenty miles were cleared, to the lowest water mark.
22. When you say "cleared," you do not mean that the timber was altogether removed from the bed of the river? No; it was cut down to the lowest water mark, and in some bad places, where there was not much room in the river, we cut it below the water, at a good deal of trouble.
23. What was done with the portions of timber so removed from the trees in the channel? They were sunk into deep holes in the river.
24. Is there any danger of the timber so sunk in the deep holes being afterwards carried on further by floods, and becoming injurious to the navigation of the river? Very slight; hardly anything will move that timber when it gets in one of those deep holes.
25. Is there any danger of sand accumulating about them, and thus of the pools becoming shallower? There may be some slight danger, but not great.
26. Practically, you do not think any mischief is likely to ensue from that system? I think it was the only system we could adopt at that time. We could do nothing else, not having funds sufficient to take the timber out of the river altogether.
27. That would be an expensive process? Yes. I imagine it could only be done economically by the aid of steam.
28. It would be requisite to burn this timber if taken out of the river, otherwise floods might carry it back again? I think it ought to be burnt.
29. That would add to the expense? Yes. I can read to the Committee, with your permission, a copy of a certificate which I received from two of the captains of steamers running on the river—the only two, excepting those in the service of the R.M.N. Company, who have been over that portion of the river cleared by New South Wales. I may also state that these steamers were running in opposition to ours.

"Captain Cadell.

"Adelaide,
"February, 1857.

"Sir,

"With reference to our opinions regarding your clearing operations, we beg to state that the moment we reached that portion of the river cleared by your party, we were relieved from the incessant bumping we had previously been subjected to, and that during the remainder of our voyage to Wahgunyah we only touched once, and we believe we were then a little out of the channel.

"(Signed) A. M'COY, Master, Steamer 'Sturt.'

"(Signed) — DAVIDSON, Master, Steamer 'Leichhardt.'"

There is also a postscript from the managing owner, who happened to be on board at the time, to this effect:—

"Having been on board the 'Leichhardt' at the time above alluded to, I can, personally, vouch for the truth of the above statement.

"(Signed) — ACRAMAN,

"Acraman, Main, and Lindesay."

30. Was this clearing continuous? It was continuous from Albury downwards. We drifted down with the stream.

31. You did not go below to the spots where the obstruction was greatest? Everything above the water was cleared off.

32. Why did you commence at Albury? Because we could not work the punts up the stream. Albury was the most convenient place for getting the punts built, and for hiring men.

33. Is the timber now abundant in the higher parts of the river? As a rule, such is the case.

34. *By Mr. Donaldson:* Did you cut off the timber level with the water's edge? Level with the water at the lowest fall of the river; thus securing an average rise of some fourteen feet to work upon during the navigable season.

35. *By the Chairman:* You worked during the summer months, when the river was lowest? Yes.

36. *By Mr. Donaldson:* I presume the timber was a considerable distance above the water at that time? Yes, sometimes twelve to thirteen feet; on average five to seven feet above the water.

37. *By the Chairman:* What did you do with the lighter branches? Being light they floated down the stream.

38. What do you calculate would be the expense per mile of such a mode of clearing the whole river, making allowance for some portions being all but free from timber, and others comparatively less obstructed? That clearing which I have spoken of as having been effected at the expense of New South Wales cost about £4 10s. a mile.

39. Could the whole river be cleared in the same way, and at the same rate? The whole river could be cleared in the same manner, at a less rate than that, now that the punts and tools are there for the purpose.

40. *By Mr. W. Macleay:* At what rate could you get on with these punts? In a fair season, one party, composed of three or four punts and twelve men, ought to clear about a hundred and fifty miles of the river.

Captain F.
Cadell.

20 Nov., 1867.

41. Allowing the season to last how long? About four months.
42. That is rather over the usual length of the dry season, is it not? Rather more. Three or four months we generally consider the dry season.
43. *By Mr. Hay:* How much of the River Murray has been cleared altogether by this process? From six to seven hundred miles.
44. What are the parts of the Murray which still remain uncleared in this partial manner? From about four miles above the junction of the Wakool downwards to the junction it has not been cleared, and that portion of the river between Moama and Campbell's Island has not been cleared; but these are fine portions of the river, except the small portion above the Wakool, which is bad, and will be cleared by South Australia, the funds being in hand.
45. These four miles? Yes. There are quite sufficient funds to clear the whole of the Murray that requires clearing, in the way that has been stated to the Committee; the balance of the South Australian vote.
46. *By the Chairman:* What class of men did you employ as laborers? I employed seamen when I could get them. There are a good many seamen about the bush.
47. Did you employ the aborigines at all? Not at all: the aborigines are all but extinct now on the Upper Murray.
48. Could they be made available on the Lower Murray? I think not. I would rather not have anything to do with them, they take so much looking after; although, to a trifling extent, they made themselves useful on several occasions.
49. You think it is cheaper to employ white labor, even at a high rate, than to get the natives to work for blankets, tomahawks, and other articles? I think it is much cheaper.
50. With respect to the thousand pounds voted for clearing the Murrumbidgee, what portion of that sum has been expended, and under whose superintendence? £500 17s. 11d. was the amount expended on the Murrumbidgee, under my superintendence also.
51. How was it the whole of the money was not expended? I waited at Albury for funds a long time, and at last, as I saw the season was going away, I moved the party down, providing the funds, in the first instance, from my own resources. If the money had been in hand, the operations there would have been commenced nearly as early as on the Murray, in '56. I may say that last summer was not very favourable for clearing operations; the river was not very low.
52. Was the difficulty in getting the money owing to the informality you have previously alluded to? Not at all; the Commissioner had no money then.
53. You commenced operations before the Government had placed the money at the disposal of the Commissioner? I did, on both the Murray and Murrumbidgee; had I not done so, the dry season of '56 would have passed away without anything being done.
54. How much had you advanced from your own funds before the money voted was available? One way and another some six or seven hundred pounds.
55. *By Mr. Jamison:* How much of the Murrumbidgee has been cleared? About seventy miles.
56. Commencing where? At the reputed junction of the Lachlan, and going downwards.
57. *By the Chairman:* Is that the worst portion of the Murrumbidgee, as far as timber is concerned? It is. The worst portion of the Murrumbidgee is the lower portion. Had the floods not come on us suddenly we should have been able to have cleared to the junction of the Murray.
58. *By Mr. W. Macleay:* How much further would that have been? About one hundred and fifty miles, following the course of the river. I may state that, on both the Murray and Murrumbidgee, the clearing parties suffered very severely from ophthalmia, which retarded our operations very much. I had it myself very badly. We could get no medical appliances whatever in the locality where we were. For several consecutive nights many of us never slept.
59. *By the Chairman:* In cutting down the timber on the Murrumbidgee, did you remove it sufficiently to enable the steamers you have working on the Murray to travel up the river? Quite sufficiently for that purpose.
60. In the same way as you cleared the channel of the Murray? In the same way and the same degree.
61. I think you have stated that you have a general knowledge of the Murrumbidgee from Gundagai downwards? I have. I have been all along the banks.
62. Allowing for any difference that has taken place in the price of labor, what do you calculate would be the cost of clearing that river, in the particular way you have described, from Gundagai downwards to its junction with the Murray? That portion actually cleared cost about £7 a mile, but under very unfavourable circumstances; I think it would not cost now more than from £3 to £4 a mile.
63. Rolling the timber to the bottom of the pools? Yes. A good deal of that timber is light enough, as the current runs swiftly over them, to float over the shallows; but, generally, as it gets into the deep pools it sinks of itself.
64. From what you know of the Murrumbidgee, after such a process, you think that during the six winter months steamers could ply upon it? I think so, decidedly.
65. You have not been in the United States? I have never been in the Atlantic States.
66. Have you ever been in any other country where the rivers have been undergoing improvements? I have been in California and South America.
67. Have you seen any operations carried on there for the purpose of clearing the rivers? I have not.
68. *By Mr. Garland:* Have you been on the Amazon? Yes.
69. Nothing of the sort is required there? No, nothing.
70. *By Mr. Donaldson:* Have you been on the Mississippi? I have not.
71. *By the Chairman:* Would you be willing to take a contract to clear the river from Gundagai downwards at the rate you have mentioned; or do you know any other person who

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who would be willing to take such a contract? I dare say contractors could be found to take the contracts; but it would depend very much upon who was to pass the work.

70. I mean to do the work as effectually as in those portions of the rivers you describe as partially cleared? I am inclined to imagine that any contractor would slim over his work; as it would be much easier for him to cut off a tree six or eight inches above the water than the same distance below it.

71. Then are you of opinion that the work should be done under the immediate superintendence of one of the companies trading on the river, or of the Government? I think if any of the companies undertook it, it might be more economically done than by Government, but Government would likely do it more effectually.

72. How would you suggest, then, that any money which might be voted for the purpose should be expended? In the same way as previously; but individually I would not superintend any operation of that sort again, unless I was paid for it.

73. You received no pay whatever for your former superintendence? Not from the New South Wales Government. My travelling expenses were paid.

74. You were paid by the South Australian Government? I was, but only during the time I was expending their own vote on the Murray.

75. So that you have received no compensation for your services in clearing the New South rivers? None whatever. But I am quite willing to expend the balance of £500, which remains from the Murrumbidgee vote, without any recompense, because I took it in hand.

77. At the time you were spending this money on the Murray and Murrumbidgee, was any contemporaneous vote from the South Australian Government being expended in a similar manner? South Australia did not vote any money for clearing the Murray until February in this year, 1857, a considerable time after the vote from New South Wales.

78. I understood you to say, that at the time you were superintending the expenditure of the money on the Murrumbidgee you were receiving pay from the South Australian Government? I was receiving nothing from them at that time. South Australia had not then voted any money for clearing the river; New South Wales was in advance of her in that respect. It was not till upwards of a year after New South Wales had passed her vote that South Australia brought forward hers.

79. What amount of money has the South Australian Legislature voted for clearing the Murray? For the partial clearing of the Murray, in the same way as it was carried on by New South Wales, £2,000 was voted; subsequently £8,000 has been voted for the construction of a snag steamer, and to cover her working expenses.

80. *By Mr. Garland:* Is that vote limited to any particular distance on the river? It is looked upon as the vote for one year.

81. Does it authorise the clearing of the Murray and all its tributaries? The tributaries are not specified; the Murray alone is named in the vote.

82. *By the Chairman:* You have stated that a sum of £2,000 was intended to be appropriated to the partial clearing of the Murray, in the same way as by New South Wales—was it voted with the expressed intention of using hand labor? Yes, expressly with that intention.

83. Why was it not to be expended through the snag-steamer party? The snag-steamer had not then been built.

84. That vote preceded the vote for the snag-steamer? Yes.

85. *By Mr. Hay:* That was to complete the partial clearing of the river? Yes. It would be years before the snag-steamer could go over the whole river.

86. *By the Chairman:* Some time must necessarily be taken up in building a snag-steamer? Yes.

87. What was presumed to be the expense of a snag-steamer? The estimated cost is between five and six thousand pounds.

88. The machinery for this vessel is to be constructed in Sydney? Yes; it is nearly finished; a portion of it has already been shipped to the Murray.

89. It was a proposition of yours that a boat of this description should be employed? The project of employing a snag-steamer had been frequently mooted by the present Governor of South Australia, Sir Richard McDonnell, and the Government of that day; but it may have been owing to a proposition of mine, communicated to the Commissioner of Public Works in South Australia that the construction of the snag-steamer was more immediately entered upon. Her hull, and the arrangement of the machinery, are executed from designs furnished by me.

90. How will this snag-steamer work—is it proposed to draw out the trees completely from the bed of the river, or to work with saws under water? To extract the timber almost solely; she may cut occasionally under the water. If I may be permitted, I will read an extract from a letter to the Government of South Australia, detailing the method of clearing I had pursued, and as to the more effectual plan I proposed should be adopted.—Extract of a letter dated May 28th, 1857:—"The method I have adopted in clearing is precisely similar to that practised last year, and consists simply in cutting off all snags flush with the low water mark, thus securing a safe navigable channel during a moderate flood. I hold certificates from the river captains of the beneficial effects to the navigation derived therefrom, as during last summer, as also during the present, has the Upper Murray (as far as mere depth of the water is concerned) been navigable to the present head of the navigation, the fallen timber being the only barrier, and the eradication of which must be effected by steam power." In another letter, dated 9th June, 1857, and addressed to the Commissioner of Public Works in the Colony of South Australia, Captain Cadell says:—"In conformity with your request to be informed if I would urge on the Government the construction of a snag-steamer, and, if so, upon what grounds, also my reasons for the application of means so much more powerful than at present employed, I would adduce the following:—The strongest reason for the immediate construction of a snag-steamer resolves itself

" itself into the fact, unless the necessary steps are shortly taken, the next summer, i. e., the next dry season of '57 and '58, will slip away before she can be brought to work. I beg your reference to my communication of 2nd April, detailing the present method of clearing the river, and I enclose certificates of captains of steamers plying on the river as to the benefits derived therefrom. But, at the best, the above method of clearance is only beneficial during the navigable season, and is but temporising with what ought to be done effectually, for, as I have before stated, the thorough eradication of 'the timber obstructing the deep water channel must be effected by steam power.' Since my interview with you this morning, when you appeared anxious that the South Australian snag-steamer should be convertible into some other use after the extraction of all the timber, it has struck me that she could be designed to work as a dredge, as it might be desirable to remove some of the bars of the Murray, provided that such removal could be accomplished without materially affecting the water-bed of the river. Some of the channels in Lake Alexandrina, and the entrance to the Coorong, might also be beneficially deepened by such dredge." So that I am perfectly aware that it is only a temporary measure that I have been executing hitherto. The funds at my disposal, I regret to say, were not sufficient to enable me to do anything of a more effectual character.

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91. This vote of £8,000, on the part of the South Australian Legislature, is looked upon as only an instalment—it is not regarded as a final vote for the purpose? Not at all; I believe South Australia looks forward to voting an annual sum for keeping up that boat and working her.

92. Has any communication that you are aware of taken place between the South Australian Government and this Government, inviting co-operation? I believe such a communication has taken place. I am aware that it was moved in the Upper House, by Mr. Younghusband, that the Governor of South Australia should put himself in communication with His Excellency the Governor General on the subject.

93. Has any similar communication passed between the Governments of South Australia and Victoria? A precisely similar one, I believe.

94. Do you know if the Government of Victoria have responded in any degree? I am not exactly aware of their reply; but I am aware they have put down, or are to put down, a sum of £10,000 on the Estimates. The Commissioner of Trade and Customs so informed me.

95. *By Mr. Garland:* Is that £10,000 to be appropriated for the purpose of constructing and working a snag machine? Yes.

96. Not for the partial clearing of the river? No. It was proposed that each Colony should build and equip a snag-steamer, and that each maintain her from year to year for clearing the western rivers.

97. *By the Chairman:* What do you suppose, under that system, would be the cost price of thoroughly removing the timber? I calculate—putting down the navigable waters of the interior at some four thousand five hundred miles—that about £30 a mile would clear all the rivers.

98. *By Mr. W. Macleay:* That would amount to an enormous sum? The amount may appear enormous; but that I have shown, or attempted to show, in a letter to the South Australian Government, on the estimated cost of clearing the rivers their navigable distances, it would be very reproductive; and that if each Colony sold annually only five square miles on the banks of the river, at the upset price of £1 per acre, the proceeds of land thus sold would more than repay the annual working expenses of a snag-boat.

99. Would South Australia and Victoria of themselves clear the main Murray? That was not the original intention; but perhaps it would be better to leave the frontier rivers to the frontier States.

100. *By the Chairman:* The Murray is a frontier river of New South Wales also? I am aware of that; but the others impinge upon it.

101. Do you think it probable that South Australia and Victoria will take the clearing of the Murray on themselves? I think they will, if New South Wales will operate to an equal extent upon her own streams.

102. That might have some effect on the Government of South Australia; but would it also operate on the Government of Victoria? The Government of Victoria look on the Murray as the great feeder for their Murray River Railway.

103. Do you think it would be fair and right that the Government of New South Wales should withdraw from taking a share of the expenditure on the Murray? I think it would be fair and right if New South Wales expends equal sums on her own rivers.

104. You mean on account of the greater advantages that South Australia and Victoria would derive from the clearance of the Murray? Yes; and because it forms the boundary of the latter to a greater extent than it does the boundary of New South Wales. It is in her own country to a great extent, or virtually so.

105. *By Mr. Hay:* Do you think it likely the Colony of Victoria will consent to an arrangement of this sort, on the understanding that New South Wales is not to contribute to the clearing of the frontier river? They have generally said they would be influenced, in a great measure, by the course taken by New South Wales in regard to the clearance of the Murray.

106. I presume the relation of South Australia to the other rivers above its own boundary is precisely the same as it is in regard to the Murray above its own boundary? I believe South Australia has the same interest with respect to all these rivers.

107. *By the Chairman:* There is a very great difference of expense between the two modes of clearing which you have characterised—the partial clearing and the perfect clearing? There is necessarily a great difference.

108. Some seven hundred per cent.? Yes.

109. Do you think the navigation of these rivers of such importance as to make it worth while

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while to go to this much greater expense when the earlier mode to which you have had recourse would apparently almost suffice? I think the navigation of the rivers is of sufficient importance to warrant the additional expenditure, especially when such expenditure will be reproductive.

110. How many miles do you suppose, on the average, a party employed in one of these snag-boats could clear in the course of the available season? I have no data on which to base calculations for the performance of a snag-steamer on that particular description of heavy timber, but I put her down at fifty miles a year, and I think the boat would perform much more than that. I think I am under the mark in my calculation.

111. Therefore, if fifty miles a year only could be done, it is very desirable that, instead of one Colony only having a snag-boat of this kind, the three Colonies should each have one, in order that all the benefits to be derived from the clearing of the river should be brought about in a moderate time? Yes. If I am right in my calculations as to the number of miles of navigable water—about 4,500 miles—one boat would necessarily occupy a great number of years; three boats would, of course, do it in a third of the time.

112. You are aware that on the Estimates of this year in New South Wales a sum of £2,000 has been placed for the purpose of clearing the River Murray? I am aware of that.

113. Could that sum be employed in connection with the snag-boat now about to be built with the South Australian money? It is possible that it could be so employed, but it would complicate the accounts between the two Governments very much.

114. Could you, in that snag-boat, employ profitably a greater number of men than you contemplate employing at the present time under the South Australian vote? I believe South Australia will vote quite sufficient funds to carry on the work as it ought to be done, without any adventitious aid from another Colony, on board her own steamer.

115. That steamer will be enabled to do all she can do with the supply provided by South Australia? Yes.

116. Therefore, the £2,000 proposed to be voted by New South Wales is not required to assist the operations of the snag-boat party? Not at all. I look upon the £2,000 put down for clearing the River Murray as in a great measure useless.

117. It is not required for that particular operation, and would be of comparatively little value in paying for hand labor? What is required to be done by hand labor has already, in a great measure, been performed.

118. Then you do not think this sum can be employed profitably by hand labor on the Murray? I think not. All that can be done by hand labor on the Murray has already been performed, or can be, by the funds in hand.

119. But if a sum of £10,000 were to be voted, very great good might be effected by the employment of another snag-boat and party? Yes, very great.

120. What would you propose to do with the £2,000 when voted? If my opinion were asked in the matter I should propose that it should be transferred to the Murrumbidgee.

121. *By Mr. W. Macleay:* You think it should be exclusively employed in clearing the Murrumbidgee? I think so.

122. *By the Chairman:* Could it be employed there by hand labor profitably? I think very profitably.

123. *By Mr. W. Macleay:* So as to render the Murrumbidgee as navigable as the Murray is at present? Yes.

124. *By Mr. Hay:* In conjunction with the sum now in hand—£500—it would go a long way towards making the Murrumbidgee navigable throughout? Yes, to a very considerable distance.

125. *By the Chairman:* Would it enable you to reach Wagga Wagga? Yes, I think so.

126. *By Mr. Hay:* It would enable you to clear the Murrumbidgee to Wagga Wagga as effectually as the Murray has been cleared to Albury? I think so.

127. *By Mr. W. Macleay:* Have you seen the Murrumbidgee between Wagga Wagga and Gundagai? I have seen many portions of it; I have ridden along its banks for many miles; I have a general acquaintance with it.

128. Very little clearing is required there? Very little in the shape of timber. The timber is not heavy in the Murrumbidgee.

129. *By the Chairman:* Would that mode of clearing last long, or would it be necessary to have an annual sum voted? I think not; there is now to be cleared away the accumulation of ages.

130. Is there not heavy timber now growing on the banks of the Murrumbidgee, portions of which are brought down by floods continually? I think the timber is lighter on the Murrumbidgee than on any other of the rivers, with the exception of the Darling, perhaps; the quantity of drift timber is very moderate, it is only in seasons of great flood that charred timber comes off the plains.

131. Would the companies or proprietors of the steamers be willing to expend a sum themselves annually for keeping the channel open if the river were once cleared? Unless there is more co-operation among them than exists at present they would not be willing to do so.

132. And co-operation amongst rival companies for any purpose is scarcely to be expected? Scarcely.

133. *By Mr. Hay:* It would be easy to provide for the annual expense of keeping the river clear by a small tax or tonnage duty? I think so.

134. The tax need not be heavy? No.

135. *By the Chairman:* You think a light tonnage duty would suffice for the purpose? I think it would.

136. The imposition of such a duty is not likely to stop the navigation of the river? Not of a light duty.

137. Would you recommend any mode of management under which the proposed vote of two thousand pounds could be beneficially expended? Unless I were to recommend myself, I really

really do not know any one who has any knowledge of the localities or the rivers who would take the trouble of superintending the outlay; and I should certainly not do so unless paid for it. I have had no thanks for what I have done, but the reverse.

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138. You could not afford to expend the time? I would not expend the time.

139. *By Mr. Hay*: That would make it proportionably more expensive? It would not make a great difference.

140. *By the Chairman*: Practically, the supervision of the Commissioner of Crown Lands is of no service whatever? None whatever.

141. He could not give up his other duties to look after work of that kind? No. Mr. Lockhart was never near the spot; and the Tumut is a most distant and out of the way place to communicate with.

142. *By Mr. W. Macleay*: In expending £2,500 this summer, you would require parties to commence at two or three different places on the river? Yes. Whoever will have to superintend the work should be able to make his arrangements so as to commence at an early date. I think there should be at least three parties—one to commence at the Yanco, another at Currarberry, and the third at Kieta, where the former party left off.

143. Not going so high as Wagga Wagga? I think that ought to be left to the discretion of the person who has the supervision.

144. Could one person take the supervision of all these parties? He could, by going from one party to the other.

145. *By Mr. Hay*: You could yourself? I could take the same supervision as I did before; but over each party there should be an officer in charge.

146. How many parties would be required to clear the river from Wagga Wagga downwards? Four parties at least. Some of the cutting tools belonging to New South Wales, for the Murray, would be at hand and available for one of the parties on the Murrumbidgee. The material for the construction of punts ought to be taken over in time.

147. *By Mr. W. Macleay*: Are there people to be found at Wagga Wagga and other places who could make these punts? I should recommend that a ship carpenter should be sent up; a carpenter would have to be engaged for keeping the tools and working gear in order. The mates of the steamers would be the most likely men to get hold of to superintend the working parties during the time the boats are not running; they have been on the rivers for several years and understand the work. I would stop some of them from going down the last trip.

148. *By Mr. Hay*: Would the sum of £2,500 be sufficient to pay the expense of four parties for the season? More than sufficient.

149. The object would be, to do as much to clear the river as £2,500 would enable you to do during the present summer? Quite so. The difficulty is to get good officers over the men; it takes a pushing hard headed fellow to get the work done in the water as it ought to be.

150. *By Mr. Garland*: It is desirable, I presume, to make the clearing continuous? Yes; by spacing the parties in the way I have mentioned you would make it so.

151. *By Mr. Hay*: The more parties the less danger there would be of disconnection in case floods should occur sooner than usual? Yes.

152. You would have as many parties as you could get well supervised? Yes.

153. *By the Chairman*: According to your calculation, £3,500 altogether would be sufficient to clear the whole navigable portion of the Murrumbidgee from Gundagai downwards? Yes, according to the method that has been detailed.

154. Would you propose that a snag-boat should be subsequently placed upon the river for the purpose of completing the clearing? I would advise that; this partial clearing makes the river immediately navigable; the other would take a length of time to effect, but when effected, would make the navigation of a more permanent character.

155. Boats of the same description are employed in America? To a very large extent.

156. Is your snag-boat taken from the American model? She is, in great measure; but she will lift over the stem instead of over the stern, as the Mississippi boats generally do. Some of the Canadian snag-boats lift over the stem in the same way as we propose doing.

157. *By Mr. Hay*: Is there any reason for the difference? I think it is more convenient; the vessel can be handled better after the timber is lifted when it is hanging over the bows, and the logs can be deposited on the banks as we go working up the stream.

158. Are these boats employed on many of the American rivers? They are.

159. At the expense of the States in which they are situated, or of the Federal Government? I think the operations on the Red River, which were the most extensive ever carried on, were undertaken at the expense of the Federal Government. I believe the Americans on that river cut through a solid raft of timber three hundred miles in length.

160. *By Mr. Garland*: I think you said these snag-boats are in use also in Canada? Yes, on some of the Canadian rivers.

161. Are they used on the St. Lawrence? On the tributaries of the St. Lawrence. As you mention the St. Lawrence, I may remark that the Murray is, and the Murrumbidgee will be, navigable for more months during the year than the St. Lawrence. The St. Lawrence is only navigable six months out of the twelve.

162. But from a different cause? Yes; the ice obstructs the navigation in the case of the St. Lawrence.

163. *By Mr. W. Macleay*: Do you think anything can be done on the Darling this year—does it require much clearing? Not very much. I have before stated that I consider it one of the most uncertain of the rivers; at the same time I consider it will eventually be the most important river of them all.

164. If found to be navigable? If found to be navigable.

165. *By Mr. Garland*: Why do you hold that opinion? I hold that opinion chiefly from the direction of its course. The country adjacent to the other rivers is approachable from the seaboard to a certain extent, while the country in the vicinity of the Darling can only be opened up by the navigation of the river itself.

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166. Have you any reason to suppose the country is valuable in the vicinity of the Darling? I believe it is fine pastoral country, as far as we know of it as yet.

167. What reasons have you for believing so? I have been so informed by many of the settlers who have been on the upper portion of the Darling; and I also judge from the avidity with which it is taken up.

168. You think the navigation of the Darling would give a great impetus to the occupation of the interior? A very great impetus.

169. If the Government of New South Wales were to vote any money for the purpose of clearing the Darling, do you think it could be profitably expended? I think it could be very profitably expended.

170. Do you think the Darling could be made navigable at a reasonable cost? I think it could be made navigable at a reasonable cost. I believe from the very slight fall in the country the river could be canalized at a very moderate cost. I have prepared a design for caissons to be applied to that river, at intervals, as a means of rendering the navigation permanent, by damming back the water, and establishing a system of locks.

[The Witness handed in the plan referred to, with a written explanation attached—vide Appendix A (1); and also a plan of a horizontal self-adjusting water-wheel, designed for Australian rivers—vide Appendix A (2).]

171. Have you any idea of the fall of the river from Fort Bourke to its junction with the Murray? About 150 feet to 200 feet, according to Sturt.

172. You do not think it would require a very expensive system of locking to make the Darling navigable? I think not. One lock would back the water up for an immense distance, and secure, say 100 miles of navigable water. I may state that the back waters of the Murray extend a very great distance up the Darling—by the road seventy miles, and nearly fifty miles in a straight line.

173. Is there not an ana branch of the Darling? There is.

174. Would that be affected in any way by the system of locking which you propose? I believe the ana branch country could be at once made a splendid pastoral country if water was thrown down by the system I recommend, and its benefits would nowhere be so fully developed, or productive of greater and more immediate results.

175. By the Chairman: Do you think the Darling loses as much water by effluxion as by absorption and evaporation—are not the waters driven back for many months of the year by the waters of the Murray? The waters of the Darling are backed up for many months in the year by the waters of the Murray; and I think the Darling must lose a great deal by the waters flowing out into the back country billabongs.

176. No system of locking would prevent that? I am not prepared to say so. These rivers are all in a complete state of nature, and if a conservancy was exercised over them they must be very much improved and their capabilities developed.

177. Do you not think absorption and evaporation together would prevent any system of locking from being of much service to that river? I am not of that opinion. I think a perennial navigation could be obtained from that system of locking, and calculate that eight to ten locks would secure such a navigation.

178. By Mr. Garland: Would these caissons be expensive? I think not. It would depend greatly upon the required number of them. If one caisson only were to be made it would be expensive, but if a number were to be made they would not be so expensive in proportion.

179. A good deal would depend upon the breadth of the river? The river is about two hundred feet wide in the places where these caissons should be put.

180. By the Chairman: What would be the expense of one of them, supposing there were a number to be made? About £2,000.

181. Would there be any expense incurred besides for clearing the channel of the timber—is there much timber in the Darling? There is not much.

182. Do you propose such a system for any other river? Yes; I have proposed to adopt it, or, I should say, a dam formed by a caisson, in the Murrumbidgee, to throw water down the Yanco Creek. I first designed the caisson with reference to the Yanco. I submit that such a contrivance would combine irrigation with navigation, which in a country similar to our interior should go hand in hand.

183. Are there not other ana branches, commonly dry, into which it is very desirable to throw water in dry seasons? I think so. I would submit that these are applicable for all such cases.

184. By Mr. Garland: Would not the same purpose be effected by making the Yanco cutting deeper? It would, but at very much greater cost. The present cutting has cost £10,000.

185. By Mr. Hay: Every additional foot of depth costs a proportionately larger sum? Yes.

186. Do you think such a scheme of locking as you propose in the flat country would tend to increase the quantity of water retained in the interior altogether, which water would be very valuable as giving a greater extent of pastoral land as well as for navigation? I do think it would have that effect. It would increase the quantity of stock the land would then be capable of carrying, as well as facilitate the navigation.

187. Keeping the beds of these rivers always full would have a tendency to prevent the great absorption that now takes place in summer? Yes.

188. And there is greater absorption when the bed of the river gets filled after having been dry? Quite so.

189. I do not know whether you have stated how many feet of available water, on the average, you would procure by the more perfect mode of clearing which you have proposed to the South Australian Government, and to this Government, over the depth gained by the present partial system of cutting the timber to the surface of the ordinary summer level.—What number of feet would you gain by extracting the timber by means of a snag-boat? In an average season, from three to four feet; sufficient for a properly constructed river steamer to run on.

190. Upon what part of the Murray do you think the advantage of such a perfect system of clearing would be most felt—where would you propose to begin, in fact, so as to derive the greatest advantage from it? At the station called Wopparena, a little below the effluence of the Tuppai. But I should state that before the snag-boat reached that point she would remove some of the timber which obstructs the narrow channel of Lake Moira, where the river is very narrow.

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191. That is between the effluence of the Edward and the junction of the Goulburn? Yes. There is another large lake on the other side of the river to Lake Moira, and these two drain off the Murray until it becomes a mere ditch.

192. Then the portions of the river where you would commence with this more perfect clearing are those in which, from the narrowness of the river, or other causes, you find great difficulty now? Yes; that is where the steamers have turned on several occasions, being unable to proceed higher.

193. If there were a perfectly clear bed there, that would increase the availability of the whole stream? Yes, it would.

194. Do you think you can so go on with this more perfect clearing as to render every step of it advantageous as it proceeds? I think so.

195. It would not require to be completed before the benefit would be felt? Every mile of it would tend to benefit the navigation.

196. Are those parts of the River Murray where it is most necessary to commence with this complete clearing within the territory of New South Wales? Yes.

197. Not within the South Australian boundary? Not near the South Australian boundary.

198. The part of the river within the Colony of South Australia does not require so much attention? Not from snag-steamers.

199. *By Mr. Garland:* You have said this perfect clearing would give an additional three or four feet of water—is that irrespective of the bars? Irrespective of the bars, in an average season.

200. *By the Chairman:* After that clearing had taken place there would be no danger whatever to steamers from obstructions? There ought never to be any danger from the bars, because those in charge of steamers should know their positions.

201. There would be no danger to be dreaded? I consider the danger would be reduced to a very great extent indeed.

202. And freights would be much lower in proportion? Much lower.

203. Have any public wharves been constructed on the river? No public wharves; one private individual has constructed a good wharf.

204. Where? At Wahgunyah, on the Victoria side, about thirty miles below Albury.

205. It is constructed of wood, I presume? Of wood and stone.

206. Is there any wharf at Albury? Not any; I have never thought a wharf was required there.

207. *By Mr. W. Macleay:* The steamers lie alongside the banks? Quite well. There are more pressing wants than a wharf at Albury; there is any quantity of bank accommodation.

208. *By the Chairman:* Are not the banks worn away by the action of the steamers? It is easy to shift to another part.

209. Is there any danger of the whole bank being destroyed? I think not.

210. *By Mr. Hay:* Do you not think a badly constructed wharf tends to endanger the bank rather than protect it, by interfering with the current? I should think a badly constructed wharf would do so.

211. *By the Chairman:* The channel at the town of Albury has not, up to the present time, been injured by the action of the steamers on the bank? Certainly not.

212. Is it, in your opinion, advisable to alienate the land on the bank of which you speak, to which the steamers find such easy access; or, would it be better to retain it in the hands of the Government? I should think, looking to the future, that it will be better to retain it in the hands of the Government.

213. *By Mr. W. Macleay:* I do not think you have mentioned the speed of the steamers on the Murray—how many miles do they average an hour? A good deal depends on the tow they have—the barges they are towing.

214. I mean as they are ordinarily loaded? About six miles an hour is the average speed.

215. Against the sluggish stream of the river? Yes; I speak of heavily laden steamers.

216. Going down, what is the speed? Twelve knots.

217. *By Mr. Hay:* Slightly laden, what is the greatest speed going up? Boats run up at the rate of nine and a-half and ten knots easily, with the floats moderately immersed.

218. *By Mr. W. Macleay:* They never run except in daylight, I believe? We do sometimes steam night and day.

219. If the navigation were rendered as perfect as possible, by the plans you recommend, you would always be able to steam night and day? Yes; on some portions of the river which we know well we run all night; but when the river is properly cleared, people with a fair knowledge of it would be able to continue under weigh much longer.

220. *By Mr. Hay:* Can you give an idea of the average passages upwards of laden steamers? Up to Wahgunyah, the usual time occupied is about three weeks.

221. What is the time from Wahgunyah to the Goolwa? One boat has gone in eight days and a-half; that was a very good passage.

222. Are three weeks a good passage up? Yes.

223. *By Mr. Garland:* What would be about the time, after the river was properly cleared, each way? With the same weight we would not have much augmentation to the speed, because during the navigable season we have plenty of water now; but when the river was comparatively low, we would feel the benefit of the clearing, and our speed would be increased.

224. *By the Chairman:* Since 1852, up to the present time, I believe you have been occupied in furthering in every way in your power the navigation of the River Murray? Yes, in every way I could think of and devise.

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225. And also in doing what you could towards opening up the River Murrumbidgee, as far as the means at your disposal went? Yes, as far as my means extended.
226. You have received from the Government of South Australia some acknowledgment of your services? Yes, in the shape of a bonus to the steamers.
227. To what amount? £6,500. A third of that sum came to myself; the rest to my two partners.
228. I think I have heard that you received a gold medal also, which was voted you by the South Australian Legislature? Yes, the South Australian Legislature voted me a gold medal.
229. You have received nothing whatever from the Government of New South Wales? Nothing.
230. *By Mr. Hay*: Nor has the company with which you are connected received anything? Not anything.
231. *By the Chairman*: A proposition was once made in the Legislative Council of this Colony that a sum of £2,000 should be granted to you for your services in opening up the navigation of the Murray? I believe such a motion was brought forward by yourself.
232. That was subsequently altered into a proposition that a bonus of £2,000 should be given to the first person who took a steamer up to Albury, and another bonus of the same amount for a steamer to Gundagai? I believe those were the propositions.
233. And that change was suggested by yourself? It was suggested by me, with an idea that it would encourage the further development of the navigation.
234. That motion was not pressed at the time? It was not.
235. It was withdrawn, on the understanding that it was to be brought forward at a subsequent period? I believe such was the understanding.
236. The whole of your time, since the period I have named, has been devoted exclusively to the object of opening the navigation of these great internal rivers? Exclusively; and I may say not at all to my own individual benefit.
237. *By Mr. Garland*: Are there any suggestions you have to offer of your own, besides what you have already stated? I cannot say I have any additional suggestions to make. I could give some information to the Committee with regard to the quantity of stock passing overland; and, as the parties travelling with such stock require supplies, that extensive traffic bears on the trade of the river.
238. *By Mr. Macleay*: Have you any papers that will show the traffic in stock between New South Wales and Victoria. I have prepared returns upon the subject, which I beg to hand in to the Committee. [*The witness handed in the same. Vide Appendix.*]
239. *By the Chairman*: How has the amount of that traffic been taken? All stock must now be registered as it passes into Victoria; and these numbers are taken from official returns, wherever official returns are kept.
240. *By Mr. Hay*: In that case the numbers cannot be set down as too high, but may be considerably under the mark? They are more likely to be under than over.
241. It takes a person in charge of an overland party somewhat out of his way to go to Echuca to register? About a mile if he crosses at Moama, but it is on the high road, crossing at Echuca—it is not out of the way at all.

APPENDIX.

A RETURN shewing the number of Live Stock which have crossed the Murray from New South Wales into the Colonies of Victoria and South Australia, in the year 1857.

COLONIES.	PERIODS.	CROSSING PLACES.	CATTLE.	SHEEP.	HORSES.
Victoria	{ From the 1st Jany. to 30th Sept	Echuca.....	62,369	234,490	2,503
		Mulwally.....	5,960	10,000	300
		Euston.....		20,000	.....
		Swan Hill	6,288	78,319	148
		Albury.....	10,500	26,250	1,125
		Estimated Stock cross- ing at Maneroo and the Lower Murray, for which no return has been kept.....	85,137	369,059	4,076
South Australia	Do.	Darling.....	92,637	384,059	4,826
			7,500	37,000	600
			100,137	421,059	5,426
			25,034	105,264	1,356
Add $\frac{1}{4}$ more to complete the Year					
TOTAL FOR THE YEAR....			125,171	526,323	6,782

THURSDAY, 26 NOVEMBER, 1857.

Present:—

MR. HAY,
MR. W. MACLEAY,
MR. JAMISON,

MR. SUTTOR,
MR. GARLAND,
MR. DONALDSON.

JOHN HAY, ESQUIRE, IN THE CHAIR.

Captain Francis Cadell, called in and further examined:—

1. *By the Chairman:* Do you think the mineral traffic on the River Murray is likely to be extensive? I think we may look for an extension of traffic from the great mineral wealth of the country in the vicinity of the river. Captain F. Cadell.
2. Can you give us any particulars as to that mineral wealth, so far as it has been developed? 26 Nov., 1857.
I can state what minerals we have on the river, and the different localities where they are produced.
3. Perhaps you will be good enough to do so, commencing from the embouchure of the river? Lead and silver, selenite, gold, tin ore, antimony, iron, native zinc, platina, (the two last minerals in very minute quantities) copper and salt.
4. *By Mr. Donaldson:* Rock salt? No, not rock salt; still it is a mineral, I presume.
5. *By the Chairman:* Do these minerals, so far as you know, lie within the South Australian territory? The first four I have mentioned lie within the South Australian territory; and I believe copper and lead also exist in the New South Wales territory; but the extensive lead and silver mines are near the Lake. I can read to the Committee a report, dated 7th October, 1857, as to one mine that has been opened in that locality, which shows what has been done in six months. It is from the proprietor of the mine; and the produce, as this letter will show, is partly water-borne:—"The Wheal Ellen Mine was opened only in February last. To the end of September more than one thousand tons of ore had been brought to grass; and over eight hundred and fifty tons had left the mine, the greater part of which had reached Adelaide. The "Corio" has been bringing out through the Murray mouth every week about thirty tons, and to this time safely, though she has had several hard knocks on the bottom. The ore will give an average produce of over 33½ for lead, and over 64 ozs. of silver to the ton of ore. There can be no doubt but that a large district between Strathalbyn and the Bremer country is highly mineralogical, and that many more mines than are now known will be found; and that the many now known, which as yet have been only partly opened will be hereafter worked very largely, and probably with great profit."
6. You think there is likely to be, at an early period, a considerable development of mining operations there? Very considerable, I imagine.
7. Do you think the produce of these mines will find its way to Adelaide by the sea mouth of the Murray? Principally through the sea mouth of the Murray.
8. In what way will the opening of these mines influence the navigation of the Murray, as far as this Colony is concerned? The ore will afford profitable ballast for ships loading wool home, and the wool freights will be cheapened in that manner.
9. Will it tend to open up and perhaps lead to the improvement of the mouth of the river? I think such will be the tendency. It would be an additional reason for turning attention to the sea mouth of the Murray, because a range of mountains exists between the mining district and Adelaide, rendering land carriage expensive.
10. Do you think it is not likely that a Railway will be carried out between the Lake and Adelaide? I think eventually there will be a Railway, but not in that district. It will top the Murray at Moorundee, and will be an extension of the present Gawler Town line.
11. It would not interfere with the traffic in the produce of these mines? Not at all.
12. You are not aware of the existence of any extensive mining districts, either in New South Wales or Victoria, adjoining the Murray, except auriferous mining? I believe lead has been found on the New South Wales side, above Albury. I have found antimony myself within a mile of the river, near Albury. Tin ore has been shipped down the river from the Ovens gold fields, and that also exists on the New South Wales side. If it exists on one side of the river it must exist on the other.
13. Is that likely to become an important article of traffic? Not at present; the yield has rather declined; they are not finding it in such large quantities as before on the Ovens.
14. You scarcely anticipate any great increase of traffic from that article? Not from the present source; but I think in the alluvial flats on the Murray, especially in the vicinity of the junction of the Mitta Mitta and Murray, it will be found in large quantities.
15. If found in large quantities, as you think it may be, would it pay to take it by the Murray to Adelaide? Decidedly, it will all go down the Murray, or nearly all.
16. Will it be so valuable that it will be worth while to export it to any extent? Yes; it was worth about £80 a ton at one time.
17. Do you know what it is worth now? About £54 on the gold field, by last quotation.
18. As to salt, where is that found? There are no salt lakes on the New South Wales side above Boonboon; there are salt lakes there. There are also large salt lakes at Mcena, below the junction of the Darling.
19. Is the salt found there in such large quantities as to be likely to create a trade? I think so. It supplies many of the stations now. Many hundreds of tons could be collected.
20. Is it sufficiently good in quality for curing? It is not equal to Liverpool salt, but it is almost exclusively used on many stations.
21. Do you think it could be used in competition with Liverpool salt in the adjoining Colonies? For internal consumption it could be used largely.
22. You think the consumption of this salt will be principally confined to the country along the

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the banks of the Murray? I think so; because we have a quantity of the same salt near the mouth of the river on the lakes.

23. Are you aware whether the country in the neighbourhood of the Murray, otherwise than the points you have specified, is possessed of much mineral wealth in the shape of copper and lead mines? About the head of the Murrumbidgee, I believe there is country which yields copper ore.

24. What part of the country? In the neighbourhood of Yass.

25. *By Mr. Donaldson*: It has never been worked? No.

26. *By the Chairman*: You think that if mines at all equal in richness to those of South Australia were to be discovered in the neighbourhood of the Murray, or its tributaries, the carriage by way of that river would be sufficiently cheap to make the working of the mines profitable? I have no doubt of it. We could bring ore down the Murray from the head of the navigation at Albury to the Lake, at about one-third more than it costs to send the Burra Burra ore to Adelaide.

27. As to the gold mines on the country bordering on the Murray, what effect do you think they have on the traffic of the river? The more they are developed the greater will be the traffic in supplying them. I believe that gold will yet be found nearer the Murray than it has yet been worked systematically.

28. What is your belief, from all you have seen and heard lately, as to the prospects of the Ovens gold fields—do you think they are likely to continue as productive as hitherto? At present they are not as productive as they have been; but there is a very large auriferous country still unopened.

29. Do you think, on the whole, the product from these mines is likely to continue? I think the produce of the gold fields, of which Beechworth is the centre, will increase, rather than decrease, on both sides of the river.

30. Machinery is now used on the Ovens gold fields? There is a considerable quantity of machinery employed in quartz crushing, especially at the Buckland.

31. Is there not a greater degree of combination in working the mines there, than on any other gold field? There has been considerable combination. The mining regulations were such as to induce combination in working the bed claims.

32. Do you think there is a prospect of the gold mines on the New South Wales side of the Murray, above Albury, between that and the Tumut, increasing very much in productiveness? I think there is. I have washed out gold myself within half a mile of the Murray, twenty specks to the pan, in prospecting. At Gingellick, I believe there are diggings paying well; and on the Black Range, about two miles from Albury, there are from twelve to twenty men at work at present. I think, judging from what I can ascertain, there is a large auriferous country still unworked on the New South Wales side.

33. All that country would be dependent on the Murray for supplies if the navigation of the river was opened, and gold mining extensively developed? Principally upon the Murray.

34. Do you think you can give us any further information of importance with regard to mineral prospects? I think I have mentioned all the minerals that exist on the Murray.

35. You know the country lying upon the boundary between New South Wales and Victoria? I do.

36. Judging from the experience you have had of the trade of the Murray, do you think it would be practicable to establish Customs Regulations, to regulate the trade, or to collect duties along that boundary? I am perfectly certain it would be impracticable.

37. *By Mr. Garland*: Would the navigation of the Murrumbidgee have any effect in developing the gold fields at Adelong? I am of opinion that it would.

38. The traffic to and from Adelong would of course go by the Murrumbidgee? I think the steamers would be made useful in taking up machinery for working the quartz reefs that are there.

39. I think you have stated in your evidence that the farmers about Albury would have no chance in competing with the farmers of South Australia—what are your reasons for holding that opinion? I think I stated that I thought the Albury farmer did not farm on a sufficiently large scale.

40. What has been the average price of grain at Albury since the gold discovery? I can state the different prices that have ruled at Albury for the last seven years:—

1850	15s. to 18s. per bushel
1851	20s. to 25s. "
1852	25s. "
1853	30s. "
1854	38s. "
1855	30s. "
1856	16s. "
1857	10s. "

41. *By the Chairman*: In competition with the South Australian farmer in producing wheat for export, would not the extra expense, however little, of carrying along the river operate against the Albury farmer? Yes, I think so.

42. *By Mr. Garland*: Do you think the settlers along the banks of these rivers are disposed to appreciate your services in opening up the navigation? The settlers have behaved very well to me; on the whole I have no fault to find.

43. Have they given you any expression of their approval? The settlers of the Murray and Lower Darling presented me with an address a short time ago.

44. You are of opinion that the extent and resources of the country along the Darling are yet but imperfectly known? Very imperfectly known. I shall endeavour to gain more accurate information from personal observation, and furnish it to this Government. I shall be anxious to open up the Darling as the Murray has been opened up.

The Reverend William Branwhite Clarke, M.A., called in and examined:—

1. *By the Chairman:* You have paid a great deal of attention to the mineral character of this country? Yes. Rev. W. B. Clarke, M.A.
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2. Have you ever been upon the Murray? Not on the Lower Murray; I have been on some of the heads of it.
3. What branches of the Murray have you visited? Those that come down from the Munyong Mountains.
4. The heads of the main branch of the Murray? Yes, *i.e.*, of the Hume.
5. You crossed that branch of the river which forms the boundary of the two Colonies somewhere near a place called Tangaruecan? I came from Omeo to Tangaruecan, and then went across Mount Kosciusko to the Snowy River.
6. Mount Kosciusko is an elevated peak of the Munyong range? Yes, it is the highest point of it. I encamped on a bed of old snow there on 21st December, 1851.
7. And that range is supposed to be the highest ground in Australia? It is. I make it higher than Strzelecki has made it, *viz.*:—7,300 feet. It is very extraordinary that snow should be on it all the year round in that latitude, considering it is so low in elevation above the sea.
8. With regard to what you saw there, did it seem to indicate a country at all rich in mineral wealth? There is a great deal of gold to the west of it.
9. You suppose that a large tract of country on the western side of the range is auriferous? There is no doubt of it.
10. Comparing what you saw with the descriptions of Strzelecki and others, you came to that conclusion? Strzelecki gives no information as to gold; but, from my personal observations, and communications from private individuals, I come to that conclusion.
11. Do you suppose the auriferous country to be extensive? Yes, very extensive.
12. Have you been on the Tumut? Yes, the heads of the Tumut.
13. Is the country there of the same character? Yes.
14. Have you been on the upper part of the Murrumbidgee—I mean in the neighbourhood of Yass? I have been on all the chief sources of the Murrumbidgee, and have carefully explored it as far as the 149th meridian, but not beyond Jugion Creek.
15. What is your opinion of that country? That it is auriferous in places the whole way, from the Jugion up to the Dividing Range, at the back of Lake George. There is an auriferous tract on the Yass River. And to the westward most of the creeks are auriferous so far as the 147th meridian. Nor is it improbable that there are auriferous localities north of the Murray, even so far as 144 east, judging by what is known of the strike of the rocks south of that river.
16. Do you think that portion of the country is likely to prove rich in other minerals besides gold? There are lead and iron—(abundance of iron)—and copper also.
17. Do you think it is at all probable that any of these minerals will be worked, if cheap carriage be provided? I have no doubt of it; but they cannot be worked now, because labor is too expensive.
18. Even copper mines could not be worked there now, I suppose? They might be worked probably in the same way as the copper mines are worked in the Bathurst country; I do not think they could be worked cheaper.
19. The expense of inland carriage is a very great drawback? Yes, and the expense of labor too. I imagine the whole of the country extending from the Macquarie to the Murray and the Murrumbidgee is auriferous, and also contains abundance of copper. There is no doubt that the whole of the country on that meridian, running down to the south, is a rich metalliferous region.
20. Do you think, from what you have seen of the interior of the country, that the smaller ranges which protrude from the level country are likely to be auriferous? They might be, to a certain extent, in longitude; but beyond a certain point you will find scarcely anything but a flat country of drift sand and mud, or deposits of tertiary formation. There can be no reason why there should not be minerals discovered, if this upper crust were all cleared off; but nobody would undertake such works as these.
21. But, where the primary strata break through, we may expect to find minerals? No doubt. All the metalliferous rocks run on a meridian line north and south, or nearly so, with a little oscillation from a point or two west to a point or two east; and they may be supposed occasionally to break through at some distance from the places of their greatest prominence; but the country is so covered with drift and tertiary deposits, that it would be difficult to find any indications of the presence of metals throughout the greater portion of it.
22. In Victoria, such ranges as Mount Korong—which breaks through a perfectly level country—are found to be auriferous? Yes. About Mount Korong the gold was found on the surface, in the Mallee Scrub.
23. From your knowledge of the geological formation of the interior, do you think it likely that Artesian wells might be sunk in the level country with success? No doubt they might in suitable localities; because the structure of the country to the westward and south-westward is precisely that which, in other countries, supplies Artesian wells.
24. Will you explain what is that structure? The older rocks underlie the surface of the country, which is of drift and tertiary formation, and basins probably exist below, in which the water must accumulate, there being no outlet.
25. *By Mr. Donaldson:* To make Artesian wells useful, you must have the water accumulated to a level equal to the level at which you begin to sink, otherwise the water will not flow out as from a true Artesian well? That is correct; but there are large plains on the northern side of the Murrumbidgee on which there is now no water at all, and yet there are water courses; and then the question arises, whither does the water go if it is not accumulated in the basins of the older rocks beneath the tertiary deposits?

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26. Do you know of any feature of the country which persuades you that these wells would be practically useful if sunk upon the plains? It is a problem whether or not the water would come to the surface. In London there are wells at some of the breweries which do not now bring the water to the surface; but still they are Artesian wells, for at first they overflowed.

27. *By the Chairman:* The reason why Artesian wells bring the water to the surface is, that it comes from a point higher than that at which you commence to sink? No doubt. The most beautiful illustration of the action of such springs in nature that I ever saw, was not far from Table Mountain, a few miles from Cape Town. I saw, near the bed of Dry River, a series of bubbling jets of water, throwing out 850,000 gallons *per diem*, and able to turn two mills at once. This water is not known to be affected in quantity, but in force only, by variations of aerial pressure on Table Mountain. I published, in 1841, the particulars in a paper on the geology of the neighbourhood of Cape Town; and Sir John Herschel, at the discussion of the paper before the Geological Society, mentioned the latter fact. It proves that the source is in the Table Mountain Ranges.

28. But it is prevented rising to the surface at the point where you commence to sink by the superincumbent strata? That is the theory.

29. By boring through the superincumbent strata the water is enabled to rise? Yes.

30. And you think it probable, that, in the districts of which we have been speaking, Artesian boring might lead to the production of water on the surface? Yes; or to within a few feet of the surface. It is so on Liverpool Plains, where the flocks are supplied by wells not much over 100 feet in depth, if so deep as that.

31. In boring Artesian wells it is an object to exclude all the surface springs which rise in the tertiary formation itself, so as to get only the water accumulated on the surface of the older rocks below? Yes.

32. *By Mr. W. Macleay:* What is likely to be the depth of the tertiary beds? We know only how thick they are on the south coast—six hundred feet of cliff in the Australian Bight.

33. *By the Chairman:* The depth of the tertiary beds must be very various? Undoubtedly, for they are simply the filling in of the hollows of the rocks of older formation.

34. Experiment alone can teach us the depth it will be necessary to sink for water on the Artesian principle? I think so. It seems to be the experience of everybody who has studied the subject, that Artesian wells are more productive in a country where tertiary beds, lying nearly horizontal, rest on older rocks; but there must be, at the edges of every such basin, an outcrop of permeable strata to a height greater than that of the general level.

35. And that is precisely the character of our interior? Yes. I have often thought there has been a great want of attention to the subject. There is nothing more improbable in the existence of springs of a permanent character in the deserts even of Australia than in those of Asia and Africa, where wells, of probable Artesian character, have existed during the whole of the historical period.

36. You would not suppose one experiment to be satisfactory? Certainly not.

37. Because, as the surfaces of the rocks which form these basins are uneven, the boring might touch on a point elevated above the surrounding parts of the same formation, where no accumulation of water could take place? Just so. There are localities, such as Yeo Plains, for instance, and amidst Jones' Hills, (between Bland's Plains and the Lachlan,) which have been pointed out to me, where the ranges are composed of old rocks cropping up through the overlying deposits, and where there is no surface water; but there are ancient watercourses, proving that there must have been at one time plenty of water; and where the trees have been barked by the blacks, in forming their canoes. Springs, however, yet rise, at the junction of the formations, 250 feet above Bland's Plains. There are springs also in other places perpetually welling out, which are, in fact, natural Artesian wells. I have had collections of the superficial sands and clays sent to me from parts of country near the Lower Murray, and they appeared to be much like the superficial deposits of England. There is every probability that you would find a great deal of water by boring; but whether it would rise in a true Artesian well, or be always fresh, is another question. The water that falls over the low interior must pass away, in part, by absorption or through fissures; it cannot all be evaporated. Yet some of the rivers terminate in lakes, having very little fall, and these lakes are extremely salt, from evaporation; the salt accumulating in vast masses of commercial importance.

38. Is it your opinion, with regard to such a river as the Darling, which flows over an extremely level country, that the permanency of the water in its bed would be much increased by a system of locking? Of course it would. If you could accumulate a sufficiency of water in a succession of locks you might in time make it a navigable stream where it is not so already.

39. It is supposed that the fall of the Darling, from Fort Bourke to the junction of the Murray, is very slight? It must be very slight. According to Sir Thomas Mitchell, *even in times of flood*, the velocity of the Darling is not more than a mile an hour. Captain Sturt makes the general fall about *four inches in the mile*. I have, however, no great reliance on the barometric measurements of Sir Thomas; because he makes the Darling (less than 300 miles from Fort Bourke,) not more than seven, and four, and three feet above the sea.

40. Would not the retention of the water, by a series of locks, decrease that power of absorption which the soil has after a long drought? It would, perhaps, but you would still have to contend against evaporation. A great many of the smaller rivers of England are navigable only by means of locks. Every time a vessel goes up or down, the water must be staunched to make it deep enough, or to allow for rise and fall.

41. Would not the occasional showers that fall tend at all events to balance the evaporation, supposing the bed of the river was kept full? I do not know. No one has yet made more than occasional experiments as to the amount of evaporation in that part of the country. The evaporation even near the sea is sometimes greater than the fall of rain, or dew, in a given

given period of time. Captain Sturt states, that the water at his Depôt Camp, (situated not much more than four degrees of latitude north of the junction of the Darling with the Murray,) evaporated, during the hotter months of the year 1845, at the rate of *an inch a day*; this is also the rate of rise of the usual periodical floods in the Murray. During the summer of 1851-2, I saw a creek dry up day by day, under my own eyes, in Maneroo, from evaporation.

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42. *By Mr. W. Macleay*: Are hard rocks frequent in the tertiary beds? Some of the tertiary rocks are hard and concreted where iron or lime is present.

43. *By the Chairman*: In isolated localities these rocks, generally soft, may become very hard from the cause you mention? They vary according to circumstances. Water, filtering through a bed of decomposed shells, will convert it into hard rock, on account of the presence of lime; and many streams, containing iron in solution, by their action make the rocks hard. Many of the tertiary rocks are hard limestone or ironstone.

44. For this reason, in boring Artesian wells we might sometimes have to pass through hard rocks? Yes.

45. *By Mr. Garland*: You might find water in basins of these hard rocks? No doubt; but it might turn out to be very salt where certain kinds of mineral matter are present. In fact, we know from the occurrence of boring, as well as of fresh-water springs in the banks and bed of the Darling and other rivers, that sometimes there are considerable bodies of water in the well-defined basins of drainage in Australia, which, owing to its saline properties is useless for domestic purposes. The occurrence of briny water is a common phenomenon even in the cultivated districts of this Colony, and I know of numerous wells that contain it. Most of the shales of the upper carboniferous beds of the County of Cumberland produce saline water. There would, therefore, be nothing extraordinary in the occurrence of saline or briny water in deep sinkings along the Murray. I feel convinced, from the inquiries I have made and the information I have collected, that it is very likely there are several subterranean water levels in the interior, and that the alternation of fresh and briny springs along the river Darling, for instance, is due to the fissures of underlying deposits or rock masses, which give vent to the springs that may have their origin in very different and distant portions of the higher regions; so that one source might come from the mountains of New South Wales, another from Victoria, another from South Australia, and another from the North West Coast. In the case of the ancient "Artesian" wells of the Oasis of Thebes, the outcrop of the permeable strata which supplied those wells is not nearer than the Darfour Hills—ten degrees of latitude to the southward. Whatever be the origin of springs that well out from the banks of the rivers, any very deep supplies of water in the interior must come from very great distances. At present no experiments have been made to test this question; but, taking into account the experience of other countries, those nearest in character to Australia, and the facts which deep sinkings on the gold fields have determined, it is almost certain that water will be found to exist in considerable volumes far below the surface. Nor should the fact that the interior rivers often flow over merely a hard clay bottom offer any opposition to this view of the case; because in those districts which have been determined to be of tertiary formation, the harder strata are frequently the highest in geological position, and below the concreted beds, (as on the Australian Bight,) the deposits are soft and permeable. A considerable portion of the tertiary formation about Brighton, in Port Phillip, is a hard impervious ironstone or ferruginous sandstone; yet it is there that Artesian wells have been made. Geological investigation shows the great extent of strata of similar character in many other localities in Australia; and therefore, in places similarly situated as the neighborhood of Brighton happens to be, that is, on the flanks of old crystalline rocks or inclined strata, such as must occur abundantly below the superficial drift of the Murray basin, where the tertiary deposits underlie the alluvial and overlie older formations, it is a just inference to conclude that the boring rod will be able to tap deep-seated water levels. The existence of natural springs, such as those of Rock Flat Creek, near Cooma, and of Gummun Plains, in the basin of the Goulburn River, (both of which are mineral springs,) and of that on Panuara Creek, westward of Carcoar, which is a warm spring, as well as others too numerous to mention, which are pointed out in the various journals of explorers, ought to be a sufficient justification of the belief that Australia, however dry may be its general climate, and however singular some of its characteristic phenomena, is not without such aids as nature supplies to the inhabitants of the Arabian or African deserts, who knew, ages ago, how to obtain water where the surface was (in regions similar to the interior of Australia) waterless.

WEDNESDAY, 2 DECEMBER, 1857.

Present:—

MR. G. MACLEAY,
MR. SUTTOR,
MR. JONES,

MR. JAMISON,
MR. DONALDSON,
MR. HAY,

MR. W. MACLEAY.

GEORGE MACLEAY, ESQUIRE, IN THE CHAIR.

The Honorable Stuart Alexander Donaldson, Esq., M.P., a Member of the Committee, examined in his place:—

The Hon.
Stuart A.
Donaldson,
Esq.

1. *By the Chairman*: You filled the office of Minister of Finance and Trade from the month of October, 1856, until a recent period? Yes; from October, 1856, to September, 1857.

2. During the time you held that office, was the question of the collection of revenue on the Murray brought especially under your attention? It was, on more than one occasion; first,

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The Hon.
Stuart A.
Donaldson,
Esq.

2 Dec., 1857.

by a delegation of Mr. Dryburgh, the Collector of Customs of Victoria, sent here by the Victorian Government to endeavour to induce this Government to come to an arrangement by which border Custom Houses should be established on the boundary between Victoria and New South Wales, and South Australia; and, in the second instance, in consequence of a correspondence that had taken place between this Government and the Governments of Victoria and South Australia, on the subject of the trade of the Murray, which resulted in the arrangement at present in existence. This correspondence with Mr. Dryburgh took place in the beginning of 1857, and has been laid upon the Table of the Assembly.

3. Will you have the goodness to state what that arrangement is, and how it was arrived at? Since the passing of the Murray River Bill of 1854, a temporary arrangement had been carried on, by which the duties collected in South Australia upon goods river-borne were divided equally between Victoria and New South Wales, upon the South Australian tariff. That arrangement was very much demurred to by Victoria, in the years 1855 and 1856, on account of the large quantity of dutiable goods, especially tobacco, which were smuggled into Victoria under the existing arrangement. As the duty in South Australia on the article of tobacco alone was one shilling, while in Victoria it was three shillings, it is manifest that the revenue of Victoria lost considerably by every pound of tobacco so brought into that Colony. In consequence of this inconvenience and loss which Victoria was suffering, some correspondence took place, almost of a hostile character, between the Governments of Victoria and South Australia. Mr. Childers, then Commissioner for Trade in Victoria, threatened that unless South Australia came into an arrangement by which the revenue of Victoria could be thoroughly protected, he should establish a Custom House on the Murray, at the boundary between South Australia and Victoria—and, indeed, a cordon of Custom Houses all along the boundary line. But it was found that the agreement of New South Wales was absolutely essential before any such plan could be carried into effect; first, because by law the waters of the Murray belong to New South Wales, and therefore it was absolutely impossible for any arrangement made on the part of Victoria to stop the trade of the river; and, secondly, because, even if the river were at the disposal of Victoria, a large amount of smuggling traffic would take place through the Territory of New South Wales, by passing the boundary to the north of the river. Under these circumstances, Mr. Dryburgh was delegated by the Government of Victoria, in the beginning of 1857, to confer with this Government, with a view to obtain its acquiescence in such a proposal; but the Executive Council, of which I was a Member, objected to fall into that plan, for many obvious reasons,—among others from an indisposition to be discourteous to South Australia, with whom we had had no quarrel, and from an appreciation of the extreme difficulty, if not an absolute prohibition, on the trade as would be imposed by forcing vessels passing up the river to unload at the point of junction between South Australia and Victoria. In consequence of that opinion of this Government, letters were written to Mr. Dryburgh—which are now in fact on the Table of the House—stating that this Government would prefer, before agreeing to any arrangement with Victoria, conferring with South Australia; but that the basis of any new arrangement should be, first, an absolute assimilation of the tariffs of New South Wales and Victoria; or, failing that, an assimilation of tariffs for the purposes of the river traffic; but that New South Wales objected, *in toto*, to any plan which should interpose an almost entire prohibition to the trade, by forcing all vessels to unload at the boundary. Victoria, then represented by Mr. Dryburgh, who, it appeared, came authorised to go so far, at once conceded the assimilation of tariffs, and agreed that that should form no impediment to the new arrangement, by making the tariffs of New South Wales and Victoria absolutely identical on all goods passing up the River Murray; and on corresponding with South Australia, a very practical suggestion was made by Mr. Torrens, then Minister of Trade there, by which goods sent up the Murray might be taken account of at Goolwa, or other shipping port within South Australia; and, in pursuance of his suggestion, a proposal was made to collect all the duties for the River Murray on the joint tariffs, as they now are, of Victoria and New South Wales. By this plan, the objection of Victoria to the collection of duties at the South Australian tariff was of course overcome, and the only difficulty that remained was the division of the revenue arising therefrom. Mr. Maculloch, who was at this time Minister for Trade in Victoria, proposed, without any valid reason, that Victoria should take three-fourths of the duties so collected, and New South Wales one-fourth. This Government replied that that was an unreasonable proposal, but that if Victoria would concur in an equal division, all the real difficulties appeared to vanish, and the contract might be fulfilled by our passing an Act (which has since become law) authorising South Australia to collect duties on goods river borne, on the assimilated tariff of New South Wales and Victoria; an equal subdivision being made between the two. This Government, I may state, was always of opinion that, looking to the trade, vastly important as it is, on the Murray, the real solution of all difficulties between the three Governments was only to be found in an absolute assimilation of the tariffs of the three Colonies for goods river-borne; but as South Australia has persisted in the imposition of *ad valorem* duties, and indeed has declined to bind herself at all to the tariff which New South Wales and Victoria had settled, that idea appears to have been set aside.

4. Do you think that half the duties belong fairly to New South Wales? I think, so far as we have any information, the arrangement is quite a just one. The centres of population collected about Beechworth and Bendigo would certainly point to a larger consumption of dutiable goods within the Colony of Victoria than probably any population so near to the northern bank of the river would indicate within the territory of New South Wales; but as I am of opinion that the traffic of the Murray, if it goes on increasing as it promises to do, will in point of fact supply the population of New South Wales up the Murrumbidgee quite as far as Gundagai, and also the dense populations on each side of the Murrumbidgee, such as Wagga Wagga and Tarcutta, I do not think I exaggerate when I entertain an opinion that,

that, until we obtain a more accurate knowledge of the extent to which the river traffic will go, and of the populations in both Colonies which it may be supposed to feed, the equal division of the duties is quite a just arrangement.

5. Taking a prospective view of it? Just so.

6. You are aware, no doubt, that much larger quantities of dutiable articles are brought across the river from the Victorian side to Albury and its neighbourhood than from Sydney to the Victorian side? Yes, I think that must be manifest to any one who considers the difference in the price of carriage from Melbourne and from Sydney; that is in favour of my argument.

7. *By Mr. Jamison:* Not only at Albury, but at Swan Hill and Moama also? Yes. I take the fact to be this,—that wherever by the Murray River the freight by water and the carriage by land taken together to any point shall be less than the price of carriage from Sydney to that point, the Murray River will manifestly, in a mercantile point of view, have that trade; and therefore I think the population of New South Wales, coming within the range of that trade—especially when the navigation of the river shall be improved—will be much larger than any person will allow himself to believe just now; because the land carriage from Sydney, for years to come, in the probable absence of railways, will certainly not diminish in price; while, on the other hand, every thing that civilization and good Government can do to improve the traffic of the river, will, I imagine, be done.

8. *By Mr. Hay:* As to the reasons for the present arrangement for the division of duties,—do you not think that the balance of dutiable articles imported overland from Melbourne to New South Wales over those exported from New South Wales to Victoria, upon the whole amount of which balance the duty is gained by Victoria, would form a reason for a more favorable distribution to New South Wales of the sums arising from the duties collected on the river? Yes, I think it forms a very strong additional argument to those which I have urged for a very favorable adjustment to New South Wales.

9. *By the Chairman:* Taking all these matters into consideration, you think half to each is a just apportionment? I do.

10. Paving such an arrangement as the one you have described, New South Wales, for self protection, would be compelled to put up Custom Houses along the frontier? Either on the river or on the frontier.

11. And it could scarcely be considered desirable to have Custom Houses on the frontier between two colonies of the same race, the same language, and under the same rule? It would be very undesirable; and it would also be extremely undesirable to interfere with the traffic of the river, besides being very expensive. If New South Wales can come to a fair agreement with Victoria, and South Australia will act as collector, I believe all that is necessary to protect both Governments from smuggling will be done.

12. Besides having the merit of great simplicity, the present arrangement is an exceedingly inexpensive one? Yes, the expense is very small.

The Hon.
Stuart A.
Donaldson,
Esq.

2 Dec., 1857.

PLAN.

SCALE 10 FEET TO AN INCH.

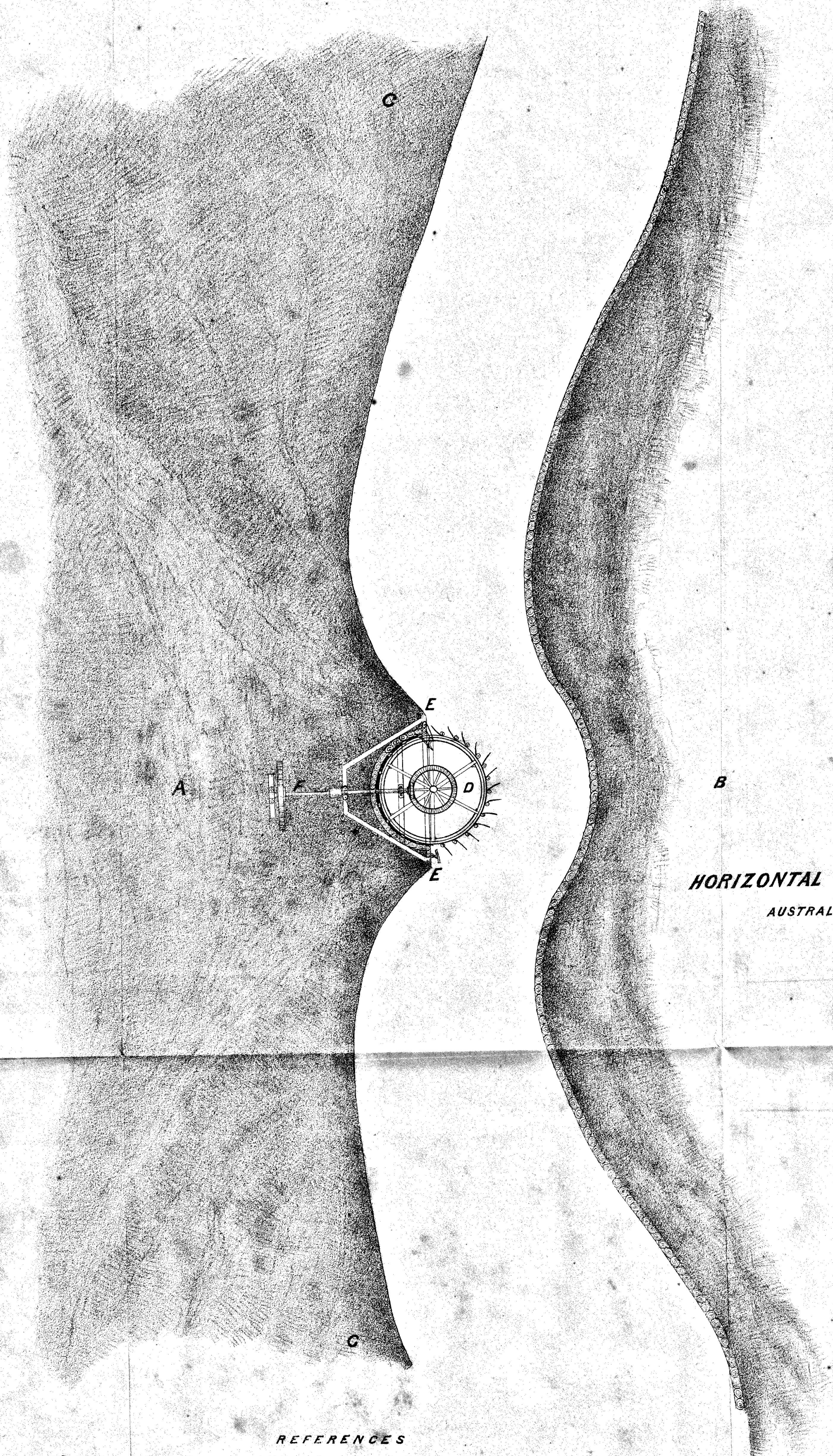
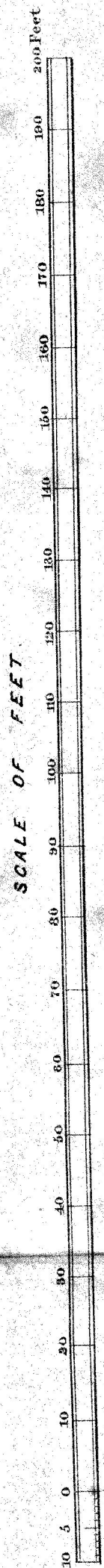
AUSTRALIAN FLOATING DAM.

Designed to improve the Navigation and Irrigation
by F. Cadell.

REFERENCES.

- A.A.** Caisson in two parts constructed of logs and planking, caulked and made watertight.
B.B. Water Wheels and pumps for the purpose of lightening Caisson when required to be removed to admit of a Steamers passage.
C.C.C.C. Capstans for heaving and retaining Caisson in its place.
D.D. Passages filled with Sluice gates for the escape of the Water while the Caisson is being placed, and also to be opened before commencing to remove it.
 The lower Water line shows the supposed ordinary height of the River, and the upper Water line shows the Artificial level attained by the use of the Caisson, and the Water flowing down the Creek.
E.E. Shows the Creek to be irrigated.
F.F. Shows a portion of the Caisson which can be removed to allow a sufficient quantity of Water to pass into the Lock to float a Steamer through and to admit of a Steamers Passage without moving the Main Caisson.
N.B. This Design is intended to show the principle only. — in practice many modifications would be adopted. During Floods the Caissons would be floated and dropped down, alongside the river banks. When the Caissons are in use, a slight platform will be erected for a crossing place, also when a Lock is required it would be formed by two sets of Caissons about 150 feet apart.

LONGITUDINAL SECTION.

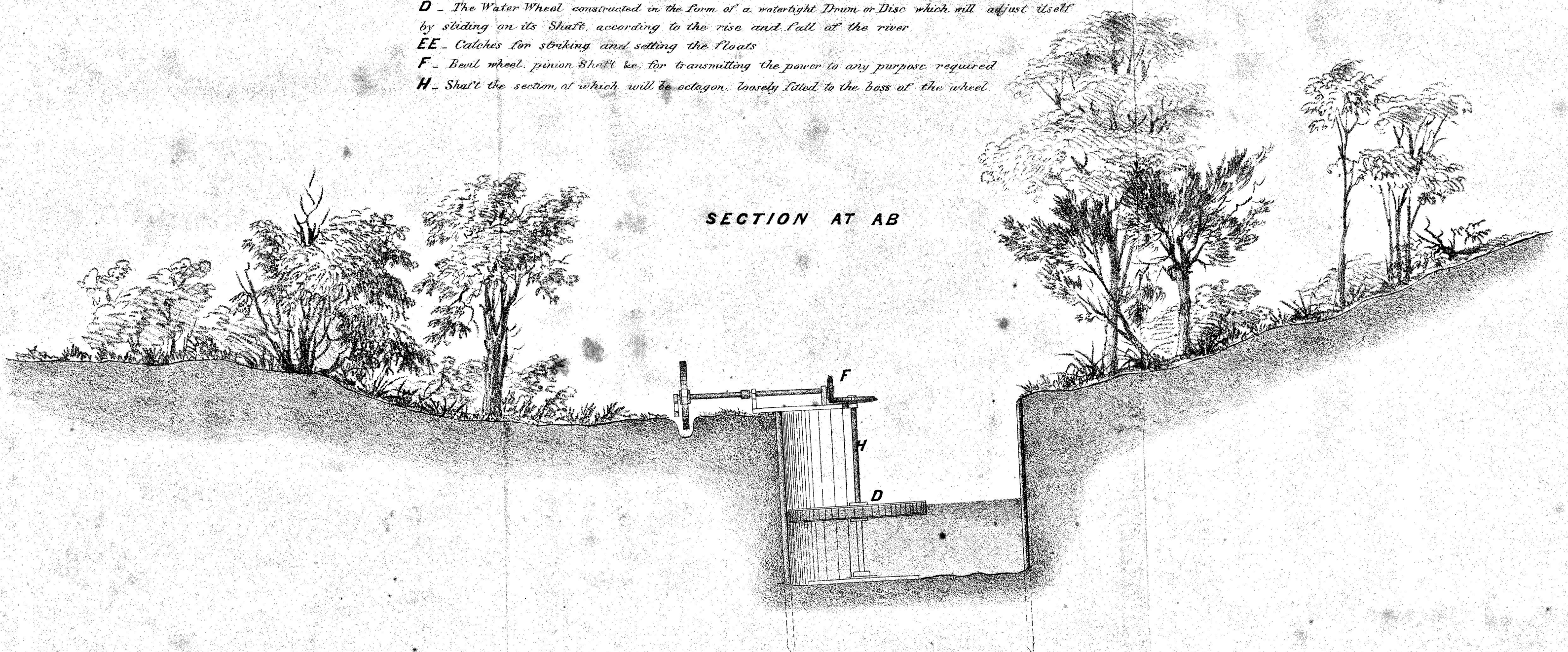


HORIZONTAL SELF ADJUSTING
AUSTRALIAN WATER WHEEL.
Designed by F. Cadell

REFERENCES

- C** - The river at its natural width, and also showing it contracted to increase the velocity of the Stream at the Water Wheel.
D - The Water Wheel constructed in the form of a watertight Drum or Disc which will adjust itself by sliding on its Shaft, according to the rise and fall of the river
EE - Calches for striking and setting the Flats
F - Bent wheel, pinion shaft for transmitting the power to any purpose required
H - Shaft the section of which will be octagon, loosely fitted to the boss of the wheel.

SECTION AT AB



1858.

WEDNESDAY, 9 JUNE, 1858.

Present:—

MR. G. MACLEAY,
MR. DONALDSON,
MR. W. MACLEAY,

MR. SUTTON,
MR. JONES,
MR. HAY,

MR. WHITE.

GEORGE MACLEAY, ESQ., IN THE CHAIR.

George Boyle White, Esq., a Member of the Committee, examined in his place:—

1. *By the Chairman:* You were for a considerable time in the Survey Department of this Colony? I was, for twenty-seven years. G. B. White,
Esq.
9 June, 1858.
2. Were you employed in your professional capacity in the interior of the country? A good deal.
3. Upon the banks of any of the large western rivers? Yes.
4. Upon the Darling? Yes.
5. And upon the Murray and Murrumbidgee? I have been down them, but I was not employed on them.
6. In what year did you commence your survey of the Darling? I was on the Darling as far back as 1833.
7. It must have been then in a perfectly wild state? Perfectly so. The natives were very troublesome.
8. At that time I presume there was no talk of the occupation of that country? No.
9. It must have been within four or five years of its discovery by Captain Sturt? Yes; he went there in 1828.
10. What was the special object of your going on the Darling 1833? To trace the river. I traced down the Peel to the Darling the whole way. At that time they had an idea that the Peel went to the north-west. Sir Thomas Mitchell first went out, and merely sketched the river as he passed along the country. Afterwards I was sent to trace it, which I did.
11. *By Mr. W. Macleay:* Did you trace it down to the junction of the Murray? No; only as far as Fort Bourke.
12. *By the Chairman:* Which river did you go down, the Bogan? No, down the Namoi.
13. Did you at that time proceed below Fort Bourke? Not at that time; afterwards, in 1847, I carried on the survey down to the junction with the Murray.
14. Did you survey the river the whole way to the junction of the Murray? Yes.
15. For what length of time were you employed on that survey? About eighteen months, I think.
16. So that you had a good opportunity of judging of the general character of the climate in that part of the country? Yes. I was four years employed there altogether, tracing all these upper streams at the same time. I traced the Macquarie. If you recollect, the survey of the Macquarie did not go further than the swamps below Mount Forster; it was very difficult to trace it; there was a swamp of something like fifty miles long, by ten miles broad. I followed that swamp round, and then found it take itself up again.
17. You detected the main channel? I detected the main channel—the Wamarawa of the natives—but it was a very small one, and in dry weather it was perfectly dry. It is only to be followed when the river is flooded.
18. What is the width of the valley of the Darling? It is perfectly flat for miles.
19. There is no berg—no outer bank? No.
20. Is that its character all the way down? Not all the way; there is a very deep chasm when you get to the river itself; the banks are fifty or sixty feet high.
21. At Fort Bourke do you mean? Yes; between the junction of the Macquarie and Fort Bourke.
22. *By Mr. Suttor:* That is what is now called the Barwan? Yes; but we knew it then as the Darling. It was afterwards called the Barwan.
23. *By the Chairman:* Below Fort Bourke, what is the character of the immediate banks of the River Darling? The banks are very high; the country flat on either side, scrubby, and very poor.
24. No rich alluvial land? None. There had been stations formed in 1848, and abandoned again.
25. *By Mr. W. Macleay:* Below Fort Bourke? No; above Fort Bourke.
26. *By the Chairman:* Does the same description of country obtain the whole way to the junction with the Murray? Mostly.
27. There is no country then on its banks, where the climate is suitable, which would be available for the purpose of cultivation? Not at all; it is about the poorest country I have ever seen.
28. Used you to go to any distance from the immediate banks of the river? No; my object was merely to trace the stream.

- G. B. White, Esq.
9 June, 1858.
29. Then you know nothing of the back country? Yes; to the east and west I have been a considerable distance.
30. To what distance? Seventy or eighty miles.
31. *By Mr. W. Macleay:* From Fort Bourke? Yes; starting away westward.
32. *By the Chairman:* Did there appear to be any alteration in the character of the country at this distance from the river? No: now and then there were patches of good country, but generally speaking it was very indifferent.
33. What was the character of the season when you were there—was it a dry season? Yes, very dry when I was there in 1847; but shortly after the river became flooded, and the whole country was covered, the water being up to the wall-plates of some of the deserted huts.
34. *By Mr. W. Macleay:* That was above Fort Bourke? Yes; between Fort Bourke and the junction of the Bogan. It appears to me like a dried-up delta; there are ana-branches which form a perfect net-work of rivers. It reminds me of the Hooghly. I have seen the sand heads of the Hooghly at low-water, when you can see the different sand banks coming up amidst a net-work of channels. That country appears to me to have been formed in the same way.
35. *By the Chairman:* Is not the soil in that country, on the Darling, very compact and hard? Yes.
36. Is not that against what you say as to its aspect as a delta? I do not know that it is. I have an idea that the whole of the interior, from the Gulf of Carpentaria to Spencer's Gulf, has been a dried up sea.
37. Drained through the action of upheaval? It may be. An upheaval is generally supposed to be going on.
38. With respect to these ana-branches, do you think they could by any arrangement be made to convey water to the east and west, so as to render the country at the back available for occupation? I think they might.
39. That is the character of the country you followed down—the ana-branches appeared to exist throughout the whole of it? Yes. Large lagoons were formed whenever the river overflowed.
40. Had you any communication with the natives on the Darling? Frequently.
41. Did you ever hear from them of lakes existing to the east or west of the river? No; on the contrary, whenever they went away from the Darling they were provided with skins to carry water.
42. Did they ever speak of large floods having occurred? Not only did they speak of them, but there were marks of them all over the country.
43. Do you think there have been floods at any time that would render the country dangerous for occupation? I am sure of it. I have travelled over that country for miles with the wreck left by the flood up to my shoulders on horseback.
44. Was the country a dead level—although it might appear to the eye level, strictly speaking there would be some elevations? They were very slight. It appeared to me like travelling on the ocean; the sun rose and set as if it were on a sea horizon.
45. *By Mr. Donaldson:* Was there no timber on the horizon to interrupt the view? Now and then there were belts of timber, but no large timber.
46. Was the country well grassed? No, very indifferently grassed. It was principally salt-bush.
47. *By the Chairman:* During the time you were there had you any means of ascertaining whether the rains were periodical? No.
48. Could the natives not give you any information on that point? We were obliged to keep them at a distance. They were very troublesome, about the Bogan especially. The only way of preventing danger was to keep them away as much as possible. I never allowed them to be near the tents at night.
49. Was the soil of such a character that tanks or dams might be made sufficiently retentive? Yes; it was clay principally.
50. When you went seventy miles from the river, as you have said, did you carry water with you? Yes, on pack-horses.
51. You never had occasion to sink wells? Never.
52. Are you aware that the whole of that country is now taken up and occupied? I believe it is: it was not so in 1848; it had been taken up and deserted. I frequently fell in with the old huts.
53. There had been very dry seasons for some time previously? Yes: it had been very much burnt up.
54. Can you form any idea whether wells could be sunk with advantage? I think if wells were sunk you would get salt water. I sometimes found very deep reaches of the river, extending for a mile or a mile and a-half, to be salt; but below them again I found the water very good.
55. That is just what Captain Start found to be the case? Exactly. It depends entirely, I believe, on the quantity of water in the river: if there is plenty of water it is not salt, but if there has been no flow into the river for some time from the upper streams, it then becomes salt. The banks are very steep. There appears to be a sort of red clay from fifteen to twenty feet deep; and the river is more a chasm than is usually the case. The water has not sufficient impetus to work its way to form a bed for itself. It appears to me to be warmed out, and it is excessively tortuous. In many instances I have known the river to be within a hundred yards from point to point, and nine miles round. I took the height of the river at the junction of the Macquarie with it, and I think I made it some four hundred feet above the level of the sea.
56. You have no very high opinion, from your own experience, of the capabilities of that country? I think it fit for nothing but grazing purposes.
57. Having gone only seventy miles to the west, you of course cannot venture to give an opinion as to the character of the country more towards the South Australian boundary? No.

No. But the further I went in that direction, the worse it appeared to get. From what I could learn from the natives, they appeared to say that they never went further, because they could not get water or food. G. B. White,
Esq.

58. *By Mr. Hay*: From what particular point did you start when you went seventy miles into the interior? From Fort Bourke. I have gone forty or fifty miles into the country from different parts of the river. 9 June, 1858.

59. That particular trip was made from Fort Bourke north-westward? Yes.

60. Did you observe any material difference between the country on the Darling above Fort Bourke and that below Fort Bourke, to the junction with the Murray? It is much better above Fort Bourke.

61. A better grassed country? Yes; much better grassed.

62. Did it seem equally liable to flood? Yes.

63. You said the country was scrubby—what are we to understand by that? There is a great deal of polygonum junceum, a sort of wire grass, growing on the banks. I only found it where the land is liable to be overflowed. It is very difficult to get through it for surveying purposes. Over all that country it was almost impossible to get through that polygonum scrub to get near the river. I found the greatest difficulty in carrying on the survey.

64. Did this polygonum junceum extend to any considerable distance from the river? It did. It was found everywhere where there were watermarks. As we got up to the higher country we lost it altogether.

65. Was there a belt of this polygonum along the river, generally speaking, all the way from Fort Bourke? Yes.

66. Both above and below Fort Bourke? Yes. Whenever we came to flooded country, it was marked at once by the polygonum junceum.

67. After passing through this belt of polygonum from the river what was the style of country? Open plains.

68. What sort of vegetation? A great deal of salt-bush; in fact it was principally salt-bush.

69. *By Mr. W. Macleay*: The open plain, I suppose, often came into the river? Very frequently; but still the polygonum took possession of it even there.

70. *By Mr. Hay*: Did you not observe on the open places a shrub different from the polygonum—a prickly shrub, from nine inches to two feet high? I do not think I did.

71. *By the Chairman*: All these shrubs are saline? Yes, they are all salsolaceous plants.

72. *By Mr. Suttor*: Did you keep principally on one side of the Darling? Yes; on the left, or south-east bank.

73. *By Mr. Hay*: Then you were not upon the right bank from Fort Bourke downwards? Whenever we got an opportunity we crossed over and examined the country. There were many bars of sandstone right across the river, upon which we could pass over. I was sometimes away for three, four, or five days, examining the country on the right bank. I took a man with me leading a pack-horse carrying water in iron cans such as oil is placed in.

74. What draught animals had you with you, horses or bullocks? Both.

75. How did they thrive? The horses did not thrive; the bullocks seemed to do much better. I would sooner have bullocks than horses; though slower they are surer.

76. The bullocks kept their condition? Yes.

77. What did they eat? They seemed to live a good deal on the young plants of the polygonum junceum, and on the little pickings mixed with it—salt-bush, and so on.

78. Do you think, with regard to the scrub you speak of as growing on the plains, that it is possible you might have mistaken another species of shrub for the polygonum junceum? I might have done so; but I know it too well. I never saw it growing on the plain in any quantity, only where the plain joins the river.

79. *By Mr. Suttor*: On land subject to inundation? On land subject to inundation.

80. *By Mr. Hay*: Are not the whole of these plains subject to inundation? I am sure of it. I saw watermarks when I was there so high that if a flood had come at that time of the same height we should have been all lost. Even where the banks were sixty or seventy feet high, when the flood came the water was up to the wall-plates of the huts standing upon them. It looked exactly like a sea. I am sure there must have been one hundred and fifty miles of country under water.

81. Did you observe any sandy elevations? Now and then there were pine ridges, but they were very few.

82. *By the Chairman*: What was their general direction—were they at right angles with the river? They generally took the crown of the ridge dividing the waters. I think about north and south was their general direction.

83. You say they took the crown of the ridge dividing the waters—what waters do you mean? The waters supplying the rivers.

84. They were at right angles, then, for the most part? No; the general direction was nearly parallel with the river. They were not very extensive—something like a waterwash, as if the sand had been banked up by the water, and the pines had grown there. There was no continuous range or watershed.

85. They were isolated ridges? Isolated completely.

86. Were they sufficiently numerous to afford an asylum in case of such inundations as you speak of? I think they were sufficiently high, but not sufficiently numerous.

87. *By Mr. Suttor*: You saw no high land in all this country? No; when once I lost the escarpment of the main ranges I saw no high land afterwards.

88. *By the Chairman*: What was the rate of the current in the ordinary state of the river? Very slow indeed—scarcely perceptible—I should say not half a mile an hour. Sometimes you come to a reach a mile and a half long, and you would think it stagnant water.

89. These reaches are very deep? Very deep—perfect chasms in some places.

90. Were the natural dams you spoke of rock or hardened clay? Indurated clay—sometimes sandstone.

G. B. White, Esq. 91. They serve as dams, in fact? Yes.

92. Do you think by taking advantage of these natural dams as situations for locks the river could be made navigable? I think so. In clearing a river of that description I should not advise keeping the course of the tortuous bends. There are places where a cut of a hundred yards will save nine miles.

9 June, 1858.

93. Did you see much timber in the river? Yes; perfect barriers of timber occasionally. The water does not appear sufficiently strong to take them away, except in extraordinary floods.

94. The presence of this timber would add greatly to the expense of rendering the river navigable? Very much indeed.

95. Do you think the country is of a character that would pay for the expense of rendering the river navigable? I think not. I think all that portion of the country is only fit for grazing purposes; and a party must have a great extent of country to make it useful at all.

96. There is an enormous extent of country on that river to the east and west which would all be available for pastoral purposes if it could be permanently watered? Yes.

97. It has been found that sheep and cattle do better there than on richer soils, notwithstanding the unfavorable appearance it presents to the eye? Yes. I believe the whole of the country on the bank of the river has since had sheep depasturing on it.

98. On the immediate banks of the river? Yes.

99. But from want of water enormous tracts of country, between the Darling and the South Australian boundary on the west, and between it and the Lachlan on the east, are unoccupied? Yes; a great deal of land may be made available for grazing in this country, and will be made available by and by, by dams and proper drainage.

100. That is an expensive process in the interior? It is.

101. Do you think it probable that individuals would go far away to the right and left of the river, paying at the same time an assessment on their stock and a rent for their land, upon the chance of getting water by tanks or wells? They never could afford to do it until labor gets cheaper, and the country becomes more thickly populated.

102. Do you think it would be worth while for the Government to offer runs there to individuals gratuitously, on condition of their forming water tanks? I think it would.

103. That country if watered would keep some millions of sheep, I presume? Yes. Sheep are found to thrive very well there. At one time sheep were not placed on those runs, because it was thought they would not do any good; but it has been found to be the best pasturage for sheep. However, they will lose all the sheep if the water once comes over the country.

104. Could not the sheep take refuge on the sand-hills you spoke of? Some of these sand-hills are thirty or forty miles apart. From the junction of the Namoi up to Bucklebone, a distance of forty miles, there is not a sand-hill. It is a country that does not appear to be thickly populated by the natives. Now and then I met a tribe of blacks, but from my experience of them I should say they were not very well fed. They had to travel a good deal to get their food. They seemed principally to subsist on fish.

105. Fish are very abundant in the Darling? Yes; you may get any quantity. I should have starved there myself if it had not been for the fish; supplies not having been sent me by the Government.

106. *By Mr. Hay:* Do you not think, that by making dams along this river you would run a great risk of filling up the reaches by a deposit of mud? It might have that effect.

107. It would require that provision should be made to prevent that? I think it would.

108. A system of locks would be better? Yes; such as are used in canals. In fact the river has more the appearance of a canal than a river.

109. Its waters are sometimes greatly charged with mud, I presume? Yes; sometimes the water is nearly as thick as pea-soup, I might almost say, with the washings of the whole country.

110. *By the Chairman:* If the country to the right and left of the Darling were fully occupied by sheep and cattle, would there not be traffic enough to make it worth while to go to the expense of rendering it navigable? I do not think it would be worth while for a very long time. The time may come when it will be expedient to do so.

111. What makes you say the time may come—why should not the country be occupied forthwith? I think as individuals get richer they may try to reclaim the country back from the river, but just now it would not be worth their while to attempt it. In fifty or a hundred years time there will be a necessity for more country, and then no doubt this back country will be occupied.

112. You have seen Mr. Crawford's letter to the Secretary of State for the Colonies, dated 28 April, 1857, and published in a Return to an Address of the Legislative Assembly, respecting the Navigation of the Murray, in which the following passage occurs: "What I propose is, that before the valley of the Murray shall have passed into private hands, a survey should be made, and plans adopted, for damming the Murray and its tributaries, at various points, and of forming irrigating canals through the plains." What Mr. Crawford proposes is, that the Government should make surveys with a view to the damming of the Murray and its tributaries, and that sales should take place only in connection with such surveys—do you think it is worth while for the Government to take that matter into consideration at present? It would require an immense expenditure, as the surveys would require to be very elaborate.

113. The expense of carrying out such works would be so enormous that it is impossible to name a time when it is likely that would be commenced? Quite impossible. It would be quite impossible even to make an estimate of the expense.

114. Do you think the distant probability of such works being carried on by the Government would have any effect on the value of the land with intending purchasers or occupiers? Not in our age.

115. You have read Captain Cadell's evidence before this Committee last Session? I have. G. B. White,
Esq.
116. You are aware of what the South Australian Government have been doing on the River Murray? I am.
117. You are aware they have gone to the expense of building a steam snag-boat, and that that boat is now at work? Yes. 9 June, 1858.
118. You are not perhaps aware that its operations have been perfectly successful? No, I was not aware of that.
119. Do you think it would be worth while for the Government of this Colony to go to the same expense as the Government of South Australia in opening up the navigation of the Murray by clearing its channel? Yes; I think it quite possible for the Government to lay out money to advantage in that way.
120. You are aware that the river is navigable up to the base of the mountain country? I see that Captain Cadell says so.
121. And that it leads to a rich agricultural country? Yes. I think, considering the advantages the Murray possesses in its gold fields and alluvial lands, that it would be worth while for the Government to expend a considerable sum of money in clearing the channel; but I think Captain Cadell has under-estimated the expense.
122. *By Mr. Hay*: You are aware that the snag-boat has been built within the estimate of Captain Cadell? Yes; but I allude to the working expenses of clearing the river.
123. *By the Chairman*: Do you think it would be advisable for this Government to combine with the Governments of the two Colonies of Victoria and South Australia, and to go to the same expense as they seem disposed to incur? Yes.
124. *By Mr. Hay*: Did you say whether there was much timber in the Darling? Yes, perfect walls of timber. I remember being once sent by Sir Thomas Mitchell with a party of men and a boat to clear a passage, and I think it took us three or four days to get as many miles.
125. Was there more timber in the higher part of the river than below. As the banks of the river are so destitute of timber for the last three or four hundred miles of its course, I should suppose the accumulation of timber would be much less? That part of the country is so very flat, that if one snag stops the current is not sufficient to carry it through, and the timber accumulates at that spot.
126. You could not say clearly, at this distance of time, whether the river below Fort Bourke was less encumbered with timber than above? No; I could not.

William Henry Suttor, junr., Esq., called in and examined:—

1. *By the Chairman*: You have been a good deal in the western interior? Yes.
2. Are you acquainted at all with the country between the Lachlan and Darling? Yes; I have been across the country between the Lachlan and the Darling.
3. At what time? In June, 1857. W. H. Suttor,
junr., Esq.
9 June, 1858.
4. From what part of the Lachlan did you make your start? We started from about three miles below a place called Burrabadimba on the map, about one hundred and forty miles from the junction of the Lachlan and Murrumbidgee.
5. In what direction did you strike across? West north-west. We hit the Darling about two hundred miles from its junction with the Murray.
6. What is the character of the intermediate country? For the first ninety miles it is an almost uninterrupted large plain; then we came into low undulating country, which continued to within about fifteen miles of the Darling.
7. When you say undulating, do you mean downs or hilly country? Not hilly country. It was thinly wooded.
8. *By Mr. W. Macleay*: Was it rocky? No. We saw occasional rocky ridges.
9. Did the country improve in character as you proceeded—did it become better grassed than in the immediate neighbourhood of the Lachlan? It was rather better grassed in the undulating country.
10. Is the soil in the undulating country sandy? Hardly sandy—more a red loam.
11. *By the Chairman*: Is it covered with salt-bush? There is a small kind of salt-bush growing over it.
12. *By Mr. White*: You found some of the reaches in the river very large, did you not? The river was then very high; we could not distinguish the reaches.
13. *By the Chairman*: Did you meet with water in the country you passed over? No permanent water, merely pools on the plains.
14. What is the height of the ranges that appear on the map to the right of your track—could you see them? They look much higher on that level country than they really are.
15. What height did they appear to be—three or four hundred feet? About that.
16. I suppose you did not approach sufficiently near to see whether they were covered with timber? We did not. One low ridge that intercepted our route was not wooded with large trees.
17. Did you find the mesembryanthemum, or pig's face, as it is called by the shepherds, in the country between the two rivers? Yes; the pig's face grew occasionally on the harder plains, and not generally throughout the country.
18. So that sheep might be kept there for some time in dry weather without water? Yes.
19. Was the whole of the country you traversed fit for stock? The whole of it. There were occasionally small pieces that were bare of grass; but they were thickly covered with salt-bush.
20. How long have you been acquainted with the Lachlan country? Five or six years.
21. In the course of time, have you observed any improvement in the character of the vegetation, so as to render it fitter for stock? I think it is getting more abundant.

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junr., Esq.
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22. In the hilly country, the pasturage appears rather to suffer from the presence of stock—gum trees, and other trees spring up abundantly in the neighbourhood of the stations, and the country appears rather to deteriorate? The underwood generally grows more thickly than on the plains.
23. On the other hand, the pasturage on the plains manifestly improves? Yes.
24. As far as you could judge of the character of the country you travelled through between the Lachlan and the Darling, did it appear fitted for collecting water, from the inequalities of the ground, and the character of the soil? I think so. We saw some places very well fitted for collecting water; in other places we saw a great deal of water lying on the surface of the ground that might have been kept a long time if it had been collected.
25. Did you cross the Darling? We just crossed, but did not go far back into the country on the other side.
26. The whole of the country you traversed appeared very much of the same character as far as pasturage is concerned? Not exactly the same.
27. But the whole of it was fit for pasture? Yes. The undulating ground is more fit for cattle than for sheep, as there are some grasses growing there, the seeds of which often destroy lambs, and deteriorate the wool.
28. Have you heard any description of the intermediate country between the two rivers further to the north of your route? Yes; I have heard reports of some places. Some of our people went out to some of the ridges a few years ago.
29. Did they find any springs? They found two or three springs, one of which appeared to be permanent; the blacks were living at it for a long time.
30. What was the character of that country for grass? Very good. The country itself consisted of undulating stony ridges; it was more ridgy than where I went through.
31. With salsolaceous plants? I think not about the ridges.
32. Do you believe from what you have heard that the whole country between the two rivers is fit for stock? A great portion of it is, but in some places there is a great deal of mallee scrub, which is quite useless.
33. Is mallee found on the Darling to any extent? Not that I saw; I believe it is found lower down.
34. *By Mr. Suttor*: You saw no mallee at all? Only a few bunches.
35. *By Mr. Hay*: You did not pass through any mallee at all on your route? No; excepting a few bunches occasionally.
36. Was there any scrub at all? It was all a kind of scrub on the undulating ground, but not at all thick, consisting of acacia, broom stuff, quandongs, and so on.
37. With smaller plants intervening? Yes. Some of it was the prettiest country I have seen. There were occasional belts of oak separating small plains. Oak was the prevailing timber.
38. *By the Chairman*: With weeping acacias of different kinds? No; a kind of acacia we call the mulga, with a leaf very like the myall, but growing straight up, and stiff.
39. *By Mr. Hay*: Not scented? No.
40. *By the Chairman*: Did you see any pine? We saw but few pines.
41. *By Mr. Hay*: Did you see any box timber? Occasionally, in the hollow places.
42. In belts? On the plains there were belts of timber, but not in the undulating country.
43. *By the Chairman*: Did the country appear to rise much in the centre between the two rivers? No.
44. Did you see any appearance of its being subject to inundation? No, I think not.
45. *By Mr. W. Macleay*: You say you saw belts of timber on the plains? They were hardly belts, but a kind of clumps. One long belt follows the line of a creek that comes from the Lachlan and loses itself on the plain.
46. *By Mr. White*: There are many watercourses there that lose themselves in that way? Yes.
47. *By the Chairman*: There are some lakes, are there not, in connection with the Lachlan? I believe there are a few lower down, but not any distance from the river.
48. *By Mr. Hay*: You started from the Lachlan near a spot marked Burrabadimba on the map? Yes.
49. You know Macculloch's Range, which you see marked on the map on the table? Yes.
50. By reference to Macculloch's Range, could you fix the point at which you reached the Darling? We reached the Darling about fifty miles below the point opposite Macculloch's Range.
51. How far up the river did you go? About sixty miles. When we first reached the river we went downwards a short way, perhaps sixteen or seventeen miles, and then turned back and went up.
52. What route did you follow in coming back? We left the river within about twenty miles of where we reached it.
53. Then you struck back? Yes, on the old course.
54. Did you see Macculloch's Range at all? Yes, we saw it away on our right.
55. You saw it sufficiently to be able to ascertain, in a general way, the position of the spot where you reached the Darling? Yes.
56. How far did the plains you have spoken of extend back from the Lachlan? Nearly ninety miles. I believe these plains are wider to the south-west of our route.
57. The salt-bush plains? Yes.
58. With box clumps in the depressions? Yes.
59. How far do you think you passed, then, through the undulating country of which you have spoken? About eighty or ninety miles.
60. Between that and the Darling, what was the character of the country? Low soft plains for about fifteen miles; this was the character on our track into the river; as we came out some miles higher up the country was not quite so open, was more thickly grassed, and the plains of a harder description.

61. Was there much polygonum on those plains? Very little. We saw the stumps of it quite dead in some places where it had been burnt off. The remains of the polygonum were on the plains immediately on the banks of the river. W. H. Suttor,
junr., Esq.
9 June, 1858.
62. *By the Chairman*: What was the character of the soil? Soft alluvium.
63. *By Mr. Hay*: Do you think it a good country for stock? Very good.
64. Do you know a small prickly bush that grows on the plains on that part of the country? Yes—without a leaf.
65. Stock eat that readily? Yes.
66. They are very fond of it apparently? Yes.
67. And are supposed to fatten on it? Yes.
68. Did you see any of that on the plains near the Darling? It was not very thick.
69. What is the character of the vegetation on these plains? It consists principally of that kind of grass known as oat grass, and large bunch grass; there are other kinds of grasses—occasional bunches of kangaroo grass.
70. Nearly the whole of the country you passed over is good for stock if watered? Yes.
71. Do you think it would be good for agriculture? I think not.
72. Do you think any of the country on the Lower Lachlan, or what you saw on the Darling, is fit for agriculture? I think the ground is good enough, but the climate would not suit.
73. Do cabbages succeed with you there? In the winter months.
74. *By the Chairman*: Did you ever see any potatoes grown there? I believe one man did grow a dish of potatoes there once.
75. It is owing to the intense heat setting in so early in the year that vegetables do not grow there, not from any want of moisture in the winter or of goodness in the soil? Just so.
76. When you reached the Darling, I think you stated it was bank high? It was very high, and rising then.
77. Did you hear anything of the state it had been in previously? People we met told us it had been very high a long time; about eighteen months before it had been very low, but a flood had then come down, and it had been high ever since.
78. What was the rate of the current then? I should think three or four miles an hour.
79. Could steamers, in your opinion, have plied on it at that time? I think they could, without any difficulty.
80. What was its width? In some places quite a hundred yards, in others not more than sixty. I considered it a good shot across the river with a gun.
81. *By Mr. Jones*: Could you ford it in any place? No.
82. *By Mr. Hay*: Was the timber large on the banks of the river? No; generally very small.
83. Gum? Yes.
84. Was there any timber back from the river on the plains you have described? No; only small low box trees—a kind of flooded box.
85. Was the timber generally confined to the bank of the river? Yes.
86. Then, settlers would have to encounter a good deal of difficulty from want of timber? They would.
87. *By the Chairman*: Did you see anything of the sheep depastured on the banks of the Darling? I did not see the sheep, but we heard there were sheep there. We saw Mr. Jamison, who owns the sheep.
88. Had you any conversation with him as to the character of the country as sheep pasture? Yes.
89. Did he make a good report of it? Yes, a very good report; he was quite satisfied with it.
90. Have you heard generally that the country is well fitted for sheep? Yes.
91. And for horned cattle? Yes. I may mention that a party whose station we were at has sent cattle since then to Melbourne, where they were considered very good, and brought a high price.
92. *By Mr. W. Macleay*: It must be a distance of six hundred miles from that part of the river to Melbourne? Yes. It is about four hundred and fifty miles to Bendigo.
93. *By the Chairman*: If water could be procured in the intermediate country, it would be taken up at once for stock? I think so.
94. *By Mr. Jones*: You mean the country between the Lachlan and the Darling? Yes.
95. Was the country taken up on the Darling at the point you reached? It was all taken up, but not occupied.
96. *By the Chairman*: Tendered for but not stocked? Yes.
97. *By Mr. Jones*: And above where you reached as well? I heard it had all been tendered for.
98. Was there any stock at all there? Not above where Mr. Jamison's sheep were.
99. Where was that? About two hundred and fifty miles from the junction with the Murray.
100. *By the Chairman*: Do any parties travelling with stock to Melbourne market take the Darling in their line of route? Yes.
101. From Moreton Bay? Yes.
102. Do you think that route likely to become more in vogue? I think so, certainly. I believe the fear of the blacks alone prevents parties from using that route.

WEDNESDAY, 16 JUNE, 1858.

Present:—

MR. G. MACLEAY,
MR. W. MACLEAY,
MR. DONALDSON,

MR. HAY,
MR. SUTTON,
MR. JAMISON.

GEORGE MACLEAY, Esq., IN THE CHAIR.

A. G. McLean, Esq., called in and examined:—

- A. G. McLean, Esq.
16 June, 1858.
1. *By the Chairman:* You are the principal draftsman in the Surveyor General's Department? I am the chief draftsman in the Surveyor General's Department.
 2. Can you state, Mr. McLean, what amount of land has been alienated in the valley of the Murray River? In the valley of the Murray River and tributaries, according to the present state of the returns, the alienations are—by auction sale, 11,394 acres, and by pre-emptive purchases, 14,270 acres.
 3. In the valley of the Murray? Yes; that is, in the valley of the Murray and its minor tributaries.
 4. What is the amount of land that has been alienated in the valley of the Murrumbidgee? West of the old settled districts, below the confluence of the Yass River, the land sold by auction on the Murrumbidgee and minor tributaries has been 14,823 acres, and by pre-emptive sale, 32,690 acres.
 5. Are there any new applications? These pre-emptive purchases are not entirely paid for. They are all measured, but not all paid for.
 6. *By Mr. W. Macleay:* Does that include all the tributaries of these rivers? All the small tributaries, but not the large tributaries, such as the Lachlan and Darling.
 7. Does it include the Tumut? Yes.
 8. On the Darling River no land has been alienated? No.
 9. *By Mr. Sutton:* Nor on the Lachlan? Little or none west of the old settled districts.
 10. *By the Chairman:* Will you have the goodness to state the number of townships, and their names, that are in the valley of the Murray, the Murrumbidgee, and Lachlan Rivers? I have made a rough memorandum of the towns. (*Witness handed in the same. Vide Appendix A.*) I have separated the towns on the Murray River—those on its tributaries and effluents—those on the Murrumbidgee River—those on its tributaries—and those on the Lachlan River and its tributaries.
 11. Are there any other contemplated towns? Yes; I have mentioned the contemplated townships also.
 12. Have you put down the towns at Lang's Crossing-place? Yes.
 13. Do you think it likely, if the navigation of these rivers were to be improved, that more townships than at present exist, and are contemplated, would be laid out upon their banks? I think the navigation has already given rise to the demand for one township, and it will probably give rise to others—that is the township of Brocklesby or Corowa; it is opposite to "Wahgunyah," on the Victoria side.
 14. You think it will be the means of originating others? I think undoubtedly so.
 15. In time very many? In time very many, no doubt.
 16. Even although agriculture should not be found possible to any great extent on the banks of these rivers? There is no question that it will to some extent, even on those parts of the rivers where agriculture may not be carried on.
 17. The whole of the land on the immediate banks of the River Darling is occupied I believe—held under pastoral licenses? It is all tendered for. There is no vacant land so far as Fort Bourke.
 18. On the banks of the other rivers? It is wholly occupied.
 19. Has much of the back country been tendered for lately on the Darling? I cannot say on the Darling River.
 20. The whole of the back country between the Murrumbidgee and the Murray is tendered for? Yes. If there is any land vacant, it is only vacant because people don't know what is vacant.
 21. If the whole of this extensive country became occupied by stations, a considerable demand must arise in the neighbourhood for mechanics' work, I presume? Undoubtedly some demand will arise for mechanics' work.
 22. So, settlements would arise upon the banks of the river, I presume, upon which these people would congregate for the supply of the pastoral occupants? Yes.
 23. The rivers Murray, Wakool, Edward, Murrumbidgee, and Lachlan, have been regularly surveyed? Yes; traversed with the circumferenter and chain.
 24. Has the River Darling been also surveyed? It has, for nearly two-thirds of the distance from the Murray to Fort Bourke. The survey reaches to near Mount Macpherson.
 25. *By Mr. Sutton:* By whom? By Mr. McCabe. He also travelled up the river from the termination of his survey to Fort Bourke.
 26. *By the Chairman:* Mr. McCabe sent in a report, as a matter of course? He sent in many reports, which contained most valuable information at that time, because the country was then little known, and they are valuable still.
 27. You have read Mr. Crawford's letter addressed to the Secretary of State for the Colonies? Yes.
 28. On the desirability of irrigating the valley of the Murray? Yes.
 29. He proposes, before the valley of the Murray passes into private hands, that a survey should be made, and plans adopted for damming the river, and forming canals through the plains for irrigation? Yes; so far as I remember, that is his proposal.
 30. It would be a very gigantic work? Yes; very gigantic.
 31. Far beyond the means of this Colony, I presume, for generations to come? Yes; I should think so. On the Victoria side the land has been alienated to a greater extent than on this side of the river.

32. Is it desirable to prevent this land from passing into private hands, until such time as a proper survey has been made for the purpose of irrigation? I think it would not be desirable to defer the sale and settlement of the country for so speculative a project. A. G. McLean,
Esq.
16 June, 1858.
33. Do you think it would take a long time before the survey could be made? I don't think the survey would take a very long time, if several surveyors were put upon it. The levelling would be the principal work.
34. The levelling would occupy an immense amount of labor, and would be very expensive work—would it not? I think it might be conducted without very great expense, by the sappers who are employed in the Railway Department, and who are competent to perform the work under direction.
35. Would it be right to go to the expense, looking at the ultimate object? I presume Mr. Crawford would wish that this land only should be sold, if sold at all, with a view to the mode in which it might be laid out for the purposes of applying irrigation? I think it might be desirable to make such surveys as would determine the practicability and cost of carrying out Mr. Crawford's proposal, in a portion of the course of the river, as an experiment; but I cannot think that the land should not be alienated until a survey was made and the question considered.
36. Could not the surveys be made just as well after the land was alienated as before? No doubt the surveys could be made after the alienation of the land.
37. And as the work is of such gigantic character, it is very improbable that it would be carried out for ages yet to come? Yes, I should think so. And it might, I presume, be carried out even after the alienation of the land, by legislative enactment, if desirable.
38. So, you think if any demand arose for this land it would not be worth while to prevent its alienation for the purpose of waiting for this survey? Certainly not. I think the alienation is now going on. I have here a lithograph map shewing the towns and localities. It shews that the whole course of the River Murray is being spotted with towns.
39. *By Mr. W. Macleay:* This town of Mourquong is laid at the junction of the Darling River? It is near the junction, but a town is to be laid out on the Darling River at the crossing-place of the Adelaide Road.
40. These are the towns that are laid out? Yes. Some of them have not yet been proclaimed.
41. *By the Chairman:* It would be requisite to come to some understanding with Victoria when we talk of damming up the river for the purpose of irrigation? Yes, although the river is within the New South Wales Colony, for the irrigation would, of course, affect land on the Victoria side. (*Witness then handed in a Memorandum of lands alienated by the Crown in the Valley of the Murray River, in the Colony of New South Wales, and in that of the Murrumbidgee River, below the confluence of the Yass River. Vide Appendix B.*)

APPENDIX A.

(1).—*Towns, and proposed or intended Towns, on the Murray River.*

- ALBURY.—At the crossing-place of the Sydney and Melbourne Road over the Murray or Hume River, and the present head of steam navigation of that river.
- HOWLONG.—About 20 miles (by land) below Albury, and the point where Sir Thomas Mitchell crossed the Murray or Hume on his return route from "Australia Felix."
- UNNAMED.—At Corowa or Brocklesby—not yet proclaimed—about 40 miles (by land) below Albury, and nearly opposite to "Wahgunyah," a private town, and "Carlisle," a Government town, in Victoria.
- MULWALA.—Not yet proclaimed—at a ferry over the Murray River, about 62 miles (by land) below Albury, and about the lowest point on the river at which it is supposed that agriculture can be carried on with success.
- MOAMA.—At the principal crossing-place over the Murray River for stock travelling to Victoria, between the confluences—on the opposite or Victoria side of the river—of the Goulburn and Campaspe Rivers with the Murray,—nearly opposite to the Town of "Echuca," in Victoria, on the proposed terminus of the Murray River Railway.
- EUSTON.—About 35 miles (by land) below the confluence of the Murrumbidgee River, and the head-quarters of the Commissioner of Crown Lands of the Lower Darling District.
- MOURQUONG.—At Mount Look-out—about 5 miles above the confluence of the Darling River with the Murray, and which will probably be superseded by a town which it is intended to lay out at that confluence.
- UNNAMED.—At the confluence of the Darling River with the Murray, and where the former river is crossed by the Adelaide Road—not yet laid out.

(2).—*Towns, or proposed Towns, in the Valley of the Murray River, or on its effluents.*

- DENILIKUIN.—On the Edward River, at the crossing-place of the stock tracks from the Northern Districts, by the Lachlan River and Lang's Crossing-place, and by Wagga Wagga and the Yanko Creek.
- MOULAMBIL.—At the junction of the Billabong Creek with the Edward River, about 70 miles westerly from Deniliquin.
- UNNAMED.—At Redbank, on the Gulpa Creek—one of those effluents of the Murray River which form the Edward—about midway between Deniliquin and Moama, and on the main stock track to Victoria—not yet proclaimed.
- UNNAMED.—At the crossing-place of the Sydney and Melbourne Road over the Billabong Creek, about 50 miles on the Sydney side of Albury.

(3).—*Towns, and proposed or intended Towns, on the Murrumbidgee River, below the confluence of the Yass River.*

- GUNDAGAI.—On both sides of the River Murrumbidgee, at the crossing of the Albury and Melbourne Road.

A. G. M'Lean, Esq., JUGIONG.—On the north side of the River Murrumbidgee, near the confluence of the Jugiong Creek with the Murrumbidgee, and about 20 miles (by land) above Gundagai.

16 June, 1858. WAGGA WAGGA.—Almost entirely on the south side of the River Murrumbidgee, about 50 miles (by land) below Gundagai.

UNNAMED.—At the principal crossing-place of the Murrumbidgee River for stock travelling towards Victoria, known as "Lang's Crossing-place," and about 55 miles above the confluence of the Lachlan River—not yet laid out.

BALRANALD.—On the north side of the River Murrumbidgee, about 25 miles above the junction with the Murray.

(4).—*Towns, and proposed or intended Towns, on the Lachlan River, below the confluence of the Belubula River.*

OXLEY.—On the north side of the Lachlan River, about 18 miles above its confluence with the Murrumbidgee River.

UNNAMED.—At Condoblin or Condobolin, on the north side of the River Lachlan, about 260 miles above its junction with the Murrumbidgee, and about 180 miles from Bathurst.

(5).—*Towns, and proposed Towns, in the valley of the Murrumbidgee River, below the confluence of the Yass River.*

TUMUT.—On the Tumut River, at the junction of the Goobarragandra River, about 22 miles from Gundagai, and in the vicinity of the Adelong Creek gold field.

UNNAMED.—At the Adelong Creek gold field, about 11 miles from Tumut—not yet laid out.

BOWNING.—On the Sydney and Melbourne Road, about 8 miles beyond Yass.

BOOKHAM.—On the Sydney and Melbourne Road, about 22 miles beyond Yass.

BINALONG.—On a branch of Jugiong Creek, on a road from Yass to Wagga Wagga, to the north of the Sydney and Melbourne Road, and about 23 miles from Yass.

CUNNINGHAM.—At Cunningham Plains, on the same road as Binalong, and about 14 miles beyond Binalong.

MURRIMBOOLA.—On Cunningham's Creek, on the same road as Binalong and Cunningham, and about 3 miles beyond the latter place—not yet proclaimed.

Town on the Lachlan tributaries.

MURRINGO.—On a road from Binalong to the Lachlan River, and about 30 miles northerly from Binalong.

APPENDIX B.

MEMORANDUM of Lands alienated by the Crown in the Valley of the Murray River, within New South Wales, and in that of the Murrumbidgee River, below the confluence of the Yass River.

ON THE MURRAY AND TRIBUTARIES.

Sold at Auction.

	Acres.
Albury	6,730
Howlong	2,118
Corowa	1,000
Mulwala	465
Moama	157
Moulamein... ..	10
Mourquong	—
Billabong	287
Deniliquin... ..	624
Euston	3
	11,394

ON THE MURRUMBIDGEE AND TRIBUTARIES.

Sold at Auction.

Balranald	13
Oxley... ..	—
Wagga Wagga	2,041
Gundagai	4,517
Tumut	6,172
Jugiong	1,774
Binalong	211
Bowning	81
Bookham	14
	14,823
Total... ..	26,217

PRE-EMPTIVE PURCHASES.

On the Murray and Tributaries	14,270
On the Murrumbidgee and Tributaries	32,690
	46,960
	73,177

NOTE.—The areas of lands sold by auction are taken from the maps of the Surveyor General's Office, on which the result of several sales, the returns of which have not yet come to hand, have not been entered.

The pre-emptive purchase areas embrace all lands which have been measured as pre-emptive purchases, although some have not yet been paid for.

WEDNESDAY,

WEDNESDAY, 23 JUNE, 1858.

Present:—

MR. G. MACLEAY,
MR. W. MACLEAY,MR. SUTTON,
MR. JAMISON.

GEORGE MACLEAY, Esq., IN THE CHAIR.

James Tyson, Esq., called in and examined:—

1. *By the Chairman*: You have been for some time past, and are now, an occupant of Crown Lands in the Murrumbidgee District? Yes. James Tyson, Esq.
2. You have stations, I believe, in the immediate neighbourhood of the River Murray? On the Edward River. 23 June, 1858.
3. Are you at all acquainted with the operations that have been carried on under Captain Cadell in improving the navigation of that river? No; I do not know a great deal about that. These last two or three years I have been up at Moreton Bay; and it is not until these last two or three years that there has been much done in the navigation of these rivers.
4. Have you ever been a passenger by any of the steamers that have gone up and down? No.
5. Have you observed the transit of any of the steamers at any time? Yes, I have.
6. And they appeared to move in the channel without much difficulty? Yes.
7. Do you recollect what was the condition of the river as to the drift timber before Captain Cadell commenced his operations? Yes; I have known the river for a long time.
8. Is there any material difference at this present time in that respect? In those portions that Captain Cadell has been over, he has cut off the dangerous snags and let them into deep water.
9. Has that process considerably facilitated the passage of the steamers? Yes; and especially the Murrumbidgee, where there was much less room to turn.
10. There are no steamers on the Murrumbidgee as yet? No; but there will be some soon.
11. The general opinion is that the Murray River is now safely navigable? Well, for vessels of moderate tonnage it is considered to be pretty safe.
12. There is room for improvement in that respect? Yes.
13. You are aware, I presume, that there is a snag-steamer at work? Yes. As increasing traffic comes it will be desirable to remove a number of impediments that are still in existence on the Murray; but you see most of the captains of these vessels have become acquainted with the different little obstacles, and they guard against them nicely; and especially when the water becomes very low they require to be very cautious in that respect. When the river is high, and there is plenty of water, they have more room and less danger.
14. Have you heard of any accident resulting from the presence of snags? Not lately.
15. Have you been at all upon the banks of the river at the place where the snag-steamer is at work? Not since it has been in operation.
16. But you are aware that there is such an operation going on? Yes.
17. Have you heard any thing as to its working? Just now, before I came away, I was in company with Captain Cadell for a short time, and he told me it was at work and was answering very well indeed—that it was twisting the logs about like nothing at all.
18. Removing them altogether from the channel? Yes.
19. Could the two rivers, the Edward and the Wakool, which run out of the Murray be made navigable by the same process? Well, I think it would take a long time to make them safe to navigate. You see they are very tortuous, and there is a great deal of low ground on either bank, so that when the river rises to a certain height it overflows, and, therefore, there is not as big a channel in comparison to the quantity of water sent down as what there would be in the Murray, because there is not so much flooded ground on the Murray. The stream of the Edward is scarcely ever great, except in one spot, and that is at Deniliquin.
20. There is not sufficient current to carry away the drift timber, which consequently accumulates there in a greater quantities than in the main river? Yes. Instead of the water washing a sufficient gut for itself, its volume is lost over the country; and timber is growing over the low ground. In many places along the Edward the timber is growing right across the river. In high floods there is no doubt it could be navigated, but I do not think it could be made safely navigable, except at a great outlay.
21. From the character of the land along the Wakool and the Edward, would it be worth while to undergo that outlay? I would scarcely think it was. I am sure it would be a great expense. Instead of the water making a gut sufficiently large for itself, its force is lost in the neighbouring country. It is invariably either on the one side or on the other. Where the salt-bush plain comes in on one side of the river the opposite is always inundated.
22. There is a great deal of alluvial land on the banks of both those rivers, is there not? Yes, but poor.
23. Is it at all fitted for agriculture, or would the climate admit of its being cultivated for any useful purpose? No. We have tried for these last two years that we have been settled at the Deniliquin—three years now, nearly—we have tried to grow a little vegetables in the garden—potatoes amongst other things; but during the last twelve months we have had to send down to Melbourne for potatoes, at sixpence per pound: Wheat, barley, and oats will grow to a certain height, and then the summer's sun is so scorching that it turns it all white in about twenty-four hours.
24. The heat of the early summer and the hot winds blast all vegetation? Yes. In the course of one day you would not know the field again.
25. Then, in your opinion, that country must remain a pastoral country? I am satisfied of it.
26. Do you think any system of irrigation would correct that effect of the temperature? No, I do not think it would. The summer's sun is such that it would never affect it, and the quality of the land is not good enough. The higher you go up, the richer the country is.

James Tyson, Esq. is. All the cream of the deposit by the waters is left long before they come into this level country.

23 June, 1858. 27. That country then being exclusively a pastoral country, you do not think it worth while to go to the expense of clearing the channels of these two rivers? No, I do not.

28. It would not pay? I feel satisfied it would not. Except the Edward be high, it is a wood. The trees are growing right across it in many places where there are shoals.

29. But the Murray River, as it runs through an enormous extent of country, and is the means of communication with the rich mountain country, would amply repay any moderate expenditure incurred in the clearing of its channel? Yes; I think so. It is quite different altogether. There is a large quantity of water in the river.

30. Do you think that the rendering of that river thoroughly navigable would tend to the creation of townships upon its banks? The Murray?

31. Yes? Well, to a certain extent—to a limited extent—where it is fitted for cultivation; but it never can support a large population where the country is not fit for cultivation.

32. You think the banks of the Murray unfit for cultivation until you reach the mountain country? They are unfit for cultivation. They may be cultivated as far down as the junction of the Loddon, but only in patches, below Mulwala.

33. By Mr. W. Macleay: That is below Maiden's Punt? Below Maiden's Punt.

34. By Mr. G. Macleay: And below that? The country becomes barren, and the mallee comes in.

35. Do you think the banks of the Murray between Albury and the Campaspie could be cultivated? I think they could. But then, at the same time, as you go from Albury the ground becomes worse as you come down all the way until you get to the junction of the Loddon; but the streams of the Loddon and Campaspie bring a sort of fertility which is then lost again.

36. But is it not more attributable to the intensely hot weather in early summer than to the want of fertility in the soil that the banks of the river are not available for agricultural purposes? I look upon it as the two combined. If you dig in the salt-bush plains, or in the neighbourhood, the soil is very thin, and the clay is very, very hard, and if you go further down there are large cracks in the ground. There is never sufficient rain to go any distance into the ground.

37. The rains are pretty regular—the rains are abundant every winter, are they not? Light rains.

38. Have you seen wheat grown in that country? I have seen it grown, but not to perfection. I have seen it grown and fail, repeatedly.

39. On the sand hills? I have never seen it grown on the sand hills. I have seen it all get as white as these walls in a few hours.

40. Do you think that land will ever be bought up for cultivation? I think it is likely the sand hills will be bought up as required for growing hay for the consumption of the district.

41. But not for the purpose of growing grain? Oh! no.

42. It will be much cheaper for parties either to bring up flour from Adelaide or to have it brought from Albury? It would not pay to compete with those in a better neighbourhood.

43. But when the river is made completely navigable, an improved state of things will be brought about, I presume; and as townships are formed this land will be taken up, to a certain extent, for the purposes of agriculture, in the immediate neighbourhood of the towns? Yes, I think so; the sandy ground will sell.

44. You are very well acquainted with the Murrumbidgee country, I think? Very well.

45. And with the general aspect of the Murrumbidgee River? Yes.

46. Is that river as susceptible of improvement as the Murray? I think the Murrumbidgee is navigable; I always thought so.

47. Are you aware that operations have already been commenced upon that river by Captain Cadell? Yes.

48. Have you had an opportunity of observing what has been done? I have not.

49. Have you heard of what has been done there? I heard my brother say that they were clearing the river by cutting the snags, and leading them into deep water, and that they reckoned on coming up this winter with the steamer.

50. Do you think that system of cutting off the tops of the snags, and throwing them to the bottom of the river, will answer there? I think it will.

51. The channel of the river being deep? They take them away from the shallows, and throw them into deep water. They should be particular in that, or they might do damage.

52. The floods are periodical, are they not, in that river? Mostly.

53. So that about from four to six months every year you might calculate upon that river being navigable? I do not think every year. I have known the Murrumbidgee to be two years with scarcely a fresh in it.

54. Two years, summer and winter, consecutively? Yes.

55. When was that? I think at the time of the three years' drought, just before the year of Black Thursday. In 1851 it was very dry.

56. And it was immediately followed by that terrific flood? Yes, in February, 1851.

57. Do you think it is worth while, Mr. Tyson, to go to any amount of expenditure in clearing the Murrumbidgee? Well, Sir, I think that the Murrumbidgee is navigable all the way to Gundagai.

58. Would it be worth while to expend £10,000 upon it to render it as navigable as the Murray is at the present time? Well, I think that it would.

59. The enhancement of the value of the land on its banks would, in your opinion, amply repay the Government, without taking into consideration the advantages that would accrue to the resident population? I think it would be a great public benefit, and the expenditure would be a wise one.

60. You are aware that there is a great deal of fertile land down the river as far as Wagga Wagga,

- Wagga, and indeed to a distance below that,—do you think that land would come more rapidly into the market if that river was made navigable? Yes, I do.
61. Some hundreds of thousands of acres? Some hundreds of thousands—some millions of acres. It is the finest land in the country, and the most of it together.
62. And that would be brought into the market very many years earlier than it otherwise would, by its being approachable by means of the river? Such is my opinion.
63. Do you know anything of the country between the Murrumbidgee and the Lachlan? Yes, I know it well.
64. Some of that country is still unoccupied, I believe? There are portions of the plain here and there unoccupied, but most of the best of it is taken up.
65. Do you know anything of the country between the Lachlan and the Darling? Yes.
66. A considerable portion of that country is still unoccupied? Still unoccupied.
67. It is well adapted for stock, I believe? It is well adapted for stock.
68. But void of water? Yes, and not calculated to carry many stock in proportion to its number of acres. It would not bear to be heavily stocked; it is thinly grassed.
69. But that was very much the character of the whole of the western country before it was occupied? The open country between the Murray and the Murrumbidgee, and the Murrumbidgee and the Lachlan, has improved very much by the fact of its being occupied by stock? Yes. That is the case.
70. The grass has become thereby very much thickened? Yes.
71. And the same improvement would probably take place in the country of which we are now speaking? Yes; but the entire country is quite different; it is covered with what we call the dwarf salt-bush—a little salt-bush that never grows in the neighbourhood of a thickly grassed country. The character of the country is entirely changed when you get down to the low salt-bush country.
72. But still this particular kind of salt-bush is well fitted for fattening purposes? Yes.
73. And herbage springs up, whenever there is a shower of rain, which has fattening qualities? Yes, it fattens stock rapidly.
74. That country would be occupied if it possessed water? Yes.
75. And a large amount of fat stock might be sent from that country to the markets of Sydney, Melbourne, and Adelaide? Yes.
76. There are many millions of acres in that district? There is a very great tract of country which could be rendered available if there was water.
77. Do you think that water could be collected there by means of tanks or dams? No, Sir, I do not think it can. The light rains that fall are very soon absorbed, and there are no creeks. There is nothing in the features of the country which could warrant such a supposition.
78. No hollows which could be dammed up? No; not until you get into the dividing country between the Lachlan and the Darling. There is a ridge which ends as it runs into the plains. In that neighbourhood there are creeks and hollows, but you see they are so sandy that whenever the water comes it is absorbed in these beds of sand. There are little creeks leading from the ranges, but it would appear that there are no water-holes to keep the water in. It is all sand.
79. Is there no clay? Not there, where the water comes.
80. Then it is your opinion that neither tanks nor dams could be formed there with advantage? It is my opinion.
81. Do you think there would be any chance of getting water by sinking wells? I think if there is any mode of getting water it must be by artesian wells.
82. Do you understand the principle of artesian wells? Not well.
83. *By Mr. Suttor*: You have travelled on the Darling? I have been down the Darling.
84. You can form an opinion as to whether the main Darling would be navigable? I can form a pretty good opinion of it. It is navigable periodically—when the river is flooded.
85. *By the Chairman*: The floods there are not regular? Very irregular.
86. The Darling is not fed, as the Murray and the Murrumbidgee are, by melted snow in the mountains? No: it runs through a level country; there are no tributary streams, and the major part of it is absorbed in lakes and lagoons, about the flood country, before it gets to the Murray. There are many large tributaries above that I could name, thrice larger than the Darling where it joins the Murray: That is to say, some 400 or 500 miles up, the tributaries are thrice larger than the Darling where it joins the Murray.
87. The Darling never runs dry? It has always water-holes.
88. These water-holes are continuous? There is always water in the bends or angles.
89. That will, I presume, be the great route for the drovers who bring stock from the northward to Melbourne? I think so, eventually.
90. *By Mr. Suttor*: What part of this country between the Lachlan and the Darling is it that you have been over? A great deal of it.
91. The lower part? Yes.
92. You have not been higher up from Wallondra? No.
93. *By the Chairman*: You have been for some years past taking stock to Melbourne from different parts of New South Wales, I believe? Yes.
94. Can you form any opinion as to the quantity of sheep and cattle taken there annually, in round numbers? I confess I could not tell, only from report. I have never kept any note of it. I never had sufficient interest to take note so as to speak of my own personal knowledge.
95. Unfortunately no account has been kept by any person; but what should you imagine the number of sheep and the number of cattle conveyed in the course of twelve months—of fat and store? I am not aware.
96. With reference to country between the Lachlan and the Darling which it is so desirable should be occupied, do you think it would tend to its occupation if the Government were to

- Jamés Tyson, Esq.
23 June, 1858.
- remit all license fees, and all assessment, for a certain number of years, to the people settling on it, on condition of occupation, of course,—this they could not do without getting water in some way themselves? Yes, I do think so, because, I will tell you why: if people could look upon the matter in this way:—if they were sure that there would be permanency of tenure—if they could make sure of their holdings—they would be induced to lay out considerable sums of money to render the country available and find water. They must either bore for it, or in certain localities they might get places where, by great outlay, they could make available the surface water.
97. The occupation of that country would tend very much to increase the national wealth? I think so.
98. It is equal to about one-third of the territory of New South Wales? Yes; and there is a great deal of very good country that is now waste.
99. That country is safe from inundation—not likely to be inundated? It is quite dry.
100. *By Mr. Jamison*: Have you heard of any lakes in that tract of country between the Darling and the Lachlan? Yes; there are several very large lakes—dry lakes.
101. *By the Chairman*: Only filled when the river is very high? They have been filled at some time or other. There is one twenty miles across and about sixty miles round.
102. *By Mr. Jamison*: Have you not heard from the blacks that there are still such lakes? Yes; but you know you must not rely too much upon what they say, because they will say very often anything to please you.
103. You are aware that there are large numbers of blacks coming in at certain seasons of the year? Not in large numbers: the blacks do come in at certain seasons.

Francis Anthony Gwynne, Esq., called in and examined:—

- F.A. Gwynne, Esq.
23 June, 1858.
1. *By the Chairman*: You have been for some time, and still are, an occupant of Crown Lands in the Murrumbidgee District? Since 1842.
2. Have you had an opportunity of seeing what Captain Cadell has been doing upon the Murray? I have not had an opportunity of observing what he has cleared as yet. I have seen parts of it, and I have heard a great deal about it.
3. You are aware that for some time his operations were confined to cutting off, by means of saws, the tops of the snags, and rolling them to the bottom of the stream? Yes.
4. But that latterly he has had a snag-steamer at work? He has had a snag-steamer for the last three months.
5. By which he proposes to remove the snags? Yes; and toss them on to the banks.
6. Was the navigation of the river facilitated by the first operation? I believe so—very much.
7. Do you think the money expended on that operation was well bestowed? I think so—very well bestowed.
8. Have you been a passenger in many of the steamers? Only a short distance—from Echuca to Moama.
9. Was that when the river was very high? No; about half bank high.
10. Did you meet with any difficulty on the passage? None at all.
11. Do you yourself receive your supplies by the steamers? Indirectly I do. I get them from Deniliquin or Echuca, from which the greater portion of them comes from Adelaide.
12. By far the greater number on the banks of the Murray are supplied by the steamers? Lower down they are, but I think that in the neighbourhood of Echuca they are supplied from Melbourne—with the exception of flour, tobacco, and sugar.
13. If the supplies were equally good in quality as those obtained from Melbourne, and could be delivered at the same cost, I presume they would prefer to receive them by the steamers, inasmuch as they would be left at their doors? No doubt of it.
14. The provisions, up to the present time, have not been of the first quality? They have been of an inferior quality. In the first instance they sent all the rubbish they had in their stores.
15. That evil, I presume, will be prevented by competition? No doubt of it.
16. It is proposed by the Melbourne Government to have a railway to Echuca, is it not? It is.
17. Will the wool from that part of the country be sent down by railway to Melbourne, rather than by water? I have no doubt it will go down to Melbourne—the prices there are so much better generally.
18. What is the rate charged now per ton from Echuca to the Goolwa? I believe it is £7 or £8 per ton.
19. Do you think it could be carried as cheap by railway from Echuca? I believe far cheaper; but I believe also that they might carry it very much cheaper down to Goolwa.
20. Have you heard any sum less than that named as likely to pay the Companies? I have heard that it would pay at £5.
21. But that would be more than is likely to be charged for transit by railway? No doubt of it.
22. Then, again, when it goes by rail to Melbourne it is at once conveyed to the port, whereas by the other route there is all the annoyance and danger of transit overland—shifting and so forth? Yes.
23. Having the probability of this railway being perfected in view, do you think it is well to go on with further operations for facilitating the navigation of the River Murray? I think so, more than ever.
24. Inasmuch as the Murray will then be made a feeder of the railway? Yes.
25. Those on the banks, above and below, would take advantage of the river to convey their goods to the terminus of the railway? No doubt about it.
26. Would the Colony of New South Wales, in that case, benefit in any degree? I think, indirectly

indirectly it would benefit. It would not benefit so much as Victoria would; but still it F.A. Gwynne, Esq. would no doubt benefit, in the enhancement of the value of the land along the banks of the river very much.

27. Under such a state of things—the facility of access to Melbourne, and the easy approach to the terminus, owing to the river being made navigable—land would become much more valuable on the banks of the river, above and below? No doubt of it; and I have also to remark, that there are large quantities of goods which people never think it worth while saving on account of the great expense of carriage which would then be saved on every station.

28. The wealth of the squatters would thereby be increased, and they would be much more likely to become purchasers of land? I have no doubt of it.

29. All the country, I presume, on the New South Wales side of the river, in the neighbourhood of Echuca, would at once be sought for? I have no doubt of it.

30. If the river could be made navigable, townships would arise at particular spots? No doubt.

31. The townships at present existing on the banks of the river, and of the Wakool and Edward, are thriving, are they not? Some of them are thriving in an extraordinary degree.

32. You are well acquainted with Deniliquin, I presume? Very well acquainted.

33. That is a most thriving place? A wonderfully thriving place for the short time it has been in existence, and considering that it is not an agricultural country.

34. There are two branch banks there, I believe? Only one at present; but it is in contemplation to have a local bank there.

35. Very large quantities of stock pass through Deniliquin? Immense quantities.

36. The fact is, it is becoming an entrepôt for the sale of stock—the dealers go there from Melbourne to purchase? I have no doubt that will be the great exchange mart for the whole of the southward.

37. Do you think, from the character of the soil and of the climate, that the Murray District will ever become an agricultural country? Never purely agricultural. Hay may be grown; but I think that wheat can never be grown, except in favored spots.

38. The harvest will be so uncertain that it would always be better worth the while of the residents to have their flour from either Adelaide or Albury, I presume? There can be no doubt of it.

39. Would a system of irrigation produce any difference, do you think, in that respect? I have no doubt it would produce a great difference, and that anything may be grown; but it will be a long time before labor will be sufficiently reasonable.

40. It would not, in fact, pay for many years to come; until, in fact, population becomes very dense? Just so.

41. Are you at all acquainted with the Murrumbidgee country? Yes, pretty well acquainted.

42. The Lower Murrumbidgee is very much of the same character of country as the Lower Murray? Very similar.

43. And the remarks made in reference to the Murray would apply also to the Murrumbidgee? Yes.

44. Have you paid any attention to the character of the channel of the River Murrumbidgee? I have, in cases where I have been on it. I have always paid attention to it.

45. Is that susceptible of improvement as well as that of the Murray? I think quite as much.

46. The drift timber is not quite so abundant as in the Murray? I would say it is not quite so large in the Lower Murrumbidgee.

47. Is it desirable, do you think, to go to any expense in clearing the River Murrumbidgee? I can have no doubt of it; it would be very desirable.

48. £1,000 has already been expended, and for £2,000 more Captain Cadell thinks he could clear the river by sawing off the snags, in the way to which you have already adverted, as far as Wagga Wagga—would it be worth while to expend that sum of £2,000? I should certainly think it would.

49. An enormous quantity of land would be likely to be brought into the market? No doubt of it; and instead of getting your flour brought up from Adelaide, you would be more likely to get it from Wagga Wagga.

50. The Lower Murrumbidgee would be supplied from New South Wales, and not from Adelaide, with bread stuffs? Yes.

51. Do you know anything of the Darling River? No, not personally.

52. The Wakool and Edward you are acquainted with? I am well acquainted with them.

53. Do you think it necessary to go to any expense in clearing those two rivers? The Edward, I think, at a comparatively small expense, could be made navigable up to Deniliquin for four or five months every year, on an average. The Wakool is every year navigable as far as Poonoon.

54. Steamers have constantly gone up there? Yes.

55. Nothing is sent from those two rivers but wool and a small quantity of hides? Nothing.

56. By far the greatest amount of stores sent up the River Murray by steam are for the gold fields? They are.

57. You are aware, I presume, that the gold fields on the Tumut River are rapidly becoming developed? I was very lately up there, and I was a great deal about, but I did not visit them. I saw a great many people going to them.

58. Supplies would be sent up the Murrumbidgee, I presume, if that river were made navigable, to the Tumut gold fields? Yes, I have no doubt, as far as Wagga Wagga.

59. By Mr. W. Macleay: Or Gundagai? Or Gundagai.

60. By the Chairman: And they could be conveyed at a much cheaper rate by water than overland from Sydney? There is no doubt of it.

61. And that cheapness of supplies would tend very much to the development of those fields?

F.A. Gwynne, Esq. fields? No doubt; and it would enable people as passengers to go a long way. I have no doubt in that way it would tend in a great measure to the development of the gold fields.

62. It must be always an advantage to the gold fields if provisions could be sent there at a moderate rate? Yes.

23 June, 1858. 63. You are aware that the snag-steamer employed upon the Murray has been built, and its operations are now being carried on, at the expense of the South Australian Government? I am aware of that.

64. You may be aware, also, having been in communication lately with Captain Cadell, that it is working well, and that upon calculation the steamer is clearing at the rate of 50 miles of river in a year? I have no doubt of it, from what I heard from others.

65. From the Goolwa to Albury, the distance is about 1,900 miles, I believe? I believe it is.

66. So that it would take thirty-eight years, at that rate, for this one snag-steamer to clear the river in a perfect manner? I think this is more the upper part of the Murray than the lower part of the Murray. From what I heard, there is comparatively little clearing necessary in the lower Murray, to render it navigable, with the snag-steamer.

67. Well, at any rate it will take a great number of years? No doubt of it.

68. Would it be worth while, do you think, for New South Wales to go to a similar expense as that incurred by South Australia, namely £10,000, to put another snag-steamer at work upon the river? No question.

69. You think that money would be well expended? I think it would be well expended.

70. In consideration of the large quantity of land that will be brought into the market, and the general advantage of the inhabitants upon its banks? No doubt.

71. Are you at all acquainted, Mr. Gwynne, with the country between the Lachlan and the Darling—have you been across the country? I have been several times across.

72. At what distance from the junction of the Darling and the Murray? Oh! I am not acquainted with the intermediate country between the Lachlan and the Darling.

1858.

SEPARATE APPENDIX.

B.

Creswick,

15 January, 1858.

GENTLEMEN,

I beg to acknowledge the receipt of your favor of the 9th instant, making inquiries, on behalf of Mr. Williams, of your Sydney house, relating to the removal of snags from river beds. I am not aware that there are any Americans in the country who have had much experience in the business. My brothers and myself are somewhat familiar with the machinery used for the purpose on the Mississippi and its tributaries, although we have not had much experience in its actual working. The snag-boats used on the larger rivers are generally constructed with a double hull, connected fore and aft, leaving a space of some feet in the middle between the hulls; over this space is a drum, or windlass, around which the chains are worked; the boat is floated over the snag to be operated upon, so that it will appear in the open space; the chains are then made fast to the snag, and the windlass set in motion, when the hitching point of the snag is wound up to the windlass; if it is not detached from its bed it is cut off, and another hitch taken lower down, and so on, until it is all removed, or as much of it as is required. Steam power is generally used for working the windlass on the larger rivers; on the narrow rivers the snags are frequently drawn from the shore, without the use of a snag-boat, by various kinds of machinery. I believe the most efficient machine for this purpose is one recently invented, within a few years, for extracting trees and stumps from the ground; it is an adaptation of the lever principle, and is peculiarly fitted for removing snags from narrow rivers, on account of its simplicity, cheapness, the great power derived from it, and the readiness with which it can be moved from point to point. We have had one of them in use in this Colony recently in pulling up trees and stumps. You will get an idea of its power and efficiency, when I state that three men will draw any tree in the Colony entirely out of the ground, by the roots, in the space of half an hour with it. In any river where the snags would not be more than fifty or one hundred yards from the banks, I have no doubt but it would be more efficient than any other process; it could be worked by five or six men, with no other power, and would only require a small boat to attend it. This principle could also be used on a snag-boat in wide rivers, if it was desirable to avoid the expense of steam machinery. If I should meet with any person who has had much experience in the business I will not fail to inform you. In the meantime, I will be most happy to furnish Mr. Williams any further information on the subject I can.

I am, &c.,

C. L. EATON.

MESSRS. WILKINSON BROTHERS, & Co.,
Collins-street, Melbourne.

C.

THE MURRAY SNAG-BOAT.

The following report of a survey held on the steam snag-boat constructed by Mr. Cadell, for clearing the Murray, furnished to the Commissioner of Public Works by Mr. John Hart, while Treasurer, has been placed in our hands for publication:—

"Treasurer's Office, Adelaide,
23 April, 1858.

"Sir,

"In compliance with the request contained in your letter of the 30th ult., that I should visit Echuca, and hold a survey on the steam snag-boat that had been constructed for the South Australian Government, I have the honor to report that, accompanied by Captain Cadell, I left Melbourne on the 7th instant, and arrived at Echuca on the evening of the 9th.

"On the morning of the 10th I made a minute examination of the 'Grappler,' and report that she is completed and fit for service. At noon, in order to test her power and efficiency, steam was got up, and the vessel proceeded against the stream at the rate of three miles per hour; and when abreast of the township several large snags were removed from the channel with great ease and rapidity, and were landed on the bank. Judging from this trial I consider the vessel, in her model and fittings, well adapted for the purpose designed.

"The 'Grappler' is 80 feet long on deck, 26 feet beam in the widest part within the sponsons, with a depth of 6 feet 6 inches, and is propelled by paddle-wheels of 13 feet 6 inches diameter. She is fitted with two 15-horse power horizontal engines, by Napier of Sydney, which work smoothly and satisfactorily. Gearing for the lifting power is by means of leathern straps. She is fitted with three large substantial davits, each with a three-fold purchase, and has a powerful crane, with a beam of 27 feet long, capable of swinging snags of any weight high on the bank of the river. The scantling of the hull of the vessel is of red gum, of superior quality, and the planking of the sides is of New Zealand and American pine, of 2½-inch thickness. She is flat-bottomed, and will probably draw a little over 2 feet water when her stores are on board. She appears to have been well put together. She has ample space for the comfortable accommodation of the crew and officers. The only objection made was, that I considered the number and dimensions of the beams were not, in proportion, equal to the other scantling; and the only suggestions I offered to Captain Cadell were, that an extra beam should be placed at the after part of the paddle-boxes, and that, as there was no inside lining, the floor should be lined in the way of the crew's quarters to prevent injury to the outer planking.

"After the survey and trial of the boat, I proceeded to examine, with Captain Cadell, the papers relative to the cost of building; but as the whole of the accounts and vouchers had not been furnished I could only arrive at an approximation of the cost of construction. The vouched accounts were as follows:—

Oct. 22.	Account No. 1	...	...	...	£1,459	9	7
	Account No. 2	...	...	...	1,238	9	5
Feb. 26.	Account No. 3	...	...	...	1,569	9	6
	Vouched, but not yet forwarded to Commissioner,						
	(Account No. 4)	...	...	...	1,799	18	11
	Accounts not rendered (say)	...	...	...	500	0	0
					<hr/>		
					£6,567		
					7		
					5		

"To this sum has to be added the charge of Captain Cadell for superintendence.

"The vessel will therefore cost the Government about £7,000, which sum, considering the high rate of labour at Echuca, and that so large a portion of the building material and the whole of the machinery have been carted 170 miles from Melbourne, is not in excess of what might have been expected.

"In conformity with the other instructions contained in your letter, I conferred with Captain Cadell in reference to his suggestions for the future employment of the vessel. In the course of conversation, Captain Cadell informed me that he did not propose taking any action in, or continuous superintendence of, the workings. He showed me the correspondence between himself and the Commissioner, Mr. Davenport, by which it appeared that a scheme had been proposed for building, at an estimated cost of £20,000 three steam snag-boats, at the joint expense of the three Colonies of New South Wales, Victoria, and South Australia. They were to be constructed under the superintendence of Captain Cadell, and to be employed under his management, for the general improvement of the navigation of the river. For his services he was to receive £250 per annum, and an allowance of £100 for travelling expenses from each Government. That the other Governments have not fallen into the scheme for building the boats you are aware.

"The question as to where the South Australian boat is to be employed will, I presume, depend on whether or not the other Colonies join in the working expenses now to be incurred; and I should have recommended Captain Cadell, under all the circumstances, to suspend the working until he could communicate with this Government on the subject; but unfortunately the crew had for the most part been shipped under written agreements for various periods, as set forth in the enclosed list. I thought it more advisable, therefore, not to interfere with the existing arrangements.

"The comparative uselessness of South Australia attempting single-handed to clear the navigation of the river to the extent required is apparent; and as the greater portion of the work to be accomplished is within the territories of the other Colonies, I have but little doubt that they would in a spirit of fairness, if applied to, join in what must be considered a great Australian undertaking, or otherwise this Colony will have to bear the whole expense to be incurred in the employment of Captain Cadell, or some other equally competent person

as Superintendent or Surveyor, without which there can be no satisfactory supervision over the working of the boat, and no control exercised over the monthly expenditure that must necessarily be disbursed in cash by the Master.

"The Honorable
The Commissioner of Public Works."
—*Adelaide Register*.

"I have, &c.,
"JOHN HART,
Treasurer.

D.
GUNDAGAI.
[BY ELECTRIC TELEGRAPH.]

Thursday, half-past 10 a.m.

The steamer "Albury," of Captain Cadell's line of steamers, arrived here about half an hour since. She will start for South Australia at dawn to-morrow.

Thursday, half-past 4, p.m.

Since my telegram this morning I have obtained the following particulars from Capt. F. Cadell:—

NAVIGATION OF THE MURRUMBIDGEE.

Captain F. Cadell has much pleasure in notifying the arrival of the steamer "Albury" at 10 a.m. this morning at the head of the navigation of the Murrumbidgee, and expresses his sincere hope that the introduction of steam on its waters will exercise the same stimulating effect in causing New South Wales to extend her southern line of railway to the Murrumbidgee, as the navigation of the Murray had in the projection by Victoria of the Mount Alexander and Murray River Railway. The following is an extract from the log of the "Albury," commanded by Captain Johnson:—Left Alexandria on 12th August, with the barges "Wakool," "Eureka," and "Mitta Mitta," in tow; arrived at Moorundee on 13th, at Darling junction on 21st, Murrumbidgee junction on 27th August; cast off the "Eureka." Arrived at Balranald on 28th, Nicola and Pike on 30th August; cast off the "Mitta Mitta." Arrived at Lachlan station on 1st and Lang station on 4th September; cast off the "Wakool." Arrived at Yanko on 10th, and Wagga Wagga on 13th September. Left Wagga Wagga on 14th, and arrived at Gundagai on 16th. Thus having steamed more than (2,000) two thousand miles, and discharged at stations two hundred tons of cargo, in (329) three hundred and twenty-nine hours!

E.

The following Table of the distances of several places on the Murray from each other, which has been compiled with some trouble, is from the "South Australian Register."

COMPARATIVE TABLE of Distances of most remarkable places along the Murray, from the Goolwa to Albury.—Compiled October, 1856.

Distance— Place to Place.	Distance from			
	Goolwa.	Darling.	Maiden's.	Albury.
The Goolwa .....	.....	648	1,368	1,754
Point Sturt	17	631	1,341	1,737
Point Pommonde	45	606	1,316	1,712
Wellington	6	48	600	1,310
Reedy Creek	80	128	620	1,230
Moorundee	70	128	450	1,160
N. W. Bend	55	233	395	1,105
Overland Corner	110	363	285	995
Paringa	85	448	200	910
Chowilla (Boundary)	45	493	155	865
Do. (McKinley's)	70	563	85	795
Moorna (Lyons')	50	613	35	745
The Darling River	35	648	.....	710
Mildura	50	698	50	660
Do. (McGrath's)	46	744	96	614
Euston (Punt)	104	848	200	510
McElmah	28	876	228	482
Murrumbidgee	32	908	260	460
Windomal	25	933	285	425
Wakool River	15	946	300	410
Coghill's	46	994	364	346
Swan Hill	94	1,088	440	270
Goon (Capel's)	74	1,162	614	196
Paracouta (Bagot's)	150	1,312	664	46
Maiden's Punt	46	1,368	710	.....
Goulburn River	20	1,378	730	20
Lake Moira	18	1,396	748	38
Edward River (Junction)	15	1,411	763	53
Yerluma	24	1,435	787	77
Cobram	90	1,525	877	167
Mulwala Punt	50	1,575	927	217
Ovens River (Junction)	24	1,599	951	241
Collindina (Robert Brown's)	15	1,614	966	259
Forrd's (best route to Beechworth)	40	1,654	1,006	296
Howlong	40	1,694	1,046	336
Jinjindra	36	1,730	1,082	372
Albury	24	1,754	1,106	396

F.

F.

(Vide also "Appendix to evidence given by Captain F. Cadell, on 20 November, 1857.")

No. 1.

RETURN of Goods Imported into Belvoir, Victoria, during the Quarter ended March 31, 1857.

Agricultural Implements, 23 packages.....	£400	0	0
Apparel and Slops, 3 packages.....	30	0	0
Beer, &c.—Bottled, 172 gallons	115	0	0
Draught, 1,050 gallons	522	0	0
Bran, 8,149 bushels	1,219	14	0
Bread and Biscuit, 9 cwt.....	72	0	0
Bricks, 2,000.....	8	0	0
Butter and Cheese, 157 cwt. 2 qrs.	1,745	2	0
Candles, 6 packages	16	10	0
Coffee, 168 lbs.	15	14	0
Confectionary and Preserves, 3 packages	54	10	0
Cordage, &c., 1 cwt.	10	0	0
Drapery, 26 packages	973	0	0
Earthenware, 1 package	22	0	0
Eggs, 830 dozen	209	11	0
Fish, Fresh, 1,034 lbs.	68	6	0
Flour, 237 tons 14 cwt.	11,500	10	0
Fruit—Green, 28 tons 10 cwt. 3 qrs.	2,757	0	0
Dried, 3 cwt.	26	16	0
Furniture, 39 packages	700	0	0
Grain—Barley, 32 bushels	30	0	0
Maize, 687 bushels	590	0	0
Oats, 1,089 bushels	827	14	0
Wheat, 618 bushels	497	0	0
Grindstones, 6	12	0	0
Haberdashery, 5 packages.....	40	0	0
Hardware and Ironmongery, 8 packages	50	0	0
Hay, 126 tons 15 cwt.	3,430	10	0
Hides—Green, 90.....	30	0	0
Iron Bar, 11 cwt.	31	0	0
Leather, Boots, 4 packages	160	0	0
Lime, 700 bushels.....	202	10	0
Live Stock—Horses, 2,482	49,052	0	0
Horned Cattle, 13,812.....	80,636	0	0
Sheep, 29,300	22,889	0	0
Pigs, 238	1,034	0	0
Fowls, 1,007.....	441	10	0
Machinery, 5 packages	120	0	0
Miscellaneous, 2 packages.....	42	0	0
Oatmeal, 2 cwt	6	0	0
Oil, 24 gallons	20	0	0
Oilmen's Stores, 17 cases	69	0	0
Pipes (tobacco) 1 case	5	0	0
Potatoes, 46 tons	1,094	6	0
Provisions (salt) 163 cwt	1,500	16	0
Saddlery, 2 cases	123	10	0
Salt, 74 cwt.	121	0	0
Soap, 21 cwt.	71	0	0
Spices, 1 cwt. 2 qrs.	19	12	0
Spirits—Brandy, 474 gallons	687	0	0
Rum, 126 gallons	133	0	0
Gin, 172 gallons.....	213	0	0
Whiskey, 20 gallons	30	0	0
Cordials, 10 gallons	20	0	0
Stationery, 1 case	14	0	0
Sugar, 4 tons 19 cwt. 3 qrs.	334	16	0
Tea, 3,984 lbs.	380	0	0
Timber—Sawn, 850 feet ..	12	0	0
Split ..	52	16	0
Tinware, 2 cases	4	0	0
Tobacco, 126 lbs.	31	10	0
Tools and Utensils, 9 packages.....	95	0	0
Vegetables, 101 tons 9 cwt.	25	11	6
Vinegar, 120 gallons.....	60	0	0
Wine, 217 gallons.....	220	0	0
Wool, 34,720 lbs	1,876	0	0
	£190,315	9	0

Total Imports for Quarter ended 31st March, 1857.

No. 2.

RETURN of Articles Imported into Belvoir, Victoria, during the Quarter ended
June 30, 1857.

Agricultural Implements, 39 packages	£865	0	0
Apparel and Slops, 15 packages	458	0	0
Arms and Ammunition—Shot, 2 cwt	11	4	0
Beer, bottled, 40 gallons	26	0	0
Bran, 7,427 bushels	1,265	19	0
Butter and Cheese, 304 cwt. 2 qrs.	3,078	12	0
Building Materials	520	12	0
Candles, 2 packages	11	4	0
Coffee and Chicory, 336 lbs.	22	4	0
Confectionary and Preserves, 12 cwt.	151	0	0
Drapery, 23 packages	770	0	0
Earthenware, 2 packages	60	0	0
Eggs, 1,834 dozen	478	16	0
Fish, dried, 2 cwt.	11	4	0
Flour, 492 tons 12 cwt.	21,101	0	0
Fruit, dried, 14 cwt. ..	107	4	0
green, 933 cwt.	4,336	12	0
Fruit trees, 4 packages	50	0	0
Furniture, 57 packages	795	0	0
Gold, 8 ounces	30	0	0
Grain—Barley, 320 bushels	253	15	0
Maize, 1,005 bushels	806	10	0
Oats, 1359 bushels	1,071	0	0
Wheat, 982 bushels	807	15	0
Rice, 6 cwt. 2 qrs.	24	0	0
Hardware and Ironmongery, 12 packages	240	0	0
Hay, 156 tons 9 cwt.	4,940	0	0
Iron Bar, 3 cwt 1 qr.	12	0	0
Jewellery and Plate, 5 cases	350	0	0
Leather, Boots, &c., 15 packages	585	0	0
Live Stock—Horned Cattle, 18,079	127,057	0	0
Horses, 2,603	57,797	0	0
Sheep, 43,451	39,651	15	0
Pigs, 705	2,925	0	0
Fowls, &c., 1819	794	0	0
Miscellaneous, 3 packages	65	0	0
Musical Instruments, 1 case	100	0	0
Nails, 2 cwt.	11	4	0
Oatmeal, 160 cwt.	480	0	0
Oilmen's Stores, 18 cases	84	0	0
Paints, Varnish, &c., 4 cwt.	54	16	0
Plants and Seeds, 2 cwt.	22	8	0
Potatoes, 368 tons 11 cwt.	12,496	10	0
Provisions, salt, 16 tons 11 cwt.	2,805	12	0
Salt, 22 cwt.	34	0	0
Soap, 23 cwt.	81	0	0
Soda, 2 cwt.	11	4	0
Stationery and Books, 1 package	30	0	0
Starch, Blue, &c., 3 cwt.	16	16	0
Spirits—Brandy, 223 gallons	334	10	0
Gin, 68 gallons	81	0	0
Rum, 63 gallons	63	0	0
Whiskey, 85 gallons	122	10	0
Sugar, 108 cwt. 2 qrs.	427	0	0
Tea, 4,284 lbs.	459	0	0
Timber, sawn, 5,000 feet	125	0	0
Tobacco—412 lbs.	117	8	0
Cigars, 112 lbs.	50	8	0
Tools and Utensils, 22 packages	300	0	0
Vegetables, 889 cwt.	2,111	0	0
Vinegar, 30 gallons	15	0	0
Watches and Clocks, 2 cases	120	0	0
Wine, 278 gallons	278	0	0
Woollens and Blankets, 3 bales	180	0	0
Spices, 2 cwt.	22	4	0
	£292,562	16	0

Total Imports for Quarter ended June 30, 1857.

No. 3.

SYNOPSIS of the Returns furnished by the Victorian Collector of Customs stationed at Belvoir (two miles from Albury) for the year 1857. (*Extracted from Petition from Albury.*)

EXPORTS, 1857.				IMPORTS, 1857.			
First quarter, 31 March	£190,315	9	0	First quarter, 31 March	£50,502	5	0
Second ditto, 30 June	292,562	16	0	Second ditto, 30 June	75,130	6	8
Third ditto, 30 September	212,757	3	0	Third ditto, 30 September	53,339	4	0
Fourth ditto, 31 December	158,957	5	0	Fourth ditto, 31 December	93,473	4	0
	<hr/>				<hr/>		
	£854,592	13	0		£272,444	19	8
	<hr/>				<hr/>		

1858.

Legislative Assembly.
NEW SOUTH WALES.

MR. GEORGE UNDERWOOD ALLEY.

(PETITION RELATIVE TO NAVIGATION OF SHOALHAVEN RIVER.)

Ordered by the Legislative Assembly to be Printed, 7 May, 1858.

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

The humble Petition of the undersigned, George Underwood Alley, of Shoalhaven,—
SHEWETH:—

That a Petition to your Honorable House, in reference to the Navigation of the Shoalhaven River, is being "*got up*" in this district, which is not the legitimate expression of public opinion. The meeting at which it was prepared was limited to a *selected few*, privately invited, and the signatures were obtained by delegates going from house to house, with blank sheets of paper, without any Petition or explanatory heading.

That, while your Petitioner values the right of petitioning your Honorable House, that right, to be respected, should be fairly, openly, and honorably exercised; if a public Petition, upon a subject in which the public is interested, it should have the sanction of public approval before being submitted to your Honorable House; but a Petition *designedly* got up in the *secret* manner herein stated, to prevent others who have taken a deep and active interest in the state of the river, is an imposition upon your Honorable House, and an insult to an intelligent people.

That until the Surveyor's Report on the subject be made public, it is premature for any Petitioner to express an opinion for or against it; and the contemplated work to be done is of such magnitude, such importance, and so costly, that that Report will require very careful, critical, and scientific examination, before it will be prudent to expend any money upon it. Already £300 has been granted for the purpose, and, having been placed in unskilled and inefficient hands, £100 of it was uselessly, mischievously, and extravagantly thrown away, and the remainder has been lying idle in the hands of the local Treasurer, although the Ministers for Finance of former Governments have frequently applied for it.

That, in the opinion of your Petitioner, the survey has been too limited to afford any correct data upon which to form a correct estimate of the cost that will be incurred to effect anything permanent or practical, as the obstructions to the free navigation, and the *cause* of those obstructions, occur *twelve* miles higher up the river than where the survey has been made.

That, no doubt, any work that will clear away the deposits from the Numba Canal and Crookhaven would be of great service, but it will principally tend to enhance the value of private property of *one* proprietor, (which has never contributed one farthing to the country) without effecting that permanent, practical, and *extended* benefit to the public which is intended, and is so much required.

That there are other considerations of a financial character which require *serious deliberation* before a work of such magnitude and cost be sanctioned; that the work is necessary there can be no doubt of, but to do it incompletely, or inefficiently, and to be of but *partial* and *temporary* benefit, would be a *waste* of the public money, and an injury to the community.

Petitioner prays your Honorable House will take these premises into your favorable consideration, and that you will not permit the right of petitioning to be so abused as the Petitioners referred to would attempt.

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

April 26, 1858.

GEORGE UNDERWOOD ALLEY.

1858.

Legislative Assembly.
NEW SOUTH WALES.

NAVIGATION OF THE SHOALHAVEN RIVER.

Ordered by the Legislative Assembly to be Printed, 11 May, 1858.

The Petition of the undersigned Inhabitants of the Police District of Shoalhaven, to the
Honorable the Legislative Assembly of New South Wales,—

SH EWETH :—

That the District of your Petitioners is intersected by the Shoalhaven River, which is navigable for nearly forty miles, having an average depth of from thirteen to seventeen feet, with the exception of about two miles near its mouth, where at low water the depth is but two or three feet.

That a survey has been held on this part, at the instance of the Government, and that it is understood that the Surveyor reports favorably on the facilities for deepening the channel.

That the channel grows worse by delay ; as vessels grounding, and remaining often for a fortnight, leave behind them a large accumulation of sand, deposited against their sides by the action of the tides.

That the District of your Petitioners contains (3,300) three thousand three hundred inhabitants, and supplies Sydney more largely than any other District with potatoes and other perishable cargo ; the statistics of the present year, though necessarily imperfect, and the crop far below the average, (owing to excessive wet,) shewing a produce of (6,000) six thousand tons of potatoes, (40,000) forty thousand bushels of wheat, (50,000) fifty thousand bushels of other grain, and other produce of less moment, besides live stock and dairy produce, of which the statistics take no notice.

That, owing to the long detention of vessels on the shallow flats, many of your Petitioners have sustained great loss, at various times, from the perishable nature of the produce.

That the existence of steam communication does not prevent losses ; as the produce suffers by the transhipment from the river craft to the sea-going steamer, whilst the company exact an excessive rate of freight, on account of the great expense of maintaining the double service.

That the District of your Petitioners has contributed nearly (£27,000) twenty-seven thousand pounds to the Territorial Revenue during the last four years.

That, moreover, the District of your Petitioners has not been burdensome to the General Revenue ; and they only ask that the Report of the Surveyor be considered by your Honorable House, and that such steps may be taken thereon as to your Honorable House may seem befitting the nature of the case.

And your Petitioners will ever pray.

[Here follow 343 Signatures.]

1858.

Legislative Assembly.
NEW SOUTH WALES.

CROOKHAVEN RIVER.

(REPORT OF MR. SURVEYOR DEBENHAM ON OBSTRUCTIONS.)

Ordered by the Legislative Assembly to be Printed, 24 June, 1858.

REPORT upon the Obstructions existing in the Crookhaven River, and upon the best method for removing them.

Sydney, 31 May, 1858.

Sir,

In reply to your verbal request, that I should proceed to the Crookhaven River to take a series of tidal observations simultaneously at different parts of the Crookhaven River, also to make a survey of the entrance to the Shoalhaven River, and in compliance with your letter, No. 58-165, dated February 8, 1858, accepting my tender for the performance of these surveys,—I do myself the honor to report as follows.

Firstly.—In order to ascertain the correct range of the tidal lines at various points of the Crookhaven River, I selected, as the most important stations for tidal observations, the Crookhaven Heads, Greenwell Point, Numbaa Point, and the junction of the Crookhaven with the Shoalhaven; and I am enabled, after seventeen days' observation, taken day and night, to lay before you the following results, viz. :—

Rise of tide at the Crookhaven Heads at ordinary spring tides... 3 ft. 3 in. to 5 ft.		
Do.	do.	neap tides... 0 ft. 10 in. to 3 ft. 11 in.
Do.	at Greenwell Point at ordinary spring tides	2 ft. 7½ in. to 3 ft. 9 in.
Do.	do.	neap tides... 0 ft. 6 in. to 2 ft. 8½ in.
Do.	at Numbaa Point at ordinary spring tides	2 ft. 2 in. to 3 ft. 1 in.
Do.	do.	neap tides... 0 ft. 4 in. to 2 ft. 7½ in.
Do.	at junction of the Crookhaven with the Shoal-	
	haven at ordinary spring tides.....	1 ft. 7½ in. to 3 ft.
Do.	do.	neap tides... 0 ft. 6 in. to 2 ft. 6½ in.
The average of the rise of tide at the Crookhaven Heads		
Do.	do.	Greenwell Point 2 5½
Do.	do.	Numbaa Point ... 2 3
Do.	do.	Shoalhaven... .. 2 0½

The average level of the low water at the Crookhaven Heads is 1 foot 6 inches below the level of that at Greenwell Point, giving, in a distance of 2 miles, an average fall of 9 inches per mile; the average level of the low water at Greenwell Point is 1 foot 2 inches below the level of that at Numbaa Point, giving, in a distance of 2 miles, an average fall of 7 inches per mile; and the average level of the low water at Numbaa Point is 2 inches below the level of that at the junction of the Crookhaven with the Shoalhaven, giving, in a distance of 1¼ mile, an average fall of 1½ in. per mile.

Accompanying this Report I have furnished two diagrams; the one shewing the approximate forms assumed by the tidal lines of the highest flood and lowest ebb at ordinary spring tides, the other shewing the approximate forms assumed by the tidal lines of a neap tide rising only 4 inches at Numbaa Point.

Having given the main results of the tidal observations, I shall proceed to notice the action of the tidal currents in that part of the Crookhaven between the Horse-shoe Flats and the Shoalhaven River.

As the Horse-shoe Flats is the point of meeting of the two tides—the one flowing from the Shoalhaven the other from the Crookhaven—the following irregularity in the action of the tidal currents in that part of the channel takes place.

The tide flows in a regular current up the Shoalhaven and up the Crookhaven, towards the flats, for the first three-quarters of the flood tide, meeting at the flats the flood tide from Greenwell Point, which at this stage of the tide has reached the same level as that in the Shoalhaven.

From data furnished at the commencement of this Report, the average level of the low water at Numbaa Point is 2 inches below the level of that at the Shoalhaven, and that the average rise of tide at Numbaa Point is 2 feet 3 inches, while the average of that at the Shoalhaven is only 2 feet and $\frac{1}{2}$ an inch; the tidal line from Greenwell Point having, therefore, at the flats at three-quarter flood tide, reached the same level with that of the Shoalhaven; it has, during the remaining quarter of the flood tide, to rise $\frac{1}{2}$ an inch higher at the flats than at the Shoalhaven, and, as the tidal current from Greenwell Point possesses a greater velocity, from its already increased rise, than that in the Shoalhaven, it passes beyond the flats and continues to flow on till it meets the flood tide in the Shoalhaven. The current in this part of the Crookhaven continues to flow in the same direction, viz., towards the Shoalhaven, till $\frac{1}{4}$ ebb tide, when the tidal line at the flats has again reached the same level with that in the Shoalhaven; but the tidal current in the Crookhaven ebbing towards Greenwell Point possessing a greater velocity, and having to ebb $2\frac{1}{2}$ inches below the average level of the low water at the Shoalhaven, commences to assume one gradual incline from the Shoalhaven to Greenwell Point, the ebb tide in the Shoalhaven consequently enters the Crookhaven, and continues to ebb with the tide towards the Crookhaven Heads for the remaining $\frac{3}{4}$ of the ebb tide.

From a series of observations, I find the velocity of the currents between the Horse-shoe Flats and the Shoalhaven, to range as follows:—

At low water the current averages $\frac{3}{4}$ mile per hour.

$\frac{1}{4}$ flood	“	“	$\frac{1}{2}$ a mile.
$\frac{1}{2}$ flood	“	“	$\frac{1}{4}$ “

At $\frac{3}{4}$ flood and high water, current scarcely perceptible. At low water the ebb scour attains the greatest velocity.

By reference to the section of the Crookhaven, accompanying this Report, it will be seen that the greatest obstruction to the free navigation of the Crookhaven exists at the Horse-shoe Flats, which is mainly caused by the meeting of the two tidal currents at that point in the manner I have explained; the force of the currents being here neutralized, the sediment is deposited on the bottom, the ebb scour being too sluggish to carry off any of that deposit.

There are two other flats in the Crookhaven which demand attention,—one immediately above Greenwell Point, and the other below it. It is impossible to assign any particular cause for these deposits; I believe them to be the effect produced by a multiplicity of evils, and exist in nearly every river in the vicinity of its embouchure, when marked by a sudden enlargement of or irregularity in the channel, or when unprotected by high or rocky headlands. In the Crookhaven we may trace the origin of these flats partly to the meeting of the two currents of the branches of the Crookhaven at Greenwell Point, consequently checking the direction of the current from the flats, or to the sudden expansion of the bed of the river at Apple-tree Orchard Island, or to the several inlets into Cumarong Island and its low flat banks, which are covered at high water at ordinary spring tides, drawing such a body of water from what ought to be the main channel as almost to nullify the power of the ebb scour, which otherwise might assist in carrying off the sediment which at present is deposited on the bottom.

Lastly

Lastly, it remains for me to devise some means of removing these several obstructions.

From the close proximity of the Shoalhaven with the Crookhaven, in order to remove the deposit caused by the meeting of the tides at the Horse-shoe Flats, dredging must be had recourse to:—nature, in this instance, cannot be induced to remedy the evils she has created. In my opinion, dredging will effectually overcome these difficulties; and were a channel once cleared in the Crookhaven, the flood tide from Greenwell Point would then meet and join the flood tide in the Shoalhaven River; for I find the level of the average of high water at the Shoalhaven Heads to be nearly level with that at the Crookhaven Heads; the ebb current in the Shoalhaven would also ebb the whole tide through the Crookhaven, and the cause of the present main obstruction at the flats would be entirely removed. I have no doubt that dredging, to a greater or lesser extent, will have to be employed at the flats near Greenwell Point to secure the permanent navigation of the Crookhaven, even after a channel has once been dredged. I would recommend that the entrances to the channels round Apple-tree Orchard Island should not be interfered with, for they form an outlet for the drainage and the discharge of the surface water from an extensive flat country higher up the Shoalhaven. I would, however, propose to block up the several inlets into Cumarong Island, and raise the banks of the island where they are covered at high water spring tides, by piling and filling up behind with the matter raised by the dredge. These improvements would confine the current of the tide to the one channel, increase the force of the ebb tide, and, consequently, to a certain extent, assist in maintaining a clear and navigable channel.

I estimate the expense of dredging the Crookhaven, from the Heads to its junction with the Shoalhaven, to an uniform depth of seven feet (as shown on section) at low water ordinary spring tides, independent of the cost of dredges and punts, at £5,000.

Before closing the Report, I beg to add a few words relative to the entrance to the Shoalhaven River, as it is supposed by many persons that a safe and navigable entrance can be effected.

The Shoalhaven discharges itself into the sea in what is termed the Shoalhaven Bight; its entrance is not only exposed to the action of both wind and waves,—it is entirely unprotected by headlands, and is blockaded by a shifting bar.

The sand banks and shoals inside the bar are also daily shifting their position, and are formed of a very fine drifting sand, which is swept along the surface with the force of the wind; one important shifting in these banks occurred during the period I was engaged upon this survey, and which I have delineated on the plan accompanying this Report.

The difficulty and cost of improving an entrance to a river with a bar entrance is always great; any works which might be projected for the improvement of that at the Shoalhaven would be of a costly and stupendous character, and would be constantly met with engineering difficulties.

I have, &c.,

JNO. DEBENHAM, C.E.

THE SURVEYOR GENERAL.

1858.

Legislative Assembly.

NEW SOUTH WALES.

KIAMA HARBOUR.

(REPORT OF MR. SURVEYOR DEBENHAM, IN REFERENCE TO.)

Ordered by the Legislative Assembly to be Printed, 28 July, 1858.

MR. J. DEBENHAM, C.E., to THE SURVEYOR GENERAL, forwarding Plan of and Report upon Kiama Harbour.

9, Hunter-street,
July 19, 1858.

SIR,

In pursuance of your verbal request to me to make a survey of Kiama Harbour, and to ascertain, by a series of borings, the nature of the bottom of the bay, with the view of hereafter extending the present jetty on piles, I have the honor to forward you a plan of my survey, and to report as follows:—

From several borings taken across the harbour, in a line with a jetty, (*vide* section on plan), I am enabled to state that the bottom of the bay is formed of rock; in places there is a depth of from 1 to 3 feet of sand and boulders before coming to the rock. The idea of extending the jetty on piles, as was suggested, becomes impracticable; even supposing it otherwise, such a work would not afford the necessary shelter to vessels,—the site of the present jetty is too near the head of the bay, and the water is too shallow to admit of vessels working in and out with safety.

The bay itself is but a slight indentation of the coast line, and is exposed to winds from the N. N.W. to E.S.E. points of the compass; after heavy southerly weather the bay is most affected by rollers. On the eastern extremity of the southern side of the bay are two reefs of rocks, upon which the sea breaks; the breakers curl round the southern shore, break over the present jetty, and the surf is carried up the beach as high as the Scots' Church. At the extremity of the northern side is another reef, upon which the sea breaks with equal violence, the breakers rolling up the bay.

The entrance to the bay is very much narrowed through the position of these reefs, and as the anchorage is bad, from the rocky nature of the bottom, it not unfrequently happens in stormy seasons steamers cannot enter the harbour; they return to Sydney without landing either mails or passengers. In fine north-easterly weather I have seen so much swell on in the bay that the landing of passengers in open boats was dangerous, and the cargo more or less damaged.

Seeing the impracticability of extending the present jetty, my attention was attracted to another point of the harbour, where a breakwater might be formed, and at a moderate cost, which would afford a safe asylum for vessels in any weather, and, by constructing a wharf south of and immediately under the shelter of the breakwater, the present impediments to the Kiama shipping interest would be removed.

I would suggest that a breakwater be formed on the innermost reef of the southern shore, in a north-westerly direction, commencing at the foot of the hill, to extend in a straight line about 88 yards from low-water mark, with an arm 22 yards long, inclining 165 degrees to the main arm; the breakwater to be formed by throwing down large blocks of unsquared stone,

stone, weighing each from 1 to $2\frac{1}{2}$ tons; the outer or sea slopes to be 3 feet horizontal to 1 foot perpendicular, till the breakwater reaches low water mark spring tides; from low water to be raised 16 feet or 10 feet above high water spring tides, with a width of 30 feet at top, and a sea slope of 5 feet horizontal to 1 foot perpendicular; the inner slope to have an uniform inclination of 2 feet horizontal to 1 foot perpendicular.

There is abundance of stone convenient to the proposed site; on the north side of the bay is a hard freestone with a vertical facing of about 40 feet in height, which can be easily quarried and used for the interior of the breakwater, while the whinstone on the south side of the bay would make an excellent facing to the breakwater.

I propose that a wharf, 130 feet in length and 30 feet in width, be constructed about forty-five yards south of the breakwater; a wharf, built of stone, of the above dimensions, would afford accommodation for two vessels, and, if placed in the position I have indicated on the plan, be so completely sheltered that steamers might enter the harbour in the severest weather, and steam alongside with every safety.

I estimate the cost of constructing breakwater and wharf, according to my design, including extension of road from the present jetty, at (£20,000,) twenty thousand pounds.

I have, &c.,

JNO. DEBENHAM, C.E.

To COLONEL BARNEY, R.E.,
Surveyor General.

1858.

Legislative Assembly.
NEW SOUTH WALES.

STEAM DREDGE.

(RETURN RELATIVE TO PERSONS EMPLOYED UPON WHILE ON THE HUNTER.)

Ordered by the Legislative Assembly to be Printed, 17 June, 1858.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated 9 June, 1858, That there be laid upon the Table of the House,—

“ A Return of the number of persons employed in working the
“ Steam Dredge while on the Hunter, specifying the various
“ occupations, with the salaries attached to each individual,
“ with any allowances for provisions, fuel, light, or other
“ accommodation.”

A RETURN of the number of persons employed in working the Steam Dredge while on the Hunter, specifying the various occupations, with the salaries attached to each individual, with any allowances for provisions, fuel, light, or other accommodation.

NUMBER OF PERSONS EMPLOYED.	OCCUPATION.	ANNUAL RATE OF SALARY.	ALLOWANCES FOR PROVISIONS, FUEL, LIGHT, OR OTHER ACCOMMODATION.
1	Master	£250	Nil.
1	Assistant Master	£144	Nil.
2	Coxswains	£120 each	Nil.
16	Seamen	£104 each	Nil.
20			

Audit Office, Sydney,
15 June, 1858.

W. C. MAYNE,
A. G.

1858.

Legislative Assembly.

NEW SOUTH WALES.

MASSACRES AT THE ISLANDS OF TANNA AND WOODLARK.

(PROCEEDINGS OF H. M. S. "IRIS" IN REFERENCE TO.)

Ordered by the Legislative Assembly to be Printed, 8 September, 1858.

CAPTAIN LORING, R. N., to THE GOVERNOR GENERAL.

*"Iris," at Sydney,**6 September, 1858.*

SIR,

With reference to the murder of the master and two of the crew of the schooner "Anne and Jane," on the Island of Tanna, in December last; and also with reference to the massacre of the crew of the "Gazelle," at Woodlark Island, in 1855,—I have the honor to enclose, for your information, an extract from my letter to the Secretary of the Admiralty, reporting the proceedings of Her Majesty's Ship "Iris," during her late cruise.

Mr. Alexr. Barrack, late master of the "Favorite" schooner, and who was sent by your Excellency's Government to assist me with his local knowledge at Woodlark Island, has fulfilled the conditions of his service in a satisfactory manner; and I have much pleasure in recommending him to your notice as a zealous, steady, and trustworthy person.

I have, &c.,

WILLIAM LORING,

Captain in Command of the
Australian Station.

HIS EXCELLENCY

SIR WM. DENISON, K. C. B.,

Governor General, New South Wales.

[Enclosure in the foregoing.]

(True Copy.)

WILLIAM LORING,

Captain in Command of the Australian Station.

Extract from letter to the Secretary of the Admiralty, dated 6 September, 1858.

15. On June 21st we left Port de France and called at Aniteum; and then, in consequence of a requisition from His Excellency Sir William Denison, proceeded to Tanna.

16. In December last the Master and two seamen of the Sydney schooner "Anne and Jane" had been barbarously and treacherously murdered, by the Tribe of Wagha, on the north-west side of the Island of Tanna. I fully ascertained the fact, and also the locality of the murder, and all other possible information; and I succeeded in seizing Wān Attāway, the Chief of the Tribe; and in the spirit of their Lordships' letter of 13th of October, 1857, (M), anchored the ship off the beach, at 9 A.M., July 1st. In order to prevent unnecessary bloodshed, and as a sort of Declaration of War, a few shot and shell were fired, to drive away the savages who had assembled on the beach. We then landed with a hundred men, under the command of Lieuts. Deane and Bell, R.N., and Lieut. Bent, R.M., and burnt the principal settlement, cutting down the cocoa-nut and bread-fruit trees, and destroying the bananas, &c., in the immediate neighbourhood of the village of the Chief. In performing this service we were much assisted by the Masters and native crews of the trading vessels "Terror," "New Forest," and "Hirondelle,"—Messrs. Edwards, Mare, and Rodd. We found the scrub very dense; and the eyes and ears of these native auxiliaries were very necessary to scout and give warning, as the savages were close upon us, and watching for an opportunity during the whole of our proceedings.

17. I regret to have to report the loss of Mr. Edward M. Tupper, Mate, and Wm. Kennedy, Captain of the Hold, who separated themselves too far from the main party, and were taken at advantage and cut off by the savages. We succeeded in recovering the body of Mr. Tupper, but not that of Wm. Kennedy, and we re-embarked at 3 P. M.

18. But for the loss of Mr. Tupper and Wm. Kennedy, I should have considered the day's work of destruction of property sufficient; but it now became advisable to show that this loss had nothing to do with our retiring, and on the following day we relanded, and committed further destruction amongst the fruit trees, without any molestation from the savages, and then returned on board and proceeded to the anchorage at Black Beach.

19. I beg permission to call the attention of their Lordships to the zealous and trustworthy conduct of Lieutenant Deane, the Senior Lieutenant of this ship, who on this, as on every other occasion, proved himself an able and efficient officer.

Lieutenants Bell, R. N., and Bent, R. M., also performed their duties in a creditable and judicious manner.

20. That same night a change of weather obliged me to put to sea, and I proceeded to Lifu and Erromango. At the latter place I landed the Wagūs Chief, and left him in charge of Mr. Edwards.

21. I then called at Havannah Harbour, Sandwich Island, to complete water, and proceeded on, anchoring at Woodlark Island on July 21st, under the lee of a small island about three miles distant from the remains of the wreck of the brig "Gazelle," the murder of whose crew is referred to in their Lordships' letter of 13th October, 1857. (M.)

22. For several days the S. E. trade blew so strong that I could do nothing. As opportunity offered, Mr. Arquinban, the Master, ascertained by soundings that it would not be prudent to attempt to take the ship any higher up, and having made myself well acquainted with the localities of the guilty tribe of "Guasup," I proceeded on Tuesday, July 27th, with the boats and small-arm men, &c., commanded as before, to the main village.

We landed, and burnt and destroyed the houses and canoes, and re-embarked without casualty, or indeed any show of opposition. The loss of property has been considerable, and I trust that any future shipwrecked seamen will be treated with humanity, as, through the medium of two natives who had been at Sydney, and could speak a little English, it was fully explained that the burning of the villages was in retribution for the murder of the crew of the "Gazelle."

23. I do not consider that Woodlark Island is likely at any time to be a place of trade or importance. It appears that the inhabitants are not numerous, that there are no articles of commerce, and the navigation to the anchorage is so intricate and dangerous as to be quite unfit for a sailing ship of any size. I could not have found my way to the place except for the assistance of Mr. Alexander Barrack, formerly Master of the schooner "Favorite," who had been sent with me by the Colonial Government at Sydney to give me the benefit of his local knowledge; and in running in to the anchorage the ship struck on a small and detached rock, though, I trust, without material damage. The weather was unfavorable during our stay of eight days, and I did not think that the place was of sufficient importance to delay longer in order to make a regular survey.

24. We weighed and worked out on Thursday, July 29th, but with some difficulty and risk; and I was very thankful to get the ship once more into deep water, and clear of such dangerous navigation.

25. I have since revisited the New Hebrides, and am glad to be able to report that there has been no fresh outrages at Tanna; and I have every reason to suppose that our operations at Wagūs will prove to have been salutary and sufficient.

26. I have endeavoured, but it is very difficult, to ascertain the loss of life on the part of the savages: I think that, in all probability, it did not exceed 5, as our object was to destroy property and not life, except when attacked.

1858.

Legislative Assembly.
NEW SOUTH WALES.

RAILWAYS AND PUBLIC WORKS, NEW SOUTH WALES.

(DESPATCH, &c., RELATIVE TO APPOINTMENT OF AN OFFICER OF R. E. TO SUPERINTEND.)

Ordered by the Legislative Assembly to be Printed, 17 August, 1858

DESPATCHES and Correspondence relating to the appointment of an
 Officer of the Royal Engineers and Staff to superintend the con-
 struction of Railways and other Public Works in New South
 Wales.

1855 to 1857.

SCHEDULE.

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RAILWAYS AND PUBLIC WORKS, NEW SOUTH WALES.

No. 1.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

No. 98.—*Executive.**Government House,
Sydney, 14 July, 1855.*

MY LORD,

In my opening speech to the Legislative Council, a copy of which was forwarded in my Despatch No. 97 of this date, I pointed out, in paragraph 8, the necessity of placing at the disposal of the Government a staff of officers thoroughly competent to superintend the construction of the various works which must soon be carried out, and especially of the Railroads, upon the effective and yet economical construction of which the prosperity of the Colony must mainly depend.

2. In a Minute which was laid before the Executive Council, I submitted a scheme for the formation of a proper Board of Works, and for providing the officers of this Board with an efficient establishment of subordinates.

3. The subject was brought under the consideration of the Legislative Council; and although the Members were not inclined to pledge themselves to the hasty adoption of the complete scheme until the Estimates of Revenue and Expenditure had been submitted, they were so aware of the absolute necessity of speedy action on the part of the Government that they presented an Address to me, a copy of which is enclosed, requesting me to ^{11 July, 1855.} take steps to procure an efficient person to superintend the construction of Railroads, at a salary not exceeding £1,000 per annum, with the usual temporary increase, which will raise the amount to £1,200.

4. My object in addressing your Lordship on this occasion is to request that you would exercise your influence with the Master General of the Ordnance, and induce him to allow an Officer of Engineers to act in the capacity of Superintendent of Railroads, or Chairman of Board of Works.

5. There are many reasons why it is desirable to appoint Officers of Engineers to situations of this kind in the Colonies. In the first place, their services are procured at a cheaper rate; and as they have been trained in an economical school, and subjected to strict responsibility, they are likely to bring to the work habits and a system widely different from those of the ordinary class of Railway Engineers; the Colony will, therefore, be better served by such men. Then there is an advantage to the Home Government in having in the Colonies men on whom, in case of war, dependence can be placed, and who being thoroughly conversant with the country and its resources, will be able to develop all the means of defence which may be available. I trust, therefore, that your Lordship will sanction this application to the Master General of the Ordnance, and give it every support; and that I may be able to reckon upon the services of a competent officer, without whose services I shall hardly be able to carry out that system of internal communication upon which the prosperity of this Colony must be entirely dependent.

6. I shall have to address your Lordship hereafter with relation to the proposed constitution of the Board of Works; and I therefore postpone till then the transmission of the proceedings of the Executive Council with relation to this Body.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

LORD JOHN RUSSELL,
&c., &c., &c.

[Enclosure]

[Enclosure in No. 1.]

To His Excellency SIR WILLIAM THOMAS DENISON, Knight, Governor General in and over all Her Majesty's Colonies of New South Wales, Van Diemen's Land, Victoria, South Australia, and Western Australia, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY:—

We, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of New South Wales, in Council assembled, beg respectively to communicate to your Excellency the following Resolutions adopted this day by the Council; and in accordance with the third of them, to request that your Excellency will be pleased to cause the same to be carried into effect.

1. That the general proposition contained in the Governor General's Message, No. 24, be taken into consideration with the Estimates.

2. That this Council, without pledging itself to the general scheme set forth in His Excellency's Message No. 24, considers that immediate measures should be taken to engage a competent person to undertake the direction of Railways in this Colony, at a salary not exceeding £1,000 per annum, with the usual temporary increase allowed to that scale.

3. That the second of the foregoing Resolutions be embodied in an Address to His Excellency the Governor General, with a request that he would be pleased to take measures to carry the same into effect.

Legislative Council Chamber,
Sydney, 11 July, 1855.

CHARLES NICHOLSON,
Speaker.

No. 2.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

No. 150.

Government House,
Sydney, 18 September, 1855.

SIR,

In my Despatch, No. 98, dated 14th July, 1855, I requested your Lordship to move the Master General of the Ordnance to sanction the employment of an Officer of Engineers in the double capacity of Chairman of the Board of Works and Superintendent of Roads and Railroads. I take this opportunity of reiterating the expression of my anxious desire that this arrangement should be carried out, and of requesting that, should such an officer be appointed, he should be instructed to engage the services of a competent Railway Engineer, at a salary not exceeding £1,500 per annum, as well as of a certain number, say at present six, competent Surveyors, whose services will be required to lay out proper lines of Railway in different parts of the country. The officer should also be instructed to provide a sufficient number of proper Instruments, both for surveying and levelling, as from the mode in which the survey of this Colony has been conducted, no dependence can be placed upon any of the surveys which have been made, so far as regards the determination of the direction of roads, &c.

I forward herewith a statement of the probable requirements of the department; but it is very probable that articles may have been omitted which may, in the opinion of the officer in question, be necessary to enable him to do his duty properly. Should this be the case, I trust that full liberty will be given to him to procure whatsoever may appear to be necessary or desirable. The funds required for the purpose of meeting the cost of these articles will be forwarded herewith, and the charge for the passage of the Officer, the Engineer, and the Surveyors may be defrayed, in the first place, from the funds at the disposal of the Land and Emigration Commissioners. Should your Lordship not be able to secure the services of an Officer of Engineers as Superintendent of Roads and Railroads, we should still require a competent Railway Engineer and the same number of Surveyors; but it must be distinctly understood that the Railway Engineer is to be a mere executive officer, and is to act altogether under the instructions of the Superintendent of Roads and Railroads. I would submit that it would be advisable to call upon the Railway Department of the Board of Trade to recommend a competent Engineer. A person who has to act in this capacity in New South Wales should have a thorough knowledge of the principles upon which Railways are constructed—should be well acquainted with the details of Foreign as well as of English Railways; but it is most desirable that he should not be so far wedded to any particular system as to render it difficult for him to adopt general principles to the peculiar circumstances of the Colony.

3. The state of the country as regards means of procuring labor, character of materials of which the Railway is composed, nature of a traffic from which a revenue is to be derived, &c., is so different from that of any country in Europe as to render the systems applicable to those countries inapplicable in a great measure to New South Wales; and it is on this account that I lay such stress upon the power of the Engineer to think for himself, instead of being tied down by precedents, which can have no authority here.

I have, &c.,

THE RIGHT HONORABLE

LORD JOHN RUSSELL,
&c., &c., &c.

W. DENISON.

No. 3.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

No. 67.—*Executive.*

Government House,

Sydney, 24 April, 1856.

SIR,

I have the honor to acknowledge the receipt of your Despatch No. 51, dated 18th of December, 1855, in reply to the request contained in my Despatch No. 98, of 14th July, 1855, that I might have the services of an Engineer Officer to superintend the Railroads which are about to be carried out extensively in this Colony.

2. I can quite understand that, at the time the request was made, Lord Panmure and the Commander-in-Chief should have been unwilling to detach an experienced officer to a Colony so distant as this; but I am willing to hope that the change which has taken place in the political relations of the Mother Country will have removed his Lordship's objections to comply with my application.

3. Indeed, looking to the possibility of a war with the United States of America, I might almost say that even on political grounds it would be advisable that an officer should be sent here upon whom, though paid by the Colony, the Government might depend, in case it should be necessary to call upon him to act in his military capacity. I do not, however, lay so much stress upon this as upon the essential importance of his services to the Colony in superintending the great works which are in contemplation, and upon which the future prosperity of the Colony must mainly depend.

4. I press this matter upon your notice the more urgently from the difficulty, amounting indeed to an impossibility, of procuring the services of persons competent to take an enlarged view of our own position and requirements. A mere civil engineer will look into details, but we require more than that; and although I can discuss these subjects when they are brought before me, my time is too much occupied to allow me to devote a sufficient portion of it to matters like these, which involve not only general principles and questions of finance, but also detailed arrangements, which require minute attention.

5. I trust, therefore, that Lord Panmure will, under present circumstances, take a more favorable view of my application, which I assure you I should not have made had I not conceived it to be a matter of the most pressing importance.

I have, &c.,

THE RIGHT HONORABLE

HENRY LABOUCHERE,
&c., &c., &c.

W. DENISON.

No. 4.

F. PEEL, ESQ., to MAJOR-GENERAL SIR C. YORKE.

War Department,

6 September, 1856.

SIR,

With reference to my letter of the 21st November, and your reply thereto, dated 3rd December, of last year, I am directed by Lord Panmure to transmit to you, for the consideration of His Royal Highness the General Commanding-in-Chief, the enclosed copy of a Despatch from the Governor of New South Wales, renewing his request for the services of an Engineer Officer to superintend the Railroads which are about to be constructed in that Colony.

447—B

Lord

6 RAILWAYS AND PUBLIC WORKS, NEW SOUTH WALES.

Lord Panmure is of opinion, that under the circumstances adverted to in this Despatch, it would be at once proper and desirable that effect should be given to Sir Wm. Denison's application.

11 September, 1856.

I am, &c.,

F. PEEL.

Referred to the Inspector General of Fortifications for his opinion and report.

By order,

J. H. ASH.

To MAJOR-GENERAL SIR C. YORKE, K.C.B.

No. 5.

SIR J. BURGoyNE to GENERAL SIR C. YORKE.

War Department,

Whitehall, 15 December, 1856.

SIR,

The reference made to me by Minute dated 11th September, on the subject of an Officer of Royal Engineers to be sent out to New South Wales to superintend Railroads, on the application of the Governor General, has remained thus long unanswered owing to the difficulty I have found in obtaining any one whom I could recommend to undertake the service, the impression being that under the present working of the Constitution in that Colony the situation might be subject to many embarrassments, and be altogether too precarious in tenure and emoluments to induce men who had already become well known for their capabilities to venture upon it. Three or four have already declined, but Captain Martindale, an officer of considerable zeal and intelligence, and whom I can strongly recommend, is willing to take the appointment, if approved by H. R. H. the Commander-in-Chief, and the Secretaries of State for War and for the Colonies, and if the latter should think proper to engage him without further reference to the Colony after so long a lapse of time since the application was made by the Governor.

I have, &c.,

J. F. BURGoyNE,

To GENERAL SIR CHARLES YORKE, K.C.B.

I. G. F.

No. 6.

GENERAL SIR C. YORKE to F. PEEL, Esq.

898
3

Horse Guards,

23 December, 1856.

SIR,

With reference to your letter of the 6th September last, in which you enclosed a copy of a Despatch from the Governor of New South Wales, dated 24th April, 1856, renewing his request for the services of an Engineer Officer to superintend the Railroads which are about to be constructed in that Colony, I am directed by the General Commanding-in-Chief to transmit to you, for the information of Lord Panmure, the enclosed copy of a letter from Sir John Burgoyne, the Inspector General of Fortifications, recommending Captain Martindale of the Royal Engineers for this duty; and I am to state, that there is no objection on the part of His Royal Highness to the appointment of this officer.

I have, &c.,

C. YORKE.

Send a copy of Sir John Burgoyne's letter to the Colonial Office.

H. A. GREENE. 28.12.

and request to know whether Captain Martindale's services may be engaged at once.

J. P. 29.

RAILWAYS AND PUBLIC WORKS, NEW SOUTH WALES.

7

No. 7.

F. PEEL, ESQ., to H. MERIVALE, ESQ.

29 December, 1856.

SIR,

With reference to your letter of the 30th August last, I am directed by Lord Panmure to transmit to you, for the information of Mr. Secretary Labouchere, the enclosed copy of a letter from Lieutenant General Sir John Burgoyne, in which he recommends Captain Martindale of the Royal Engineers as being an officer well qualified to superintend the Railways which are about to be constructed in New South Wales; and I am to request that you will inform me whether Captain Martindale's services may be engaged at once.

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Horse Guards, 23-12-56.

Relative to the appointment of an Engineer Officer to superintend Railroads in New South Wales.

No. 8.

H. MERIVALE, ESQ., to F. PEEL, ESQ.

Downing-street,

4 January, 1857.

SIR,

With reference to your letter of the 29th ultimo, I am directed to request you will inform Lord Panmure that Mr. Secretary Labouchere considers that there will be no difficulty in at once engaging the services of Captain Martindale, R. E., to superintend the construction of Railways and other Public Works in New South Wales, and the necessary intimation of that selection will be made to the Governor without further delay.

I have, &c.,

HERMAN MERIVALE.

For the information of the Inspector General of Fortifications.

H. A. GREEN. 6-1-57.

H. R. D.

Captain Martindale to see,

H. C. O. 8-1.

Seen, B. H. M. 8-1.

No. 9.

CAPTAIN MARTINDALE to THE SECRETARY OF STATE FOR THE COLONIES.

War Department, Whitehall,

2 February, 1857.

SIR,

With reference to your letter of the 4th ultimo, addressed to Mr. Peel, notifying my appointment to superintend the construction of Railways and other Public Works in New South Wales, and my letter thereon to you of the 16th ultimo, acquainting you that I should be ready to embark in March next for that Colony, I have the honor to inform you that in reading the Despatches connected with the subject, I observe that when Sir William Denison first proposed that an Officer of the Royal Engineers should be placed at the head of the Department of Public Works in New South Wales, he stated, as one among other reasons for such a proposal, that the services of an officer of that corps could be procured at a cheaper rate than those of a civilian. I presume that this opinion was based on the supposition that Officers of the Royal Engineers when employed upon civil duties continued, as was the practice until recently, to receive the Military pay attached to their rank in the Army in addition to their civil salary, and that it was in consequence of that opinion that the rate of remuneration attached to the office I have the honor to hold was fixed at £1,000, with a temporary increase of £200 a-year, while that of the Civil Engineer, required "as an Executive Officer to act altogether under the instructions of the Superintendent," was fixed at £1,500 a-year, at which salary a gentleman has already gone out to the Colony.

By

By a late order, however, officers of Royal Engineers are hereafter when charged with civil duties to derive no pecuniary benefit from their rank, so that the effect of the present arrangement will be that my salary, as head of the Department, will be considerably less than that of my immediate Assistant.

I am informed that even the larger sum cannot be considered as by any means high in a country where the necessaries and comforts of life are so dear as in New South Wales.

I feel, however, that I am personally too much interested in this question to judge how far the present arrangement may or may not be conducive to the public interests; but I have considered it my duty to bring the subject to your notice, and having done so I am quite contented to leave it for the decision of the proper authorities.

I have, &c.,

B. H. MARTINDALE,

Captain R.E.

THE RIGHT HONORABLE

THE SECRETARY OF STATE

FOR THE COLONIES.

No. 10.

H. MERIVALE, Esq., to CAPTAIN MARTINDALE.

Downing-street,

7 February, 1857.

SIR,

I am directed by Mr. Secretary Labouchere to acknowledge your letters of the 16th ultimo and 2nd of this month, containing certain proposals with reference to your future salary as Superintendent of Railways in New South Wales, and of the 5th of this month, referring thereto. Mr. Labouchere has also had under his consideration the Inspector General of Fortifications' letter of the 13th ultimo.

I am to state that Mr. Secretary Labouchere will take upon himself to authorise the payment to you of half salary, from the date of your relinquishment of your appointment in this country—that is, apparently, the 15th ultimo.

He does not, however, feel himself at liberty to authorise such a departure from general rules as would be occasioned by your receiving whole salary from the date of embarkation, instead of arrival in the Colony. Any further representation you may have to make on this head must, therefore, be addressed to Sir Wm. Denison, on your arrival.

With reference to the observations contained in your letter of the 2nd instant, Mr. Labouchere thinks you are very probably right in supposing that Sir William Denison, when he proposed the salary of £1,000 (or £1,200 with extra allowance), supposed that you would continue to receive the Military pay attached to your rank in the Army.

He thinks that your representations are, therefore, made on reasonable grounds; but he has not, as Secretary of State, such control over the funds of the Colony as would justify him in making any augmentation on his own authority. He can only leave the question to the consideration of Sir William Denison, to whom copy of this correspondence shall be transmitted.

The free passage to be ordered for you will include yourself and family, and one servant, such being the ordinary rule.

I am, &c.,

H. MERIVALE.

CAPTAIN MARTINDALE,

&c., &c., &c.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY OFFICERS & SERVANTS.

(RETURN RELATIVE TO APPOINTMENT AND DUTIES OF.)

Ordered by the Legislative Assembly to be Printed, 30 September, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 25 May, 1858, That there be laid upon the Table of this House,—

“ A nominal Return of all Officers and Servants appointed under
 “ the provisions of the second, fourth, and sixth sections of the
 “ Act of Council, 18 Victoria, No. 40, intituled, “ The Govern-
 “ ‘ ment Railways Act of 1854,’ from 2nd December, 1854, to
 “ the 31st March, 1858, shewing the name of the officer or
 “ servant, the date of the appointment, the nature of his duties,
 “ the locality in which employed, the rate of salary or allowance,
 “ and the amount of salary, allowance, or other emolument
 “ received by him in each year of the period mentioned.”

(*Mr. Flood.*)

NAME.	NATURE OF OFFICE.	DATE OF APPOINTMENT.	SALARY.				OTHER EMOLUMENT.	REMARKS.
			1855.	1856.	1857.	1858.		
G. K. Mann	Chief Commissioner	27 July, 1855 ...	£ 325*	£ 325*	£ 1,000	* Civil Engineer, £675. Chief Commissioner, £325—£1,000. Commissioner for Roads, and Superintendent Electric Telegraph. Names of unpaid Commissioners are not included.
B. H. Martindale	succeeded by Chief Commissioner	16 July, 1857	1,150	1,150	
C. J. Nealds	Secretary	25 June, 1855 ...	550	550	550	
John Rae	succeeded by Secretary	25 July, 1857	550	600	
James Wallace	Engineer-in-Chief	July, 1855 ...	1,200	1,400	
John Whittou	succeeded by Engineer-in-Chief	Mar., 1856	1,500	1,500	1,500	{ One per cent. on net receipts.
Alex. Cooper	Accountant	16 Sept., 1855 ...	500	500	500	
J. H. Barlow	succeeded by Accountant	14 Oct., 1857	500	500	
Joseph Brady	Assistant Engineer and General Manager	July, 1855 ...	750	750	750	
Shirley Newdick	Traffic Manager	Sept., 1856	450	450	
C. J. Nealds	succeeded by Traffic Manager	13 Oct., 1857	450	400†	† With one per cent. on net receipts until salary amounts to £700 per annum.	Services dispensed with.
Messenger .....	.....	.....	144	144	144	104
Do. ....	.....	.....	.....	.....	100	100
Housekeeper .....	.....	.....	25	25	25	12
W. L. G. Drew	Chief Clerk	15 Feb. 1857 ...	.....	.....	300	.....	
C. J. Nealds	succeeded by Chief Clerk	25 July, 1857	450	Names of persons taken on trial as Clerks have not been entered.	
S. Newdick	succeeded by Chief Clerk	13 Oct., 1857 ...	.....	.....	450	.....	
R. Moody	succeeded by Chief Clerk	27 Nov., 1857 ...	.....	.....	200	300
Jos. Biscoe	Clerk	Jan., 1857 ...	.....	.....	200	.....	
R. Moody	succeeded by Clerk	12 Aug., 1857 ...	.....	.....	200	.....	
G. F. Poole	succeeded by Clerk	22 Mar., 1858	150		
Alexr. Cooper	Book-keeper	25 July, 1857 ...	.....	.....	400	.....	
Hy. Freeman	succeeded by Book-keeper	13 Nov., 1857 ...	.....	.....	300	300

NAME.	NATURE OF OFFICE.	DATE OF APPOINTMENT.	SALARY.				OTHER EMOLUMENT.	REMARKS.
			1855.	1856.	1857.	1858.		
Hugh Campbell	Clerk	16 Sept., 1855 ...	£ 150	£ 150	£ 150	£		
	succeeded by							
F. O. Bulford	Clerk	1 Oct., 1857 ...	.....	.....	150	180		
F. Newdick	Clerk	26 April, 1857 ...	.....	.....	150	.....	
	succeeded by							
John Scully	Clerk	10 Nov., 1857 ...	.....	.....	150	.....	
	succeeded by							
L. M. Allan	Clerk	25 Jan., 1858 ...	.....	.....	200	200	.....	{ Removed from Goods Office, Sydney Station, at same salary.
E. Woodgate	Clerk	29 Nov., 1857 ...	.....	.....	150	180		
A. Cooper	Storekeeper	13 Oct., " ...	.....	.....	400	400		
A. Moodie	Foreman of Stores	18 Mar., 1856 ...	.....	200	200	200		
F. Huthmance	Boy (at per day)	Nov., 1857 ...	.....	.....	3s. 6d.	3s. 6d.		
Laborers	(average per day) .....		.....	.....	4 @ 8s.	4 @ 7s.		
James Ball	Ticket Printer	15 June, 1857 ...	.....	.....	150	150		
Wm. Mason	Assistant Engineer	" 1856 ...	.....	600	600	700		
Edwin Barton	Do. ....	" " ...	.....	400	400	450		
G. O. Bridgman	Do. ....	" " ...	.....	400	400	400		
J. W. Drewett	Draftsman .....	" " ...	.....	500	500	500		
N. Trengrouse	Do.	July, 1855 ...	250	350	350	350		
W. A. Trengrouse	Do.	Oct., " ...	156	156	156	156		Services dispensed with, 28th Feb., 1858.
G. F. Mann	Do.	1 Nov., 1857 ...	.....	.....	no salary	150		Do. Do.
W. C. Bennett	Assistant Surveyor	1 June, " ...	.....	.....	400	400		Now employed on Roads Branch.
E. Micklethwaite	Do.	22 Jan., 1858 ...	.....	.....	.....	500		Special duties—surveying.
W. H. Quodling	Clerk	8 Oct., 1857 ...	.....	.....	180	250		
	Sydney	13 Sept., 1855 ..	300	300	250	250	£75 per annum house-rent	
	Parramatta	" " ...	250	250	250	250		
	Newtown	26 " " ...	150	150	150	150		
	Ashfield	" " ...	150	150	150	150		
Station Masters at...	Burwood	" " ...	150	150	150	150	£25 per annum house-rent	
	Homebush	" " ...	150	150	150	150		
	Fairfield	2 " 1856 ...	.....	150	150	150		
	Liverpool .....	" " ...	.....	250	250	250		
	Petersham	3 June, 1857 ...	.....	.....	150	150	£25 per annum house-rent	
	Sydney	" " ...	200	200	200	150		
Goods Clerks at ...	Do.	" " ...	150	150	150	.....		Removed to Liverpool.
	Liverpool .....	" " ...	.....	150	150	200		Removed to Sydney.
	Guard	" " ...	10s.	10s.	12s.	12s.		
	do.	average per day {	10s.	10s.	12s.	12s.		

NAME.	NATURE OF OFFICE.	DATE OF APPOINTMENT.	SALARY.				OTHER EMOLUMENT.	REMARKS.
			1855.	1856.	1857.	1858.		
Sydney Station	Head Porter	} average per day	£ 10s.	£ 10s.	£ 11s.	£ 10s.		
Do.	Porters		7 at 9s.	7 at 9s.	7 at 10s.	9 at 8s.		
Parramatta Station	Head Porter		10s.	10s.	10s.	10s.		
Do.	Porters		3 „ 9s.	3 „ 9s.	3 „ 9s.	3 „ 8s.		
Liverpool Station	Head Porter	} average per day	.....	.....	10s.	10s.		
Do.	Porters .....		.....	.....	3 „ 9s.	3 „ 8s.		
	Locomotive Foreman .....		.....	.....	400	400		
	Time Keeper .....		.....	10s.	10s.	10s.		
	Engine Drivers	} average per day	.....	3 „ 17s. 6d.	3 „ 17s. 6d.	3 „ 13s.		
	Firemen .....		.....	3 „ 12s.	3 „ 11s.	3 „ 8s. 6d.		
	Mechanics .....		.....	18 „ 15s.	14 „ 15s.	21 „ 12s.		
	Laborers .....		.....	24 „ 8s. 6d.	24 „ 9s.	21 „ 7s.		
	Inspector of Permanent Way	per day	200	200	280	400		
	Time Keeper	} average per day	.....	.....	.....	12s.		
	Foreman .....		.....	.....	16s 8d.	10s. 8d.		
	Gangers .....		.....	.....	9 „ 12s.	9 „ 10s.		
	Laborers .....		.....	.....	30 „ 9s.	30 „ 7s.		
James Bryson	Resident Engineer, Great Northern Railway	4 October, 1855	450	{ 450 600	.....	.....
Francis Bell	Resident Engineer and General Manager	29 April, 1856	.....	750	750	750	.....	Services since dispensed with.
J. B. Houghton	Assistant Engineer	1 August, 1856	.....	313	313	313	.....	Do. Do.
Station Masters at...	Newcastle .....	.....	.....	.....	250	250		
	Hexham .....	.....	.....	.....	150	150		
	East Maitland .....	.....	.....	.....	225	225		
	Locomotive Foreman .....	.....	.....	.....	300	300		
	Storekeeper and Timekeeper	per day	10s.	10s.	12s.	12s.		
	Engine Driver	} average per day	.....	.....	16s.	16s.		
	Firemen .....		.....	.....	2 „ 9s. 6d.	2 „ 9s. 6d.		
	Mechanics .....		.....	.....	4 „ 15s.	4 „ 15s.		
	Laborers .....		.....	.....	8 „ 9s.	4 „ 9s.		
	Guard .....		.....	.....	12s.	12s.		
	Head Porter .....		.....	.....	10s.	10s.		
	Porters .....		.....	.....	3 „ 9s.	3 „ 9s.		
	Gatekeepers .....		.....	.....	.....	{ 2 „ 6s. 2 „ 10s. }	per week.	

B. H. MARTINDALE.

1858.

Legislative Assembly.
NEW SOUTH WALES.

AUDITING RAILWAY ACCOUNTS.

(LETTER FROM CAPTAIN MARTINDALE UPON.)

Ordered by the Legislative Assembly to be Printed; 8 April, 1858.

CAPTAIN MARTINDALE to THE SECRETARY FOR LANDS AND WORKS.

*Railway Department, Sydney,
7 April, 1858.*

SIR,

I have the honor to request your consideration to the necessity of making provision, in the Government Railways Bill, now before the Legislature, for the audit of Railway Accounts.

The most effectual audit of any public account is that which is conducted by persons responsible to Parliament alone, and which follows most closely on the expenditure; for, the more speedily the check of the auditors follows the work of the accountant, the greater will be the security to the public, and the greater the relief to the Head of the Department entrusted with the expenditure of the public money.

The system of audit I have now to submit for your consideration will combine these advantages in a pre-eminent degree.

I propose that auditors shall be appointed by Parliament, whose duty it shall be to audit the accounts of the Railway Department, under the provisions of the Railway Act, and under such instructions as shall, from time to time, be issued by Parliament.

The auditors so appointed should be required to examine the entire accounts of the Department, so that no portion of the audit shall be more than one month in arrear of the expenditure; and it should be the duty of the auditors to ascertain that the several subsidiary books are kept so that every item of revenue is properly collected, and brought to the credit of the public, and that every expenditure is on due authority.

At the end of every quarter the Railway Department should prepare, to be forwarded to the Auditor General, an Abstract of the Expenditure of the past Quarter, shewing the appropriation of the receipts and expenditure under the several votes of Parliament, and the balance remaining in hand to the credit of each vote or head of receipt.

This account should be verified by the signature of the auditors, and will enable the Auditor General to check the gross expenditure, under the revised votes, and to connect the whole with the general account of the Colony.

In comparing this system of audit with that at present contemplated for the Railway Department, it will be seen that no one desirable check is lost sight of, while the following beneficial results will be secured by its adoption. The audit may, at the discretion of the auditors, take place the day after the expenditure is carried to account, and cannot follow at an interval greater than one month. The audit will be conducted by gentlemen responsible

to Parliament alone, and not through the Auditor General to the Government. Every information regarding the accounts, and on every other point, will, as before, be accessible to Government, who will possess also the same control in this respect, as well as over the expenditure, through their officer, the Commissioner, as the Bill now provides.

The immense labor of preparing duplicate cash and store accounts, vouchers of every description in duplicate, including duplicate way-bills, ticket returns, counterfoils, butts of receipts, &c., &c., will be avoided; and by the appointment of the same men to audit continually the complicated transactions of the Department, they will become conversant with the details of Railway business, and questions raised can be decided by conference with the Commissioner on the spot, instead of giving rise to endless queries and replies in writing, and a chain of correspondence.

Were the Railway Accounts to be audited in the Department of the Auditor General, I understand a special additional staff would be required for the purpose; and it would be in vain to attempt to render accounts in duplicate to the Auditor General without a large addition, also, to the Railway Staff, and a consequent heavy increase of expense. Even with such an addition, the extra duties thrown upon the superior officers would tend greatly to draw off their attention from more important duties; and the further Railways extend, and the more prosperous their condition, the more these evils would be felt.

It may be anticipated, also, from the numerous and complicated details of Railway accounts, that considerable intervals would elapse between the expenditure by the Department and a release being given to it by the Auditor General; and it appears to me neither fair to the public nor to the Commissioner to permit such an accumulation as might thus arise, of unaudited accounts, where it can be prevented without the surrender of one necessary or desirable check.

I have, &c,

B. H. MARTINDALE.

THE HONORABLE

THE SECRETARY FOR LANDS AND WORKS.

P. S.—Should the views I have submitted be adopted, it will be necessary to make provision for their being carried out by the insertion of a clause in the present Government Railways Bill.

1858.

Legislative Assembly.

NEW SOUTH WALES.

EXTENSION OF RAILWAYS.

(CITIZENS OF SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 20 July, 1858.

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

The humble Petition of the Citizens of Sydney, in Public Meeting assembled,—

RESPECTFULLY SHEWETH :—

That the following Resolutions were unanimously adopted at a Public Meeting, held at the Prince of Wales Theatre, Castlereagh-street, on Wednesday evening, the seventh of July, 1858, consisting of upwards of three thousand Citizens,—Alderman James Murphy, of Sydney, in the Chair.

1. That New South Wales, from its geographical position, from its splendid harbours, and extent of country, with its variety of soil and climate, and vast material resources, is fitted by nature for occupying the first place among the Australian Colonies; and that it is the opinion of this Meeting, that unless some energetic measures be taken to develop these resources, this country will soon descend to the position of a second or third rate Colony.
2. That, in the opinion of this Meeting, it is absolutely necessary to the present and future prosperity of this Colony that a large and immediate extension of Railways be carried on, as it only requires the means of cheap and expeditious transit to open up the natural resources of New South Wales.
3. That, taking into consideration the present depressed state of trade, the general depression of every description of real estate, the want of employment generally admitted to exist,—this Meeting considers the present time peculiarly favorable for the rapid extension of Railways throughout the Colony.
4. That, in the opinion of this Meeting, unless immediate steps be taken to carry out an extensive system of Railways, as recommended, a great portion of our mechanics and other enterprising colonists will be compelled to seek in other Colonies (which are now spending large sums of money on public works) that fair remuneration for their industry which they cannot find in New South Wales.

That a Petition, embodying the Resolutions just passed, be adopted by this Meeting, for presentation to the Legislative Assembly and Legislative Council; and that the said Petition be signed by the Chairman, on behalf of this Meeting; and that the Honorable Charles Cowper be respectfully requested to present the Petition and support the prayer of the same in the Assembly; and that the Honorable James Norton be requested to present the Petition to the Legislative Council.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to take the foregoing premises into your favorable consideration, and adopt such means for extending Railways throughout the Colony as to your Honorable House shall seem meet.

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

JAMES MURPHY,

Chairman.

2

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

CHICAGO, ILLINOIS

RECEIVED JANUARY 10, 1955

MEMORANDUM

TO: THE CHAIRMAN, DEPARTMENT OF CHEMISTRY

FROM: [illegible]

SUBJECT: [illegible]

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1858.

Legislative Assembly.
NEW SOUTH WALES.

RAILWAY EXTENSION TO SINGLETON.

(PETITION RELATIVE TO POSITION OF TERMINUS OF THE LINE.)

Ordered by the Legislative Assembly to be Printed, 30 July, 1858.

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

The Petition of the Inhabitants of Singleton and its neighbourhood,—

MOST RESPECTFULLY SHEWETH:—

That your Petitioners are inhabitants of Singleton, and its neighbourhood, in the district of Patrick's Plains, Hunter River.

That your Petitioners are led to suppose that the line of the Great Northern Railway, now nearly completed to West Maitland, will be continued towards Singleton, and they, your Petitioners, would respectfully pray the consideration of your Honorable House.

That the town of Singleton is the centre of a large agricultural district, and has been so nearly thirty-five years, requiring only the means of rapid and cheap transit to make it one of the most productive in the Colony.

That it is the point of junction of all the western, north-western, and northern roads, leading from the interior towards Newcastle, on which is carried upwards of one-third of the country trade of the Colony; and it is a well authenticated fact, that more than one-third of the wool exported passes through this town.

That we are paralyzed in our efforts at improvement, from our ignorance of the intention of the Government with reference to where the line shall be brought; while, at the same time, we are certain that at Singleton is the best crossing-place on the river, for many miles, as well for Railway purposes as for our common trade.

And we would therefore most respectfully pray information and relief from your Honorable House, so that, should the determination of the Government be adverse to our opinions and wishes, we may be allowed an opportunity of considering the same, and perhaps be enabled to point out such objections as might be considered of sufficient importance as to induce a change.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 132 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY COMMUNICATION.

(EXTENSION OF TO WINDSOR.)

Ordered by the Legislative Assembly to be Printed, 9 April, 1858.

To the Honorable the Legislative Assembly of the Colony of New South Wales.

The humble Petition of the undersigned Inhabitants of the Town and District of Windsor,—

RESPECTFULLY SHEWETH:—

That your Petitioners believe,—in accordance with a Report of a Select Committee of your Honorable House on the subject of Railways, dated the 6th day of March, 1857, and signed by the Honorable Charles Cowper, Chairman,—the sum of one hundred and seven thousand pounds (£107,000) was voted last Session of Parliament for rails, &c., for extensions—say fifty-three and one half miles of Railways; forty thousand pounds (£40,000) of which was understood to be for rails for extensions to Penrith and Windsor.

That, as appears by the Report of Captain Martindale, R. E., Chief Commissioner for Railways, to the Honorable the Secretary for Lands and Public Works, dated the twenty-first day of August last,—means have been taken to ascertain the practicability and cost (*inter alia*) of an extension of Railway from Parramatta to Penrith, *with a branch to Windsor*—thirty-four miles; and that the cost of the line from Parramatta to Penrith, *with a branch to Windsor*, will be about nine thousand pounds (£9,000) per mile; the worst gradient, 1 in 80; and the smallest radius of a curve, 30 chains.

That your Petitioners have since learnt with regret, notwithstanding the premises and the pledged assurances of the late Government, that, as appears by an answer lately given by the Honorable the Colonial Secretary to a question from one of your late Honorable Members (Mr. Holroyd), the present Government do not intend to take in hand or promote the construction of any branch line to the District of Windsor.

That your Petitioners submit, this resolution of the Government, if acted upon, will be a manifest injustice to the inhabitants of this District. The better to estimate its magnitude and importance, your Petitioners subjoin the following statistics and facts:—

1. The District of Windsor, through which runs the splendid river Hawkesbury, is one of the oldest established, most extensive, fertile, and populous Districts in the Colony. Its population, last census, was, in round numbers, (8,500) eight thousand five hundred—being considerably in excess of Goulburn, and surpassed only by Maitland, Parramatta, and Bathurst.
2. That in it is a large quantity of land under cultivation, namely, about fourteen thousand (14,000) acres, yielding agricultural products to such an extent as, in a great measure, to supply the wants of the Sydney markets and the Colony generally.

3. That, besides the agricultural resources of the district, there are large commercial transactions constantly connected with it, which cause an immense amount of traffic on the road between Windsor and Sydney.
4. That not less than 2,250 tons of hay, 1,125 tons of straw, 244,832 bushels, or about 6,120 tons of grain, 200 tons of potatoes, besides an incalculable quantity of poultry, pigs, fruit, dairy and other produce of the district, are annually transported from Windsor to Sydney; whilst about 3,000 tons of goods of various kinds are imported into the town and immediate neighbourhood of Windsor alone, making a total up and down traffic of about thirteen thousand (13,000) tons annually.
5. That two large four-horse coaches run daily between Windsor and Parramatta, meeting the Railway Train at the latter place at stated times, which coaches are well supported by the public in the way of passenger traffic. A coach also runs daily to and from Richmond and Parramatta.
6. That, although the Railway at Parramatta is situated about midway between Windsor and Sydney, and it might consequently be supposed that the transporters of goods and agricultural produce would avail themselves of the rail from thence in the transit of their property to and from Sydney, yet such is not the case, inasmuch as the trouble, inconvenience, and loss of time, occasioned by unloading and re-loading at Parramatta, would not be repaid by such a seeming advantage, and the practice of carriers to and from this district and Sydney is to take their loading entirely through by the turnpike road.
7. In the event of a branch line of Railway being constructed to Windsor, the whole of the extensive goods and passenger traffic before mentioned, between Windsor and the Metropolis, which is now carried on by means of teams, horse-coaches, carriages, and the like, besides other traffic which will hereafter spring up, would be effected by means of such branch Railway.

That your Petitioners are of opinion, that the establishment of the said branch line of Railway to Windsor District would be attended with many other at present indefinite, but inevitably beneficial results, conducive not only to the interests of this immediate district, but of the Colony generally. We also believe it would be the means of developing the resources of this extensive and interesting district to an extent otherwise unattainable. And we are farther of opinion, that considering the short distance of the said branch line, and its comparative smallness of cost, with the extensive passenger and goods traffic to undertake, it would prove at once highly advantageous and remunerative in an economic and a commercial point of view.

Your Petitioners therefore humbly pray your Honorable House to take the premises into your consideration, and in your wisdom to devise means to ensure an extension, as early as possible, (at any rate *pari passu* with the other lines of Railway now in hand,) of a branch line of Railway to the District of Windsor; or otherwise in the premises, as to your Honorable House shall seem meet and proper.

And your Petitioners will ever pray.

[Here follow 190 Signatures.]

Windsor, March, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

EXTENSION OF RAILWAYS

(TO PICTON, PENRITH, AND SINGLETON.)

Ordered by the Legislative Assembly to be Printed, 17 August, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 23 July, 1858, That there be laid upon the Table of this House :—

“Copies of the Plans, Sections, and Books of Reference of
“the proposed new lines of Railway to Picton, Penrith, and
“Singleton.”

(Mr. Forster.)

REPORT to THE HONORABLE THE SECRETARY FOR LANDS AND WORKS, transmitting copies of the Plans and Sections of the Railway Extensions authorized to Singleton, Picton, and Penrith, by CAPTAIN MARTINDALE, R. E., Chief Commissioner for Railways, &c, &c.

*Railway Department,
Sydney, 17 August, 1858.*

SIR,

I have the honor to transmit herewith, the Plans and Sections of the Extensions authorized to Singleton, Picton, and Penrith, upon which the Estimates voted by the House have been founded.

These plans and sections are trial plans and sections only, and may be considerably modified before the lines are proclaimed; but any modification will be in diminution of the estimated cost.

No Books of Reference can yet be furnished, as these are not prepared until the lines are finally decided upon as they are to be proclaimed for execution; but they can be laid upon the Table of the House as each portion of any of the lines is proclaimed.

I have, &c.,

B. H. MARTINDALE.

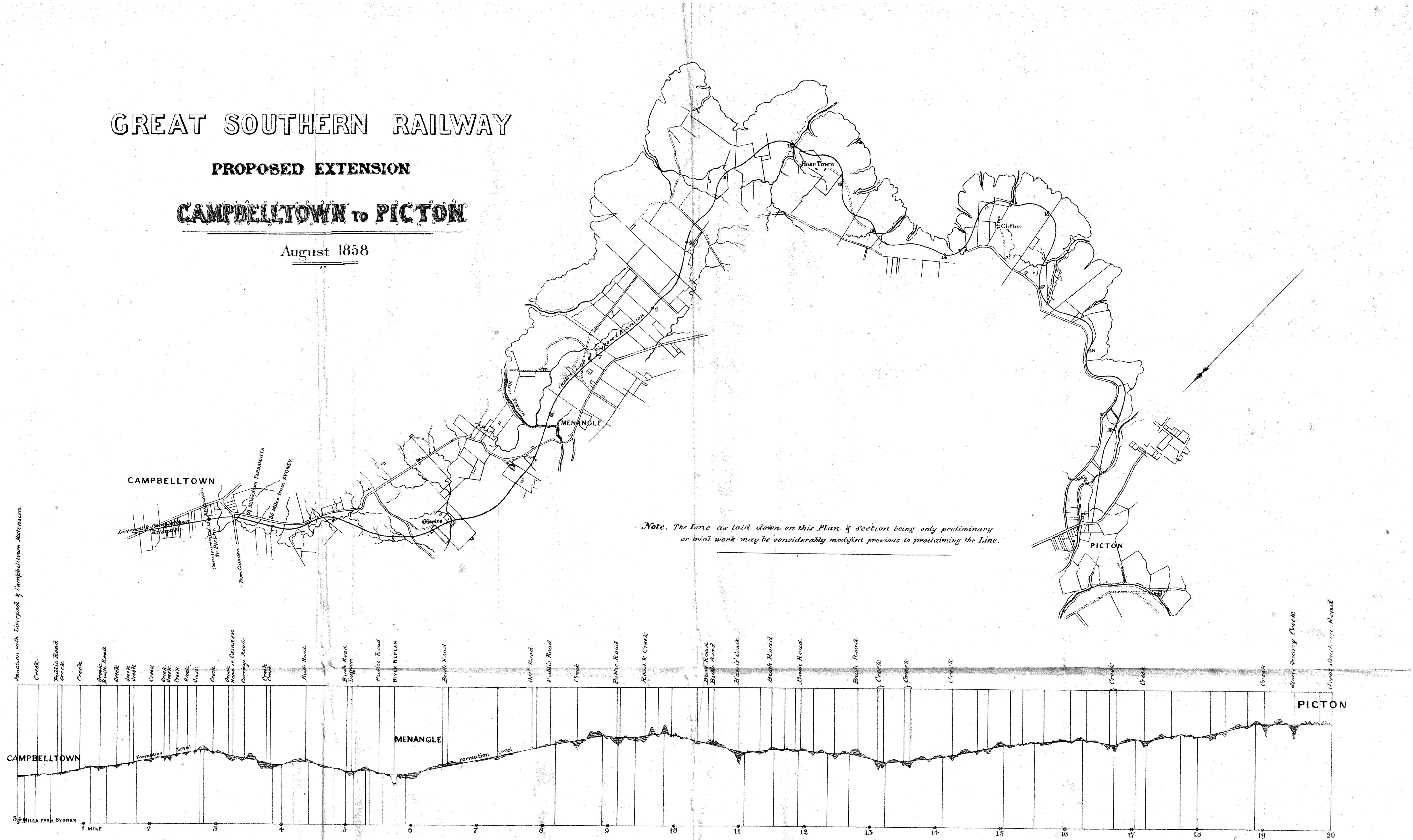
THE HONORABLE THE SECRETARY
FOR LANDS AND PUBLIC WORKS.

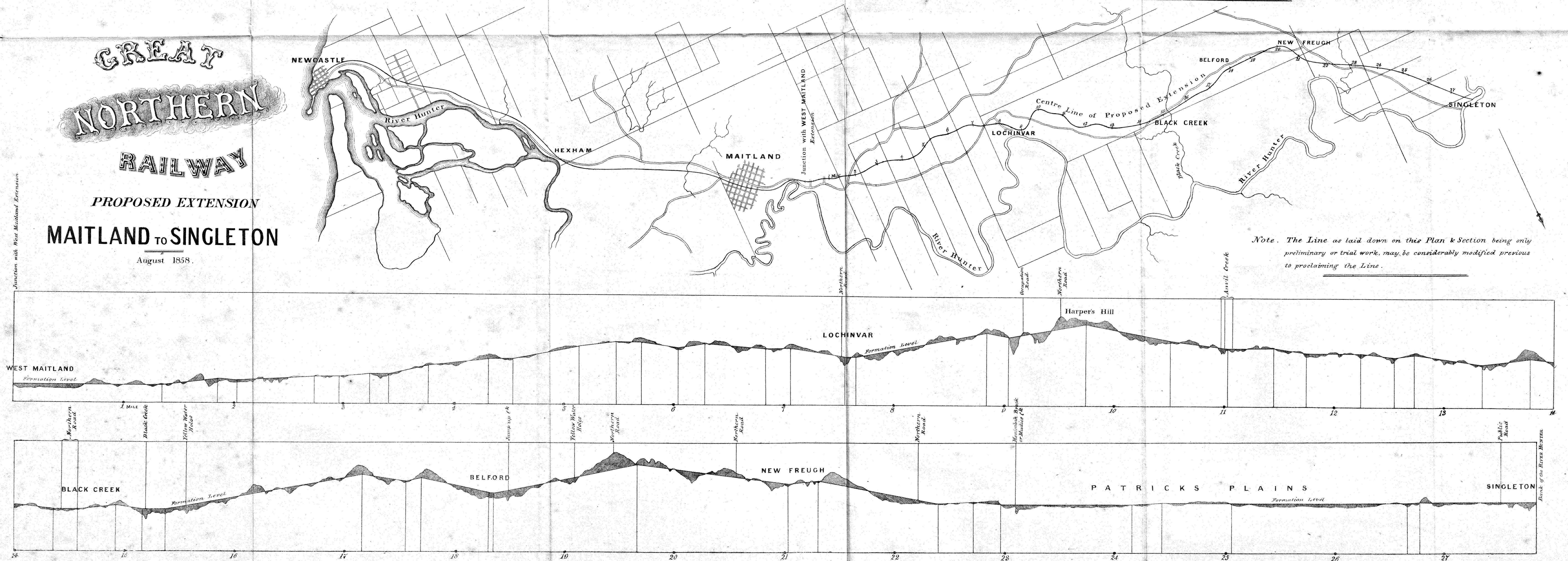
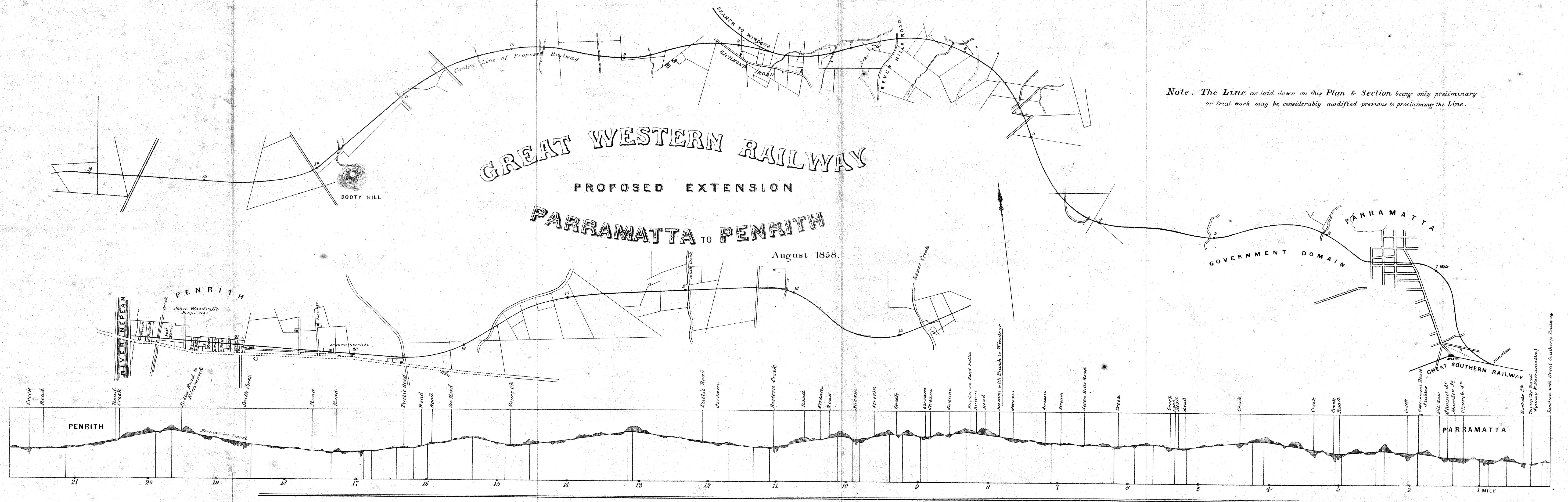
GREAT SOUTHERN RAILWAY

PROPOSED EXTENSION

CAMPBELLTOWN TO PICTON

August 1858





1858.

Legislative Assembly.
NEW SOUTH WALES.

RAILWAY EXTENSION.

(PETITION IN FAVOR OF.)

Ordered by the Legislative Assembly to be Printed, 4 November, 1858.

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

The humble Petition of the undersigned Colonists of New South Wales,—

RESPECTFULLY SHEWETH:—

That your Petitioners view with no little concern the stagnation of trade, the great depreciation of property, and the number of industrious people at present out of employment.

That your Petitioners are led to believe, that in such circumstances a more favorable opportunity could not occur than the present for the formation and further extension of the Southern and Western Railways, as they would traverse districts abounding in mineral wealth, such as coal, copper, iron, lead, limestone, &c., within a moderate distance of the metropolis, and be the means of giving employment to great numbers of the population, while the opening up of the agricultural lands along their course will add materially to the wealth and prosperity of the country.

That your Petitioners have observed with much satisfaction the decision of your Honorable House of the 14th July, appropriating the sum of seven hundred and twelve thousand pounds for the extension of Railways. Without attempting to depreciate the merits of the Northern Railway, your Petitioners are of opinion that the Southern and Western Lines have prior claims upon the attention of your Honorable House, taking into consideration the much greater population, the vast mineral and agricultural resources of the country in those directions, with the greater prospect of an immediate and more ample return for the capital invested in their construction.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to take into your immediate consideration the further extension of the Southern and Western Railways.

And your Petitioners will ever pray, &c.

[Here follow 1,100 Signatures.]

1858.

Legislative Assembly.
NEW SOUTH WALES.

RAILWAY PLANS AND SECTIONS.

(CORRESPONDENCE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 5 November, 1858.

THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS to THE COMMISSIONER FOR
INTERNAL COMMUNICATIONS.

*Department of Land and Public Works,
Sydney, 5 November, 1858.*

SIR,

Referring to the question which Mr. Forster purposes asking in the Legislative Assembly this evening on the subject of the missing Railway Plans, I am directed to request that you will immediately cause to be made copies of all correspondence that has passed in the matter between this Department and yours, and also with that of the Surveyor General, together with copies of all Minutes and Memoranda in any way bearing on the matter.

2. I am further to request that you will report the result of the search made for the Plans moved for by Mr. Forster on the 1st ultimo, and any explanation that may appear necessary to be made in the matter.

3. In order to ensure this information being in time, I am to invite you to transmit it direct to Mr. Secretary Robertson at the Legislative Assembly.

I have, &c.,

THE COMMISSIONER
FOR INTERNAL COMMUNICATIONS.

MICHL. FITZPATRICK.

THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS to THE CHIEF COMMISSIONER
FOR RAILWAYS.

*Department of Land and Public Works,
Sydney, 8 October, 1858.*

SIR,

I am directed by the Secretary for Lands and Public Works to request that you will have the goodness to forward to this office, in satisfaction of the motion made in the Honorable the Legislative Assembly by Mr. Forster on the 1st instant:—

“ A Plan shewing a Line of Railway Extension from Parramatta to the Western Interior, formerly surveyed by the Government, beginning west from the terminus south of the line now proposed passing near the Government Quarry at Prospect and the Township of Stratheden, and crossing the Nepean River at a point reported upon in 1832 by the late Sir Thomas Mitchell, and in 1854 by the Colonial Architect, Mr. William Weaver, as to the most suitable spot in that vicinity for a bridge over the river.”

I have, &c.,

THE CHIEF COMMISSIONER
FOR RAILWAYS.

MICHL. FITZPATRICK.

COPY OF MEMO.

Reply, this Department has never had such a plan, and suggest inquiry be made from Surveyor General.

Secy.

B. H. M.
9/10.

THE CHIEF COMMISSIONER FOR RAILWAYS to THE SECRETARY FOR LAND AND PUBLIC WORKS.

Railway Branch.
Department of Internal Communications,
Sydney, 11 October, 1858.

SIR,

In reference to your letter of the 8th instant, relative to the motion made in the Honorable the Legislative Assembly by Mr. Forster on the 1st instant, respecting "A Plan showing a Line of Railway Extension from Parramatta to the Western Interior, to a point reported upon in 1832 by the late Sir Thomas Mitchell, and in 1854 by the then Colonial Architect, Mr. William Weaver,"—I have the honor to inform you this Department has never had such a plan, and to suggest inquiry be made from the Surveyor General.

I have, &c.,

THE HONORABLE THE SECRETARY
FOR LAND AND PUBLIC WORKS.

B. H. MARTINDALE.

The plan referred to must be one of those made by the Sappers, under the direction of Captain Hawkins, R. E. The point on the Nepean River referred to is nearly due east of the Town of Emu, and upwards of a mile to the south of Penrith.

It is believed that the Sappers surveyed and made a section of a projected line of Railway on the south side of the main Western Road, leaving the Great Southern Railway at or about Fairfield, and pending northerly towards Penrith, near the Bringelly Road.

Such a line would, if continued westerly instead of turning towards Penrith, have met the Nepean River in the vicinity of the crossing-place suggested by Sir Thomas Mitchell.

All the Railway Plans made by this Department, as well as those made by the Sappers, have from time to time been transmitted to the Railway Department; and the plan now sought may, with the assistance of the above explanation, be found there.

Surveyor General's Office,
18 October, 1858.

GEO. BARNEY,
Surveyor General.

Ask the further Report of the Chief Commissioner of Railways.
B. C., 19 Oct.

M. F.

Every search must be made by the Engineer-in-Chief and by Sergeant Quodling for this Plan; and, if found, it must be transmitted to the Honorable the Secretary for Land and Public Works.

21/10. To Mr. Whitton.

B. H. M.
20/10.

A Plan and Section was made by the Sappers, under the direction of Captain Hawkins, from a point near to the Fairfield Station as far as the Nepean to Penrith, running parallel to and on the south side of the Western Road, and is now in this office. This Plan does not, however, extend to the point on the River Nepean mentioned in Mr. Forster's motion.

J. W.,
28 Oct., 1858.

THE

RAILWAY PLANS AND SECTIONS.

3

THE UNDER SECRETARY FOR LAND AND PUBLIC WORKS to THE COMMISSIONER FOR
INTERNAL COMMUNICATIONS.

*Department of Land and Public Works,
Sydney, 5 November, 1858.*

SIR,

Referring to the question which Mr. Forster purposes asking in the Legislative Assembly this evening on the subject of the missing Railway Plans, I am directed to request that you will immediately cause to be made copies of all correspondence that has passed in the matter between this Department and yours, and also with that of the Surveyor General, with copies of all Minutes and Memoranda in any way bearing on the matter.

2. I am further to request that you will report the result of the search made for the Plans moved for by Mr. Forster on the 1st ultimo, and any explanation that may appear necessary to be made in the matter.

3. In order to ensure this information being in time, I am to invite you to transmit it direct to Mr. Secretary Robertson, at the Legislative Assembly.

I have, &c.,

MICHL. FITZPATRICK.

THE COMMISSIONER FOR
INTERNAL COMMUNICATIONS.

THE COMMISSIONER FOR INTERNAL COMMUNICATIONS to THE SECRETARY FOR
LAND AND PUBLIC WORKS.

Railway Branch.

*Department of Internal Communications,
Sydney, 5 November, 1858.*

SIR,

With reference to your B. C. Minute of the 19th ultimo requesting a further Report on the Plan referred to in Mr. Forster's motion of the 1st ultimo, I have the honor to transmit a Plan and Section, made by the Sappers under the direction of Captain Hawkins, from a point near to the Fairfield Station as far as the Nepean at Penrith, running parallel to and on the south side of the Western Road. This Plan, however, starts from near Fairfield instead of Parramatta, and does not extend to the point on the Nepean mentioned in Mr. Forster's motion, but it is the only Plan in this Department in any way answering the description of the one asked for.

I have, &c.,

B. H. MARTINDALE.

THE HONORABLE THE SECRETARY
FOR LAND AND WORKS.

THE COMMISSIONER FOR INTERNAL COMMUNICATIONS to THE SECRETARY FOR
LAND AND PUBLIC WORKS.

*Department of Internal Communications,
Sydney, 5 November, 1858.*

SIR,

In compliance with your letter of this day's date, relative to the missing Railway Plans, I have the honor to transmit herewith copies of all correspondence that has passed in the matter between the Department of Land and Works and this Department, and also with that of the Surveyor General, together with copies of all Minutes and Memoranda in any way bearing on the matter.

2. I have only this morning returned from a tour of inspection of the Great Western Road as far as Wellington, and learn that a number of Plans and Sections on separate sheets have been found of Surveys in the Western District, from which such a Plan and Section as asked for by Mr. Forster may probably be compiled, but no such Plan and Section have yet been traced.

I have, &c.,

B. H. MARTINDALE.

THE HONORABLE THE SECRETARY
FOR LAND AND WORKS.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY PLANS AND SECTIONS.

(LETTER OF CAPTAIN MARTINDALE RELATIVE TO.)

*Ordered by the Legislative Assembly to be Printed, 9 November, 1858.*THE COMMISSIONER FOR INTERNAL COMMUNICATIONS to THE SECRETARY FOR
LAND AND PUBLIC WORKS.*Railway Branch,
Department of Internal Communications,
Sydney, 8 November, 1858.*

SIR,

In further reference to your letter of the 5th instant, and my reply of the same date, it may, perhaps, be advisable that I should enter more into detail than I was then able, from want of time, to do.

Upon receipt of your letter of the 8th ultimo, I made inquiries from the Engineer-in-Chief as to whether he had such a Plan as was asked for therein, or whether he was aware of such a Plan being in existence.

Upon his reply in the negative I answered your letter, stating that there was no such Plan in this Department, and suggesting that inquiry should be made from the Surveyor General.

At this time both Mr. Whitton, and myself were under the impression that the Plan asked for was one of a survey formerly made for the Government by Mr. Weaver himself.

The Minute of the Surveyor General of the 18th ultimo was received in this office, and laid before me on the 20th ultimo. This Minute suggested that the Plan asked for was one made by the Sappers and Miners. I immediately instructed the Engineer-in-Chief and Sergeant Quodling to search for it.

Upon my return from Wellington on the 5th instant, the Plans of the different surveys made by the Sappers in the Western District were laid before me.

Several trial lines are laid down upon these Plans, one commencing from near Parramatta, another from near Fairfield, and others from various points between Parramatta and Penrith, but they all terminate at or near the present Penrith bridge; and I cannot learn that any survey has ever been made crossing the river at or near the point indicated in Mr. Forster's motion.

Surveys have, however, been made in addition to those above-named from or near to the Penrith Bridge, along the Great Western Road itself, and on either side of it, one of which strikes the river on the western bank at a point nearly opposite the Cloth Manufactory, and runs for some distance towards the Penrith Bridge along that bank of the river.

A short additional survey would enable the lines already surveyed to be connected together, so as to furnish the Plan described in Mr. Forster's motion, and this can be at once undertaken, should the Government think fit to order it, and a Plan made and laid upon the Table of the House in satisfaction of Mr. Forster's motion. But the various lines shewn on these Plans have been under consideration, and have been rejected in favor of the proclaimed line.

I may, in conclusion, remark, that the exact western line is only considered to be finally settled as far as is now proclaimed, viz., to the Blacktown Road: its further course will greatly depend upon that of the best line beyond the Nepean for a Railway to Bathurst.

To assist in determining this, the Sappers are now again employed in surveying the Valley of the Grose, (from which they were driven out last winter by floods), and when this is completed it is considered sufficient data will have been procured to enable the further course of the Great Western Railway to be decided on: should the weather prove favorable this information will be obtained within three or four months.

I have, &c.,

B. H. MARTINDALE.

P. S.—In looking over the papers transmitted with my letter of the 5th instant, I find that in the hurry of preparing them for the Assembly the clerk placed among them the draft of a letter to you of the same date, having reference to your B.C. Minute of the 19th ultimo. This draft was never transmitted, but cancelled, and should not have been placed among the papers.

THE HONORABLE THE SECRETARY
FOR LAND AND PUBLIC WORKS.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY PLANS AND SECTIONS.

(FURTHER CORRESPONDENCE IN REFERENCE TO.)

Ordered by the Legislative Assembly to be Printed, 19 November, 1858.

CONTINUATION of Correspondence between The Honorable the Secretary for Lands and Public Works and the Commissioner for Internal Communication, relative to the Plans of Railway Extension from Parramatta to the Western Interior.

No.	Page.
1. Secretary for Lands and Public Works to the Commissioner for Internal Communication, on the subject of Railways. 15 November, 1858.	2
2. Commissioner for Internal Communication to Secretary for Land and Public Works, enclosing letter from Mr. Whitton, the Engineer-in-Chief, in reply. 15 November.	3
3. Secretary for Lands and Public Works to Commissioner for Internal Communication, on same subject. B. C., 16 November	4
4. Commissioner for Internal Communication to Secretary for Lands and Public Works, in reply. B. C., 16 November	4
5. Secretary for Lands and Public Works to the Commissioner for Internal Communication, on same subject. 18 November	5

RAILWAY PLANS AND SECTIONS.

No. 1.

THE SECRETARY FOR LANDS AND PUBLIC WORKS to THE COMMISSIONER FOR
INTERNAL COMMUNICATION.

*Department of Lands and Public Works,
Sydney, 15 November, 1858.*

SIR,

I am directed by the Honorable the Secretary for Lands and Public Works to invite your immediate attention once more to the subject of the Plans of the projected Railway Line moved for in the Legislative Assembly, in the hope of eliciting a clearer explanation of this matter.

2. The Plan originally moved for by Mr. Forster was described by him very minutely, and the description was transcribed into my letter to you of the 8th October last. It was as follows:—"A Plan shewing a Line of Railway Extension from Parramatta to the "Western Interior, formerly surveyed by the Government, beginning west from the terminus "south of the line now proposed, passing near the Government Quarry at Prospect and the "Township of Stratheden, and crossing the Nepean River at a point reported upon in 1832 "by the late Sir Thomas Mitchell, and in 1854 by the Colonial Architect, Mr. William "Weaver, as the most suitable spot in that vicinity for a bridge over the river."

3. In your letter of the 11th ultimo it was stated that the Railway Department had never had such a Plan, and reference to the Survey Department was suggested.

4. In his reply of the 20th ultimo, the Surveyor General stated, without the slightest hesitation, that the Plan asked for *must* be one of those made by the Sappers under Captain Hawkins, R.E., all of which had been handed over to your Department; and he added such particulars as appeared to make its identification a matter of no difficulty. The Plan asked for was, however, still not forthcoming.

5. Passing over intermediate correspondence, I am in the next place to observe, that from your letter of the 8th instant, and more especially from your personal explanation, Mr. Secretary Robertson now understands that practically a Plan does exist, and was all along known to exist, showing a projected Line from the Parramatta Terminus to within (say) a mile of the point on the Nepean indicated by Mr. Forster, diverging thence nearly at right angles to Penrith.

6. This, then, being the fact, it is quite unintelligible to Mr. Secretary Robertson how your Department, with a Plan in its possession differing so little from the description given by Mr. Forster, was unable to recognise its practical identity with what was asked for, whilst in the Department of the Surveyor General no hesitation whatever was felt in doing so merely from memory.

7. As a general principle, Mr. Secretary Robertson conceives it to be the bounden duty of all Heads of Departments, and indeed of the Government itself, to meet in a spirit of candour motions of this kind made by individual Members of the Legislature, even though the plans or documents sought for may not be described by them with minute accuracy; and he would regard as extremely reprehensible any denial of documents or information on captious or merely technical grounds.

8. I am instructed to add that it will afford Mr. Secretary Robertson peculiar satisfaction to find, from a further and fuller explanation, that the present case does not come within that category.

I have, &c.,

THE COMMISSIONER FOR
INTERNAL COMMUNICATION.

MICHL. FITZPATRICK.

No. 2.

THE COMMISSIONER FOR INTERNAL COMMUNICATION TO THE SECRETARY FOR LANDS
AND PUBLIC WORKS.

RAILWAY BRANCH.

*Department of Internal Communication,
Sydney, 15 November, 1858.*

SIR,

I have the honor to acknowledge your letter of this day's date, inviting my attention once more to the subject of the Plans of the projected Railway Line, moved for in the Legislative Assembly, in the hope of eliciting a clearer explanation of this matter.

2. I enclose a Report from Mr. Whitton, the Engineer-in-Chief, to whom I have referred the above letter, and from whom I had this morning already called for a report, in compliance with the wish you expressed in my interview with you on the 12th instant.

3. I am not aware that I can add anything to that report and the information I have already given you upon this matter.

4. It will be seen by reference to the correspondence already laid upon the Table of the House, and printed, that having referred your letter of the 8th ultimo, on its receipt, to the Engineer-in-Chief, he informed me that he had no such Plan, nor was he aware of any such Plan as that asked for being in existence. Mr. Whitton was at the time under the impression, in which I coincided, that the Plan asked for was one of a survey made for the Government by Mr. Weaver.

5. In reply, therefore, to your letter of the 8th ultimo, I informed you that "this Department had never had such a Plan," and suggested that "inquiry should be made from the Surveyor General."

6. The Surveyor General's Minute of the 18th ultimo, in reply, stating that "the Plan referred to must be one of those made by the Sappers, under the direction of Captain Hawkins, R. E.", did not reach this Department until the 20th ultimo, the day after you suggested in the House, in reply to Mr. Forster, that the Plan might be lost.

7. Upon the receipt of the Surveyor General's Minute I directed every search to be made for the Plan required, and (as I was about to leave Sydney) that, if found, it should be transmitted to you.

8. On the 21st ultimo I left Sydney for Wellington.

9. Immediately after my return, on the morning of the 5th instant, I brought with me to your office all the plans bearing upon the subject (which had been put together in my absence,) together with the draft of a letter based upon Mr. Whitton's Minute of the 28th ultimo.

10. A cursory examination of the Plans made while the papers asked for by your letter of the 5th instant were being got ready, induced me to cancel my first letter of the 5th instant, and to substitute another of the same date; but in the hurry to get the whole of the information ready for the Legislative Assembly that day, both the letters were inadvertently included among the papers laid upon the Table of the House.

11. My letter of the 8th instant and memorandum of the 9th instant furnished those details regarding the Plans, and the steps taken in reference to them, which I had not time to give, or which I was not acquainted with on the 5th instant.

12. These papers minutely detail the character and extent of the above-named Plans, point out in what they differ from the Plan described in Mr. Forster's motion, and the information necessary to be obtained to furnish such a Plan.

13. From their perusal, it will be seen that this Department has no knowledge of any survey or Plan ever having been made crossing the Nepean at the point named in Mr. Forster's motion, and that, however minute Mr. Forster's description may have been, it was so far inaccurate that neither the Engineer-in-Chief nor myself considered it as referring to the Plans of the Trial Lines of the Sappers.

14. In reference to the 7th paragraph of your letter, I entirely assent to the general principle, that it is "the bounden duty of all Heads of Departments, and indeed of the Government

Parliamentary Papers, 574 and 581 A.
Commissioner's letter of the 8th instant.

Parliamentary Paper, 574.
Commissioner's letter of the 11th October.

Parliamentary Paper, 574.
Surveyor General's Minute of 18th ultimo.

Parliamentary Paper, 574.
Commissioner's Minute of 20th ultimo.

Parliamentary Paper, 574.

Commissioner's 1st letter of the 5th instant.

Parliamentary Paper, 574.
Letter from the Hon. the Secretary for Land and Works of the 6th instant.
Commissioner's 2nd letter of the 5th instant.

Parliamentary Paper, 581 A.
Memorandum communicated by the Hon. the Secretary for Land and Works to the Sydney Morning Herald, and published in that paper on the 10th instant.

"Government itself, to meet in a spirit of candour motions of this kind made by individual Members of the Legislature, even though the Plans or documents sought for may not be described by them with minute accuracy; and would regard as extremely reprehensible any denial of documents or information on captious or merely technical grounds."

15. I do not consider it necessary to refer more particularly to the terms in which you have thought it right to address me in your letter of this day's date; and, under the circumstances, I am not careful to justify myself against the charge that is implied in the two last paragraphs of that letter, as I am conscious that an investigation into the manner in which I have discharged my duties during the period that I have had the honor of serving the Government of this Colony will shew that I have acted throughout with uniform integrity and candour.

I have, &c.,

B. H. MARTINDALE.

THE HONORABLE

THE SECRETARY FOR

LANDS AND PUBLIC WORKS.

[Enclosure in No. 2.]

Railway Department,

Sydney, 15 November, 1858.

Sir,

With reference to your Minute of the 15th instant, received this day on my return from the Hunter, requesting to know, for the information of the Government, what steps I took to comply with Mr. Forster's motion, I have the honor to state, that when my attention was first called to the subject I was under the impression that the Plan asked for was one prepared by Mr. Weaver, shewing a proposed line of Railway from Parramatta to the western interior, and crossing the Nepean River at a point about a mile and a-half above Penrith. This impression was probably created by Mr. Weaver's name being mentioned in the motion, and from the fact of Mr. Russell having previously named to me that the best crossing for a Railway to Bathurst would be about the place indicated in the motion, and stating that Mr. Weaver had reported to this effect to the Government.

The subject was therefore not a new one—my attention having been previously called to it; and as I had carefully examined all the Plans and Sections in this office of trial lines taken between Parramatta and Penrith, before deciding upon that portion of the western line already proclaimed, I was in a position at once to inform you that no such Plan as the one asked for was in this office.

After reading Colonel Barney's minute of the 18th October, suggesting that the Plan referred to might be one made by the Sappers, under the direction of Captain Hawkins, I made the following minute, dated October 28th, on the paper forwarded to me:—

"A Plan and Section was made by the Sappers, under the direction of Captain Hawkins, from a point near to the Fairfield Station, as far as the Nepean River at Penrith, running parallel to and on the south side of the Western Road, and is now in this office. This plan does not however extend to the point on the River Nepean mentioned in Mr. Forster's motion."

This minute was, I believe, laid before you immediately on your return from an inspection of the Western Roads, on the 5th instant; and the Plan and Section was forwarded to you, at your request, the same day.

In reference to the letter of this day's date from the Honorable the Secretary for Lands and Works, I think it is not necessary for me to assure you that there was no intention on my part to withhold any Plans, or other information asked for by the Legislative Assembly.

I have, &c.,

JOHN WHITTON.

Captain B. H. Martindale,

Chief Commissioner of Railways.

No. 3.

It is assumed in the letter from this Department of yesterday's date that there is a Survey of a line from Parramatta Terminus to within, say, a mile of the point on the Nepean indicated by Mr. Forster. This position is neither admitted nor denied in Captain Martindale's letter yesterday, nor in the published minute to which he refers. Mr. Robertson therefore wishes Captain Martindale to have the goodness to say whether the fact is as above stated?

There is a Survey of a line from a point about a mile south-west of the present Parramatta Station to within, say, a mile of the point on the Nepean indicated by Mr. Forster. This line is alluded to in my letters of the 5th (No. 2) and 8th instant, and fully detailed in my memorandum of the 9th instant.

Does

Does the line in fact commence at Parramatta, or at Parramatta Terminus?

It commences about a mile south-west of the present Parramatta Station.

If not, how far from the Terminus does it commence, and in what direction?

To within what distance from the point on the Nepean indicated by Mr. Forster does the line in question reach?

About $1\frac{1}{2}$ miles—say 1 mile.

It will be a great convenience if these questions can be answered hereon in time for the Assembly to-day.

B. H. M.
16 November, 1858.

M. F.

B. C., 16 November.

No. 4.

THE SECRETARY FOR LANDS AND PUBLIC WORKS TO THE COMMISSIONER FOR INTERNAL COMMUNICATION.

*Department of Lands and Public Works,
Sydney, 18 November, 1858.*

SIR,

Having received replies to the queries contained in my B. C. reference of the 16th instant, on the subject of the Railway Plans moved for by Mr. Forster in the Legislative Assembly, the Secretary for Lands and Public Works is now in a position to reply more formally than has yet been done to your explanatory letter of the day previous.

2. From that letter it appears, first—That when the Plans were first called for, yourself and the Engineer-in-Chief were misled into the belief that they related to a survey made by Mr. Weaver. Second—That as far back as the 5th instant you were aware of the existence of a Railway survey from a point about a mile south-west of the present Parramatta Station to within (say) a mile of the point on the Nepean River indicated by Mr. Forster.

3. On the first point, the Secretary for Lands and Public Works can only regret the mistake growing out of the misinterpretation of the words of Mr. Forster's motion, in which, it is worthy of notice, Mr. Weaver's name is not used in connexion with the Railway survey, but only as helping to identify the precise spot on the Nepean over or to which the survey was supposed to have been conducted.

4. As for the rest, it is a subject of still deeper regret to Mr. Secretary Robertson that from this mistake the Government should be placed, to all appearances at least, in the position of withholding from the Legislative Assembly Plans so closely in accordance with the terms of their Address.

I have, &c.

MICHL. FITZPATRICK.

THE COMMISSIONER FOR
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1858.

Legislative Assembly.
NEW SOUTH WALES.

RAILWAY CROSSING IN ABBOTT STREET, WEST MAITLAND.

(I. ROBINSON, AS CHAIRMAN OF PUBLIC MEETING.)

Ordered by the Legislative Assembly to be Printed, 1 June, 1858.

To the Honorable the House of Assembly.

The Memorial of Land-owners, Household-ers, Farmers, and others, resident at and beneficially interested in land and premises lying on and near to the road leading from the east end of West Maitland to Louth Park, Buchanan, Buttai, Brooks' Flat, Sugar Loaf, Brisbane Water, &c., &c., &c.,—

RESPECTFULLY SHEWETH:—

That a Memorial signed by upward of three hundred residents in the localities above-mentioned was laid before the Railway Commissioners, by deputation, praying them to construct a level crossing at the intersection of Abbott-street, by the Great Northern Railway, it being the principal thoroughfare leading from the south side of Maitland to the above-mentioned extensive grain producing localities; and to give your Honorable House an idea of the value of landed property in these districts, upwards of eighty thousand pounds worth of land has been disposed of during the last four years in the immediate vicinity.

Captain Martindale promised to send up a person to inspect and report. Mr. Bell did inspect, and expressed surprise at the great extent of agricultural country, of which Abbott-street is the leading and only direct outlet, but beyond that nothing further was made known to your Memorialists.

Your Memorialists then applied to their representatives in Parliament—Messrs. Weekes and Dickson—to wait upon the Commissioners to learn their intentions upon the subject, and have since received, through these gentlemen, the following decision of the Commissioners, viz.:—"That a level crossing at Devonshire-street, and a new road running "parallel with the Railway from High to Devonshire-street, would be sufficient."

Your Memorialists consider that the Commissioners are acting in a very unconstitutional and arbitrary manner in thus closing up the leading and direct thoroughfare, and forcing all the traffic of a populous district through a narrow and boggy road, and causing the inhabitants to perform a zigzag route to gain High-street,—Abbott-street possessing the advantages of a higher level, exemplified as being the only street leading south available for traffic for weeks after the late disastrous floods, and also possesses greater width, and by having a level crossing would do away with the necessity and expense of purchasing land and metalling the proposed parallel road, at a great saving to the Revenue.

Your Memorialists further pray that your Honorable House, taking into consideration the great distance of the Terminus from the east end of West Maitland, would grant them a passenger platform, either at the intersection of High or Abbott-street by the Great Northern Railway. The greater facilities offered to travellers would amply compensate for any additional expense that may be incurred; and as a precedent has been established by forming a Station at Honeysuckle Point, and another at Warratah, with not ten per cent of the inhabitants or producing capabilities.

Your Memorialists conceive that unless a crossing place is afforded them at the locality mentioned, a great injustice and a public wrong will be done them, and such an injustice as no amount of ordinary compensation could remove.

Your Memorialists therefore pray that your Honorable House will take the premises into consideration, and that you will be pleased to order and allow that a crossing place may be constructed at the intersection of Abbott-street, West Maitland, by the Great Northern Railway, and of a passenger platform at Abbott or High-street.

And your Memorialists will ever pray, &c.

ISACK ROBINSON,
Chairman of the Public Meeting.

West Maitland,
25 May, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

WALLIS' CREEK.

(CUTTINGS MADE BY RAILWAY COMMISSIONERS.)

Ordered by the Legislative Assembly to be Printed, 22 June, 1858.

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

The humble Petition of the undersigned, being Landowners and others interested in the object of this Petition,—

HUMBLY SHEWETH:—

That the Railway Commissioners, in extending the line of Railroad from East Maitland to West Maitland, have dammed up the natural outlet of the waters of Wallis' Creek, and the district drained thereby. In lieu thereof they have made a new cut from Wallis' Creek to the Hunter River, and which cut is not to the level of the natural outlet. This arrangement has caused a great loss to your Petitioners, by flooding their lands, and also prevented the drainage of the same.

Your Petitioners beg respectfully to acquaint your Honorable House that Wallis' Creek runs from two to three miles within banks which gradually decrease in height to the level of the surrounding country until it reaches Brooks' Swamps on one side and Hungerford's Swamps on the other side. The greater portion of these swamps are drained by this creek, and the slightest rise above highwater-mark begins to overflow them—and other localities on both sides of the creek are more or less most seriously injured, being now covered with four feet of water. In addition to this, there are various cuttings through the banks of the said creek, made at great expense, to drain the intermediate low lands lying on both sides of the creek. These cuttings are made to low-water mark, with self acting flood-gates at their mouths, therefore, if the water be kept stationary even at highwater-mark, or from any obstacles causing the slightest rise of the water in the creek, it begins to interfere with the necessary drainage of the land, to the injury of great numbers of your Petitioners.

Your Petitioners having applied to the Railway Commissioners, and not having obtained a satisfactory redress of their grievances, humbly pray that your Honorable House will be pleased to take such immediate steps as shall cause the new cutting to be made to the original depth of the natural outlet that has been dammed up.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 242 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

LANDS TAKEN FOR RAILWAY PURPOSES AT HONEYSUCKLE POINT.

(PETITION FROM LESSEES.)

Ordered by the Legislative Assembly to be Printed, 10 September, 1858.

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

The Petition of the undersigned Lessees of Land at Honeysuckle Point,
Newcastle,—

HUMBLY SHEWETH:—

That your Petitioners are Lessees, from the Bishop of Newcastle, or his authorized agent, of land at Honeysuckle Point, Newcastle.

That your Petitioners had been for some years in quiet possession of same, and had, in several instances, erected buildings and other improvements thereon, when, in or about the month of July, in the year 1854, it was taken from them, respectively, by the Hunter River Railway Company, under the powers of, and for the purposes of, their Act,—your Petitioners having in all respects, by payment of rent and otherwise, fulfilled the conditions of their tenancy up to such end of their period of occupation.

That, in compliance with the requirements of their Act, the Hunter River Railway Company served notices on your Petitioners of their intention to purchase their respective interests in the said land, and had already sent down Commissioners to arrange the different amounts of compensation, when, unfortunately for your Petitioners, a dispute occurred between the Bishop of Newcastle and the Trustees of the Land as to the validity of the leases, and a point of law was raised which suspended the arrangement, without any fault or blame being attachable to your Petitioners.

That while the question was thus undecided, the said Railway passed by an Act of the Legislature into the hands of the Government; and that, although your Petitioners have since omitted no opportunity of urging a settlement of their just claims to compensation, they, as well as the Trustees, still continue unremunerated for their several interests in the land.

That had not the land been thus taken for Railway purposes your Petitioners had still continued undisturbed in its possession.

That previous to handing over the line to the Government, the Hunter River Railway Company expressed an anxious desire to meet the claims of your Petitioners, knowing, as they said, the injustice of the case, and that the Railway Commissioners have since, on several occasions, admitted their claims to compensation; but that, although the latter have held meetings at Newcastle for an adjustment of the question, its settlement seems as remote as ever.

That as the Government (which assumed the position and liabilities of the Hunter River Railway Company), have thus, for several years past, had possession of this land—on which the Honeysuckle Point Station is now built—without having given any compensation to your Petitioners, your Petitioners are at length obliged to approach your Honorable House to ask that equitable adjustment of their claims which they are unable otherwise to obtain.

That your Petitioners, therefore, pray that your Honorable House will be pleased to concede to your Petitioners that justice for which, after such a period of delay, they humbly conceive themselves entitled to beg, and that your Honorable House will be pleased to order such an adjustment of their claims as will meet the equity of the case; and that, as the claims of the Trustees of the land are involved in the terms of the leases granted to your Petitioners, your Honorable House will be pleased to order a coincident adjustment of both accordingly, to which course there can be no just objection.

And your Petitioners will ever pray.

[Here follow 16 Signatures.]

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1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY TERMINUS, PARRAMATTA.

(PETITION FROM CERTAIN INHABITANTS.)

Ordered by the Legislative Assembly to be Printed, 31 August, 1858.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the undersigned Landowners, Residents, Tradesmen, and Inhabitants generally of Parramatta south, and the neighbourhood,—

SHIWEETH :—

That your Petitioners hear with surprise, disappointment, and alarm, the contemplated change of the site of the Railway Terminus at Parramatta.

That your Petitioners have in many cases purchased, and at a very dear time, land in the vicinity of the present situation of the Railway Terminus at Parramatta south, and on most of which are erected buildings and improvements—some of a very expensive character.

That your Petitioners would not have purchased and improved in this locality, only on faith in the permanency of the present site.

That should the contemplated change take place, the deterioration in the value of such lands, property, &c., will be very great.

That, therefore, feeling the unfairness and injustice that your Petitioners would suffer in the event of this change taking place, they most humbly pray that your Honorable House may see the propriety and equity of permitting the Terminus to remain in its present site.

And your Petitioners will ever pray.

[Here follow 42 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

GOVERNMENT RAILWAYS BILL.

(PETITION FROM MUNICIPAL COUNCIL.)

Ordered by the Legislative Assembly to be Printed, 29 July, 1858.

To the Honorable the Legislative Assembly of New South Wales.

The Petition of the Municipal Council of the City of Sydney,—

SHEWETH:—

That, by a Bill now under the consideration of your Honorable House, intituled "*The Government Railways Bill of 1858*," it is proposed to grant to the Commissioner for Railways power to divert, or alter, or raise, or sink the level of any road or street, as he may think fit, for the purpose of constructing any line of Railway.

That your Petitioners respectfully submit, that the citizens have incurred great expense in forming the streets of the City, and in laying down water mains, constructing sewers, and providing means for lighting; and that, under the authority of certain Acts, the said streets have been duly proclaimed, and permanent levels fixed, to which the stores and shops have been built.

That it is necessary from time to time to open the streets for the purpose of forming house connections with the main sewers, and for laying or repairing water mains, or connecting service pipes therewith.

That the width of the principal thoroughfares is found to be insufficient even at the present time for the business traffic of the City.

That your Petitioners believe that great public inconvenience will arise from two Bodies Corporate having equal extensive power over the streets of the City, inasmuch as it may happen that streets formed by the Municipal Council, at very great cost, may be at any time entered upon by the Commissioner for Railways, and destroyed by his operations.

That the power proposed to be conferred upon the Commissioner by the said Act will enable the Commissioner to arbitrarily alter the levels of the streets, to the injury of the property of the citizens, and to interrupt or altogether divert the traffic in the public thoroughfares, and interfere with the regular supply of gas and water to the inhabitants.

Your Petitioners therefore humbly pray that your Honorable House will exempt the City of Sydney from the operations of the Government Railways Bill now under your consideration, and that no Railway, Tramway, or extension of the same, may be made within the limits of the City, unless under the authority of a special enactment by the Parliament for that purpose only.

And your Petitioners will ever pray.

(L.S.)

JOHN WILLIAMS,
Mayor.

1858.

Legislative Assembly.

NEW SOUTH WALES.

GOVERNMENT RAILWAYS BILL.

(LETTER FROM TOWN CLERK, AND REPORT OF CITY ENGINEER UPON.)

Ordered by the Legislative Assembly to be Printed, 8 April, 1858.

THE TOWN CLERK to THE COLONIAL SECRETARY, forwarding copy of City Engineer's Report on Railway Bill.

*Town Clerk's Office,**Sydney, 7 April, 1858.*

SIR,

I have the honor, by direction of the Right Worshipful the Mayor, to transmit herewith a copy of a Report received from the City Engineer, pointing out the difficulties which may arise in carrying out the works under the control of the Corporation from the extensive, and apparently uncontrolled, power over the streets of the City proposed to be granted to the Commissioner for Railways by the Bill now under the consideration of the Legislature.

2. His Worship would beg to submit, for your consideration, that the difficulties contemplated will be entirely avoided by excepting the City from the operations of the Act, as it will be most inconvenient that the Railway Commissioner should have the power, in opposition to the wishes of the Municipal Council, permanently to alter the course or level of the streets as he may think proper, as contemplated by the 10th section of the Act, and referred to in the accompanying Report.

I have, &c.,

CHAS. H. WOOLCOTT,

Town Clerk.

THE HONORABLE

THE COLONIAL SECRETARY,

&c., &c., &c.

*City Engineer's Office,**Sydney, 6 April, 1858.*

GENTLEMEN,

Since your Worship placed in my hands, on Thursday last, the Government Railway Bill of 1858, entitled "*A Bill to make more effectual provision for the construction of Railways in the Colony of New South Wales, and for the regulation of the same*," I have devoted to it my most careful attention, with the view to report in what manner the interest of the citizens of Sydney may be affected by the powers and various provisions contained in it.

2. The general character of the Bill throughout would convey an impression that the power sought by it is to enable the Government, through the Chief Commissioner, to make Railways through any part of the rural and suburban districts of New South Wales, when it thinks proper or convenient, without being under the necessity of applying to the Legislature for a special enactment for every new line, or extension of existing lines, into the interior of the Colony. In fact the whole of the clauses and provisions are so peculiarly adapted to the purposes of opening out this young Colony, by forming railway communication between the several towns, that if the power sought were confined to that particular and laudable object,

every inhabitant of New South Wales might rejoice in seeing the Bill become the law of the land, and the more so to see its very extensive powers equitably carried into execution.

3. The powers sought for in this "Government Railways Bill" are, however, not to be confined to the rural districts; the Commissioner of Railways, who has to administer them, may extend his jurisdiction throughout the whole City of Sydney, as forming part and parcel of the said Colony.

4. Before the Municipal Act of 1857, the administration of the affairs of the City of Sydney, and the conduct of all its works, were vested in three Commissioners, appointed in like manner to this Railway Commissioner; then the Municipal Act of 1857 vested the management of all the City affairs in the hands of the Municipal Council.

Clause 7.
Clause 137,
p. 47.

5. The Government Railway Bill of 1858 constitutes the Commissioner of Railways a "Corporation Sole," who may at any time, without the special consent of the Legislature being first obtained, and without any previous notice to the Municipal Council, be empowered by the Government to carry his works throughout the City,—to construct Railways along George, Pitt, and any other streets or places in Sydney that may be thought by the Government expedient for the interests of the public at large; and the management of such streets, Railways, and works within them will be entirely under the control of the Commissioner of Railways and his officials.

6. Clause 10 empowers the Commissioner of Railways to take and appropriate to Railway purposes such parts of the City as he may require, and form such trenches, cuttings, and embankments along the streets as are suitable for Railways, without regard to the adopted levels or the present elevation of the houses on such lines of street. He may take up the water pipes, cut through the sewers, and any materials which may be dug up he may use and appropriate to the purposes of such Railways; he may remove any obstructions to his course in carrying out the works, and generally do all other acts necessary for making, altering, or using the Railway.

7. The new sewers constructed in the City have cost £200,000, and if Railways be constructed over them the citizens will either be debarred from utilising those sewers, or the Railway must be subject to frequent interruption and stoppage from the opening of streets to make connections with the sewers. In fact, should this Bill become law in Sydney, it will very seriously clash with the Water and Sewerage Acts of 1853, as well as the Municipal Act of 1857. For instance, should a Railway be made where sewers have not yet been constructed, the Municipal Council might, under the powers of the Sewerage Act, take up, remove, or cart away the materials of such Railway, and put down the sewers without giving any notice of their intention whatsoever, and any obstruction to their officers or people in the execution of the works would subject persons interfering to a penalty not exceeding ten pounds for every offence; and so in like manner with the Water Act. If the Government Commissioner wishes to make his Railway and Terminus in Hyde Park, or elsewhere within the City, the Municipal Council may, under the Water Act of 1853, take possession of the land and forthwith commence the construction of the contemplated Storing Reservoirs, and thus prevent Railway operations entirely; and any interference or obstruction would subject the offender to ten pounds penalty for every offence. In fact, under three such conflicting Acts, it would be absolutely impossible for the public to derive any benefit. Either the Government Railways Bill of 1858 must be declared not to extend to the City of Sydney, or the Water and Sewerage Acts of 1853 must be repealed.—In the former event, the Commissioner of Railways would have to obtain a special enactment of the Legislature for his Railway Extension into the City, as is done elsewhere; in the latter case, the City affairs would chiefly revert to the care of one Commissioner.

8. The suggestion of making a Railway from the station at Redfern along Pitt-street to the Circular Quay is contained in the Report of the Commissioners of Railways to the Secretary of Lands and Works, under date the 21st August, 1857; and the extension to, and Terminus in, Hyde Park also.

9. The 13th and 14th sections, page 7, requires a map or plan of the intended line, with book of reference, to be exhibited at the Commissioner's Office; and any "well grounded objections" may be sent in for consideration within one month after the publication of the notice of the "extent and direction of the intended line." Suppose the line along Pitt-street, contemplated in the Railway Commissioner's Report of the 21st of August last, were in question, it would not be possible to learn from a map or plan what was intended to be done by the Commissioner beyond the extent and direction of the work. It would contain, probably, no more than two red, blue, or black lines; the plan of Pitt-street, which would indicate the "extent and direction" of the lines of rail, and the book of reference would contain only what is usual—the names of the owners of land on the line, and the quantity required for the purposes of the Railway.

10. From this information the citizens could form no idea of the detail of the works contemplated, and consequently would not be in a position to make any "well grounded objection."

11. Complete plans and sections in detail must be exhibited, before an owner, or any professional man he may employ, can form an idea of the damage he may sustain by the intended works. Again, three or four hundred proprietors along the line of Pitt-street could never obtain all the information they require from one set of such plans deposited at the Railway Office, and be prepared to send in "well grounded objections" within one month of the date of the first notice in the *Gazette*. It is doubtful if any of them ever see the *Gazette*; and the majority of the owners, particularly the poorer ones, would, through ignorance, allow the month to elapse without stirring in the matter. Here I would observe—and from the general tone of the Act it is only a reasonable conclusion—that it could scarcely have been the intention of the original framers of the Bill to apply the powers of it to the City of Sydney; or it would surely have provided for the deposit of at least one set of

of plans and books of reference with the Mayor at the Town Hall, in order that the representatives of the citizens might watch over their interests for them, whilst attending to the business of the City generally. Further, because the Bill in no way mentions the City or the Municipal Council, but merely states that, after final approval of the line, a map and book of reference will be deposited with the Clerk of Petty Sessions.

12. And, further, I find no specific provision for compensating citizens for the goodwill of their business, when deprived of it; or for interruption to business, and perhaps ruin, which may devolve upon individuals in consequence of the construction of such works.

13. There are, however, some few clauses of the Act which refer to streets, and the last clause which defines who shall be deemed "owners" of property, and which make it tolerably apparent that the Sole Commissioner will be in a position to take possession of any streets in Sydney, and any lands in the City, one hundred or more yards in width, as may be thought expedient for his purposes, without any notice to or of the Municipal Council in the matter.

14. In all other countries, excepting those under absolute or arbitrary Governments, it is customary when seeking power to make Railways through cities or towns to obtain from the Legislature a special enactment for the purpose. After the second reading of such Bill in the House of Representatives, a special committee is appointed by the House to take evidence from the promoters of, and also the opponents to, the Bill. Before such committee every requisite level and other detail is thoroughly sifted and canvassed on both sides, until no reasonable objection can be found to exist; and any incorrectness which can be shown in the levels, or defect in the details, invariably affects the success of the Bill. Every Member of the House must be furnished with a complete set of lithographed plans and sections of the line. All corporate bodies interested, and Clerks of Petty Sessions, must have similar copies served upon them before the Bill is brought into the House.

15. Thus every citizen has a fair opportunity to attend to and protect his own interests before the Committee of the House of Representatives, and the City Members being fully cognizant of all the details of the line, can protect the interests of their constituents.

16. The value of property in Pitt-street, should a Railway be made through it, would be very seriously deteriorated, and the more so should the Commissioner avail himself of the powers of this Act to draw his trains through that street by locomotives. Wharf and warehouse property at or near the Circular Quay would be considerably enhanced in value; but these would be matters for the consideration of a Committee of the House of Assembly, if special enactments for power to construct a Railway along Pitt-street, were sought for.

17. Having submitted these observations to your notice on some of the clauses which I conclude would be most obnoxious to the citizens, and prejudicial to their interests, if the powers delegated by the Act to the Sole Commissioner are allowed to extend over the City of Sydney, I would earnestly advise an appeal from the Corporation of Sydney to the Legislative Assembly, praying that the citizens may not be subject to the operation of this General Railway Bill; and further, if it be the intent to extend the present Railway into Sydney, it may not be done without a special enactment of the Legislature.

I have, &c.,

E. BELL,

City Engineer.

THE RIGHT WORSHIPFUL

MAYOR AND ALDERMEN,

City of Sydney.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY ACCIDENT.

(REPORTS AND EVIDENCE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 13 July, 1858. ▶

REPORTS from the Chief Commissioner of Railways, Engineer-in-Chief, Traffic Manager, Traffic Inspector, Locomotive Foreman, and Inspector of Permanent Way; with a Statement of the particulars of the killed and injured by the Accident on the Great Southern Railway, on the 10th July, 1858.

Also,

The Evidence taken at the Coroner's Inquest.

RAILWAY ACCIDENT.

THE CHIEF COMMISSIONER FOR RAILWAYS to THE SECRETARY FOR LANDS AND
PUBLIC WORKS.

10 July, 1858.

SIR,

I have the honor to report that a serious accident has occurred on the Great Southern Railway, this morning.

The carriages appear to have left the line at Haslam's Creek Bridge, and, after running about three hundred yards, the horse-boxes and three carriages fell over the bank, and three others were thrown off the line.

It is with deep regret I have to add that two persons have been killed, other persons seriously wounded, and three, more or less wounded.

The names of those killed are, George Want, Esq., of Parramatta, and Mrs. Hackett, of Pennant Hills Road; those seriously wounded are, Mrs. Mobbs, of Pennant Hills Road, and a young man named Southwell, and his sister. Several other persons are slightly injured, and among them J. H. Atkinson, Esq., of Liverpool.

I am at present inquiring into the cause of the accident, with the Engineer-in-Chief and the Traffic Manager.

I have, &c.,

B. H. MARTINDALE.

THE HON. SECRETARY
FOR LANDS AND PUBLIC WORKS.

THE CHIEF COMMISSIONER FOR RAILWAYS to THE SECRETARY FOR LANDS AND
PUBLIC WORKS.

Railway Department, Sydney,
13 July, 1858.

SIR,

I have the honor to submit, for the information of the Government, a further Report upon the late melancholy accident on the Great Southern Railway.

I received the first information of the catastrophe by a telegraphic message from the Sydney Station, a few minutes before 10, A.M., on the 10th instant, and immediately proceeded to the Station, where I found the Engineer-in-Chief, and left, accompanied by him, by the 10 o'clock train, which was detained for me a few minutes. I ascertained, before leaving, that the Traffic Manager, with ample medical attendance, together with the Permanent Way Inspector and a sufficient body of laborers, had gone down the line by a special train half an hour before, and I learned that you were with that train.

Finding, on reaching the spot, that every possible assistance had been, or was being, rendered to those injured, I turned my attention to ascertain, if possible, the cause of the accident. I examined the line with the Engineer-in-Chief, and found that one carriage or truck had first quitted it. I have since found reason to believe that this was the horse-box next to the tender. The spot where the horse-box quitted the line is close to Haslam's Creek Bridge, about $2\frac{1}{2}$ miles from Parramatta, and about 250 yards from the place where the carriages were overturned. The line for about half a mile before the bridge is straight, and falling with an easy gradient, it is then straight and level for a short distance, after which there is a rising gradient on a sharp curve. The horse-box left the line almost immediately after entering the level. I saw the line tried about the bridge with a gauge rod, it was in true gauge and good order. Nearer the curve, some of the heads of the dogs that fasten the nails to the sleepers were cut off, and strewed about the line, and still nearer the scene of accident, about two chains length of the line was broken up. These injuries were, no doubt

doubt, caused by the train leaving the line. I next examined the carriages: Two horse-boxes were thrown over the embankment (which is here about 15 feet high) on the right hand side, looking towards Sydney, and also one third class carriage; two other third class carriages were thrown down on the edge of the bank, and the break-van and remaining carriages and trucks were standing along the roadway. There was no wheel nor axle broken, but the axles were bent and twisted, and the carriages damaged in the way that might have been expected from such an accident, and which renders it impossible to state what their condition was immediately before the accident. The engine sustained no damage, but started for Sydney to obtain assistance immediately after the driver learned what had happened.

Soon after I had inspected the carriages, Mr. Darvall, the Magistrate at Parramatta, came up and informed me that he had sent for the Coroner, and that if he did not come within an hour he should wish the bodies of the two persons who were so unhappily killed taken to Parramatta; and that if the Coroner could not be found, he should take upon himself the responsibility of holding the inquest. I informed him that whatever he wished should be done, and that I would take care all the witnesses connected with the Railway should be in attendance.

Soon after this the Coroner arrived, and the bodies were conveyed to Parramatta, where the inquest was held. I attended the inquest, and had every person present connected with the Railway Department who, I had then ascertained, could throw any light on the matter; and I rendered what assistance I could towards ascertaining the facts of the case.

The verdict returned was as follows:—"We find that the deaths of the deceased parties, Mr. George Want and Mrs. Hackett, was caused by an accident on the Railway, the cause of which accident has not been proved by evidence. We are unanimously of opinion that the management of the Railway is careful and efficient, and that no blame attaches to any person connected with it."

I returned to Sydney by the last train that night, travelling along the up-line, upon which the accident happened, which had in the meantime been repaired. On the following day (Sunday the 11th) I visited those who had been injured, as far as time permitted, stopping upon the way to Parramatta to make a second inspection of the line and carriages.

Among the reports annexed will be found a list of the persons so unfortunately killed and injured, furnished to me by Dr. Gwynne of Parramatta, who, together with Dr. Rutter of the same place, have taken joint charge of the sufferers, with the exception of three cases in Sydney. These gentlemen were good enough to accompany me in visiting their patients, and I had the pleasure to hear them report favorably of them all. The opinion they then expressed has been further confirmed by a report I have received from them this day.

I can only reiterate the expression of my deep regret that two persons should have met their deaths, and so many have been injured, by this melancholy accident.

I felt it my duty yesterday (the 12th inst.), while the occurrence was yet recent, to take the evidence of all officers and servants of the Railway Department who have been considered able to furnish any information upon it; and I now enclose their evidence for the information of the Government, together with reports from the Engineer-in-Chief, Traffic Manager, Traffic Inspector, Foreman of Locomotives, and the Inspector of Permanent Way.

From the evidence and information thus obtained, I can only conclude that the accident was not the result of carelessness or furious driving, of any defect in the permanent way, nor of defective coupling of any one carriage to another, or to the engine.

I think it my duty, however, to draw particular attention to the fact, that the two horse-boxes were not coupled together with a screw coupling, but by side chains and centre links. This would, unquestionably, permit of greater oscillation than if the buffers had been brought into contact by a screw coupling; but I concur in the opinion expressed in his annexed report by the Engineer-in-Chief,—that this would not be sufficient to cause such oscillation as to throw the horse-box off the line, except the train were proceeding at a far greater speed than has been stated, and that, even supposing the speed to have been far greater, it does not follow as a consequence that the absence of the screw coupling would have caused sufficient oscillation to throw the box off the line.

The inspection of the line, and the information and evidence obtained, lead to the belief that the horse-box next to the tender was the first to leave the line; that, in consequence, the coupling between the engine and the horse-box broke, occasioning the former to shoot

shoot a-head, and that immediately after the remainder of the train, arriving at the curve, was drawn off the line by the leading horse-box proceeding straight forwards, till it fell over the embankment.

The impression that is current that the horse-box was forced off the line by the speed at which the train was travelling is not borne out by any evidence I have been able to obtain. A gentleman called at this office yesterday, and informed me that Mr. Atkinson, who was in the train, had said, just before the accident occurred, "What a fearful speed we are travelling at." It will be seen from the annexed report of the Traffic Manager, that Mr. Atkinson has informed him he never said anything of the kind. It is but natural, however, that such rumours should spread.

The impression that the horse-box is light when empty, and unfit to travel by a passenger train, especially next to the engine, is erroneous; and I may refer the Government for information upon this point to the evidence given by the Engineer-in-Chief at the Coroner's Inquest, a copy of which will be found among the papers annexed.

Assuming, therefore, the concurrent evidence of the witnesses as to the rate of speed to be true, I am led to suppose that some derangement in the running gear of the horse-box may have been the immediate cause of its leaving the line. This must have taken place between the time of the train leaving Parramatta and that of the accident, as both boxes had travelled from Sydney to Parramatta the same morning, and it may possibly have happened immediately before the sad occurrence took place.

While thus stating my view of the cause of the accident, I cannot claim for it more weight than for a mere conjecture.

I purpose still to make such further inquiries as suggest themselves to my mind, and some experiments as to the working of the horse-box; but I am unwilling to have this further touched at present, in case the Government should wish to have an independent inquiry made.

It may be satisfactory to the public to know that the trains are timed to run at a very moderate speed, and every carriage is constantly and carefully examined; and that an additional officer was appointed on the 3rd June last to act as Traffic Inspector, under the Manager, whose special duty it is to see to the proper arrangement of the carriages in the trains, and to their regular running; and to transmit a daily report for the information of the Chief Commissioner, stating in detail every irregularity that has come under his notice during the preceding day.

I am aware, however, that the inquiry I have instituted may not be satisfactory to the public, inasmuch as there is wanting the evidence of those unconnected with the Railway Department, who may be able to afford information in this matter. It was beyond the power of the Commissioners, nor has the time permitted them to command the attendance of any but their own officers and servants; at the same time, it appeared to be their duty to furnish to the Government, with the least possible delay, every information within their reach.

While, therefore, the Commissioners have endeavoured to discharge their duty in connection with this said event, I am confident it is the desire of the Railway Department generally that the investigation into the cause of it may be of the fullest character—one that shall at the same time be satisfactory to the friends and relatives of the deceased and injured, and to the public generally.

I have, &c,

THE HON. THE SECRETARY
FOR LANDS AND PUBLIC WORKS.

B. H. MARTINDALE.

THE ENGINEER-IN-CHIEF to THE RAILWAY COMMISSIONERS.

*Railway Department,
Sydney, 13 July, 1858.*

GENTLEMEN,

Immediately after receiving information that an accident had occurred on the Great Southern Railway, I proceeded down the line to Haslam's Creek, where I found the whole of the carriages of the 7 35 A.M. up-train from Campbelltown off the rails; the engine did not leave the rails, having broken the coupling attaching the first horse-box to the tender.

On

On a careful examination of the road, I discovered that the wheels of a carriage or horse-box had left the rails about 250 yards on the Parramatta side of where the carriages had been overturned; but at this point the permanent way was in perfectly good condition, both as to gauge and level.

I afterwards examined the wheels, axles, axle-boxes, and springs of both carriages and horse-boxes, but there was nothing in their condition that might not have been caused after being thrown off the rails. There was no broken wheel, axle, axle-box, or spring; but these were all so much strained and driven out of position, that it is now impossible to state their condition immediately preceding the accident.

The horse-boxes, which I believe first left the rails, are of the usual construction, having wheels, axles, axle-boxes, and springs, sent out from England, the framework only being made in the Colony, and they are in every respect well and properly constructed.

The line where the carriages first left the rails is level for about 200 yards, and for half a mile towards Parramatta is perfectly straight, with a falling gradient in the direction of Homebush at the rate of 40 feet per mile; after passing over this level portion, the rails are on an incline of one in a hundred, and a curve of 20 chains radius.

After a most careful examination of the rolling stock and permanent way, I am satisfied that there is nothing in the general construction of either that could have been the cause of the accident; but some derangement may have taken place of the axle-boxes or springs of the horse-boxes after leaving Parramatta, which would account for the accident.

My impression, after having inspected the line and carriages, was, that the accident might have been caused by excessive speed, combined with slack couplings between the carriages; but this supposition is destroyed by the direct evidence given as to the speed at the time of the accident, and the state of the couplings before leaving Parramatta.

From the evidence of the porters at Parramatta, and the guard of the train, the whole of the carriages and horse-boxes were connected by screw couplings, except the coupling between the two horse-boxes, which was not a screw coupling, but had centre links and side chains; the buffers, therefore, of the horse-boxes would not be in contact, and greater oscillation would take place than if a screw coupling had been used; but if the train were not proceeding at a far greater speed than that stated, this would not be sufficient to throw the horse-boxes off the line. Nor does it follow that even at a much higher speed those horse-boxes would necessarily have been thrown off the line in consequence of not having screw couplings, as waggons constantly travel by goods trains at a speed of 30 miles an hour and upwards, on which trains screw couplings are never used. Waggons also are frequently attached to passenger trains, both here and in England, and are connected only with centre links and side chains.

The speed of this train having been spoken to so positively by so many witnesses as not being greater than 25 miles an hour, I regret that I am not in a position at present to trace any cause for this lamentable accident. I can merely suggest that some derangement may have taken place in the wheels, axles, axle-boxes, or springs to one of the horse-boxes, after the train left the Station at Parramatta.

I have, &c.,

THE COMMISSIONERS FOR RAILWAYS.

JOHN WHITTON.

THE TRAFFIC MANAGER to THE CHIEF COMMISSIONER FOR RAILWAYS.

Sydney, 12 July, 1858.

SIR,

I have the honor to inform you, that on Saturday last, shortly after 9 o'clock A.M., I received a message from the Inspector that an accident had occurred on the Great Southern Line; no particulars had arrived, but it was stated that several persons were killed. I immediately hastened to the station, and proceeded by special train to the scene of the disaster. Upon the arrival of the engine bringing the melancholy tidings, the Inspector had formed a train to bring on the wounded, prepared necessary comforts and stimulants, and called in the assistance of four medical men, with whom, and the Locomotive Foreman and Inspector of Works, who had collected their hands and material, and a strong body of porters, I immediately started. The Minister for Lands and Works coming up just as we were moving, accompanied the train.

358—B

Arriving

Arriving at Haslam's Creek, about 3 miles beyond Homebush, we found the crippled train in the following position:—On the down side of the line, and nearest to Parramatta, were two horse-boxes,—these were over the embankment, one lying with its roof parallel to the fence, the other nearly at right angles to it; a few yards nearer to Sydney a 3rd class carriage—over the bank, and roof nearly parallel to the fence; then two 3rd class on the edge of the bank over-turned. Next the guard's break-van across the space between the two lines of rails, and partly over the down-line; then two carriages nearer to Parramatta, off the up-line; and then the remainder of the train on the line. The passengers were all extricated before I arrived; and I regret to state that Mr. George Want, of Parramatta, and Mrs. Hacket, of Pennant Hills Road, were found dead—the skull being fractured in both cases. Several persons were seriously wounded, some slightly, and a few suffered only from the shock. Two gentlemen are reported to have jumped from the train and escaped unhurt, but I have not been able to see them. I found the usual precautions for the protection of approaching trains had been taken, and I immediately made arrangements for the running of the usual trains, which were carefully carried out by my assistant, Mr. Beeston. Two medical men had arrived from Parramatta, and were rendering every aid to the sufferers. The injured were conveyed, some by spring cart, to an inn on the road, and afterwards to Parramatta, and some to Parramatta on a lorry formed into a couch with cushions and blankets, and driven by our men to Parramatta; the remainder, with those passengers uninjured, or slightly, were forwarded to Sydney soon after your arrival with the Engineer-in-Chief. When I found that the accident had been attended with fatal consequences, I sent a messenger for the Coroner; but he not having arrived till some two hours after, Mr. Darvall, the Police Magistrate at Parramatta, requested me to have the bodies placed on a truck, and removed to Parramatta, which was done.

I examined the road immediately after my arrival on the spot, and traced where the horse-box first left the line, to where the train got off, but could see nothing to cause the accident. I may add that, hearing a rumour that Mr. Atkinson, who was a passenger in the train, and conversing with the deceased Mr. Want at the time of the accident, had remarked to that gentleman that the train was going at a fearful rate, I inquired of Mr. Atkinson if such was the fact, and he informed me that he had said no such thing, but that they were just exchanging newspapers at the time. Mr. Atkinson was seriously shaken by the fall.

I have, &c,

CHARLES J. NEALDS,

THE CHIEF COMMISSIONER FOR RAILWAYS.

Manager.

INSPECTOR to MANAGER.

REPORT on the Accident, July 10, 1858.

ABOUT 9-20 A.M., No. 1 engine arrived empty; the driver informing me that his train had run off the line at Haslam's Creek, and several persons were seriously injured. I at once communicated with the Manager, Inspector of Works, and Locomotive Foreman, who were on the spot immediately after the news was brought. I gave instructions for a train to be made ready, consisting of carriages and two low-sided waggons. I sent several of the porters for medical men, and others getting ready blankets and other articles that I considered might be useful—amongst which was two bottles of brandy. I sent a telegram to the Chief Commissioner, and left orders for the 10 A.M. train to wait his arrival. The Manager, myself, Inspector of Works, and Locomotive Foreman, left Sydney by special train a little before 10 o'clock, and arrived at the scene of accident about 10-30, where I saw the whole of the carriages off the rails. Three third class, and two horse-boxes being to the right; one first class, second class, inclining to the left; the break-van being partially over betwixt the two lines. I regret to say that I found two of the passengers dead, and several wounded. I commenced to get the wounded into the train as soon as possible—three of which were brought to Sydney, and two forwarded to Parramatta on a lorry. I proceeded about 1-20 to Liverpool with the train that left Sydney at 2 P.M., and returned with the one leaving Campbelltown at 10-45. The whole of the trains were run afterwards, being each a few minutes late.

JNO. L. BEESTON.

10th July, 1858.

INSPECTOR

INSPECTOR to MANAGER.

12 July, 1858.

Report of the No. and position of the carriages, &c., of the 7.35 up-train on the 10th instant.

Train consisted of—

- Engine No. 1,
- 1 first class carriage.
- 1 second class carriage.
- 4 third class carriages.
- 1 break-van.
- 2 horse-boxes.
- 3 goods-trucks.

Position at the time of leaving Parramatta where the horse-boxes were attached.

- 1.—Engine.
- 2.—2 horse-boxes.
- 3.—3 third class carriages.
- 4.—1 break-van.
- 5.—1 first class.
- 6.—1 second.
- 7.—1 third.
- 8.—1 B goods-truck.
- 9.—1 C goods-truck.
- 10.—1 A goods-truck.

The horse boxes were thrown down the embankment on the down side of the line. The three 3rd class carriages first in the train on the edge of the embankment all turned on their sides; the break-van was partially over between the two roads; the first class, second class, and last third class, were all off the rails, but in upright position, inclining to the embankment on the up-side of the line. The waggons did not get off the rails. The casualties appear to have occurred principally in the two first 3rd class.

Mr. Want and Mrs. Hackett both being in the first carriage, and from the best information that I can collect, nearly the whole of the others were in either the first or second 3rd class. The number of passengers supposed to be in the train at the time of the accident were—

- 2 first class.
- 1 second class.
- 39 third class.

JNO. L. BEESTON.

MEMORANDUM TO CAPTAIN MARTINDALE.

Engineer's Department.

Sydney, 12 July, 1858.

SIR,

In reply to your request of yesterday, I beg to forward the following information respecting the character of the line where the accident occurred of the 10th instant, on the Great Southern Railway, at Haslam's Creek.

- 1st. The train first left the line at the bottom of a decline and approaching an incline.
- 2nd. The decline is about half a mile in length.
- 3rd. Where the train first left the line is straight, and about three chains from a curve.
- 4th. From where the train first left the line to where it fell over the embankment is about eleven chains and a half.
- 5th. The height of the embankment is about fifteen feet.
- 6th. Damage done to the line,—about two chains in length broken up.
- 7th. The particulars of the gradients and radius of the curve will be found on the plans in the Engineer's Office.

I am, &c.,

WILLIAM MORGAN,

Inspector of Way and Works.

The

THE LOCOMOTIVE FOREMAN to THE CHIEF COMMISSIONER FOR RAILWAYS.

12 July, 1858.

SIR,

Herewith you will receive a rough statement of the damage sustained to the rolling stock on the G. S. Railway, at the accident on the 10th instant.

No. 3.—First Class Carriage:—

- 4 Broken panels in the end of body.
- 1 Buffer-head stock broken.
- 1 Inside seat displaced.

No. 2.—Second Class Carriage:—

- 2 Bent axles.
- 2 Broken step-boards.

No. 8.—Third Class Carriage:—

- Roof broken all to pieces; also, the body severely smashed.
- 4 Broken axle-boxes.
- 4 Bent horn plates.
- 2 Strained axles.

No. 12.—Third Class Carriage:—

- 1 Broken head stock.
- 1 Broken stay rod.
- 2 Broken doors and a few panels.
- 1 Safety chair.
- 1 Step-board.

No. 13.—Third Class Carriage, G. N. R.:—

- 2 Broken doors.
- 2 Footstep boards.
- 2 Buffer head stocks.
- 2 Safety chains.

No. 23.—Third Class Carriage, G. N. R.:—

- 2 Bent axles.

No. 2.—First Class Break Van:—

- 2 Buffer head stocks broken.
- 1 End of body completely smashed.
- 1 Side of body broken.
- 1 Broken safety chain
- 2 Footsteps.
- 1 Break screw.
- 2 Buffer heads.

No. 2.—Horse-box:—

- The body is very much damaged, and will require rebuilding again.
- 2 Strained axles.
- 4 Broken axle-boxes.
- 4 Strained iron plates.

No. 5.—Horse Box:—

- 4 Broken axle-boxes.
- 4 Strained horn plates.
- 1 Strained axle.
- 1 End and one side of the body damaged.

Length of coupling betwixt engine and horse-box, 20 inches.

From hook to hook, $21\frac{1}{2}$ inches.

Length of safety chain belonging to the horse-box, 2 feet $3\frac{1}{2}$ inches.

From chain to drawhook, 2 feet 1 inch.

I am, &c.,

J. TWISS.

THE CHIEF COMMISSIONER FOR RAILWAYS.

THE

THE INQUEST.

By direction of Mr. Robertson, the Police Magistrate and Coroner of Parramatta (Mr. F. O. Darvall and Mr. C. B. Lyons) were sent for, and the latter proceeded at once to the Vauxhall Inn, where the bodies lay, to hold an Inquest upon the remains of Mr. Want and Mrs. Hackett.

A jury was impanelled, with Mr. A. O. Grant as foreman. There were also present Captain Martindale, Mr. Whitton, Mr. Nealds, several friends of the deceased, and a numerous auditory.

The Coroner having delivered his charge to the jury the first witness called was

Charles Coles, who deposed: I am a farm labourer, serving Mr. Smith, publican, on the Sydney Road; the house is about 100 yards from the line, and about 200 yards from that portion of it where the accident occurred; about nine o'clock this (Saturday) morning I was within 100 yards of the railway bridge; I was coming up with a load of billet-wood, when I heard a crash; I saw the horse-boxes run off the line, and, leaving my horse and dray, I ran to the place of the accident, and saw the train off the line; some gentlemen told me to go and get the spring cart belonging to my master; I went, and came back to the train with the spring cart; I do not know how the accident occurred; many people must have seen the dead bodies before I got back with my cart; the accident occurred near Haslam's Bridge.

Robert Boan, being sworn, deposed: I am a railway engine-driver in the employ of the Railway Commissioners; I drove the engine of the train which left Parramatta at 847; it should have left at 845, but it was delayed two minutes; I took the usual precautions to see that all was right before I started; when about two miles and a half from Parramatta, two horse-boxes which were next to the engine went off the line, and threw three third-class carriages off also; I found the couplings had broken, and the engine immediately separated from the horse-boxes; I stopped the engine as soon as I could, and came back to the spot in two or three minutes; the engine was not off the line at all; when I came back I saw the two horse-boxes over the embankment on the right hand side of the road when proceeding towards Sydney; there were three 3rd class carriages, two of them off the line, over the embankment on the same side, and one lying on the edge of the line; I cannot account for the horse-boxes going off the line; it is customary to keep the horse-boxes next the engine; there is a very slight curve at that part of the line; where I reversed the engine was about sixty yards from where the accident occurred; I have been six years on railways in England, and six months as an engine-driver on the line in this colony; where the carriages went off the line is nearly straight; we were going at the rate of about twenty-two miles an hour when the accident occurred; that is the usual speed at that part of the line; excepting the stage between Liverpool and Campbelltown this is the longest stage on the line; I could not see anything wrong about the rails at this place, neither can I account for the accident; I saw nothing wrong; had not the coupling broken, the carriages would not have taken the engine off the line; the first that I knew of the accident was, that we shot forward on account of our having broken away from the train; I put on the breaks and stopped as soon as I could—about sixty or eighty yards from the spot.

John Whitton, having been sworn, deposed: I am Engineer-in-Chief for Railways in New South Wales; the line is perfectly straight at the place where the carriages left the engine, and the rail at that point is in good order; there is nothing in the condition of the line to throw the train off; the speed at which the trains travel on this line is perfectly safe, and rather a slow speed; the horse-boxes are usually placed in front of the train, next to the engine; there is no general rule for so doing, but here they are generally placed next the engine; I consider that is the safest place for horse-boxes, for there is less oscillation near the engine than at the tail end of the train; the weight of a horse-box is five tons; they are very large boxes, and very heavy ones; the weight of ordinary carriages varies from four to five tons; I do not consider a horse-box less safe than any other, but rather, from their greater weight, they are more likely to retain their position than other carriages; we bring down meat from Liverpool to Sydney in carriages like horse-boxes, in which the meat is suspended from the roof, and have found no danger or inconvenience from so doing; I do not consider that the position of the horse-boxes in the train caused the accident; I have examined both the line and the carriages this morning, since the accident, and cannot account for it; the wheels of the carriages left the line before they came to the curve; it is a rare instance where a carriage, having left the line, recovers its place; they did not get off in consequence of the curves in the line; they left the line about two hundred yards before they came to the curve; there is no doubt that the coupling breaking would not have thrown the train off the line, for the mere effect would be to allow the engine to proceed alone; I examined the axles, axle-boxes, springs, and couplings, and found them strained a little, but not broken by the accident; I cannot account for the accident; the wheels of the carriages and engines are always examined before the train leaves; they were all perfect except from the strains which they had had in the accident; I know that an additional inspector has been put on the trains to ensure greater safety to the public; his duty is constantly to travel with the trains, and see that the carriages are put in proper order; I am quite positive it was not the curve which occasioned the accident; the carriages would not have left the road had it been perfectly straight, nor would they have gone over on that side; I consider the horse-boxes would not have been safer if horses had been in them; the additional weight would have had no effect whatever.

Richard Darby, deposed: I am a railway guard, in the employ of the Railway Commissioners; I have been a guard ever since the line was opened; I was the guard on the train to which the accident occurred; it was going at a speed of about twenty-three miles an hour; I cannot in any way account for the accident; there was no visible effect in the line, or in the carriages, previous to the accident; I saw the carriage lying on the edge of the line;

I saw the carriages put together this (Saturday) morning; I examined them before leaving Campbelltown; I did not feel the swerve from the line until I found the break gone, and immediately afterwards I was upset; I did not see anything else; I am perfectly certain the train was not travelling at an unusual speed; there was no necessity for going at a quicker rate; the time we actually left Parramatta was 8.47.

Robert Champley Rutter, deposed: I am a surgeon; some person from the Railway called upon me this morning, to tell me of the accident, and I went immediately to the spot; I saw both the bodies as they now are, dead, from the nature of the injuries received; I should consider that they did not exist one moment after the accident took place; Mr. Want's head must have been propelled against the carriage; in both cases there was a fracture of the skull; I did not perceive that any of their limbs were broken.

Mr. Whitton, in answer to a jurymen, deposed that railway accidents frequently occurred in England to which it was impossible to trace the causes; it would be very satisfactory to all if some cause could be discovered in the present instance.

The Coroner having briefly addressed the jury, after a short deliberation they returned the following verdict:—"We, the jury, are of opinion that the deceased came by their deaths by accident on the Railway. We have not been able to arrive at a knowledge of the cause of the accident by any evidence we have heard, and we are anxious to express an opinion that the management of the Railway is efficient and careful, and that there is no blame to be attached to any officer connected with it."

KILLED.

George Want.
Mrs. Hackett.

SERIOUSLY INJURED.

— Bowden, foot crushed.
Mr. Bergin, arm broken.
Mrs. Bergin, do.
James Tappsett, contused.
Mrs. Frances de Courcy, injury to right eye.
Alice Cater, fracture of arm.
Richard Cater, injury to hip joint.

SLIGHTLY INJURED.

Samuel Hodges, contused.
Josiah Southwell, cut on right eye.
Richard McGee, cut on side of head.
Mrs. Mobbs, generally contused.
Mrs. Trott, cut on forehead.
Mr. Trott, shaken.

EVIDENCE TAKEN AT AN INQUIRY CONDUCTED BY THE CHIEF COMMISSIONER, INTO THE ACCIDENT ON THE GREAT SOUTHERN RAILWAY, ON THE 10TH JULY, 1858.

The Engineer-in-Chief and Traffic Manager in attendance.

Captain Ward was present during a portion of the day, but was compelled to leave about one o'clock by other duties.

George Fitzmaurice examined:—

I am station master at Sydney, in training for traffic inspector; the 7.35 up-train arrived at Parramatta from Campbelltown at the regular time; at Parramatta two horse-boxes were put on, which had travelled from Sydney that morning; the newest one was next the engine, I believe; we left Parramatta at 8.47, being two minutes late; I saw the horse-boxes coupled to the tender; I satisfied myself, by inspection, that they were properly coupled; we proceeded towards Homebush at the usual speed; I travelled on the engine; about three and a half miles from Parramatta the stoker turned, and cried to the engine-driver "Oh! stop, Bob!"; I immediately looked round, and perceived the first horse-box at a distance of about one hundred to one hundred and fifty yards making a circuit, followed by the third class carriages, and they fell over the embankment; we were then travelling at a speed not exceeding twenty-four miles an hour; the engine was stopped within eighty or one hundred yards; I got off the engine to ascertain the nature of the accident; the engine backed after me; I spoke to the guard, who sent the engine on to Sydney for assistance; I sent men up and down the line to stop the traffic; I also sent to Parramatta for medical assistance, giving notice to the station master at Parramatta of what had occurred; all the passengers that were able were assisting to extricate the others; the first thing that I saw was a dead dog; the next, the body of Mr. Want lying on the bank, with the face towards the ground; I examined the iron fastenings of the rails, and found them firm; when the carriages first left the line it was all right; I saw the track of only one carriage, which seemed to indicate that only one carriage had gone off at first; I traced it up

to

to the scene of the accident; it became deeper as it proceeded; and the rails were torn up under the 2nd class carriages; I then got on the uppermost side of one of the 3rd class carriages while some persons were extricating those inside; I then saw the body of Mrs. Hackett in the carriage; I had the bodies laid on the ground to await the Inquest; I endeavored to ascertain the nature of the injuries received; Drs. Gwynne and Rutter arrived from Parramatta at this time, and then the Traffic Manager from Sydney; I cannot account for the accident; immediately before it happened, we felt two or three bumps; we felt nothing unusual before this; I do not think that between Parramatta and the place where the accident occurred we were travelling more than 24 miles an hour; the lever was in the extreme notch of forward gear when the accident happened; I saw this, and the regulator was about a quarter on; I think it was the same all down the decline; the coupling was screwed up between the horse-box and the tender, before the train started from Parramatta.

Robert Boan examined:—

I was driver of the 7-30 up-train from Campbelltown on the morning of the 10th instant; we left Parramatta at 8-47, two minutes late; I saw the engine was all right before we left; we proceeded towards Homebush. About 3 miles from Parramatta I felt the engine rush forward; I looked back and saw the horse-boxes running across the line; I reversed the engine, and stopped as soon as I could; I came back to the guard and asked him if I might go on to Sydney for assistance; he told me to go, and I went; I returned with the ten o'clock train; the shooting forward of the engine was the first I know of the accident; at the time we were travelling about 22 miles an hour; between that and Parramatta we had travelled about the same rate, which is the usual speed; the lever was in the first notch, and very little steam on; I altered it to the first notch at the Duck River; I usually ran engine No. 1—which was the one in use that morning—on the first notch; I shut off the steam at the top of the incline, and put steam on nearly at the bottom, as usual; I put on just sufficient steam to hear the engine beat; the accident occurred at 8-56 a.m.; I took the time at the moment the accident occurred; I cannot state any cause for the accident; I started with the lever in forward gear till I got the engine in speed; I then pulled it back to the first notch at Duck River, after which I did not alter it; there were two horse-boxes on; the new one was next the engine; when I first looked round, only the first horse-box was off the line, and it dragged the other after it, as far as I could perceive; I have been driving six months on this line; I was fireman and engine-driver for six years in England.

James Grant examined:—

I was fireman to Boan on the 7-35 up-train from Campbelltown on the 10th instant; we left Parramatta at 8-47, two minutes late, and drove for Homebush; we were coming down the bank, at the usual speed of 22 miles an hour, about three miles from Parramatta; as we got on the curve, I looked round, and saw the horse-boxes rushing across the line; I had looked round two or three minutes before, and the train was all right; I had not felt the slightest unusual motion before this; I looked round at the curve, according to my usual custom, without any particular cause; my hand was on the break, and I cried to the driver, "Hold hard," and put on the break as hard as I could; the engine was away from the horse-boxes at this time, about eighty yards; I felt no jerk in parting from the carriages; the engineman reversed the engine, turned on steam, and stopped it in two or three seconds; we went back about sixty yards, and immediately afterwards went on to Sydney; coming down the bank we generally travel about the usual pace, and this morning we did so; I do not know the position of the lever when the accident occurred; the steam was on when I called to the driver to stop, and I think it was on part of the way down the decline, but I am not positive; I saw Boan look at his watch the instant the accident happened, and he said, "It's 56 minutes past 8;" I think the new box was next the tender; when I first looked round both the horse-boxes were rushing across the line.

John Fishlock examined:—

I am the ganger of the Homebush length—where the accident occurred; I am the ganger of the length from 9 to 11½ miles; I saw the train to which the accident happened pass me that morning; I noticed the horse-box next the engine rolling about very much when it passed me—this was upwards of half a mile from where the accident happened; it was rolling more than I have generally seen it; I thought the train passed me faster than usual, perhaps 25 or 26 miles an hour, and not more; I thought the horse-box would be off the line from the way it was rolling; the second horse-box and the rest of the train was running the same as usual; the gang all noticed how the horse-box was rolling; we looked after the train; the next thing was, that Tom Markham, who was at the end of the curve and could see farther than I, said "They are gone over, Jack"; I went and looked and saw the carriages over; all the gang then ran up to where the accident happened; the two horse-boxes were lying on the slope of the bank and three carriages; the break was standing in the middle of the road; there were two or three carriages on the down line, and the rest of the carriages on the rails; the old horse-box was lying next to Sydney, and the carriages beyond the horse-boxes nearest to Sydney; I think the meat-box was next the tender when it passed me; the first thing I did was to take a rail out of the fence, and, with the assistance of the gang, lift up one of the carriages and release the woman alive from the one who was dead; after this I began to see after repairing the damage done to the road; I have not touched the road where the carriages first left the line since the accident; it can be seen now, and is in perfectly good order; there was nothing in the state of my length of road to cause the rolling; it was rolling as far as I could see it—½ of a mile before it passed me; the horse-box left the line on the straight.

Thomas

Thomas Markham :—

I am plate-layer in Fishlock's gang, from 9 to 11½ miles—where the accident happened; I saw the train pass on the 10th; I noticed the horse-box next the engine rolling; it was the old box, I think stone color; it always does roll; I never mentioned to any one that it had rolled formerly; I said to the ganger "that horse-box rolls very much," and he said "it does"; the train was passing at what appeared the usual pace; not above 24 miles an hour; I watched the train as it went along, and then went to work; directly after, I turned my head and said "the train's over, Jack"; we threw the shovels down and ran to the scene where the accident happened; I was the last who got there, and returned for the tools to repair the road; the second horse-box was not rolling; I said "that horse-box 'always rolled,' because I have noticed one that does roll, and I supposed that was the one; during the five weeks I have recently been on the line, I have always noticed that a box rolled—it was a stone color; this time it was the one next the tender that was rolling; I know there are red horse-boxes; I have noticed the horse-box roll two or three times (not more) since I have been on the line.

John Hooper :—

I am porter at Parramatta; I saw the 8-45 up-train on Saturday last; I coupled the engine to a horse-box, I believe the new one; I screwed up the couplings till the buffers touched; I did not notice the box particularly.

George Kingston :—

I am head porter at Parramatta; I saw the 8-45 train at Parramatta, it left at 8-47 A.M.; I helped to put two horse-boxes on; I coupled the horse-boxes together; the new horse box No. 1 was next the tender; I coupled the two horse-boxes together by means of the centre chain, and hooked the side chains together; both horse-boxes came down to Parramatta by the first train; I examined the doors and keys when they were in dock to see if all was right, but nothing further; when the chains are fastened the buffers are about three or four inches apart; there was no screw coupling between the two horse-boxes.

John Creasy :—

I am porter at Parramatta; on the 10th I coupled the second horse-box to a third class carriage; there was a screw coupling; I put on one side chain and crew, Darby put on the other; I screwed up the coupling till the buffers met; it was the old box that was next the third class carriage, so that the new box was next the engine.

Richard Griffiths :—

I am railway porter, and act as assistant guard by the first down-train from Sydney and the second up; I was in the break-van when the accident happened; the first I knew was Darby laying hold of the break and putting it on, and then the front of the van was driven in; we were travelling, I am quite certain, at the usual speed from Parramatta—about 23 or 24 miles per hour; I felt nothing unusual before the accident; about 1½ minutes before I was looking out to see if there was anything wrong—all was right; I did not see the horse-boxes rolling; after the accident I lent what help I could.

Richard Darby :—

I am railway guard, and was so on the 10th; I left Campbelltown with the 7-35 train; I saw the train coupled up and in perfect order before I left; we arrived at Parramatta in proper time; we took on two horse-boxes at Parramatta, an old one and a new one; the new one was next the engine; I helped to couple the old one to the third class carriage; there was a screw coupling and two side chains; I put on one side chain, and saw Creasy put on the other, and screwed up the couplings till the buffers touched; I noticed nothing wrong about the horse-boxes; we left Parramatta two minutes late for Homebush, at usual speed for about three miles; I am quite certain the speed was not greater than usual—about from 20 to 25 miles an hour. The first I knew of the accident was—I thought I felt something wrong, by the carriage shaking from one side to the other, about three lengths of the carriages from where they went over; I observed nothing before; I ran to the break, and before I had time to do more than just screw it up I was knocked through the open door-way into the van; when I recovered myself, I found the new horse-box over the bank next to Parramatta, the old box beyond it, nearer Sydney, and beyond both, still near Sydney, three third class carriages, one right over, and two on the edge—all upset; the break stood cross-ways over the 6-foot, and partly on the down-line; the next was a first class carriage, partly on the 6-foot and partly on the up-line; next, a second class, just off the rails; then a third class, and the remainder of the train not off the rails; as soon as I got out of the van, I saw a young woman fastened by the legs under a carriage next me; I took off my coat and helped her out; I then assisted a man and woman out of another carriage; I then walked the line to ascertain, if possible, the cause of the accident, all the passengers being by this time out; I could find no cause for the accident; I was the first who walked over after the accident occurred; it was a straight road where the train left the line; I did not notice anything particular about the horse-boxes before leaving Parramatta; I am constantly looking out to see that the carriages are travelling properly; I did not see either of the horse-boxes shaking about; I have not noticed the horse-boxes shake about more than the carriages; I have frequently taken two horse-boxes together without a screw coupling; I think they would travel more steadily with a screw coupling, properly screwed up; directly after the accident the engine driver consulted me what he was to do; I told him to go on to Sydney; I sent a man each way to stop any trains coming in either direction; shortly after this the Manager arrived.

James

RAILWAY ACCIDENT.

13

James Kay :—

I am carriage inspector at the Sydney station ; I have seen the two horse-boxes that were with the train to which the accident happened on the 10th instant ; one is a new one (No. 5), and the other an old one (No. 2) ; No. 5, the new box, has been running about two months ; No. 5 went to Parramatta at 4.35 P. M. on the 9th ; I examined it in the siding before it went out ; I made a thorough examination of it inside and out, and underneath, to see if it was all right ; and on the morning of the 9th I had examined the wheels and axles and sounded the tires ; I found it all in perfect order ; I examined No. 2 about two days or less before the accident ; I am positive it was in perfect running condition ; the new box has side chains and centre links ; I do not think the horse-boxes would oscillate more than the carriages ; I know nothing to make them do so ; the only objection I see would be to send those boxes as a trailing carriage behind trains ; the only cause I can see for oscillation is the coupling not being properly screwed up.

Joseph Twiss :—

I am Locomotive Superintendent of the Great Southern Railway ; I have seen the two horse-boxes that were broken on Saturday ; one is a new one, built at Sydney under my inspection, the other is an old one, built by Mr. Randle ; I know nothing in the build of these boxes that would cause them to oscillate more than an ordinary carriage ; I have examined the wheels, axles, and axle boxes, and springs, since the accident, and find them in perfect order, except what may have been caused by the strain ; there is no defect that would not be accounted for by the accident ; I know nothing that can account for the accident.

DRS. RUTTER AND GWYNNE to THE CHIEF COMMISSIONER FOR RAILWAYS.

Parramatta, 12 July, 1858.

SIR,

We have the honor to report the state of the casualties under our care, which, in all cases, are favorable. They have been visited by us this day, and all their wants and medical requisites have been duly administered.

We have, &c.,

ROBT. CHAMPLEY RUTTER,
GORDON GWYNNE,

Surgeons.

THE CHIEF COMMISSIONER FOR RAILWAYS.

N. B.—Should any unfavorable symptoms occur in any case, information will be immediately forwarded.

[Transmitted for the information of The Hon. the Secretary for Lands and Works.]

B. H. M.

1858.

Legislative Assembly.
NEW SOUTH WALES.

RAILWAY ACCIDENT.

(COMMISSION TO INQUIRE INTO CAUSES OF.)

Ordered by the Legislative Assembly to be Printed, 20 July, 1858.

COPY of the COMMISSION appointing CAPTAIN DENHAM, R.N.,
M. B. PELL, Esquire, B.A., and E. O. MORIARTY, Esquire, C.E.,
to inquire into the causes, &c., of the late fatal Accident on the
Great Southern Railway.

RAILWAY ACCIDENT.—COPY OF COMMISSION.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To Our trusty and well-beloved HENRY MANGLES DENHAM, Esquire, F.R.S., Captain in Our Royal Navy; MORRIS BIRKBECK PELL, Esquire, B.A., Mathematical Professor of the University of Sydney; and EDWARD ORPEN MORIARTY, Esquire, B.A., Civil Engineer:

KNOW ye, that We, reposing great trust and confidence in your zeal, industry, discretion, and integrity, with the advice of Our Executive Council of Our Colony of New South Wales, do by these presents authorise and appoint you, or any two of you, as hereinafter mentioned, to make a diligent and full inquiry into the cause or causes of the accident on the Great Southern Railway, in Our said Colony, on Saturday, the 10th day of July instant, which resulted in the death of two of the persons travelling by the said Railway, and serious injuries to various other persons also travelling thereby; and whether any, and if any, what person or persons is or are blameable for or in respect of such accident; and, generally, whether the Regulations now in force with respect to Railways in Our said Colony, and the general Management of such Railways, afford proper security and protection for persons travelling on such Railways, and all others Our subjects: And for the better discovery of the truth in the premises, We do by these presents give and grant to you, or any two of you, at any meeting or meetings to which all of you shall have been duly summoned, full power and authority to call before you all such persons as you shall judge necessary by whom you may be better informed of the truth in the premises; and to visit and inspect the said Railway, and all Stations, Station Houses, and other Buildings, together with all Engines, Carriages, and other Railway appliances whatsoever; and to require the production of all such charts, maps, plans, drawings, tracings, books, papers, writings, and all other documents, as you may deem expedient, and to visit and inspect the same at the offices or places where the same, or any of them, may be deposited; and to hold any meeting or meetings (whereat any two of you shall be a quorum,) for the purposes of this Commission at the Office of the Chief Commissioner of Railways, in Sydney, in Our said Territory, or at any other place or places you, or any two of you, may think fit; and to inquire of the premises by all other lawful ways and means; and also, when the same shall appear requisite, to administer an Oath or Affirmation to any or every person to be examined before you as aforesaid, touching or concerning the premises: And Our further will and pleasure is, that you, or any two of you, after due examination of the premises, do, and shall, so soon as the same can reasonably be, but not being later than the expiration of one month from the date of this Our Commission, or such extended time as the Governor of Our said Territory before the expiration of such period of one month by writing under his hand shall appoint, certify to Us, in the Office of Our Secretary for Lands and Public Works, under your, or any two of your hands and seals, what you shall find touching the premises, and what, if any, alterations, modifications, improvements, and regulations respecting such matters as aforesaid, or any of them, you shall think fit to be made and established: And this Commission shall continue in full force, although the proceedings thereunder shall not be continued by adjournment from time to time; and you, or any two of you, as aforesaid, may from time to time, if you shall see fit, without waiting for your full and complete Report, certify your several proceedings in Our said Office as the same shall be respectively perfected: And We do hereby command all

Government

Government officers and other persons whomsoever within the said Colony, that they be assistant to you, and each of you, in the execution of these presents: And We give you power, at your discretion, to procure such clerical or other assistance as may be absolutely necessary for enabling you duly to execute this Commission. IN TESTIMONY WHEREOF, We have caused these Our Letters to be made patent, and the Great Seal of Our said Colony to be hereunto also affixed.

WITNESS Our trusty and well-beloved SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Our Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and Captain General and Governor in Chief of our Territory of New South Wales and its Dependencies, at Government House, Sydney, in New South Wales aforesaid, this twentieth day of July, in the twenty-second year of Our Reign, and in the year of Our Lord one thousand eight hundred and fifty-eight.

(Signed) W. DENISON.

By His Excellency's Command,

(Signed) JOHN ROBERTSON.

1858.

Legislative Assembly.
NEW SOUTH WALES.

RAILWAY ACCIDENT.
(EXTENSION OF TIME TO COMMISSION OF INQUIRY.)

Ordered by the Legislative Assembly to be Printed, 19 August, 1858.

By His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by a Commission, bearing date the twentieth day of July, one thousand eight hundred and fifty-eight, Her Majesty was pleased to authorize Henry Mangles Denham, Esquire, F. R. S., Captain Royal Navy, Morris Birbeck Pell, Esquire, B. A., Mathematical Professor of the University of Sydney, and Edward Orpen Moriarty, Esquire, B. A., Civil Engineer, to make a diligent and full inquiry into the cause or causes of the accident on the Great Southern Railway, in the Territory aforesaid, on Saturday, the tenth day of July last, which resulted in the death of two of the persons travelling by the said Railway, and serious injuries to various other persons also travelling thereby, and whether any, and if any, what person or persons was or were blameable for or in respect of such accident, and generally whether the Regulations in force with respect to Railways in the said Territory, and the general management of such Railways, afforded proper security and protection for persons travelling on such Railways, and all other Her Majesty's subjects; and whereas it was by the said Commission provided that the persons thereby appointed, or any two of them, after due examination of the premises, should as soon as the same could reasonably be, but being not later than the expiration of one month from the date of the said Commission, or such extended time as the Governor of the said Territory, before the expiration of such period of one month, should, by writing, under his hand appoint, certify to Her Majesty in the Office of the Secretary for Lands and Public Works, under their or any two of their hands and Seals, what they should find touching the premises, and what, if any, alterations, modifications, improvements, and regulations respecting such matters as aforesaid, or any of them, they should think fit to be made and established; and whereas it is deemed expedient to extend such period as aforesaid: Now, therefore, I, the Governor and Governor General aforesaid, with the advice of the Executive Council of the said Territory, do hereby direct and appoint, that the period within which the persons appointed by Her Majesty's said Commission shall certify to Her Majesty touching the premises shall be extended, and is hereby extended to the twentieth day of September now next ensuing.

Given under my Hand, at Government House, Sydney, this seventeenth day of August, in the year of our Lord One thousand eight hundred and fifty-eight, and in the twenty-second year of Her Majesty's Reign.

W. DENISON.

By His Excellency's Command,
JOHN ROBERTSON.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY ACCIDENT.

(FIRST PROGRESS REPORT FROM COMMISSION OF INQUIRY.)

Ordered by the Legislative Assembly to be Printed, 19 August, 1858.

FIRST PROGRESS REPORT of the Commissioners appointed to inquire into the causes of the recent accident upon the Great Southern Railway, and to report whether the existing regulations and the general management of Railways in this Colony are such as adequately to ensure the safety of persons travelling by rail.

MAY IT PLEASE YOUR EXCELLENCY,

1. We, the Commissioners appointed to inquire into the causes of the recent accident upon the Great Southern Railway, and to report whether the existing regulations and the general management upon Railways in this Colony are such as adequately to ensure the safety of persons travelling by rail, are happy in being able to report, that we have been, in a great measure, successful in determining the cause of the recent accident upon the Great Southern Railway.

2. Before giving any explanation of the course of reasoning by which we have been led to the following results, or entering into an analysis of the mass of circumstantial evidence by which our conclusions are borne out, we will give a detailed account of the manner in which the accident occurred.

3. When the steam was shut off at the top of the incline leading down towards Haslem's Bridge, everything was right in the train. The steam being shut off the carriages overran the engine, and the buffers came into contact. The propelling power upon the leading horse-box, which was connected to the next by a loose coupling only, was thus from behind. About half-way down the incline, at a short distance on this side of the 11th mile post, and about half a mile from Haslem's Bridge, on account of some defect in the permanent way, the precise character and position of which it is now impossible to determine, the hind wheels of the leading horse-box were thrown off the rails to the right, the front wheels remaining in their proper position. The flange of the right hind wheel rested on the outer flange of the rail, and from the position of the horse-box on the incline the weight was thrown forward, and was taken entirely off the left hind wheel. The hind wheels were thus slightly below their usual position, and four inches out of line. The tire of the left hind wheel was half an inch clear of the inner edge of the rail, and its flange just clear of the edge of the lower flange of the rail. The strength of the spring brought down the flange of this wheel barely to the level of the sleepers. It could not, therefore, cut the sleepers, or make more than slight and occasional marks upon the ballast. It will be observed, that the position of the box on the incline tended to prevent the weight of the box from depressing the left hind wheel. The horse-box ran in this way down the rest of the incline, for a distance of about half a mile towards Haslem's Bridge. But, on ascending the incline up to the bridge, the weight of the horse-box was thrown back on account of the rising gradient. At a few yards from the bridge the left hand wheel began to cut into the ballast, and to diverge from the rail; and when it reached the centre of the bridge it cut deeply into one of the sleepers, the flange of the right hind wheel being still upon the outside lower flange of the rail. At this instant the hind wheels were so far to the right of their proper position that the flanges of the front wheels were pinched between the rails. This gave a momentary check to the motion of the box, broke both the front axle-boxes, and strained the axle. It will be observed that the left hind wheel being lower than the right, the leading wheel was above its proper position,

position, and its flange had but a slight hold of the rail. The pressure being thus exerted upon a small surface left a deep mark on the inside of the right rail, and a corresponding mark upon the flange of the wheel. The momentary check was followed by a jerk from the engine, which drew the right leading wheel over the rail to the right, leaving a scratch on the outside of the rail. After this the right wheels travelled upon the outside flange for about 250 yards, when, partly owing to the curve and partly to the strained axle, and two broken axle-boxes, the box diverged altogether from the rails, and the final catastrophe occurred.

4. We will now give a detailed account of the actual course of our inquiry; for, in this way alone can the full force of the evidence by which the above conclusions are borne out, be made apparent.

5. Upon first undertaking our commission, we endeavoured, by an examination of the evidence already published, and from the additional particulars furnished by Mr. Whitton, to learn, as nearly as possible, what had actually occurred after the train passed Haslem's Bridge.

6. It appeared from the testimony of witnesses, and still more certainly from the position of the carriages after the accident, that the new horse-box was next to the tender, and that it was the first to diverge from the rails, dragging the rest of the train after it. It appeared, also, from the evidence of Mr. Whitton, that the wheels of this box began to diverge from the rails at a few yards to the west of Haslem's Bridge. This was determined by Mr. Whitton immediately after the accident, by marks on the ballast, which were soon effaced, the first mark on the sleepers being at the centre of the bridge.

7. We then satisfied ourselves from the evidence, that there was at the time no defect in the permanent way, at that part of the line, which could possibly account for the accident.

8. It seemed to us, in the next place, extremely improbable that the accident could have been occasioned by excessive speed; for that alone, we believe (and Mr. Whitton is of the same opinion) would have caused the engine first to leave the rails. The evidence also of the two guards, and of the plate-layers—all persons accustomed to judge of the rate of a train, and not in any way interested in the matter, and all agreeing in their estimate of the speed—combined with the positive testimony of Mr. Fitz Maurice, that the steam was shut off all the way down the incline, seemed to us to establish beyond a doubt that the train, when it reached Haslem's Bridge, was not moving at a greater rate than thirty miles an hour. We have been since confirmed in this opinion by the evidence of the plate-layers Milton and Goulder, which will be appended to this our Report. The evidence of passengers we did not consider to have much weight, as they cannot generally be regarded as competent judges in such a matter. And we think, moreover, that the impression which seemed to prevail amongst some of the passengers, that the speed was excessive in coming down the incline, may be otherwise accounted for.

9. We next proceeded to consider whether the absence of a screw coupling between the two horse-boxes could in any way account for the accident. A train having been put together of exactly the same kind, both as to carriages and couplings, as that to which the accident happened, we observed the motion of the horse-boxes when travelling at the rate of from twenty-seven to thirty miles an hour; but neither from the side of the road, nor from the tender, could we detect any rolling or oscillation which could possibly be considered sufficient to throw them off the rails.

10. It having been suggested by Mr. Whitton, that if the steam were suddenly shut off, the train being in rapid motion, the buffers of the tender might possibly be brought into contact with those of the leading horse-box, with sufficient force to lift it off the rails,—we tried the experiment; but the buffers came together in so very gradual and gentle a manner that the idea was at once abandoned. The effect of suddenly turning on the steam we found to be equally slight.

11. All these possible causes having been thus eliminated, we were driven to the conclusion that the true cause had some especial reference to the leading horse-box itself. It seemed to us, however, extremely improbable that there should have been any serious defect in so new a horse-box, which had been only in use six weeks, and which had been inspected the day before. It appeared also, from the evidence, that no defect could be detected which
could

could probably be supposed to have existed before the accident. We still, however, felt convinced that there was something particular in the state of that horse-box, which caused it to diverge from the rails at Haslem's Bridge.

12. It then occurred to us, that possibly the wheels of the horse-box might have been thrown out of their proper position by some defect in the permanent way, at some point of the line farther back towards Parramatta, and might have run with the flanges of two of the wheels on the outer flange of one rail, and those of the other two on the inner flange of the other rail, without leaving any obvious traces upon the ballast, or making more than occasional cuts upon the sleepers. In examining the line from Haslem's Bridge towards Parramatta, with the object of finding traces of such a motion, we discovered a great number of old cuts upon the sleepers, which were caused, no doubt, by a horse-box which ran off the rails at the tail of a train, as we are informed, about nine months ago. On that occasion the horse-box was thrown off the rails at about half-a-mile from Haslem's Bridge, and dragged along for about a mile with the flanges of the right wheels resting on the outer flange of the rail, and the left wheels jumping upon the sleepers, before the circumstance was discovered, and the train stopped. In order to be quite sure that these marks had no connection with the subject of our inquiry, we traced them from near the 11th mile-post to a point entirely beyond the scene of the recent accident. We observed that upon that occasion the wheels of the horse-box had preserved an almost uniform distance from the rails, even in going round the curve at Haslem's Bridge. We were so far confirmed in our opinion that a carriage with its wheels out of their proper position on the rails might run for a considerable distance with tolerable steadiness. We found, however, upon making exact measurements, that if both right wheels were outside the rails, the left wheels must necessarily cut the sleepers, and as the first recent cut upon them is upon Haslem's Bridge, we were obliged reluctantly to abandon our theory. At the same time, this singular coincidence that two horse-boxes should have run off the rails, at about the same place, within one year, suggested to us the probability that there was something more than an accidental connection between the two cases, and led us to consider afresh whether the recent accident might not still be attributed to some defect in the permanent way at some point of the line to the west of Haslem's Bridge.

13. It then occurred to us that possibly the horse-box might have run for some distance with two wheels only off the top of the rails, the other two remaining in their usual position, without cutting the sleepers, or making much impression upon the ballast. Upon making exact measurements, and trying the experiment with a waggon, we concluded that the supposition was not improbable; our first idea being that the front wheels alone were first thrown out of position.

14. We then proceeded to consider what indications of such a motion we might expect to find upon the rails and upon the wheels. Upon considering that, if our supposition was correct, one of the right wheels must have rolled for some distance with its flange against the inclined surface the outer flange of the rail, with sand from the ballast almost constantly between the surfaces in contact, we concluded that such a motion must necessarily leave traces of *continuous grinding* upon the inner side of the flange of the wheel. Upon inquiry we found, to our great disappointment, that all the wheels of the horse-boxes had been removed a few hours after the accident, and replaced by new ones, with the exception of one pair of wheels of the leading horse-box, which had been restored to their original position; but whether or not they had been reversed from right to left, no one could remember. We were able, however, to determine, from indications afforded by the box, that these were the hind wheels, and, from marks upon the wheels themselves, which had been the right and which the left. All around the inner side of the flange of the right wheel we found precisely the kind of mark which we had expected, evidently produced by grinding, and not by any sudden blow, and entirely different in character from any mark upon any of the other wheels. We had no longer any doubt that we had at last discovered the clue which would lead to the solution of the whole difficulty.

15. We then went down to Haslem's Bridge, to make a more minute inspection of the rails, with the object of detecting any traces of rubbing, which might have been left by the flange of the wheel upon the outer edge of the top of the right rail. We had, however, very small hopes of finding any very decisive indications upon the straight line, for, with one exception, all the marks made upon the rails by the horse-box running in an irregular manner from Haslem's Bridge to a distance of 250 yards, are by no means conspicuous; so
that

that any traces of the more steady motion which we conceived to have existed before it arrived at that point, could scarcely be expected to remain. Being under the impression, however, that the derangement in the position of the horse-box had taken place farther back than we have since ascertained to be the case, we were in hopes of finding upon the curve, at the top of the incline, some strong confirmation of our theory. From Haslem's Bridge, however, for a considerable distance along the line, we detected traces of cutting and rubbing against the outer edge of the rail, such as we had expected. In some places the marks are conspicuous, and obviously recent. We were not able, however, to trace any indications beyond the level crossing at the eleventh mile-post; and in carefully examining the side of the rail from that point to Parramatta, we could discover no marks of the same character as those between Haslem's Bridge and the level crossing.

16. We remarked, also, that in running down the incline, the couplings having been slack, the right hind wheel had not constantly pressed against the side of the rail; but when the steam was put on, and the couplings became stretched, the wheel pressed more constantly and with greater force against the side of the rail, and the marks upon the rail on the ascending gradient towards Haslem's Bridge are stronger and more continuous.

17. After this minute examination of the rails, our attention was particularly directed to the deep mark upon the inside of the right rail at Haslem's Bridge, with the accompanying scratch on the outside, being convinced from its prominence compared with any other mark to be found upon the rails, that it was connected with some particular crisis in the accident. The explanation which we have given of the manner in which it was caused is, we think, satisfactory, and affords a strong proof that, after the hind wheels were off the rails, the front wheels were still in their usual position. Upon the flange of the right leading wheel there is a mark corresponding to the mark on the rail; and the cuts on the outer edge of the rail, caused by the flange of the wheel as it rubbed down against it, are of precisely the same character as those caused by the right hind wheel between the bridge and the 11th mile-post.

18. We next more particularly examined the wheels and axles which had been removed from the horse-boxes, and from the evidence of Mr. Twiss, the Locomotive Superintendent, and from marks upon the wheels, determined the positions which they had occupied in the train. As the horse-boxes turned to the right, just before falling over the embankment, the weight was thrown upon the left wheels, and the inside of the flanges of those wheels were deeply cut in crossing the down rails. The right wheels were comparatively uninjured. This renders more striking the evidence afforded by the mark of grinding on the inside of the flange of the right hind wheel of the leading horse-box. The axles of the second horse-box, and of those of a third-class carriage, were strained in being jerked suddenly sideways off the rails. By the time that this had been effected the rails were torn up, and the remaining wheels ran off with their axles uninjured. The axle of the front wheels of the leading horse-box was strained, as already described, at Haslem's Bridge. The hind wheels having been off the rails from the beginning, their axle escaped without injury.

19. Being thus convinced that the original cause of the accident was a defective state of the permanent way, not very far to the east of the 11th mile-post, our next object was to determine, if possible, the precise character and position of that defect; but in this we have not been entirely successful. We found that that part of the line was not inspected by any officer of the department before it had been repaired by the plate-layers, and that Fishlock, the foreman, and his gang were the only persons in possession of the information which we were anxious to obtain. Upon the evidence of Fishlock we are not disposed to place much reliance, for reasons which it is not worth while to explain particularly, but which may be abundantly illustrated by comparing his evidence before us with his former evidence at the inquest, and before Captain Martindale, and with that of other members of his gang. It may be particularly remarked, however, that in direct contradiction to what he formerly stated, and to the evidence of the other plate-layers, he is now desirous that the accident should be attributed to excessive speed. He admitted, however, before he became aware of the drift of our inquiry, that the embankment extending from the 11th mile-post towards Haslem's Bridge, is one of the most troublesome places in his length; that the roadway is constantly sinking, on account of a bad clay foundation, that, in consequence of the insufficient width of the embankment, the ballast is constantly washed away from between the sleepers, and that do what he will, the joints will go down. His evidence as to the character of this embankment is in some measure borne out by the evidence of Mr. Whitton.

RAILWAY ACCIDENT.

6

20. All the plate-layers denied that since the accident any particular repairs had been made on this part of the line; but upon going down a third time to inspect it, we found that from the 11th mile-post to a distance of several hundred yards towards Haslem's Bridge, the up-line has been entirely re-set, and is now in very good condition, the down-line having been scarcely touched.

21. In this our last inspection of the line, we determined that the hind-wheels of the leading horse-box were thrown off the rails at a short distance east of the 11th mile-post, and very near the spot where the plate-layers were at work at the time the train passed, and within two hundred yards of the place where, on a former occasion, a horse-box ran off the line. It is our opinion that the recent accident commenced about 50 yards on this side of the 11th mile-post.

22. We have no doubt that the unusual motion of the horse-boxes observed by the plate-layers was closely connected with the commencement of the accident, and that the defective state of the permanent way, which was the original cause of the disaster, gave rise also to a vibration in the carriages, which produced an impression amongst some of the passengers that the speed was excessive. It is, moreover, not impossible that the extraordinary position of the horse-box, the buffers being all in contact, may have communicated an unusual trembling motion to the other carriages.

23. We have observed that some parts of the embankment to which we have so often alluded, are extremely defective and dangerous. At one particular point, about 200 yards east of the level crossing, at the highest part of the embankment, the ends of the sleepers extend to the very edge of the bank, so that the ballast is continually washed away; and it seems to us impossible that during wet weather the roadway can be maintained in good condition. It was at this spot that the former accident to a horse-box occurred.

24. The facts which have come to light confirm, in a striking manner, the account given by Boan of his driving upon this occasion. That the hind-wheels were the first to leave the rails, affords strong evidence that the carriages were over-running the engine, and that the steam was shut off in descending the decline. If the speed had been excessive, and the couplings stretched out, the hind-wheels could scarcely have diverged from the rails, as they did, upon approaching the bridge. We feel no hesitation in asserting that Boan is entirely free from blame in this instance, and in the face of the strong and united testimony of his immediate superiors to his high character for steadiness and skill, we do not attach much importance to the solitary complaint of Mr. Mason and Mr. Morgan. It is obvious, that in order to accomplish the distance from station to station in the required time, it must be sometimes necessary to travel at a rate exceeding the authorised average. It is only those in the constant habit of travelling upon the engine that are capable of judging upon what parts of the line the average speed may be safely exceeded, in order that it may be reduced below the average upon others.

25. After agreeing to the above portion of this Report, we thought it necessary, on account of certain circumstances which came to light, to re-examine Mr. Morgan, and also some of the laborers who were employed upon the line immediately after the accident. This examination has resulted in a remarkable confirmation of the truth of the conclusions at which we had already arrived. It appears that on the very day of the accident, when it would be supposed that all the available hands would have been required at the spot where the carriages were over-turned, a large number of plate-layers and laborers from other parts of the line, were employed, without the knowledge of Captain Martindale or of Mr. Whitton, in repairing the line from Haslem's Bridge to the 11th mile-post, at a distance of nearly three-quarters of a mile from the scene of the final disaster.

We have the honor to be,

Your Excellency's most obedient

and most dutiful servants,

M. B. PELL, Chairman.

H. M. DENHAM.

E. O. MORIARTY.

Given under our Hands and Seals, at Sydney, this 16th day of August, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY ACCIDENT.

(SECOND PROGRESS REPORT FROM COMMISSION OF INQUIRY.)

Ordered by the Legislative Assembly to be Printed, 3 September, 1858.

SECOND PROGRESS REPORT

Of THE COMMISSIONERS appointed to inquire into the Causes of the recent Accident upon the Great Southern Railway, and to report whether any, and, if any, what person or persons is or are blameable in respect of such Accident.

MAY IT PLEASE YOUR EXCELLENCY,

We, the Commissioners appointed to inquire into the causes of the recent accident upon the Great Southern Railway, and to report whether any, and, if any, what person or persons is or are blameable in respect of such accident, since the date of our first Report have been engaged in further investigations concerning the accident at Haslem's Bridge.

Nothing which has since transpired has given us any reason to change the opinions which we have already expressed; but, on the contrary, a full consideration of all the circumstances connected with the recent accident has convinced us that there can be no longer any reasonable doubt of the truth of the conclusions expressed in our first Report.

It is quite certain that one pair of wheels left the rails upon Haslem's Bridge. This is proved by the evidence of Mr. Morgan, by that of Mr. Fitz Maurice, and by that of Darby, the guard, who traced the mark left by the wheels upon the outside flange of the right rail from near the place where the carriages were overturned to where it passes over the rail upon the bridge. This track, and the point where it passes over the rail, is still perceptible. A careful investigation of all the circumstances leaves no doubt that these wheels were the front wheels of the leading horse-box. A recent cut upon a sleeper 8 feet 6 inches further back, (which is precisely the distance between the axles of the horse-box), proves that at the instant when the front wheels left the rails, the hind wheels were already at a considerable distance to the right of their usual position. Marks upon the ballast caused by the left hind wheel, extending about twenty yards farther back, were observed by Mr. Whitten immediately after the accident. It is thus established beyond question that when the horse-box approached the bridge the hind wheels were off and the front wheels on the rails.

At the level crossing at the eleventh mile-post, pieces of wood are placed longitudinally upon the ballast, so near to the rails that if the hind wheels had been off before the train passed that spot those pieces of wood must necessarily have been torn up. They have not been recently disturbed, and therefore the derangement in the position of the horse-box must have taken place after it had passed this spot.

The right hind wheel, in the position we have described, would necessarily produce at intervals upon the outside of the right rail marks of a certain character. Marks of that

character exist upon that rail at irregular intervals between the eleventh mile-post and Haslem's Bridge. The first of these marks is within fifty yards of the eleventh mile-post, and consequently the hind wheels must have been thrown off somewhere within that space.

The plate-layers who observed an unusual motion of the horse-boxes were at work at this spot, and the commencement of the accident took place whilst they were looking at the train.

We feel it our duty to recapitulate the evidence by which it is established that the speed was not excessive at the time when the accident occurred:—

- (1.) The evidence of nine officers and servants of the railway, to the effect that the speed did not exceed 25 miles an hour, one alone of whom was responsible in the matter.
- (2.) The positive evidence of Mr. Fitz Maurice that the steam was shut off all the way down the incline. There seems absolutely no reason whatever to doubt the truth of this gentleman's evidence.
- (3.) That the *hind* wheels were first thrown off confirms the statement that the steam was shut off.
- (4.) That the hind wheels diverged from the rails upon approaching the bridge is sufficient to prove that the speed was moderate. This evidence is, in our opinion, more conclusive than the testimony of ten eye witnesses.
- (5.) The opinion which has been expressed, that the distance which the carriages ran after leaving the rails is evidence of excessive speed, seems to be founded upon a strange and total misconception of what took place after the train passed Haslem's Bridge. It seems to have been supposed that the coupling between the tender and horse-box parted immediately after the latter was thrown off the rails at the bridge, and that the horse-box was pushed in front of the train for 250 yards, a part of which is upon the curve, whereas it is obvious that it could not have travelled in that way for ten yards. It is, moreover, proved in the evidence, that the coupling did not part until the instant before the horse-box fell over the bank.
- (6.) On the other hand, there is the evidence of two passengers that the speed was greater than usual, and of three others that it was excessive. It appears in the evidence of these three gentlemen that their attention was attracted to the speed by a vibratory, trembling, swaying, motion of the carriages. This unusual motion was produced, as we have already explained, by the defective state of the permanent way, and the deranged position of the horse-box.

It is no longer a matter of opinion, but an obvious fact, that Boan is entirely free from blame in this instance; and we have been confirmed in the opinion which we have before expressed, as to his general character for steadiness and skill, by the evidence of Mr. Mason, which places in an altogether new light the complaint against Boan, in which Mr. Mason's name has been coupled with that of Mr. Morgan. Mr. Mason states that upon the occasion referred to by Mr. Morgan, Boan was not driving in a reckless or dangerous manner, and that the only complaint made against him was, that he did not ease the engine quite so much as he should have done in going round the curves; but that he did not think the matter of sufficient importance to be reported to Mr. Whitton. Mr. Mason further states, that he has had frequent opportunities of observing Boan's manner of driving; that he never before had occasion to find fault with him; and that he considers him to be a steady and skilful driver.

Since the date of our first Report we have made a particular investigation of the circumstances under which a considerable portion of the line near Haslem's Bridge was repaired upon the day of the accident.

It was not until near the close of our inquiry, and after having ascertained by personal observation that repairs to a considerable extent have been recently carried out, that we were able, by a severe cross-examination of a number of witnesses, to bring the truth to light.

From

From the mass of contradictions and inconsistencies of which a large portion of the evidence upon this part of the subject consists, we have succeeded in extracting the following facts, which seem to be well established.

Within a short time after the accident a number of plate-layers and other laborers were collected from various parts of the line. They first of all cleared the down line of the obstructions, and repaired the damage caused by the accident. When this was completed, and the traffic re-opened upon the down line, the men dined. Up to this time nothing had been done towards repairing the up line where the rails were torn up, and the horse-boxes and two carriages were still in the position in which they had been left by the accident. It was about this time that Captain Martindale, Mr. Whitton, Mr. Morgan, and others went to Parramatta to attend the inquest. Mr. Morgan left instructions with Mr. Richardson as to how the plate-layers were to be employed during the afternoon.

All the plate-layers after dinner were removed from the scene of the accident, and employed in repairing the up line from that point to the eleventh mile-post, a distance of nearly three-quarters of a mile. It will be observed that the common answer of all the plate-layers when questioned as to their occupation during that afternoon, is "taking up slacks." They were all employed upon the up line, with the exception of a party of about four men, who were sent to complete a job which had been left unfinished by Fishlock. Towards evening the part of the line where the rails were torn up was repaired, the whole being completed just before dark.

For what reason the plate-layers were diverted from the purpose for which they were brought together, and for what reason they were directed to confine their attention to the up line exclusively, and to carry out the repairs as far as the eleventh mile-post and no further, does not clearly appear in the evidence.

It is stated by Mr. Morgan that there was nothing particular for the men to do at the time, as they were waiting for some new rails which were expected from Parramatta. It appears, however, that in the meantime nothing was done towards preparing the road for laying down the rails, that those which came from Parramatta proved too short, and that the rails which were eventually made use of were upon the ground before 12 o'clock.

So far from there having been nothing in particular to be done at the time, the plate-layers were again collected upon the following morning (Sunday), and were employed during the whole of that day, in company with the men belonging to the Locomotive Department, in raising the carriages which had fallen over the bank. During the same day (Sunday) Fishlock, with his gang, was employed upon his length.

No report was made to Captain Martindale, or to Mr. Whitton, of the manner in which the plate-layers were employed whilst those gentlemen were attending the inquest at Parramatta; and they did not become in any degree aware of what had taken place until it came partially to light through the evidence taken before the Select Committee of the Legislative Assembly. A letter from Mr. Whitton upon this subject will be found appended to this Report.

It does not appear that Mr. Morgan made any personal inspection of the line for more than a few chains beyond the bridge, and there seems no reason to suppose that either he or any other person whatever had any idea of the manner in which the accident occurred.

Since the day of the accident some further repairs have been carried out upon the up line, from the eleventh mile-post towards Haslem's Bridge.

The facts which we have related cannot, we think, be satisfactorily explained, except by supposing that upon the day of the accident the up line for some distance on either side of Haslem's Bridge was in very bad repair; and with the positive evidence which we have before us as to the general character of that part of the line where the accident commenced, and as to the repairs which have been since made; and in the total absence of any other assignable cause, we feel no hesitation in attributing the accident to a defective state of the permanent way.

Having been perfectly satisfied, by the evidence of Mr. Whitton, that there was no dangerous defect in the permanent way at the place near Haslem's Bridge, where it was originally supposed that the horse-box had been thrown off the rails, we have only incidentally

made

made any inquiry respecting the "slack" to which Mr. Richardson has drawn attention. The extent of this deflection was not measured, and was variously estimated as follows:—

	in.
Fishlock, who is responsible for this portion of the line... ..	0
Mr. Morgan	$\frac{1}{2}$
White, the Sydney Ganger	$\frac{3}{4}$
Vincent, who repaired the defect	1
Heffer, who assisted Vincent	$1\frac{1}{2}$
Mr. Richardson	2

Mr. Richardson's evidence does not differ from that of the other witnesses, except in his estimate of the extent of this depression; and everything else which he has stated respecting the manner in which the men were employed upon the day of the accident is fully borne out by the evidence. We have not considered it to lie within our province to inquire whether or not Mr. Richardson exaggerated this defect with a malicious intention. #

Whatever doubt may exist in this matter, one thing is quite certain, the hind wheels of the horse-box were off the rails before they came to this "slack," and all the other wheels in the train passed safely over it.

In conclusion, we are happy in being able to state that works were undertaken by Mr. Whitton several months ago which will have the effect of permanently improving the condition of the line between Sydney and Parramatta.

We have the honor to be,

Your Excellency's

Most obedient and most dutiful servants,

M. B. PELL.

H. M. DENHAM.

E. O. MORLARTY.

Given under our hands and seals, at Sydney, on this first day of September, A.D., 1858.

APPENDIX.

*Railway Office,
Sydney, August 17th, 1858.*

MY DEAR MR. PELL,

I regret that your note of this morning, addressed to me, was not received until after 12 o'clock.

I was not aware until after Richardson's statement to the Select Committee that any portion of the line on the Parramatta side of Haslem's Creek Bridge had been repaired on the day of the accident. On hearing this, I made inquiry from Morgan, and he told me that Richardson asked him, immediately after the accident, to be allowed to put on men to repair a slack which he said existed at the Bridge; this, Morgan properly refused until I had inspected the line. Shortly after I had seen the line, and before Morgan left to attend the inquest at Parramatta, Richardson again asked Morgan to let him take some of the men and pick up slacks in the line between Haslem's Creek and the curve at the top of the incline. Morgan then gave permission for Richardson to take White and the Newtown gang, probably six or seven men, they having nothing important at this time to do, and lift a few "slacks," stated by Richardson to exist on the incline. From my own inspection of the road I am satisfied that there was no slack, so far as I inspected the line, (about 200 yards from the Bridge) requiring immediate attention.

Very sincerely yours,
JOHN WHITTON.

PROFESSOR PELL.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY ACCIDENT.

FINAL REPORT

AND

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMISSION APPOINTED TO INQUIRE INTO THE CAUSES
OF THE RECENT ACCIDENT

UPON THE

GREAT SOUTHERN RAILWAY.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

19 October, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

1858.

RAILWAY ACCIDENT.

FINAL REPORT

OF THE COMMISSIONERS appointed to inquire into the Causes of the recent Accident upon the Great Southern Railway, and to report whether the existing Regulations and the general management of Railways in this Colony are such as adequately to ensure the safety of persons travelling by rail.

MAY IT PLEASE YOUR EXCELLENCY:—

We, the Commissioners appointed to inquire into the causes of the recent accident upon the Great Southern Railway, and to report whether the existing regulations and the general management of Railways in this Colony are such as adequately to ensure the safety of persons travelling by rail, in making inquiries with respect to the general regulations upon Railways in this Colony, have considered the subject under the three following heads—

- (1) The Permanent Way.
- (2) The Rolling Stock.
- (3) The Management of the Traffic.

The Railway between Sydney and Parramatta we find to be defective in several respects. The cuttings and embankments are too narrow. The bridges are badly designed, and of improper materials. The number of sleepers originally laid down is insufficient; the ballast is deficient both in quantity and quality. It may be remarked, also, that the excessive rains of this country aggravate the inconveniences arising from the above sources.

The rails which have been laid down are not of the form which secures the greatest strength with a given quantity of metal; but we do not consider that any danger or inconvenience is likely to arise from this source, for the rails are of amply sufficient strength for any amount of traffic for which they are likely to be required.

It is to be observed, also, that the defects which have been pointed out increase the expense of maintaining the Railway, but do not, under careful management, necessarily involve any actual danger in the conduct of the traffic; and, as we have already reported, steps were taken several months ago by Mr. Whitton to ameliorate the condition of the roadway; and we are glad to find that he has not been in any way hampered in carrying out such works as he may have thought necessary or advisable.

The system which has been established by Mr. Whitton for the maintenance of the permanent way seems as efficient as the peculiar circumstances of this Colony admit; and we do not find it necessary to recommend any measures supplementary to those which he has already initiated or carried out.

With the exception of the locomotive engines, the rolling stock is of the same kind as that made use of in England under similar circumstances, and is of the best and most approved construction. We do not find it necessary to recommend any change in the system of supervision and inspection in this branch of the service.

The locomotive engines are, obviously, unfit for the service in which they are employed; they are unnecessarily heavy, and consequently severe upon the permanent way; and, in consequence of other defects, they are unusually expensive in maintenance, for the amount of work which they perform. An ultimate saving would, probably, be effected by the adoption of Mr. Whitton's recommendation, that these engines should be replaced by others of a more suitable construction.

In the conduct of the traffic all the usual precautions have been adopted, and we cannot find that any alteration is required in the code of signals, or in the general regulations. We consider, however, that it would conduce to the safety of the passenger trains if some plan were adopted for securing a certain means of communication between the guard and the engine-driver.

We are convinced, after a careful investigation of the subject, that in a passenger train horse-boxes and trucks should be placed at the tail of the train. We do not, however, consider that the danger is increased in any material degree by placing them in any other part of the train; and it seems to be the generally received opinion that they should be placed next to the tender. This part of the subject will be found fully discussed in our last examination of Mr. Whitton.

We are surprised to find that the Electric Telegraph has not yet, in consequence of the want of instruments, been made fully available as a means of facilitating the safe and efficient conduct of the traffic. We understand, however, that this defect will soon be remedied. If at any future time there be any appreciable amount of traffic upon the Northern Line, both safety and economy will probably be secured by the establishment of telegraphic communication between the stations.

In concluding this long and laborious investigation, we cannot forbear from remarking, that the extreme difficulty which we have encountered with respect to the recent accident was in a great measure occasioned by two circumstances:—

- (1.) The time which elapsed before the commencement of our inquiry.
- (2.) The extent to which the condition of the roadway and of the carriages was altered before we had any opportunity of inspecting them.

In order to prevent such difficulty in future, it seems to us advisable that some person or persons not connected with the Railway Department should be appointed to take cognizance of accidents; and that measures should be adopted to prevent any repairs being made of the roadway or alteration in the condition or position of the carriages (more than might be necessary for the rescue of passengers) until the whole had been inspected by the persons appointed for that purpose.

We are happy in being able to state, that in carrying on our inquiry we have received every possible assistance from the Chief Commissioner, from Mr. Whitton, and from the other officers of the department.

We have the honor to be,

Your Excellency's most obedient and
most dutiful servants,

M. B. PELL, *Chairman*.
E. O. MORIARTY.

Given under our hands and seals, at Sydney, on this sixteenth day of September, A. D. 1858.

1858.

ACCIDENT UPON GREAT SOUTHERN RAILWAY.

MINUTES OF EVIDENCE.

JULY 26, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

CAPTAIN DENHAM, | MR. MORIARTY.

Captain Martindale examined:—

1. *By the Chairman:* Has anything transpired since the date of your last report upon the recent accident which has enabled you to form any clear idea of the cause? Nothing which has enabled me to form anything more than a conjecture upon the subject. Some additional evidence has been given before the Select Committee of the Legislative Assembly respecting the rate at which the train was travelling immediately before the accident. This evidence will be laid before you, and you will be able to judge how far it is reliable.
2. Is there any person specially in charge of the permanent way? Yes, Mr. Wm. Morgan is Inspector of Permanent Way, under the Engineer-in-Chief, and I consider him a perfectly competent and trustworthy person.
3. Has any portion of a train upon any other occasion run off the line? Not to my knowledge, except upon one or two occasions, and then from obvious causes, such as cattle on the line, points being wrongly held at a station, &c. I do not think such a thing could have occurred for months past without being reported to me.
4. *By Captain Denham:* Do you think that the accident might have been occasioned by something falling from the engine or tender and passing under the wheels of the horse-boxes? I do not think it possible that the accident could have been caused in such a way, nor by anything upon the line.
5. Has it been a question whether the horse-boxes should be placed next the tender, or in any other part of the train? It has; but I consider that the safest and most convenient place for them is next to the tender.
6. *By the Chairman:* Is there any general order respecting the position to be occupied by horse-boxes or trucks in the trains? Yes; that they must invariably be placed next to the tender.
7. *By Captain Denham:* Are the horse-boxes more top-heavy than the passenger carriages? No; nearly the whole weight of the boxes is in the lower part.
8. Do you approve of screw-couplings being omitted in any part of a passenger train? No; but I do not attach any great importance to their omission in a train travelling at the speed authorised upon the Southern Railway.
9. Have any alterations been made in the regulations since the date of the recent accident? None; but a special order has been given that screw-couplings shall never be omitted in passenger trains.
10. Are you satisfied with the strength and efficiency of your staff for carrying on the duties of the department? Yes, for the work at present to be done; but the department is one that must increase in proportion as railways are extended, and the difficulties it has to contend with in a new country are very considerable.

Captain
Martindale.

26 July, 1858.

JULY 27, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

CAPTAIN DENHAM, | MR. MORIARTY.

Mr. Whitton examined:—

11. *By the Chairman:* How soon after the recent accident did you visit the spot? Within two hours.
12. Did you see the horse-boxes before they had been removed? The couplings had been removed, but their original positions had been very little altered. (*Mr. Whitton here described the position in which he found the horse-boxes relatively to the line and to one another.*)
13. Do you not think it certain, from the positions in which these boxes were found, that the leading one ran off first? Yes.
14. Supposing the accident to have occurred on account of the want of screw-couplings between

Mr. Whitton. between the horse-boxes, which of the two do you think would have run off first? I do not think that this accident could have occurred entirely from this cause; the want of a screw-coupling would give rise to greater oscillation in both boxes, and would tend to throw off one as much as the other.

27 July, 1858.

15. Did you immediately examine the horse-boxes? Yes.
16. Did you remove the wheels and examine the bearings? No, but they have since been removed, and the bearings were found in perfect order. They may now be seen as they were found.
17. Did you discover in either of the boxes any defect which might have existed before the accident, and have caused it? I did not find any defect which could, with any degree of probability, be supposed to have existed before the accident.
18. Is there any person whose special duty it is to inspect the rolling stock? Yes, the Inspector of Carriages; no carriage or truck leaves Sydney without having been inspected by him. I do not think it to be necessary that a carriage should be again inspected until its return.
19. Do you think that excessive speed, say 40 miles per hour, would have been likely to cause such an accident as occurred? I think it extremely improbable. The line is quite straight where the horse-box left it. Excessive speed would in such a case cause the engine, if anything, to run off the line. I do not think 30 miles an hour would be a dangerous speed for a train at that point, but it would be imprudent to travel upon the next curve at so great a rate. If the steam were suddenly shut off whilst the train was moving at this rate, the buffers of the tender would be brought suddenly into collision with those of the horse-box, which might thus be thrown off. There is not however, as far as I am aware, any evidence that such was really case.
20. By Captain Denham: Do you consider that the side chains are of any use? No, rather the contrary; in case the regular coupling should give way, the side chains would be very likely, under certain circumstances, to throw the train off the line.
21. Do you think then that they had better not be used? Yes.
22. Do you think that the horse-boxes are more liable to oscillate than passenger carriages? Yes, such as are made in England, but only in consequence of their having a shorter wheel base; here the frames are made of ironbark, which is a very heavy timber; the weight of the box is therefore entirely in the lower part, and tends to steady them.
23. Do you approve of screw-couplings being in any case omitted in passenger trains? No.
24. Do you consider that these couplings tend to prevent oscillation? Yes, they tend to make the whole train run more steadily.
25. By the Chairman: Was there, before the accident, any general order respecting the couplings in passenger trains? No positive order, except that the trains should be properly coupled; the meaning of this being, that screw-couplings should always be used. These boxes however have been running ever since they were built with loose couplings.
26. Do you approve of this? No.
27. Do you consider that there was a neglect of duty on the part of any of the Railway officers or servants in omitting to put on the screw-coupling? No; I cannot say this was a neglect of duty on the part of the porter at Parramatta, as these boxes had been sent from Sydney the same morning without a screw-coupling being used between the boxes.
28. Did you immediately after the accident examine the permanent way? Yes.
29. How did you determine the point at which the horse-box first left the rails? By tracing back the marks of the wheels upon the ballast at the side of the rails.
30. Were you able to trace these marks over the top of the rails? No.
31. Did you particularly examine this part of the line? I gauged the line at this point, and satisfied myself that there was not, within 200 yards, any defect in gauge or level that could possibly have occasioned the accident.
32. Has this part of the line been repaired since the accident? The plate-layers went over it, in the regular course of their duty, about four hours after the accident; but I had examined it, and satisfied myself that no defect existed that could account for the accident before it was touched by them.
33. By Mr. Moriarty: Do you think it possible that a horse-box, after having been thrown from its proper position on the top of the rails, might run for a considerable distance before being thrown entirely off? I do not think it could run far in that way. (Mr. Moriarty here explained his meaning with the help of a diagram)
34. Do you not think that from the form of the rails and of the wheels that there would be a tendency of the wheels to return to their original position on the rails, and that this tendency might for some time prevent them from receding farther from the centre of the rails? There is no doubt such a tendency would exist, but I do not think that it would long prevent the wheels from being thrown entirely off the rails.
35. By the Chairman: Do you think that a horse-box supported at one end by the tender, and at the other by the rest of the train, might run for a considerable distance, say 200 yards, without being thrown entirely off the rails? I am of opinion that it certainly could not run in that way so far as 200 yards.
36. By Mr. Moriarty: Do you think it possible that the unusual rolling of the leading horse-box, observed by Fishlock and his gang, might have been occasioned by the box being at that time actually off the rails? I do not think it possible.
37. By the Chairman: Are you satisfied with the strength and efficiency of the staff of officers and men in charge of the permanent way and rolling stock? I am quite satisfied. Most of them were appointed upon my own recommendation.
38. Are you satisfied with the strength and efficiency of the staff of officers and men employed in conducting the traffic? I am not responsible for that department, but I am satisfied that the staff is sufficient.
39. Have you ever been hampered by undue regard to economy in carrying out any measures which you have considered necessary or advisable for securing the safe and efficient conduct of the traffic? Never.

FRIDAY, 30 JULY, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

CAPTAIN DENHAM,

MR. MORIARTY.

Mr. Beeston, called in and examined:—

40. *By the Chairman:* Are you Traffic Manager on the Great Southern Line? I am Traffic Inspector. Mr. Beeston.
41. Is it any part of your duty to see the carriages of a train properly coupled together prior to their starting? Yes, all those that I possibly can; but I cannot see to every train that leaves, as I am frequently absent. 30 July, 1858.
42. If a train were starting from the Sydney station, and you happened to be on the spot, you would then feel it to be your duty to inspect them? Yes, always.
43. Had there, prior to this accident, been any general orders as to the kind of couplings to be used in passenger trains? No general order had been issued, but it was understood that where it was possible screw-couplings should be used, except in the case of horse-boxes. With this understanding we always used screw-couplings where it was possible or practicable. Sometimes on the horse-boxes there were no screw-couplings, and we had to attach them by centre-chains.
44. Have you ever seen passenger carriages attached to a train without screw-couplings? No, I have not.
45. If you had seen them what would you have said? I should have had the guard fined, and, in addition, would have reported him to the Chief Commissioner.
46. If you had seen horse-boxes attached to passenger carriages without screw-couplings, and with a centre-chain only, what would you have done? I should have reported it; because I consider that the side-chains are a protection. When I look to the couplings I always see that the carriages are fairly coupled, so that one side-chain shall not be longer than the other.
47. If you had seen two horse-boxes attached to each other without screw-couplings would you have made any inquiries into the circumstance? No; I should not generally have taken notice of such a thing. I might have said that they ought to put on screw-couplings, where they had them; but as there were none on the horse-boxes I should have made no remark.
48. In such a case do you consider screw-couplings necessary? Not absolutely necessary; but if you have the screw-couplings it of course makes the oscillation less, because you can screw up as close as you like to the carriage ahead.
49. Has it been a common practice to run with centre-chains only attaching the horse-boxes to the train? I have not noticed that it was so particularly; but I have only been a short time in my present position. The old boxes, I think, have only got the side-chains on.
50. Do you consider that the recent accident was caused by any neglect of duty on the part of any one of the railway servants in omitting to examine or to do anything with the couplings? No, I do not; not in the least.
51. You have said that you use the screw-couplings where convenient; now, would there have been any inconvenience in attaching screw-couplings to the horse-boxes? No. It was merely a matter of form. If there had been screw-couplings, I should have told them to put them on.
52. Has there been any specific order on this subject since? I have never officially received any order on the subject, though, I believe, and in fact I know that Mr. Nealds has given an order about it.
53. Then, if you saw a train come in with horse-boxes attached only by a centre-coupling, you would report it? Yes, I would; because I know that Mr. Nealds has issued an order to have them attached by screw-couplings.
54. Previous to the accident, was there any order as to the position of the horse-boxes in the train? The order was that they were to go in front.
55. Is that order still in force? It is.
56. Then, if you saw them at the tail of the train what would you do? I should report it, and have the guard fined.
57. If you saw them leaving Sydney at the tail of the train would you do so? No. There is a reason for their doing so just now: there is a difficulty at present in the way of getting them to the front, and it would take too long a time to do so. Some repairs are now going on, and when these are completed, notice will be taken of such a thing.
58. Is there any particular place in the train for goods-trucks travelling with a passenger train? Yes; they go next to the engine, the same as horse-boxes.
59. In the train to which the accident happened I believe there were some goods-trucks? Yes, there were.
60. There is, however, no specific order as to the position they should occupy? No. I believe a verbal direction has been given by the Chief Commissioner that the goods-trucks should go at the head of the train, and the horse-boxes behind them again. We always send them in front where practicable; but it is more a matter of convenience than anything else when we put them at the tail of a train. It is a general practice on all the lines I have seen to send the goods-trucks and horse-boxes in front of the train.
61. *By Captain Denham:* Why do you not allow passenger carriages to proceed without screw-couplings? Because it has always been customary everywhere not to permit it; and because, without them there is always a greater amount of oscillation, and that this would cause inconvenience to the passengers. The carriages would jerk so much that the passengers would be thrown one against another in a way that would be disagreeable. The screw-couplings are put on more for the convenience of passengers than for anything else.

- Mr. Beeston. 62. Then it is to prevent oscillation that the screw-couplings are put on? Yes, as by the screw the carriages are drawn up closer to each other, and the oscillation is prevented.
- 30 July, 1858. 63. Would it not be likely to have the same effect upon horse-boxes as upon passenger carriages, if screw-couplings were used, and at the least inconvenience to the horses, who for the time being must be regarded as passengers, be thereby prevented? Of course; the tighter the horse-boxes are screwed up to the carriages the less oscillation there is likely to be.
64. Do you then consider it to be a justifiable omission in their having only chain-couplings to the horse-boxes? Yes, I do. I consider these couplings to be perfectly safe, as I have seen trains running with them continually without an accident.
65. I cannot understand how you make this tally with your previous remarks—you said, I believe, that the screw-couplings prevented oscillation? I did; but, when I speak of the horse-boxes being safe without them, I mean that they are safe whilst travelling at the rate we do here—of not more than 30 miles an hour. I cannot, however, say that they would be safe with chain-couplings when travelling at the rate of 50 or 60 miles an hour, or at the rate of some of the fast trains at home.
66. In any case, however, you conceive that the screw-couplings are the safer? Yes; no doubt.
67. Then, we have had a serious accident, having some reference to horse-boxes not being securely fastened to the train by screw-couplings; so that your opinion is, to some extent, carried out by the accident occurring in that part of the train that was not secured—how can you reconcile this with the assertion you have just made, that horse-boxes can be safe with chain-couplings; if there were three horse-boxes all attached in the same way by chain-couplings would you look upon this with equal indifference? Yes. You can get the boxes up to each other nearly as closely as you can by the screw-couplings, or, at all events, so closely as that there would be nothing to prevent you travelling 40 or 45 miles an hour.
68. The way you would do this would be to run the carriages hard up against each other, and by having a man standing by to hook on the chain when the buffers were compressed? Yes.
69. By Mr. Moriarty: Have you ever heard of horse-boxes getting off the line before this? Yes; I have heard of such a thing occurring once, but it did not come within my knowledge.
70. Where did this happen? That I do not know; I only heard of the thing.
71. From whom did you hear of it? From one of the engine drivers.
72. What was his name? Ticksmith; he is not employed by the Commissioners now.
73. Has he ever been examined on the subject? That I cannot say.
74. By the Chairman: Do you think that the absence of screw-couplings had any thing to do with the recent accident? I do not think that it had the slightest effect upon it.
75. To what then do you attribute it? I cannot give any cause at all for it; I am quite at a loss how to account for it. Without something had given way in the running gear of the horse-boxes, or something had been wrong in the permanent way, I can attribute it to nothing. Such things have occurred before. I have seen, in England, a truck jump right off the line, without there being any thing at all to account for it, where there has been no defect in the permanent way, and every thing right with its running gear.
76. By Mr. Moriarty: Had not the trains been running very irregularly for some time previous to this accident? Not for nearly a month before.
77. They had been very bad then? Yes, for a short time.
78. They had been late? Yes, they had been a good deal over time.
79. What trains were these? Sometimes one and sometimes another. One train or another was always late during the day.
80. How long did this continue? Not long; we had been running very regularly for a month previous to the accident.
81. What was the cause of the irregularity? It was mostly caused by delays at the stations—the station-masters not exerting themselves as they ought to have done to get the trains away. There was a complete looseness pervading the business of nearly all the stations.
82. Was this reported to the Commissioner? It was, and that was the time that I was appointed to look after the line, and to put all these little irregularities right.
83. That was in the time of Mr. Nealds, then? Yes; but at that time he had more on his hands than he could well attend to, particularly after the Campbelltown line was opened.
84. By Captain Denham: Then you were appointed to relieve Mr. Nealds of part of his duty? Yes.
85. You were appointed under the memo. of 3rd June? Yes.
86. And received your instructions? Yes.
87. By the Chairman: What precautions are taken at Campbelltown to see that all the trains are in good running order? There are none taken there.
88. It is thought to be unnecessary, I presume, and that the Sydney inspection is sufficient? Yes, quite sufficient for a journey of 34 miles.
89. You are acquainted with the system of railway management in England? I am.
90. How far do the carriages there run without being inspected? In some parts 25 miles, in others not more than 15 miles. The reason of this is, that at distances of about 15 to 25 miles there are important stations situated, and here permanent inspectors are appointed. The stations being important ones, carriages are left there; and the inspector is also a repairer of carriages, so that it was his duty to look after them and see if anything was wanted.
91. Then, in England they examine the carriages at the most every 25 miles? Yes.
92. And yet you said that here it would be sufficient if the carriages were examined on returning to Sydney, when they would have gone a journey of sixty miles? Yes, but I explain the reason—that there are particular stations where a number of carriages are left, and at which men are stationed to do all necessary repairs; thus, it was their duty to come and examine every train that passed, to see if anything was required.
93. Would there be any difficulty in the way of having an inspection of carriages at Campbelltown?

belltown? None. The only thing we should require would be a thoroughly experienced ^{Mr. Beeston.} man.

94. Would such an appointment be advantageous? I scarcely think it would be necessary, ^{30 July, 1858.} so long as there is a thorough inspection by the guard, and by the man in charge of the station.

95. Is it not possible that a carriage may receive an injury, and then be put on the train at Campbelltown without the injury being discovered? I scarcely think it possible, because there is a very good man in charge of the Campbelltown station, and all the guards are very efficient.

96. And you think they would do all in their power to prevent any accident, and to discover any defect? I am sure they would, because I know of circumstances that have occurred, in which, if they had not been very attentive indeed, the mischief would not have been discovered.

97. *By Mr. Moriarty:* Did you ever observe that the horse-boxes on this line oscillated more than ordinary? No. I never observed any particular oscillation in them.

98. Had your attention ever been drawn to this particular horse-box? Never.

99. Oscillation would be produced by an irregularity in the permanent way? That would cause it.

100. And the greater the irregularity the greater the oscillation? Certainly.

101. Then if you saw a horse-box rolling would you attribute it to a defect in the permanent way, or to some fault in the horse-box itself? Unless there was some perceivable fault in the horse-box, I should say that there was a defect in the permanent way.

102. Would a defect in the permanent way cause a horse-box to roll more than a passenger carriage? No. The horse-boxes, being higher, appear to roll more than the passenger carriages; but they do not do so more than is usual, or more than ordinarily occurs elsewhere.

103. But if there be a defect in the permanent way sufficient to make the horse-boxes roll in such a manner as to excite attention, would not that cause the passenger carriages to roll also? It ought to do so; but the horse-boxes being higher appear to roll more than the carriages. If you stand close to the line and watch the train the horse-boxes always appear to roll more than the carriages, but they do not do so, although, being higher, the rolling is more perceptible in them than in the carriages.

104. *By Captain Denham:* Then the chains by which the horse-boxes are attached, working more loosely than the screw-coupling, make this effect still greater? Yes, they do.

105. *By Mr. Moriarty:* Should there not be some arrangement on the break-van so as to allow of the guard having a better view of the line; at present he can only see the line by leaning out at the side of the van;—do you not think that if he had a high seat so as to see over the carriages it would be better—some such an arrangement as was adopted on the Great Western line? I have seen this on the Great Western; but these high seats have all been taken away since, because, being perched up so high and exposed to the wind, the guard was almost perished.

106. But there is a difference between the climate here and in England? Yes; but the guard would still be greatly exposed.

107. *By the Chairman:* Could not the guard have a place made just above the line of the top of the carriages, so that he could see over;—would not that be an improvement on the present inconvenient plan? It might be; but these arrangements do not appear to have found any favor in England. At one time all the break-vans were made with these high seats, but they were not found to answer, and since then the principal part of them are made the same way as ours.

108. *By Mr. Moriarty:* You never heard of any train getting off the line prior to this accident? No; I never heard of anything except the horse-box I mentioned. I have only been about eight months on the line, and the greater part of that time I was minding a station, and therefore saw nothing that was going on on other parts of the line. With regard to this accident, I can only say that I travelled over the line the night before it happened, with the same driver to whom the accident occurred, and I saw nothing in particular to call for attention either in that or in any other part of the line.

109. With the same carriages? Yes, the very same.

110. And the same horse-box? I cannot say that, for I do not remember whether we had a horse-box with us.

111. What was the driver's name? Boan.

112. Did you ever observe that he was addicted to driving fast? Only on one occasion, and that was the day after he was appointed. This I considered excusable, because, being new on the line, he did not know the road and the places where it was necessary to pull-up for the curves. He was then running too fast, and I told him so, and that he would be before his time. When I told him this he said "Shall I, Sir?" and immediately shut off the steam and reduced his speed.

113. Have you had opportunities of observing whether Boan drove steadily or not? Yes, for there was scarcely a day that I was not with him on one part of the line or another.

114. And you consider that he drove steadily? Yes. I always considered him the best driver on the line. I am not an engineer to give a professional opinion on his capability, but, having been many years connected with railways, I can judge from observation of a man's efficiency, and I consider him to be the best driver on the line.

115. Both for skill and steadiness? Yes. He ran too quickly the first day or two after he was appointed, but this was owing to his not well knowing the road, and being anxious not to be behind time; but afterwards he drove very steadily, so much so that I have had to speak to him to keep up to his time.

116. *By the Chairman:* Was he addicted to drinking? I never saw him drunk.

117. Did you see him after the accident? Yes, almost directly afterwards.

Mr. Beeston. 118. Was he then quite sober? Yes, quite. He appeared very nervous and frightened at such an accident having occurred to him; but there was nothing else more than ordinary about him.

30 July, 1858.

119. Now, do you think that this accident was in any way occasioned by the excessive speed at which the train was going at the time? No, the speed had nothing to do with it; they might have come along at the rate of 30 or 40 miles an hour with perfect safety. Then the driver was well up to his time, and there was therefore nothing to make him go beyond the ordinary speed.

120. You were in the train with us yesterday? Yes.

121. What was the greatest speed at which we went? Barely 30 miles an hour; she ran the half-mile in a minute and two seconds; but I can tell the speed without timing the distance between the mileposts with a watch, being so accustomed to notice and calculate the speed.

122. You travelled with us to Sydney? Yes.

123. What was the greatest speed we attained? Twenty-seven or twenty-eight miles an hour; that was the fastest I noticed.

124. We never reached 30 miles? No. The greatest speed was near Homebush, and after passing Ashfield she did not do more than 20 or 22 miles an hour. The greatest speed was as near 27 miles an hour as possible. I thought you were trying experiments with the engine, because she was going faster than the general speed.

125. By Mr. Moriarty: If you saw two carriages linked together with the buffers not brought up equally on both sides, would you take notice of it? Yes, if it was on a straight part of the line, but on a curve the buffer on one side is always closer than that on the other. If I saw such a thing I should call the attention of the Inspector to it. Sometimes the spring of a buffer gets weak and draws in, but when this is the case it has no effect on the carriage.

126. Which way were the gangers working on the day of the accident? I cannot say. They belong to the permanent way department.

127. Do you know when the horse-box that went off the line had been inspected? No; but there is an Inspector of carriages, and he most likely looked to it with the others.

128. You have nothing to do with this officer? No; only if I noticed a carriage defective I should mention it to him; in fact, if I saw one I should at once stop it, and not allow it to go out.

THURSDAY, 5 AUGUST, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

CAPTAIN DENHAM.

MR. MORIARTY.

John Fishlock called in and examined:—

J. Fishlock. 129. By the Chairman: You are a ganger on the Great Southern line? Yes.

130. You saw the train pass on the morning of the accident? Yes.

5 Aug., 1858. 131. Did you on that occasion observe anything unusual in the motion of the horse-boxes? I did.

132. How many were there? There were two of them.

133. Did you observe this unusual motion in both of them, or in one only? The lead-colored one was rolling the worst.

134. Was that the one next the engine? Yes, I think it was.

135. What was the other horse-box? A red one.

136. There was nothing unusual then in the motion of the red one? No.

137. You have seen trains passing repeatedly, I presume—have you seen the horse-boxes roll particularly before this accident? Yes, I have noticed them roll time after time.

138. Did you ever remark that it was any particular horse-box that rolled? No, I never noticed the number, and that was the only thing to fix it by.

139. You could not say then that it was the same box that was rolling on other occasions? No, I could not, without seeing the number.

140. Were they the lead-colored boxes that you saw roll? Yes, I think they were mostly; I never saw anything particular about the red ones.

141. Have you noticed any difference then as regards rolling between the red-colored boxes and the lead-colored ones? Yes; I have noticed the rolling in the lead-colored ones, but not in the new ones.

142. When you saw this rolling did you say anything to any one? Yes; I said it would be a case with them if they went round the curve like that.

143. Who did you say this to? To the men working with me.

144. Did they say anything? Yes; they said what I did. We all stood and looked at it—we all took notice of it. There is a man here who took notice of it the same as me.

145. Mr. Whitton tells us that at the place where the train turned off the line there was a slight low joint, not more than a quarter of an inch low—would that have been likely to cause this accident? No; no such a thing as that would cause it.

146. You often find a joint worse than that? Yes, a good deal worse.

147. And you have seen the trains go safely over them? Yes. I was seven years on the lines in England, and I have seen trains go over very much worse joints than these.

148. If it had been an inch low instead of a quarter of an inch, would that have caused it? No; an inch would not throw a train off the line.

149. Your duty is to go along the line, and see where any joint is low, and where you find one you set it up? Yes.

150. Do you often find them low? Yes; go which way you will you will always find plenty of work to do; and there is no occasion to stand idle a minute. I know this, and I have tried all I could to get my part of the line in good fettle, and any one will say that it is a great deal better than it was before I took it up. J. Fishlock.
5 Aug., 1858.
151. When you are going over the line how low would you call a bad joint—would you call them bad if they were down an inch? Yes; I should think them bad if they were down half an inch.
152. When they are down half an inch can you see them easily? Oh! yes; a man used to it can see a joint that is down half an inch when he gets within three hundred or four hundred yards of it.
153. Have you set up any joint between the bridge and the upper curve? Yes; I have been over it three or four times since I have been on that part of the line.
154. And I suppose that that very train to which the accident happened had on its up trip been over worse joints than that spoken of by Mr. Whitton? Yes, a great deal worse.
155. What is the worst low joint that has been found on your part of the line? I cannot say; I have only just taken to setting up the joints there.
156. Where were you employed? Farther back, towards Parramatta.
157. And what is about the worst joint that you have found? I never picked up a joint that was above half an inch low.
158. Have you set up any joints on the long incline? Yes; I fix them regularly all along my part of the line.
159. Have you been along there since the accident? Yes.
160. Did you find anything amiss there? No; nothing more than usual.
161. You found no low joints? No; not more than I always do. I go along and look after the low joints, and set them up where I find them; and I put sleepers in, in the really bad places, in order to keep them up.
162. Do you find that the clay embankment on the line is more likely than the others to get out of order? Yes; there is a deal more work about it than ever I had before.
163. The joints there are more liable to get low than they are elsewhere? Yes, indeed.
164. You don't remember finding anything particular between the bridge and Parramatta—anything very bad? No, there was nothing bad near that place, or on the road at the time, for nothing passes me, and for a week previously I had been on that way.
165. *By Captain Denham*: Did that box roll unusually that morning? Yes, it did; I made sure it would be over, even before it got to me.
166. You are sure it was the lead-colored box? Yes, quite sure.
167. How far were you from the spot where the accident occurred? Near on half a mile. I was near the level-crossing, just against the 11th milestone.
168. How near the crossing? Within about 6 yards of it. I was picking up a joint, and was down on my hands and knees at work at it when the train came up.
169. When you first saw the horse-box rolling, as you say, might it not then have been off the rails? No, it was not off when I first saw it; at all events, when it passed me it was on the rails.
170. And you were not more than half a mile from where the accident occurred? Barely that.
171. You are quite sure the box was not off the rails when it passed you? Quite sure.
172. If it had been off you would have been sure to have seen it? Certain sure.
173. Did you notice that it increased its rolling after passing you? Yes; it followed on rolling very bad until it got out of my sight.
174. *By Mr. Moriarty*: You said to your mates that you thought the carriages would run off the line? Yes; I said, "It is a case to me if ever that box gets round the curve." I was on my hands and knees on the down line, and the train was soon out of my sight; but my mate, who was raising the joint, was out at the far end of the lever, and being up higher and out farther could see farther than I could. He said to me, "That train has gone over." I said, "Nonsense." He said, "It has, though." I stopped the men at their work and said, "Hold on a bit." I put my ear down on the rails, but I heard nothing, and then I knew something was wrong; so I jumped up and said, "Come on, men." I ran along the line for a bit, but I had to go off it before I could see anything, and then off the bank I saw the carriages over.
175. What height was this bank on which you were standing? Not more than 18 inches. It was just off the line. I had to go off the line, and get over the fence to see along the line.
176. It was about half way down the incline, then, where you were standing when you first caught sight of the accident? Yes, about that.
177. On the accident side of the level crossing-place? Yes.
178. Did it not occur to you to draw the attention of the guard to the train when you saw the horse-box rolling so? There was not much chance to do that, with the train going as she did.
179. You never thought of doing so? I thought they were going too fast.
180. At what speed do you think they were going? I could not say. It is difficult to judge of the speed when you are standing on the line, and the train passing you. It was faster than I ever saw them go before or since.
181. Might not a train go at the rate of sixty miles an hour in perfect safety along a good line—such a one as that from Sydney to Parramatta? On a good line they might go sixty miles; but if I was to say that this was a good line I should tell a lie, and that would not be worth while.
182. You do not consider that piece where you are working is a good bit of road? No; it is all clay, and the bottom is never good.
183. It is a troublesome piece, then, to keep in order? Yes; and I do all I can to keep it right. I have been on different lines for the last fourteen years—been on them over and over again—and I never have had an indictment against me before now.

- J. Fishlock. 184. There is no indictment against you, nor are you charged with neglect—all we want is to learn from you what you know about this accident. This embankment is worse in wet weather? Yes. If a heavy shower of rain comes, down goes the embankment, and down goes both sides of the road, and then the joints go down, and nobody can help that. I know I have done all I could to keep it up, and have put in double sleepers in most places to keep them right.
- 5 Aug., 1858. 185. There had been a good deal of wet weather just prior to the accident? Yes, there had, a good deal, so much that it washed the ballast from all the sleepers.
186. Does it cost more labor to keep this embankment in repair than it does other parts of the line? Oh! yes. In wet weather there is always work to do on it; and even when it is fine the wind blows away the ballast.
187. The embankment being of clay is more liable to sink in wet weather than are other portions of the line? Yes.
188. Do you find it more difficult, where the embankment is heavy, to keep it in repair far down its sides, than you do to keep in repair spots where you have the natural surface drainage to carry the water off the line? Of course; and the higher the embankment the more trouble it gives us.
189. Is this always the case? It ought not to be, where there is slope enough to the bank; but it is here, because the line is nothing like wide enough.
190. What quantity of ballast do you always require on these embankments? We ballast right up to the out-end of the sleeper.
191. And beyond this I believe it is generally necessary to have a couple of feet of footing? Yes, two feet at least, and in some places there ought to be four feet.
192. Is that so here? No, it is not, indeed.
193. What footing have you? Different in different places; some have have a very good footing, and some none at all.
194. In working that embankment do you go regularly from one end of it to the other, setting up what is amiss—or how do you go on? No; I walk round, and that which I see the worst I go to. I do this because there is some of it that I can trust, and more that always wants working at.
195. *By the Chairman*: Where did you go to work the morning after the accident? I believe I came to the second cutting beyond the tents, half a mile this side of where the accident occurred.
196. Where did you go to work on the day of the accident—after it had occurred? I did nothing that day; I went to Parramatta on the inquest.
197. Mr. Whitton has said that the line was looked over within four hours of the accident—did you do nothing to it? Nothing was done to it by me.
198. Did you not help to examine the line? Yes; we examined it two hours after the accident, and found everything right. It was not the line. If the driver had taken his proper time there would have been no accident.
199. But in England they never hesitate about running at a speed of over 40 miles an hour, especially on parts of the line kept by so careful a man as you appear to be? I don't know. I have as much as ever I can do, and more too, for I cannot do all I wish to the line. I have worked day after day as hard as I could, and never missed a day, and yet I cannot keep it going as it should be.
200. How many men have you with you? Four men.
201. And what length of road have you? About two and a-half miles.
202. If you cannot do the work, why do you not apply for an extra man? I have one extra hand now; but if I have I have extra work to do.
203. What extra work? Putting in extra sleepers where I think them necessary.
204. There was no extra work then required at the place where the accident occurred? No; the line was as solid as a rock there.
205. None of the joints were down there? No.
206. You have been over it since? Yes; we must keep going backwards and forwards over every part, and I may have been over it a dozen times since.
207. And there was no difference between that and any other part of the line? None at all.
208. Do you do your work by contract? No; ours is by day wages.
209. Would it not then be as well to apply for extra hands to assist you if you cannot keep the work down—if you represented the matter to the Commissioner, would he not give you another hand or two to enable you to keep up the line? Well, I don't know. I have seen as many as 14 or 15 men put on to laying sleepers and all sorts of work on the length next to mine.
210. And what distance is the length next to you? The same as mine—two and a-half miles.
211. Why then would not the same thing be done to you if you made application? Well, I never applied. If there had been anything bad on my length I should have applied; but I never had anything bad with me.
212. Nothing at all likely to cause an accident? No, nothing like it.
213. In your evidence before the Chief Commissioner you say that the "meat-box" was next the tender—is that a mistake? I never said anything about a meat-box.
214. It must have been mistake then in taking down your evidence? They might take down what they liked; I know I never said it.
215. You say it was a lead-colored horse-box that was rolling? Yes, that I am sure of.
216. Was that the second one from the tender? No, it was the first one.
217. Are you quite satisfied that it was a lead-colored box, and not a red one, that was rolling? Yes.
218. And that this box was next to the tender? That I will not say positively; but I think so.

219. Would you be most likely to mistake the color of the carriage or its position in the train? Its position in the train I am not sure of, but I have no doubt about its color. J. Fishlock.
220. Or about its rolling? No. I am certain that it was a lead-colored carriage that was rolling, but I am not certain whether it was next to the engine. I know that it was next to the red one, and I believe that the lead-color was nearest to the engine. 5 Aug., 1858.
221. You did nothing to the rails on the day of the accident? No, nothing at all.
222. Who did then? That I do not know.
223. It has been said that the joints were set up after the accident: now we want to know who did it? I cannot say, because I went up to Parramatta to give evidence on the inquest.
224. Captain Martindale and Mr. Whitton were with you? Yes; there were seven or eight gentlemen present, and they all went with me.
225. How far did you go? About 400 yards—over 200 yards above the bridge down to where the accident occurred. I went down with the gauge, and run it along the whole way.
226. And you found nothing wrong? Not in the least.
227. Had you observed Mr. Morgan on the line previously to this accident? Yes; I think I saw him on the line two or three days before.
228. Did he give you any instructions about any part of the line? No. I have had very little instructions given to me since I have been there, for I can do my work without them, and the line is now ten degrees better than when I took it. When I went there it was so bad that I did not know where to start at, and I have been working hard at it every day since, trying to get it into something like good fettle, the same as we have them in England. I have had seven years of this work at home, and I know what it is; and I have been, altogether, one and twenty years working on lines at home.
229. As a plate layer? No, at everything.
230. Did you examine that part of the line where the horse-box ran off? Yes; the place was quite plain to be seen, and is so now.
231. What marks did it leave on the line? I do not think it left any marks on the line. It made a clean jump off both the rails, right off the metal altogether. It then ran two or three lengths on the ends of the sleepers, and then got on to the rails again, the flange of the wheel running on the flange of the rail. They ran this way for a good piece, two or three of the carriages being on the rails, and the rest off them, until they went over.
232. How many carriages were upset? There were three carriages over.
233. Then you think that the box took a jump off the rails right on to the sleeper, and then came on to the rails again? Yes; not fairly on to the rails, but with the flange of the wheel running on the lower flange of the rails.
234. How far did they run in this way? About one hundred and sixty or one hundred and seventy yards.
235. Until they came to the curve? No; they run round that sixty or eighty yards—it run from the creek right up to the bridge. There is the place now—the road has never been touched since—where it run is still plain to be seen now.
236. Then it did not go off in consequence of the coupling giving way? No.
237. The coupling was more likely to have broken when the box went over? Yes; that must have been when it broke.
238. By Captain Denham: Then you think that a shower of rain would have the effect of damaging the permanent way about the embankment? Not a shower, but a heavy rain would.
239. Did anything like such a rain as would damage the permanent way occur immediately prior to the accident? Not that I remember.
240. The line then on the morning of the accident was in its ordinary state? Yes, exactly.
241. There had been no rain previously? No, I think not; at all events there had been none sufficient to do any damage.
242. Did you see the previous train come up? Yes.
243. Did you observe that the horse-boxes attached to that rolled at all? I did not; I do not remember whether there was any horse-box with that train. I believe there was none with the first morning train.
244. Then the first train went all right? Yes, it went on very nicely; I noticed nothing at all uncommon about it.
245. You did with the next train? The only thing we saw was the horse-box rolling.
246. And what did you say when you observed it? I said it would be sure to get off on the top of the curve.
247. When it passed you, rolling in the way you have spoken of, it could not have been off the rails without your knowing it? No; I must have seen it. It was not off the rails.

Thomas Markham called in and examined:—

248. By the Chairman: You saw the second up-train pass on the morning of the accident? T. Markham. Yes.
249. Did you observe anything particular about one of the horse-boxes? Yes; I saw one of them rolling very much. 5 Aug., 1858.
250. What colored one was it? A stone colored one.
251. Was that the one next to the engine? Yes, the one next the tender.
252. Are you sure it was the one next the engine? Yes, I think it was.
253. Were you standing on the line as it went by? Yes; I was working on the road, and stood up as it passed.
254. Do you think the horse-box rolled more than horse-boxes generally do? I have not seen one roll so much since.
255. Nor before? No, nor yet before.

- T. Markham. 256. Had you ever seen horse-boxes rolling before this? Yes; I might have seen one rolling two or three times.
- 5 Aug., 1858. 257. When the train passed I suppose you resumed your work? Yes, we turned to again.
258. Then it was not rolling sufficiently to cause you to look after it? No, not at all.
259. You have observed horse-boxes to roll prior to this accident, but could you say whether it was always the same box that rolled? No, I will not say that. I never took sufficient notice for that.
260. When you saw this box rolling did you say anything to any one? Yes. I said to the ganger, "That box rolls a goodish bit, Jack."
261. What did he reply? He said "Yes."
262. Was that all that was said? Yes.
263. Do you assist in setting up the joints? Yes, that or anything else I am told to do.
264. Have you ever set up any joints along that incline? No, I have never set up any.
265. But you have assisted Fishlock? Yes.
266. Have you been on that incline since the accident? We have not been within 200 yards of where the accident occurred.
267. Have you done anything to the line further back since then? Yes; we have done something to the line nearer Parramatta, and also to the line nearer Sydney, since then.
268. That is since the accident? Yes.
269. Upon the incline? No, not on that. We were only just in the hollow, where the incline commences from Parramatta, but no more than that.
270. You have not done anything to the incline beyond that point? No, nothing.
271. Are you certain about the color of the horse-box? Yes.
272. You feel quite certain that it was a stone-colored one that was rolling? Yes, I believe it was.
273. The train was coming to you when you saw the box rolling? Yes; and going from us, too, after it had passed.
274. How far? We did not take much notice after it had passed. We set to work again.
275. You said in your evidence on the inquiry that you were the last of the gang that got to the scene of the accident, and that you went back for the tools? Yes.
276. Did you bring them back? Yes.
277. All the shovels? Yes.
278. What did you do when you came back with them? Set to work throwing the stuff off the line, so as to let the carriages go on.
279. Did you notice any thing uncommon in the ballast? No, I did not.
280. Did you hear any one say that he noticed any thing? No.
281. Had you been along the line prior to the accident, to see if there was any thing wrong? No; it is not my place to go walking about. I am working with Fishlock, and he tells me what to do, and then I go and do it.
282. You had been working on the line for about five weeks prior to the accident? Yes.
283. Had you been employed between the level crossing and Haslam's Bridge? No; we were about a fortnight putting in new sleepers on the far end of the length near Parramatta.
284. On what line were you at work before you joined Fishlock's gang? On the Parramatta length.
285. Can you say how long it is since any thing was done to the piece of line between the level crossing and Haslam's Bridge? No, I cannot.
286. Had you been long with Fishlock before the accident? No, I had not. I was a fortnight at work cleaning out the drip sewers. I had been about a week, or a fortnight at the outside, with Fishlock when the accident happened.
287. Have you heard the ganger complain that his part of the line was difficult to keep in order? No; he says very little to us about such things.

MONDAY, 9 AUGUST, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

CAPTAIN DENHAM,

MR. MORIARTY.

John Milton called in and examined:—

- John Milton. 288. *By the Chairman:* Are you one of the men employed in Fishlock's gang? Yes.
- 5 Aug., 1858. 289. Did you see the second up-train pass on the morning of the accident? Yes.
290. Did you see any horse-boxes attached to it? Yes.
291. Did you notice anything particular about them? Yes; they were wabbling about very much.
292. Was one rolling more than the other? Yes.
293. Which one was that? A stone-colored one.
294. Where were they situated? Next to the tender.
295. And you noticed them particularly? Yes; we saw them wabbling about.
296. And they were both wabbling, as you call it? Yes, both of them.
297. But the stone-colored one the worst? Yes, rather; but they both wobbled a goodish bit.
298. Did any of the gang say anything when they saw this? Yes, they said the engine was going over fast.
299. At what rate were they going? Something about three or four and twenty miles an hour.

300. Did they all take notice of the horse-boxes rolling? Yes; they were wabbling very much, and we all saw it. John Milton.
301. Were they rolling more than you ever saw them do before? Well, I cannot say; we don't take much notice of them when we are working on the line. 9 Aug., 1858.
302. What did you do when the train passed? Went to work again.
303. Did you hear any one say that the horse-box would run off the line? No.
304. You did not hear any one say it to Fishlock, or Fishlock say it to any one? No.
305. If it had been said could you have heard it? Yes. I never heard it.
306. But you could have heard it, had it been said? Well, I reckon so.
307. How far from Fishlock was the place where you were working when the train passed? About six yards.
308. So that he could not say anything without your hearing it? No.
309. Do the trains throw up the dust much as they pass? No.
310. Would not the rolling of the horse-box make it throw up the dust? I can't say; I did not see any dust.
311. Whereabouts were you working? There is a level crossing just at the 11th milepost, and we were there.
312. Were you on this side of the level crossing or on the other? On this side.
313. Did you go from there down to where the accident occurred? Yes; when one of my mates said that train was over we all ran down there.
314. Did you notice anything on the incline? No.
315. *By Mr. Moriarty:* Were you all standing up when the train passed? Yes; when the ganger called out "look out" we all stood up.
316. On which line were you working? On the line to Parramatta.
317. On the up line or the down line? On the down line.
318. You were all working together in a bunch? Yes.
319. On adjoining sleepers? Yes, all together.
320. So that nothing could have been said about the train running off the line without your hearing it? No.
321. And no person said anything about the horse-boxes wabbling? Yes; Fishlock said they were wabbling over much.
322. Was that before the train went over? Yes.
323. *By the Chairman:* Had you ever heard any one say previously that the horse-boxes rolled? No.
324. Not before this occasion? No.
325. You have been working with Fishlock ever since the accident? Yes.
326. And how long before? I have been with him about six months.
327. Fishlock tells us that there is a piece of the line on the clay embankment that is very bad to work, is that so? Yes, it is. Sometimes we have a bank there, and sometimes we have none. After we have made it up, if it comes on wet it all runs away, and we have our work to do again.
328. You have been at work there? Yes; putting in sleepers, and setting up the joints.
329. Is that your usual work? Yes; I have been at that since I have been there.
330. Have you set up any joints since the accident? Yes.
331. Upon that part of the line? Yes.
332. Have you found any bad places since then? No.
333. Not on that incline? No.
334. *By Mr. Moriarty:* Have you put in many new sleepers on your length of the line? Yes, a goodish few.
335. How many—a hundred? No, not so many as that, but somewhere about 60; that is about the number; but when you have to put in new sleepers all along the whole line you can't keep account of the number you have to lift up.
336. You have put in a good many? Yes; but I can't say the number exactly.
337. On that part of the line where the accident occurred? Yes: wherever we saw a bad place we put in a new sleeper.
338. How near to the place where the accident occurred? I do not mean that we put them in at the spot where the train went off.
339. The line was in good order there? Yes; I think that part of the line had been repaired very well.
340. *By the Chairman:* They say that one of the joints on the up line, near Haslam's Bridge, was a quarter of an inch low,—would that be sufficient to make the train run off? No, I think not.
341. If it had been down an inch would it have made the train run off? No; there was not a joint so low as that on our part of the line.
342. Have you seen them as low as half an inch? No.
343. You have never seen them as low as that? No.
344. Have you seen them as low in England? No.
345. Could a train go safely over a joint half an inch low? That I do not know.
346. *By Mr. Moriarty:* Are you certain that both the horse-boxes rolled when they passed you? Yes.
347. And the stone-colored one more than the other? Yes, if anything; but there was not much difference.
348. Then both of them were wabbling sufficiently to attract your attention? Yes.
349. *By the Chairman:* Did you see any one look out from the train after it had passed you? No, I did not notice; I turned to my work at once.
350. How long before the accident was it that you did anything to that part of the line where the accident occurred? I cannot say.
351. You cannot say? No; we are up and down the line every other day, and when we see a bad place we set to work at it.

- John Milton. 352. What do you call a bad place? A place that is not fit for the train to go along.
 353. *By Mr. Moriarty:* And what kind of a place is that? Well, I don't know. Where we find the sleepers loose we raise them, and stop them up.
 9 Aug., 1858. 354. You judge of a sleeper being loose by the ballast being slack around it? Yes.
 355. Have you any recollection at all of how long before the accident anything had been done to that part of the line where it occurred? No; we had not touched anything there for a long time.
 356. For how long? For a week, I suppose. I cannot say how many days.
 357. You were putting in sleepers there? We never put in sleepers where they are not wanted.
 358. And they were not wanted there? No. We only put them in where we see bad places.
 359. They are putting in sleepers now all along the line? Yes.
 360. Had you put in any extra sleepers at Haslam's Bridge? Yes, we put in two or three there.
 361. Since the accident? Yes, and some before.
 362. It is a pretty solid piece of line just about Haslam's Bridge? Well, I can't say that. There is a good deal of pipeclay about there.
 363. *By Captain Denham:* Had you, just prior to the accident, moved any part of the line between the place where the accident occurred and a mile towards Parramatta? No, not before the accident happened.
 364. If the horse-boxes had been off the rails when they were passing you could you have seen it? No, we could not see the horse-boxes when they were off the rails.
 365. But I mean when they were passing you would you have noticed them if they had been off the rails? I did not see them off the rails; they were only rolling.

John Goulder called in and examined:—

- John Goulder. 366. *By the Chairman:* You are one of the men working in Fishlock's gang? Yes.
 367. Did you see the train to which the accident happened pass that morning? Yes.
 9 Aug., 1858. 368. Did you see any horse-boxes attached to them? Yes, there were two of them.
 369. What color were they? One was a stone-colored one.
 370. Where were they in the train? Near the engine.
 371. Did you notice anything particular about their motion? Yes, I saw them rolling, as I have seen them before.
 372. You have generally noticed that the horse-boxes rolled? Yes, I have seen them roll.
 373. Before that? Yes, and since.
 374. But never so much as on that occasion? No.
 375. They rolled unusually on that day? Yes.
 376. Which one rolled the worst? That I can't say; my back was to the train as I was at work, and the ganger said, "Stand up, Jack." Then I stood up and moved away a piece.
 377. Was there nothing said about the horse-box rolling? The ganger, I think, said "Those horse-boxes roll very much."
 378. Did he say that they would be off the line? No; I did not hear him say so.
 379. Was nothing else said? Yes; I made the remark myself that the horse-boxes rolled very much sometimes.
 380. *By Mr. Moriarty:* You have frequently observed them roll, both before and since? Yes, several times.
 381. Where were you at the time? We were working by the 11th mile-post when the train passed us. I was at work with my back turned to the train, and only got up when it was passing us. In this way I did not take much notice.
 382. Were you directly opposite the 11th mile-post? Yes, very nearly.
 383. Do the trains throw up any dust as they pass you? No, not generally.
 384. When they are rolling much do they not throw up the dust? No, not that I have noticed.
 385. You have seen them rolling before? Yes.
 386. Is Glover's length as heavy to keep in order as Fishlock's? I will not say that it is.
 387. Fishlock's length requires more looking after? Yes, it must; there is a great deal more cutting in it. There are three cuttings in our length, and that makes more work.
 388. Then it wants more looking after where there are cuttings? Yes, I believe so.
 389. Did you ever observe the horse-boxes rolling when you were with Glover? I never took notice of them, because when I was with him we were just at the station of Homebush, when the trains always pull up a bit.
 390. They have put in all fresh sleepers into Glover's length? Not that I know of; I never put in any.
 391. They have put in fresh sleepers towards Parramatta? Yes.
 392. And are coming down this way with them? Yes, I believe so.
 393. How far down this way have they put them in? I cannot answer for farther than our own length, and that has been put in for about half a mile.
 394. Before or after the accident? Some before and some after.
 395. That embankment which forms the incline is, I believe, a very troublesome bit in Fishlock's length—I mean from the level crossing down to the bridge? It is not a very good bit—it is mostly clay, and bad in wet weather, and, besides, it is not wide enough.
 396. You say that you have observed the horse-boxes rolling before this; now can you pick out any particular box or boxes that you have observed to roll more than the others? No; the only thing I noticed was their rolling from time to time; but it is not always possible to tell the one that rolls when the train is coming towards you.

397. Was there any deficiency in ballast in that part of the line? No; only we could do John Goulder with a little more. We are better off for it now than we have ever been.
398. You were set to work repairing the line immediately after the accident? Yes; but ^{9 Aug., 1858.} the first thing I did when I got up was to help a lady up the bank. I then got a passenger out from the carriage, and then I went to fetch the tools to repair the line.
399. Where the line was ripped up? No, the other line, so as to make it clear for the next train from Sydney to Parramatta to pass along.
400. What did you do? We cleared the metal, and repaired the road where the accident had occurred.
401. Some rails were torn out, were they not? No, not on the down line.
402. On the up-line there were? Yes; two rails were torn out.
403. Did you see where the carriage jumped off? Yes. I think it jumped off by the side of Haslam's Creek.
404. You saw no mark on the sleepers where the wheels had been running? No. I did not stop to look for any marks. I ran as hard as I could to give assistance. We all threw down our shovels when they said the train was over, and ran up to give help. We all ran as fast as we could; I know I did, for I was first on the spot.
405. Did you put any fresh dogs on the sleepers lately? No. We have put in fresh sleepers, both before and since the accident, where we thought they wanted them.
406. But no fresh dogs on the old sleepers? No.
407. Where have you put in the sleepers since the accident? All over the line, from one end of it to the other, wherever the ganger thinks they are wanted, and whenever he gets time to put them in.
408. But he has not much time for this? No, not much. The ordinary work keeps him constantly going.
409. It is a troublesome bit of line? Yes; there are six of us, and we have enough to do to keep the work up.
410. How fast do you think the train was going that morning? Twenty-three or twenty-four miles an hour.
411. That was about its usual speed? Yes, I think so.
412. Did you observe that the engine was beating when going down the incline? No.
413. Was the steam shut off? I think so.
414. Would you have noticed the engine if she had been beating? Well, I cannot say. I only stood up and let the train pass, and then I went to work again directly; my back was turned to her all the time.
415. Did you hear one of your mates say to the other that the horse-boxes were rolling? Yes; the remark was made that the boxes were rolling a great deal.
416. The remark was made generally about the horse-boxes? Yes.
417. What do you suppose was the cause of their rolling? Well, I do not know; they are higher than the other carriages, and that makes them roll. The wheels, perhaps, were not quite right.
418. Would you be certain that all the carriages were not rolling as much as the horse-boxes? They did not roll so much; they are not so high, and they never do.
419. Have you ever heard of a train running of the line at this place before this accident? No.
420. Did you ever find any marks on any of the sleepers on any part of the line where you have been working? No, except where this accident was.
421. There are some there? Yes.
422. Did you ever see any marks on that incline? No, I never noticed any.
423. *By the Chairman:* You go over every foot of the line? Yes; we go over our length every week, from one end to the other.
424. *By Mr. Moriarty:* Have you been employed at this kind of work in England? No.
425. On what part of the length have you been principally employed since the accident? Sometimes on the other side of where it occurred, and sometimes on this side.
426. Putting in new sleepers? Yes, that and setting up the joints.
427. How many have you put in since then? I can't say; we have put in a good many whenever we have had time.
428. More than before the accident? No, not so many since as before.
429. Did you observe any defects in the line? No.
430. Neither before nor since the accident? No.
431. You know a low joint when you see one? Indeed I do.
432. What do you call a low joint? Why, a joint that is down.
433. Down how much? Well, some look to be down a goodish bit; but they are not down so much after all when they come to be taken up.
434. What do you call much—two inches? If they are down an inch they are down too much.
435. The setting up the joints forms the greater part of your work? Yes.
436. You are more at that than at putting in new sleepers? Yes; they keep us going with the repairs from Monday morning till Saturday night.
437. Where do you most frequently find the slack joints—on the embankments or in the cuttings? Most times in the cuttings.
438. What do you think is the cause of this? There is more clay there, I believe.
439. Have you ever known a slack joint to occur on that incline by the level crossing where you were at work on the morning of the accident? No, I did not; I never knew of one there.
440. They do not get low there? No, never more than a quarter of an inch; and I do not think that is being down.
441. You mean by this that you never had occasion to set them up? I don't mean that;

John Goulden. we have lifted the lot sometimes to repair them. We have taken up from 20 to 40 rods altogether to set them up afresh; but we never had to do it through one joint being low.
 9 Aug., 1858. 442. When were they lifted last? I cannot say when; but the last time we were at it we lifted about 30 rods at once, and laid them afresh.
 443. Where was that? Near Haslam's Creek, by the level crossing.
 444. Was that the up line? No, the down line.
 445. How long ago? About a week ago.
 446. How was it that you came to pull it up? There was nothing particular the matter with it, only we pulled it up to set it fair again.

Wm. Morgan called in and examined:—

Wm. Morgan. 447. *By the Chairman:* You are Inspector of the Permanent Way on the Great Southern Line? I am.
 9 Aug., 1858. 448. It is your duty to make yourself acquainted with all portions of the line, particularly such as are liable to get out of order? It is.
 449. Do you pay more particular attention to those parts of the line than to the others? Yes; I am obliged to look close after them.
 450. Have you found any portion of the line about Haslam's Bridge liable to get out of order? No, not more than elsewhere.
 451. Not near the curve? Through the curve is not so good. The cuttings are more liable to get out of order in wet seasons than the embankments are, and on the top of the hill also.
 452. How is that? I do not know, but it is so; the cutting and the top of the hill get out of order in wet weather.
 453. Between there and the bridge is a bad place? No, it stands very well, though it requires attention; but above the level crossing towards Parramatta is a very bad place.
 454. But on this side of the crossing? No, it only requires attention, but nothing more than common.
 455. Do you consider the embankment well made? Yes; I do not know that it is not well made.
 456. Do you think it is wide enough at the top—wide enough for safety? Yes, I do.
 457. And that the angle is sufficient? Yes; if there were more it would have been as well. There are one or two slight places where it has slipped a little, but nothing of consequence.
 458. You never heard the ganger complain of this embankment being difficult to keep in order? No, never.
 459. Is there a sufficiency of ballast on this part of the line? Yes; but it is all sand ballast and it will not stand. It is too weak, and the heavy engines that run on the line cause slacks.
 460. This is owing to the use of sand ballast? Yes; and another objection to it is, that the trains always oscillate considerably on the embankments, and this knocks the rails out of line.
 461. Is that the case only on the embankment? No; it is the same in all straight pieces. The oscillation is always greater on a straight piece than on a curve.
 462. Then I suppose the rails being out of line would cause the next train that passed to oscillate still more than the one that preceded it? Yes. This is the only thing against the embankment that I know of.
 463. Do you consider Fishlock's to be a troublesome length to keep up? Yes; his and the one next to him are the two worst on the line.
 464. You are putting new sleepers down along the whole line? Yes; and since then I have given him an extra hand, with directions to put in the sleepers whenever he had an opportunity,—not to neglect the road, but wherever he met with a flat place to put in the sleepers.
 465. Have you inspected the incline towards the level crossing since the accident? Yes. I generally go down the line once or twice a week.
 466. How soon after the accident did you inspect it? Within two hours after.
 467. Did you inspect it closely? Yes. I looked at it all along as I went up in the next train.
 468. You were in the train at the time? Yes. I did not walk over it to look it over. I first went up by the train.
 469. How soon after the accident was it that you walked over this part of the line to examine it? I cannot say how soon—it might have been two or three days. There was no cause for inspecting it more than any other part of the line.
 470. Not on account of the accident? No, I think not.
 471. How long have you been in your present situation? Six or seven months.
 472. You were not in the employment of the Commissioners when the former accident occurred here? No. I have not been more than seven months altogether in their employment.
 473. Were you aware that a similar accident had occurred there? No, not before this accident happened, and then the remark was made.
 474. You never observed any marks of carriages having been off the line? No; and besides the waggons are so often off the line that if I had seen such marks I should not have noticed them.
 475. *By Captain Denham:* Has anything been done to that portion of the line between the spot where the accident occurred and a mile towards Parramatta—within a day or two, or a week previous to the accident? Nothing has been done there except to keep the line in repair.
 476. And since then? Nothing; only putting in the new sleepers, and digging up the slacks where they found any.
 477. Are you aware that there are decided marks on the sleepers of wheels having passed over them for more than half-a-mile down to where the accident occurred? No; I am not.
 478. Were you never told that these marks existed? No.
 479. Do you think that they were caused by the late accident, or that they are the remains of

- of some former accident? I should rather say that they were the remains of some former Wm. Morgan. accident than of the recent one.
480. Could you say how far it was from the bridge that the horse-box on the late occasion ^{9 Aug., 1858.} first got off the line? It first got off on the bridge.
481. Can you trace the spot across the crown of the metal? Yes, very clearly. I saw the place at once when I took the gauge down the line with the ganger.
482. *By the Chairman:* There is a place where there is a deep indent in the right hand rail and a scratch upon the outside rail? Yes; that was where it first went off.
483. *By Captain Denham:* Do you think that there would have been time for the guard, if he had looked forward from his van, to have noticed that the horse-box was off the line, between the time it got off, and the time it actually upset? The distance was only 11 chains and some few links, and there could only have been a few seconds between its getting off and its upsetting.
484. Then there would not have been time for him to notice it? Hardly.
485. Would a carriage being six inches off the rails throw it out of the line sufficiently to enable the guard, supposing he looked out, at once to see that there was something wrong? I hardly know. If he was at the tail of the train, where he ought to be, it would be difficult for him to see it; and besides that there would not have been time.
486. But if the distance and the time between the getting off the rails and the upsetting had been greater, would the carriage being six inches off the rails have permitted the guard to see it? No, it would not; for the carriages were on the curve, and therefore the head of the train would have been hidden from him.
487. Is there any signal that the gangers could give the guard and that he would understand that would cause him to stop the train? Yes, but a guard would not always be on the look-out. He has a good deal to do in his box, particularly when nearing a station. He has the sorting out of the parcels for the different stations, and this occupies his attention a good deal. The drivers and firemen are those that are generally on the look-out.
488. They look out ahead, but in passing any thing they would not notice a signal—what I mean is, if a ganger as the train passed him saw a carriage off the line, is there any recognised signal he could make to warn the guard of danger? Yes, by putting up both hands high over his head. If the guard saw this he would at once know that something was wrong. That is the signal used in England, and would stop any train on an English line.
489. What would the guard do? He would put on the break, I imagine.
490. Could he to any thing more? No.
491. He has no means of communicating with the engine driver? No, not after starting.
492. Has he not a whistle? That is only used at starting; when the train is in motion it would not be heard.
493. Are there no signals used on the line? Yes; the permanent way men are supplied with green and red flags, and the drivers have orders to look out for them.
494. Do you conceive it to be possible, from your experience of railways, for a ganger, or any one standing near the line, when a train passed at a speed of 25 miles an hour to see if any one carriage was off the rails? Yes, quite possible.
495. Then in that case would it not be an important thing that there should be some means of calling the guard's attention to such an accident, so that the train might be stopped? Yes, it would be, if it were possible.
496. Have you no means now of doing that? No; nothing more than by putting up the hands, as I have said.
497. And if the guard sees it he has no means of communicating with the driver, and stopping the train? No; only by putting on the break.
498. Would that stop the engine? No; but it would so far impede the progress of the train that the engine driver's attention would be drawn to it, and then, looking round, he would see something was wrong, and would shut off the steam.
499. *By the Chairman:* Is it not dangerous to put on the breaks with the engine at full speed? Yes; it is not safe, but it is often done. The guard puts on the break the moment the driver signals with the whistle, however fast the train is going.
500. But it is dangerous? Yes. The slightest check is likely to throw a carriage off the line; sometimes the most trivial thing causes an accident, such a thing as would never be imagined could cause. I see by the last English papers that an accident, by which three lives were lost, was caused on one of the lines by the engine just striking a cow that had strayed on to the line; the engine merely touched the animal, and yet the train was thrown off. I have more than once, when a train has been starting, seen a light vehicle jumped clean off the rails when the steam has been put on too suddenly.
501. *By Captain Denham:* Then, if there had been a very light substance, such as a chip from the sleeper, or anything of that kind, left on the rails, it might have thrown the train off? No; nothing of that kind would have done it.
502. But, if just striking a cow would have that effect, surely it would be caused by a chip or other light substance? No; not on the rails. The accident I speak of was caused by the sudden jerk given to the carriages by the check to the progress of the engine, and this threw the carriages off.
503. Would not a bolt, or a piece of chain, or a chisel being left on the rails by a workman, throw the train off? Yes; such things as those are the most dangerous things that could be left on the line, but there was nothing of that kind in the recent accident; for if there had been the engine would have been thrown off first.
504. Do you know if the wheels of the engine betray the presence of anything of the kind? They do not.
505. Has Fishlock been long with you? About five or six months; he has been about five months on the length he now has. I had him at first working in the Sydney gang, and then I sent him out where he now is, in place of a man who was there who did not give me satisfaction;

Wm. Morgan. satisfaction; he has made a very great improvement in his length since he has been there; I consider it now to be 25 per cent. better than when he first went to it.
 9 Aug., 1858. 506. Then you think him a very trustworthy man? Yes; from what I have seen of him I certainly do.

Mr. Joseph Twiss called in and examined:—

Mr. J. Twiss. 507. *By the Chairman*: I am Locomotive Superintendent on the Great Southern Railway.
 508. I went up to Haslam's Creek Bridge, on the day of the accident, to bring the carriages back.
 509. I had the carriages and horse-boxes lifted back on to the line.
 510. We took the wheels off to enable us to do so with greater ease.
 511. *By Mr. Moriarty*: I put a fresh pair of wheels on the new horse-box, but cannot say as to whether the old pair were placed in the same position as they had occupied before the accident, but I think they were. I cannot say as to whether it was the leading, or following, pair of wheels of the new horse-box, which was most injured.
 512. *By the Chairman*: I was only anxious to get the carriages home, and did not pay much attention to the position of the wheels.
 513. I put two fresh pairs of wheels on the old horse-box.
 514. I cannot now pick out the pair of wheels which came off the new horse-box.
 515. I cannot be sure of the position of any of the wheels, but can form a tolerably correct idea.
 516. I do not know the positions of the horse-boxes when they ran off.
 517. *By the Chairman*: I examined the carriages.
 518. *By Mr. Moriarty*: I examined particularly the bearings of the wheels, both of the horse-boxes and carriages.
 519. *By the Chairman*: All the damage about the wheels must have been caused by the accident.
 520. *By Mr. Moriarty*: I carefully inspected the bearings, they were all bright and clean.
 521. *By the Chairman*: Kay is Inspector of Carriages under me.
 522. I have sometimes found defects in the carriages; as, for instance, the brasses will wear out, or dirt may get in and cut up the bearing. I have also sometimes found the wheels get loose on the axles, and slide out or in so as to alter the gauge; or occasionally the wheel may break, or the axle may break short off at the neck. We generally find that the tiers get worn down first; they are then taken off and turned up true.
 523. *By Mr. Moriarty*: I have never known an accident occur from defects in the brasses.
 524. *By the Chairman*: The new horse-box to which the accident occurred has done a great deal of work since it went out.
 525. I generally sound the tiers of the wheels to ascertain if they are all right. I think it very improbable that there was anything wrong with the horse-box before the accident.
 526. I never before heard of this, or either of the other horse-boxes rolling.
 527. When, on a former occasion, horse-box No. 2 ran off the line near the incline, I inspected it carefully, and found nothing wrong with it.
 528. *By Mr. Moriarty*: The same wheels have been under it until last week, so that it could have sustained no injury. The wheels are now in the yard.
 529. *By Captain Denham*: I never heard of any other horse-box having run off the line.
 530. *By the Chairman*: I went to Homebush to bring it back. We put on new axle boxes, as one of the brasses was broken, and brought it back with its own wheels.
 531. It is the Traffic Manager's duty to report such accidents as the running off the line of a carriage or horse-box.
 532. I should consider it my duty to report such an accident, if it had not been done by the proper officer.
 533. *By Mr. Moriarty*: I put two new axle boxes under the old horse-box when it ran off the line. I cannot say whether they were put on the front or rear of the horse-box.
 534. In the recent accident several of the axle-boxes of the carriages were broken. I do not remember how many of the axle-boxes of the horse-boxes were injured, or whether they were on the front or rear of the carriages.
 535. If the axles of the horse-boxes had heated, and stuck in their bearings, I should have immediately detected the marks.
 536. I do not think it is possible the accident could have been caused by the bearings heating, and the axles sticking fast in them; the bearings were too bright and clean.
 537. There was positively nothing wrong with the axle-boxes or bearings of the horse-boxes, as far as I could discover, and if anything had been wrong I think I must have discovered it.
 538. *By the Chairman*: The wheels generally wear out on the root or sole of the tire, and on the flange where it bears against the rail.
 539. *By Mr. Moriarty*: Most accidents, such as running off the line, occur from defects in the permanent way, low joints, and such like.
 540. *By Captain Denham*: I could discover by the marks on the wheels if the line was out of gauge; but it would take some time to mark the wheels—some days.
 541. We always turn up both wheels of each set or pair to the same diameter; we try them with calipers to see that they are uniform.
 542. *By the Chairman*: I have had a great deal of experience in England, and have heard of a great many accidents.
 543. I should not hesitate to run at a speed of sixty miles an hour on the Sydney and Campbelltown Railway if the line were in good order.
 544. If a train were travelling at a great speed it might run off the line on a sharp curve, if the joints were low, or the line otherwise in a bad condition; it would be very apt to do so.
 545. I have never known a train run off a curve if the line was in good order. The carriages are more likely to run off the line than the engine or tender, in consequence of their being so much lighter.
 546. *By Mr. Moriarty*: If the Sydney Railway were in good order, and there was nothing wrong with the wheels of the carriages, I consider that a train might travel at almost any speed without danger.

WEDNESDAY,

COMMISSION OF INQUIRY ON THE RAILWAY ACCIDENT.

WEDNESDAY, 11 AUGUST, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

CAPTAIN DENHAM, | MR. MORIARTY.

Richard Darby called in and examined:—

547. *By the Chairman:* You are a guard on the Great Southern Line? I am. R. Darby.
548. You were guard to the train to which the accident happened? I was.
549. Do you recollect coming down the incline on the morning of the accident? Not more 11 Aug., 1858
than any other morning.
550. Do you recollect seeing the plate-layers at the level crossing? I cannot say I do.
551. Griffiths was in the van with you I believe? He was.
552. He says, that about half way down the incline he looked out to see if there was anything wrong—do you remember his doing so? I do not recollect his doing so that day any more than on any other. He was accustomed to keep a look-out, as well as myself.
553. There was no particular noise or motion, then, to make him look out? No, certainly not; if there had he would have told me.
554. Did you notice the speed at which you were going down the incline? We were only going at the average speed at which we went every other day.
555. At what rate was that—twenty-five miles an hour? Between twenty and twenty-five miles an hour; twenty-five miles at the very outside.
556. Of course you have been over the line since then? Yes.
557. What was the first occasion upon which you brought up a train after the accident? I came up from Parramatta with my wife, in a third-class carriage, the same day. She heard I was injured, and came down to see me, and we returned to Sydney together. That was the first time afterwards that I passed along the line.
558. Did you notice anything particular in going down that incline? No.
559. Did you ever hear any remarks made about the nature of the road on that embankment? No.
560. You were guard, I believe, on a former occasion when a horse-box ran off the line? Yes.
561. Where did that horse-box run off? At some place between where the recent accident occurred and Homebush; on this side of where the accident occurred.
562. Where was the horse-box on that occasion? It was at the tail of the train.
563. How soon after it ran off was it that you discovered the accident? I cannot exactly say, but it ran a good bit—I could not say how far, but it ran a good piece on the sleepers, and with the jerking broke the axle-boxes of the wheels.
564. You could not say, then, how long it had been running? No, I could not say how long, but certainly it had been off longer than on the present occasion. When I looked out and saw the box off, I used the usual signals—all I could use—to bring the engine-driver's attention to it. It was some time before I could do this, and when I did the train was stopped.
565. Then you succeeded in arresting his attention? Yes.
566. And he stopped the train? Yes; we brought the box on to Homebush, and then cast it off and left it there.
567. Was it upright? Yes; but the wheels had got off the metal.
568. It did not turn round? No; the wheels got off, but it ran perfectly straight.
569. You were the first then to discover the fact that the horse-box was off the line? I was the first certainly to draw attention to it; I knew of it before the people on the engine.
570. How did you happen to discover it? I am generally on the look out; and on that occasion happening to look back along the train, I saw the box off.
571. You came on to Sydney afterwards, leaving the horse-box at Homebush? Yes.
572. Did you report this circumstance on your arrival? Yes.
573. To whom? Well, I do not recollect who was manager at that time; but I think it was to Mr. Brady.
574. Then it was your duty to report this circumstance to the manager? Yes.
575. And you did so? Yes.
576. Did you hear anything more about the matter? No; they sent a special engine down to Homebush to fetch up the horse-box, with a man to repair it for the journey. That was all I heard of the matter.
577. Did you hear whether any steps had been taken to determine the cause of its leaving the line? Not that I know of.
578. Nor the spot where it left the line? No.
579. You heard nothing then of any inquiry? No; they told me nothing—they would not do so—I did not expect it; but I supposed that of course an inquiry was made into the circumstance.
580. Do you recollect the date of the occurrence of this accident? I do not.
581. Was it in last October? No; I do not think that it was so long back as that.
582. How long were you detained on that occasion? Well, I do not recollect that either.
583. Were you detained an hour? No, not so long; perhaps half an hour. There was a gentleman who was in the train at that time, and he said that he was delayed on that occasion two hours and a half; but he told me the other day that he had made a mistake in this, and that it had been on another occasion that he had been delayed. The time he meant was once when an engine broke at Fairfield—some accident occurred to the machinery, what, I cannot say; we were then delayed a long time; we had to send to a farm house to borrow chains to get along with, and then we had to go on with one engine to Liverpool.

- R. Darby.** We came back to Parramatta, and there another engine met us, having been sent on because we were so long. That was the cause of the delay at that time.
- 11 Aug., 1858. 584. Then, with the exception of the recent accident, the occasion you refer to was the only one upon which you have known a train to run off the line? Yes, with the exception of one occasion that I call to mind since I gave my last evidence. There was another occasion, near Newtown, where a tender got off the metal.
585. Was this some considerable time ago? I do not know the exact time.
586. How long were you delayed on that occasion? I could not say, because I had to come in to Sydney from there. The manager sent me on to get another engine for the passengers.
587. Could you tell when in your van, from the motion of the train, whether the engine driver has got his steam on or off? I could not say exactly.
588. The only way you would have of knowing this would be by looking out and seeing the working of the engine? Yes; the only way of knowing surely.
589. Could you say whether the steam had been shut off by the driver when going down the incline? I could not.
590. What means have you of communicating from your van with the driver? I hold out a red flag in order to make him stop.
591. But sometimes they may not be on the look-out? They are supposed to be always so but, if I could not attract his attention to the flag I should screw the break up tight, so as to make the carriages jerk, and this would at once draw his notice to the signal.
592. Have you ever experienced any inconvenience from not being able readily to communicate with the engine-driver? No, not for any length of time. It might happen that for a second or two he would not notice my signal; but, if I could not catch the attention of the engine-driver, I should turn to the other door to attract the notice of the fireman, and one or the other would be sure to see me.
593. What signals could the plate-layers use to warn you in case they perceived any danger? They are provided with flags—white, green, and red—to use as required.
594. But suppose they were not readily accessible—not near at hand—is there any other signal they could use? Yes; he would hold up his two hands above his head, and the driver would at once know that there was danger, and would stop.
595. But suppose the engine driver had passed him before the danger was perceived, how could he communicate with you? Whenever I saw him put his hands up as I have described, I would stop the train as soon as I could, by communicating with the driver.
596. And the engine-driver would stop if he saw this signal? Yes; if he saw it he dare not go on.
597. *By Captain Denham:* You say that the engine-driver dare not go on, how is that? Those are his instructions.
598. But suppose that the plate-layer saw that a carriage was off the rails after the tender had gone past him, and then wished you to know that there was danger, could you understand his signals? Yes; if I saw him hold up his hands I should at once know that something was wrong, and would communicate with the driver as quickly as I could.
599. Do you ordinarily look out for the plate-layers and any signals they may make? Yes, always.
600. On all occasions? Yes; and we do not merely look out for them, for we are always on the look-out.
601. Do you remember seeing and passing the plate-layers that morning? No, I do not remember particularly noticing them at all that morning.
602. How far distant were you from the horse-boxes on the morning of the accident? There were three third class carriages between me and them.
603. Do you recollect looking out immediately before the accident? I cannot say how shortly before that I looked out.
604. Was it within five minutes previously? Yes, and within two minutes.
605. Did you observe the horse-boxes rolling, or remark that they were out of the line of the other carriages? I did not.
606. At that time you were on the straight line. Yes.
607. But if you had been on the curve might you not have attributed any alteration in position to the effect of the curve? I might; but we were then on the straight line.
608. *By the Chairman:* Are you sure that the box got off before you reached the curve? Yes, I am, for I was the first to walk the line after the accident occurred. After giving what assistance I could to the passengers, I walked down the line and traced the wheels of the box all along to the place where it had slipped over the metal.
609. Where did you find the marks whereby to trace it? On the flange of the metal.
610. Did you not see the tracks on the ballast? No, it never went on the ballast at all; it ran all the way from Haslam's Bridge on the flange of the metal.
611. How far from Haslam's Bridge was it that the carriages overturned? About 200 yards from where the box first got off.
612. It was about the centre of the bridge I believe that it first got off? I cannot remember exactly, I was only once along the place.
613. Did you notice that the sleepers were cut? No, I did not notice that.
614. Or that the ballast had been ploughed up? No; the ballast on the flange of the metal was marked by the wheels, but nowhere else. The place you mention must have been where the train crossed the road.
615. No, I mean higher up to where it first went off? From the time it got off I could see no mark in the ballast in any place except on the flanges of the rails, right up to where it crossed the road.
616. On the centre of the bridge the rails are marked across where the wheels went over; now Mr. Whitton tells us that he can trace the mark of the wheels right up the ballast beyond

- beyond that? I never went beyond that; I just went along to where the train slipped over the metal, and, having satisfied myself that that was the place, I went no farther.
617. Did you notice that the ballast was ploughed up at all? No; and I am almost positive that it was not. There were some places where the sand lay rather thickly on the flange of the rail, and there the mark of the wheel was perceptible.
618. But you saw no marks outside of the metal? No, I could see none. In tracing up the marks I found them so slight in some places that I could but just detect them.
619. Might not these be the places where the wheels went off the flange of the rail on to the ballast? No. I could still trace the marks, though, as I say, it was so slight in some places that I could hardly see it. However, all I did was to follow the tracks up to where the wheel came over the metal, and there I stopped.
620. At the place where it came over did you see the top of the rail scratched? Yes, that is the place where I stopped.
621. And you are positive that there were no conspicuous marks on the ballast? Yes, I am sure of it, for I brought some of the passengers' things and put them in the six-foot, and I must have seen any marks there were.
622. Were the rails well covered with ballast? Yes. In some places the flanges were completely covered with ballast—that was where I found it difficult to trace the wheels—and other places were bare.
623. Still you did trace the wheels? Yes; on moving the sand I could see a slight mark on the metal, as if a barrow had been wheeled over it.
624. It was perceptible then on the iron? Yes, it was just a little scratched.
625. And you are sure that the ballast was not ploughed up? To the best of my recollection it was not; but I cannot be very positive, for I was in a great fright at the time, and had been very much knocked about just before, the part of my van where I stood having been knocked to pieces all round me.
626. *By Captain Denham*: Do you think that the position of the guard's van in the centre of the train is as good as need be for commanding a view of the carriages? No. The best place for the break-van is behind. The reason it was put in the centre was that we always left half our train at Parramatta, and the van was put just before them, because when they were taken off the van was in its proper place, behind those that remained.
627. Do you think it is more difficult to communicate with the engine-driver from the side doors than it would be if you had some other position, say in the centre of and above the van? No, not at all.
628. Or, if your position in the train were altered, and you were brought nearer to the engine? No. The driver can see any signal I may make as well from the tail of the train as from the centre of it, and the position is better, because the power of the break is much greater right behind.
629. And you think that looking out of the door is better than having such a position as to see over the roofs of the carriages? Yes, much better.
630. Where there is a curve part of the carriages must be hidden from you? If they are hidden from one door I have only to look out of the other.
631. The signal you could make then depends mainly for its success on the working of the break? Yes, in extreme cases; but the driver and fireman both keep a sharp look-out, and it would be rare that neither the one nor the other would be a signal.
632. What night signal do you use? We have a lamp with different colored glasses, the same as the flags. If I want the driver to stop I turn on the red light and hold it out.
633. And do the driver and fireman keep a good look-out for the guard's signals? Yes, very good indeed—always.
634. That is always when they are not actually firing or attending to the engine? Yes.
635. That is part of their duty, I believe? Yes; they have to keep a look-out for the guard's signals.
636. Have they any instructions to keep a look-out for the plate-layers? Yes.
637. Have you travelled often before this accident with Boan as engine-driver? No, not often. He had not been more than a couple of months in the situation.
638. You have travelled with him? Yes.
639. But not often? No; he had been only a couple of months, and I travelled with him occasionally as his turn came.
640. Had you ever had any complaint to make against him? No, none.
641. He was not in the habit of travelling faster than the other engine-drivers? No; I do not recollect that ever he did so.
642. Do you consider him a steady man? Yes; I consider him as good a driver as there is on the line.

Mr. George Fitzmaurice called in and examined:—

643. *By the Chairman*: You were with the train on the morning of the recent accident? Yes.
644. On the engine, I believe? Yes.
645. Do you recollect coming down the incline on that morning? Yes, I do.
646. Were you looking forwards or backwards on that occasion? Forwards.
647. Did you notice the plate-layers at work near the level crossing? Not particularly.
648. You kept a look-out forwards? Yes.
649. But did not notice them? No.
650. And you continued looking out ahead until the accident occurred? Yes.
651. *By Captain Denham*: You recollect coming down the incline? Yes.
652. Can you say if the steam was shut off coming down the incline? Yes, it was.
653. Whereabouts? Just on the dip of the incline.

Mr. George Fitzmaurice.

11 Aug., 1868.

- Mr. George Fitzmaurice. 654. Are you sure? Yes, pretty sure.
 655. You had an opportunity of remarking this? Yes. I was looking at him at the time, and I saw his hand on the regulator; when near the top of the incline he shut off the steam.
 11 Aug., 1858. 656. When was it put on again? Within a hundred yards of the bridge, as near as I can guess.
 657. *By the Chairman*: There is a slight curve near the top of the incline, was that where the steam was shut off? Yes.
 658. And where was the exact spot where the steam was put on again? To the best of my belief, it was just before we reached the bridge that he put the steam on again.
 659. Are you sure? Yes, I think so.
 660. You say in your evidence before the Chief Commissioner that you felt two or three bumps—where was the train at that time? My impression is, that when we felt the bumps was when the horse-box first got off the line, and when it was bumping over the sleepers.
 661. Had the steam been put on before that time? Yes, to the best of my knowledge—it was either immediately before or immediately after. I think it was immediately after that I felt the bumps.
 662. Was the break put on? Yes; the stoker put on the break when the engine broke loose.
 663. But to the train? No, there was not time to put it on.
 664. *By Captain Denham*: Did the bumps you speak of feel like a jerk caused by the starting forwards of the carriages from the effect of the steam being put on sharp? No; the jerk I felt caused the engine to shoot ahead suddenly.
 665. Do you think it was caused by the too sudden putting on of the steam? No, I think not. I have seen the steam put on much sharper than it was then.
 666. *By the Chairman*: The bumping you think was over the sleepers? Yes.
 667. Did you go back to look if that were the case? I went back along the line to try and ascertain the cause of the train coming off, and I traced the marks of the wheels over the sleepers.
 668. Was the ballast much torn up? Yes, just about where the accident occurred.
 669. And where did you trace it to have first come off? It appeared to me to have come off on the bridge.
 670. What indication of this did you find? A slight indentation upon the face of the metal where the wheels had passed over. From that spot, as I got on nearer to the place of accident, the ballast was much more torn.
 671. Does this plan give a correct notion of the locality and the position of the carriages at the time of the accident? Yes, pretty fair. (*The witness here explained the position in which the carriages lay after the accident.*)
 672. *By Captain Denham*: From what you saw of Boan's driving on that morning, could you say whether or not he was driving in his usual manner? Yes, he was. We were two minutes late in leaving Parramatta, but he did not hurry on that account. I have travelled with other drivers who have gone much faster than we were going that morning.
 673. He was not driving unsteadily then? Not in the least.
 674. And the maximum rate of speed amounted to what? We were averaging about 25 miles an hour.
 675. Not above that? I do not think so, though I will not say positively. There was no need for Boan to hurry though he was two minutes late. If it had not been from his fault that the delay occurred he would not have been blamed.
 676. Would he have been reported? He would have been only two minutes late, and if reported the charge would have been entered against him without remark.
 677. You are quite sure that you could not on that morning have been going at the rate of 30 miles an hour? No, I do not think that we were going over 25 miles an hour.
 678. And you are a pretty good judge of the rate of speed? Yes, from travelling pretty often, I am. I was travelling since with another driver, who said when we were going very fast "There, that is 25 miles an hour," and I immediately answered that we were then going faster than we were on the morning of the accident.

THURSDAY, 12 AUGUST, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

CAPTAIN DENHAM, | MR. MORIARTY.

Robert Boan called in and examined:—

- Robert Boan. 679. *By the Chairman*: You say in your evidence before the Commissioners that on the morning of the accident you shut off the steam just on the top of the incline? Yes.
 13 Aug., 1858. 680. You said that you put it on again—now can you tell us the exact spot where you did this? I put it on again just at the ascending part of the incline.
 681. I understood you to say that it was just at the bottom of the incline that you put the steam on? No, it was just at the ascending part of the incline. I was obliged to put on steam there in order to send us up the opposite incline.
 682. Then it is just at the rise of the incline that you always put the steam on? Yes, to push us up the other side. If we went farther down the train would be at a stand still, and we should have difficulty in getting her on to speed again.
 683. It must have been somewhere about Haslam's Bridge? Yes; the rise is about a hundred yards from the bridge.
 684. Mr. Fitzmaurice was under the impression that it was not until you were over the bridge

bridge that you put the steam on again—he must be mistaken then? Yes. I should have Robert Boan. checked the progress of the engine too much if I had gone that far. The train would have been at a stand-still if I had not put the steam on before passing the bridge. 12 Aug., 1868.

685. Did you see the plate-layers that morning? Yes, I did see them; but I could not exactly say that I noticed them.

686. As you were passing over the piece of the line that runs over the embankment near there, did you feel anything unusual in the motion of the train? No.

687. Can you, from travelling over it frequently, form any idea of the state of the road over which you pass—that is to say whether the road is in good order, or the reverse? Oh! yes; we can tell very well when a piece of road is out of order.

688. Then you know from observation, I suppose, the parts of the line most likely to get out of order? Yes; there are parts that get out of order in wet weather, and these we always keep a look-out for. It is mostly in the cuttings that there are bad places, and on parts of the embankments where they have been badly made.

689. What do you think of the embankment coming up to Haslam's Bridge? It is very bad in some places—at the upper curve, and at the other curve as well, between the 10th and the 12th mile-posts.

690. And near Haslam's Bridge? It is not very good there, and it is not particularly bad either.

691. You do not consider it to be an unusually bad piece of road? No, not particularly so.

692. *By Captain Denham*: Have you ever been sensible when driving over this part of the line of anything like a feeling of top-heaviness or shaking in this embankment, arising from a looseness of foundation? No, not particularly, except in those two places—at the curves I mentioned.

693. Have you any marks on the line—the same as perhaps you know they have in England—to show you when you are on an ascent or a descent? No, we have not.

694. Then it is from custom only from travelling the road often that you know when to shut off and put on steam? Yes; we soon find out the places.

695. The gradients are marked, I believe, on the English lines by posts? Yes; the posts are marked both ways, to show the rise and fall.

696. Have you found any inconvenience arise from the absence of these marks from the lines here? No; we know the road very well after we have been up and down it a few times.

697. *By Mr. Moriarty*: At about what speed were you going when you put on steam? At about 20 miles an hour.

698. Then you could not have continued on at that speed if you had not put steam on? No, not farther than the bridge. We should have been pretty well at a stand-still there.

699. Were you on the incline before you shut off steam? Yes, just on it; we had just come round the curve.

700. Did you come round the curve at full speed? I came round with the steam full on; but I had a very full train, and we did not go faster than usual. It wanted all the steam to get us round the bank.

701. Do you know where that incline commences? Yes.

702. How do you know it? By looking at the road.

703. At what part of the curve does it commence? It commences just as you round the curve.

704. At this end, or at the far end? At this end.

705. And that was where you shut off steam? Yes.

706. And you put it on again just before you came to the bridge? Yes.

707. How did you do this? With the regulator.

708. I mean did you turn the steam full on, or how? No, I did not put it full on. When I first put it on, I did it so as just to put a strain upon the carriages. I put on just about enough to make the engine beat.

709. You put on very little at first, then? Yes, very little.

710. You are sure there was not enough to make a jerk upon the train? Yes, quite sure.

711. What would be the effect of suddenly putting on the steam quite full? Well, it might do harm, and it might not; it might jerk the train so as to be noticed, or it might not. All would depend upon the couplings; if they were good and screwed up tight no jerk would be felt. If you were going very slowly, or if the carriages were loosely coupled, it would certainly give them a jerk; but with a train running at a good speed it would hardly be felt.

712. The day we were down with you, you turned the steam on full and quite suddenly? Yes, as full as it would go; it was quite open.

713. And you shut it right off? Yes, right off.

714. It made no perceptible difference in the motion of the train? No; and I have noticed this, not once but a hundred times; when the train is in motion turning the steam on full makes no difference, and if the couplings are good all is right.

715. *By the Chairman*: In ascending the incline towards the bridge did you notice that the speed was abating? Yes; and that was the time I put on steam again. I put on just steam enough to regulate the speed.

716. *By Mr. Moriarty*: Can you not tell by the springs of your engine when the road you are going over is out of order? Yes; the springs being of Indian rubber you can tell in a minute.

717. *By the Chairman*: Did you feel any unusual motion in the engine before you put the steam on? No.

718. Nothing to give you cause for alarm? No, nothing.

719. *By Captain Denham*: Did you feel any bumping just before the accident occurred? No, not particularly.

720. Just after getting over Haslam's Bridge? No, I did not.

- Robert Doan. 721. Did you hear that any body else did? No.
 722. Did you ever hear it remarked by any one? No.
 12 Aug., 1858. 723. When you are on the engine, if you had your eyes shut, would you, do you think, experience any marked difference between running over a bridge and running over an embankment? Yes, I could tell with my eyes shut when we were going over a bridge from when we were going on an embankment.
 724. On this occasion did you notice when you went over the bridge? No, I cannot say I did particularly. You can generally feel a slight spring on coming off the solid ground on to a bridge.
 725. There was nothing, then, that you are aware of, to cause the engine to make a jerk upon the couplings? No, nothing.
 726. *By the Chairman*: Did you know that you were behind time on leaving Parramatta? Yes, we were two minutes late.
 727. Did you consider it to be your duty to make up by speed for this lost time? No.
 728. You have no orders to that effect? No.
 729. It would have been wrong if you had tried to do so? Yes.
 730. And you did not attempt it? No.

John Whitton, Esq., called in and examined:—

- J. Whitton, Esq.
 12 Aug., 1858. 731. *By the Chairman*: In your opinion, is the construction of the embankment from the level crossing to Haslam's Bridge defective—do you consider it well formed? I do not consider it very objectionable; I have noticed nothing faulty in it.
 732. Neither in width, in angle, or in material? I have not noticed anything of the kind; I know that it subsides in places. It is made of soft material, and is continually settling, particularly in wet weather.
 733. Were you ever made aware that there was not sufficient space, in consequence of its narrowness at top, for firmly bedding in the sleepers? There is certainly not too much space; but the width would by no means affect the safety of the line, provided the embankment were made of harder materials.
 734. It is soft then? Yes; in the parts where it is made of clay in particular.
 735. This is a piece of line, then, that requires more than ordinary attention? Yes. I have had reports sent in to me of its going down frequently.
 736. From whom? From the Inspectors: from Morgan, I believe. He tells me that it goes down, particularly after wet weather; but that is the case with all the cuttings.
 737. Are the others the same as this? No, there are many of them that are worse.
 738. You have heard them complain of the cuttings as well as of the embankments? Yes, almost every cutting has been complained of at some time or another.
 739. But have they complained particularly about this embankment? No, not particularly; as I say, they complain of all parts at times.
 740. Have they ever told you that it was insufficiently ballasted? That is the case with the whole line from end to end, but it is not more so upon this embankment than upon any other parts of the line.
 741. Then you have not had more complaints of this than of any other part of the line? No. Morgan may have told me that it wanted ballast, or that it settled after wet weather, or that it required some additional men upon it, but that is every day the case with some part or other of the line. I am every day receiving reports of the material compressing, or of there not being sufficient ballast.
 742. *By Captain Denham*: Is the width of material at the top of the embankment sufficient to give the proper amount of solidity to the roadway? If it were not I should have noticed it, but I have never remarked it, nor have I had my attention drawn to it; consequently, I have assumed that it was the proper width—30 feet.
 743. Have you ever had complaints that the ballast was continually washing away, in consequence of the insufficient width of the roadway? No, none.
 744. *By Mr. Moriarty*: Are the drains deep enough in the cuttings? I do not know that they are, or that they are not; I assume that they are the ordinary side drains, but the cuttings themselves are much too narrow; they are only 27 ft. or 28 ft. at the outside, instead of being 30 ft., and this may have prevented the formation of side drains of sufficient depth; in fact the whole line is badly constructed from end to end, both as regards the works and the permanent way.
 745. Is it so bad as to be unsafe? No; it is not unsafe for the speed at which our trains travel, nor is it so bad as not to be able to be maintained in fair running order from end to end. This will be the case when it is improved, but will not be without improvements, and they will take a long time. Then, again, the ballast itself is bad; it is only sand, and there is no substance in it, even if a large coat is put on; and then, if heavy rains occur, it all washes away, and we are obliged to re-ballast from one end to the other.
 746. Do you not use burnt clay? No; it has been used formerly on the line, but I do not like it, unless it is vitrified, unless this be done it wears away very quickly, and soon becomes clay again. As to the drip drains, the reason why you imagine they are not deep enough is that with every shower of rain they fill up from the ballast washing into them; this is so much the case that after every shower the men have to go round and clean them out.
 747. And that is in consequence of the insufficient width of the cutting? The slopes are all too small, and the risings are too steep; they ought to be 1 or 2, instead of which they are not more than $\frac{1}{2}$.
 748. *By the Chairman*: They are not made then according to specification? I do not think they were made under a specification, or that there ever was any specification; I have never been able to find one.

749. There were drawings? Yes; but not a single thing was carried out according to them, either in the width, in the formation, or in the levels of the roadway. J. Whitton, Esq.

750. *By Captain Denham:* According to your impression of the imperfect construction of the roadway, have you a corresponding amount of inspection, and of gangers to keep up the permanent way, and to meet the effects of the heavy rains which this climate occasionally brings down? Yes. 13 Aug., 1858.

751. Is there any part of the line that could by any possibility be twenty-four hours without supervision? No. The gangers have instructions to walk over their portion of the line once in every twenty-four hours, including Sundays. We employ far more than the average number of men; we are now employing at the rate of three men per mile, and on the best lines in England they have not more than this number, whilst on the greater part of them they have not more than one or one and a-half man to the mile. This extra outlay for labor is all owing to the defective construction of the line in the first instance; if it had been well laid and well ballasted when first constructed, it would now cost us only about a third of the amount of labor that we are now compelled to give it.

MONDAY, 16 AUGUST, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

CAPTAIN DENHAM,

|

MR. MORIARTY.

William Morgan called in and re-examined.

752. *By the Chairman:* I suppose that you were acquainted with the work that was going on between Haslam's Bridge and the level crossing on the day of the accident? Yes. Wm. Morgan. 16 Aug., 1858.

753. Several hundred yards of road could not be taken up and completely reset without your knowing it—one particular quarter of a mile, for instance, could not be entirely reset without your knowledge? There may be slacks that may be reset without my knowing anything about it.

754. They could not go from one end to the other of a half or a quarter of a mile resetting the rails without your knowing of it? No. I should be sure to see them as I walked along the line.

755. Are you aware that for several hundred yards, from Haslam's Bridge up towards the level crossing, the whole line has been completely reset? I know that it has been repaired since the accident.

756. Did you give orders for this to be done? At the time of the accident there were two or three slacks that I noticed, and I gave orders to Mr. Richardson to repair those slacks at once.

757. Did you observe them yourself? Yes.

758. Were they upon the hill? Yes.

759. Are you aware that that part of the way was in a particularly bad state? No, not more so than it usually is.

760. Is it usually in a bad state, then? No; it is usual to have slacks on it; and it is bad on this account. The slacks are owing to the sand ballast used; this works away, and then the joints go down.

761. Are you aware that that there was a particularly bad place within fifty yards of the level crossing? No, not there. On the other side of the level crossing there is a bad place, and in wet weather it is very bad.

762. Are you aware of this fact, that the rolling of the horse-boxes noticed on the morning of the accident by Fishlock and his gang was occasioned by a defective state of the permanent way? No, I am not.

763. Did you ever hear it suggested that it was caused in this way? No.

764. I thought I understood you to say that you had not inspected that part of the line from Haslam's Bridge to the level crossing between the time of the accident and the time it was repaired? I think I said that I had not inspected it closely on that day; but since then I must have walked over it at least a dozen times.

765. Before the repairs were made? No, not before those slacks were repaired that I ordered to be picked up. On the day of the accident I rode over the line on the engine to Parramatta, on the inquest, with Fishlock, and going there I saw the slacks, and ordered them to be repaired.

766. Could you perceive them in this way? Yes, they were easy enough to be seen; any one could see them at once who knows what the road is.

767. Were they repaired before you went over the ground on the subsequent occasions? Yes; they were picked up the same day.

768. Who repaired them? Some of the men there. They are now waiting outside.

769. Were they men of Fishlock's gang? I cannot say. There were some thirty or forty men on the ground, all higgledy-piggledy, and I cannot say which of them did it.

770. To whom did you issue the order for it to be done? To Mr. Richardson. When the gauge was taken down the line I said to him, "As the line has been examined to gauge, you had better repair those slacks whilst you are about it."

771. Are these the slacks that Mr. Richardson refers to in his evidence? I suppose so; I know of no others.

772. You admit, however, that that part of the line from the level crossing towards Haslam's Bridge was not in good order on the day of the accident? There were two or three slacks, but nothing sufficient to cause an accident. It was in good running order at the time, and

Wm. Morgan. was far better than many other parts of the line after rain. At that time it was in very good order.

13 Aug., 1858. 773. *By Mr. Moriarty*: The line since then has been reset from the bridge towards the level crossing? The outer rail is being continually reset. It is liable to get down more than the inner rail, and we always like to have it higher than the inner rail.

774. What was the last occasion on which you examined this part of the road? I cannot say, but it was only a few days ago—one day last week—I think on Friday last.

775. Are you sure that the up-line is not down now? I cannot say; it gets down very quick. The line is continually going down by the outer rail working down, so much so that in a very short time we have to reset it from end to end.

776. *By the Chairman*: Did it never occur to you, when you heard of the carriages rolling, to go and examine the place? No. It was never explained to me that the carriages were rolling there particularly—not more there than anywhere else on the line. The place where Fishlock saw them was on the straight, and horse-boxes and carriages too will oscillate more on the straight than on a curve. Anything will oscillate on the straight line.

777. You say there are some men outside to whom you gave orders for repairing the road, did you give these people instructions to attend here? Yes. I got orders to attend here about the repairs of the road, and I called upon them to come in and give evidence on the subject.

778. Who are they? They are White, the ganger, and his men, that I took up from Sydney with me.

779. *By Mr. Moriarty*: Did you say anything to Richardson about Glover on the morning of the accident? No, not to my recollection.

780. To whom did you give orders about setting up the slacks? To Mr. Richardson.

781. In what terms did you convey the order to him? He said to me "There is a small 'slack up there.' This was when we were standing by the spot of the accident, and were looking back along the line. I said "Yes; but that has nothing to do with the accident." He said "No." He then said "Shall I get the men to repair it?" I said "No, let it be 'there until it is examined.'"

782. *By the Chairman*: And who afterwards called your attention to the slacks on the road? Nobody did; I saw them myself.

783. Were they very prominent then? No, they were only ordinary slacks.

784. How far were they from the place of accident where you stood? Between 200 and 300 yards.

785. You could scarcely be aware of them at that distance? No, not from where I then was. I saw them from Haslam's Bridge.

786. Are not the slacks very bad between there and the level crossing? No, I never noticed them in particular; they cannot be very bad. The principal work that has been done since the accident commences at the level crossing for over a quarter of a mile down towards the bridge.

787. Did you see that part of the line after the accident? Yes.

788. Did you see it before it was repaired? Yes.

789. On the day of the accident? No.

790. Did you find any slacks there? No; not more than are generally to be found on the line. I would not however say that there are no slacks upon this, or upon any portion of the line; because it is quite impossible to say that this or any part of the line is without slacks. All I can say is, that on the day of the accident the line was in good running order, better than ever I saw it for a long time.

791. *By Captain Denham*: Are you aware that the outer rails between the eleventh mile-post and the bridge have become considerably depressed within the last few days? No, I am not. I was over it on Friday last; I walked over it then; it was all very right then.

792. When you say you perceived the slacks, did you try it with the gauge? No; I could see them easily enough with my eye, so could any one, used to it, do the same.

793. You have remarked that the outer rail of the line is more liable than the other to get depressed? Yes; they are apt to get down. The outer rail has been lifted since the accident on this account.

794. On that bit of line more than any other? Yes; it is a straight piece, and the rails go down more on a straight line than they do on a curve.

795. Have you remarked on that bit of line that the outer rail of the up line is more liable to get out of order than the outer rail of the down line? No; the outer rails on either line are more apt to get down than the inner ones, but not more on one side than on the other.

796. To what depth could you afford to allow a depression of one rail below another on a straight line, without affecting the safe running of the train? We always endeavour to keep the two lines of rail as level as we can, or, if anything, to have the outer rail the highest.

797. Can you not state in inches how much of a depression you could afford without danger to the train? I have seen them down two and two and a-half inches, not only on this, but on other lines; but where I have seen them I have always had them picked up as soon as possible.

798. Would you consider a depression of two inches to be dangerous? It ought to be picked up as soon as possible; such a depression ought not to be allowed on the line.

799. Both the outer rails were much depressed on Saturday last? I was not aware of it.

800. And the outer rail of the up line more so than the outer rail of the down line, and this was the line on which the accident occurred? Yes, it was on that line.

801. How would you prevent this depression—what would be the remedy that you would suggest? The only remedy would be to put in good stone ballast upon it.

802. Would that be sufficient without altering the width of the embankment? Generally it would; but there are some places that would be much better for having some more stuff tipped in on them.

803. Have you ever represented to the Commissioners that these parts of the embankment ought to be widened? No. I never considered that it was so defective in this respect as to endanger the traffic over it; but I certainly consider that stone is much better ballast for the permanent way than sand. Stone gives more solidity to the road, and does not require so much repairing; whilst sand washes away with every shower. I never saw sand used as ballast before I saw it here.

804. Except upon very wide embankments the sand is apt to drift? Yes; it is not at all fit for ballast.

805. *By the Chairman:* Did you give orders for having the piece of road repaired between the 11th mile-post and the bridge? At the time of the accident I saw a few slacks, and I gave orders to have them at once set up.

806. But since then did you give orders for having any portion of the road between the level crossing and Haslam's Bridge entirely reset? Yes; I gave orders to pick up the outer rail. It was down one day when I came by, and I ordered it to be done. The line wants re-laying now in several places, many of the places are clayey, and the clay works up through the sand, especially after rain.

807. *By Mr. Moriarty:* That piece of road then is liable to get out of order? Yes. The outer rail is continually getting low, and it requires particular attention to be paid to it, to pick up the rail at once as soon as it is noticed to be down.

808. From the level crossing down to the culvert is, I believe, a very bad place? No; it is not so bad as higher up towards the curve.

809. Are the side drains deep enough do you think? Yes, if we had stone ballast. As it is now the sand fills them up. The sand is not at all fit for ballast, especially with the class of engines we have here. They are very heavy, and are stiff on the springs, and the wheels come down like sledge hammers upon the roadway.

810. *By Captain Denham:* Then all the difficulties and defects to which you have alluded are lying within half or three quarters of a mile of where the accident occurred? No; it is not more defective there than in any other place.

811. Still, all you say about the sinking of the outer rail and the slacks has more particular reference to this spot than to any other? Yes.

812. And to the up-line? Yes. I have had the metal picked up there on the up line, but I have also had repairs done on the down line, though certainly not to the same extent; the metal has been picked up on both rails.

813. And this half or three-quarters of a mile immediately precedes the spot where the accident occurred? Yes; but then after you pass the bridge and get round the curve there is a worse portion of the road again than this.

William White called in and examined:—

814. *By the Chairman:* You are a plate-layer? Yes.

815. And a ganger? Yes.

816. Where is your length? The Sydney length—from Sydney to Newtown.

817. Mr. Richardson, in his evidence, speaks of a low joint he found near the spot where the accident occurred, did you assist him to raise it? Yes; I lifted about a quarter of a mile of joints; wherever the slack joints were I picked them up.

818. Who directed you to do this? Mr. Richardson gave me the orders.

819. Do you know any thing of one slack joint in particular that he ordered you to pick up? Yes. There was one about three or four lengths from the bridge that he pointed out to me.

820. How low was that? It might have been about $\frac{3}{4}$ of an inch down.

821. How far did you go? We went up about a quarter of a mile from the bridge.

822. Up to the level crossing? No, not quite so far as that.

823. How near to it did you go? Within 50 or 100 yards.

824. Was that piece of road very bad? Well, no, not so very bad; it was not so bad as the piece farther up.

825. But about the level crossing was it very bad? No more than any other place.

826. There were a good many slack joints? Yes. Wherever we saw a low place we picked it up. Mr. Richardson told me to go along and do this, and to take my men with me.

827. The up-rails on that piece of road were not in very good order? Not particularly. There were a few little slack joints, but so there are all along the line. There are sure to be slacks more or less. It was no worse in this respect than elsewhere, especially after rain.

Richard Woddaps called in and examined:—

828. *By the Chairman:* You are one of the workmen in White's gang? Yes.

829. You are a plate-layer? Yes.

830. Were you down with White repairing the roadway immediately after the late accident? Yes.

831. Did you go from Haslam's Bridge up towards the level crossing, picking up the slacks, on that day? Yes.

832. Did you find the line up there in good order? Yes; it was very good about the bridge.

833. But farther on towards Parramatta, between the bridge and the level crossing? Yes; it was in pretty good order. It was the same as anywhere else. I could see no difference.

834. Did you not find the outer rails much depressed? No. It was not worse there than it was further up.

835. Did you find any bad slacks in going along there? No; there were a few of them—but nothing out of the way.

* 435—G

Wm. White.

16 Aug., 1858.

R. Woddaps.

16 Aug., 1858.

R. Woddaps. 836. Do you know any thing about a very bad slack that has been alluded to by Mr. Richardson, and which was pointed out by him close to the bridge? There were slacks all along, but I did not notice one more than another.

16 Aug., 1858. 837. You saw Mr. Richardson there at that time? Yes.

838. Did you hear him say any thing? No, not that I remember.

839. *By Mr. Moriarty*: Were any of Fishlock's gang along with you? No; they were working lower down.

840. Nearer to the place where the accident happened? Yes.

MONDAY, 23 AUGUST, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

Mr. MORIARTY.

Mr. Richardson called in and examined:—

Mr. Richardson. 841. *By the Chairman*: You were at the scene of the accident, I believe, soon after it occurred? I was.

842. How soon after? Within nine or ten minutes.

23 Aug., 1858. 843. What did you set about doing immediately on your arrival? First of all we got the people clear of the carriages; we then found we could do no more until the Commissioners arrived, when they brought assistance with them. The Commissioner, Mr. Whitton and Mr. Morgan, with a lot of other persons, came down.

844. That was about 11 o'clock? Yes.

845. What did you do then? We set about getting the carriages up.

846. You did not begin at once to repair the rails? No; not till we had got the carriages up, and had made clear the down line.

847. You all went then to the inquest? No, not all. Mr. Whitton, Mr. Morgan, and some others went there.

848. At what time was this? About 12 o'clock.

849. You are aware that the statements you have made as to what took place afterwards have been disputed, and it would appear from the evidence taken that those statements were not quite correct? I know that is the impression, and that is the reason that I have now come before you. All I am here for is to ask you, as you are entering into the matter, to get from the Railway Commissioners the evidence they had taken before them on Wednesday last.

850. *By Mr. Moriarty*: Knowing the evidence that has been taken, I presume you have come here to tell us the correct truth as to what took place? I wish to do nothing else, and I am prepared to verify all I say.

851. When Mr. Whitton and Mr. Morgan went on to Parramatta to the inquest, were there any orders left for you to do any particular things? Yes.

852. Who gave you those orders? Mr. Morgan.

853. What were the orders you received? To take the men and repair the whole line from the bridge up to the level crossing, and to stop there.

854. Did he give you any reason for doing this? No.

855. Did you have any conversation with him on the subject? No.

856. Did you say nothing to him about a low joint you noticed? Yes; as to that, I said to him, "Have you noticed that low joint there?" pointing to one. He said, "Yes, I see it, and there are a number more of them up this bank."

857. Did you come up to the crossing with him to examine the line? No. When we came to the spot where the rails were marked we stopped there and looked up the line.

858. Where was this? About two hundred chains beyond the bridge.

859. You did not go up the line with him on the engine? No.

860. How many men did he tell you to take with you? All the men.

861. Were there none of the men then left on the place of the accident? Yes; all the carpenters and laborers that had been brought up from Sydney were left there. I only took the gang men with me—the men regularly employed on the road—the permanent way men.

862. Were all the rails set right when you left? No; one set was clear and that was all.

863. What were these carpenters and laborers doing when you came down to the bridge to pick up the slacks? They were getting the carriages up.

864. Then you took all the permanent way men with you? Yes.

865. How many of them were there? Nineteen or twenty.

866. And what did you do—where did you begin? I began at the Sydney end, near to the place where the accident occurred, about six chains from the bridge, and up towards the 11th mile-post. The Newtown gang I put on the nearest bridge, and the Sydney gang nearest the level crossing.

867. Then you repaired the road from the bridge to the 11th mile-post in one direction, and from the bridge for six chains towards Sydney in the other? Yes.

868. And the Newtown gang were employed on the part nearest to the place of the accident? Yes.

869. Have you the names of those men? Yes.

870. Could you bring them up here? It would be scarcely possible for me to do so.

871. *By the Chairman*: Are they to be got at? Certainly; the most part of them are now in the service of the Commissioners.

872. How many men were working up towards the 11th mile-post? About 10 or 12.

873.

873. There was more than a gang? Yes. The men in that direction were all working with White's gang.
874. Was there any other ganger with them? I think not.
875. Then who had charge of them? White.
876. And to which portion of the line did you particularly devote your attention? From the bridge towards Sydney.
877. And why? Because I considered that to be the most important part.
878. Where was White? He was working the other way.
879. This work was commenced after the gentlemen had gone on to Parramatta to the inquest? Yes.
880. How soon did they come back? I think about five o'clock.
881. Where were the men? They were all still at work.
882. Where? On the line; but almost all the men had got up past the bridge by that time—past the bridge towards Sydney.
883. Did the train that brought the gentlemen back stop at the bridge to let them out? That I can hardly remember. Some of them came up the last thing at night; I think Captain Martindale did.
884. But it has been proved that if there had been a low joint of even two or three inches that would not have caused the accident? I do not say that it did; I merely say that there were low joints.
885. You still persist then in saying that there were deflections in the line to the extent of two inches? I do.
886. And who put up such a deflection as this? The Newtown ganger—Vincent.
887. Who was with him? The men of his gang.
888. What are their names? I do not know all their names; but two are called Hammond and Heffer.
889. In setting up a joint I believe all do not go to work equally, but one man stands by to give directions to the rest, and to see when it is level? Yes.
890. And who did this on the occasion you refer to? The ganger—Vincent.
891. Where is his length? It extends from Newtown to beyond the Petersham station.
892. And he set up this joint you speak of? Yes.
893. How far was this bad spot to the bridge? It extended all the way along the incline, but the worst place was the two joints nearest the bridge, this way.
894. You could see them clearly? Yes, very distinctly.
895. Were they unusually low? Yes, very much so; and, besides that, they were alone. Supposing there are 16 or 17 low joints in succession, you would not so much notice them in the train; but where there happens to be only one low joint, it is sure to make the carriages jump. The short fall is always more dangerous than the long one.
896. This was done before the rails under where the carriages were overturned were repaired? Yes, before the up line was repaired.
897. The down line had been repaired? Yes.
898. And why not the up line? We could not repair it until the carriages were got out of the way.
899. Which line was the worst? The up line. The down line was bad, but nothing at all to compare with the up line. The two metals on that line were bent into a regular semi-circle.
900. Were these gangs employed in setting up the line towards the 11th mile-post at the time when the up line was not in a condition to receive traffic? Most assuredly. It was so late when we put that line in repair that we could hardly see to put in the last rails. It was getting night as near as possible when we had finished, and we had to put down the last in the dark; so much so that, as I lived close by, I brought down some men with me in the morning to see if the work had been done properly. I found it had not been, and I had the rails laid afresh.
901. How was that? Because there were low joints left that we could not see in the dark. I made them commence again at a spot near where the tents are, and we worked along down towards the place where the accident happened, resetting the work.
902. By Mr. Moriarty: Did you have any particular directions to go to the 11th mile-post? We do not call it that on the line. What you call the level crossing we call Grant's crossing. What Mr. Morgan said to me was, "Go up as far as Grant's crossing."
903. He did not say that you were not to go any farther? No.
904. Did he say why you were to go there? No; no more than when I showed him the low joints he said, "Yes, and there are more there up towards the bank."
905. All these circumstances you have mentioned can be established by the testimony of the people employed? Yes, I believe so.
906. By the Chairman: Then no part of this work was commenced until Captain Martindale and Mr. Whittton had gone away to the inquest? No, it was not.
907. And Morgan left instructions with you to have it done? Yes.
908. By Mr. Moriarty: Was any person present at the time the orders were given? No.
909. They were given to you because you were second to Mr. Morgan in command? Yes.
910. You could not, standing on the bridge, see the slacks in the line half a mile off? No, certainly not.
911. Then what made him say to you to go up to Grant's crossing? That I cannot say; but he said "pick up the slacks and work up towards Grant's crossing."
912. And no person was present? No; but an inquiry has been held privately before the Commissioners, and evidence has been given on this subject. That is the reason I asked you to look over that evidence, as I am most anxious to clear my character.
913. Does any other person know of this? Yes, Flood does. He is the ganger of the Parramatta length. He was working a short distance from Fishblock, as their lengths join
and

Mr.
Richardson.
23 Aug., 1853.

- Mr. Richardson. and he saw the accident. He gave evidence before the Commissioners, and since then has been reduced to the gang. His office of ganger has been taken from.
- 23 Aug., 1858. 914. Who by? By Mr. Morgan.
915. Has he the power to do this? Yes.
916. Without reporting him to the Commissioners, or making any accusation against him? Yes, he has.
917. Are the gangers and the men working in the gangs permanent servants of the Commissioners? No. They are paid day labor, and can leave when they like, or can be discharged by their superiors at will.
918. But so long as a ganger conducts himself properly he is left in charge of a gang? Yes; so long as he does this he is supposed not to be dismissed.
919. Does the power of dismissal rest solely and arbitrarily with the Inspector of the permanent way? Yes.
920. How came Flood to know of the slacks? Because when he saw the accident he and Evans, one of his gang, ran down to the spot.
921. How did it happen that they were the only men of the gang that did this? They were laying sleepers on the straight, at the Parramatta end of the curve, away from the rest of the gang. Their length just comes down to the curve. They could see the accident from there, and ran down the line to the spot.
922. And they gave evidence on the subject? Yes.
923. When? On Wednesday last, before Captain Martindale and Captain Ward.

TUESDAY, 24 AUGUST, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

MR. MORIARTY.

William White called in and examined:—

- Wm. White. 924. By the Chairman: By what train did you go down to the scene of the accident? By the train that was sent down with assistance.
- 24 Aug., 1858. 925. You went with Mr. Morgan, Mr. Twiss, and the others? Yes.
926. A good many men went down with you? Yes.
927. Did all your gang go with you? Yes.
928. How many men are there in that? There were eight or nine. We had some extra hands employed at the time on the line.
929. Who ordered you to go down? Mr. Morgan.
930. Did he say what it was for? Yes; to clear the line.
931. And you took the necessary implements with you? Yes; when he told us, we took our shovels, sets, gauges, bars, and all that we thought we should want.
932. Did you take any fresh rails with you? We only took two.
933. You took fresh rails to replace those that had been injured? Yes, we took two; one a 20-ft. rail, and the other a 19-ft. rail.
934. Those were the only new rails you took with you? Yes.
935. You got down to the scene of the accident a little after ten o'clock? Yes, within a few minutes of ten o'clock.
936. On reaching the spot what did you set about first? Getting up the carriages that were down on the road; getting them on the rails.
937. And then what did you do? We had our dinners.
938. Had Captain Martindale, and the other gentlemen who came to the spot, gone to Parramatta at that time? Yes; they went off when the engine went up, after we had cleared the down line.
939. Had you put in the new rails at that time? No, we could not put them in. We had to get two more rails from Parramatta, because we brought a 19-ft. and a 20-ft. rail from Sydney; and what was wanted were two 19-ft. rails. When we started we did not know the length of rail required, so we took up two on guess.
940. By what train did these rails come from Parramatta? Well, I cannot say; but we got them in before dark.
941. At what time did they arrive on the ground? Well, I suppose somewhere between four and five o'clock.
942. At what hour did you have dinner? Between twelve and one o'clock.
943. What did you do between dinner time and the hour when the rails came from Parramatta? We picked up the slacks on the up line; then we put the carriages on, and took the luggage down to Homebush. We repaired the whole of the up line except putting in the rails, and we could not do that because we had no rails to do it with. We gauged the line for about a quarter of a mile, and picked up two or three little slacks we found in it.
944. How many men did you take with you to pick up these slacks? There were six or seven of us.
945. Did you not have all your gang with you? I will not be sure whether I had them all or not; I think there were one or two with Vincent.
946. Were you the only man in charge of a gang—the only ganger on the spot? No, there was Vincent there.
947. Where was Fishlock? He was nearer to Homebush, picking up some slacks on the down line.

948. How far back from the scene of accident did you go? Nearly a quarter of a mile. Wm. White. Beyond the bridge, towards Parramatta.
949. Who was on the other part? Vincent came from the bridge down to the place where 24 Aug., 1858, the accident happened.
950. Were the horse-boxes and all the carriages raised up before you went to dinner? No; some of them were not got up till Sunday.
951. The accident happened on Saturday? Yes. All we did was to clear the line so as to open it for traffic. All those that were on the line we got up so as not to stop the traffic.
952. Was Mr. Twiss with you? Yes; he was helping to get up the carriages.
953. Was he there all the afternoon? He was there all the time, except when the inquest was going on.
954. Was he there on Sunday? Yes; he was with us until we got all the carriages picked up.
955. When you were picking up the slacks where was Mr. Twiss? I believe he had gone to Parramatta to the inquest.
956. Were his mechanics at work there during the afternoon? No; most of them had gone away then. They got the line clear, and then went away in the next train.
957. Did it not strike you as strange that you should be set to work on Fishlock's length to do what ought to have been his every day-work? No. In an accident like that they always send all the men they can get to put the line in order again.
958. But did it not seem strange to you that you should be set to picking up slacks,—they were not caused by the accident? No. We might as well be at work doing something as standing still looking at each other. We had got the carriages up, and got the line clear as far as we could. We could not get back to our own work till the rails were put in, and so were set to work at the slacks till the rails came.
959. There were three gangers present, were they not—the one from Ashfield? Yes, but he was at work on the down line.
960. How was that—that line was not injured? He was set to work with Fishlock. Fishlock's gang had left a lift when they had run down from their work to give assistance at the accident. The sleepers, I believe, wanted filling in, and one gang was sent there. We went on gauging the road.
961. Who told you to do this? Mr. Richardson.
962. What did he say? He said we were to go up and pick up what ever slacks we found.
963. You went on with this work till when? For about two hours. We gauged the road, and picked up three or four little slacks we found, but nothing more than usual.
964. When did you leave off this work? We had finished and had the rails down before dark. We were later over this job, because we had another rail to find. They brought us down two 19-ft. rails from Parramatta and neither would do.
965. Where then did you get the rail you ultimately used? We got it on Fishlock's length. It was a spare rail that one of the men remembered was lying by the road side, a quarter of a mile from where the accident happened. We sent some men down to fetch it up.
966. What time did you get this last rail? Before 5 o'clock.
967. No one thought to look for it until you had the rails down from Parramatta and found they would not do? No; because we were not aware that they were not bringing us two 20-ft. rails. Instead of that they brought us two 19-ft. rails, and they were no good.
968. What did you want with two rails, seeing that you had brought one with you from Sydney? We had brought one with us, but it was no good, it was bent.
969. Who sent for the rails to Parramatta? Mr. Morgan.
970. Who took up the rails at Newtown? Mr. Morgan. He told me to take up a couple of rails. We did not measure them. We put on two that we thought nearest the length, as we could not tell what lengths we wanted until we got to the place.
971. When did you send to Parramatta for the rails—did the messenger go up in the same train with Captain Martindale and the other gentlemen? I cannot say; but I think he went up with the next engine that passed, and came down in one of the trains.
972. What other gang was at work beyond you on Fishlock's length? The Ashfield gang.
973. What is the ganger's name? David Prime.
974. How many men had he with him? Three or four.
975. Did he go up in the same train with you? Yes, we all went together.
976. And he assisted to get the carriages up? Yes; we all gave a hand to get them on the line.
977. *By Mr. Moriarty:* What time did you get the carriages on the line? A little after 12 o'clock, but not much after.
978. You are sure it was not 2 o'clock? Yes, I am quite sure it was not so late as that. I am quite sure it was not 1 o'clock. As soon as we got the carriages up and on the line, Mr. Richardson said, "Well, men, we may as well have a bit of dinner."
979. Were there any persons at work at the carriages when you went to your dinners? No.
980. Are you quite sure? I should not like to swear it, but I do not think there were.
981. How far from the carriages was it that you went to get your dinners? Not more than 200 yards. The men that repaired the carriages went out with us; but I should not like to say positively that none of them were at work on them whilst we were getting dinner.
982. What was the state of the up line where the carriages upset—was it much torn up? Only those two metals that we put in fresh. One of them was bent nearly as crooked as a rainbow, where the wheels had twisted it in going off.
983. That rail was taken out? Yes.
984. Was it loose—torn out? No, it was not loose till we cut the rivets. It was the outside rails that were bent. The inside ones were hardly touched.
985. Which do you call the outside rails? Those on the left hand side coming to Sydney.

- Wm. White. 986. The others were all right? Yes, those next the six-foot were.
 987. Then you made the line all right before you went to dinner, with the exception of
 24 Aug., 1858. putting in the new rails? No. We did not cut out the rails. We got the line clear—that was all.
 988. The bent rail was left there all the afternoon? Yes, until we got rails to put in.
 989. So that when you went to your dinner the line had not been made ready to receive the new rails? No, it was not.
 990. How long have you known Prime? Since I have been here.
 991. For what time? Since January last.
 992. Where is your length? From Sydney to Newtown.
 993. Were you ever at work with Prime at home? No.
 994. You have worked on lines at home? Yes; I have been on a good many in my time. I have worked on them for the last twenty-three years. I have never done anything else.
 995. Mr. Richardson set you to examine the line? Yes.
 996. Immediately after dinner? Yes. He told us before we went to dinner that we were to do it. He said, "Get your dinner as quick as you can, as I should like you afterwards to go and gauge the line, and pick up any slacks you find."
 997. How far did you gauge? I gauged up to the next cutting from the bridge.
 998. Would it not have been as well to have cut out the two damaged rails, and to have had everything ready for putting down the new rails, before you set to work picking up the slacks? It made no difference. It would not take us more than five minutes to cut out the rails.
 999. I have know it take more time than that to cut one rivet? It all depends upon the state of your sets, and I took up two new sets with me in the morning.
 1000. But you had one rail with you that you had brought up from Newtown—why was not that at least put in? Because it was a little crooked. It was rather hollow in the middle.
 1001. But it was put in at last? Yes.
 1002. And how did you do—did you straighten it before putting it in? No; we put him in, and then knocked him down with a sledge.
 1003. Where did you get the sledge? We took up mauls and sledges with us in the morning.
 1004. When the rails came, did you all go to work, and put them in? No; we kept on at what we were doing, and a couple of men were set to work to get all ready.
 1005. Then you did nothing before dinner but clear the line of carriages? No, that was all.
 1006. Do you know a man working on the line named Flood? No, I don't think I do.
 1007. Whose servant do you consider you are? Well, I cannot tell; Mr. Morgan gives me my orders.
 1008. But who pays you—who pays you your money? A gentleman from this office—a cashier comes up and pays us.
 1009. And he comes from the Commissioners? Yes.
 1010. Then I suppose you are the servant of those who pay you—the Commissioners? I believe so.

Mr. William Morgan called and re-examined:—

- Mr. Wm. Morgan. 1011. *By the Chairman:* We understand that when you left on the day of the accident for Parramatta you gave orders to Richardson that the men of three of the regular road gangs—those of White, Vincent, and Prime—should be set about what you describe to be some trifling repairs to the road—this being at a time when nothing had been done upon the up line at the spot where the accident had occurred—to make it passable for traffic? That is not true, because I stopped until the road was clear for traffic.
 24 Aug., 1858. 1012. Hear me out, if you please. The road had been cleared of the carriages, but nothing had been done to repair the metals. Instead of this being done, the men of the three gangs were engaged in doing Fishlock's every-day work, from the place where the accident occurred up past the curve. This work was going on all the afternoon, and you did not think it worth your while to report the circumstances, either to the Chief Commissioner or to the Engineer-in-Chief. We would wish to have from you some explanation of why a report was not made? The first thing you say is, that I sent these men away to do Fishlock's work, when they might have been otherwise engaged.
 1013. No; what I say is, that you did not repair the road at the point where repairs were most needed; and that you sent the men away to do Fishlock's work, when the road had not been prepared to receive the rails whenever they might have arrived? I took the men up as soon as I could get them together up to the scene of the accident, with their tools, and all that I thought was necessary. I also took up two 20-ft. metals. When I got there I set the men to work to get up the carriages, and worked with them myself. We cleared the down line first, so as to open the traffic for the next train. I then gauged the up line myself, and got the men to put in dogs wherever they had been injured by the wheels of the carriages. Then the up line was cleared, but we found that some metals were required, where they had been bent by the carriages going off them.
 1014. *By Mr. Moriarty:* How many men were there? There were some 20 or 30 of my men, besides those that Mr. Twiss took up with him. When we got the lines clear my men had their dinners. Until the metals came from Parramatta, there was nothing for the men to do. I took up two 20-ft. rails with me, but one of them turned out to be crooked, and it would not come in. We sent off for others to Parramatta. While they were away at Parramatta after the rails the men were set to work upon the road that had been damaged by the accident, and in picking up the slacks on the up line. Fishlock's men were at work on the down line, and they went to finish up a lift they had left when they ran down to give assistance. There were slacks on the road, but they were nothing—no more than ordinary slacks.
 1015.

1015. Have you any idea what rails were put in, in the place of those damaged? Yes; they were 20-ft. rails.

1016. And how many? Either two or three; one that we took up with us could not be used; it was crooked.

1017. How did it happen then that they put it in afterwards? I am not aware that it was put in.

1018. We understand that the crooked rail was put in? I think not; but I will not say positively.

1019. It was put in, and straitened after it was in? It may be; I know that I sent to Parramatta for rails, but some mistake was made, and that gave us some further trouble. The road was set to rights however after the rails came from Parramatta.

1020. But those rails did not go in? I think you will find that they did.

1021. White tells us not; and that after all they had to put in the crooked rail, with a spare rail that was lying by the road side on Fishlock's length? That may be; I cannot precisely recollect all these circumstances.

1022. But at the time all these men were set to work taking up the slacks, the up line had not been touched, the bent rails had not been taken up, neither had steps been taken to prepare this line for the passage of a train? Oh! yes, I believe there had; there ought to have been, if there had not; but I was not present, as I had to go up on the inquest. I went up in the train that took up the bodies, and I had a man with me to take back the metals.

1023. As you were with him, how did it happen that proper metals were not selected? I do not know; I left the matter with one of the gangers who went with me—a man named Hollis, I think—but it is impossible to remember all these minute circumstances, or to say who did this and who did that at such a time as that was, and especially after such a lapse of time; I would not attempt to do so. When I said the line was clear, I understood you to say the down line, which was cleared first for the passing of the trains.

1024. That is as regards the down line, but we are alluding to the up line? There was a heavy carriage down on this line, right over the spot where the metals had been damaged; this could not be got up, and we had to lift it afterwards with jacks. When we found this we had to set the men at work, one party was to go down to the bridge, and to clear and make good the road thence to the spot of the accident; another party went beyond this up the hill. I considered it much better to set the men at work than to keep them idling and smoking.

1025. How was it that the road was not prepared to receive these new metals until late at night? Because the metals were not there to put in; as soon as we got the carriage up and out of the way this was done.

1026. At what time did you get this carriage on to the line? I cannot say.

1027. Do you know when the rails were put in? I cannot say exactly, but when I came back from the inquest we put them in. This must have been about 4 o'clock. The men would have all been standing still for the metals if I had not set them to work.

1028. At what hour did you come back from Parramatta? Four o'clock.

1029. And what hour was it when you started? About 1 o'clock.

1030. The man you took up with you did not bring back the metals immediately? No; he came back in the same train with me after the inquest.

1031. Was it a full train that brought you back? No; it was an engine and trucks that had been sent up to Sydney on purpose for our use.

1032. Whose duty is it to see that the line is in proper working order? It is mine.

1033. How was it that you did not look after it on this day? I should have done so if I had remained; but when I went to Parramatta I left the responsibility in the hands of Richardson.

1034. But at such a time you ought not to have been absent, especially as you were not required in Parramatta,—you were not examined on the inquest? No; but Mr. Whitton told me that probably I might be required. Mr. Whitton also thought that Fishlock, having charge of the length, would likewise be required; so Fishlock and I were told to go up with the engine.

1035. Who was left in charge of Fishlock's gang? Prime was put in charge of it.

1036. When did you become aware of all this work having been done whilst you were away at Parramatta? I was not aware of all this work being done. There was not much done—nothing more than usual. There were a few slacks, but no more than can be found at any time. Richardson pointed out a few slacks to me near the bridge, and I said, "Very well; get them picked up, and let them go up the hill and pick up what there are there."

1037. You say there were only two or three slacks, and yet it seems that three gangs of men were at work at them for at least three hours? No, there were only two gangs. David Prime and his gang were not on the up-line. They were on the down-line.

1038. How do you know this? Because I have asked him, since there has been all this stir about the works, and he told me that he went on the down line to run up a lift that Fishlock had left.

1039. He would not have been more than an hour over setting up a lift? He was more than that. It was a long lift, I know. I think some eight or nine lengths were lifted.

1040. But, independently of Prime, there were two whole gangs at work. Yes, one was at work this side of the bridge.

1041. They did all the work from the bridge to the place of accident? Yes.

1042. Which gang was that? Vincent's. White started from the bridge up to the level crossing and worked down to the bridge.

1043. How do you know all this, since you were not there? Because I have asked about it since there have been such statements made; and, besides, I heard the evidence given before the Commissioners the other day.

- Mr. Wm. Morgan.
21 Aug., 1858.
1044. You did not see them at work then? No. When I came back from Parramatta most of the men were doing nothing—there was nothing more to do.
1045. Have you conversed much with the men on this subject since this inquiry has been going on? No; no more than asking them where they were at work on that day, and what they had done. I asked Prime, for instance, what he had been doing, and he said that he set in at a lift that Fishlock had left. Besides this there was the evidence, as I said, that was given before the Commissioners the other day, and I then heard the men say where they worked.
1046. *By the Chairman:* Do you consider Fishlock's gang to be strong enough? Yes. There were only four men and the ganger on that length when I took the line. I increased it to five and the ganger, and that is the number now.
1047. Let me understand you perfectly; did you leave full instructions with Richardson before you started for Parramatta as to the repairs that were to be done? I intended Richardson to have gone to Parramatta for the rails, as I thought my presence was most required on the place of the accident. Mr. Whitton, however, told me that he thought I should be wanted in Parramatta on the inquest; as Inspector of Permanent Way the jury might have wished to examine me. Richardson was about to get up on the engine when I stopped him, and told him that Mr. Whitton thought I might be wanted. I said to him, "You had better begin at once gauging the road with Vincent and his men, and let the rest of the men take up on the hill." He asked who he should send up; and I said "Let White go up the hill, and old David Prime can run out the lift that Fishlock picked up this morning."
1048. These were the orders you left with Richardson? Yes. I understood to tell Richardson that Prime should go on the lift picked up by Fishlock, and that White should pick up the slacks. I said, "Take them up on the hill and pick up the slacks there."

John Vincent called in and examined:—

- John Vincent.
24 Aug., 1858.
1049. *By the Chairman:* You are ganger on the Petersham length? Yes.
1050. Were you taken down to Haslam's Bridge on the morning of the accident? Yes.
1051. How did you go down? We went upon the engine that was sent up with assistance.
1052. What did you set about immediately on arriving? We got the carriages on the road.
1053. What did you do afterwards? We went and got our dinners.
1054. Then when you went to your dinners had nothing been done to the roadway where the carriages fell over, either to the up or down line of rail? Nothing had been done by myself.
1055. *By Mr. Moriarty:* Did you see any other persons doing any thing to it? No, I did not.
1056. Were the old and bent rails left on the ground where they had been twisted? I do not remember.
1057. If much had been done to the road you would have no doubt seen it? Why, yes, I think so.
1058. Where did you go to get dinner? Just a piece off.
1059. Not far from your work? No, no great distance.
1060. Were either of the lines open when you went to dinner? Yes, the down line was.
1061. And how was the other one? It was not quite clear, not so as a train might get by.
1062. Were the carriages off it? No; there was one wrong side up, so that nothing could get by.
1063. Where were the carriages that had been got up? We shoved them ahead.
1064. Standing on the line? Yes.
1065. What did you do after you had your dinner? We went back and repaired the line.
1066. Where? Two joints this side of the bridge. The men went along and gauged the line.
1067. How many men did you have with you? I cannot say, because I did not know them.
1068. And you really do not know how many men were with you? No, I do not.
1069. Had you a dozen? No.
1070. Had you three? Yes, I had three.
1071. Had you six? Well, I don't know what they were.
1072. Had you charge of the gang? Yes.
1073. Then surely you could say how many men you had under your charge, or near to how many? I was in charge of the men, but I did not know them, and couldn't say how many there were.
1074. Did you know what you and the men were doing at all? Yes, I know what we were doing, but I do not know how many men there were.
1075. Were all your gang with you? No.
1076. How many of them were there? Two.
1077. You are sure of that then? Yes.
1078. Who had charge of the gang that was employed between the bridge and the place of the accident? I had charge of them.
1079. And you mean to say that you did not know how many men you had? No.
1080. Nor yet make a guess? No. I would not swear to one, because I did not take particular notice of any of them.
1081. Where were the rest of your gang? One of them was boring a hole to put in a dog behind me from the bridge towards the carriages.
1082. You were working towards the bridge yourself? Yes, two lengths the other side towards Parramatta.
1083. How long were you at work on it? I cannot say; I never took particular notice of the time.
1084. Cannot you say somewhere about the time? No, nor no more could any man at such a time as that, because we were doing many jobs of one kind and another.

1085. Can you not give a guess as to how many hours you were at work from the bridge to John Vincent, the carriages? No, I cannot; perhaps we might have been an hour or an hour and a-half; 24 Aug., 1868.
I would say that before I would say more.
1086. Did you see the train come back with Mr. Morgan, after the inquest at Parramatta?
Well, I do not remember.
1087. Do you mean to say that when you are working on the road a train could pass you and you not to notice it? I remember seeing the train come down, but I do not recollect Mr. Morgan being in it.
1088. Were you at work when that train came up? Yes.
1089. And you had been at work till then from the time you had your dinner? Yes; but we did not get our dinner until between 2 and 3 o'clock.
1090. Did you have your dinner before Mr. Morgan started for Parramatta? I cannot say.
1091. Why, you know when the train went up to the inquest? Yes, I saw that.
1092. Had you had your dinner when that started? No.
1093. How far towards Parramatta did you go with your work? To the first joint next to the bridge on the Parramatta side.
1094. How low was that joint? It was not particularly low.
1095. Was it an inch down? It might have been an inch.
1096. Was it less than an inch? Well, it might have been—hardly an inch.
1097. Was there any joint lower than that? No, that was the worst; all the rest were pretty well.
1098. Were there many slacks about this place? No; the chief work I did was on this side of the bridge.
1099. Now do you think that the joint was as much as an inch down? It was very close upon an inch; but I would rather say that it was not an inch rather than that it was over.
1100. *By Mr. Moriarty*: White started with you and worked on the other way, I believe? Yes.
1101. And what did Prime do? I do not know, but I know that he went by us on towards Parramatta.
1102. You know an inch when you see it? Well, I ought to.
1103. You would not be likely to mistake an inch for a quarter of an inch? I should think not; I have been on such work too long to make such a mistake.
1104. Would a joint an inch down throw a carriage off the line? No, or else the carriages would have been off long ago.
1105. Was this a short or a long slack? Why, you can't make a long slack out of one rail.
1106. Perhaps you did not look behind you to see if the other joints were down? But I did though. I looked behind me, and saw nothing that wanted touching.
1107. Is was short slack then? Yes, of course.
1108. Is a short or a long slack the most dangerous to the traffic? A short one, of course.
1109. What time was it when you set in to pick up that slack? I cannot say.
1110. Was it after Mr. Whitton had examined the line? I can't say, but I know he was there before that.
1111. However, it was after you had had your dinner? Yes.
1112. And after the train had gone off to the inquest? Yes.
1113. *By the Chairman*: Do you know anything about the two new rails that were put in there? No; I had nothing to do with putting them in.
1114. After you had had your dinner and came back to commence your work, what was the condition of the up line at the point where the carriages were thrown off? That was not interfered with.
1115. The bent rails and the upset carriage were still there? Yes.
1116. And it was left all the afternoon just as you found it on returning from your dinner? Yes.
1117. Then no train could pass there? Yes; we cleared the down line, and the down trains had all clear.
1118. But the other line—the up line? That was not done anything to.
1119. Not till evening? No.

William Hammond called in and examined:—

1120. *By the Chairman*: Are you one of Vincent's gang? Yes.
1121. You went up with him to the scene of the accident? Yes.
1122. What did you do after you had your dinner? We went to work picking up slacks.
1123. Which way? Outside the bridge.
1124. Towards Parramatta? Yes.
1125. Did you find any slacks near the bridge? Yes, we got some.
1126. Can you say how low they were? Well, I could not, for I was working the lever, and therefore I couldn't say.
1127. How long were you at work there? We started after dinner, and left off between 4 and 5 o'clock.
1128. At what time did you have dinner? Somewhere about 1 o'clock.
1129. Did you have your dinner at the same time as Vincent had his? Yes.
1130. Had they gone off to the inquest before you had dinner? Yes, they were all gone away.
1131. Then you were at work picking up these slacks from 1 or half-past 1 o'clock until between 4 and 5 o'clock? Yes, in picking up the slacks and filling them in.
1132. Did you find many dogs broken as you went along? No, not many.
1133. Then your chief work must have been picking up slacks? Yes.
1134. And I suppose in that time you must have picked up a good many? Yes, a goodish few.

W. Hammond.

24 Aug., 1868.

- W. Hammond. 1135. Were they very low? Some were down more than others—the same as anywhere else.
 1136. And when did they set about repairing the up line, where the rails had been pulled out? Why, they were just getting the rails in as we got down to them, and I bored the last hole for setting them fast.
 1137. What o'clock was that? Between four and five o'clock.
 1138. Who was doing that? Well, I cannot say for certain, but I think it was Prime, if I am not mistaken.
 1139. We were told that he went up the line to work, towards Parramatta? Yes; after dinner he went up to do a job that Fishlock had left.
 1140. Did you observe White and his gang working up the hill? Yes, I did.
 1141. How long were they at work there? They came down just before we left off.
 1142. They began directly after dinner? Yes; at the same time as we did.
 1143. And left off at the same time as you? Yes; a few minutes before us.
 1144. What o'clock was it when you left off picking up the slacks? Between four and five o'clock. We worked down to them just as they got in the last rail, and I went and bored the last hole for the rail.
 1145. Was that after the train had come in from Parramatta? Yes.
 1146. Could you say how long after? No, I could not. It was Heffer who picked up the slacks on the bridge, and he knows more about it than I do.
 1147. Is he here? No. He has not been examined at all yet.

Charles Youffs called in and examined:—

- J Youffs. 1148. *By the Chairman*: You are one of Vincent's gang? Yes.
 1149. On the day of the accident you went down to the spot with the rest of the gang? Yes.
 24 Aug., 1858. 1150. Did you go to your dinner at the same time as Vincent? Yes.
 1151. What did you do afterwards? We went to pick up slacks.
 1152. How far did you go? About two joints on the other side of the bridge.
 1153. Did you find any slacks there? Where I was we only picked up two on the inside rail.
 1154. *By Mr. Moriarty*: What sort of slacks were they? I don't know.
 1155. How low were they? They might have been an inch down.
 1156. Were they an inch and a-half? No.
 1157. What did you do when you had picked up the two slacks? I went to gauge the road, and then I had to put in the dogs where they had been cut off by the flange of the wheel.
 1158. Did you find many dogs broken? Yes, a good many.
 1159. And you helped to replace them? Yes.
 1160. About what o'clock was it when you set to work? I do not know what time it was.
 1161. Was it after the train had gone to Parramatta to the inquest? Yes, it was.
 1162. How long did you keep at work? I do not know.
 1163. Did you go on till dark? Yes.
 1164. Where was White at work? On the other side of us, up the hill.
 1165. What was he doing? Picking up slacks.
 1166. Did you see him come back from his work? Yes.
 1167. What time was it? I do not know.
 1168. Was it getting on towards dusk? I do not know.
 1169. Where did Prime go to? I do not know.
 1170. Did you see him come back? Yes.
 1171. At what time? I do not know.

THURSDAY, 26 AUGUST, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

MR. MORIARTY.

Peter Heffer called in and examined:—

- Peter Heffer. 1172. *By the Chairman*: Were you down at the spot on the day of the accident? Yes.
 1173. After you had had your dinner what did you set about? Repairing the road.
 26 Aug., 1858. 1174. Whereabout? One or two lengths on the other side of the bridge.
 1175. Did you find any slack there? Yes, a bit of a one.
 1176. How far from the bridge? Two lengths.
 1177. How low was the slack? I hardly know how low to say, it might have been an inch and a-half.
 1178. Was it two inches? No; I will not say it was so low as that.
 1179. Did it strike you as being a dangerous slack? I do not know hardly what to say respecting that; if they had thought it a dangerous place they would have picked it up before.
 1180. You were picking up slacks all the afternoon? Yes.
 1181. For how long a time? For about two hours and a-half.
 1182. Where was White at work? A good bit from us, up the hill.
 1183. He was not near you then? No; he was further off towards Parramatta.
 1184. What state was that part of the line in? I do not know; we began a good bit off.
 1185. Where was Prime working? I understood from him—for he is a neighbour of mine, and told me what he was doing—that he was doing a piece of work that had been left by Fishlock, when he came up to help at the accident.

1186.

1186. What did he do afterwards, when he had finished that job? I never saw him doing ^{Peter Heffer.} anything else.
1187. Do you know anything about the rails that were laid down? They were two rails ^{26 Aug., 1853.} that came from Parramatta, but where they were put in I can't say.
1188. Were those rails that came from Parramatta laid down? Yes, I believe so.
1189. Are you sure of it? Well, yes.
1190. Are you sure that they were not two that had come from Sydney? So far as I know, they were the two that had come from Parramatta; but I wouldn't be on my oath about it.
1191. Did you hear any one say that the rails which came from Parramatta were too short? No; but we did not put them down.
1192. Who did? Either White or Glover, I am not sure which.
1193. About what o'clock was all the work completed? I am sure I cannot tell, but I know that it was near nine o'clock before I got home.
1194. Was it near dark when you left the ground? Yes, it was quite—what we call dusky.
1195. Did all the gangs go home that night? Yes.
1196. Did you go there afterwards? Yes; we went there the next day.
1197. On Sunday? Yes.
1198. What did you go for? There was one carriage and two horse-boxes that had to be got up, and we went to do it.
1199. Who sent you down? Mr. Morgan.
1200. Were the other men there also? Yes; there were about twenty of us men there.
1201. What, plate-layers—road-men? Yes.
1202. To whose gangs did they belong? There was White's gang, Vincent's gang, Prime's gang, and some of Glover's gang.
1203. Was Fishlock's gang with you? No; they were repairing their own line, on which the accident occurred.
1204. Where were they at work? On the other side of the line—on the Sydney side of where the accident occurred.
1205. Was Mr. Twiss there? Yes, and Mr. Morgan.
1206. Did Mr. Twiss have his men with him? Yes.
1207. *By Mr. Moriarty:* Is it customary for your gangs to work on the Sunday? It was a thing that I never did before.
1208. Had Fishlock his whole gang with him? Yes.
1209. How many men? There were six or seven men; all his men were there.
1210. And were they picking up slacks? Yes.
1211. It was not likely that they were putting in new sleepers? No, they were not.
1212. *By the Chairman:* Directly after dinner you began picking up the slacks? Yes.
1213. And you left the carriages where they were? Yes.
1214. What time was it when you went to dinner? I could not say what time it was.
1215. Did you not think it strange that you should be taken from your work to do Fishlock's every-day work? No; I have seen the same thing done at home when an accident has happened.
1216. But not in repairing the road where the accident did not happen? No.
1217. Do you mean to say that it is customary, or that you have seen it, to repair the line for half a mile from where the accident happened? No; I have seen them repair the line so that a train could run.
1218. But not for half a mile? I will not say that; I did not take that particular notice.
1219. What was the reason that you were set to work picking up slacks on the line instead of getting the carriages up? All the carriages were got up before we set to work on the line.
1220. But there was one that was not raised till the next day? Yes, they were all up but one; we got the road all clear except that, and that was not got up till Sunday.
1221. Why was not that raised instead of repairing the line? That I cannot say.
1222. You cannot give any reason for this? No, I cannot; I never thought about it. I am only a working man, and I follow the ganger and do what he orders.
1223. Did you hear any remark made as to why this had been done? No; there was no one there to make a remark; we were all at work.
1224. Can you give any idea as to what was the cause of the accident? I am hardly able to judge that. I am sure I cannot say.
1225. Have you heard any one say what they imagined to be the cause? No, no one.
1226. *By Mr. Moriarty:* Did you ever hear it said that it was caused by excessive driving? Yes, I have heard that said.
1227. Where? Amongst the public lately.
1228. But by the men—the men on the line? No; I never heard them say it. I never heard them say it was the driving at all.
1229. What do they think caused the accident? I cannot say. I know that there was a joint down, and that I packed it; and that it was down an inch or an inch and a-half. I know that, but I can't say that I know any more.
1230. Was this low joint in the outside rail? Yes.
1231. And it was down an inch and a-half? Yes. It must have been, because I can judge from being always in the habit of measuring the slacks.
1232. And why did you not measure this one? Because we were sent away in a bustle, and were taken at a moment when neither of us had a rule about us.
1233. *By the Chairman:* Do you know that the horse-boxes got off by the level crossing place? No; I did not take notice of that.

- Peter Haffor. 1234. Do you know the level crossing? I cannot say that I do; but I know that the carriages must have slipped off and run a long way on the flanges of the wheels.
- 26 Aug., 1858. 1235. Before they came to the bridge? I could not say, because I only began at the second joint beyond the bridge.
1236. *By Mr. Moriarty*: Did you pay any attention to the ballast? Not particularly; but it seemed to be the same as everywhere else.
1237. You did not notice it to be disturbed? I did not.

Mr. Mason examined:—

- Mr. Mason. 1238. *By the Chairman*: Did you hear Mr. Morgan speak to Boan on the subject of his driving shortly before the accident? No.
- 26 Aug., 1858. 1239. Did you consider Boan's driving to be dangerous? No, it was not at all dangerous; it was merely that he did not ease his engine round the curves so much as he might have done. I told Boan to be more careful in going round the curves; if it had been of any importance I should have mentioned it to Mr. Whitton, but I did not consider it to be so.
1240. Have you had many opportunities of observing Boan's driving? Yes, I have frequently seen him driving, and have never had occasion to find fault with him. I consider him to be a very good and careful driver.
1241. Were you at the scene of the accident shortly after its occurrence? Yes. I went down to Haslam's Bridge with Mr. Whitton and Captain Martindale.
1242. About what time did they start for the inquest? We left about 3 o'clock.
1243. Did you give any instructions to Morgan about the permanent way? No. I gave him no orders about the permanent way.
1244. Do you know how the people were employed after your departure for Parramatta? I believe they were employed getting the line in order, and lifting the carriages up.
1245. About what time did you pass Haslam's Bridge on your return from Parramatta? It was not quite dark.
1246. Did you observe what the people were doing when you passed? No.
1247. Do you know of any work having been done in repairing the line, both at the scene of the accident and in other places, on the next day (Sunday)? No, I do not.

THURSDAY, 2 SEPTEMBER, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

MR. MORIARTY.

John Whitton, Esq., called in and examined:—

- J. Whitton, Esq. 1248. *By the Chairman*: You are aware that the Government have directed the Commission to continue their inquiry, more particularly into the general direction and management of the railway line? I am.
- 2 Sept., 1858. 1249. We wish to obtain your opinion upon certain points in connection with this subject; and first, with respect to the permanent way, its structure and maintenance,—do you think that the permanent way between Sydney and Parramatta is worse than the other lines? I do.
1250. In what way—with respect to the earthworks? The cuttings are of less width, and the slopes are steeper than shewn on the original sections.
1251. Are you in possession of the original drawings by which the works were to be constructed? Yes, they are in the office. The cuttings were to have been 30 feet wide, with slopes of 1 to 1; but I have seen no specifications.
1252. Are these works not executed, then, in accordance with these drawings? They are not.
1253. Is there very much difference between the drawings and the actual cuttings? Yes in some of the cuttings there is a considerable difference.
1254. Was the contractor paid according to the drawings, or according to the work actually done? He was paid for quantities taken from the sections.
1255. Have you found by measurement that the cuttings were not in accordance with the drawings? Yes; the cuttings, which have been measured, are less in quantity than stated on the original sections.
1256. Is the defective character of the works owing to their not having been made in accordance with the drawings? Yes, so far as relates to the earthwork; had the cuttings been wider, and the slopes flatter, the cost of maintenance would have been considerably reduced.
1257. They are narrower than the drawings? Yes.
1258. Have you any work in progress intended to effect a permanent improvement in the earth works? No, not in the earth works; the improvements we are making are in the permanent way, by putting in more sleepers, and using a better description of ballast than the sand ballast hitherto used.
1259. Have these improvements been going on for any length of time? Yes, for some months, since the beginning of the year.
1260. Are there any measures that you would wish to see carried out with respect to the earthworks, so as to give additional security to them? No; the cuttings are the most defective, and it would entail a very serious expense to increase them in width. Besides, even

even if this were now done, it would hardly be worth the cost; the present cuttings might answer the purpose if a better description of ballast were used. J. Whitton, Esq.

1261. You have not measured the embankments? No.

1262. Have you reason to suppose that they are not of the measurement that they ought to be? The only reason I have for thinking they are not is, that I have not found the works generally on the line executed in accordance with the drawings. 2 Sept., 1858.

1263. Are there not some of the embankments that have their sides very steep? I cannot speak so clearly to the embankments as I can to the cuttings; I have not had my attention particularly drawn to them; I have not noticed anything defective in the embankments. So long as the sleepers have a good bearing, a few inches more or less is not of much importance.

1264. There should be some space between the extreme edge of the bank and the end of the sleeper? The width of the embankments ought not to be less than thirty feet; of this the two rows of sleepers would require twenty feet from outside to outside, leaving a space of five feet on each side of the line.

1265. Then, so far as the earthworks are concerned, you conceive that the line may be maintained in safe running order without any alteration in them? Yes; by using a better description of ballast.

1266. You are now, I believe, using a new kind of ballast on the line? Yes; we are now using broken stone for ballasting the cuttings. Hitherto sand has been used, and in wet weather it was impossible to maintain the cuttings in good order with this kind of ballast.

1267. Are you aware whether the sleepers were originally laid on the clay, or on ballast? I am not certain whether they were laid on the clay or not; but my impression is that they were.

1268. From my own observation I should think that they were? I think so too. The ordinary plan pursued is to lay the sleepers on the formation, and then to lift the roadway twelve inches by packing the ballast underneath. It is very possible that these sleepers may have been laid on the formation and left there. The whole line, however, has been very badly ballasted.

1269. *By Mr. Moriarty*: Nothing but sand has been used for ballasting? That has been the ballast chiefly used.

1270. It has been for the saving of expense, I presume? Yes.

1271. Broken stone would make the ballasting very costly? Yes; it would take something like eight thousand yards of broken stone to the mile, and that would make the ballasting of the line from Sydney to Parramatta come to about £40,000.

1272. *By the Chairman*: The general character of the earthworks on the other lines is much better than that of the works on the line between Sydney and Parramatta? Yes. On the northern line the earthworks have been better executed. The line between Parramatta and Liverpool is also very much better than that between Parramatta and Sydney.

1273. Is that owing to the character of the country, the nature of the soil passed over, or to the works having been carried out in a superior manner? It is no doubt partly owing to the character of the country, but chiefly to the work having been better done.

1274. With respect to the bridges and viaducts—is there anything in them that requires alteration? Yes; they all require, or have had done to them considerable repairs. We are now repairing the Long Cove viaduct. Several bridges must shortly be taken down and entirely rebuilt.

1275. Steps are being taken then for putting these in order? Yes; the superstruction of the Ashfield bridge was taken down some short time back and entirely rebuilt.

1276. *By Mr. Moriarty*: Is that an overhead bridge? Yes.

1277. Of timber? Yes. It was built of inferior timber, which on examination was found to be completely rotten.

1278. *By the Chairman*: Have you no specifications according to which this bridge was built? No. I believe there was no specification. It was built from a drawing only.

1279. Was there nothing then to bind the contractor as to the quantity or quality of the material used? No, I believe not.

1280. How did they manage, then? A drawing, I believe, was forwarded to the contractor by the engineer, requesting to know at what prices he would execute the works; the contractor's tender then appears to have been recommended to the Board for acceptance.

1281. There was nothing then to check the contractor? I believe not.

1282. Then he did the work on a schedule of prices, framed by himself? Yes, so far as I have been able to ascertain, I believe this to have been the case.

1283. The defective character of this bridge was owing, then, to its not being carried out in accordance with the drawing handed over to the contractor? No; it was executed in accordance with the drawings, but the timbers were too weak.

1284. Was there nothing to check the contractor in the quality of the materials used? I presume that some supervision was exercised, but I cannot say what that supervision was.

1285. You are changing the Barlow rail for the double-headed rail throughout the line? No. The double-headed rails are being used only on the new lines.

1286. Is there sufficient accommodation in sidings on the line? Yes, I think so. With regard to the construction of the permanent way, I may state that the Barlow rail was originally laid on this line with three sleepers only to each rail; additional sleepers were put in by Mr. Randle at his own expense.

1287. *By Mr. Moriarty*: As he had to keep the line in repair, it would be a saving of expense to him to do so? No doubt. The more firm the rails, the less the expense of keeping the road in order.

1288. *By the Chairman*: I should like to know who first recommended these Barlow rails? I think it must have been Mr. Wallace, for I found in his office a piece of the Barlow rail, which had been addressed to him in London, I presume, previous to his departure for this Colony.

J. Whittom,
Esq.
2 Sept., 1858.

1289. Are they much used at home? Not at present. The patent was only granted in 1890, and, I believe, were very little used before 1852. Since that time they have been fairly tried, and are generally admitted to be a failure. I believe they have been little used on the Continent.

1291. There are very few lines there that have so heavy a rail as this laid down? Yes; the rail here is 75 lbs. to the yard, and that is the lightest rail ever rolled of this pattern.

1292. You do not think, then, that any permanent alteration in the roadway is required? The alteration required is better ballast and additional sleepers.

1293. Would it be advisable to replace the Barlow rail by the double-headed rail? No. The Barlow rail, if properly laid, with a sufficient number of sleepers and better ballast, will make a sufficiently good roadway, without incurring the expense of replacing them by any other description of rail.

1294. *By Mr. Moriarty:* The great objection to them is that they have not the strength of the double-headed rail? Yes, that is the chief objection.

1295. And then again, when worn out, you cannot convert them to any use? No, not in this Colony. In England you could get them re-rolled, but here you cannot.

1296. Can you do nothing with them here when they are thus worn? They are good iron, and when worn out might be cut up and hammered into bars.

1297. I am afraid you would get no demand for the bars? I do not mean for sale, but for our own use.

1298. *By the Chairman:* Do you think the way in which the sleepers have been laid down has had much to do with the difficulty you have experienced in maintaining the line? Yes, certainly. They have been improperly laid with the round side downwards. Many of them are small, especially those put in by Mr. Randle at his own expense.

1299. You require to employ more men on the Parramatta than on any other line? Yes.

1300. I see by your list that White has eight men in his gang—what is the reason that he has so many more than the usual complement? It is on account of the bad state of the road on his length, which is now being lifted and thoroughly repaired. A portion also of this length has been relaid, from the station to the first embankment, and White had additional men given to him for that work. So soon as that part of the line is in good order the number of men in his gang will be reduced.

1301. That first embankment that you speak of is a sand embankment, is it not? Yes.

1302. How does it stand? Very well, and is in good condition.

1303. Does not the sand wash down from the sides of the bank? No, not that I am aware of; I have not noticed any defect of that kind.

1304. They have given it a good slope, I presume? Yes, it has a slope of about $1\frac{1}{2}$ to 1.

1305. Do not the sides of the cuttings wash down very much? Yes; and this, combined with the sand ballast, fills up the side drains, and considerably increases the cost of maintenance.

1306. Fishlock, I see, has also more than the ordinary number of men in his gang—is that owing to the bad state of his length? Yes. A greater number of men are employed on Fishlock's length, as also on Hollis's, the next length to Fishlock's; but they are putting in additional sleepers on those lengths. The whole of these men are not paid out of the revenue, but are charged to a special vote granted for the improvement of the permanent way.

1307. What is the proportion of men per mile on this line, and how does it range as compared with similar lines in England? There are more than three times the number of men per mile on this line between Sydney and Parramatta than are employed on English lines with the same amount of traffic. The average between here and Parramatta is about three men to a mile. In England one man to a mile would be sufficient. At present more men are employed on the Campbelltown extension than will be required a few months hence, owing to its very recent formation; but when the earthworks shall have become properly consolidated a considerable reduction will be made.

1308. Do you find any difficulty in procuring efficient men to act as gangers? No, we have had no great difficulty so far in obtaining gangers, but most of the men we require are common laborers.

1309. Are they men that have been accustomed to railway work? Not always. The men we have as laborers have generally had no experience elsewhere.

1310. Not on lines in England? No, except in a very few cases.

1311. Can you depend upon these men to execute the work entrusted to them, and to keep the line in proper order? Yes, they do their work pretty well; I receive few complaints against them; but it is most important to have a good inspector over them; for with such a man they are made to do their work properly.

1312. Then you have no trouble with them? No, I have had few complaints against the gangers.

1313. Is it not a very important thing to have good gangers on the line? Yes, no doubt; but it is still more important to have a good inspector, who thoroughly understands the work, and will see that it be properly done.

1314. Laborers skilled in this kind of work are not so essential? No, it is not of so much importance to have laborers who have been accustomed to the work.

1315. How much do you pay them? The laborers are paid 7s. a-day, and the gangers 10s. a-day. The gangers had formerly 12s. a-day, and the laborers 10s., but they were reduced.

1316. When was that reduction made? In January last.

1317. And you find no difficulty in getting men at the rates you mention? None whatever.

1318. Not since the reduction of the wages? No; on the contrary, I believe we have better men since the reduction than we had before it.

1319. You do not think that you would get better men by giving them English wages? No. They get more than English wages now; they have three times the amount they would receive for similar work in England. There 3s. to 3s. 4d. per day is the ordinary pay of a ganger,

ganger, whilst the laborers' wages run from 2s. to 2s. 6d. a day. I never paid more than 3s. 4d. a day to a ganger in England, unless under some very special circumstances. I think the wages we are now paying, both for gangers and laborers, are sufficient to secure the best men. J. Whitton, Esq. 2 Sept., 1853.

1320. The amount of wages is, I suppose, a matter that you give and take upon—when wages rise you increase yours, and when they fall you lower yours also? Yes; when we find that we cannot get such men as we want at the rate we offer, we rise the wages. We have already lost many of our best hands, and if the railway works that were contemplated in Victoria had been gone on with, we should have had to pay much more than we now do, if we wished to keep the men we now have on the line; otherwise we do not pay higher for our labor than other people do.

1321. Did Mr. Morgan come out from England to fill his present position? No, certainly not.

1322. You did not send for him? I did not.

1323. Did you know him in England? Yes; he was on the Oxford and Worcester line, as one of my inspectors, for four years, and was there when I first went.

1324. You have known him for some time? Yes, for the period I have mentioned, and I believe him to be one of the best inspectors of permanent way and works that could be obtained. He is an active, energetic man, and thoroughly understands his work. He was on the South Devon line, I believe, for some time before he came upon the Oxford line. He came out here purely on speculation, and, as I thought it would be to the advantage of the Commissioners to have him employed, I recommended him. Another very good inspector, from the same line, has also come out here lately, but neither of them were sent for by me.

1325. These persons, then, came out on their own account? Yes; they came out merely on speculation, in the hope of bettering their condition.

1326. Are they getting higher salaries here than they received in England? Yes, more than double what they would get in similar situations in England. All wages here are much higher than is paid for corresponding situations in England.

1327. When Morgan was with you was he on the permanent way? No; he was Inspector of Works, and in that position he had to travel almost daily up and down the line, to execute whatever works were required. In his journeys backwards and forwards I directed him, if he found anything wrong in the permanent way, to report it to me.

1328. What length had he? He had the inspection of the works on the whole length of the line.

1329. Then he had no special charge of the permanent way? No, he had not; he had no charge of the permanent way, only a direction from me to report to me anything he might see amiss.

1330. What made him leave that line? I assume that it was under the impression that he would get better wages by coming out here.

1331. Then he left to come out here? I believe so.

1332. Was there an Inspector of the Permanent Way on that line? Yes, there were several. I had one inspector to every twenty miles. The line was ninety-four miles in length, and I had five inspectors. There was only one Inspector of Works—that was Morgan; his duty was to take charge of the workshops, and to see that all the work for the line was properly done.

1333. Is he a working engineer? No, he is not.

1334. The permanent way men were in no way under him or his orders? No. He had to superintend the construction of all buildings, the repairs to all bridges and viaducts, to make the crossings and switches, and such other works as were wanted on the line. If there was any work to be done at any of the stations he had to superintend it.

1335. Do you know what situation he filled before he came to you? No, I do not.

1336. Who is responsible for the proper maintenance of the permanent way on the Maitland line? George Bewick. He is a very good man. He has just been appointed as Inspector of the Permanent Way and Works.

1337. There is only one man in charge of the whole works on the Maitland line? That is all. Bewick does everything.

1338. His duties, then, are something like those of a resident engineer? Exactly; in fact, he does all the work that a resident engineer would do, without being dignified with that title.

1339. His work is, I suppose, to maintain and to keep in repair the works already executed? Yes; and, in addition, he would have to superintend any new work that might be required on any portion of the line already opened. As soon as the line is opened for public traffic it is given over into the charge of the inspector for the time being, and he is responsible for everything.

1340. By Mr. Moriarty: Then, generally, throughout the line everything that you consider necessary to be done is being done, to put the line in a good and efficient position? It is.

1341. And these works have been going on for some time past? Yes, they have.

1342. How long have these improvements been going on? For the last seven or eight months—since the beginning of the year.

1343. Then everything that you could recommend by way of improvement either has been or is in course of being carried out? Yes. We had a special vote at the beginning of this year for the improvement of the permanent way. The improvements now being made are paid for out of this vote.

1344. Is the timber you obtain of a good kind for sleepers? Yes, the very best; it is sound ironbark.

1345. What is the size of the sleepers you are now putting in? 9 feet long, 9 by 4½.

1346. Do you find that the white ants destroy the sleepers? No, I have not found that they do so.

1347. Do you think that kyanising the sleepers would tend to their preservation? It would do so, but I prefer creosote.

MONDAY, 6 SEPTEMBER, 1858.

Present:—

PROFESSOR PELL IN THE CHAIR.

MR. MORIARTY.

John Whitton, Esq., called in further examined:—

- J. Whitton, Esq.
6 Sept., 1858.
1348. *By the Chairman:* Are you satisfied with the character of the rolling stock on these lines? With everything except the engines.
1349. The carriages answer well? Yes, very well; but the engines are not suitable for the traffic.
1350. Are they found to be hard upon the line? They are very heavy, and the general design is bad.
1351. Have you any plan for altering or replacing the present engines? No; but engines might be got out much more suitable for the traffic, and which would work more advantageously, particularly on that part of the line between Parramatta and Campbelltown.
1352. You think it would be a saving even to go to the expense of getting out new engines of a lighter character? Undoubtedly.
1353. Would you lay the old engines up? It would be an advantage to do even that; but I would keep the old engines for the goods traffic on this end of the line, between Sydney and Parramatta. They might be used to work them only at a slow speed. I do not anticipate any heavy traffic beyond Parramatta for some time to come. We could work the goods traffic with the present engines, though they are unnecessarily heavy. The cylinders are larger than required for the traffic, and the leading wheels being the same size as the driving wheels is objectionable.
1354. Would it be possible to diminish the size of the leading wheels? Only at considerable expense.
1355. Are the engines well made? Yes, they are well put together; but the design is altogether bad, and the large wheels being in front is most objectionable.
1356. Are you able to get suitable persons to maintain the rolling stock in good order? We might get better men by sending for them to England; still we have tolerably good men.
1357. Are they generally efficient? Yes. They are as good as we can get in the Colony.
1358. Then you think that the carriages and engines are inspected carefully, and have confidence in the men, in so far as their industry and attention are concerned? I have. Twiss, the foreman, has charge of this department, and has the assistance of a carriage inspector.
1359. The carriages in use here are of the same character as those employed in England? Yes.
1360. You have stated to us that you did not consider yourself responsible for the traffic on the line? Yes. I do not consider that I have any responsibility in that respect.
1361. But questions relative to the traffic are sometimes referred to you? Yes, occasionally.
1362. You have had some considerable experience in the management of railway traffic? Yes.
1363. Is there any person to whom questions relative to the traffic department are usually referred? Traffic matters have occasionally been forwarded to me for my opinion.
1364. Is there any person in the department connected with the traffic who has had sufficient experience to be able to take all responsibility in that branch from you? I repeat, that I do not consider myself responsible in any way for the traffic management. If a question be asked of me, I answer it as a matter of course, but I do not profess to interfere in any way with the traffic management.
1365. But you are the person to whom they must come for the decision of any matter of importance? If it be thought necessary to ask my opinion upon any point I always give it; if it be not thought necessary the matter is attended to without.
1366. With respect to such a thing as the arrangement of carriages in a train, would that be referred to you? Not necessarily; but since the accident my opinion has been asked as to the best position for horse-boxes, which is undoubtedly next the engine.
1367. You think, then, that the safest place for a carriage to be is next the engine? No doubt.
1368. They are less liable to get off the line when next the engine? Yes.
1369. Then, is not the placing in this position those carriages that are the most likely to get off the line—such as horse-boxes—more likely to result in an accident, such as we have witnessed, than if these carriages were placed at the tail of the train? No, the reverse. If the couplings hold, the horse-box next the engine is less likely to cause an accident than if placed at the tail of the train.
1370. But looking at the two accidents that have occurred, they will hardly bear out your opinion? There was a difference in the two cases; in the first the horse-box was at the tail of the train, and in the second it was next the engine.
1371. And the consequences were different also; for in the former accident the horse-box was got on to the line again without any serious occurrence; whilst in the latter it took several carriages off with it, and was attended with lamentable results? That was owing to the couplings breaking; if they had held good the same results would not have followed.
1372. *By Mr. Moriarty:* But is it not impossible for the couplings to hold good for any length of time, because of the great weight of the train behind, acting in concert with the resistance offered by the sleepers to the progress of the carriage when off the rails? I do not think the weight of the train would have much effect if the couplings were sound.
1373. But then the jerking on the sleepers in addition? That did not break the couplings in the former accident.
1374. The horse-box being off the line would receive a check every time it came into contact with the sleepers. This would produce a corresponding check upon the carriages behind when

when they were thrown up against the one that was off. Then the next tug of the engine would act more heavily upon the couplings than if the train was going steadily; and this would be repeated every time a sleeper was encountered, until the couplings must go? No, not necessarily; the couplings in the former accident did not break, although the box was dragged nearly a mile. J. Whitton,
Esq.
6 Sept., 1888.

1375. Would not every bump upon the sleepers to some extent retard the engine? I think not, but would be an additional strain upon the couplings.

1376. *By the Chairman:* In the former accident, however, the horse-box being at the tail of the train, was dragged for more than a mile without taking anything off the line with it—does not this shew that a serious accident is not so likely to occur with the horse-boxes at the head of the train as it is when they are next the engine? No, I think not. If the couplings do not part, an accident is more likely to occur with the horse-box behind than in front.

1377. Then, as I understand you, if the couplings hold good it is no matter where you place the horse-box in a train? It is best in front.

1378. But supposing the couplings to part? Then the tail of the train would be the best. If, when in that position, it leaves the line and the couplings hold, it is very likely to pull off the other carriages in front. A case might occur like that which happened nine months ago, in which the hind wheels got off the metal, and no serious result followed, but if the fore wheels had gone off instead it would very likely have pulled off the carriage immediately in front.

1379. Under any circumstances I do not see how it would be likely to result in such an accident as the last fatal one that occurred? It might do so. If the couplings held good, a horse-box at the tail of the train might pull all the carriages off the rails.

1380. But it would not so certainly pull them off and upset them as it would when it was the leading carriage of the train? Probably not, but it is possible that it might do so. There can be no doubt, however, that the risk of accident is increased by placing the horse-box behind the train, as in that position it is more likely to leave the rails than if placed in front.

1381. But having left the rails, in which position is it more likely to be attended with serious results? If the couplings part, then, of course, the tail of the train is best; so long as the couplings hold the head of the train is best.

1382. *By Mr. Moriarty:* It seems to me that if a carriage goes off the line it becomes a mere question of time how long the couplings will hold; they must go before very long, as in the more recent accident? Not necessarily; they may hold until attention is drawn to the carriage off the line.

1383. No couplings could stand for any great time against the continued succession of checks and jerks that must follow the bumping over the sleepers? They might stand long enough to have the accident remarked.

1384. *By the Chairman:* Suppose the carriage next to the engine got off the rails, and the engine-driver remarking it shut off the steam, would such a thing be likely to result in a serious accident? I do not think so.

1385. Might not the rushing of the carriages against it have the effect of throwing it over? No, I think not.

1386. After the steam is shut off, and the motive power thus removed, would not the carriages behind be thrown violently up against those in front? Not enough to do injury. Shutting off the steam suddenly is a matter of very little consideration unless there be some derangement in the carriages themselves, either in the axles or elsewhere. In England, where trains run 60 miles an hour, I have never known horse-boxes to go off the line in consequence of the speed.

1387. You would have no objection, however, to have the horse-boxes placed at the tail of the train? None whatever. If I had the responsibility of working the line I should, nevertheless, prefer putting the horse-boxes next the engine.

1388. Are there any persons having the management of the traffic department who have had much experience in this branch, except that which they have gained in this Colony? I am not able to say what experience the officers generally in the traffic department may have had, but I believe Mr. Beeston has had considerable experience.

1389. Do you consider him to be an efficient officer? Yes, from what I have seen of him, I do.

1390. Who is Mr. Beeston's superior in this branch? Mr. Nealds; and, probably, he also may have had great experience on lines in England, but I am not aware of it.

1391. At all events, the position of Traffic Manager is one in which a man ought to have very considerable experience to fit him for the situation? Unquestionably, it is a very important and responsible office.

1392. Mr. Nealds is now stationed at Newcastle, I believe? Yes, at present.

1393. Is he placed there permanently, or has he been sent down for a special purpose? He has been sent down as General Manager of the line for a short time, in consequence of the person who was Clerk and Traffic Manager having been removed.

Then Mr. Beeston has actually the management of the traffic department here at the present time? He has.

1394. Are the signals made use of on these lines the same as those employed in England? Yes, those now in use are the same as those used in England; but I do not consider these lines to be perfectly signalled.

1395. You consider that something further is wanting? Yes. All that we require, however, is about being done.

1396. Any thing that you would recommend in this respect is already in contemplation? Yes; but as we run few trains there is at present no liability to accident from collisions, especially as we run no fast trains or trains by night. Still it is better to be prepared against the time when such trains will be required.

J. Whitton,
Esq.

8 Sept., 1838.

1397. In the management of the traffic department have they adopted all the ordinary precautions in use on the lines in Europe? Yes, all the ordinary precautions adopted in England.
1398. What is the position of the guard in the train and his means of communicating with the engine-driver in case of accident? He has no means of communication.
1399. Has not the establishment of such a means been considered a desideratum in England? It has been considered so; but no means have ever yet been generally adopted for such a purpose.
1400. Has that been from their not having been able to devise any means? From their not being able to find any convenient mode of communication.
1401. Is there no mode of communication at all in use? Yes; on a few lines they have a system of communicating by means of a rope running along the sides of the carriages. This leads to the whistle of the engine, which is opened on the rope being pulled by the guard, or to a bell fixed on the tender.
1402. Can the passengers make use of this signal? No, only the guard. It is not thought advisable to allow the passengers to communicate in this way. The plan has been found to be very inconvenient and has been but partially adopted. It was found to interfere with the working of the traffic.
1403. Then it had to be taken off when the train stopped? Yes, if carriages were left or taken on.
1404. Was that the best means of communication that has been discovered? Yes; several means have been devised. The great difficulty in the way of perfecting any plan on the English lines is that there are so many junctions where carriages are being taken up or dropped.
1405. Such objection would not apply here with our small trains and our direct line? Not to the same extent; but they have found a difficulty in applying any system in England.
1406. Is there any particular difficulty in the way of using it here? There is no difficulty, but it is very inconvenient; nor do I know any time when such a plan would have proved serviceable on this line.
1407. There was one case when it would have proved a convenience, when the old accident occurred? I do not think it would have been an advantage then.
1408. It was the guard who discovered the accident, and communicated it to the engine-driver, and he had some considerable difficulty in doing so? I do not think it was the guard; I understood it was the plate-layers who first discovered the accident.
1409. We have it in evidence that it was the guard, and that he communicated with the engine driver by screwing the break tight down? It may have been so; however, if it be thought advisable to adopt a means of communication, I see no great objection to it.
1410. Have you any special arrangements on the single lines in order to prevent collisions? Yes.
1411. Will you describe them? I can give you a copy of the special regulations by which the traffic is conducted. The guard of the ordinary trains takes up a staff at Parramatta which he carries on to Liverpool, and this staff is brought back to Parramatta by the returning train. No guard is allowed to pass without taking this up, so that two trains cannot be on the line at once, unless by some special arrangement, of which due notice is given, to prevent accidents. This was the arrangement some time ago, and which I believe is still acted upon.
1412. What is done then in the case of a special train being ordered? Such a train can only be obtained after full notice, so that all parties on the line may be aware of it; and even then they cannot be taken at a time that would interfere with other trains. A special train may be ordered, but only on notice, and they are only given for such times as will not interfere with the ordinary traffic on the line.
1413. How do you manage with the ballast trains on the single lines; is the time they will be on the line always known? Yes. If a special engine be placed on the line for any purpose, notice is always given that such will be the case.
1414. Do you consider that the regulations for the management of the traffic are as good as they could be? Yes, I think they are, so far as I know of the arrangements.
1415. Are the railway stations made telegraph stations also? No, they are not.
1416. Is not that a pity? It is in consequence of not being able to get instruments in the Colony; that is the only reason, I believe, that they are not so.
1417. Would not their being made so prove a great convenience and safety in working a single line? It would be a great convenience. The stations at Liverpool and Campbelltown are telegraph stations also, but the one at Parramatta is not.
1418. Is not that an oversight? No. It would have been made one had the necessary instruments been in the Colony.
1419. Have you all the necessary accommodation you require on the line in the way of sidings and stations? Yes, I think sufficient for the existing traffic.
1420. By Mr Moriarty: Are the station masters at Liverpool and Campbelltown instructed in the use of the telegraph, so as to be enabled to communicate messages? No, I believe not; but there are separate clerks for the purpose at each station.
1421. The regulations that you speak of as being in force on the single line between Parramatta and Campbelltown apply equally to the Newcastle line? That line is worked with one engine only, so that there is no fear of a collision. Between Newcastle and Honey-suckle Point a small engine is used for the purpose of passing under the deficient headway given by the Australian Agricultural Company's Bridge; from Honey-suckle Point to Maitland the train is taken by one of the large engines.
1422. Have you made any distinct proposition to the Government with reference to replacing the present with smaller engines? No, not to the Government; but I have had a conversation with the Chief Commissioner on the subject, and have stated my views to him.
1423. Do you intend to submit any proposal to the Government? No; but I believe it is the intention to order out lighter engines. A vote was granted this Session for the rolling stock

stock for the authorized extensions, and I think it would be better, in every respect, to replace the old ones with those we are about to order. We should then run lighter engines on the whole line, which would be far more suitable for our traffic south and west of Parramatta, and more particularly on the Newcastle line.

J. Whitton,
Esq.
6 Sept., 1858.

1424. Are the engines on the Newcastle line the same as those on the Sydney line? Yes, exactly the same, except that the former have steel and the latter have India-rubber springs.

1425. Would not engines of this character be considered heavy even on English lines? Yes. There are few lines where such heavy engines are used, except on the southern portion of the London and North Western.

1426. Might not engines be made much smaller, that would yet take a greater weight? Yes. These engines are unnecessarily large, and are not properly proportioned for taking heavy loads.

1427. Even on the London and North Western Railway the engines used for the passenger traffic are not so heavy as those upon our lines? Yes; on the southern portion of the line they are, but on the northern portion the engines are much lighter.

1428. They employ heavier engines on one end of the line than they do on the other? Yes.

1429. Is that on account of the traffic, or is it owing to the difference of construction of the permanent way? Partly to the permanent way, but more particularly to a difference of opinion in the management as to the advisability of employing light or heavy engines. It is considered more economical on the northern section to send two light engines with a large train than to send one heavy one, and I am of that opinion.

1430. You consider that the two light engines do less injury to the permanent way than would one heavy one? Undoubtedly.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY ACCIDENT.

PROGRESS REPORT

FROM

THE SELECT COMMITTEE

ON THE

RAILWAY ACCIDENT.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
23 *July*, 1858.

SYDNEY :

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES No. 58. WEDNESDAY, 14 JULY, 1858.

4. **Railway Accident:**—A discussion arising upon a question put by Mr. Gordon to the Minister for Lands and Public Works, in reference to the accident on the Great Southern Railway on the 10th instant—
And Mr. Oakes offering to speak in prolongation of the discussion,—
The Speaker said it would be irregular to allow this discussion to assume the character of a Debate.
Mr. Donaldson then, to give, as he observed, regularity to the discussion, offered a motion to the effect that this House, at its rising, do adjourn until Wednesday next, at three o'clock ;—
Whereupon the Speaker ruled that that motion would be irregular, and quoted the like ruling of the Speaker of the House of Commons, given at page 24 of Bourke's "Decisions," on the occasion when Mr. Duncombe offered a similar motion for a similar object in the House of Commons,—but allowed Mr. Oakes to conclude his observations, upon the understanding that the irregularity which had been permitted in this instance only because of the great public importance of the matter in which it originated, should not be drawn into a precedent upon any future occasion.
Mr. Donaldson then moved, without previous notice, That the Standing Orders be suspended to enable him to move, That the management of the Railways of this Colony—more especially the management of the Sydney and Parramatta Railway—with reference to the fatal accident which occurred on Saturday last, be referred to a Select Committee to be appointed by Ballot.
Debate ensued.
Question put and passed.
Mr. Donaldson then moved, That the management of the Sydney and Parramatta Railway, with reference to the fatal accident that occurred on Saturday last, be referred to a Select Committee of ten Members, inclusive of the Mover, to be appointed by Ballot.
Question put and passed ;—
Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz :—Mr. Jones, Mr. Robertson, Mr. Scott, Mr. Weekes, Mr. Egan, Mr. Oakes, Mr. Parkes, Mr. Hay, and Mr. Murray.

VOTES No. 59. THURSDAY, 15 JULY, 1858.

5. Railway Accident:—Mr. Donaldson offering to make a motion, without notice, for extended powers to the Select Committee appointed yesterday on the recent Railway accident, including a power of adjournment from place to place,—
The Speaker said, that, before he could put the question, it would be necessary Mr. Donaldson should obtain the suspension of the Standing Orders, to enable him to make his motion without notice, and recommended Mr. Donaldson to withdraw that portion of it which would give power to the Committee to adjourn from place to place;—
Whereupon Mr. Donaldson moved, *by consent*, That the Standing Orders be suspended to enable him to move, without notice, That power be given to the Select Committee appointed yesterday to inquire into the causes of the fatal Railway accident on Saturday last, to send for persons and papers, and that all papers laid upon the Table by the Government upon the subject of the said Railway accident be referred to the said Committee, and that such Committee be empowered to sit during any adjournment of this House.
Debate ensued.
Question put.
The House divided.
Ayes, 23. Noes, 8.
* * * * *
Whereupon Mr. Donaldson moved, That power be given to the Select Committee appointed yesterday to inquire into the causes of the fatal Railway accident on Saturday last, to send for persons and papers, and that all papers laid upon the Table by the Government upon the subject of the said Railway accident be referred to the said Committee, and that such Committee be empowered to sit during any adjournment of this House.
Question put and passed.

VOTES No. 64. FRIDAY, 23 JULY, 1858.

4. Railway Accident:—Mr. Donaldson, as Chairman, having brought up a Progress Report from the Select Committee appointed on the 14th instant, to inquire into the recent Railway Accident,—moved
- (1.) That this Report be now adopted.
Question put and passed.
- (2.) That a copy of this Report be forthwith communicated, by Message, to the Governor General, with a request that His Excellency will be pleased to take it into present consideration.
Question put and passed.
- (3.) That this Report be printed.
Question put and passed.
Ordered to be printed.

1858.

RAILWAY ACCIDENT.

PROGRESS REPORT.

THE SELECT COMMITTEE of the LEGISLATIVE ASSEMBLY appointed on the 14th July, 1858,
*"to inquire into the management of the Sydney and Parramatta Railway, with reference
 "to the fatal accident that occurred on Saturday last,"* have agreed to the following
 Progress Report :—

That your Committee have examined several witnesses, whose concurrent testimony is to the effect that the engine-driver, Robert Boan, who drove the engine attached to the early train on the morning of Saturday, 10th July, on which day the fatal accident occurred, is unfitted to have so serious a responsibility placed upon him; and believe that the safety and confidence of the public travelling by Railway would be considerably increased by steps being immediately taken to secure a more careful system of driving.

STUART A. DONALDSON,
Chairman.

*Legislative Assembly Chamber,
 23 July, 1858.*

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY ACCIDENT.

FINAL REPORT

FROM

THE SELECT COMMITTEE

ON THE

RAILWAY ACCIDENT;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

12 August, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

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Plan (Of portion of Line, where accident occurred.)

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 58. WEDNESDAY, 14 JULY, 1858.

4. Railway Accident:—A discussion arising upon a question put by Mr. Gordon to the Minister for Lands and Public Works, in reference to the accident on the Great Southern Railway on the 10th instant—
And Mr. Oakes offering to speak in prolongation of the discussion,—
The Speaker said it would be irregular to allow this discussion to assume the character of a Debate.
Mr. Donaldson then, to give, as he observed, regularity to the discussion, offered a motion to the effect that this House, at its rising, do adjourn until Wednesday next, at three o'clock;—
Whereupon the Speaker ruled that that motion would be irregular, and quoted the like ruling of the Speaker of the House of Commons, given at page 24 of Bourke's "Decisions," on the occasion when Mr. Duncombe offered a similar motion for a similar object in the House of Commons,—but allowed Mr. Oakes to conclude his observations; upon the understanding that the irregularity which had been permitted in this instance only because of the great public importance of the matter in which it originated, should not be drawn into a precedent upon any future occasion.
Mr. Donaldson then moved, without previous notice, That the Standing Orders be suspended to enable him to move, That the management of the Railways of this Colony—more especially the management of the Sydney and Parramatta Railway—with reference to the fatal accident which occurred on Saturday last, be referred to a Select Committee to be appointed by Ballot.
Debate ensued.
Question put and passed.
Mr. Donaldson then moved, That the management of the Sydney and Parramatta Railway, with reference to the fatal accident that occurred on Saturday last, be referred to a Select Committee of ten Members, inclusive of the Mover, to be appointed by Ballot.
Question put and passed;—
Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz.:—Mr. Jones, Mr. Robertson, Mr. Scott, Mr. Weekes, Mr. Egan, Mr. Oakes, Mr. Parkes, Mr. Hay, and Mr. Murray.

VOTES No. 59. THURSDAY, 15 JULY, 1858.

5. Railway Accident:—Mr. Donaldson offering to make a motion, without notice, for extended powers to the Select Committee appointed yesterday on the recent Railway accident, including a power of adjournment from place to place,—
The Speaker said, that, before he could put the question, it would be necessary Mr. Donaldson should obtain the suspension of the Standing Orders, to enable him to make his motion without notice, and recommended Mr. Donaldson to withdraw that portion of it which would give power to the Committee to adjourn from place to place;—
Whereupon Mr. Donaldson moved, *by consent*, That the Standing Orders be suspended to enable him to move, without notice, That power be given to the Select Committee appointed yesterday to inquire into the causes of the fatal Railway accident on Saturday last, to send for persons and papers, and that all papers laid upon the Table by the Government upon the subject of the said Railway accident be referred to the said Committee, and that such Committee be empowered to sit during any adjournment of this House.
Debate ensued.
Question put.
The House divided.

Ayes, 23.

Noes, 8.

* * * * *
Whereupon Mr. Donaldson moved, That power be given to the Select Committee appointed yesterday to inquire into the causes of the fatal Railway accident on Saturday last, to send for persons and papers, and that all papers laid upon the Table by the Government upon the subject of the said Railway accident be referred to the said Committee, and that such Committee be empowered to sit during any adjournment of this House.
Question put and passed.

VOTES No. 64. FRIDAY, 23 JULY, 1858.

4. Railway Accident:—Mr. Donaldson, as Chairman, having brought up a Progress Report from the Select Committee appointed on the 14th instant, to inquire into the recent Railway Accident,—moved
- (1.) That this Report be now adopted.
Question put and passed.
- (2.) That a copy of this Report be forthwith communicated, by Message, to the Governor General, with a request that His Excellency will be pleased to take it into present consideration.
Question put and passed.
- (3.) That this Report be printed.
Question put and passed.
- Ordered to be printed.
-

VOTES No. 75. THURSDAY, 12 AUGUST, 1858.

4. Railway Accident:—Mr. Donaldson, as Chairman, having brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee appointed on Wednesday the 14th July last, "to inquire into the management of the Sydney "and Parramatta Railway, with reference to the fatal accident that occurred on "Saturday last,"—
- The Report was read at length by the Clerk,—
- And ordered to be printed, together with the accompanying Evidence and Minutes of Proceedings.
-

1858.

RAILWAY ACCIDENT.

FINAL REPORT.

THE SELECT COMMITTEE of the Legislative Assembly appointed on Wednesday, the 14th July, 1858, to inquire into the management of the Sydney and Parramatta Railway, with reference to the fatal accident that occurred on Saturday last," to whom on the 15th ultimo, power was given to send for persons and Papers, and to sit during any adjournment of the House," and to whom was referred on the same day "all Papers laid upon the Table by the Government upon the subject of the said Railway Accident," have agreed to the following Final Report:—

Your Committee having undertaken the duty intrusted to them with a full persuasion that a cause or causes for the late deplorable railway accident were capable of discovery and explanation, directed their attention immediately to the following points of inquiry:—

1. What was the rate of speed at which the train was travelling at the time of the accident.
2. What were the condition and arrangement of the carriages in the train; and was the coupling of the safest and best description.
3. What was the state of the permanent way, generally, on the Parramatta line; and, in particular, did any defect exist at the spot where the accident occurred.
4. What has been the system of discipline among the engine men and servants of the Company; and what the character of the responsibility attaching to the various departments of the management;—

together with the incidental inquiries arising out of these important facts and circumstances.

With these views, your Committee on the 17 July proceeded personally to examine the scene of the accident, and to inspect the carriages forming the train, which were kept in precisely the condition in which the disaster had left them.

Your Committee then sat *de die in diem*, until the mass of evidence taken required that a day or two should be allowed to the short-hand writers to transcribe the testimony, afforded by the different witnesses examined.

Your Committee desirous of allowing the Chief Commissioner and the Engineer-in-Chief every opportunity of hearing (or reading after it was given) all the evidence taken before them, also delayed for a day or two the conclusion of their labors, until these officers should have an opportunity of considering, and, if necessary, of rebutting any evidence of a professional or scientific character which might seem to reflect upon the performance of their duties.

Under these circumstances, as well as from the protracted nature of the inquiry itself, a longer period has elapsed than would have been necessary to arrive at a determination of the cause or causes which have led to the sad accident of the 10th July last.

During the inquiry, upwards of thirty-five witnesses have been examined, including, besides Captain Martindale and Mr. Whitton, many enginemen and servants of the Commissioners,—as the traffic manager, locomotive foreman, drivers, firemen, station-masters, and others—several gentlemen, and intelligent passengers by the train, and eye-witnesses of the accident; and, particularly, scientific and practical witnesses—Mr. Bell, the City Engineer, and others—who have kindly afforded much valuable information to your Committee.

Your Committee, without finding themselves in a position absolutely to name the specific cause of the accident, are unanimously of opinion—

1st. That several causes are proved to have contributed to the fatal results which ensued.

2ndly. That these causes are of a character which may for the future, by increased precautions, be avoided.

Your Committee are satisfied, from the evidence given before them, that the speed at the time of the accident was excessive. According to the evidence of Mr. Brown, Mr. McDougall, Mr. Atkinson, and Mr. Carter, in all probability, it exceeded forty miles an hour; but their evidence is not supported by that of the servants of the Railway. In the evidence of Mr. Whitton it is admitted that, if the speed exceeded forty miles an hour, it was excessive on that portion of the line; in that of Mr. Morgan, Mr. Twiss, Mr. Mason, and Mr. Richardson, (all servants of the Commissioners), that the driving of Boan was unsteady, and that it had been on the day preceding the accident, dangerous, which evidence is supported by the passengers then on the train.

Your Committee find that the practice admitted on all hands to be universally adopted in passenger trains in England, of fastening all the carriages together, and of fastening the train itself to the engine and tender by what are termed screw-couplings, (by which the buffers are brought into close contact) and not by the centre-links or loose chains sometimes used in luggage trains, has not been generally followed on this line, when two horse-boxes are coupled together. The two horse-boxes which ran at the head of the train, next the engine and tender, were fastened together by the centre-link, or loose chain, and not by the screw-coupling, on the occasion of the accident.

Without fixing upon this circumstance as the cause of the accident, your Committee refer to the evidence to shew that at all events the tendency to oscillation by the boxes or carriages so fastened together was by this means increased, and the liability to accident enhanced.

It appears to your Committee that the placing of loaded trucks at the end of a passenger train (three of which are proved to have been so attached on the morning of the accident), tended to aggravate the disaster after the carriages at the head of the train had left the line.

There seems to exist among the witnesses a difference of opinion as to the place which ought to be occupied by horse-boxes on any passenger train. On the occasion of the accident, the two horse-boxes were placed at the head of the train, next to the tender. The opinion of your Committee upon this point is, that although the position occupied by any horse-box in a passenger train least liable to lead to their leaving the line, should be next to the tender; the liability to accidents which may cause loss of life, or injury to the person, would be diminished by horse-boxes being placed at the tail of the train.

The scene of the occurrence being at the commencement of a curve, and at the foot, or just after passing the foot of a decline of 1 in 132 (straight running), your Committee are of opinion that, the speed at which the driver was proceeding—the position of the horse-boxes next the tender—the fastening with loose chain (or centre-link) instead of screw-coupling—the snapping of the coupling between the first horse-box and the tender, which occurred soon after the first horse-box left the line, and immediately before the catastrophe—independently altogether of the condition of the permanent way, on which your Committee will hereafter remark;—all assisted to produce the fatal accident.

Mr. Whitton, in his evidence, states that he has failed to discover any cause for the accident, otherwise than a possible derangement of the axle-boxes or the axle of the new horse-box.

Your Committee have endeavoured to obtain evidence as to the condition of the permanent way on the Parramatta line; and they regret to say, it appears to have been badly laid out, and badly constructed. The bridges (for example those at Canterbury, now undergoing repairs,) are faulty, both in design and materials.

The

The rail laid down—Barlow's rail—is not adapted to the nature of the soil; the cross sleepers, for which this description of rail was not designed, were found not to have been originally laid down in sufficient numbers, nor in the proper way, and the ballast employed is not adapted for the purpose.

The curves upon the line are not only unnecessarily numerous, but most objectionably severe; and in many instances curves are found where a straight line would have proved to be easier, safer, and more economical.

Your Committee have however much satisfaction in stating their belief, that material improvements are being made by the present Commissioner and Engineer-in-Chief, both with respect to the more complete safety of the rail, by laying extra sleepers, and with reference to the ballasting of the line.

It should be remarked, that these objections to the permanent way do not apply to the line beyond Parramatta.

With respect to the condition of the permanent way at the spot on the morning of the accident, Mr. Richardson alleges in his evidence that a slack, or deflexion, of the left hand rail on the up line (that on which the accident occurred) close to Haslam's Creek Bridge had existence on the morning in question, and that this slack, or deflexion, which he assisted to pick up or set right, amounted to two inches, and was, in his opinion, the cause of the horse-box having been thrown off the line. This allegation is not, however, borne out by any other evidence, and is in direct contradiction to that of Mr. Whitton, Mr. Morgan, and Fishlock, and is not in the opinion of your Committee well founded.

Your Committee are of opinion, that considerable laxity appears to have formerly existed in the discipline among the Railway servants; and although, since the present Chief Commissioner assumed the direction a better system has been introduced, it does not appear to your Committee that, up to the time of the accident, that undivided and clear responsibility which it is so desirable should attach personally to those public servants who have the charge daily and hourly of so many valuable lives has been fully and effectually enforced.

It appears from the evidence of Mr. Mason and Mr. Morgan that the dangerous driving of Boan, the engineman, was reported by those gentlemen to Mr. Twiss, upon the day before the accident; but, although it was the expressed intention of Mr. Twiss to speak to Boan the next morning, no instant steps were taken by him to prevent Boan from driving again until his conduct had been reported to the Chief Commissioner or Engineer-in-Chief.

Mr. Twiss, moreover, who is looked upon by the Engineer-in-Chief as responsible for the drivers, does not consider himself to be so responsible while they are on the road. The printed Rules and Regulations which existed at the time of the accident contained this clause,—Rule 11 of the section relating to "Instructions to Enginemen":—"Enginemen are on no account to make up time by increased speed, without special instructions from the Manager." This clause your Committee deemed most objectionable; and its interpretation appears to have led to an irregularity in the speed of driving which ought never to have been allowed. (*Vide Evidence of Peter Woods, Engine Driver.*)

Your Committee have great satisfaction in stating, that they now learn from Captain Martindale that since this inquiry commenced the latter part of the regulation 11, as above quoted, has been abrogated; and no discretion whatever is now given to any officer employed upon the line to alter the rate of travelling prescribed by the Time Table. They also are gratified in being able to report, that in like manner instructions have been put in force, that for the future no carriages, horse-boxes, or trucks, upon a passenger train, are ever to be coupled otherwise than by the screw-coupling—the fastening by loose chains or centre-links being entirely abandoned.

Referring to the statistics of railway travelling in Great Britain, your Committee beg to record their opinion, that, with ordinary care, the risk to life and limb by railway travelling is less than by any other method of locomotion; and they cannot forbear remarking, that although nearly one million of persons had travelled by the Parramatta Railway up to the 10th July last—on which day the accident occurred—not a single passenger had up to that time been injured.

With

With reference to the Progress Report brought up by your Committee, and adopted by your Honorable House, on the 23rd ultimo, your Committee desire to state, that nothing has transpired in the subsequent conduct of their inquiry to induce them to modify the opinions expressed in the said Report, either with regard to "the unfitness of the engine-driver, Robert Boan, to have so serious responsibility placed upon him, or the expediency of steps being immediately taken to secure a more careful system of driving."

Your Committee desire, before closing their Report, to bring under the special notice of your Honorable House the circumstance, that Mr. Ralph Richardson was summarily suspended by the Railway Commissioners from his office of time-keeper on the Great Southern Line, in consequence of certain statements made in a communication (*vide separate Appendix A.*) addressed by him, on the 30th ultimo, to the Chairman of your Committee, touching the causes which led to the fatal accident; but which statement the evidence taken on the 5th instant (appended hereto) failed to substantiate. Your Committee are of opinion, that your Honorable House ought to mark with its disapproval so irregular and precipitate a proceeding on the part of the Commissioners for Railways. Your Committee, moreover, desire to state, that any communications made by them to the Chief Commissioner for Railways, and the Engineer-in-Chief, throughout their inquiry, were of an entirely privileged character, and such as they could not have become cognizant of, otherwise than by the indulgence of your Committee. Your Committee therefore, consider the proceeding of the Commissioners in this matter, a Breach of the Privileges of your Honorable House, inasmuch, as the step taken by them was so taken before your Committee had reported to your Honorable House; and may be calculated to discourage, if not to deter, subordinate officers in the Public Service from affording to Select Committees of your Honorable House information that may be of the utmost consequence to the conduct of the public business of the Country.

Your Committee feel it right, however, to state, that the resolution arrived at by them—that the charges brought forward in Richardson's letter had not been substantiated—was communicated by the Chairman in accordance with the arrangement explained in paragraph 4 of this Report to the Chief Commissioner, and may have influenced the Railway Board in taking immediate action with regard to Richardson.

Your Committee, in conclusion, suggest that, among other steps to ensure, as far as human foresight and experience can do, the safety of all who travel by rail, every precaution adopted on the railways of Great Britain be at once put in force in this Colony.

STUART A. DONALDSON,
Chairman.

*Legislative Assembly Chamber,
Sydney, 12 August, 1858.*

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 16 JULY, 1858.

Members Present:—

Mr. Donaldson,
Mr. Robertson,
Mr. Parkes,
Mr. Weekes,

Mr. Jones.

Mr. Egan,
Mr. Hay,
Mr. Oakes,
Mr. Scott,

Mr. Donaldson was called to the Chair.

By direction of the Chairman, Resolution of the House referring to the Committee on the 15th instant,—*All Papers laid upon the Table of the House by the Government relating to the Accident, and empowering the Committee to send for persons and papers, and to sit during any adjournment of the House,*—read by the Clerk.

The Chairman desired the opinion of the Committee as to the advisability of permitting Captain Martindale, the Chief Commissioner for Railways, and Mr. Whitton, the Engineer-in-Chief, to be present in the room during the inquiry.

Committee deliberated, and it was *Resolved* :—

"That Captain Martindale and Mr. Whitton be permitted to be present during the examination of witnesses."

The Chairman then read the following extract relating to the coupling of railway carriages from Dr. Dionysius Lardner's work on "Railway Economy" :—

"The evil consequences resulting from collision are frequently aggravated by the manner in which the carriages or waggons composing the trains are connected with or adapted to each other. The mode of connecting the successive carriages forming a train is as follows: From the end of the frame supporting each carriage project two strong iron rods which rest against spiral springs, and which are terminated by circular cushions, about a foot in diameter, called buffers. When two successive coaches are brought into contact, these buffers ought to meet each other so that their centres should coincide. This requires that the buffers of all the carriages should have the same gauge,—that is to say, that there should be the same distance between their centres; and, secondly, that they should be at the same height above the rails. If this be not the case, a collision would have the effect of causing one carriage to push the other either aside, or upwards, as the case might be; aside, if the centre of the buffer deviated horizontally, and upwards if it deviated vertically. In any case there would be a tendency of the coaches to throw each other off the rails."

"The successive coaches forming a train were originally held together by a chain, which was necessarily always a little slack, so that when the power of the engine was driving the train, the buffers were not in close contact, and whenever the train stopped, or even slackened its speed, the hinder carriages ran against the foremost ones with a collision, the force of which was proportional to the difference of their speeds."

"This mode of connection was replaced by a coupling-screw, by means of which the carriages are drawn together, so that the buffers are pressed into close contact, and their springs a little compressed."

"In this manner the train is formed into one complete column, and the change of speed to which it is subject does not produce the partial collision just mentioned."

"One of the means, therefore, of diminishing the chances of injuries resulting from collision, is to provide against the occurrence of eccentric buffers, and to ensure the proper coupling of the trains."

Committee then deliberated as to their course of procedure, and it was *Resolved* :—

"1. That the evidence of Captain Martindale, R. E., Chief Commissioner for Railways, and Mr. John Whitton, Engineer-in-Chief, be taken to-morrow, for the purpose of initiating the inquiry."

"2. That these gentlemen be summoned accordingly."

"3. That after the examination of Captain Martindale and Mr. Whitton, the evidence of certain of the persons employed on the Sydney and Parramatta Railway, connected with the accident, be taken."

"4. That the Chief Commissioner be requested to cause such persons to be in attendance to-morrow."

Committee then considered as to the advisability of advertising for persons able and willing to give evidence respecting the accident, or practically acquainted with the working of Railways; and it was *Resolved* :—

"That the following advertisement be inserted for three consecutive days in the Sydney Morning Herald and Empire, newspapers, and in to-morrow's issue of the various Weekly Papers, viz :—

"LATE RAILWAY ACCIDENT.

"Persons able and willing to give evidence respecting the Fatal Accident on the Sydney and Parramatta Railway, on Saturday last, or practically acquainted with the working of Railways, and willing to give information

" in relation thereto, are hereby invited, by order of the Select Committee
 " appointed by the Legislative Assembly to inquire into and report upon this
 " subject, forthwith to forward their names and addresses to,
 " *Legislative Assembly Offices,*
 " Macquarie-street, Sydney,
 " 16 July, 1858.

R. O'CONNOR,
 Clerk of the Legislative Assembly."

Committee deliberated as to the practicability of convening meetings for to-morrow (Saturday) and Monday next, it appearing, from the large amount of business transacting in the Committee Branch, and the numerous evidences taken during the week awaiting to be transcribed, that considerable difficulty would occur in procuring the services of an efficient short-hand writer for these days, without taking him from other important and urgent duties, and it was *Resolved* :—

" That, inasmuch as it would be highly inexpedient to permit any circumstances to
 " delay the progress of this particular inquiry, or to prevent the Committee
 " from sitting *de die in diem*, when possible, meetings of the Committee be
 " convened for to-morrow and Monday next, and Mr. Palmer be requested to
 " ensure the attendance of some efficient short-hand writer on those days, in
 " the event of his own and Mr. Scarr's inability to attend the Committee."

Mr. Palmer, short-hand writer to the Legislative Assembly, then called in and informed by the Chairman in the terms of the foregoing Resolution.

Committee then adjourned, with the intention of proceeding to inspect the scene of the accident.

[Adjourned till to-morrow (Saturday) at Eleven o'clock.]

SATURDAY, 17 JULY, 1858.

Members Present:—

The Honorable Stuart A. Donaldson, Esq., in the Chair.	
Mr. Parkes,	Mr. Weekes,
Mr. Scott,	Mr. Egan,
Mr. Hay,	Mr. Jones.

The Chairman desired the opinion of the Committee as to the expediency of rescinding so much of the Resolution agreed to yesterday permitting the presence of the Chief Commissioner for Railways and Engineer-in-Chief in the room, on all occasions, during the examination of witnesses, as relates to the examination of persons employed in the Railway Department.

Committee deliberated, and it was *Resolved* :—

" That Captain Martindale and Mr. Whitton be informed, that in the opinion of
 " the Committee it will be more expedient that they should, on this occasion,
 " not be present in the room during the examination of any persons employed
 " in the Railway Department."

Captain B. H. Martindale, R. E., Chief Commissioner for Railways, and
 Mr. John Whitton, Engineer-in-Chief, examined.

At the close of their examination, the Chairman informed these gentlemen, in the terms of the Resolution agreed to this day.

Witnesses thereupon withdrew.

Mr. Robert Boan, Engine Driver, examined.

Witness withdrew.

Mr. Richard Darby, Railway Guard, examined.

Mr. George Kingston, Head Porter,

John Hooper and John Creasy, Porters at Parramatta,—examined.

Witnesses withdrew.

Mr. George Fitzmaurice, Station Master, Sydney, examined.

Witness withdrew.

Committee *Resolved* :—

" That it is not necessary to transmit the evidences of Robert Boan, Mr. Richard
 " Darby, Mr. George Kingston, John Hooper, John Creasy, or Mr. George
 " Fitzmaurice, to then for correction."

[Adjourned till Monday next, at Eleven o'clock.]

MONDAY, 19 JULY, 1858.

Members Present:—

The Honorable Stuart A. Donaldson, Esq., in the Chair.	
Mr. Parkes,	Mr. Egan,
Mr. Weekes,	Mr. Scott,
Mr. Hay.	

Captain Martindale and Mr. Whitton present in the room during the examination of the witnesses.

The Chairman laid before the Committee,—

Letter From Mr. J. Trott, of Parramatta, dated 18th instant, excusing his attendance before the Committee as a witness for this day, owing to his inability to leave home in consequence of injuries received in the Railway Accident.

Letters

Letters from Mr. H. Sanderson, C. E., of College-street, Sydney, and Mr. J. A. Parfitt, coach-builder, of York-street, Sydney, enclosing their names and addresses, in reply to advertisement.

Letter from Mr. H. Sanderson, C. E., to the Chairman, dated 16th instant, requesting an advance of £3 from the Committee to enable him to make certain inquiries and a proper examination of the line, prior to giving evidence.

Committee deliberated as to the expediency of acceding to the proposal contained in Mr. Sanderson's letter to the Chairman, and it was *Resolved* :—

"That at the present period of the inquiry, and prior to taking the evidence of other practical engineers, it would be inexpedient to authorise any expenditure for the purposes set forth in Mr. Sanderson's communication."

Committee then deliberated as to the expediency of permitting the various witnesses summoned to be present in the room, and it was *Resolved* :—

"That no witness, unless by special permission from the Committee, be present in the room, except when actually under examination."

Mr. Alfred Brown examined.

Witness withdrew.

The Chairman informed the Committee that Dr. Galbraith was in attendance, and was desirous of suggesting the names of certain persons capable of giving valuable evidence to the Committee.

Motion made and Question—"That Dr. Galbraith be now called in, and requested by the Chairman to state the names of these persons, and the nature of the evidence they are competent to give"—*agreed to*.

Whereupon Dr. Galbraith was called in, and, on being questioned by the Chairman, gave the names and addresses of certain persons, a list of which the Clerk, by direction of the Chairman, took, as a datum to direct the Committee, should they subsequently desire to summon any of them as witnesses.

Dr. Galbraith then withdrew.

Mr. F. M'Dougal examined.

Witness withdrew.

Mr. F. Arthur, coach-builder, examined.

By direction of the Chairman, the short-hand writer, during the examination of this witness, read over to him, from his notes, a portion of his evidence.

Witness withdrew.

Committee further deliberated, and it was *Resolved* :—

- "1. That any questions that Captain Martindale or Mr. Whitton may from time to time desire to put to the witnesses be so put through the Chair.
- "2. That the persons named by Dr. Galbraith, as shewn in the list taken by the Clerk, be summoned before the Committee, as witnesses, for to-morrow."

[Adjourned till to-morrow, at Eleven o'clock.]

TUESDAY, 10 JULY, 1858.

Members Present :—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Weekes,	Mr. Scott,
Mr. Oakes,	Mr. Jones,
Mr. Parkes,	Mr. Egan,
Mr. Hay,	Mr. Robertson.

Captain Martindale and Mr. Whitton present in the room during the examination of the witnesses.

The Chairman laid before the Committee,—Letter from Mr. John Hatton, of Crown-street, Sydney, dated 19th instant, in reply to advertisement.

Committee considered the same, and were of opinion that the matters treated of therein were irrelevant to the subject of the inquiry.

Mr. J. H. Atkinson examined.

Witness withdrew.

Mr. W. Fullogar examined.

Witness withdrew.

Mr. C. S. Oakes examined.

Witness withdrew.

Mr. J. A. Parfitt examined.

Witness withdrew.

Captain Martindale, R. E., further examined.

Mr. James Shea examined.

Witness withdrew.

Mr. C. J. Nealds Traffic Manager, examined.

Witness withdrew.

[Adjourned till to-morrow, at Eleven o'clock.]

WEDNESDAY,

WEDNESDAY, 21 JULY, 1858.

Members Present:—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Weekes,
Mr. Oakes,
Mr. Hay,Mr. Scott,
Mr. Parkes,
Mr. Egan,

Mr. Jones.

Captain Martindale and Mr. Whitten present in the room during the examination of the witnesses.

Mr. E. O. Moriarty, C. E., who was in attendance, as a witness, was called in and informed by the Chairman that the Committee did not consider it necessary to take his evidence.

Mr. Moriarty then withdrew.

Mr. Edward Bell, M. Inst., C. E., City Engineer, called in.

At the request of the witness, Committee ordered:—

"That it be recorded in *this day's* Minutes of Proceedings, that Mr. Edward Bell attends in deference to the summons of the Committee to give such evidence as is in his power, but wishes it to be clearly understood, that without such summons he would not have moved in any way in the matter, as he considers such a course of proceeding would be inconsistent with professional etiquette."

Mr. Bell then examined.

Mr. Fesq examined.

Witness withdrew.

George Carter examined.

And George Carter, at the close of his examination, applying to the Committee for the sum of *ten shillings*, in compensation for the loss of a day's wages, incurred by his attendance before the Committee; and it appearing that the witness was a poor working man;—

Committee deliberated, and it was *Resolved*:—

"1. That the sum of *ten shillings* be paid to George Carter, for the loss of one day's wages, incurred by his attendance to give evidence before the Committee *this day*, 21st July, 1858."

"2. That the Chairman do certify to this Resolution of the Committee."

Witness then withdrew.

The Chairman informed the Committee that Captain Martindale had made application to be supplied with a copy of the evidence taken, with the view of enabling him to send in a written statement to the Committee in refutation of the evidence given by certain of the witnesses.

Committee deliberated, and it was *Resolved*:—

"1. That before arriving at any decision relative to this application, the matter be fully deliberated upon by the Committee, and that such deliberation be deferred for the present."

"2. That Captain Martindale be informed to this effect."

Captain Martindale informed by the Chairman accordingly.

The Chairman laid before the Committee,—Letter (*without date or signature*) addressed to the Clerk of the Legislative Assembly, relative to the reduction in the number of repairs on the line, and the incompetency of certain persons employed thereon.

Committee *Resolved*:—

"That it is not necessary to transmit the evidences of Mr. W. Fullagar, Mr. J. A. Parfitt, Mr. C. J. Nealds, Mr. Fesq, or George Carter, to them for correction."

[Adjourned till to-morrow, at *Eleven o'clock*]

THURSDAY, 22 JULY, 1858.

Members Present:—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Hay,
Mr. Weekes,
Mr. Parkes,Mr. Oakes,
Mr. Scott,
Mr. Egan,

Mr. Jones.

Captain Martindale and Mr. John Whitten present in the room during the examination of the witnesses.

Mr. Charles H. Storey, C. E., examined.

Witness withdrew.

Mr. John Trott examined.

Witness withdrew.

Mr. George Wood examined.

Witness withdrew.

Mr. George Oakes, a Member of the Committee, examined in his place.

Captain Martindale, R. E., further examined.

Committee

Committee deliberated relative to the application made by Captain Martindale at their last meeting for a copy of the evidence taken, and it was *Resolved* :—

"1. That the evidence of the various witnesses be transmitted to Captain Martindale, to afford him, or the Engineer-in-Chief, the opportunity of making such statements to the Committee in reference thereto as he may deem necessary."

"2. That Captain Martindale be informed to this effect."

Captain Martindale informed by the Chairman accordingly.

Committee then deliberated as to whether it would be the more expedient course to print all the evidence taken, or only such portions thereof as bear directly upon the subject of the inquiry.

Motion made and *Question*—"That in the opinion of this Committee it is expedient to print all the evidence taken"—*agreed to*.

Committee *Resolved*—"That it is not necessary to transmit the evidence of Mr. George Wood to him for correction."

[Adjourned till to-morrow, at Eleven o'clock.]

FRIDAY, 23 JULY, 1858.

Members Present:—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Weekes,
Mr. Parkes,
Mr. Hay,

Mr. Egan,
Mr. Oakes,
Mr. Scott,

Mr. Robertson.

Mr. Whitton present in the room during the examination of the witnesses.

The Chairman laid before the Committee,—Letter from J. Higham, Esq., C.B., dated East Maitland, 21st instant, stating his practical acquaintance with the working of Railways, and his willingness to give evidence relative to their general management, should the Committee so desire.

Committee *Resolved* :—

"That a letter be forthwith addressed to Mr. Higham, thanking him for the offer made in his communication, but informing him that the Committee do not think it necessary to avail themselves of his services, as they are already in possession of sufficient scientific evidence for the purposes of their inquiry."

The Chairman then laid before the Committee,—Letter from J. F. Downes, Esq., of Prospect, dated 22nd instant, stating that his summons reached him at too late an hour on Wednesday, the 21st instant, to enable him to attend before the Committee on that day.

Committee *Resolved* :—

"That the evidence of Mr. Downes will not now be necessary for the purposes of the inquiry."

The Chairman then laid before the Committee,—Plan prepared by the Engineer-in-Chief of that portion of the line where the accident occurred.

Committee examined the same, and deliberated thereupon.

Motion made (Mr. Scott) and *Question*—"That this plan be lithographed, and published with the Proceedings of the Committee"—*agreed to*. (*Vide Separate Appendix C.*)

Mr. Edward Bell further examined.

Witness withdrew.

Mr. David Houston examined.

Witness withdrew.

Mr. R. Richardson, Inspector of Permanent Way, examined.

Witness withdrew.

Mr. Hay, during the temporary absence of the Chairman, was here called to the Chair.

Mr. Richard Darby further examined.

Witness withdrew.

Mr. James Robinson, Railway Guard, examined.

Witness withdrew.

Mr. F. W. Donkin examined.

Witness withdrew.

Mr. W. Morgan, Inspector of Permanent Way, examined.

Witness withdrew.

Peter Woods, Engine Driver, examined.

Witness withdrew.

Mr. Donaldson here resumed the Chair.

Committee deliberated, more particularly as to the conduct of the engine-driver, Robert Boan, who was driving the train on which the accident occurred, and who was shown, by the evidence of several witnesses, to be in the habit of driving recklessly; and being of opinion that the public safety requires his immediate suspension from duty, pending the result of their inquiry, it was *Resolved* :—

"1. That this Committee have examined several witnesses, whose concurrent testimony is to the effect that the engine-driver, Robert Boan, who drove the engine attached to the early train on the morning of Saturday, 10th July, on which day the fatal accident occurred, is unfitted to have so serious

- " a responsibility placed upon him ; and believe that the safety and confidence
 " of the public travelling by Railway would be considerably increased by steps
 " being immediately taken to secure a more careful system of driving."
 " 2. That this Resolution be embodied in a Progress Report."
 " 3. That such Progress Report be brought up; and laid upon the Table of the
 " House by the Chairman *this day*."
 " 4. That the Chairman do then move for its adoption, and that a copy thereof be
 " forthwith communicated, by Message, to the Governor General, with a
 " request that His Excellency will be pleased to take the same into present
 " consideration."

Committee then *Resolved* :—

- " That it is not necessary to transmit the evidence of any witness examined *this*
 " *day*, except that of Mr. E. Bell, for correction."

[Adjourned till *Tuesday* next, at *Eleven* o'clock.]

TUESDAY, 27 JULY, 1858.

Members Present :—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Hay,	|	Mr. Parkes,
	|	Mr. Scott.

Mr. Whitton present in the room during the examination of Mr. Banks.

Mr. *Twiss*, Locomotive Foreman, examined.

Witness withdrew.

Mr. *J. C. Banks* examined.

Witness withdrew.

The Chairman laid before the Committee,—Letter from Mr. Joseph Johnson, dated Penrith, 21st instant, stating his practical acquaintance, as an assistant engineer, with the making of Railways in England and France; and offering to examine the line and carriages, upon receiving an order from the Committee to that effect.

Committee *Resolved* :—

- " That a letter be forthwith addressed to Mr. Johnson, thanking him for the offer
 " made in his communication; but informing him that the Committee do not
 " think it necessary to avail themselves of his services, as they are already in
 " possession of sufficient scientific evidence for the purposes of their inquiry."

The Chairman then laid before the Committee,—Letter from Mr. J. Lackey, of Woodville, near Parramatta, dated 24th instant, stating that his summonses in both instances reached him too late to enable him to attend before the Committee on the day specified therein.

Committee *Resolved* :—

- " That the evidence of Mr. J. Lackey will not now be necessary for the purposes
 " of the inquiry."

Committee deliberated as to their course of procedure, and it was *Resolved* :—

- " 1. That the next meeting of the Committee be convened for *Friday* next, and
 " that the Engineer-in-Chief be then examined with respect to the evidence
 " given by certain of the witnesses."
 " 2. That at the close of Mr. Whitton's examination, the Committee do proceed to
 " consider the heads of a Final Report."

Committee then *Resolved* :—

- " That it is not necessary to transmit the evidences of Mr. Twiss or Mr. J. C. Banks
 " to them for correction."

[Adjourned till *Friday* next, at *Eleven* o'clock.]

FRIDAY, 30 JULY, 1858.

Members Present :—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Hay,	|	Mr. Robertson,
Mr. Weekes,	|	Mr. Oakes,
Mr. Parkes,	|	Mr. Egan.

The Chairman laid before the Committee,—Letter from Professor Pell, one of the Members of the Commission appointed by the Government to inquire into the causes of the late fatal accident, addressed to the Chairman *this day*, requesting to be supplied with a copy of such portion of the evidence taken by the Committee as may be already in print.

Committee deliberated, and it was *Resolved* :—

- " 1. That in the opinion of this Committee it would be highly inexpedient to
 " furnish a copy of the evidence to any person prior to laying the same, with
 " the Final Report, upon the Table of this House."
 " 2. That a communication be forthwith addressed to Professor Pell, apprising
 " him to this effect."

Peter

Peter Woods further examined.

Witness withdrew.

Captain *Martindale*, R.E., and

Mr. *John Whitton* further examined.

Witnesses withdrew.

The Chairman then laid before the Committee certain Resolutions to form the basis of a Report.

Committee deliberated, and it was *Resolved* :—

“That for the purpose of enabling certain Members of the Committee to peruse

“carefully the evidence taken; the consideration of these Resolutions be post-

“poned till Thursday next.”

[Adjourned till Thursday next, at *Eleven o'clock*]

THURSDAY, 5 AUGUST, 1858.

Members Present:—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Weekes,

Mr. Robertson,

Mr. Jones,

Mr. Hay,

Mr. Parkes,

Mr. Oakes,

Mr. Scott.

The Chairman having laid before the Committee,—Letter from Mr. R. Richardson, *Time-keeper*, dated 30 July, 1858, alluding to the incompleteness of the evidence given by on the 23rd ultimo, offering certain information relative to the state of the permanent way at the time of, and immediately after, the accident,—and suggesting the names of certain gangers able to afford important evidences upon this subject,—

Committee considered the same.

The Chairman stated that, in consequence of the receipt of this communication, he had caused Mr. Richardson, and certain other persons employed on the line, to be summoned before the Committee *this day* for the purpose of being examined.

Whereupon Motion made and *Question*—“That, prior to the examination of the “witnesses in attendance, Mr. Richardson be called in and questioned with respect to the “statements made in his communication”—*agreed to*.

Mr. R. Richardson further examined.

Witness withdrew.

John Fishlock, Ganger, examined.

Witness withdrew.

William Glover, Ganger, examined.

Witness withdrew.

Thomas Markham, Platelayer, examined.

Witness withdrew.

Mr. *William Morgan* and Mr. R. Richardson further examined.

Witnesses withdrew.

Committee deliberated, and it was *Resolved* :—

“1. That, after hearing the evidence of these witnesses, the Committee are of “opinion that the statements made in Mr. Richardson’s communication are “not substantiated thereby.”

“2. That, prior to closing this inquiry, it is, however, advisable to call in Captain “Martindale and Mr. Whitton, in order that the Chairman may read to them “Mr. Richardson’s communication, and state the purport of the evidence “taken, and the Resolution just agreed to, by the Committee in reference “thereto.”

The Chairman having then laid before the Committee letter from Captain Martindale, dated 4th August, 1858, to the effect that since his last examination before the Committee certain documents had been discovered in his department reporting the fact of a horse-box having on a previous occasion got off the rails between Parramatta and Homebush, and having been *thus* dragged for some distance, but without doing any injury,—

Committee considered the same.

Motion made (*Mr. Oakes*) and *Question*,—“That when Captain Martindale and Mr. “Whitton are called into the room for the purpose of having Mr. Richardson’s letter read “to them by the Chairman, Captain Martindale be questioned as to whether any steps were “taken by him, in consequence of receiving information of the accident referred to in his “communication, and if so, what?”—*agreed to*.

Captain Martindale and Mr. Whitton then called in.

The Chairman read Mr. Richardson’s letter, stated the purport of the evidence taken, and of the Resolution agreed to by the Committee in reference thereto.

Mr. J. Whitton M. Inst. C. E., and Captain Martindale R. E., further examined.

Mr. Whitton relative to the statements made in Mr. Richardson’s letter, and Captain Martindale with respect to the steps taken by him in consequence of the accident referred to in his communication of *yesterday’s* date.

Witnesses then withdrew.

Committee deliberated, and it was *Resolved* :—

“That the Chairman do frame the Resolutions laid by him before the Committee “at their last meeting, but not then considered, into a Draft Final Report for “their consideration to-morrow.”

Committee further *Resolved* :—

“That it is not necessary to transmit the evidence taken *this day* to any of the “witnesses for correction.”

[Adjourned till to to-morrow, at *Twelve o'clock*]

FRIDAY,

FRIDAY, 6 AUGUST, 1858.

Members Present:—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Scott

Mr. Oakes,

Mr. Egan,

Mr. Weekes,

Mr. Parkes,

Mr. Jones,

Mr. Hay.

The Chairman having brought under the notice of the Committee a Memorandum addressed to him *this day* by the Clerk of Select Committees, read the same, viz. :—

MEMO :—

“ Mr. Ralph Richardson, who was examined before this Committee on the 23rd ultimo, and who subsequently addressed a communication to you, as Chairman, offering certain information relative to the state of the permanent way at the time of, and immediately after the accident, and suggesting therein the names of certain gangers able to afford important evidence upon the subject, (*vide Separate Appendix A.*) and upon the consideration of which letter and taking evidence thereupon, this Committee yesterday *Resolved*, that the statements made therein were *not substantiated*,—is now in attendance, and desires to complain of having been summarily suspended from his office of Time-keeper, because of such letter, and to claim from this Committee that protection which is afforded by Parliament to witnesses giving *bond fide* evidence before its Select Committees.

JOHN J. CALVERT,

Clerk of Select Committees.

“ To the Honorable

“ Stuart A. Donaldson, Esq., M. P.,

“ Chairman of the Select Committee on the

“ Railway Accident.”

“ 6 August, 1858.”

Committee deliberated, and it was *Resolved* :—“ That a letter be forthwith addressed to Captain Martindale, requesting his immediate attendance before the Committee.”

Letter despatched to Captain Martindale accordingly.

The Chairman then laid before the Committee a Draft Final Report.

Draft Report read 1^o, viz. :—

1. Your Committee having undertaken the duty intrusted to them with a full persuasion that a *cause* or *causes* for the late deplorable railway accident had existence, and might be capable of discovery and explanation, directed their attention immediately to the following points of inquiry :—

1. What was the rate of speed at which the train was travelling at the time of the accident.
2. What were the condition and arrangement of the carriages in the train; and was the coupling of the safest and best description.
3. What was the state of the permanent way, generally, on the Parramatta line; and, in particular, did any defect exist at the spot where the accident occurred.
4. What has been the system of discipline among the enginemen and servants of the Company; and what the character of the responsibility attaching to the various departments of the management;—

together with the incidental inquiries arising out of these important facts and circumstances.

2. With these views, your Committee at once proceeded personally to examine the scene of the accident, and to inspect the carriages which formed the train, which were kept in precisely the condition in which the disaster had left them.

3. Your Committee then sat *de die in diem*, until the mass of evidence taken required that a day or two should be allowed to the short-hand writers to transcribe the testimony afforded by the different witnesses examined.

4. Your Committee desirous of allowing the Chief Commissioner and the Engineer-in-Chief every opportunity of hearing (or reading after it was given) all the evidence taken before them, also delayed for a day or two the conclusion of their labors, until these officers should have an opportunity of considering, and, if necessary, of rebutting any evidence of a professional or scientific character which might seem to reflect upon their performance of their duties.

5. Under these circumstances, as well as from the searching nature of the inquiry itself, a longer period has elapsed than would have been necessary to arrive at a determination of the cause or causes which have led to the sad accident of the 10th July last.

6. During the inquiry, upwards of thirty-five witnesses have been carefully examined, including, besides Captain Martindale and Mr. Whitton, many enginemen and servants of the Commissioners,—as the traffic manager, locomotive foreman, drivers, firemen, station-masters, and others—several gentlemen, and intelligent passengers by the train, and eye-witnesses of the accident; and, particularly, scientific and practical witnesses—Mr. Bell, the City Engineer, and others—who have kindly afforded much valuable information to your Committee.

7. Your Committee, without finding themselves in a position absolutely to name *one* cause for the accident, are unanimously of opinion—

- 1st. That several causes, combining to render the passage of that particular train dangerous, are proved to have contributed to the fatal results which ensued.
- 2ndly. That, in the absence of these causes, all of which, separately, were capable of being prevented, no accident could have occurred; and,
- 3rdly. That these causes are entirely of a character which may for the future, by increased precautions, with absolute certainty (humanly speaking) be avoided.

8. *Firstly*.—Your Committee are satisfied, from the evidence of Mr. Brown, Mr. McDougall, Mr. Atkinson, Mr. Carter, and others, that *the speed at the time of the accident was dangerous*—that, in all probability, it exceeded forty miles an hour; from the evidence of Mr. Whitton it is admitted that, *if* the speed was in excess of forty miles an hour, it was dangerous; from that of Mr. Morgan, Mr. Twiss, Mr. Mason, and Mr. Richardson, (all servants of the Commissioners), that the driving of Boan was unsteady, and that it had been on the day preceding the accident dangerous.

9. *Secondly*.—Your Committee find that the practice admitted on all hands to be universally adopted in passenger trains in England, of fastening all the carriages together, and of fastening the train itself to the engine and tender by what are termed screw-couplings, (by which the buffers are brought into close contact) and not by the centre-links or loose chains sometimes used in luggage trains—was departed from on the occasion of the accident.

10. The two horse-boxes which ran at the head of the train, next the engine and tender, were fastened together by the centre-link, or loose chain, and *not* by the screw-coupling.

11. Without fixing upon this circumstance as the sole cause of the accident, your Committee refer to the evidence to shew that at all events the tendency to oscillation by the boxes or carriages so fastened together was by this means increased, and the liability to accident enhanced.

12. *Thirdly*.—It appears to your Committee that the placing of loaded trucks at the end of a passenger train (three of which are proved to have been so attached on the morning of the accident), tended to aggravate the disaster after the carriages at the head of the train had left the line.

13. There seems to exist among the witnesses a difference of opinion as to the place which ought to be occupied by horse-boxes on any passenger train. On the occasion of the accident, the two horse-boxes were placed at the head of the train, next to the tender; but, seeing that they were *empty*, while heavier carriages were in their rear, your Committee are of opinion that it would have been safer to have placed the horse-boxes at the end, instead of at the head of the train.

14. The scene of the accident being at the commencement of a curve, and at the foot, or just after passing the foot of a decline of 1 in 132 (straight running) your Committee are of opinion that, without seeking further for causes for the accident, the speed at which the driver was proceeding—the arrangement of the horse-boxes next to the tender—the fastening with loose chain (or centre link) instead of screw coupling—the “clapping on the steam” just before coming to the curve, and after (as it appears) the first horse-box was off the line—the snapping of the coupling between the first horse box and the tender, which occurred just before the catastrophe—independently altogether of the condition of the permanent way, on which your Committee will forthwith remark;—all assisted to produce an accident, and in the belief of your Committee, were mainly instrumental in having caused it.

15. *Secondly*.—Your Committee have endeavored to obtain evidence as to the condition of the permanent way on the Parramatta line, and as to its original construction.

16. They regret to say that as to the latter the evidence is not satisfactory.

17. The Parramatta line appears to have been badly laid out, and badly constructed. The bridges (for example those of Canterbury, now undergoing repairs,) are faulty both in design and materials.

18. The rail laid down—Barlow's rail—is not adapted for the soil on which the line is laid; the cross sleepers, for which the rail was not designed, were found not to have been at first laid down in sufficient numbers, and the ballast employed (mostly sand or sandstone) is ill adapted for the purpose.

19. The curves upon the line are not only unnecessarily numerous, but most objectionably severe; and in many instances curves are found where a straight line would have proved to be easier, more economical, and more safe.

20. Your Committee have however much satisfaction in stating their belief, that so long as the present rail (Barlow's rail) is allowed to remain upon the Parramatta line, great and satisfactory improvements are being made by the present Commissioner and Engineer-in-Chief, both with respect to the more complete safety of the rail by laying extra sleepers, and with reference to the ballasting of the line.

21. It should be remarked, that these objections to the permanent way apply to no part of the line beyond Parramatta, nor to the Campbelltown extension.

22. With respect to the condition of the permanent way at the spot on the morning of the accident, the evidence of Mr. Richardson goes to prove that a slack, or deflexion, of the left hand rail on the up line (that on which the accident occurred) close to Haslam's Creek Bridge, had existence on the morning in question.

23. That this slack, or deflexion, which he assisted to pick up, or set right, amounted to two inches, and was, in his opinion, partly the cause of the horse-box having been thrown off the line.

24. But the evidence of Mr. Morgan and Mr. Witton do not confirm the opinion of Mr. Richardson, either as to the extent of the deflection, or its possible consequences, although the existence of the slack is not denied by Mr. Morgan.

25. *Thirdly*.—Your Committee are of opinion, that with reference to the discipline among the servants employed upon the line, very considerable laxity appears to have existed under the former management; and although, since the present Chief Commissioner assumed the direction great and important improvements have been effected in this respect, it does not appear to your Committee that, up to the time of the accident, that undivided and clear responsibility which it is so desirable should attach personally to those public servants who have the charge daily and hourly of so many valuable lives has been fully and effectually enforced.

26. It appears from the evidence of Mr. Mason, Mr. Morgan, and Mr. Twiss, that the irregular—even dangerous—driving of Boan, the engineman, was noticed and commented upon, the day before the accident, by all these officers; but, although it appears to have been the intention of Mr. Twiss to have “spoken to Boan” the next morning, no instant report to the Chief Commissioner or Engineer-in-Chief appears to have been made on the evening of Friday, when this fact was ascertained and canvassed by him and others.

27. Mr. Twiss, moreover, who is looked upon by the Engineer-in-Chief as responsible for the drivers, does not consider himself to be so responsible *while they are on the road*.

28. The printed Rules and Regulations which existed at the time of the accident contained this clause,—Rule 11 of the section relating to “Instructions to Enginemen” :—
“Enginemen are on no account to make up time by increased speed, *without special instructions from the Manager*.”

29. This clause your Committee deemed most objectionable; and its interpretation appears to have led to an irregularity in the speed of driving which ought never to have been allowed.

30. Your Committee have great satisfaction in stating, that they now learn from Captain Martindale that since this inquiry commenced the latter part of the regulation 11, as above quoted, has been abrogated; and no discretion whatever is now given to any officer employed upon the line to alter the rate of travelling prescribed by the Time Table.

31. They also are gratified in being able to report, that in like manner instructions have been put in force, that for the future no carriages, horse-boxes, or trucks, upon a passenger train, are ever to be coupled otherwise than by the screw-coupling—the fastening by loose chains or centre-links being entirely abandoned.

32. Referring to the statistics of railway travelling in Great Britain, your Committee beg to record their opinion, that, with ordinary care, the risk to life and limb by railway travelling is less than by any other method of locomotion; and they cannot forbear remarking, that although nearly *one million of persons* had travelled by the Parramatta Railway up to the 10th July last—on which day the accident occurred—not a single passenger up to that time had been injured.

33. With reference to the Progress Report brought up by your Committee, and adopted by your Honorable House, on the 23rd ultimo, your Committee desire to state, that nothing has transpired in the subsequent conduct of their inquiry to induce them to modify the opinions expressed in the said Report, either with regard to “the unfitness of the engine-driver, Robert Boan, to have so serious responsibility placed upon him, or the expediency of steps being immediately taken to secure a more careful system of driving.”

34. Your Committee, in conclusion, report that they are persuaded that, with the precautions now adopted on the railway, all risk of accident may for the future be so diminished as to be said to have almost no existence; and they suggest that, among other steps to ensure, as far as human foresight and experience can do, the safety of all who travel by rail, every precaution adopted on the railways of Great Britain be at once put in force in this Colony.

Committee deliberated thereupon:

Motion made (Mr. Scott) and Question,—“That it is expedient that this Draft Report be printed without delay, and a copy thereof transmitted to each Member of the Committee for his perusal, and that, if thus circulated, Wednesday next be the day fixed for its consideration”—*agreed to*.

The Chairman informed the Committee that he had been apprised by the Clerk that when his communication reached the Railway Department Captain Martindale was absent therefrom on duty elsewhere, but that a message had been sent in reply, to the effect that the letter would be duly delivered to him immediately on his return.

Committee thereupon *Resolved* :—

“That in order, if possible, to obviate further delay in the consideration of their Report, the Chairman do communicate personally with Captain Martindale relative to the suspension of Mr. Richardson; and, if necessary, summon that gentleman before the Committee, as a witness, for Wednesday next.”

[Adjourned till Wednesday next, at Eleven o'clock.]

WEDNESDAY, 11 AUGUST, 1858.

Members Present :—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Oakes,	Mr. Robertson,
Mr. Parkes,	Mr. Hay,
Mr. Jones,	Mr. Weekes.

The Chairman stated, that he was informed by the Clerk that a printed copy of the proposed Draft Final Report had *yesterday* been transmitted to each Member of the Committee; and that, in accordance with his direction, Captain Martindale had been summoned, and was now in attendance as a witness.

Captain Martindale thereupon called in.

A portion of the Minutes of the Proceedings of the Committee, taken at their last meeting, comprising the Memo. from the Clerk of Select Committees relative to the dismissal of Mr. R. Richardson by the Railway Commissioners,—read by the Chairman.

Captain Martindale, R. E., further examined—

And, during his examination, the witness having made a statement to the Committee of certain facts relating to Mr. Richardson's dismissal,—

By

By direction of the Chairman, the short-hand writer read the same from his notes, and, at the suggestion of Captain Martindale, certain corrections were made therein.

Witness then withdrew.

Committee deliberated.

The Chairman read a portion of the evidence given by Mr. W. Morgan on the 23rd ultimo, and by William Glover on the 5th instant.

Committee further deliberated, and it was *Resolved* :—

“ That in the opinion of this Committee, it is expedient that notice be taken in their Report of the hasty and irregular proceeding of the Railway Commissioners in dismissing Mr. Richardson.”

The Chairman then submitted, for the consideration of the Committee, two paragraphs, proposed by him to be inserted in the Draft Report, in reference to this matter, viz. :—

Your Committee desire, before closing their Report, to bring under the special notice of your Honorable House the circumstance, that Mr. Ralph Richardson was summarily suspended by the Railway Commissioners from his office of Time-keeper on the Great Southern Line, because of certain statements made in a communication (*vide Separate Appendix A*) addressed by him, on the 30th ultimo, to the Chairman of your Committee, touching the causes which led to the accident, but which statements the evidence taken on the 5th instant (appended hereto) *failed to substantiate*.

Your Committee are of opinion that your Honorable House ought to mark with its disapproval so irregular a proceeding on the part of the Commissioners for Railways, calculated, as it is, to discourage, if not to deter, subordinate officers in the Public Service from affording to Select Committees of your Honorable House information that may be of the utmost consequence to the safety of the lives of colonists, or the conduct of the Public Business of the Colony,—to say nothing of the Breach of Privilege, involved in this particular case, in the notice taken of the proceedings of your Committee before they were reported to your Honorable House.

Committee deliberated thereupon.

Paragraphs, *by consent*, amended.

The Chairman then read the same, as follows :—

Your Committee desire, before closing their Report, to bring under the special notice of your Honorable House the circumstance, that Mr. Ralph Richardson was summarily suspended by the Railway Commissioners from his office of Time-keeper on the Great Southern Line in consequence of certain statements made in a communication addressed by him on the 30th ultimo to the Chairman of your Committee touching the causes which led to the fatal accident, but which statements the evidence taken on the 5th instant (*appended hereto*) *failed to substantiate*. Your Committee are of opinion that your Honorable House ought to mark with its disapproval so irregular and precipitate a proceeding on the part of the Commissioners for Railways,—calculated, as it is, to discourage, if not to deter, subordinate officers in the Public Service from affording to Select Committees of your Honorable House information that may be of the utmost consequence to the conduct of the public business of the country.

Your Committee moreover desire to state, that any communication made by them to the Chief Commissioner for Railways and the Engineer-in-Chief throughout their inquiry were entirely of a privileged character, and such as they could not have become cognizant of otherwise than by the indulgence of your Committee. Your Committee, therefore, consider the proceeding of the Commissioners in this matter a Breach of the Privileges of your Honorable House, inasmuch as the step taken by them was so taken before your Committee had reported to your Honorable House.

Motion then made (the *Chairman*) and *Question proposed*—“ That these paragraphs, as amended, be inserted in the Draft Final Report of the Committee.”

Committee deliberated.

Amendment proposed, (Mr. Robertson)—“ That the Question be amended by omitting all the words after the word ‘ That ’ at the commencement, with a view to add the words ‘ these paragraphs be amended, by the omission, in paragraph 1, of all the words after the words ‘ Commissioners for Railways,’ with a view to add, at the end of paragraph 2, the words *and may be calculated to discourage, if not to deter, subordinate officers in the Public Service from affording to Select Committees of your Honorable House information that may be of the utmost consequence to the conduct of the public business of the country.* ”

Question put—“ That the words proposed to be omitted stand part of the Question ”

Committee divided.

Ayes, 2.
Mr. Oakes,
Mr. Parkes.

Noes, 4.
Mr. Robertson,
Mr. Hay,
Mr. Jones,
Mr. Weekes.

Whereupon *Question*—“ That the words proposed to be added in the place of the words omitted be so added ”—*agreed to*.

Original Question then put and agreed to.

Paragraph

Paragraph amended accordingly.

The Chairman read the same as follows:—

Your Committee desire, before closing their Report, to bring under the special notice of your Honorable House the circumstance, that Mr. Ralph Richardson was summarily suspended by the Railway Commissioners from his office of Time-keeper on the Great Southern Line, in consequence of certain statements made in a communication addressed by him on the 30th ultimo to the Chairman of your Committee, touching the causes which led to the fatal accident, but which statement the evidence taken on the 5th instant (appended hereto) failed to substantiate. Your Committee are of opinion that your Honorable House ought to mark with its disapproval so irregular and precipitate a proceeding on the part of the Commissioners for Railways.

Your Committee, moreover, desire to state, that any communications made by them to the Chief Commissioner for Railways and the Engineer-in-Chief, throughout their inquiry, were of an entirely privileged character, and such as they could not have become cognizant of otherwise than by the indulgence of your Committee. Your Committee, therefore, consider the proceedings of the Commissioners in this matter a Breach of the Privileges of your Honorable House, inasmuch as the step taken by them was so taken before your Committee had reported to your Honorable House; and may be calculated to discourage, if not to deter, subordinate officers in the Public Service from affording to Select Committees of your Honorable House information that may be of the utmost consequence to the conduct of the public business of the country.

Whereupon Motion made and Question,—“That this paragraph, as amended, be inserted in the Report of the Committee”—*agreed to.*

Committee further deliberated, and it was *Resolved*:—

“That the consideration of the Draft Report, paragraph by paragraph, be postponed till to-morrow.”

[Adjourned till to-morrow, at Ten o'clock.]

THURSDAY, 12 AUGUST, 1858.

Members Present:—

The Honorable Stuart A. Donaldson, Esq., in the Chair.

Mr. Jones,
Mr. Weekes,
Mr. Hay,

Mr. Oakes,
Mr. Parkes,
Mr. Scott.

Committee met, pursuant to agreement, for the consideration of the Draft Report proposed by the Chairman, paragraph by paragraph.

Initiatory paragraph of Report, and paragraphs 1 and 2, read, considered, *verbally* amended, and agreed to.

Paragraphs 3 and 4 read, considered, and agreed to without amendment.

Paragraphs 5 and 6 read, considered, *verbally* amended, and agreed to.

Paragraphs 7, 8, 9, 10, 11, 12, 13, and 14, read, considered, amended, and agreed to.

Motion made (Mr. Hay) and Question,—“That the following paragraph be here inserted in the Draft Report:—‘Mr. Whitton, in his evidence, states that he has failed to discover any cause for the accident, otherwise than a possible derangement of the axle-boxes or the axle of the new horse-box’”—*agreed to.*

Paragraph inserted accordingly.

Paragraphs 15, 16, 17, and 18, read, considered, amended, and agreed to.

Paragraph 19 read, considered, and agreed to without amendment.

Paragraphs 20, 21, 22, and 23, read, considered, amended, and agreed to.

Paragraph 24 read.

Motion made (Mr. Hay) and Question proposed,—“That this paragraph be struck out from the Draft Report, with the view to the insertion of the following paragraph instead thereof:—‘This allegation is not, however, borne out by any other evidence, and is in direct contradiction to that of Mr. Whitton, Mr. Morgan, and Fishlock, and is not in the opinion of your Committee well founded.’”

Committee deliberated.

Question put and agreed to.

Paragraph struck out accordingly, and new paragraph inserted instead thereof.

Paragraphs 25 and 26 read, considered, amended, and agreed to.

Paragraphs 27, 28, 29, 30, 31, 32, and 33, read, considered, and agreed to without amendment.

Motion then made (the Chairman) and Question proposed,—“That the paragraph framed and agreed to by the Committee yesterday, relative to the dismissal of Mr. Richardson, be here inserted in the Draft Report.”

Committee deliberated.

Question put and agreed to.

Paragraph inserted accordingly.

Motion made (Mr. Weekes) and Question proposed,—“That the following paragraph be here inserted in the Draft Report:—‘Your Committee feel it right, however, to state, that the resolution arrived at by them—that the charges brought forward in Richardson’s letter had not been substantiated—was communicated by the Chairman, in accordance with

"with the arrangement explained in paragraph 4 of this Report, to the Chief Commissioner, and may have influenced the Railway Board in taking immediate action with regard to Richardson."

Committee deliberated.

Question put and agreed to.

Paragraph inserted accordingly.

Concluding paragraph (34) read, considered, amended, and agreed to.

Whereupon motion made and Question,—“That this Report, as amended, be the Report of the Committee.”

Committee further deliberated, and it was Resolved:—

“1. That the Chairman do Report finally to the House.

“2. That the Chairman do then give notice, that he will on Friday, the 20th instant, move, that this Report be adopted by the House, and a copy thereof forwarded by Address to His Excellency the Governor General.”

EXPENSES OF WITNESSES.

George Carter, laborer, one day; loss of day's wages, 10s.

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1858.

Legislative Assembly.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

RAILWAY ACCIDENT.

SATURDAY, 17 JULY, 1858.

Present:—

Mr. DONALDSON,
Mr. WEEKES,
Mr. PARKES,Mr. EGAN,
Mr. HAY,
Mr. SCOTT,

Mr. JONES,

THE HON. STUART A. DONALDSON, ESQ., IN THE CHAIR.

Captain B. H. Martindale, R. E., Chief Commissioner of Railways, called in and examined:—

1. *By the Chairman:* The Committee have before them the report made to the Government, dated 13th July, 1858—I allude to the second letter, in which a more elaborate report of the accident is given. Some reason is given at the end of page 3 why it appears to you this accident may be accounted for, with some difference in the circumstances, especially in regard to the speed—will you state if anything has occurred to you since the report just made to throw any more light on this fatal accident? Nothing. Capt. B. H. Martindale, R. E.
2. Are you of opinion that if it might be shown by evidence which has not come before you, that the speed at which the train was travelling was very much greater than that stated—that the loose coupling-chains which fastened the two horse-boxes, instead of a screw-coupling, usually used in coupling passengers travelling carriages, might be the cause of the accident, owing to the greater oscillation, if the speed was much greater? I think it might possibly account for it.
3. Would it not probably account for it? There is one thing which makes me throw less stress on the fact of the coupling, viz., that on coming to the top of the decline, about half a mile before the spot where the train left the line, the driver would naturally shut off steam. The first effect of this would be to bring the buffers together; and it would be a matter of little importance, as regards oscillation, so long as they remained in contact, whether the coupling was a screw-coupling or centre-links.
4. Would that reasoning still be considered by you if full steam had again been put on to the engine? No.
5. So, if the horse-boxes ran off the rail after the steam was put on by the engineman, that previous remark hardly has any operation on the cause? I think it has. It would depend upon the time the steam was put on. The main considerations in reference to the coupling in this case, are the speed and the length of time the train had been proceeding at that speed. In a train travelling a considerable time with the buffers apart, at high speed, great oscillation might be caused. In descending a decline the buffers might be together during part of the distance, and it would be immaterial then whether there was a screw-coupling or centre-links.
6. You, therefore, govern your opinion as to the difference of risk by the buffers being together or apart? Yes; so far as oscillation is concerned.
7. Have any directions been given to lock the carriages together always with a screw-coupling, or otherwise? If the Committee will allow me, I will read a portion of a memorandum made on the 3rd of June, which is six weeks before the accident happened.

Capt. B. H. Martindale, R.E. (The witness read the following extract from a memorandum on the Traffic Department of the Great Southern Railway):—

"Railway Department,
"Sydney, 3 June, 1858.

17 July, 1858.

"I propose, therefore, to make Mr. Beeston Traffic Inspector; and that his duties should be as follows: To see that all trains arrive and depart punctually, and run to time. For this purpose he should be constantly, at uncertain periods, along the line, and through it at least once daily. To see that the trains are properly put together, the horse-boxes, carriage-trucks, carriages, goods-trucks, and empty waggons (when any) are in their proper places in the train, and properly coupled together. He should assist the Manager by seeing that horses and carriages are properly loaded. The Traffic Inspector is to take notice of every irregularity of every kind, whether on the part of the locomotive department while running, or of the traffic department, and call attention at the moment to the irregularity, and have it remedied, invariably reporting the circumstances daily to the Commissioners, through the Manager. If the drivers are not running to time; if the guards are sluggish or inert; the porters dirty or idle; if trains are badly put together or not coupled up—he is at once to draw attention to it, and report the circumstance. He is to send in, through the Manager, to whom he is entirely subordinate, a daily report containing an account of every irregularity, whether remedied at the time or not, that has come under his observation during the day. This report is to be addressed to the Chief Commissioner, to whom the original is to be forwarded every morning, through the Manager, and the Commissioner will rely upon this report containing a full and true account of every irregularity of every kind the Inspector is acquainted with. The Inspector should be furnished by the guards with such information as to enable him to keep an accurate record of the character, size, and working of every train. His attention should incessantly be given to insure the proper as well as the economical working of the line, and to develop the traffic upon it, and to suggest improvements in the working of the system. At the Sydney end of the line the Inspector should take entire charge when present of the arrangement of the trains, and give such orders as are necessary, and start the train when present, first communicating with the station master; he should acquaint the station master whenever he leaves Sydney, in order that the latter may then superintend the arrangement of the the train."

"B. H. MARTINDALE."

"CAPTAIN WARD."

8. With reference to that order, I don't see any allusion to the coupling order—using screw-coupling? Certainly not. Many trains have not screw-coupling—such as goods trains.

9. In passenger trains do you not think screw-coupling desirable? I do.

10. In this case where the accident occurred, the train was composed of first, second, and third class passenger carriages—the invariable use of screw-coupling was omitted? It was.

11. That would not be the proper arrangement of the train then? It would not.

12. Dr. Dionisius Lardner, in the last edition, 1850, of his book on Railways, page 326, says:—"The successive coaches forming a train were originally held together by a chain, which was necessarily always a little slack, so that when the power of the engine was driving the train the buffers were not in close contact, and whenever the train stopped, or even slackened its speed, the hinder carriages ran against the foremost ones with a collision the force of which was proportional to the difference of their speeds. This mode of connection was replaced by a coupling-screw, by means of which the carriages are drawn together, so that the buffers are pressed into close contact, and their springs a little compressed. In this manner the train is formed into one close complete column, and the change of speed to which it is subject does not produce the partial collision just mentioned. One of the means, therefore, of diminishing the chances of injuries resulting from collision, is to provide against the occurrence of eccentric buffers, and to ensure the proper coupling of the trains."—Is there great force in that passage from Dr. Lardner's book? There is no question that the use of screw-coupling tends to diminish the chance of injury, because the buffers while in contact tend to prevent oscillation; but, as a matter of fact, the buffers in a train are very frequently not in contact when travelling, and their distance apart depends on the strength of the spring of the draw-bar, the weight of the train, and the gradients upon which the train is travelling.

13. But only the screw-coupling causes no distance between the buffers—the distance caused by the excessive power of traction is incidentally re-augmented without it? It is the draw on the spring of the draw-bar which prevents the buffers being in contact.

14. Is it the same thing with loose chains if the buffers have springs? The carriages are not likely to be so close with loose chains as with screw-coupling.

15. In this particular case it is in the report that coupling-chains and centre-links were used? Yes.

16. Do you think it of sufficient importance to give orders that such a thing should never occur? Certainly.

17. You would never allow passenger trains to go with the centre-links and side-chains? No; I was not aware that centre-links were used before, and an order has been given that carriages in passenger trains are to be coupled with screw-couplings for the future.

18. Do you not think some neglect of duty is chargeable to the Traffic Manager, or some other officer, that these trains were allowed to leave the terminus coupled with a centre-link and side-chains, instead of a screw-coupling? I could not call it a neglect of duty. Travelling at anything like an ordinary speed, I think the train would be quite safe with the centre-links.

19. For the future—you thought it of sufficient importance to direct that in future no train carrying passengers should go coupled with centre-links and side-chains? Yes.

20. Do you attach any value to the custom that prevails in England, of placing a dummy carriage between the train and the tender? The value is, in case of collision, to give greater safety to the passengers. Capt. B. H. Martindale, R.E.
21. It is of that value? Yes, for that object.
22. It is adopted as a matter of precaution? Yes; the horse-boxes answer the same purpose. 17 July, 1858.
- They were not put there for that purpose; they were put there for the convenience of shunting.
23. Are they not furnished with side-chains, as hitherto? Yes.
24. I infer, then, that a horse-box would not answer the place of a dummy—has a dummy side-chains furnished to it? It has.
25. Is it not the case invariably in England that a dummy carriage is used between the train and the tender? There is an order of the Board of Trade to that effect.
26. Is it not desirable to follow that custom and adopt it here? I don't think there is the same risk of collision as there is in England, where the trains are travelling so often.
27. Is there not some risk of collision, so that it would be a good plan to adopt it for the future? There is no objection to have a dummy, beyond the expense of having an extra carriage running. I scarcely think it necessary while we have the horse-boxes.
28. Don't you think, as a matter of prudence, where the engine-drivers cannot here be so experienced, and the knowledge of those engaged in the traffic and various details is not so great as in the older country, that every precaution known in the older country should be adopted here? Every precaution ought to be adopted; but I think if the horse-boxes are placed between the carriages and the tender, they afford all the protection that could be attained from a dummy.
29. *By Mr. Weekes:* Was the first horse-box connected with the tender by a screw-coupling? Yes; every carriage in the train was, but the two horse-boxes.
30. The horse-box next to the tender was connected with a screw-coupling? Yes.
31. So that it was only between the two horse-boxes there were centre-links and side chains instead of a screw-coupling? Yes.
32. *By Mr. Jones:* Have you reason to know, Captain Martindale, which of the horse-boxes was the first to get off the rail? I have every reason to believe that it was the first.
33. The one connected by a screw-coupling? Yes, with the tender.
34. *By Mr. Weekes:* In the evidence it is said that a great amount of oscillation was observed in the first horse-box? Yes.
35. That horse-box being connected with a coupling-screw, therefore, it would almost appear that the centre-links and side-chains connecting the second box with the first box were not the cause of any extra amount of oscillation; because a greater amount of oscillation was observed in the one joined with a screw-coupling? I think the first box being connected with the tender by a screw-coupling, and the hinder part with centre-links and chains, the fore part being held fast, the hinder part might oscillate more.
36. *By the Chairman:* And affect the carriage to a certain extent? It would affect it to a certain extent.
37. *By Mr. Jones:* In that case would not the second horse-box be more likely to oscillate than the first one? As a matter of fact, all the witnesses have said that it was the first carriage that was oscillating.
38. I say, looking at the fact the first horse-box was connected with a screw-coupling, and the second was only connected with centre-links, would not the second horse-box have a greater tendency to oscillation than the first horse-box? I think there not having been a screw-coupling between the horse-boxes, there would be as much oscillation in the tail of the leading box as in the front part of the second one.
39. *By Mr. Weekes:* The first horse-box being only connected with the second horse-box by loose chains caused oscillation to the second one? They were not loose chains. There was three and a half inches between the buffers, and I think that a part of the oscillation was communicated to the second carriage; because, even with screw-coupling, the oscillation runs through the train. Each carriage communicates part of its oscillation to the others in the train.
40. Has there ever been a screw-coupling to this particular carriage? The screw-couplings are separate, and can be put on any carriage. The screw-coupling is put on the hook of the carriage when required.
41. Is it left optional with any of the subordinate officers (who are responsible) to put on screw-couplings or centre-links to the carriages? Certainly not; we have no carriages fitted with centre-links, except the new horse-boxes and goods-waggons. The carriages are not fitted with centre-links; they cannot put them on. The new horse-boxes have centre-links, with the intention, I have since ascertained, of allowing the horse-boxes to travel with the goods train without screw-couplings. The carriages have no centre-links.
42. That portion of the horse-box nearest to the tender had a screw-coupling? Yes.
43. Each carriage has a screw-coupling at each end—you did not have a screw-coupling between the horse-boxes—therefore, you had not one kind of fastening between one kind of horse-box and another? The carriage had no centre-links, therefore it could not be coupled to the horse-box without a screw-coupling.
44. A screw-coupling leads through the carriage to itself with a very powerful spring to the draw-bar? Yes.
45. And existed at the fore-part of the horse-box, to connect it with the engine? Yes.
46. The fore part was connected with the engine by a screw-coupling, and a similar mode existed at the end of that particular carriage? Yes; and there was the usual draw-bar and hook, to admit of a screw-coupling being used.
47. It was not so connected with the other? No.
48. Was it because the second, being an old horse-box, had no such apparatus? It was because the porter did not put on the screw-coupling; he put on the centre-links instead.
- 49.

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49. Is it optional with any body—any one of the subordinates—to put on a screw-coupling, or one of the centre-links, that is in a passenger train, because there might be no screw-coupling by? In every case except horse-boxes they must put on screw-coupling, because the passengers carriages are not furnished with centre-links. Some horse-boxes have been lately built, and they have been fitted with centre-links.
50. These two horse-boxes might have been connected by a screw-coupling? Yes.
51. And were not done so, for what reason? Simply, I suppose, because the porter found the centre-links upon the horse-box, and put them on instead.
52. Was that in violation of any order? No special order, that I am aware of.
53. Is it optional with any subordinate to put on centre-links or screw-couplings? There is no order except what I have read, viz., that the inspecting officer is to see the train properly coupled together. An order has been given now on that subject; but as Commissioner I should not have thought of giving a detail order of that kind.
54. The rails from here—Sydney to Parramatta—are all on Barlow's principle? Yes.
55. Is that principle more liable to accidents of this particular character than other descriptions of rail? I don't think it is, especially as here the rails are used with sleepers, to stiffen them. The intention of Barlow was not to use sleepers with them, but he supposed the earth would give sufficient support to the rail, as it had a broad base. Here, when Barlow's rails were laid down, they were not found sufficiently stiff, and they have been strengthened by the introduction of sleepers underneath them, and fresh sleepers have been put in lately. Under these circumstances, I don't think the Barlow rail would be more liable to cause the oscillation than the double-headed rail.
56. With these additional sleepers introduced under the rail, you consider them perfectly safe for all the ordinary purposes of railway traffic? I do; especially at the speed at which the trains run on this line.
57. Are the Barlow rails suitable for a high rate of speed, or safe at a high rate of speed? I think so, stiffened as they are here.
58. *By Mr. Scott:* The rails, Captain Martindale, you said, are of the Barlow sort—are they light or heavy? They are seventy-five pounds to the yard.
59. What is the gauge adopted on this road? (Sydney to Parramatta.) Four feet eight and a-half.
60. There are several kinds of gauges used in England? Yes.
61. What are they? There is the seven feet gauge of the Great Western Railway, and the four feet eight and a-half gauge.
62. There is a difference in Ireland? Yes; the gauge there is five feet three.
63. So that this gauge of the present road is the smallest? Yes; and the one most in use in England. It is in general use in England.
64. But, being so narrow, would not a great speed make it more dangerous? They travel on it in England at a very high speed—fifty miles an hour.
65. On this narrow gauge? Yes; in fact the narrow gauge is almost universal. Even the Great Western Railway Company is laying down the narrow gauge, as a matter of convenience.
66. Which do you think the safest, the narrow or middle gauge? I think they are all safe.
67. Would not the horse-boxes on a narrow gauge be more dangerous than on a broader gauge? The broader the base the safer the carriage would be.
68. Are you aware of what the Melbourne gauge is? Five feet three.
69. Do you consider that as good, or not so good, as our own? Better.
70. And do you not think, in consequence, that if this line should have to be altered, would you still recommend us continuing this narrow gauge, as ultimately we are in expectation of meeting the Melbourne line? If we alter our gauge we must get entirely new rolling stock.
71. I suppose different axles would be required? You would have to lengthen the axles, and this would be very troublesome.
72. As we have only a few miles of rail, would it not be better to adopt the Melbourne gauge, or Melbourne ours? Yes.
73. Ought we not to adopt at once a better system as regards the gauge? If we did we should have to lay down an entirely new line to Campbelltown, and get new rolling stock and new engines.
74. But is it not a pity to continue in error in such a work? Four feet eight and a-half gauge is sufficient for all purposes. In a few years no other gauge will be used in England. I don't know what progress the Victorian Government has made; but if that Government took our gauge, I think it would be preferable to our taking up thirty-four miles of line.
75. What speed can you go with safety on our present line? I have travelled at the rate of thirty to thirty-five miles an hour.
76. Would you reckon that safe with these horse-boxes and other carriages? I think you might travel at an average speed of perhaps thirty miles. I should not wish to travel, as a rule, at a greater speed than twenty-five miles an hour.
77. And these boxes—these large horse-boxes—do they oscillate more in a straight line, or going round a curve? Going round a curve would steady them if they were oscillating.
78. I believe this horse-box had been remarked to oscillate before this occasion? I never heard of it until after this inquiry.
79. They would oscillate most on a straight line? Yes.
80. Do you go with greater speed on a straight line? Yes.
81. You go slowly round a curve? Yes.
82. Do you think that would account for the accident of the horse-box going off the rail, suppose they were going at an unusual speed? If they were going at an unusual speed the oscillation would be greater, and the risk of getting off the line greater.
83. I presume the flanges of the various wheels are all of the same size? Yes.
84. Is the flange narrower? They are all about the same size.

85. Is there not considerable play on the rails themselves as the train goes over? In some places there may be, if the line is in bad order.
86. Are you aware at all of the system carried on in Prussia with regard to railroads? I have travelled over them, but know nothing about their system.
87. Is there not provision of this sort, that every carriage should have a flag inside, and if a passenger puts it out of the window, the train must stop—do you not think it a safe one? I don't know whether that would work well; people might put out their flags as a joke, and you might have the train stopped once a mile.
88. But there are heavy penalties enforced in Prussia for doing that? You might not be able to enforce them here.
89. The carriages are connected by a platform, on which the guard is constantly walking around, and collects the money while the train is going? In America the cars are connected in this way. I have not heard of these carriages in Prussia.
90. Ought this driver, or engine-driver, or guard—ought they not to have known, with common precaution and attention, that one of the horse-boxes was off the rail for the space of 300 or 400 yards? I think not. The driver was just approaching a curve; he was looking forward, which is the direction in which the driver generally looks. The duty of the fireman is to look back, and he stated in his evidence that he looked back two or three minutes before, and had seen nothing wrong.
91. *By the Chairman:* He said two or three minutes before? That is not a very long time; he cannot always be looking back; he has a great many things to do.
92. *By Mr. Hay:* Two or three minutes—that is about a mile? Yes.
93. *By Mr. Scott:* I wish you to point out whether you have recommended any preventative for the future, such as placing the guard in a different position, so as to be able to see in case of a carriage getting off the line? The guard is in the break, which it is the custom here to put in the centre of the train; he looks forward to the engine. It is his duty constantly to look out, and see if there is anything wrong in the train. He stated he did look out, and perceived nothing wrong. This particular train usually had an assistant guard, who travels with it, and it is the only train that has one.
94. What position was he in—was he in the centre? There were six carriages behind, and five and the engine before.
95. Is there any means of communicating with the driver, supposing the guard, or any one else, discovered the accident to the carriage? No. If the guard sees anything wrong, he puts on the break, and the driver feels that directly.
96. Are you aware whether in England there is any plan? I believe there is nothing adopted yet. Very many experiments have been tried, of various kinds, but I am not aware of any having been adopted.
97. Will you favor the Committee, Captain Martindale, with any general statement bearing on this question? I wish to state that the time allowed for travelling now is greater than it has ever been before.
98. *By the Chairman:* Have any regulations been made since you became Chief Commissioner with regard to making up time in case a train started late from any of the intermediate stations? There were printed regulations that time was not to be made up. These regulations specially instructed the drivers that the time they were late in leaving from a station was not to be made up.
99. That is, if a train started two minutes late from Parramatta the driver was not to make it up—he was to arrive two minutes late in Sydney? Yes, certainly.
100. It is in evidence that they were two minutes late in leaving Parramatta? Yes.
101. Have you any means of knowing whether they were trying to make up time? All the evidence I have is, that they were not.
102. *By Mr. Weekes:* Is such distinct notice taken of the time of this train starting from the station that the driver is not under the apprehension that he will be made to answer for the deficiency of time which may have arisen before the starting of the train: That is, in this particular instance, the train was two minutes after time—was that taken a particular account of—is it the duty of anybody to register the particular time, so that the driver is not under any alarm that he will be fined if he does not make the two minutes up? The time of arriving and departure is noted.
103. Is the driver quite clear that he will not be made responsible for being late when the train started? Yes.
104. Have any fines been inflicted on the drivers? No fine.
105. Or any of the servants for being late? No. There is an order given on the subject which I can read. This order was issued on the 28th of June, 1858. If ten minutes is allowed for running between any two stations the driver is not to exceed that time, nor arrive before. (*The witness read and handed in a copy of the order referred to. Vide Appendix A.*)
106. Is the running the train between the principal stations and the intermediate ones regulated, or the time of the whole journey? The time between every station is regulated. Between each station the train is timed to run at the rate of twenty miles an hour, and one minute is allowed for stopping. By one train between Parramatta and Homebush, twenty-four miles an hour is the rate—that is the 7-35 up-train; then five minutes are allowed for stopping at Parramatta and five minutes at Liverpool, which brings the speed of the train, including stoppages, to seventeen miles an hour.
107. Does the driver of each train know the time at which he starts from each station? He always has a watch.
108. Are they presumed to note the time at which they start? They have a book for that purpose. The station master also keeps the time.
109. Then each driver, as a matter of practice, knows the time? He enters it in a book.

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110. And knows the time allowed to run from station to station, and from end to end? Yes, by his time-table.
111. If he does not run in that time he is accountable for a fine? Yes.
112. And is not accountable for any delay at the stations? No.
113. *By Mr. Parkes*: Whose duty is it to order the making up of the train? The station master's.
114. *By Mr. Weekes*: Then the greatest speed in running is between Parramatta and Homebush? Yes; one of the longest runs, and only by one train—the 7.35.
115. That is the train that met with the accident? Yes. I may mention that in May the trains ran faster, and did the entire distance in one quarter of an hour less time. They did in one hour forty-five minutes what they now run in two hours. When I altered the time, in the beginning of June, I was told there would be great discontent at the slowness of the speed. I knew it could make no difference except to business men, and the train by which they usually travel was timed to run in five minutes less than the others.
116. That is, the 7.35 train gains five minutes on the whole distance between Sydney and Campbelltown, and gaining that distance the train in the month of June runs slower than it did in the month of May? Yes, by ten minutes. The time now between Parramatta and Homebush is one minute more than it has ever been since the beginning of 1857. The time allowed in February, 1857, was fourteen minutes; the time now allowed by one train is fifteen minutes, every other train is allowed eighteen minutes.
117. What is the distance between Parramatta and Homebush? Five and three-quarter miles.
118. *By Mr. Scott*: I forgot to ask whether the trains—passenger carriages or horse-boxes—ever ran off the line before? I have no recollection of any report of it.
119. *By Mr. Jones*: Can you tell me the exact distance between Parramatta and the exact spot at which the horse-box is presumed to have left the line? Not the exact distance.
120. Can you give a pretty close approximation? About two and a-half miles.
121. There would be no difficulty in ascertaining what the distance was? No.
122. *By Mr. Scott*: When did you see the engine-driver and carriages after the accident? Within an hour.
123. They are well-conducted people? I have had no reports against them. I ought to mention that I don't interfere personally with the subordinates. Any complaint that comes to me against the engine-driver or fireman goes to the head of that particular department, who is responsible for their conduct.
124. You saw the men themselves, and were talking to them? Yes.
125. They were then perfectly sober? Yes.
126. *By Mr. Weekes*: You state, Captain Martindale, that the spot where the accident occurred was about two miles and a-half from Parramatta;—it is stated in evidence by the driver, that the moment of the accident occurring it was fifty-six minutes past eight o'clock? Yes.
127. Now, fix that as the time the accident occurred, the distance being two and a-half miles, of course you can tell the average speed they had gone over that distance at? From eighteen to twenty miles an hour.
128. *By Mr. Hay*: That was considerably less speed than the average allowed? Twenty-three miles an hour is the time allowed. By all other trains it is twenty miles an hour.
129. *By Mr. Egan*: You say it was never reported to you before that train had run off the line? I have no recollection of it.
130. If that were the case, would it not be reported to you? It would.
131. It might not have been reported? I think it would have been. The Manager has orders to report every accident, and brings up himself to me every Tuesday morning a report of every irregularity that has occurred during the week. He brings it up himself, in order that I may have the opportunity of inquiring into, with him, any irregularity that has happened. Therefore, if there was such an accident as the train getting off the line, he would have reported it immediately, and I should certainly have heard of it also in his weekly report.
132. If such a thing had happened, and he had not reported it to you, he would have neglected his duty? Yes.
133. *By Mr. Hay*: You would have expected him to have reported it to you even if a carriage got off the line and was got on the line again, without any particular delay or injury? I should expect him to report it; I think it is his duty to do so.
134. You can ascertain whether any report was made before the next examination? Yes.
135. Is it not desirable in a great work of this kind that a particular report should be made to you if anything of this kind occurs, whether an accident took place or not? The Traffic Manager brings me weekly a report of anything irregular that has taken place. There is also a daily report from the Traffic Inspector.
136. This report relates to the general carrying out of your instructions, and working of the line? Yes; and of every irregularity that occurs. (*The Witness handed in the Rules and Regulations to be followed by all persons employed by the Commissioners for Railways in working the line. Vide Appendix B.*)

APPENDIX A.

GREAT SOUTHERN RAILWAY.

No. 28.

*Engineer's Department,
Sydney, 28 June, 1858.*Capt. B. H.
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MEMORANDUM TO JOSEPH TWISS.

I am not satisfied with the reports of either Woods or Cobb relative to the late trains. It is clear that Woods has neglected the engine (No. 7.) Let Boan run Woods' train, and bring Woods into Boan's place, at Sydney. Cobb, I think, is equally to blame, and deserves to be severely punished. I am not inclined to believe the story about the slippery state of the rails; he lost, according to his own account, thirty minutes in twelve miles, so that his average speed over the twelve miles was about eleven miles an hour. Give notice, in writing, to all the drivers, and say, that excuses of this kind will not in future be admitted; and, unless some accident occurs, the driver of any engine losing time in running will be fined one day's pay for every late train; and, if frequently late, will be discharged.

JOHN WHITTON.

APPENDIX B.

GREAT SOUTHERN RAILWAY.

RULES AND REGULATIONS

To be followed by all persons employed by the Commissioners for Railways, in working the Line.

1. No Special Engine shall be allowed to run on the Single line, unless a WRITTEN NOTICE has been previously left by the person in charge of the Engine with the Station Clerk at Parramatta; and in no case shall such notice interfere with the proper working of the Passenger Trains.
2. No Passenger Train shall be detained at any Station for the arrival of any Special Train, or Special Engine, and the person in charge of any Special Engine will be entirely responsible for such Special Train or Engine being clear of the main line at such time as any Passenger Train is due upon such portion of the line.
3. No Engine, whether with a Goods or Passenger Train, shall leave any Station before the time fixed in the Time Table for the arrival and departure of such Train at the different Stations.
4. No Special Trains, whether for Goods or Passengers, shall run on the Single line, unless previous written notice shall have been given to the Station Clerks and the Inspector of Permanent Way; nor shall any Special Engine at any time be permitted to run on the Single line between the hours of the arrival of the last Passenger Train at Sydney in the evening, and the departure of the first Train from Sydney in the morning, without a previous written notice of 24 hours being given to the Engineer-in-Chief, except the Special Engine between Liverpool and Parramatta, when required for the Mails.
5. In cases of emergency Special Engines, when required, must be accompanied by the Traffic Manager himself, or, in his absence, by the Traffic Inspector, who must be prepared to justify the emergency; and all notices for such Special Trains must be given in writing to the Foreman of Locomotives.

By Order of the Commissioners,

Railway Department,
Sydney, 28 June, 1858.

JOHN RAE, Secretary.

John Whitton, Esq., Engineer-in-Chief, M. Inst. C. E., called in and examined:—

1. *By the Chairman:* The Committee have before them your report to the Railway Commissioners, dated 13th July, 1858, on the subject of the late fatal accident. I perceive you state with reference to the coupling of the horse-boxes, by centre-links and side-chains instead of a screw-coupling, as follows:—"From the evidence of the porters at Parramatta, and the guard of the train, the whole of the carriages and horse-boxes were connected by screw-couplings, except the coupling between the two horse-boxes, which was not a screw-coupling, but had centre-links and side-chains; the buffers, therefore, of the horse-boxes would not be in contact, and greater oscillation would take place than if a screw-coupling had been used; but, if the train were not proceeding at a far greater speed than that stated, this would not be sufficient to throw the horse-boxes off the line. Nor does it follow that even at a much higher speed those horse-boxes would necessarily have been thrown off the line in consequence of not having screw-couplings, as waggons constantly travel by goods trains at a speed of eighty miles an hour and upwards, on which trains screw-couplings are never used. Waggons, also, are frequently attached to passenger trains, both here and in England, and are connected only with centre-links and side-chains. The speed of this train having been spoken to so positively by so many witnesses as not being greater than twenty-five miles an hour, I regret that I am not in a position, at present, to trace any cause for this lamentable accident. I can merely suggest that some derangement may have taken place in the wheels, axles, axle-boxes, or springs to one of the horse-boxes, after

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- "after the train left the station at Parramatta." Am I to infer from that, that if, supposing it could be shown that the speed was considerably greater than twenty-five miles an hour, you would attribute the accident to the coupling by centre-links instead of a screw-coupling? I think the absence of a screw-coupling would not have caused the accident. No doubt that being coupled with centre-links, instead of a screw-coupling, greater oscillation would take place than if a screw-coupling had been used. I do not think if the speed had been thirty or forty miles an hour that this would have caused the accident.
2. You think that screw-coupling does diminish the chance of an accident? Yes; I think it does.
 3. In passenger trains, in England, centre-links are never used to connect any part of the train with the engine? They are not, as a rule.
 4. Would you not think it of importance in this country that this precaution ought to be observed here? Yes; I think it should with passenger trains.
 5. Do you look on the exception that was made to be blameable on some one in charge as manager of the traffic? I think the screw-coupling should have been used.
 6. On the whole, would that duty fall on the Traffic Inspector or Manager? The duty would fall upon the person who coupled the carriages—the head porter at Parramatta.
 7. Would you say that he was to blame for attaching it without reporting it to his superior? I do not know what instructions he received from his superior.
 8. Is it not their duty to see that the operation of coupling is properly performed? Yes, or to give proper instructions.
 9. Are they not held responsible in case of — ? They cannot be held responsible if they have given instructions.
 10. In case of accident, on whom would fall the responsibility, the subordinate or superior officer? On the man who disobeyed his instructions.
 11. Have you not known of cases that have occurred in England where the punishment has fallen on the person who disobeyed the instructions? Yes; but not for neglecting to put on a screw-coupling. I never heard an instance of a carriage coming off the line in consequence of a screw-coupling not having been used.
 12. Have you known ever of a charge of manslaughter being brought against an officer of the Railway for neglect of duty in the coupling of the carriages? No; I have not.
 13. For any neglect of duty? Yes, for neglect of duty; where the engine-drivers neglected their instructions, or the pointsmen neglected their duty.
 14. Is it the case, and are you aware of the fact, that the Directors of the English Railways are held personally liable for accidents that happen on the line? I believe they are not.
 15. Have you any remarks to make to this Committee in addition to the report you handed in to the Railway Commissioners, dated 13th of July, 1858, which have a bearing on the cause of this accident? No, I have not.
 16. Do you wish to modify your evidence given before the coroner and jury? Only so far as my evidence was incorrectly reported.
 17. Will you state the words incorrectly reported? In the third line of my evidence the word "engine" should be taken out and "road" inserted. The sentence would then read—"the line is perfectly straight at the place where the carriages left the 'road,' and the rail 'at that point is in good order'; and, in the last line but two, I am made to say—"the carriages would not have left the road had it been perfectly straight, nor would they have 'gone over on that side.' It should have been—"the carriages might not have gone over 'the embankment, had the line been perfectly straight, nor would they, probably, have gone 'over on that side.' This was in answer to a question from one of the jury.
 18. I understood you to attribute to a very increased speed over twenty-five miles an hour some very probable cause of the accident under the circumstances with which you are acquainted? There may have been a combination of circumstances with regard to the train at that time with which I am not acquainted; but, unless the speed was excessive, the want of a screw-coupling would not have caused the accident.
 19. From the probability of the buffers of the carriages coming into collision as they came down the half mile before the carriages ran off the rails, was that liability very much increased by having the carriages coupled by centre-links instead of a screw-coupling? It would be increased, but not sufficient to cause the accident.
 20. Not even if the speed was very high? No, I think not.
 21. By Mr. Weekes: It was not considered of such importance that there should be screw-couplings instead of centre-links and loose chains as to cause an order to be issued by the Commissioners? An order was not given; but I was not aware that the horse-boxes were running without screw-couplings.
 22. By the Chairman: If you had seen it would you have stopped it? I should have mentioned it to the Manager.
 23. By Mr. Weekes: Then, in the present instance it arose from no neglect of duty in any of the superior or any of the subordinate officers? I think not. Unless the porters have positive orders to put on a screw-coupling, I don't see that any blame can be attached to them.
 24. There is no general order? No.
 25. By the Chairman: There is a general order that all passengers carriages are to be properly coupled? Yes.
 26. You are aware that in passengers traffic in England screw-coupling is always used? Yes.
 27. By Mr. Scott: You saw the engine-driver and guard after the accident? Yes.
 28. They are competent, well-conducted men, generally? Yes.
 29. You have said that excessive speed might have caused a greater degree of oscillation if the centre-links and chains were used—what do you consider as excessive speed? I should say forty miles an hour is excessive speed on that portion of the line.
 30. With a train joined on to the engine? Yes.
 31. Would not this be quite sufficient to tilt one of the horse-boxes off the line? I think not

- not in itself—not the speed. I have frequently travelled in England forty miles an hour with waggons hooked together with side-chains and centre-links.
32. Would that forty miles an hour tend to make the horse-boxes oscillate and tilt off the line? They would oscillate more in consequence of not having a screw-coupling.
33. Is the oscillation greatest on a straight line or on a curve? It is the greatest on a straight line.
34. Have you ever heard of a train being off the line before—goods train or carriages? I never heard of a carriage or waggon being off the line, except in station yards, since I had charge of the permanent way.
35. Have you heard of it previously? I have, since this accident, heard of one horse-box being off the line, and I know carriages have been thrown off by running over horses. These accidents, however, could be clearly traced.
36. If the buffers were brought in contact with each other by the screw-coupling, would they be apart when the train started? That would depend on the strength of the draw-bar springs, the weight of the train, and the incline of the roadway.
37. Can you suggest, in order to allay the mind of the public with regard to the public railways, any preventive not now in use? I believe every prevention is taken here that is taken on the best managed lines in England.
38. *By Mr. Jones*: I presume you are satisfied that for the future where a horse-box is used it should be coupled together with a screw-coupling? Yes; I was not aware they were coupled with centre-links.
39. If the horse-box were placed in the centre, or rear, would it prevent accidents? No; but the best position is next to the tender. There is no general rule on the subject in England; they are frequently put near to the tender, in the middle, and at the end of the trains. It depends very much where they are to be left. If they are intended for road-side stations, they are put at the tail of the train, because it is far more convenient for shunting; but next to the tender is decidedly the best position in the train.
40. When alterations are required in the line, I believe you are strengthening the line by additional sleepers? Yes.
41. That will strengthen the line, and prevent oscillation? Yes.
42. And make them more secure? Yes.
43. *By Mr. Scott*: Do you consider, Mr. Whitton, that fracture of the link indicates that article to be of the best wrought iron? (*Witness looks at the screw-coupling chain produced, and the fracture of one of the links.*) I do not consider it the best wrought iron; the best wrought iron would have left a fibre, but this is cut clean off.
44. *By the Chairman*: You find a piece absolutely wanting? Yes.
45. *By Mr. Jones*: Do you think if it was of the best wrought iron it would have held? I do not think it would.
46. You think any description of iron under the circumstances would have gone? Yes.
47. *By Mr. Scott*: If there was a stronger coupling in case of accident, would it not be better when the horse-box got off and comes to the sudden curve? I think you could scarcely make a coupling for ordinary use to bear such a strain.
48. *By Mr. Jones*: When horse-boxes are put on passengers trains, is it invariably the custom to couple them with a screw-coupling? It is.
49. You think it ought to have been done here? Yes.
50. Suppose you were at Parramatta, and saw the porters coupling the horse-boxes together with centre-links instead of a screw-coupling, would you have attached sufficient importance to it to have caused them to re-couple them with a coupling-screw? Yes; I should have made them put on a coupling-screw.
51. Have horse-boxes a greater tendency to get off the line than passengers carriages have? I don't think they have generally, particularly the horse-boxes in use here. They are made much heavier than the horse-boxes used in England.
52. *By Mr. Hay*: Don't you think from the great height of the boxes, that the oscillation once commenced was likely to become greater in the journey? I do not think it is; the upper part of the first-class carriages is much heavier than the horse-boxes.
53. Not so lofty? They are, within a few inches.
54. How many inches? I think six inches.
55. *By the Chairman*: Excepting the ventilator part? No; including the ventilator.
56. *By Mr. Jones*: Could the porter at Parramatta have coupled the horse-box with a screw-coupling—would the arrangements there allow him to do so? I believe so.
57. There was no necessity for his coupling the horse-boxes with centre-links? No; not that I am aware of.
58. He had one there? I cannot say that he had.
59. This new horse-box—could it have been attached by means of a screw-coupling? It could.
60. *By the Chairman*: It is a fact that the passengers carriages have no means of being coupled by centre-links? It is.
61. Only the horse-boxes? Yes. They are made with centre-links, so as to run with the goods trains.
62. You would not allow any of the passengers carriages to be connected by centre-links? No.
63. *By Mr. Jones*: From the knowledge you now possess, would you incline to attribute the accident to the fact of the two horse-boxes being coupled together with centre-links instead of a screw-coupling? The absence of a screw-coupling is not sufficient to account for the accident, but there may have been other circumstances, of which I am not aware.
64. Such as an increased rate of speed? Yes.
65. Any other circumstance except oscillation? Yes, unsteady driving, and some derangement in the axle-boxes or springs. I cannot otherwise at present understand how the horse-boxes got off the line.

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Esq.

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66. Have you examined to see whether there was any thing wrong with the wheels, to account for their getting off the line? I have examined the wheels and springs, and found nothing broken, except they are much strained. There is nothing in the running to strain them as they are now.

67. *By Mr. Hay:* Do you know, Mr. Whitton, whether there is any difference in the elevation of the buffers on these horse-boxes from those of the tender and those of the third-class carriages? They are nearly the same. They are all made the same height.

68. But the buffers when used a long time do get down? Yes, a little, perhaps two inches; I have not measured to see the exact distance, but it is not lower than that.

69. Do you think the depression of the springs of the third-class carriages was caused by the accident, or partly existed before? The depression partly existed before, but has been increased by the accident.

70. Which would lower the buffers? Yes.

71. Are you aware if the carriages and all the rolling stock on the line is of the same width from the centre of the buffers? Nearly the same width.

72. I think I pointed out a considerable difference between the horse-boxes and the tender? The difference pointed out was between a first-class and tender.

73. From centre to centre there is a considerable difference between the buffers of some of the rolling stock? No; there is only a slight difference, indeed so small as to be of no practical importance.

74. But in case of the man shutting off the steam at the point where the train had the accident—there being considerable momenta—might not the buffers come then in violent contact, and cause the carriages to ruck up in a way? Yes, there would be increased pressure; but the buffers being equidistant from the centre of the carriage, the effect would be to compress them in their direct line of action.

75. Suppose any particular carriages or horse-box were oscillating violently at the time, would they not be rucked up—might there not be action (if the buffers were not opposite to each other) so as to throw one particular carriage upwards or towards the side, assuming that the carriages were oscillating violently? It might be so, if the buffers on one side of the carriages only came in contact.

76. If the carriages were oscillating the whole train would be rucked up if the centre of the buffer struck against the other which was not opposite;—the centre of one buffer might very much injure the centre of the other buffer, and might, in that way, give the carriage an impulse to the side? Yes; in theory it may do so, but in practice it would have little effect.

77. Then the carriages might have got off the line in that way? No; we have evidence that the steam was shut off on the top of the incline, and put on again before the accident occurred.

78. Are you sure that the horse-boxes did not run off the flange of the rail before they ran off the line? I could find no trace of a carriage having left the rails for more than twenty yards from Haslam's Creek Bridge. If it had done so, there must have been some mark on the ballast or sleepers.

79. Do you think the mark on the sleepers is caused by the flanges of the wheel? I do.

80. Do not you think it could be caused by any other part of the rolling stock getting deranged? I don't; for when I inspected the carriages and horse-boxes I found everything complete on them.

81. Suppose the man had not put on the steam when he said he put it on—at the level running, near the curve, preparing to take the incline on the other side—might not the horse-boxes, being off the line at the time,—might not the locomotive suddenly starting forward contribute to snap the coupling-chain? Yes; but we have strong evidence that the first horse-box was coupled to the tender with a screw-coupling, so that any pressure put on the engine would draw direct on the horse-box, without a jerk.

82. Does this not seem more like a jerk than a gradual pull? This might have been caused by the horse-boxes being off the line and coming in collision with the sleepers, so that, the whole train being retarded, occasioned the breaking of the screw-coupling.

83. Did it not strike you, on examining the line, that the train had not left the general direction of the rails on which it was running until opposite the first turn of the curve? Yes.

84. It had followed round for the first portion of the curve? Yes.

85. There was a part of the rail which was comparatively straight, and then a second bend? No; the curve at this part of the line is a regular curve.

86. The curve does not seem equally; it looks as if it were divided into two sharp points; it is a very difficult looking curve; my impression that it is divided into two curves; it is not at all uniform? It is being measured, and will be laid before the Committee.

87. *By Mr. Parkes:* You say that you discovered the first indication of the accident on the Parramatta side of Haslam's Creek—when you arrived on the spot, on which side did you find the rails? I found the mark of the carriage having left the rail on the right hand side of the roadway; but no damage was done to the roadway until the train had passed over the second bridge.

88. Near Sydney? Yes.

89. You did find some of the rails torn up? They were torn up on the Sydney side of the small bridge.

90. How many? I think three or four lengths of rails.

91. Did you immediately after the accident occurred cause an examination to be made of the rails, from where you first traced it up to Parramatta, to see if there was any impediment to assist in throwing the carriage off the rails? Not to Parramatta. I could not find that any impediment had been placed on the rails for a distance of 200 yards from where the horse-box got off the line.

92. You are satisfied with the rails? I am quite satisfied the rails had nothing to do with the accident.

93. *By Mr. Jones:* Is that part of the line in better condition than the other part? Yes; J. Whitton, Esq.
and the best part, except where additional sleepers have been inserted.
94. *By Mr. Scott:* You are perfectly satisfied that the carriages and horse-boxes went off the line, and not through the breaking of the screw-coupling? Yes. 17 July, 1858.
95. And the accident was not from the breaking of the coupling? No.
96. *By Mr. Jones:* The accident occurred before the coupling broke? Yes.
97. *By The Chairman:* Will you read that quotation from Dr. Lardner, with regard to the buffers.—“The evil consequences resulting from collision are frequently aggravated by the manner in which the carriages or waggons composing the trains are connected with, or adapted to each other. The mode of connecting the successive carriages forming a train is as follows:—From the end of the frame supporting each carriage, project two strong iron rods, which rest against spiral springs, and which are terminated by circular cushions about a foot in diameter, called buffers. When two successive coaches are brought into contact these buffers ought to meet each other, so that their centres should coincide. This requires that the buffers of all the carriages should have the same gauge, that is to say that there should be the same distance between their centres; and, secondly, that they should be at the same height above the rails. If this be not the case, a collision would have the effect of causing one carriage to push the other either under or upwards, as the case might be—aside, if the centre of the buffer deviated horizontally, and upwards, if it deviated vertically. In any case there would be a tendency of the coaches to throw each other off the rails.” There is no doubt that, theoretically, that is quite correct; but in this case there was no collision.
98. *By Mr. Hay:* If the train had been going at a considerable velocity—a great velocity—on approaching the top of the incline, and then the driver had shut off the steam at the top of the incline, the momentum thus given, might not that cause the train itself, the carriages, to rack up and produce the same action as is produced by a collision? I think the check thus given would not be sufficient to produce such an effect.
99. Still, *pro tanto*, it would have that effect? Yes.
100. And, combined with other causes, might assist in throwing the carriages off the line? We have it in evidence that the steam was not off the engine at the time of the accident, the driver having put it on at the foot of the incline.
101. That is, if it could be ascertained when the horse-box first got off the line? I could not trace any mark on the sleepers or sand, except at the point where I have stated the horse-box first got off the line.
102. Can you state from the first indications that you saw how far that was from Haslam's Bridge? I think about fifteen or twenty yards.
103. *By Mr. Weekes:* At what particular period did you take charge of the line? In September last.
104. Is it usual to test any portion of the iron-work of the carriages? No; it is not usual to do so.
105. Had a test been applied to this coupling-chain would it not have shown that it was made of inferior iron? If a strain had been applied to this coupling sufficient to break inferior iron, so severe a test would have permanently injured a coupling made of iron of the best quality.
106. Does it not have the appearance of cast-iron? It has not a good appearance.
107. *By Mr. Hay:* Could it be ascertained now, from any test, what is its quality? Yes.
108. *By Mr. Weekes:* Is it not clean broke, like cast-iron? Yes, it is.
109. Had it been tough iron would it not have broken with a rugged appearance? Yes.

Robert Boan, Engine-driver, called in and examined:—

1. *By the Chairman:* You are the driver of the train that left Campbelltown at 7-30 on Robert Boan Saturday morning, the 10th instant? Yes. 17 July, 1858.
2. When you left Parramatta for Homebush, did you drive at any part of the line until the accident happened above the usual speed? No, Sir.
3. In coming down the incline, before coming to Haslam's Bridge, do you think the incline, or any other cause, gave additional speed to the train? I cannot say any more than the incline.
4. You say you put on the steam at the foot of the incline? Yes.
5. Did you perceive the engine to jump away in any way unusual, and when? No, Sir, not until the accident had happened.
6. How far was it from where you clapped on steam to where you first perceived the engine jump away? I should think 200 yards—200 or 150 yards.
7. From where you first clapped on the steam and where you felt the engine jump away? Yes.
8. Two hundred yards? Yes.
9. Was that between Haslam's Creek Bridge and Parramatta—was it on this, the Sydney side, of Haslam's Creek Bridge, or the Parramatta side? It was on the Homebush side.
10. From the foot of the decline to Haslam's Creek Bridge, what is the distance, more or less? I cannot say.
11. Did you perceive in coming down the incline, or have you any means of knowing whether the train rucked up, or came up to the engine, and the engine drew it all the time you were going down the incline? I could not tell, because the buffers were close to the engine, and did not cause any push, except the usual running down an incline.
12. You could not feel it? No.
13. Do you believe the carriages run near one another down the decline at the speed you were going? Sometimes they do, and sometimes they don't; it just depends on chance.

- Robert Doan. 14. You perceived no collision of any sort? Not in the least.
15. You have no means of accounting for the accident except what you stated to Captain Martindale? No, I cannot.
16. Have you any knowledge of how the carriages were coupled? I know the engine was coupled with a screw-coupling. I did not know how the others were.
17. If you knew that the horse-boxes were coupled with centre-links instead of a screw-coupling, would you think it dangerous? It is usual to be coupled with a screw-coupling, and sometimes in another way.
18. Have you driven engines much in England? Yes. I was one year and a-half on railways in Ireland.
19. Have you noticed whether in passenger trains the horse-boxes and carriages are coupled with centre-links, and not with a screw-coupling? Generally with a screw-coupling.
20. Was it not always so? I cannot say. Every railway I have been on always had screw-couplings.
21. You think in fact that passenger carriages and trains were always coupled with screw-couplings? Yes; I never remember seeing it otherwise.
22. Would you think it dangerous if it were not so? They would be steadier if they had screw-couplings.
23. *By Mr. Jones*: They would be less liable to oscillate? Yes.
24. We have the evidence of one of the gangers that there was an unusual oscillation observed in the horse-box next to the engine—did you observe it? The horse-boxes generally do oscillate more than the carriages.
25. Did these horse-boxes oscillate more than usual? I can't say. I don't think they did oscillate more than usual.
26. It is stated in evidence that you pulled up your engine within 80 or 100 yards of where the accident happened? Yes.
27. Do you think it was that distance from where the engine jumped away and where the accident happened? Yes, from where the carriages turned over the point.
28. You are sure that it was that distance from where the engine was stopped? Yes.
29. How are you sure it was that distance from where it stopped? I reversed the engine, and put on the steam and stopped it, and then came back.
30. You were about 100 yards from where the carriages were lying on the bank? Yes.
31. They followed you for some distance? I felt nothing when they parted from the engine. The fireman cried, "stop." I reversed the engine, and when I turned round I saw the horse-boxes going off the line.
32. Can you form an idea how long the time was? A very few seconds.
33. *By Mr. Parkes*: Some of the carriages fell on each side? I don't know.
34. *By Mr. Hay*: Did you observe the particular position of the train after the accident? No. I did not stop one minute after I went back to the guard.
35. *By the Chairman*: You saw a fatal accident had occurred and went to Sydney? Yes. I first asked the guard if I should go back to Sydney.
36. *By Mr. Parkes*: Will you state what you witnessed when you got your engine back to the spot where the accident occurred? I saw one of the carriages lying on one side, and one across the down-line. I did not see anything else. I asked the guard if I should go on to Sydney for help, and he said go on.
37. *By the Chairman*: Did you ask if any body was killed? I don't think I did, and I thought some body was lamed.
38. Where were the other carriages? I think they were on the same line I came down.
39. Did you only see one carriage on this side? Yes, only one.
40. Did you see the horse-box on the other side? I can't answer for it; I did not look at them. I do not know whether it was on this side or on the other.
41. At the moment of the accident, did any cause for it occur to your mind? No, I could not say.
42. Nothing occurred to you? Nothing at that particular time.
43. *By Mr. Hay*: Have you formed any opinion since? I could not say, unless it was a bad joint.
44. In the rails? I did not notice it.
45. Could you from your experience, and looking at the speed—do you think the oscillation might increase by not having a screw-coupling, and the accident be caused by the centre-links being used instead of a screw-coupling? It would cause a little more oscillation.
46. Would it render such an accident more likely to happen? I should think it would.
47. Will you state to the Committee what is your impression as to any order being issued from the head of the department as regards making up time when you start late? We have not to make up the time we stop at a station. We only have to go at a pace so as not to lose time in the actual running.
48. On this occasion were you late in leaving Parramatta? Two minutes.
49. Did you drive any faster on that account? No.
50. Did you ever drive any faster on that account? No; I never did.
51. *By Mr. Jones*: You are simply responsible for keeping your own running time? Yes.
52. What speed are you limited to on that portion of the road between Parramatta and Homebush? Just the regular running time.
53. The time that is given to you to go between Parramatta and Liverpool will require what amount of speed? About 24 miles an hour.
54. Are you quite clear that you went not exceeding that rate before the accident took place? Yes, I am.
55. Did you pay particular attention to the oscillation of the horse-boxes? Not particular.
56. Is it part of your duty to pay attention to anything behind you? Yes; I generally look behind whenever I have the opportunity. My duty is to look forward and see there is nothing on the rails.

57. Is it the duty of any one to look, after the starting of the train, backward? Yes, the Robert Boan, fireman; it is his duty to look behind.
58. Have you ever been fined for losing time? No.
59. Are you aware of any drivers at present on the line that have been fined? No, Sir.
60. *By the Chairman:* Have any old drivers lately been dismissed from the service? No; I don't think there has.
61. You don't know of any change in the drivers? Yes; there has been one change.
62. What was that change? A driver was taken off the passengers train and put on piloting.
63. Why? I could not say.
64. *By Mr. Jones:* What is the duty of a pilot engine—is it to take the engine when it comes in with the train, and to take special trains? Yes.
65. This is a promotion? No; it is less wages.
66. *By the Chairman:* Was he an old driver? I don't know.
67. Do you know why this change was made? No.
68. *By Mr. Weekes:* Are there any drivers on the line noted for being fast drivers? Not that I know of.
69. Do you know of any trains that were brought in before the appointed time? No.
70. Then, drivers keep the time as given them, and you know of no fines that have taken place? No.
71. *By Mr. Jones:* Do you recollect what time it was you left Parramatta on that morning? Forty-seven minutes past eight o'clock.
72. Did you ascertain the time the moment the accident occurred? Yes; I pulled out my watch at the minute.
73. What time was it? Fifty-six minutes past eight.
74. Then you had been nine minutes travelling to that point where the accident occurred? Yes.
75. Are you quite clear where you put on your steam before the accident occurred? Yes. I generally put it on at a particular place, and keep it on clear up the hill.
76. Coming down the incline? I did not say I put it on coming down the incline.
77. I understood you to say, when you got to the bottom of the incline you put on your steam? Yes.
78. Are you sure you put it on before you got on to the level? No, I did not. I did not put it on until I began to go up the incline.
79. You shut off your steam when you got to the top of the incline? Yes.
80. You shut it off before reaching Haslam's Creek Bridge? Yes.
81. When did you put on the steam again? When I was rising the next incline.
82. *By Mr. Weekes:* Is the incline before you come to the curve? No; the curve is on the incline.
83. *By Mr. Hay:* Is there not some distance of level running between the two inclines? Very little.
84. Where did you put the steam on, as near as you can recollect? I cannot recollect. I know it was the bottom of the incline. When I am rising the other incline I generally put the steam on.
85. How long before you felt the carriages break away had you put the steam on? I think 150 to 200 yards.
86. You mean, from the spot where the coupling-iron broke you think it was 150 to 200 yards from where you had put on the steam? Yes.
87. Then, in point of fact, you believe you had left the down incline before you put on the steam? Yes.
88. And were preparing to take the up incline to Homebush? Yes.
89. Had you felt anything unusual before the coupling-iron broke? Nothing at all.
90. *By the Chairman:* Look at that coupling-iron—do you think it good iron? It is short; in my opinion it is short iron.
91. What do you mean by short? Brittle.
92. If good iron, would it have broken in three pieces or two pieces—would that be the case with good iron? It depends on circumstances. Some iron straightens right out, some tears away.
93. Does it give you the idea of being broken by a sudden jerk or being broken by pressure? I think a sudden jerk.
94. From the horse-boxes being off the rail? Yes, and getting into the sand.
95. *By Mr. Weekes:* Have you had much experience in the qualities of iron? I have been about railways and machinery all my life, and served my time to an engineer.
96. Would not cast iron fracture in that way? Yes, just like that.
97. Would not the appearance in some qualities of iron be different according to the pull, or sudden jerk or blow? I could not tell.
98. Under any circumstances, tough iron would break in a rugged form? Yes, it would.
99. *By Mr. Parkes:* You had been a driver eighteen months, I think, before you came here, and six months on this line? Yes.
100. Were you ever driving at the time of any accident here or in England? No.
101. Have you ever apprehended an accident since you held that position, from any cause—have you expected, or been under a feeling of alarm lest an accident should occur when driving? No, not particularly, as I always take very great care.
102. Nothing has occurred during your experience to give you an extra reason for being careful? I could not say that.
103. You have never, at any time, thought within yourself of an accident occurring, or of something that might cause one? Yes, and that always makes me very careful, especially when I am running the trains, to be always on the look out for anything to occur.
104. On this particular occasion you had no apprehension of any accident whatever? Not in the least.

- Robert Boan. 105. And you cannot ascertain any cause for the accident? I cannot, unless something was wrong with the rails which I did not notice; I cannot tell anything else.
- 17 July, 1858. 106. *By Mr. Weekes*: You did not feel more alarm in driving on this railway than you did in driving on the railway in Ireland? It just depended on circumstances.
107. Generally speaking? Generally speaking, I did not.
108. *By the Chairman*: Did you find more jumping on these rails than you were accustomed to at home? They do. They are not so good as other lines.
109. What lines? All I was on.
110. Did you notice any difference in the line between Liverpool and Campbelltown, and Sydney and Parramatta? Yes.
111. Which is the best? Liverpool and Campbelltown. I never drove on any rails like those before.
112. *By Mr. Weekes*: Is the oscillation very much greater on the line from Sydney to Parramatta than from Liverpool to Campbelltown? I think it is.
113. What other peculiarity did you notice in your engine or carriages on the Parramatta line as compared with the Campbelltown line? I cannot say, except the rails.
114. What effect—do you find more jumping with these rails? I do.
115. You find a perceptible difference? Yes; a great deal of difference.
116. *By Mr. Purkes*: Since this accident occurred you have been since driving on this line? Yes.
117. Don't you think if this accident occurred without any assignable cause that you are still in danger of some other accident occurring of a similar character? I dare say there might.
118. Do you feel any alarm in consequence? Not for myself.
119. *By Mr. Hay*: Were you accustomed to go at a considerable speed on Irish railways? Yes; we went very fast both in England and Ireland.
120. That is one of the best pieces of the Sydney line between Parramatta and Homebush? Not particularly the best.
121. There are not so many curves as approaching to Sydney? Yes.
122. More straight running? Yes.
123. Were you going at all fast beyond the incline on that occasion when the accident happened? No, I was not.
124. You were not going at any particular speed? No, I was not.
125. Have you ever known of carriages and rolling stock going off the line before? Yes, at Campbelltown.
126. In your running? No.
127. You have heard of a carriage being off the Campbelltown line? I think it was a carriage.
128. You have not heard of carriages being off the Sydney line? No, I have not.
129. If you have heard it, you had better let us know? I heard that a horse-box went off the rails nine months ago between Parramatta and Homebush.
130. *By the Chairman*: From whom did you hear it? I cannot say.
131. Do you believe it was true, from the person you heard it? Yes.
132. *By Mr. Weekes*: It was talked among the drivers and men generally? Yes.
133. *By the Chairman*: Do you recollect in Ireland and England the position of the horse-boxes, whether they were next to the engine or at the end of the train? I have seen them in both places.
134. There is no particular rule? No.
135. *By Mr. Jones*: Where would you think the horse-boxes should be stationed—near to the engine, or far from it? I should prefer to put them on behind.
136. Would not the possibility of their getting off the line be greater? I don't know.
137. Where is there the most oscillation? Generally at the end.
138. *By Mr. Weekes*: You have driven with horse-boxes near to the engine, and with the carriages after? Yes; sometimes placed at one end and sometimes at another.

Mr. Richard Darby, Railway Guard, called in, and examined:—

- Mr. R. Darby. 1. *By the Chairman*: You were with the train on Saturday, the 10th instant, when the accident happened? I was.
- 17 July, 1858. 2. Have you anything to add to the evidence you have given before Captain Martindale? No, nothing. I told him what I knew.
3. You are satisfied that the pace did not exceed twenty-five miles an hour? I am.
4. Have you any evidence or authority to give to shew that your opinion was well founded? I know we were not going beyond our ordinary speed, and our time is sufficient to shew us that we did not gain, or lose either, at that pace.
5. Has anything occurred since the accident that will give you an idea why it happened? No.
6. Have you travelled long on the Parramatta line? Since it opened.
7. Have you travelled on any other line? Yes. I have done duty on railways twenty years ago.
8. Where? In England and Ireland.
9. Do you know anything of coupling of passengers' trains and carriages in England? I do.
10. Is there an invariable rule of coupling carriages and horse-boxes with screw-couplings instead of centre-links? We generally couple the horse-boxes with the carriages with a screw-coupling, and the horse-boxes together by drop-chains, when we have two horse-boxes together.
11. What is the rule at home—in Ireland and England? I cannot say.
12. You say that is commonly the case? Always, wherever I have been.
13. Do you think now, from your experience, that the practice of fastening horse-boxes together

- together by centre-links is dangerous? I think it more safe if they were fastened by a ^{Mr. R. Darby.} screw-coupling.
14. Has there been any order on this subject from the Chief Commissioner since the accident? ^{17 July, 1858.} I have not heard it.
15. He has said he gave an order? I have not heard it. There has been nothing said about using a screw-coupling.
16. Have you ever heard of carriages having gone off the line before? I have.
17. When? I cannot recollect the time.
18. More than once, or only once? Once a horse-box got off, pretty near the same place as the accident occurred.
19. When was that? Eight or nine months ago.
20. Was it coming this way? Yes.
21. Near to the same place? Yes; between Homebush and Parramatta.
22. Do you remember how near the horse-box was to the engine on that occasion? It was on at the end of the train.
23. No serious consequences resulted from that accident? Yes.
24. Did you report it? Yes.
25. Who did you report it to? I think to Mr. Brady.
26. What was done at the time of the accident? We got it on the line as well as we could.
27. Were you guard of the train at the time? Yes.
28. What did you do? We stopped the train as soon as we could.
29. How? By my screwing on the break, and the engine-driver putting off the steam.
30. How far was it driven before it stopped? A good distance.
31. About how far? I could not say.
32. *By Mr. Hay:* Was it half a mile? Not half a mile, or quarter of a mile.
33. *By Mr. Parkes:* Was it 300 yards? It might be, but I could not recollect.
34. You put on the break, and the engine-driver felt it, and stopped? Yes. I got down and found the wheel off the rail, and by the help of some man on the road, and Mr. Gibbons, we got it on again.
35. And the train went on as usual? No; it went at a slow pace to Homebush.
36. Was any damage done to the horse-box? Damage was done to the horse-box.
37. Did you carry it on? No; we left it at Homebush, and went on to Sydney for another instead.
38. *By Mr. Hay:* The horse-box was the very last on the train? Yes.
39. Only one horse-box? Yes.
40. How were they coupled? They must have been coupled with a screw-coupling, because there are no centre-links to our carriages.
41. *By the Chairman:* Do you think with a screw-coupling the accident would have occurred? I cannot say.
42. Was that the only instance you know of carriages going off the line? I cannot say. I have known the engine many times to mount and get over two wheels or so.
43. Has that been while running on a curve, or a straight line? I know it has happened on the Parramatta side, in the straight line.
44. What was done on this occasion? We lifted on with a screw-jack.
45. Has this been reported to the proper officer? Yes.
46. Was anything done in consequence? Always to see that the road was the proper gauge. I don't know what was the cause.
47. Did this happen more than once to the engine? Yes.
48. Do you know what engine it was? Yes.
49. *By Mr. Hay:* How long ago? This might be something more than the time of the horse-box going off.
50. Did it happen to the Governor General Engine? No, I don't think it was.
51. *By the Chairman:* Do you recollect any case where the goods train got off? Yes; I recollect the goods train got off at Burwood. It was no fault of the carriages, but the handle of the break got down into the road.
52. Was that reported? Yes; all things like that are reported.
53. Do you remember how long that was ago? It was a good while ago, may be four or five months ago.
54. *By Mr. Jones:* You have known one instance, or many, of engines mounting and getting off the line—have you heard of the speed they were going at, or was it when starting? Generally at starting; I never knew of it going off the line when running, unless it came in contact with some animal—it has jumped off the line by killing a bull.
55. You never knew the engine to go off the line after starting? No; generally at starting, and over our cross points of the line.
56. Do you think a horse-box or any carriage is more likely to get over Barlow's rails, or double headed rails? I could not say.
57. Have the Barlow rails a tendency to be inclined? I think them pretty straight.
58. The edges are put on either side? They are not put on each sleeper.
59. Is not one outside one sleeper and one inside on the other? I heard that some new edges were put on near where it is supposed the horse-box got off the line.
60. The shape of Barlow's rail being broad, if affected by heavy traffic would it not be more likely that a light machine like the horse-box, compared with the engine, would get over it sooner than if it were a double-headed rail? I don't know. I could not form any idea.
61. *By the Chairman:* On the day of the accident had you your attention directed to the horse-boxes more than usual? No.
62. You did not notice more oscillation? No.
63. How do you communicate with the driver, in case of noticing an accident? The only way

Mr. R. Darby. way is, I keep a constant look-out; I have a red flag, and if I see anything wrong I hold it out, and screw the break on and whip it off, that gives a jerk. That generally catches their notice. In the day-time I have a red flag in my hand, if it is in the night I have a signal lamp with the same colors.

- 17 July, 1858.
64. Have you often occasion to do that? Yes; sometimes.
65. Does it produce a shock of any consequence, your suddenly screwing the break on and suddenly letting it off? Not more than they may feel it.
66. It is strong enough to be felt by the engine-driver from the end of the train? I don't know what shock it gives him—that is what I do.
67. It is sufficient to call their attention? Yes, I think so, if put on tight.
68. Do you think that guard is likely to test any part of the machinery, such as the coupling-iron? I don't think so.
69. Are you a judge of iron—have you any experience in iron? No.
70. *By Mr. Parkes:* I think you said, before the accident happened you never had any instructions as to the mode of coupling? My instructions were to couple the passengers carriages with screw-couplings.
71. Not with the horse-boxes? I always put on centre-links and loose chains when there are two horse-boxes.
72. What were the instructions you had, whether verbal or in writing, respecting coupling the various carriages and horse-boxes? My instructions were to see them properly coupled up and screwed tight.
73. Did you receive the instructions in writing? Yes; I have them at home.
74. And do they expressly state that you were to couple the horse-boxes with side-chains? Nothing in them with regard to horse-boxes. We always consider that the proper way, and it is always done.
75. You never had any directions as to the connection of horse-boxes? No.
76. Since the accident occurred, if any instructions were issued they ought to have reached you? I was at Campbelltown yesterday, perhaps when the instructions were issued. I did not get them.
77. At this time you know nothing of the instructions? Nothing further than from what I heard from the men. I saw two horse-boxes going on the line with horses belonging to Mr. Buck; I saw that the horse-boxes and carriage trucks were put together with a screw-coupling.
78. Did you make any remark on this to any of the servants on the line? One did make a remark to me; he said that there was an order that screw-couplings should go to the horse-boxes.
79. *By Mr. Hay:* Talking of screw-couplings—how are the goods trucks coupled? Always with draw-chains.
80. Instead of screw-coupling? I have seen them generally with draw-chains.
81. In fact the same rule is applied to coupling horse-boxes as to goods trains? Yes.
82. *By the Chairman:* Have you altered your opinion as to this accident? No.
83. *By Mr. Jones:* Do you recollect the time you left Parramatta on the day of the accident? Two minutes late—47 minutes past 8.
84. Did you notice the time the accident occurred? I did not; I was too much frightened; I did not know what I was doing; I did not think of looking. The reason I am so particular about knowing the time we left Parramatta was, we had two horse-boxes put on, and we were trying to keep our time. The head porter at Parramatta said to me, "How much late is it?" I said, "Only two minutes, George;" and he said, "Only two minutes—that is 'nothing'."
85. *By the Chairman:* The horse-boxes were put on at Parramatta? Yes.
86. *By Mr. Jones:* Were you engaged in putting them on? Yes, I assisted in doing so, while the porter was screwing up the coupling. I put on one chain one side, and waited until I saw him put up the other.
87. Were you sure that the horse-box coupled to the tender, and the horse-box coupled to the carriage, were coupled properly? Quite so; I am quite certain that they were attached properly.
88. The two horse-boxes? I am.
89. Do I understand you to say, that it is an invariable plan where there are two or more horse-boxes, and when the train is a passengers train, to connect the horse-boxes by means of centre-links and side-chains instead of a screw-coupling? No; I have seen screw-coupling used sometimes.
90. And you say you couple them with centre-links and side-chains? Yes.
91. Do horse-boxes frequently travel with passengers trains? Yes.
92. Have you had more than two? I have had frequently two, and sometimes three.
93. You don't see any reason why this accident should occur in this way, because the two horse-boxes were coupled together with centre-links? No; I have frequently travelled with them in the same way.
94. And quite as high rate of speed as the morning of the accident? At a greater speed sometimes on some part of the road. There is a smooth part of the road where we have travelled at a greater speed than we travelled that morning.
95. Are you inclined to think the accident arose from the way the two horse-boxes were coupled together? I cannot think so.
96. Where do the horse-boxes generally travel? Generally next to the engine coming from Parramatta.
97. Are they supposed to be steadier there, or more convenient for getting the horses out? I think they ought to be more steady there. I have frequently noticed they roll more behind than before.
98. Did you take any special notice of the horse-boxes on the morning of the accident—were they

- they rolling in an unusual way? I did not notice; the morning was very cold, and I kept walking up to the break.
99. Did you observe anything unusual? No.
100. Did you observe anything unusual as you came down to the incline at Haslam's Bridge? I did not.
101. Did you observe any sudden increase of speed from the incline to the bottom of the bridge? I did not.
102. Were you aware of the accident before the centre-piece broke away? I was not aware of it for half a minute before it occurred.
103. Is there any difference in the horse-boxes used on the line—have you observed one or other horse-boxes more inclined to oscillate on the line? I never noticed one more than another.
104. This one is the one made in the Colony? Yes; we always considered it a good one.
105. What do you mean by a good one? A good, steady, running one.
106. Less likely to oscillate than the other horse-boxes? Yes.
107. *By Mr. Hay*: Did you take particular notice of the train after the accident happened? I did.
108. Where was the new horse-box? The new horse-box was down the bank, and near the bottom of the embankment; the other horse-box was next to that.
109. Was it so far down the embankment? Yes.
110. Where were the three third-class carriages? On the edge of the bank.
111. All on their sides? Yes.
112. *By Mr. Jones*: Was not the first of the third class carriages partly down the embankment? Yes, a little.
113. *By Mr. Hay*: And where was the break-van? It stood across the 6-feet road, with the two fore wheels on the up-line, about half way across.
114. Did all the couplings remain unbroken—did the carriages remain coupled together? They were not broken until afterwards.
115. Did many of the couplings remain good? I don't know.
116. *By the Chairman*: Did the train make a sort of curve? Yes; the first horse-box that was near to the engine was nearly up to the third-class carriage at the middle of the train.
117. *By Mr. Hay*: When the horse-boxes went on the bank they came to a stop by the depth which they ploughed into the sand and clay; if the box then swerved, the position would have been reversed? Yes.
118. And thrown on the opposite side? Yes.
119. The break-van stood right across? Yes.
120. And the first and second class carriages? The first-class carriage was next to the break, and got the fore wheels on to the six-feet, and the other wheels got behind.
121. Where was the second-class carriage? It was right behind the first-class carriage, with all four wheels off the line.
122. Which side? The same side we were running on. The third-class carriage was behind that. I am not sure whether two wheels were off the line or not.
123. Off the rails? Yes.
124. *By the Chairman*: The train formed a complete curve? Yes.
125. Were any of the first-class passengers injured? No. One person who was injured came and spoke to me afterwards.
126. Did you hear of Mr. Fullager and Mr. Roberts jumping out of the train? No.
127. *By Mr. Weekes*: You have had great experience in railways from being guard for many years? I was not railway guard in Ireland.
128. What were you? I was mail guard, travelling by the railway.
129. With all your experience, are you satisfied that on the morning of the accident the train was not going faster than 20 to 25 miles an hour? Between 20 and 25 miles. If it was 25 miles I go to the utmost.
130. You have no doubt of it? I have not the slightest doubt of it. I think, if I had not run to the break, it would have brought another carriage with it. I put it on as fast as I could, until I was knocked away, and the break was broken.
131. What broke it? The concussion. I was thrown into the door.
132. You might have lost your life? Yes; if it was not for the door I might have been killed. I think I stated that by screwing it up I prevented more carriages going over.

George Kingston, Head Porter at Parramatta, called in and examined:—

1. *By the Chairman*: Have you considered the evidence you gave to Captain Martindale, and have you anything to add to it? No.
2. Is there any particular instruction as to coupling with centre-links instead of screw-couplings? There is no general rule.
3. What is the rule? To couple with links when they are on them.
4. When there are no links? We put on a screw-coupling.
5. Have you been accustomed to railways in England, and do they couple with centre-links there? Yes, in the case of trucks.
6. But do they on passenger trains couple with centre-links—are they not always coupled by screw-couplings? Most of the horse-boxes have no centre-links on them, and a screw-coupling is forced to be used.
7. You don't know that as a rule screw-coupling is used? No.
8. Do you consider there is any danger from the centre-links being used? No.
9. *By Mr. Hay*: Who do you look to for your orders? It depends what they are. Mr. Falding, when any work is doing.

- G. Kingston. 10. As to the coupling of trains? We all look to him. Every one does his work, and the guard looks and sees that the train is all right.
- 17 July, 1858. 11. Who do you look to for instructions, if you want any? The guard tells us if anything is to come off or be put on, and we do it.
12. Men in your position are expected to have a certain education? Yes, to do the work as it ought to be.
13. *By Mr. Parkes*: When were you first employed on this line? In 1856.
14. You have been employed in the same capacity ever since? No; I went first as policeman at Parramatta; I was changed up to Liverpool, and am now porter at Parramatta.
15. How long have you been porter at Parramatta? Twelve months, I think.
16. When you were first appointed porter, had you ever been porter before on a railway? No; I was pointsman.
17. When you were appointed as porter, did any one give you instructions as to your duty? Mr. Brady.
18. You could not be supposed to understand them without instructions? I had worked with porters at home.
19. You had to be told what to do—there was always one with you to give you instructions as to any work you had to do? Yes.
20. What did your instructions consist of—did you have any printed instructions; or did they consist of being told for two or three days by some other person what to do? We had a book of rules—the rules of the railway when we first entered the service. I cannot say what they are now.
21. I am speaking of the time you were appointed;—when you obtained the situation as porter how did you get acquainted with the work? By working with some of the porters, who saw whether we could do the work.
22. When you first went on the railway at home you were examined to see whether you could do your work or not? Yes. Not so here.
23. What railway was that? The North London.
24. How long were you there? Five years.
25. What duty did you perform? Pointsman, and part of the time second porter.
26. What was your examination when you were made pointsman? I was asked all about points. I did the turns and signals. The first three days I was there, there was another man with me.
27. The first three days after your appointment there was another man to see that you did understand them? Yes.
28. You went through no examination here? No.
29. Was any person appointed to see you do your duty after the first three days? No. We have the regulations printed, as in England.
30. Do you regard them the same as you do in England? Yes.
31. *By Mr. Jones*: You coupled the horse-boxes together? Yes.
32. You are quite sure you coupled them correctly? Yes, and secured them with side-chains.
33. *By the Chairman*: Were any instructions given to you about coupling with only screw-couplings for the future? No instructions. We had before to see that all was properly coupled.
34. When did you leave the line to come here? At 8:45.
35. No orders had reached Parramatta at that time to couple only with screw-couplings? We have coupled since the accident with screw-couplings, but there are no orders.
36. Why have you done this? I don't know why we have done so.
37. Does not any reason occur to you for doing so? I don't know. I think the centre-links hold the train as tight.
38. As you have a good opinion of coupling with side-chains and centre-links, what made you put the screw-coupling on instead? I don't know any particular reason.
39. Was any thing said at the examination on Saturday last about these centre-links that induced you to put a screw-coupling on since—were you told at the examination to put them on? No.
40. *By Mr. Weekes*: Are you allowed to make these alterations? No; but when a screw-coupling is handy we put it on.
41. Suppose with passengers carriages the screw-coupling was not handy would you put it on? We could not couple the carriages without it. It is the horse-boxes that are coupled with centre-links.
42. *By Mr. Parkes*: It would appear you fastened the horse-boxes with centre-links without any particular reason? Yes.
43. You now, since the accident, fasten with a screw-coupling, without any reason? Yes. I think there has only been one horse-box put on since the accident. I noticed it was from Sydney—it had a screw-coupling.
44. *By the Chairman*: Have you been some time on the line? Yes.
45. Do you know any thing of carriages having gone off the line before? I heard of a horse-box.
46. Do you know it of your own knowledge or did you hear of it? No, I heard of of it.

John Hooper, Porter at Parramatta, called in and examined:—

- John Hooper. 1. *By the Chairman*: You have nothing to add to the evidence you gave before Captain Martindale? No.
- 17 July, 1858. 2. *By Mr. Jones*: Did you couple the engine with the horse-box? Yes.
3. You are sure you screwed up the coupling tight? Yes.

John

John Creasy, Porter at Parramatta, called in and examined:—

1. *By the Chairman*: You have nothing to add to the evidence you gave before Captain Martindale? No.

John Creasy.
17 July, 1858.

Mr. George Fitzmaurice, Station Master, Sydney, called in and examined:—

1. *By the Chairman*: You gave evidence to Captain Martindale—have you anything to add? Yes.
2. Is it an error? Yes. In the evidence it is stated I saw the lever—it was the regulator I saw. I could not see the lever, because a man stood in front of me. The lever I did not see; we were going at full speed.
3. Do you think you were going more than twenty-five miles an hour? Not more than twenty-four miles.
4. Have you, since the accident, had anything suggested to yourself so as to form any opinion of the cause of the accident? I only have the convictions of my mind.
5. What is your conviction? Such a thing may occur if, coming down the incline, the steam is put on too suddenly; it would cause the horse-boxes to jerk up on a deflection of the line. I have not traced the circumstances.
6. Was the steam put on too quick? I am not sure; I did not watch the man.
7. Where did he put on the steam? At the foot of the incline.
8. How far from Haslam's Bridge from Sydney? About this side of the bridge.
9. Was it a considerable distance off the incline? When I noticed him touch the regulator it was this side of the bridge.
10. Do you know anything about the coupling of carriages? Yes.
11. Does it strike you that two horse-boxes being coupled with centre-links instead of a screw-coupling would have anything to do with the oscillation? It would make a decided difference.
12. Have you been accustomed to railways at home? No.
13. You don't know what they do practically in England? I don't.
14. You think when coupled with chains they make less oscillation? I think they make more.
15. Do you think that sufficiently great, coupled with some other trifling cause, to throw them off the line? I should think not.
16. Have you ever heard of carriages, horse-boxes, or trains being off the line? I have heard of trucks being off the line.
17. How long ago? I think a month ago.
18. How long have you been on the line? Three months.
19. On the Parramatta line? Yes.
20. *By Mr. Jones*: Can you recollect about what distance from the spot where the engine left the train the steam was put on—the distance before the severance? I think about 100 yards. I know scarcely any time before he reversed the engine.
21. *By the Chairman*: Did you feel the engine jump away? I felt it shoot a-head.
22. *By Mr. Jones*: When the breakage took place? Yes.
23. You think it was 100 yards? Yes.
24. Was the steam not put on in an unusual way? No; I believe in the usual way. I was watching the regulator when the steam was put on. I did not perceive it, it was so gentle.
25. It was so gentle that you could not perceive it? If it had been put on quick I must have noticed it.
26. *By Mr. Weekes*: Was the engine shooting a-head the first notice you had of the accident? The stoker turned round to see if there was anything.
27. Before it occurred, did you feel anything? I felt a jump just before the stoker looked round.
28. A shock? A jump.
29. *By Mr. Hay*: Had the train been proceeding at a more rapid pace from Parramatta to this place where it happened, and as you came to the top of the incline? It had. On approaching the incline the man shut-off the steam.
30. Before that the train was proceeding at a rapid pace? I should say a considerable pace; I should say for within a mile of the accident.
31. *By Mr. Jones*: At what rate? Twenty-three or twenty-four miles an hour.
32. Not more? No.
33. Did you know the time of the accident? No, I did not.
34. *By the Chairman*: Did you come up to Sydney? No. I stopped behind, and tried to find out the cause of the accident.
35. *By Mr. Weekes*: Are you aware that any complaints were made of the drivers being late long before this time? They were complained of about the beginning of June. I was appointed Traffic Inspector to keep them in their proper time, and for ascertaining the cause of their being late, whether they were delayed at the stations or not.
36. Are they subject to any punishment or fine for losing any of their running time? If they lose time in running they are subject to punishment. If detained at the stations beyond the time we come in so many minutes later.
37. Are they subject to the same penalty for arriving too soon as well as too late? It is just as bad to be too soon as too late.
38. Are they held responsible for one as well as the other? Yes.
39. *By the Chairman*: Do you know any instance of the station master being punished for the late starting of the train? No.
40. Or for any cause? We have had station masters removed.

MONDAY,

MONDAY, 19 JULY 1858.

Present:—

Mr. DONALDSON,
Mr. EGAN,
Mr. HAY,

Mr. PARKES,
Mr. SCOTT,
Mr. WEEKES.

THE HON. STUART A. DONALDSON, ESQ., IN THE CHAIR.

Captain B. H. Martindale, R.E., Chief Commissioner for Railways, and John Whittton, Esq., Engineer-in-Chief, present in the room.

Alfred Brown, Esq., of Wide Bay, called in and examined:—

- A. Brown, Esq.
19 July, 1858.
1. *By the Chairman:* Were you a passenger in the railway train on Saturday, the 10th instant, when the fatal accident occurred near Haslam's Creek? Yes.
 2. What carriage were you sitting in? A first-class carriage; I believe the only first-class carriage in the train.
 3. You were in no danger? No.
 4. Will you favor the Committee with any impression the accident has left on your mind as to the cause of the accident, whether the rate of speed at which you were travelling was usual or unusual? I consider our highest rate of travelling to have been about forty miles an hour. It is difficult to estimate the time in such cases, and I can hardly say how long we were going at that rate, but until we were about a mile from the place where the accident occurred we were going at a moderate pace. The speed was then increased, and Mr. McDougal, who was with me—indeed we both—noticed the unusual speed that the train was going. My impression is that it was going fully forty miles an hour.
 5. Have you travelled much by railway in other countries? Yes, both on the Continent and in England.
 6. Have you been in the habit of timing the rapidity of trains on railways on the Continent and in England, by your watch? I have occasionally done it in England.
 7. You feel some confidence then in expressing an opinion as to the speed at which this particular train was travelling? I do; perfect confidence.
 8. Can you inform the Committee whether the sudden increase of speed began at the top of the incline before you cross Haslam's Creek? I know there is such an incline, and I believe it commenced about that spot. My impression is that the speed increased when we were about a mile from the spot where the accident occurred, for we had time to remark upon the speed before it happened.
 9. Did you notice any check to the train by the rucking up, or falling down, of the carriage, before the accident? What my attention was first called to was a slight shock, and then I felt convinced that we were off the line, for the carriage appeared as if it were drawn very rapidly through the ground—as though it were ploughing the ground.
 10. As a matter of fact, was your carriage off the rail when you pulled up? Yes; our carriage was the first after those that were thrown off, and was standing in the direction of the line, but not upon the line.
 11. Had it crossed the other line? No; indeed it had gone in the contrary direction; all the others had gone to the right of the line, ours had gone to the left.
 12. Would you recognise if I read the order of the carriages on the line:—"Position at the time of leaving Parramatta, where the horse-boxes were attached:—
 " 1. Engine.
 " 2. 2 horse-boxes.
 " 3. 3 third-class carriages.
 " 4. 1 break-van.
 " 5. 1 first-class.
 " 6. 1 second.
 " 7. 1 third.
 " 8. 1 B goods-truck.
 " 9. 1 C goods-truck.
 " 10. 1 A goods-truck"?
- I think that is correct.
13. That you recognize as the position of your first-class carriage? Yes.
 14. The other carriages had gone off to the right of the line, yours to the left? Yes.
 15. Facing Sydney? Yes. I know that upon stepping out of our carriage it was leaning to the left.
 16. Might not that have been the case if the wheels had been between the rails? Yes, it is just possible.
 17. It might have been the case if the right hand wheels were between the lines of rails? Yes, it might be so; but I do not think it probable, because the ballast is level with the rails.
 18. On what side did you get out? The left.
 19. And you found the carriage leaning over? Yes.
 20. Did you get on the bank? On the left bank of the railway, just on the edge.
 21. Do you recollect the position of the break-van in relation to your carriage? No.
 22. Did you embark, as it is termed, on the train at Parramatta? Yes.
 23. Did you notice in what way the horse-boxes were fastened to each other, or to the tender? No; they were attached in a very short space of time.

24.

24. Was your attention drawn to it after the accident? No; after the accident I was engaged in attending to the passengers.
25. Have you often travelled on the Sydney and Parramatta Railway? Yes.
26. Have you noticed the speed at which the train has travelled between Parramatta and Homebush on previous occasions? I think it travels more rapidly there than between any other stations.
27. Did the speed when you thought it increased to nearly forty miles an hour cause apprehension to yourself, or other passengers? I did not feel any fear, but it struck me as somewhat unusual, and perhaps dangerous; more, I think, from the oscillation of the carriage, from the line of the rail not being so steady between this and Parramatta, as on those lines I have travelled upon at home.
28. Have you ever known or heard of an instance of any carriage or horse-box having been thrown off this Parramatta line before? I have not known it myself; I have heard of it as a matter of conversation, and it has been spoken of in the course of conversation as though it were not uncommon.
29. With whom have you had conversation—who has so spoken of it? I think it was with a stranger in the train.
30. Can you recollect with any distinctness when you first felt this plunging through the ground, as though the carriage were off the line? I felt it very distinctly.
31. Where was that? I calculate it by time,—though I was certainly in suspense, and it is difficult to estimate time under such circumstances. I said to my friend, "Something serious is going to happen;" and I sat still, expecting every minute the train would be over the embankment, and then the train came to a stop.
32. How many seconds should you say elapsed? I think fully a minute—at least so it appeared to me. My impression at first was that there was a collision. I looked to the right hand and saw the carriages on the opposite rail; these must have been the carriages that were thrown off.
33. You passed those that were doubled up backwards towards Parramatta? Yes.
34. That could have been the operation of a very few seconds? Yes.
35. You felt the concussion before you saw the carriages? Between the time that I felt apprehensive something would occur and the actual occurrence of the accident, there was, I think, a lapse of about a minute. The curves upon these lines appear to me to be unnecessary.
36. *By Mr. Weekes*: Do you find an unnecessary amount of oscillation on this line, as compared with others with which you are acquainted? Yes.
37. Have you travelled on the Liverpool or Campbelltown line? I never have.
38. Do you think on this particular morning the train was going faster than usual at this spot? Yes, decidedly. I timed it this morning coming down every quarter of a mile, and I thought we were going very slowly indeed the whole time, comparatively speaking, and even then we got a rate of nearly thirty miles an hour—about twenty-six, I think, it was.
39. You are quite sure that on the morning of the accident the train was going much faster than it was this morning—you have no doubt of it? I have not the slightest doubt of it.
40. *By Mr. Scott*: What profession are you? A grazier.
41. A squatter? Yes.
42. You stated that the engine was going forty miles an hour, I think? Yes.
43. I believe this morning, in company with another gentleman, you timed the speed? Yes.
44. Is it from taking the time this morning you calculate that the speed on the morning of the accident was forty miles an hour? That merely confirms my previous impression. I stated before, that we were going at the rate of forty miles an hour, and I am now convinced that at that particular spot we were going fully that speed.
45. When the steam was put on—when you had this increase of speed—were you at the top of an incline, going downwards, or was it just before you were going to take a rise? I could not say, being in the carriage. I can only state, from the time that elapsed, that it was about a mile from the spot where the accident occurred.
46. You stated that you felt the carriage, or carriages, plunging the ground before the accident? Yes.
47. Was it a considerable distance from the spot where the accident occurred? It could not be far; it appeared to me to be about a minute before the carriage stopped.
48. Were you under the impression that it was the horse-box, or your own carriage? My own carriage: It was off the line—that was only latterly. At first, when I felt the accident I believe we were on. My first sensation was a slight shock, and then I felt as I have described—being drawn off the rail, and passing heavily through the ground.
49. That was a minute before the actual capsizing of the horse-box? About that.
50. You felt that your own carriage must be off the line? My own, or one near it; my own I think.
51. You could not judge whether it was the horse-box or your own carriage? I should say it was my own carriage, because the horse-box was four or five carriages before us.
52. Then your own carriage must have been off the line about a minute before the capsizing of the horse-boxes; Yes, that is my impression.
53. I think you said just now there are unnecessary curves on this line? I consider so.
54. Do you consider it was the curve that was the cause of the accident? No; we had not reached the curve at the time of the accident. I am speaking generally of the laying out of the line, and I consider it to be dangerous.
55. Your opinion is that the straight line was the cause of the accident? It was upon the straight line the accident occurred; whether it was the cause I cannot say.
56. *By the Chairman*: Was any observation made by you or by any other passenger, as to the rate of speed, before the jolting you speak of occurred? I think it was a simultaneous

A. Brown,
Esq.

19 July, 1858.

remark

- A. Brown, Esq. remark that we were going extremely fast. I think Mr. McDougal said something to this effect,—“We are going at a terrific pace.”
- 19 July, 1858. 57. *By Mr. Weekes*: Did you time your speed this morning by the quarter mile posts on the side of the road? Yes.
58. What was the smallest number of seconds between two quarter mile posts? Thirty or thirty-one.
59. *By the Chairman*: And you are quite satisfied that the speed on the morning of the accident was greater than that? Yes.
60. *By Mr. Hay*: By the second hand of your watch I suppose you timed the distance? Yes.

John Frederick McDougal, Esq., of Merton, Brisbane, called in and examined:—

- J.F. McDougal, Esq. 1. *By the Chairman*: Were you on the railway train on Saturday, the 10th instant, at the time of the fatal accident? Yes.
- 19 July, 1858. 2. In what carriage were you? In a first-class carriage.
3. Were there any other passengers with you? Mr. Brown.
4. Did any conversation take place between you and Mr. Brown with reference to the speed at which the train was going before the accident occurred? Yes.
5. Did the speed appear to you to be great? So much so, that I remarked it to Mr. Brown.
6. What was the remark you made to Mr. Brown? Do you wish me to state my very words?
7. Yes? I said, “By Jove! we are travelling at a devil of a bat.” It struck me we were going at a most unusual pace.
8. Would you now state at what pace you were going at the time, before the accident occurred? I think we were going between five-and-thirty and forty miles an hour.
9. For how long before the first jolt occurred, as near as you can judge, were you travelling at that pace? For some very short time previous.
10. Can you give us any idea of the distance you travelled at that speed? I think for about half-a-mile, perhaps.
11. Do you remember whether there was an incline downwards or upwards, or whether it was a dead level at the time you noticed the speed? No; I could not speak of my own knowledge of that fact. I have not since examined the spot.
12. Have you travelled much on railways in Europe? No. I have travelled very frequently upon this line. I was on it when it was first opened.
13. Have you since the accident travelled on this line? Yes; I came down this morning.
14. Have you, with accuracy, timed the rate of travelling? Yes; I timed it this morning.
15. At what rate were you travelling this morning? Very much slower. As nearly as we could arrive at it, about a mile in two minutes was the fastest rate at which we travelled this morning.
16. At that spot? At that spot.
17. About thirty miles an hour? Yes.
18. Could you compare, by recollection, the speed at which you were travelling on Saturday morning with the speed this morning, and say which was the greater? I have not the slightest hesitation in saying that the speed was very much greater on Saturday than it was this morning.
19. Did you notice on Saturday, the day of the accident, anything particular about the coupling of the carriages and horse-boxes? I did not; I merely noticed that the horse-boxes were next the engine.
20. You are not in the habit of noticing the coupling at all? No.
21. Did you notice any remarkable oscillation before you were struck with the speed at which you were travelling on the morning of the accident? No, I cannot say I did, for we were talking, laughing, and chatting away, till my attention was called to the fact of the speed at which we were going. Looking out of the window, I saw, from the indistinct view I had of objects as we passed them, that we were going at a great speed. That is a very good guide.
22. Can you say with any great certainty how far from the first collision, or jolt, you noticed the speed—what was your first impression of any actual danger to yourself? The increased motion in our carriage.
23. Of what character was that motion? It was an oscillatory motion—a slight jumping in the carriages.
24. Did that give you an idea that any accident had occurred? Yes.
25. It alarmed you? It alarmed us.
26. Did you think you were off the rail? No; my impression was that something had happened to the engine—that it had gone down; this arose from the jerking; it seemed to me as if it were going down some place and we were following it.
27. What did you do—did you put yourselves in an attitude of greater safety? Yes. I was in the centre seat, and I put my arms round the supports on either side, and held on.
28. Were you back or face to the engine? Face.
29. How was Mr. Brown? With his back to the engine, opposite to me.
30. Did you come in collision? No.
31. Did you notice, when you passed, the debris of the train, or any of the carriages over the bank? Yes; and it gave me the idea of passing another train as we passed it.
32. Very shortly after you noticed that were you brought to a stand-still? Immediately after.
33. Was there any shock? A decided shock.
34. How do you account for yourself and Mr. Brown not being thrown together? Because

- I secured myself on the seat as well as I possibly could. There was sufficient time to prepare one's self for the worst, and I did so. I thought it the safest to keep in the centre of the carriage. If I had not held on so I dare say I should have been precipitated forward.
35. *By Mr. Weekes:* You have not the slightest doubt on your mind that the conversation you have referred to took place before the slightest indication of the accident? Before the slightest indication; I am perfectly clear upon that point.
36. Did you, this morning, time the speed as well as Mr. Brown? He watched the posts, and I made the entries as he called them out.
37. What was the fewest number of seconds between one quarter of a mile post and another? Thirty-one, I think.
38. *By Mr. Parkes:* You say you have travelled several times by this line? Frequently.
39. How many times do you suppose—twenty? I should think sixty times.
40. Extending over the whole period since the railway was established? I was present at the opening, and I have travelled upon it repeatedly since; I should say at least sixty times, perhaps more.
41. Did you ever notice that you were travelling at as great a speed before? I do not remember ever going at the rate we did on that occasion.
42. Did you ever go at what you considered an unusual speed before that morning? No.
43. Then, in fact, perhaps that is the only time you have noticed it? The only time I considered we were going at an unusual rate.
44. *By Mr. Scott:* Did you experience any feeling as if one of the carriages were off the line before the absolute accident occurred? No, I did not; not before we were aware something wrong was about to take place.
45. When were you aware something wrong was about to take place? Some few seconds only elapsed before we were brought to a stand.
46. Three or four hundred yards before capsizing? Probably between two and three hundred yards.
47. Did you then experience a sensation as if any of the carriages were off the train? We felt there was an unusual motion.
48. Did you think your own carriage, the first-class carriage, was off the train? I did not until immediately before we were brought up; then I knew at once from our position that we were off the line—I did not before that.
49. You experienced no feeling as if your own carriage were ploughing the ground? I did not.
50. *By Mr. Egan:* I think you said you have travelled on that line probably sixty times before the accident? Yes.
51. Did you ever know any instance of any of the carriages being off the line before? I never heard of it. I was never aware of any thing of the kind.
52. *By Mr. Hay:* Had the train been going at what you consider an excessive speed for any length of time, or only for a very short time? Only for a very short time. I am sure if it had been going at the time I made my remark it could not have escaped my notice.
53. You think that remark was partly called forth by you looking out at the window? Yes, partly; that enabled me to judge of the rate at which we were travelling.
54. The speed might have been accelerated for some little time before? It might have been slightly increased. I had been in conversation with Mr. Brown, and I then looked out and found we were going at an enormous rate. I believe we could not have been going at that pace for any length of time, or we must have observed it.
55. From any peculiarity of motion of the carriages, or from the rapidity with which objects seemed to pass you? I may explain that there was an increased vibratory motion—a tremulous motion—which I felt as well.
56. *By Mr. Egan:* Were there many carriages beside your own that did not capsize? All behind ours—ours was a first-class carriage, and there were two other carriages.
57. *By Mr. Weekes:* Whenever you have been travelling on the Parramatta line, have you found at that particular spot that the speed of the train has been greater than at any other part of the line. Yes, I have generally found that the speed was increased at that particular spot.
58. You never noticed that it was increased to so great an extent as on the morning of the accident? Never.
59. *By Mr. Scott:* From the frequency of your travelling on the line, do you know the engine-driver and guard? No, I do not; but I spoke to the engine-driver on this occasion.
60. What did you say? I asked him some question connected with the railway.
61. Was that previous to, or after the accident? Previously.
62. Was he then perfectly sober? I am inclined to think the man was in an excited state—I should not say from drink—it was more from anxiety, or annoyance, I should rather say.
63. From what cause? At being delayed. He beckoned to the man who was bringing up the horse-boxes; he made an angry gesture, and I saw by the expression in his face that he was excited, not by intoxication, but vexation. I saw it in the way he walked about. It struck me at the time, and I was going to make the remark to a gentleman who was with me, "That man seems a little out of temper," when he turned and left; and I did not think of it again.
64. You think this excitement on the part of the engine-driver arose from annoyance? Yes, at the little delay.

Mr. Edward Arthur called in and examined:—

- Mr. E. Arthur. 1. *By the Chairman*: You are a carriage builder? Yes.
2. Have you had much experience in the building of carriages? Yes.
- 19 July, 1858. 3. Of railway carriages? Yes, for nearly nine years; I had the first contract on the London and Birmingham Railway.
4. During that time you had to do with the manufacture of carriages of all classes? Yes; I also took the whole contract of the Derby and Gloucester lines.
5. Will you favor the Committee with any information which, in your opinion, will elucidate the cause of the late railway accident? After I received the note from the Committee requiring my attendance here, I went to the railway, and examined the carriages. My opinion as regards the accident is, that there was a great deal of negligence; the tires of the wheels are worn hollow, instead of being flat, and the flanges of the wheels are worn very much from knocking backwards and forwards upon the rails sideways. It is my opinion that the cause of the accident was, that the engineer was travelling at a sharp pace, and, casing his engine off too suddenly, the carriages were thrown together, the buffers of one carriage being higher than the others, and being like a dead block of wood, had thrown the carriages off the line.
6. Have you examined the buffers of these carriages? Yes, and they are completely useless.
7. Have you any evidence to support that opinion? The buffers are carried away. (*The witness produced a brass casting.*) Here is evidence to show that the wheels could not keep their proper gear on the line. This is the bush which I produce, and it is completely worn out.
8. What carriage is that from? The one smashed all to pieces, now at the terminus at Sydney.
9. Will you explain where you find the defect in that bush? The brasses are worn by the action of the wheel travelling upon the rails, and by being worn it causes the flanges of the wheels to strike against the side of the rail.
10. Will you state which end of the brass is next to the wheel, and which is next to the journal? The end that is worn, that marked 78, is against the journal, the other end is against the wheel.
11. *By Mr. Parkes*: Can you state what particular carriage you took that from? No, I cannot, for it is all to pieces.
12. *By the Chairman*: Are these fixed or moveable brasses? They are kept in by pressure; this bush presses into a hollow in the casting of the metal, this is dropped in, and lies on the arm under the spring.
13. *By Mr. Hay*: What is the object of these holes? For greasing.
14. Was that taken from a third-class carriage? I cannot say, as the carriage was broken all to pieces.
15. Did you take it from the carriage? I took it from the boxes and wheels.
16. You do not know the identical carriage it came from? No.
17. You did not examine the number? No.
18. So that you do not know what carriage it came from? No.
19. *By Mr. Egan*: Do you know that it was from one of the carriages destroyed by the late accident? I do not know it myself, but two men who had charge of the carriages took me to the boxes and wheels, where I found it.
20. Who were they? I do not know their names, but I know one of them was engaged on the Derby Railway.
21. *By Mr. Weekes*: When you say they were broken to pieces, do you mean that the bodies of the carriages were destroyed? Yes; the bodies were broken.
22. *By the Chairman*: Does that brass you have produced remain stationary in the axle-boxes, or is it moveable? It must remain stationary when the weight is on it.
23. Did you apply for permission to go on the station works? Yes, I did, to the managing man—a little, short man.
24. Did he give you permission to bring away that brass? He did not, but I asked permission of the man who was with me, and told him what I required it for; and he did not object.
25. What man? The two men who had charge of the carriages.
26. You do not know the name of the men? I know them by sight; one man was with Mr. Wright.
27. They did not object to your carrying this off? No.
28. *By Mr. Parkes*: Did you state when you went on the premises that you were going to give evidence before a Committee of the Legislative Assembly? Yes.
29. And for that reason you wished to see the railway carriages? Yes.
30. When you asked for the brass, did you state the same reason for taking it away? Yes.
31. *By Mr. Weekes*: Was the body of the carriage on the foundation? No, it was not; the boxes were all lying in pieces together.
32. You were told that it was one that was broken by the late accident? Yes.
33. When these brasses are new are they made square up to the ends? No, according as the point of the arm is turned, the brasses are cast to suit the arm.
34. Is the whole of this which appears to be worn away turned in that manner, or is it worn away? The greater portion of it is worn away.
35. *By the Chairman*: How can you ascertain how much is worn away? By placing this on the arm, and trying it.
36. Did you place this on the arm? I did, and I should say the brass is worn about half an inch. The usual way of making these brasses is to place two together, and bore them out for the journal, to work in the brass.
37. That is to say, longitudinally? Yes.
38. Is there anything else in the construction of the carriages that strikes you as likely to have

- have caused this accident? The buffers are badly constructed, and not at all suitable to this ^{Mr. E. Arthur.} climate, or in any other respects.
39. On what ground? The India-rubber becomes soft and sticky, and prevents the buffer ^{19 July, 1858.} from working.
40. Are the buffers of India-rubber? Most of them. I saw one that came from Newcastle that was not.
41. Did you notice the buffers of this particular carriage? Yes; one of the buffers had not above an inch play, and the other had above five inches—one was in, the other out.
42. Sticking in? Yes.
43. Have you noticed that the elevation above the rail of the buffers of the carriages has been accurately observed in manufacturing these carriages? They are of different heights.
44. So that, in fact, the centre of the buffer of one carriage would not meet the centre of the buffer of the carriage next to it? Just so.
45. So that, in fact, it would be liable to depress or raise it—is that so? Yes; but the wear and tear of the springs will differ; sometimes the springs are soft, and sink.
46. Can you state the difference in the height of the centres of the buffers on various carriages from the rails? There is a difference of from four to five inches, and they are, therefore, that distance either above or below the buffers against which they come.
47. What sinking of the centres of the buffers, as compared with the centres of the buffers in front, would you consider consistent with perfect safety in travelling, and what would you consider dangerous? If the buffer acted, it would make very little difference whether it was above or below, because the buffer would play, but the buffers are almost solid, like blocks of wood.
48. Are you prepared to say that in some instances one buffer will play while the other is stationary? Yes; I saw carriages come in yesterday where the buffers were in that state.
49. *By Mr. Weekes:* Do you mean that one buffer refused to yield at all? One buffer was completely stuck up. Springs will do the same if the buffer rods or bushes wear. The coupling chains had large links. The usual way of fastening in England is by screw-coupling.
50. *By the Chairman:* Are you prepared to say, from your experience, that it is the invariable practice in England to couple carriages with screw-couplings? Invariably. We tried the chains on the London and Birmingham, and we found we could not bring the carriages close together, because there was a side motion, and the buffers would not meet.
51. Supposing a train consisting of about twelve carriages and trucks were fastened by screw-coupling, excepting two horse-boxes at the head of the train, and these two were fastened by centre-links and side-chains, would you prefer the screw-coupling? I prefer screw-coupling.
52. Why would you prefer the screw-coupling to the centre-link to the horse-boxes to draw with? I prefer them because they are more easily disconnected from the engine in case of an accident, they fly apart, and the engine goes away, but unless you break the link it will drive the carriages on one another.
53. Have you had sufficient experience to say whether in England horse-boxes are generally put in the front or in the rear of a train? Generally in front; either that or a luggage-van next the tender.
54. Are you prepared to say whether in such cases centre-links or screw-couplings are used? Screw-couplings. Centre-links were used formerly; but they are done away with. We did not consider them safe.
55. *By Mr. Weekes:* Do I understand you to say that it is the practice of this Company to use centre-links? Yes.
56. To connect passenger carriages by centre-links? No; all passenger carriages are connected by screw-coupling.
57. What carriages on this line are fastened by centre-links? The trucks and horse-boxes.
58. With passenger trains? Yes.
59. Do you think that objectionable? Yes; unless you have one horse-box between two carriages where the buffers act, and then they travel steadily. The horse-boxes are without buffers; they have merely blocks, or caps, stuffed with hair; when between two carriages they act upon the carriage buffers.
60. *By Mr. Hay:* Have these horse-boxes here merely dead buffers? I did not notice that.
61. Then your reply to the previous question applies only to horse-boxes without spring-buffers? Yes.
62. *By the Chairman:* You do not mean to say that horse-boxes without spring-buffers would be so safe as horse-boxes with spring-buffers? Certainly not; but I say they were used formerly.
63. Are they now? No.
64. Are the passenger carriages now coupled with screw-coupling? Yes.
65. *By Mr. Hay:* With regard to screw-coupling, do I understand you to say, that to attach horse-boxes to each other with centre-links—these horse-boxes having spring-buffers—would be objectionable? Yes; because you cannot bring the buffers up to bear.
66. The reason of your objection to these links, that in case of accident they will not give way? They will not give way from the tender. The object in such cases is to relieve the train of the engine.
67. You think that is more readily accomplished by using the screw-coupling than by using centre-links? Yes.
68. It is because the centre-links hold the train too much that you object to them? Yes; they are too long. When carriages are travelling with a centre-link there is a side motion between the two carriages so linked; if they have screw-couplings, with the buffers close together, the couplings being screwed up, instead of rolling about they go on steadily, and the buffers act with each other.

- Mr. E. Arthur. 69. Does it consist with your knowledge that the carriages are linked together with centre-links, not with screw-couplings? Yes, some of them.
- 19 July, 1858. 70. Do you know that the passengers carriages are attached together by centre-links only? I have seen them put on.
71. Without screw-couplings? Without screw-couplings. I have seen the men pick them up and put them on. I saw that at Parramatta the other day.
72. *By Mr. Weekes*: Connecting one passenger carriage with another? Yes.
73. *By Mr. Parkes*: Have you often travelled by this railway? Yes.
74. Have you, before this accident occurred, taken particular notice of the railway? I have. There is a very uneasy motion on it. The wheels are continually striking like a hammer upon the rails.
75. Had you formed any opinion of the railway before this accident occurred? I had. I told Mr. Randle when the first carriage arrived that it would not answer.
76. What would not answer? The carriage itself, without the buffers.
77. *By Mr. Hay*: Do you mean that the India-rubber buffers would not answer? Yes.
78. Had you any other reason to form an unfavorable opinion? Yes. I was satisfied, from the way the line was laid out, that there would be great wear and tear upon the wheels and rails, from the curves being too sharp, the length of the carriages, and the great distance between the wheels. There are great numbers of wheels now upon the rails that are a quarter of an inch hollow.
79. Do you think the number of curves upon the permanent way cause unusual wear and tear to the rolling stock? Yes. The carriages ought to be examined every month and picketed; the tires ought to be round—I do not mean to say round, but quite level—now they are sometimes a quarter of an inch hollow. No wheel can travel a rail safely when it is hollow.
80. What do you think of Barlow's rail? I do not like them so well as the common rail; it is used now on the Birmingham line. I think the rails ought to be laid on longitudinal sleepers.
81. Do you think the timber of this country is suitable for longitudinal sleepers? I think so.
82. Would it not be liable to warp? I think not, if cross-tied and angled.
83. Do you think if the wheels were much worn, and Barlow's rails were at all beaten down, there would be any chance of the flange of the wheel running upon the rail instead of the bottom of the wheel? Certainly there would.
84. In that case there would be a tendency to run off the rail? Yes; and if the rails projected the least bit at the side it would do it—the eighth of an inch would do it, particularly if there was any roughness in the tires of the wheel.
85. *By the Chairman*: How much play have the carriages between the flanges and the rail? I did not measure; but I know it is usual for them to have about three-eighths of an inch.
86. How then could the eighth of an inch throw a carriage off the rail? I did not say that; I said they were apt to jump, particularly if they were on a curve.
87. *By Mr. Hay*: In point of fact, upon the supposition that at the time this accident happened there were two horse-boxes in front, next to the tender; that the first of these horse-boxes was connected with the tender by screw-coupling; that the second horse-box was connected with the carriage by screw-coupling; and that the carriages were all connected together by screw-coupling; but that the two horse-boxes were connected by centre-links;—do you think that would be a particularly dangerous arrangement? I should think so.
88. On what ground? I do not like centre-links at all.
89. Then your sole objection to the arrangement is that the two horse-boxes were connected by centre-links, and not by screw-couplings? Yes.
90. You think that would cause the horse-boxes to be more likely to go off the line? No, I do not.
91. Why, then, do you object to them? Because they cannot be released in case of an accident.
92. *By Mr. Hay*: Did you ever know a carriage to be thrown off on account of being coupled with centre-links? Yes, I have. I have seen them jump one on the top of another.
93. *By the Chairman*: Why do you say carriages are more easily released if they have screw-coupling? Because the links are turned and go on to a centre-nut, and they fly open in case of any collision.
94. *By Mr. Parkes*: You mean that they fly open at the eyes where the bolt goes through them? Yes.
95. Do you know that the screw-coupling in this case did not fly open? No, I do not. (*The screw-coupling was produced.*) I hold in my hand the screw-coupling from the railway. This is a common one—a square thread is the proper thing.
96. *By the Chairman*: Why do you say a square thread is proper? It is more powerful, and sooner screwed up.
97. *By Mr. Hay*: Might not a link have broken in the same way as that? No.
98. Why not? This is secured at both ends, and more easily drawn together.
99. Are you a judge of iron? This is common iron.
100. *By the Chairman*: Why do you say it is common? You would not see a link break like that if were good—it would tear.
101. Become more ragged? Yes.
102. *By Mr. Hay*: Have you any way of testing these links before they are used? Yes.
103. How do you test them? With two screw-jacks.
104. Would you do that to all, or only to samples? We used to do it to all, and we tested the springs as well.
105. Might not that testing weaken the iron, supposing it did not break it? No.
106. It would have no injurious effect? No.
107. *By Mr. Scott*: Your opinion is, that the flanges of the various wheels of the carriages, and

and the brass bushes in which the axles work, being much worn, would cause considerable tremulous motion, and much additional oscillation? Yes. Mr. E. Arthur.

108. And you have ascertained that the centres of the buffers were at different heights, and that many of them were not in working order? Yes. 19 July, 1868.

109. Then is it your opinion that the wear and tear, and the imperfect state of the buffers, were the chief causes of the carriage, or carriages, going off the rail when the train was proceeding at a rapid rate? Yes; no question of it.

110. Can you state whether any of the joints where the rails met each other were unequally laid? I saw some in the station-house shameful. There is one rail there which I consider ought not to be allowed to remain an hour; it is like a piece of scale; it is all battered; it is equally as bad in the station as out of the station; I have seen carriages smashed in a station through a simple thing like that.

111. Do you know of any preventives against accident, used in England or elsewhere, that are omitted here, as regards the situation of the guard or engine-driver on the train? Generally there are two guards, one in front and one at the back of the train, and they communicate with the engine-driver by a whistle; and when he intends to slacken the speed, he gives a signal and they apply the breaks.

112. Do you think the guard being placed at the tail of the train he would be so likely to see when any carriage or horse-box was off the rail? Yes, he could, if he were paying attention to his business.

113. Could he communicate by whistle to the engine-driver to stop the engine? Yes; in England he would communicate to the other guard, who would communicate to the engineer.

114. If that had been done here, might that have prevented the accident that occurred? Yes; but sometimes an accident of that kind is momentary where there is an incline.

115. *By Mr. Hay:* If the guard were not at the end of the train, but about the middle of it, would he have so good an opportunity of seeing if any horse-box were off the line? No; because if he were at the end his eyes would be directed along the train.

116. *By Mr. Scott:* Suppose the guard is placed in the middle of a train, can he see any of the after carriages that may go off the line? It depends upon the way he is sitting—whether he is looking forward or backward.

117. *By Mr. Hay:* Have you visited the locality where this accident happened? No, I have not.

118. Are you aware that the horse-box appears, so far as we can ascertain, to have gone off the line first? That might be so.

119. Do you suppose, if the third class carriage attached to the second horse-box got off the line, it would be likely to drag off the two horse-boxes along with it? No question of it.

120. What position would they have assumed then—would the third-class carriage have gone past the horse-box? It would depend upon how they came up to each other; some would go one way, some the other; it would depend upon the way they struck. I have seen some go on one side of an embankment and some on the other.

121. Do you know that the first horse-box lay at the bottom of the embankment, nearest to Parramatta; the second horse-box lay at the bottom of the embankment, nearer to Sydney; and that the three third-class carriages were overturned at the top of the embankment, and in the reverse order to that in which they had come along the road? Yes.

122. In that case, could you form an opinion as to whether the horse-box went off the line first, or whether the third-class carriage did so? I believe the third-class carriage went off first and struck the horse-box. One could hardly judge unless he saw the spot and the position they were in. I have known a carriage to be struck and turned the reverse way from the collision.

123. Do you think, if the accident had occurred as you suppose, that the horse-boxes would not have been on the other side of the third-class carriage? It depends upon which corner of the carriage was struck, whether it was the left or right hand corner.

124. The third-class carriage going off the line must have struck the horse-box, so as to twist it round and turn the hind part foremost? It all depends upon how it was struck—whether the carriage jumped; I do not know exactly how the road was; the carriage might roll or alter its position going down the embankment.

125. *By the Chairman:* Is it usual to have two guards on ordinary trains in England? All the time I knew anything about it, it was.

126. Do you know who made the carriages we have here? Yes.

127. Is he a good maker? Yes; he makes very good work, and some very inferior. I was with him.

128. Is he one of the best? No; he is not.

129. Is Mr. Wright the builder for the London and Northern line? Yes; and he had the contract for the London and Birmingham. It all depends upon the price; a carriage may be built for £600 or for £250.

130. *By Mr. Parkes:* Whom do you consider to be the best builder in England? Mr. Brown.

131. Do you know how the goods trains were coupled at home? With centre-links.

132. Do you know at what speed goods trains travel? No; I had nothing at all to do with that; my business was to look to the carriages; I had nothing to do with goods trains. I was employed on the Derby, Gloucester, and London lines.

133. *By Mr. Hay:* What was the respective positions of the two guards upon trains in England? One at the back and one at the front; generally, the horse-boxes were in front, next to the engine or the passengers luggage van.

134. *By the Chairman:* Had you two break-vans upon the ordinary trains? Yes; I never saw them without.

135. *By Mr. Hay:* Do you think one of these horse-boxes would be much more apt to oscillate than a first-class carriage? It depends upon how it is made; if top-heavy it would be.

136.

Mr. E. Arthur. 136. If it is made with heavy iron-bark framing, and with pine planking upwards, would there be more oscillation? It would be more steady then.

19 July, 1858. 137. In that case there would be no greater oscillation than in first-class carriage? No.
138. *By the Chairman:* Do you think on English trains, with a guard at the first break-van and one at the end, the first guard would hear the whistle of the other when the train was going at full speed? Yes; you could hear it half a mile before it came to the station; it is an ivory whistle, blown by the mouth.

TUESDAY, 20 JULY, 1858.

Present:—

Mr. DONALDSON,
Mr. EGAN,
Mr. HAY,
Mr. JONES,

Mr. OAKES,
Mr. PARKES,
Mr. ROBERTSON,
Mr. SCOTT,

Mr. WEEKES.

THE HON. STUART A. DONALDSON, Esq., IN THE CHAIR.

Capt. B. H. Martindale, R.E., Chief Commissioner of Railways, and John Whitton, Esq., Engineer-in-Chief, present in the Room.

James H. Atkinson, Esq., of Sophienburg, near Liverpool, called in and examined:—

J.H. Atkinson
Esq.

20 July, 1858.

1. *By the Chairman:* Were you a passenger in the railway train on the day of the fatal accident, on Saturday, 10th July? I was.
2. Are you able to state to the Committee, with any accuracy approaching to certainty, the speed at which the train was travelling when the accident occurred? My impression is that we were going about forty miles an hour.
3. Have you travelled on other railways besides these in Australia? Yes, a great deal.
4. Have you been in the habit of estimating the speed at which the trains you have travelled in have proceeded? Yes; I have been very curious in these matters.
5. Have you had any opportunity of travelling by the Sydney Railway since the accident? I have.
6. Have you on any occasion timed the rate of travelling since? Not since, but frequently before.
7. Do you draw your conclusion as to the rate of travelling on that particular day from comparison with other rates that you have actually timed? Yes.
8. Can you state, from recollection, how far from where the actual oversetting took place did you feel the carriage to be off the line? I think about one hundred and fifty yards; I cannot state positively.
9. Was it long enough before the collision for you to make any remark to any of your fellow passengers? Yes. The first buck-jump, if I may term it so, from the horse-box being off the rail, and going over the sleepers, gave me the idea that something was wrong, and at the second jump I rose from my seat, and exclaimed, "Hillo!" or something of the sort, and immediately it was evident we were off the line; the next thing I heard was Mr. Want saying "My God!" and over the carriage went. I jumped on one side, and he fell to the other side; I held on for a short time, and the lady close to me I shoved up with me, and at the last tumble we fell down on poor Want, who had previously fallen.
10. Did the carriage slew round? Yes. He, in fact, was thrown from one side of the carriage to the other.
11. On which side of the carriage, facing Sydney, was the deceased Mr. Want sitting? On the left hand side.
12. Was his back to the engine, or his face? He was sitting sideways.
13. How were you sitting? With my back to the engine, very near the centre of the carriage, slightly inclined to the left.
14. Have you formed any opinion in your own mind as to the immediate cause of the accident? I can only state my impression: After the parties who were injured had been attended to, my next feeling was to get out the horses from the horse-boxes that had been thrown over, but the guard said there were no horses in them, and my impression then was that the lightness of the horse-boxes, from being empty, was the cause of the accident.
15. Do you recollect the colour of the horse-boxes, so as to be able to identify them? No.
16. Have you any means of knowing, from any observation on the spot, which carriage it was that first went off the line? No; it is impossible for me to say.
17. *By Mr. Weekes:* You have been a very constant traveller on the railway? I have.
18. Have you noticed that at that part of the line between Homebush and Parramatta a greater speed is usually or always attained than at any other part? Frequently so. I have gone at the rate of fifty miles an hour on that piece of ground.
19. On an ordinary train? No; on an engine I timed it. We have frequently gone at quite as high a speed as what we were going on the day of the accident.
20. Have you ever timed the speed by the quarter-mile posts? Yes, frequently.
21. Do you remember the smallest number of seconds in which one quarter of a mile was done? No; I cannot speak from memory as to any particular quarter-mile.

22. What was about the average speed at those times when you timed it? On some parts ^{J.H. Atkinson Esq.} it was quicker than others; frequently up to thirty-eight miles an hour.
23. Was the greatest speed on that particular spot between these two stations, Homebush and Parramatta? Yes. ^{20 July, 1868.}
24. Did you ever hear of any carriages or horse-boxes being off the line? I have heard of a train being off the line.
25. The Parramatta line I am alluding to? And on the Liverpool too. I was not present on those occasions; but I know it did take place.
26. Can you say when? No. I recollect Mr. Downes being detained on the road some time in consequence of the train getting off the line.
27. Did you notice any slackening of the speed of the train shortly before, or immediately before, the accident? No. I was in earnest conversation with Mr. Want at the time.
28. Did the great speed at which you were going on that particular morning excite any remark, either from yourself or Mr. Want, previous to the first indication of accident? No.
29. Have you ever noticed, either at that part of the line or any other, a particular jerk? Frequently.
30. What did you conceive that arose from? The unevenness of the line, I should suppose.
31. You are aware that in coming down a decline the steam is generally shut off? Yes.
32. And when the decline is past the steam is again put on? Yes.
33. Do you think putting on the steam suddenly would occasion that jerk? I should think it very likely, but I cannot say it did.
34. You think the horse-box being empty would have a tendency to make it fly off the line, or to oscillate? I think decidedly it would, more so than if laden. That is my impression.
35. Supposing the box to be full of horses, would not the principal weight of the horses be about a yard from the floor of the box, and not on the bottom? I think it would.
36. Which do you think left the line first, one of the horse-boxes or your own third-class carriage? The only thing I knew of it was from the jumping of the carriages; but whether our carriage or the horse-box was off first, I cannot tell. I should say, from the position in which we tumbled over, that the horse-box must have come off first.
37. You have no doubt in your own mind that speed is attained on that line at the rate of forty miles an hour, on particular parts of the line? I have travelled at that rate frequently.
38. *By Mr. Scott:* I think you stated you were going at the rate of forty miles an hour just previous to the accident? Yes, at the time of the accident.
39. Had you continued at that speed the whole way from Parramatta? No.
40. Did you experience any particular difference as regards the swaying to and fro when going at this additional speed? It was slightly increased, but nothing to cause alarm.
41. Have you travelled a great deal on English railways? Yes.
42. Have you experienced any difference in roughness or smoothness between the English and our railways? No. Some of the railways in England are even rougher than ours. I remember on one occasion travelling on an English line, and bumping about all the way.
43. What line was that? From Peterborough to Leicester.
44. Have you heard of any accident occurring on that railway? No.
45. Do you know the engine-driver and guard of the train you came down in on the day of the accident? I know the guard very well, but not the engine-driver; I think he has not been long on the line.
46. Did you speak to him at all on that day? No; I spoke to the guard.
47. You have no reason to believe but that all were sober? No.
48. *By Mr. Weekes:* Did you make any remark on the speed at which the train was going on that morning, between Parramatta and the place where the accident occurred? No, I cannot recollect that I did.

Mr. William Fullagar, called in and examined:—

1. *By the Chairman:* Were you in the railway train on the morning of the 10th July, the day of the late fatal accident? I was. ^{Mr. William Fullagar.}
2. Are you able to state to the Committee an opinion, amounting to a strong conviction on your part, as to the rate of travelling at that time? I have no idea of the rate, but we were going very fast at the time—faster than usual; I do not know that I ever went so fast before. ^{20 July, 1868.}
3. Have you ever timed the train? I have not.
4. You have no comparison by which you could state the number of miles per hour? No.
5. *By Mr. Parkes:* You have travelled frequently by the Sydney Railway? Yes.
6. *By the Chairman:* Were you going faster before the accident than at any other time? Just before the accident I thought we were going faster than ever before.
7. For how long? Just before.
8. Do you know if there is a slope or decline in the railway near the place where the accident occurred? I think there is.
9. How long before the actual collision took place did you perceive any jolting or motion of a kind to cause alarm? A very short time. The first I heard was a kind of creaking, then the carriage bumped my back two or three times; I thought there was something the matter, and jumped up, and I then saw the carriage was off the line, and I got out through the window.
10. Was the carriage moving fast at that time? No, it was not.
11. Were you hurt? I did not feel it at the time, but I have felt it ever since across my loins.
12. What did you see when you first became conscious of what was passing, after you got out of the window? I saw a lot of carriages over at the other side.
13. They must have been going over at the time you jumped out? I think they must. I was the only person out on the side I got out at.
14. Was your carriage off the line? Yes, at the edge of the bank.

- Mr. William Fullagar. 15. Which carriage were you in? A second-class carriage.
 16. In what position in the train? There was a first class-carriage a-head of me; I was next to that.
 20 July, 1858. 17. Was the first-class carriage off the line? Yes.
 18. On which side? On the left hand side coming down.
 19. The rest of the carriages were on the other side? Yes.
 20. Have you been much in the habit of travelling on the Parramatta line? Yes, since they started.
 21. Have you ever noticed that at that particular part of the line where the accident occurred they go faster than at any other time? No; that was the first time I noticed them going very fast.
 22. Did you make any remark to any of your fellow passengers about the speed? No; there was no one in the carriage but myself.
 23. By Mr. Weekes: You are quite clear that the speed struck you as being excessive, before the accident occurred? Yes, before the accident.
 24. And from your experience in railway travelling, you are quite sure the train was going at a very unusual rate of speed? Faster than ever I recollect going before.

Charles Shelley Oakes, Esq., called in and examined:—

- C. S. Oakes, Esq. 1. By the Chairman: You reside in Parramatta? Yes.
 2. You have been in the habit of travelling frequently on the railway? Yes.
 20 July, 1858. 3. You were not, I believe, in the train on the 10th July, when the accident occurred? No.
 4. Are you able to inform the Committee whether on any occasion when you have been travelling on the line, or at stations, you have known a carriage, or horse-box, or truck, to be off the line? On two occasions I have known it to happen.
 5. Can you state the dates? No, I could not. On one occasion it was the tender, and on another a horse-box.
 6. Do you recollect whereabouts? In the case of the tender, I think it was about three quarters of a mile beyond Newtown from here; and of the horse-box, about half-way between Parramatta and Homebush.
 7. Near Haslam's Creek bridge? I could not say. I think it was within a mile of it.
 8. Coming towards Sydney? Coming towards Sydney both times.
 9. Was the speed greater than usual at the time the horse-box bent off? I do not recollect that it was unusually fast.
 10. What happened on that occasion? I knew nothing at all about it till the train was stopped, and nearly all the passengers got out and saw it put on again.
 11. How long did it take to put it on? Half-an-hour.
 12. At what part of the train was the horse-box attached? To the last carriage.
 13. On the occasion of the tender getting off the line was the train going at any unusual speed? Yes; but I dare say being so close to the station the speed may have been slackened a little.
 14. Was there any delay? Yes, great delay; I think it must have been off the line for nearly half-a-mile, as nearly as I recollect.
 15. Did any carriages go off as well as the tender? No.
 16. Could you state nearly the dates at which these accidents occurred? I could not say any nearer than that I believe it was within the last twelve months.
 17. Did they happen near together, or was there some interval of time between the two? I could not say, really.
 18. You were present on both occasions? Yes. The same afternoon of the day the tender got off, I believe, they were trying a new engine, and it got off the line at the same place where the tender came off.
 19. Do you know that? I saw it off. We were delayed some time at the station before we could start, in consequence.
 20. That was within the last twelve months? Yes; I think it was all within the last twelve months.
 21. Were you on the train the day before the accident? Yes.
 22. Did you notice anything remarkable about the rate of speed at which you travelled? Yes, I did; I remarked to a fellow passenger that the speed was much greater than usual, and the carriages not only swayed from side to side, but jumped very much.
 23. Where was that? Between Parramatta and Homebush, and along the straight running. There is one long piece of straight running about three miles from Parramatta.
 24. Do you know Haslam's Creek Bridge? I did not know it by that name then, but I know it now.
 25. Was it near that place? We went very much faster than usual all the way.
 26. Do you recollect whether there were any horse-boxes with the train? I believe there were, but I will not be certain.
 27. Have you been in the habit of noticing where the horse-boxes are generally placed? Generally next the engine and tender.
 28. Has that always been the case? No, but generally. I know they go to a good deal of trouble in getting them between the carriages and the engine.
 29. Have they made any decided alteration in placing the horse-boxes since the Campbelltown trains began to run? I do not know that they have. A great many passengers remarked, on the Friday before the accident, that the speed was very much greater than usual. The gentleman I was sitting with said that the carriage knocked about so much that he was obliged to put away his newspaper.
 30. Who was that? Mr. Rabone, of Parramatta.

31. Have you ever timed the train by looking at the quarter mile posts? Yes, but I could not recollect the time. C. S. Oakes, Esq.
32. Was the train drawn by the same engine on Friday as on the following day when the accident happened? I cannot say. 20 July, 1868.
33. Was it the same train, the morning train? Yes; a quarter to nine o'clock.
34. *By Mr. Wickes:* The early train from Campbelltown? Yes.
35. *By the Chairman:* Have you been in the habit of travelling by the railway very often? Yes; twice a day for more than twelve months.
36. And of observing the speed? Yes; I have become so thoroughly accustomed to the speed, that I can always tell when we go faster than usual.
37. *By Mr. Wickes:* Have you noticed before that there has been any increase of speed at a particular part of the line? I think we always went faster along this straight running than at any other place.
38. Just previous to arriving at Haslam's Creek? I cannot say.
39. At all events, between Homebush and Parramatta? Yes; I think about three miles from Parramatta.
40. There you always found an increase of speed? Yes, both coming and going.
41. What was the first indication when the tender or horse-box you spoke of got off the line, that such an event had happened? We did not know anything about the horse-box being off till the train was stopped. The tender stirred up so much dust that we were nearly smothered—that was how we knew something was off the line.
42. Most of your travelling on the Parramatta line has been by the early train? Yes, and in the afternoon.
43. Were you in the habit of seeing the same guards, or noticing the same drivers by the early train? Before the alteration in June, I think, there was always the same guard; but since then I could not tell, for sometimes I saw them, and sometimes I did not. I think they did not keep to the same trains so strictly as they did before.
44. *By Mr. Scott:* Do you know the engine-drivers and guards on the railway? I know the guards, and I know the engine-driver by sight.
45. Have you generally found them steady, sober, and well-conducted men? Yes.

Mr. John Aaron Parfitt, carriage builder, called in and examined:—

1. *By the Chairman:* Have you had much experience in building railway carriages? I have often been tempted to go into the building of them, but I never would touch them. Mr. J. A. Parfitt.
2. Do you understand them? Yes, as a mechanical observer. That is my object in coming here. 20 July, 1868.
3. Will you state, from your knowledge as a mechanical observer, what is your opinion of the carriages on the Sydney Railway? They are unadapted for speed, and very bad in their arrangement. Perhaps it may be as well, as this a matter of mechanical opinion, to hand in this document, to show that I am a man that understands the matter (*handing a paper to the Chairman*).
4. Will you state why you think the carriages on the Sydney line unadapted for speed, and otherwise objectionable? I wish you to understand that I have been a traveller on the Great Western line in England, and I have observed the experiments they have tried for oscillation; and from that I go direct to the differences I have observed in the carriages here. The bodies are hung too high above the wheels, and they overhang the wheels too much.
5. Is there any other defect? The machinery itself is too taught—to much on the principle of a tight rope for a dancer.
6. What machinery do you allude to? The under machinery—the rolling machinery—couplings, fastenings, scroll-irons; they are calculated to give an impetus to oscillation.
7. Do you know the builder of these carriages, Wright? I do not know him personally, but I have been at his yard, and admired the work there.
8. Is he a good builder? One of the best builders.
9. Do you see anything in these carriages different from those built by others? They are notorious for the same kind of accidents.
10. In what part of England? On the line between Reading and Reigate, and on the North-eastern.
11. Was Wright the builder for the North-eastern? I cannot say, but the principle of the machinery seems to me about the same; the gauge has something to do with it. I have been at Parramatta twice, and I said the same to a gentleman who used to travel that way as I tell you now.
12. What remedy would you suggest for the defects you have pointed out? The wheels of the carriages on the Great Western, which was the principal line of my observation, appear to me to be ten inches or a foot larger in diameter than the wheels of the carriages here, and still the bodies of these carriages are at least six or eight inches nearer the ground. It is well known to persons in the habit of travelling, that there are certain carriages they would not get into, known for oscillation, and they will pass half-a-dozen to come to one made by a particular maker.
13. Do these observations of yours extend to the horse-boxes? I have noticed the horse-boxes too here, and there is the same defect in them. I went up on Sunday, having no other time, and measured them, and there are about ten inches and a-half between the circumference of the wheel and the bottom of the carriage, which, in the Great Western, would be lower than the top of the wheel.
14. *By Mr. Wickes:* You consider Wright a very good builder? Yes.
15. Do you know what line Wright makes for? He makes a great number of carriages for exportation.

Mr. J. A.
Parfitt.

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exportation. I cannot tell you what lines he makes for in England. His establishment was formed about 1848.

16. Do you think these carriages are built on a safe principle? They cannot be safe on that principle. If the bodies are built so much higher they cannot be as safe. For example, if the bodies are hung ten inches above the bearing of the wheel they cannot be so safe as if hung a foot lower.

17. Do you know whether hanging the carriages low is a peculiarity of the Great Western line—or can you say what is the average height at which they are hung on other lines? I cannot say so much about other lines. That is the line I travelled on most.

18. Are you aware whether there are more or fewer accidents on the Great Western Railway than on other lines? There are less of that sort—by trains running off the line. I do not remember more than one which became a public matter. I have known many accidents where trains have worked themselves off the sidings.

19. When you say that the machinery is too taught, do you mean that the couplings are screwed up too tight? I mean that it is too much on the principle of a tight rope, and calculated to give an impetus to oscillation.

20. Do you believe the screwing of the couplings up tight has a tendency to cause oscillation? That is not what I mean. I should think not. I mean the back-plates, the springs, scroll-irons, and couplings.

21. When you speak of couplings, do you mean what fastens the various carriages together? No; the couplings between the scroll-irons and the spring-backs. They would have a tendency when too taught, with a certain amount of oscillation, to trip, and lift the wheel with them, the bearing of the bodies being outside the wheel. There is a difference between fair oscillation and oscillation produced by bad machinery.

22. Are you aware whether the carriages now running on the Great Southern Railway are higher from the ground than the generality of those used in England? I believe they are, for the diameter of the wheels.

23. Do you say that from your own knowledge? From my own observation.

24. *By Mr. Scott:* Have you, since or before the accident, examined carefully the various portions of the machinery? I went up on Sunday morning, having no other time, and examined the carriages that were running, and then I asked permission to look at the carriages that were used at the time of the accident, and I observed the same defects in both.

25. What were those defects? Deficiency of bolts and clips.

26. Did you see any other deficiency? No, excepting what I saw in the springs, which are drawn too straight.

27. Did you make any observation with respect to the buffers? Yes; I looked at them, and saw they were on two or three different principles. There is nothing in that.

28. Was there anything, in your opinion, in the position or manufacture of the buffers that would assist the carriages in getting off the rail when going at speed? No, not at all.

29. Did you make any observations with regard to the flanges of the wheels? I made observations with regard to the axletree-bolts.

30. Not the flanges? No.

31. Which gauge do you reckon the safest? The broad gauge, undoubtedly.

32. Is it your opinion, from your examination of the carriages here, that if they were going at a great rate they would sway much? I think they would. I noticed it immediately I got on the line. I have been twice on the line, and I observed what I would not call fair oscillation. I think the position of the springs has a tendency to give an impetus to oscillation.

33. Do you think that if the train was going at the rate of forty miles an hour at the time, it would be quite sufficient to account for the accident? Yes. I do not think those carriages can go with safety more than twenty-five miles an hour. I would not say that caused the accident, but it would be quite sufficient to cause a similar accident. I have nothing to guide me but the observations of the jury as to whether the horse-box first got off the line; but I may say that the wheels of these horse-boxes are closer than any wheels I ever saw, and I believe they are four feet closer than those on the Great Western.

34. *By Mr. Weekes:* What is the gauge of the Great Western? 5 ft. 2 in., I think.

35. Do you not think it is seven feet? It may be seven feet.

36. Are not the majority of railways in England—in fact nearly all but the Great Western—on a similar gauge to that of the Parramatta line? They are.

37. Then the result of their experience would seem to be, that the 4 ft. 8½ in. gauge is considered by railway authorities in England the safest? No; I do not think so. I think they have got the railways laid down, and they act up to them.

Captain B. H. Martindale, R.E., Chief Commissioner of Railways, further examined:—

Capt. B. H.
Martindale,
R. E.

20 July, 1858.

1. *By the Chairman:* Since you were examined first we have had evidence, both from the guard of the railway, who was present at the accident, and from some of the passengers; and we have also had evidence of different vehicles—a horse-box, an engine, and a tender—having been off the line at different times, though we have been able to arrive at no absolute certainty as yet as to the date; but it has been stated that two of these occurrences happened within nine months, and all within twelve months: will you state to the Committee whether, during your experience as Chief Commissioner, you have had reports of any such accidents? I have been in the Colony about twelve months, and I remember hearing, when I first came, that there were two of the engines that were faulty in construction, and did not run safely; they were taken into the shop to be altered, in consequence, and were altered, and have run safely since.

2. *By Mr. Hay:* Were these new engines? Yes; Nos. 6 and 7.

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3. Was it upon the first occasion of their being tried that they proved to be faulty? Shortly after they began to run. I mentioned it in my first report. The only accidents of which I can trace reports since I came here were of a very trifling character, and always, or almost always, within stations; and the causes have been invariably traced, and found to be ordinary causes.
4. *By the Chairman:* Then you have no report of a horse-box having been off the line between Parramatta and Homebush within the last twelve months? I have no report.
5. Nor of a tender being off the line within three-quarters of a mile from Newtown? No.
6. Supposing these occurrences to have taken place, no reports having been made to you, does not that indicate great irregularity on the part of the servants of the railway? It does. They should have been reported, according to orders, if they occurred. I may say that, within the last twelve months the management of the railway has been entirely changed.
7. *By Mr. Weekes:* Whose duty is it to report any accident occurring on the line? The Manager's.
8. Whose duty is it first to report an accident, the driver's or the guard's? The guard should report to the Manager, and the driver to the Foreman of Locomotives; they would both report.
9. Independently of each other? Yes.
10. Each to his immediate superior? Each to his immediate superior.
11. *By Mr. Hay:* How would the report come to you? The Manager's report would come direct to me, and the report of the Foreman of Locomotives would come to me through the Engineer-in-chief, who has for the present taken charge of that branch of the department in addition to his own proper duties.
12. *By Mr. Weekes:* There must have been some dereliction of duty in these several instances not having been reported, supposing what these witnesses have stated to be true? Yes. The orders are much stricter now about reporting than they were some months ago. They are very strict now.
13. An accident of that kind occurring—an engine or tender getting off the line—must be known to a great number of persons? Unquestionably. It would be known to every body in the train, at any rate.
14. Is it not singular, therefore, that some account of these accidents did not find their way to the Chief Commissioner? The Chief Commissioner has a great deal to do.
15. I mean, does it not show that there was some desire on the part of the officials to blink or screen them from the immediate notice of the Chief of the department? I would not say that. I think when I came to the Colony the régime was defective in some respects, and reports did not come in with the same regularity that they do now.
16. You found the system lax when you took charge of it? I do not think it was a perfect system. It wanted a good deal of looking up, in different ways. Each man has his own way of directing such a department as the Railway Department. What I might think lax another man might think sufficient, or *vice versa*.
17. Can you tell whether it is the same driver who drives any particular train at a certain time of the day? Yes.
18. The driver of the early train from Campbelltown, for instance, this morning will drive also to-morrow morning? He will.
19. Then, the man who drove the train on the Friday morning before the accident was the same driver that drove on the day of the accident? He was.
20. What is the rate allowed by the authorities for the railway trains on the Parramatta line to travel at? Twenty miles an hour, with the exception of the distance between Parramatta and Homebush, where it is twenty-four miles an hour by one train.
21. *By the Chairman:* In your former examination you stated to the Committee that you thought—the evidence then before you being that the highest speed at which the train was driven before the accident was twenty-five miles an hour—there was nothing in the coupling of the carriages to account for the accident. You have since heard the evidence of Messrs. Brown and McDougal, and this morning of Mr. Atkinson, who pointedly declared that they were certain the train was travelling at the rate of forty miles an hour—on that evidence do you now see any reason to account for the accident, owing to the coupling of the horse-boxes by what is called a centre-link instead of a screw-coupling? I could not say positively that that would account for the accident. If the train was travelling at forty miles an hour, the buffers would probably not have been together, either with screw-couplings or centre-links.
22. We have it in evidence from Mr. Whitton, the Engineer-in-Chief, that if the speed was excessive the accident might be accounted for, and that he thought forty miles an hour an excessive speed? Mr. Whitton may have been referring more to the curves on the line than to the couplings, when speaking of the speed.
23. *By Mr. Scott:* I think you have just stated that from twenty to twenty-three miles an hour is the utmost speed allowed by the authorities: You have heard the evidence, and the general impression is that the train was going nearer forty miles an hour; do you believe in that? I have no evidence from which to judge, excepting that which the Committee has; and I think it is necessary to be particularly careful in accepting statements as to the speed.
24. If the engine-driver was going at the rate of forty miles an hour down that decline, would you consider it dangerous? I should not think it enough to throw a train off the line on that decline. It is a good road, it is in good order, and it is straight. I do not think on a straight decline that speed is sufficient to account for the accident; though forty miles an hour on the whole line would be a dangerous speed, especially on account of the curves.
25. If you should feel satisfied that the engine-driver did go at forty miles an hour, against your orders, would you think it necessary to make an example? Certainly.
26. *By Mr. Weekes:* As we have the concurring testimony of a variety of passengers, calculating the speed at different times, and all agreeing in the fact of a very high rate of speed,

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would you be induced to believe that evidence? I have no wish to throw the least discredit on the evidence of the passengers, but I think the Committee might bear this in mind, that immediately after an accident of this kind, as a rule, a great variety of reasons are started to account for it, and one of the commonest of those reasons is high speed; and the common rumour may have had a certain influence on the judgment of those gentlemen. I cannot, of course, say that it has; but just as I should receive the evidence of the railway servants with caution, on the one hand, so I would receive the evidence of the passengers with caution on the other.

27. *By Mr. Parkes:* These rumours could not possibly have affected the opinions of passengers formed before the accident occurred? No; I should attach more weight to a remark upon the speed made before the accident than to any opinion formed after it happened.

28. *By Mr. Hay:* When was the change made in the office of Traffic Manager? About the middle of September.

29. The former Traffic Manager was then removed? Yes.

30. Had you reason to be satisfied with his management? I removed him because I was dissatisfied.

31. Do you think he had been careful on all occasions to report those things which happened on the railway, and which, in your opinion, ought to have been reported? I removed him principally because I thought his general management was loose. I thought he was getting a high salary, and, in fact, doing nothing for it. That was the main ground on which I removed him.

32. Is it an easy thing to get a good Traffic Manager in this country? No, it is not. The present manager is very zealous.

33. I suppose, if any passengers on the railway were to make it known to you that any portion of the train had been off the line, or that any irregularity whatever had been committed on the line, you would be very glad to have the opportunity of investigating? Yes. Every complaint that comes to me in writing is made the subject of an immediate inquiry and separate report.

34. You would be glad if any passenger did report such an occurrence to you? Most certainly. It is one of the greatest protections to the Chief Commissioner in the execution of his duty, when the public come forward openly to tell him of any irregularity.

35. The public have a great deal of power in that way in their own hands? They have this power, that I should instantly order an inquiry and report, whenever they came forward openly. I never take notice of anonymous communications.

36. Supposing the speed attained at the top of this decline had been forty miles an hour, and supposing the steam to have been then shut off, do you not think there was danger of the momentum of the train throwing the carriages up together, to a certain extent, in coming down the decline? There is a gradient just on the other side, and I doubt if that speed would have been attained coming up that gradient.

37. Supposing that speed to have been attained, what would have been the effect upon the carriages coming down the decline? I think the effect of that would have been to bring the buffers together, and so to have done away with the evil that might arise from having centre-links instead of screw-couplings. If the steam was shut off the engine would act, at first, as a drag on the carriages, and tend to keep them closer together.

38. Do you not think any irregularity in the rail, or any tendency to oscillate in any portion of the train, would be aggravated in such a long piece of straight running as that, at such a speed as forty miles an hour? Yes; I think that running at a high speed on a long decline would have a tendency to increase oscillation.

39. And that, combined with any imperfection in any part of the rolling stock, or in the rails, might cause an accident, though none of these causes alone would be sufficient to produce it? Yes; any defect, such as loose coupling, or too great play in the journals, or any defect in the construction of the rolling stock, together with such a high rate of speed, might cause such oscillation as would throw the train off the line.

40. Supposing the speed was such as has been stated, and taking everything into account as you know it now, do you not think that likely to have been the cause? I do, assuming the fact of the speed.

41. *By Mr. Scott:* Was it reported to you, previous to the accident, that the speed the day before had been excessive? It was not. I had no report of the day before, the 9th, owing to the accident having occurred early in the day on the 10th, and the attention of everybody having been absorbed in it. It is the only day on which I have had no report since the appointment of the Traffic Inspector.

42. Were you not told that the speed of the train was excessive the day before the accident? I did hear so.

43. Previous to the accident occurring? No; I heard they had been travelling faster than usual the day before; but I do not recollect who told me so.

44. *By Mr. Weekes:* Is not that particular part of the line where the accident occurred dangerous for a high rate of speed, on account of its proximity to a curve? It is.

45. Then, in travelling at a high rate of speed the driver exhibited great indiscretion? He did, on the account you mention—the proximity to a curve.

46. Was the time the train left the day before reported to you? I had no report of the 9th, in consequence, as I have said, of the accident on the 10th; but I can let the Committee know. The reports for each day come in on the day following.

47. *By Mr. Egan:* The Committee have it in evidence that on one occasion a horse-box, and, on another, a tender, got off the line, and that on each occasion there was a delay of half an hour—were not those matters that ought to have been reported? Yes, certainly.

48. They never have been? No.

49. *By Mr. Weekes:* Is the driver at all held responsible for starting late from the stations? Not in the least.

50. It was given in evidence by one of the witnesses that the driver of the fatal train, I may call it, exhibited considerable symptoms of impatience and irritation at being detained,—would it not seem that the man was under some apprehension that he was in a manner responsible for the delay that took place? I understood the witness to say that he beckoned with his hand to the other man in an impatient way. Perhaps I ought to furnish to the Committee some details respecting the general system of management of the railway. I do not myself come into collision with any of the drivers, nor any of the subordinates. The department is divided into four branches—the Secretary's, the Engineer-in-Chief's, the Accountant's, and the Traffic Manager's. Any fault I have to find, or any orders I have to give, I give to the gentleman at the head of each branch, and they give their orders to those for whom they are responsible in each branch; therefore, any order to an engine-driver or a porter would not be given by me direct, but by the head of the branch; and, with reference to what has been said about screw-coupling, I never should give a detail order of that kind; I should appoint a proper officer, and such details would be left to him, unless my attention was specially called, and then I should direct the head of the proper branch, and he would give the order.

Capt. B. H.
Martindale,
R. E.

20 July, 1858.

51. It would be impossible for you to control details? It would relieve the proper officer of his responsibility if I did so.

52. *By the Chairman:* As a matter of fact, an order has been given that no carriages should be coupled in future except with screw-couplings? Yes.

53. *By Mr. Parkes:* Are there any printed regulations for the respective branches? There are general instructions for the working of the line.

54. Printed? Yes, printed for the working of the line. Mr. Nealds has his separate instructions. To Mr. Whitton I have never given any instructions, excepting on matters that arise from day to day.

55. No written instructions, comprehending the whole of the respective duties, have been issued to the heads of the separate departments? Not in a condensed form; but I think each has had at different times papers laying down his duties. I will explain the system on which the department is worked:—Everything is done by writing; there are no verbal orders given at all. There is a system of minute papers, and everything that occurs is entered on one of these minute papers; the report is made on the same minute paper, and if it goes through twenty hands, everything respecting the matter appears on this minute paper. Therefore, any instructions I have given have been on these minute papers, which are registered, and kept for reference.

56. Did you create the situation of Traffic Manager? No; there was a General Manager and a Traffic Manager, and when the present Traffic Manager was appointed, the place of General Manager was done away with.

57. You appointed Mr. Nealds? Yes.

58. Had he written instructions? He had.

59. Did they comprehend the whole of his duties? The general instructions did. In fact, there were confidential instructions to him.

60. The Engineer-in-Chief does not stand at all in the same relation as these other officers—he must have a more general control over the whole railway—the Traffic Manager, for instance, would only have to attend to the routine of the traffic? He would.

61. And the Secretary would only have to conduct the correspondence? He would.

62. But the Engineer-in-Chief holds a more responsible position? He has duties far more important.

63. Everything with regard to the construction of all the lines of railway in the country, as well as the construction of the carriages, or any change in the rolling stock, must be directed by the Engineer-in-Chief? It is so here; but at home all matters connected with the rolling stock would be directed by a superintendent of locomotives. The Engineer-in-Chief is doing that duty, in addition to his own proper duty, which is the superintendence of the line. There is no superintendent of locomotives here.

64. *By Mr. Hay:* Do you think we ought to have a superintendent of locomotives? In answer to that question, although Mr. Whitton is present, I must say, that if I had not a gentleman of Whitton's ability, I think we ought to have a superintendent of locomotives.

65. *By Mr. Weekes:* Do the multifarious duties of the Engineer-in-Chief permit him to give that rigid examination to the rolling stock, which is the particular duty of a locomotive superintendent, taking into account that his duties may frequently take him from Sydney on matters connected with the construction of the different lines of railway? Mr. Whitton has felt himself able to perform them so far, but as the lines increase in extent, it will be necessary to have a locomotive superintendent. I have no wish to incur so large an amount of expense until we are obliged. We could not get a good locomotive superintendent under £1,000 or £1,200 a year.

Mr. James Shea, called in and examined:—

1. *By the Chairman:* Were you travelling in the railway train to which the accident happened on Saturday the 10th July? I was.

Mr. J. Shea.

2. Were you injured in any way? Yes; on my legs and on my side. I would have been seriously injured only that I had my business papers in my breast-pocket, and they saved me.

20 July, 1858.

3. What carriage were you in? A third-class carriage.

4. Which of them? I went in the next but one to that in which Mr. Want, who was killed, was—the third third-class carriage.

5.

- Mr. J. Shea. 5. Did you notice anything particular in the speed at which you were travelling? Being used to railway travelling I did not notice the speed until the chuck came, and I thought they were putting on high pressure to go on the straight line. When that came I looked out, and the carriages began to bump.
6. Were they off the line? No. The party next to me then said, "Keep your seats, because it is bad to rush to one side;" and the words were hardly out when I looked over again, and the carriage then was off the line. Then I saw the engine fly along, and I did the best I could to get out; and that was all I knew until I was picked up again.
7. Were you insensible? Yes, for about a quarter of an hour.
8. You jumped out on the bank? I do not know whether I jumped out or was thrown out, but when I got a little sensible I found I was on the top of another man.
9. Then you did not notice any thing in the speed to alarm you, previous to the accident? No, but I thought they were coming on the straight line, and they generally go at a greater speed there than when just leaving the station. I thought it was rather more than the general speed. I had been travelling on the railway nearly all the week.
10. By Mr. Hay: At the time it did not strike you that the train was going at any very great speed? No.
11. By Mr. Jones: Did you notice any difference in the speed between the time you started, or soon after leaving Parramatta, and the time immediately preceding the accident? Yes, because when they have started from Parramatta they always put on more speed.
12. Immediately after they leave Parramatta? Not immediately after; they increase the speed gradually.
13. For instance, at two miles from Parramatta did they appear to be travelling at a slower pace than at the part of the line immediately preceding the spot where the accident occurred? Yes, I think they were.
14. By Mr. Weekes: Do you say that when you felt the first jerk the carriage you were in was not off the line? It was not off the line then.
15. By Mr. Jones: Was the horse-box off the rail? I could not see that.
16. By Mr. Weekes: You consider that the jerk was caused by putting on steam again? Yes.
17. Have you been in the habit of feeling similar jerks? Yes.
18. By Mr. Parkes: Did you enter into any conversation with any person, previous to the accident, on the subject of the railway, or the speed at which you were travelling? No.

Charles John Nealds, Esq., Traffic Manager of the Sydney Railway, called in and examined:—

- C. J. Nealds, Esq. 1. By the Chairman: Were you on the railway line on the day of the late accident? I was during the day, but not in the early part of the day.
- 20 July, 1858. 2. Since you have taken charge as Traffic Manager, has every instance of a truck, or horse-box, or other vehicle getting off the line, been reported to you? I believe every case has been reported to me of anything that has got off the line in running; and I believe also, every case that has got off the sidings.
3. When were you appointed Traffic Manager? In January, I think it was. I was Inspector previously, doing the same duty.
4. By Mr. Hay: When did you take charge? I think it was in September.
5. Under the title of Inspector? Yes.
6. By the Chairman: Have you known an instance of a horse-box getting off the line between Homebush and Parramatta since you took charge of the traffic? No.
7. Nor of a tender getting off within three-quarters of a mile of Newtown? No.
8. Nor of an engine getting off the line near the same spot? No.
9. If such cases did happen no reports were made to you. Had you any report, in any way, of any great speed having been attained by the early train between Parramatta and Homebush on the Friday preceding the accident? I have heard of it since, but not before.
10. Before you were Traffic Inspector did you ever know an instance of a carriage getting off the line that was not reported? Not in running, except in the case when a carriage got off from running over a cow: that was on the Liverpool line.
11. You have not heard of such a thing between Parramatta and Sydney? No. An engine got off the sidings at Newtown; perhaps that is what you were alluding to.
12. By Mr. Hay: Do you not recollect some of the new engines getting off the line shortly after they were tried? That was long before I took charge.
13. That, you believe, was reported? Yes, as far as I am aware.
14. You never heard of a horse-box getting off the line, about nine months ago, near Haslam's Bridge? No.

WEDNESDAY,

WEDNESDAY, 21 JULY, 1858.

Present:—

MR. DONALDSON,
MR. EGAN,
MR. HAY,
MR. JONES,

MR. OAKES,
MR. PARKES,
MR. SCOTT,
MR. WEEKES.

THE HON. STUART A. DONALDSON, Esq., IN THE CHAIR.

Edward Bell, Esq., M. Inst. C. E., called in and examined:—

1. *By the Chairman:* You have had considerable experience in the management and traffic of railways in Great Britain? Yes; and in other countries. Edward Bell,
Esq., C.E.
2. Can you inform the Committee whether there is any invariable rule in Great Britain as to the coupling of carriages on ordinary or passenger trains? There is an invariable rule to put screw-coupling on in trains for passengers—on every carriage in passenger trains. 21 July, 1858.
3. Did you ever know horse-boxes on passenger trains to be fastened by centre-links without screw-coupling? I never knew it, without it were done contrary to instructions. The horse-boxes had screw-coupling as well as side-links.
4. Would you conceive that in travelling with passenger trains there was some danger, if the train were going at a considerable speed, in having any carriages connected with centre-links without screw-coupling? Yes; unless the buffers were brought up to have their proper bearing; but without screw-coupling it would be impossible to bring the buffers together.
5. What rate of speed would you say would be dangerous if two horse-boxes were placed in contiguity to the tender, and between that and the passenger carriages, and were coupled by a centre-link without screw-coupling? The answer to that question would depend very much upon a variety of other circumstances.
6. Will you state what circumstances would modify your answer? There might be so many local and collateral circumstances connected with the whole matter, that without seeing the locality, and becoming more acquainted with it and the line, it is scarcely possible to give correct opinions on the subject; and I quite concur in the remarks of the Honorable Chairman, that it is highly important I should see the line before attempting to give an opinion. It might depend upon whether the carriages were four-wheeled, and whether the buffers of the horse-boxes were higher than the buffers of the tender. If the latter were the case, it would be more dangerous than if the buffers were central; and the more the hindmost were above the foremost the more dangerous it would be.
7. Then you do assume that there would be some danger in the state of things you have described? I assume that there is great danger in putting the horse-boxes where they were.
8. *By Mr. Parkes:* It has been given in evidence that the probable cause of this accident was the buffers being in the state you have supposed—one having jumped upon the other? With the oscillation there appears to have been upon the carriages at the time they were descending the hill, it is only what I should have expected, if the buffers of the horse-box were above the buffers of the tender, and the horse-box received some pressure from behind at the time of the oscillation; and if that pressure came on when the axis of the buffers of the horse-box were at an angle with that of the tender, and the centre of the buffer of the horse-box were above the centre of the buffer of the tender, it would necessarily be jammed, and so prevented from taking its proper position, and assist in turning the horse-truck off the line.
9. *By the Chairman:* We have it in evidence that before coming to the point where the first carriage left the line there is a considerable decline, one in one hundred and thirty-two, extending over a considerable distance, perhaps half a mile, and that at the bottom of this decline there is a level of from two hundred to three hundred yards: we have it also in evidence that the speed was considerable coming down this decline: we have it further in evidence that the carriage which first left the line left it after passing over the level before coming to a curve to the left, and that the carriage that left the line ran off both the lines, and left the railway at the bank on the right hand side of the line: that the following was the position of the carriages and trucks,—two horse-boxes next the tender, then three third-class carriages, then a break-van, then a first, second, and third-class carriage, and then three goods trucks:—Would you say that these circumstances would cause an impetus from behind the carriage—the tender and horse-boxes being connected with centre-links, and not with screw-couplings? Those circumstances would be quite sufficient to push the horse-trucks off the line, the horse-trucks having only four wheels, which I understand is the case here.
10. If the steam were shut off at the top of the decline, and the carriages had run down by their own impetus to the level; if, again, the steam were put on after passing the level, or on the level—if we find the horse-boxes had left the line before the steam was put on and the engine had broken away from the train, would you attribute that breaking away of the engine from the train, under ordinary circumstances, to the fact of clapping on the steam just there? I conceive the chains were broken by the horse-boxes passing off the line. As soon as the boxes were off the line the impetus of the engine was sufficient to break the chains.
11. We have it in evidence—the best evidence we can have—from the observation of passengers—that the train was travelling at about forty miles an hour just before the accident occurred. Under all the circumstances I have detailed, would you give the Committee the benefit of your professional opinion as to the cause of the accident? I think there is no doubt about the speed having been high at the time the train ran off the line, from the circumstance of some of the carriages having travelled two hundred and fifty yards after they left the line. I never knew an instance before where they travelled so far off the line.

Edward Bell,
Esq., C.M.

21 July, 1868.

12. Assuming that state of circumstances:—that the speed was excessive—forty miles an hour—that the position of the carriages was as I have stated—that there were links instead of screw-couplings between the two horse-boxes, and that the other circumstances were as I have detailed them to you,—do you think you could give the Committee an opinion that would enable them to account for the accident? Premising that the basis upon which I am to form an opinion is correct, I think the arrangement of the train was altogether injudicious, inasmuch as two empty horse-boxes, or even one empty horse-box, ought never to have been put next the tender, or in front of the passenger carriages. I think, also, no loaded goods trucks, if there were loaded goods trucks, ought to have been put in the rear; if sent with passenger trains they ought to have been put in the front. There is a particular order to that effect in England, where I have known three or four accidents to occur from the neglect of that rule. I, in point of fact, in a great measure, attribute the origin of the accident to the placing of these three loaded goods trucks, assuming that they were loaded, at the rear of that train, and of the two empty horse-trucks next to the tender, or in front of any heavy carriages. Such a thing is very unusual at home. It occurs to me that it would be very ill-judged for an engine-driver descending an incline so rapid as one in one hundred and thirty-two, (for I must observe, that although that is an easy gradient to ascend, is a rapid gradient to descend, having a curve immediately before him of thirty-six chains radius,) to turn the steam on before he came to that curve.

13. We have the evidence of the driver himself that he did turn the steam on before he came to that curve, after he descended the incline, at the rising of the next incline? He ought to have done it before he got to the foot of the downward incline, then he would not have jammed his horse-boxes between the tender and the carriages; he should have led his horse-boxes by the engine. The danger in this case was the pressure from behind, and not in front. If they had been led they probably never would have gone off the line.

14. *By Mr. Weekes:* Are you aware whether it is the practice in England to run horse-boxes with passenger trains? Always; when carriages and horses have to go with the passengers, they go with the passenger trains.

15. Are you aware of any invariable rule as to the position in a train of horse-boxes when travelling with passenger carriages? In most cases they run in front of the truck which carries the passengers carriages, and that is almost invariably in the rear of the train.

16. Is not a position close to the tender the steadiest for a carriage—more steady than the tail of a train? While the engine is drawing the train, it is. When the carriages are running free down an incline, and in danger of being pressed from behind, the tail of a train is the safest.

17. Do you know the number of wheels on the passenger carriages on this line? I have seen none on the present line with less than six.

18. Do you think the horse-boxes are more disposed to oscillate from having only four wheels than they would be if they had six? Undoubtedly. I may say four-wheeled carriages and engines, on all railways in England, are now being abolished—the oscillation of the engines used to be so severe—with the exception of horse-boxes; but the Great Western have six-wheeled horse-boxes.

19. Some of the witnesses have stated that immediately preceding the accident they felt a considerable jerk before the engine was off the line, which gave them a momentum forward; do you think that was occasioned by the steam being put on the engine, and therefore tightening everything which had been slackened by coming down the descent? If the passengers sat with their faces to the engine, and felt a forward movement of the train, that would rather throw their bodies backwards; but if their bodies made a forward motion, that would have been caused by some check, probably by the striking of the wheel against the first sleeper it came in contact with after getting off the rail.

20. The two horse-boxes being connected with loose coupling-chains, in coming down the incline the pressure of the train behind would bring together buffer to buffer, and leave the chain slack, and when the engine went a-head, would there not be a jerk, caused by bringing the chain taught. Yes.

21. As that occurred about the spot where the accident began, do you think the putting on of the steam under these peculiar circumstances caused the accident? I cannot say; I think the putting on of the steam at the particular spot where it was put on was too late. If the steam were put on there, the result of a jerk would be to break the chains; it would not throw the truck off the line, it would help to keep it on; but had the steam been applied to the engine before they got to that point, and so have kept the chains stretched, there might have been no accident.

(The screw-coupling was produced.)

22. Will you look at that screw-coupling, and say whether that is the ordinary kind of screw-coupling for that purpose? Yes; there is a little difference in the making of them, but this is the most ordinary kind.

23. Will you look at that broken link. *(The witness examined the same.)* What is your opinion of the quality of the iron, from the fracture? It is not very good iron; it seems very short.

24. Would good, tough iron break in that way? It seems to me as though it had been rather burnt in the forging—that it had been over heated.

25. That would have a tendency to make it brittle? Yes; and that is the place where it would be heated in making.

26. Should you expect that the fracture would take place in that particular part of the link from a sudden strain—you see a piece has been pulled out altogether? Yes; that is the part I should have expected to give way, the iron being in this state.

27. If that link had been made of the best soft iron, and had not given way, what would have been the result of the train being off the line? Something else would have given way—some of the links.

28. The attention of the driver would naturally have been attracted to it immediately, and, by stopping the engine, might not this catastrophe been avoided, although the train had been off the line? The fracture of this must have been immediate. If it had been double the strength it must have gone if the train had got off the rail.

Edward Bell,
Esq., C.E.
21 July, 1868.

29. Was not the breaking of that link the cause of the accident being of so calamitous a nature—if that link had held, even though the train was off the line, might not the catastrophe have been avoided? I do not think it would have made any difference—something must have gone; the weight of the engine alone, the rate at which it was going, must have carried something away. I have been acquainted with several such accidents, and in two or three cases have been in the train at the time, and I know of no case where the carriages and trucks travelled so far after they left the rail as in this instance.

30. Do you not know of an instance where a train has gone off the line and the engine has gone a considerable distance without the coupling breaking? Yes.

31. *By Mr. Parkes:* Do you not think if the screw-coupling had not gone the accident would have been more serious? I think it is much better for the engine to be free as soon as possible.

32. *By the Chairman:* I understand you to attribute the distance which the carriages went off the line, or after they had left the line, to the impetus they had by the excessive speed, or by the pressure from behind, rather than to the possibility of the engine drawing it that distance? I am certain the engine did not draw them, but the impetus carried them that distance; and I think that impetus must have been increased by the trucks in the rear, if they were loaded. I think the rear of the train must have been on the downward incline, described to me, when the carriages went off the rail.

33. *By Mr. Parkes:* How long have you been in the Colony? About two years and a-half.

34. I think you have filled the office of City Engineer, first under the Commissioners, and then under the Municipal Council? Yes.

35. Has your attention at all been turned, from reasons arising out of your profession, to railway communication in this Colony—the question having been frequently agitated? Yes.

36. Have you frequently travelled by railway between Sydney and Parramatta? Yes; only on the Great Southern Railway.

37. Your attention having been turned to the question generally, have you paid particular attention to the construction of this line, and of the carriages, and to the way in which the railway is worked generally? I could pay particular attention only at such stations as I had to stop at; one cannot pay particular attention to a line in merely passing over it.

38. Have you ever expressed an opinion upon the improper construction of the carriages, or the improper mode of fastening them, before the accident occurred? No, I do not remember, excepting that at one time I made the remark that the sleepers between this and Parramatta seemed to be too great a distance apart. I think they were much further apart than they are now.

39. How long is it since you left England? Two years and three-quarters.

40. Then the evidence you have given, so far as it relates to what is going on in England, is based upon that recent experience? Yes.

41. *By Mr. Jones:* Were you employed at all upon railways at home? Several times in the course of my life.

42. In what capacity? As engineer to some of them, and as assistant engineer to others.

43. In speaking then of the practice in England you speak from your own actual experience? Yes.

44. How recently have you been engaged upon railways at home? I was so engaged before I went to Russia—about eight years ago. I was in Russia five years, nearly.

45. Have you examined this line of railway since this accident occurred? No.

46. Do I understand you to say that the engine must have parted from the horse-boxes as soon as they got off the rail? Yes.

47. And the train was overturned by its own momentum? Yes. I have not seen the site of the accident; I speak only from what I have seen before.

48. *By Mr. Weckes:* Are you acquainted with the Barlow rail? Yes.

49. What is your opinion of that rail, as to its safety for traffic generally? It is always considered a very safe rail; in fact, most of the continental railways have no other rail than this, and it is very rare for any accident to occur on them. I have been on railways in Holland, Austria, Prussia, and Russia, and I never knew an instance of an accident from Barlow's rail; but there is the greatest possible care taken.

50. *By Mr. Hay:* Are they on longitudinal sleepers? Yes. Barlow's rail requires a continuous bearing. Here there are not longitudinal sleepers, and I do not think it so safe, by any means.

51. Do you not think Barlow's rail is one that requires a continuous bearing? I think it does.

52. If laid down on sleepers a considerable distance from each other, is it not liable to be beaten down and flattened? Yes; and between every sleeper there would be an undulation, on account of deflection.

53. The rail becomes battered down, and, to a certain extent, loses its proper shape? I do not think it would alter its shape permanently.

54. Do you not think this portion of the elbow, being so worn, would give way? Yes.

55. Do you not think if the wheels of the carriages were at all worn they would be more liable to go off this rail than a double-headed rail? They would, to some extent, because these undulations would stimulate the oscillation of the horse-boxes.

56. There would be less resistance to the flange of the wheel leaving the rail than if it were a double-headed rail? No less resistance, but it would be more unsafe. From the undulations I speak of, it would be more likely to cause the carriages to oscillate and run off the rail.

Edward Bell, 57. *By Mr. Jones*: Do you think that from the moment the whole of the horse-boxes got off the rail, from that moment they must have been detached from the line? Yes.

Esq., C.E.
21 July, 1858. 58 Do you think it at all possible that, with the leading carriage off the rail, the other carriages would run a distance of a hundred or a hundred and fifty yards? Yes; but every carriage that went off the rail afterwards would tend to decrease the speed of the train.

59. Supposing the engine were detached from the train, the moment this first horse-box got off the line, would not the very fact of that horse-box being off the line diminish the speed of that carriage, from having to pass over the rough road instead of the rail? Yes, it would diminish the speed; but the running of the hinder carriages upon the horse-box maintained its velocity longer than otherwise.

60. If it can be shewn that there is the mark of only one vehicle off the line from the time of its being first discovered until the whole of the carriages were off the line, will you not then imagine that the severance of the connection between the horse-boxes and engines did not take place till the leading carriages went off the line? I should not conclude so. It is perfectly clear that the horse-box must have been driven by pressure from behind, and it would, therefore, still continue to travel in the same course, although off the rail, until it came to some serious obstruction.

61. Such as a curve? Yes, or such as a more projecting sleeper than the others.

62. *By Mr. Hay*: Do you not think, if it will appear by marks on the sleepers that the horse-box after it first went off the rail kept at a distance of eight inches from the rail, as shewn by the marks of the flanges, the horse-box was still attached to the tender at that particular time? No, I do not. I think it was more probable it would run in a straight line than in a crooked one.

63 Do you not think, if the horse-box were off the line, and the carriages on the line, the impulse being given by the carriages behind would still further turn the horse-box off? No, not necessarily.

64. Would not the buffer strike the horse-box and turn it off still further? If the pressure were on one buffer it might.

65. The centres of the buffers would not correspond in that case? But if both the buffers were pushing, the horse-box would still keep on its forward course.

66. Suppose the carriage strikes the near side of the carriage in front, will not that turn it off the straight course? It would merely push it on one side.

67. If the carriage which is still on the line forcing on the horse-box which is off the line, must not the impulse given by the carriage tend to drive the horse-box still further off? Not if both the buffers of the one carriage were pushing against the buffers of the other.

68. But the centre of the buffers would not correspond—would not eight inches make the difference of the semi-diameter of the buffer? Yes, but not of the two buffers.

69. Are not the buffers round on the surface? Yes; not very much so, but they are rounded.

70. The rounded surface of one buffer coming inside the rounded surface of the other, would not that have the tendency to drive the forward carriage still further off the rail? No.

71. Did you ever hear of the resolution of forces? Yes.

72. Do you not think that is in opposition to the resolution of forces? No, decidedly not.

73. What railway were you last employed upon in England? On the Taff Vale Railway.

74. As engineer? As consulting engineer.

75. Was it a broad or narrow gauge? Narrow gauge. It was chiefly used for goods traffic; there was very little passenger traffic upon it.

76. Are you aware whether four-wheeled carriages are not generally employed upon narrow gauge railways now in England? At the present time I cannot tell you, but when I was there they were not; four-wheeled carriages were in constant use on the Taff line to carry coals, but they never travelled with passenger trains.

77. Are you aware whether four-wheeled carriages for passengers are, or are not, in general use now upon narrow gauge railways in England? I am not aware: there may be a few on the Northern lines; I think I have seen a few come into York.

78. You do not think they are generally used? Certainly not—they are very rare; they are used chiefly on coal lines.

79. Are you aware whether upon the secondary railways in England—not main trunks—loaded goods trucks are run with passenger carriages? On secondary lines goods trucks seldom run with passengers.

80. Not even for the carriage of perishable goods? I think vans carrying milk and fish in small quantities, in baskets, were admitted upon most lines in South Wales, to take them up or down the country, but nearly all the traffic there was coal.

81. Still, loaded goods trucks were occasionally run on such lines? Not loaded goods trucks, but the guard's van would carry about four or five tons, and that was always put next the engine.

82. Then, on secondary railways—not main trunks—goods were not run along with passengers? No. I have known, on an emergency, a goods truck to be put on the train, but always next the tender.

83. Why do you think it dangerous to run horse-boxes next the engine? One reason is, that they have but four wheels, and another, that when they are empty they are more subject to oscillation.

84. Do you think they are more liable to oscillation in that position than they would be if they were at the tail of the train? They are more liable to severe oscillation if they are pushed occasionally from behind.

85. I think you said that, in point of fact, they do not run next the engine in England? No, I never knew it as a rule; they may occasionally put them on for convenience, but it is certainly contrary to regulation.

86. Is there any special order at home with reference to loaded goods trucks? There is a regulation with regard to loading and placing those trucks that carry goods liable to take fire

- fire; they are not allowed too near the engine. They are put in the rear of the goods trains. There are regulations with regard to the goods train not running with the passenger train, although, I believe, on some lines goods trains did run with the Parliamentary train; but, I believe, since an accident occurred on one of the Northern lines that has been prohibited.
87. *By Mr. Scott:* Are you acquainted with Continental railways? Yes, with several.
88. Will you mention which? With most of those in France, with those through the northern part of Germany, through Austria, all the way to Warsaw, and with those lately opened in Russia, from Petersburg to Moscow, and from Petersburg to Warsaw.
89. At what rate of speed do trains usually travel on the Continent? Generally from thirty to thirty-five miles an hour.
90. Are accidents on these lines as frequent as they are in England? I think they are less frequent; in fact they are very rare.
91. Can you state to the Committee why, in your opinion, accidents are of less frequent occurrence upon Continental than upon English railways? One cause is the moderate speed at which they run. If an accident occurs no serious mischief arises. They do not run thirty-five miles an hour on the average—I should say that would be their highest speed—and the railways are under very strict regulations.
92. I think you stated that the Barlow rails are used on these railways? Yes, very generally.
93. On longitudinal sleepers? Yes.
94. That is much safer than cross sleepers? Yes, with the Barlow rail.

Edward Bell,
Esq., C.E.
21 July, 1868.

George Fesq, Esq., called in and examined:—

1. *By the Chairman:* Have you been in the habit of travelling frequently on the Sydney and Parramatta Railway? Yes, every day, morning and evening.
2. Can you call to mind and inform the Committee whether on any occasion you have seen any engine, carriage, or horse-box, or truck off the line? Yes; twice.
3. Will you state the date and the peculiar circumstances under which you saw these occurrences? I cannot state the date, it is not present in my memory now, but it was between Petersham and Newtown, about fifteen months ago, I saw a third-class carriage off the line.
4. Did you see a similar occurrence on any other occasion? Yes; on another occasion, about ten months ago, between Homebush and Duck River, I saw a horse-box off the rail.
5. Do you know Haslam's Creek? No.
6. Do you know a decline on the rail, about two miles from Homebush? It is where some men live in tents that I saw the horse-box off the rail.
7. How long did that detain the train? About twenty minutes.
8. Was it coming to Sydney? Coming to Sydney in the morning.
9. Did you make any report of the circumstance to any of the officials? No.
10. It was attended with no serious consequences? No.
11. What was the position of the horse-box? The last on the train; the farthest from the engine.
12. On the occasion of the third-class carriage going off the rail between Petersham and Newtown, do you recollect what was the position of that carriage on the train? It was the first carriage next the tender.
13. Can you state the exact spot where the accident occurred? Where you commence to see Newtown station—at the turn there.
14. Between Petersham and Newtown? Yes.
15. *By Mr. Scott:* Have you lately travelled on that road? Not for the last four months; I left Parramatta about four months since.
16. *By Mr. Hay:* Up to four months ago you were in the habit of travelling constantly on this railway? Yes; ever since the railway opened.
17. *By Mr. Jones:* Are you pretty clear as to the time that has elapsed since the carriage got off the line near Newtown? I cannot say I am quite sure; but about fourteen or fifteen months ago.
18. Did any accident occur to any one at that time? No.
19. Was the train going on at speed? No, very slowly.
20. What means were adopted to get the carriage on the rail? It was done by means of a lever.
21. How long is it since this horse-box got off the line? Between nine and ten months ago.
22. You are sure it was about that time—not longer? Yes.
23. The getting the horse-box on the line led to a detention of some twenty minutes? Yes.
24. *By Mr. Wickes:* When the horse-box got off the line did it cause any alarm? No. It was raining at the time.
25. Did the train stop suddenly? No, it stopped gently, not suddenly. A tall gentleman who was on the train was the first who perceived that the horse-box was off the line.
26. Was he in your carriage? No; he was on the engine. I forget his name.
27. Was his name Gibbons? Yes.
28. *By Mr. Hay:* Did you observe that there was any particular cause for the horse-box getting off the line? No; I did not know the cause.
29. There was no obstacle to be seen? No.
30. Did you observe any particular cause for the carriage getting off at Newtown? No.
31. On neither occasion was the train running very fast? No; very slow.

George Fesq,
Esq.
21 July, 1868.

George Carter, called in and examined:—

- Geo. Carter. 1. *By the Chairman*: On Saturday, the 10th July, were you a witness of the accident that occurred on the Parramatta Railway? Yes.
- 21 July, 1858. 2. Where were you? I was standing with my horses, about ten yards from the second bridge, watching the train coming through that cutting, and as I saw the train coming I passed the remark to myself, "If that driver comes along at that speed he will be off when he comes to that curve."
3. What made you think that? The train was on such a sway. I have been travelling that way twelve months, and I never saw the train coming quicker.
4. Was there an unusual oscillation or motion? Yes; it was just the same as a load of hay going over a rough road.
5. Then it struck you that there was some danger that morning in particular? There was in particular, for I never saw a train coming quicker.
6. Have you any idea of the rate at which they were coming? If it had kept on the speed it was going, it was forty miles an hour.
7. What did you actually see when the train did come towards you? I passed the remark, "If the driver keeps on at that rate he will be off the line," and before I had said the words the first horse-box sprung the first two wheels off the road, and carries them that way for, I should think, about a hundred yards.
8. Was it separated from the tender at that time, or still attached? Still attached. The steam was in full motion.
9. You could tell that by the puffs of steam? Yes; and I could tell it by the sound of the stroke.
10. Was it the horse-box next to the tender that first went off? Yes—two wheels.
11. What followed? The pitch of the sleeper chucked the hind wheels off, and she was carried past by me with the four wheels off; there was no other carriage then off. Then, when it was past me about from thirty to fifty yards the horse-box ran inside the line, when the coupling broke like an arrow, and the engine flew towards Homebush. The second horse-box then pitched across the buffer of the other horse-box, to the right; the carriage catches her buffer and pitches her right round at a circle, and brings the other round the bank, and the break-van across the line. I immediately ran up, and the first I came to was a gentleman with his head under a carriage.
12. Was he quite dead? No; he just gave two kicks, and died. I found the poor old lady under the same carriage. The horse-box had caught the telegraph pole, and the wire had whizzed round.
13. Did you notice the after-part of the train, whether there were any trucks behind the carriage? There were.
14. Were they loaded or not? They were covered with black tarpaulin, and stood on the line.
15. Do you recollect how many there were? No; I did not count them, for I was in a bustle, seeing men and women about me with their faces bleeding.
16. You are quite clear that they had black tarpaulin on them, as if they had something under the tarpaulin? Yes.
17. Have you been able to form any opinion of the cause of the accident, besides the speed at which they were travelling? I will tell the truth, and nothing but the truth: I have been travelling that way for the last twelve or fifteen months, and I never saw the train coming faster. Without telling a word of a lie, the speed was about forty miles an hour. I was employed on the North Union Railway, and I have seen on that line a luggage-waggon drawn for four miles by the side-chains with the wheels off—gone altogether.
18. Still connected with the tender by the side-chains? Yes.
19. With the hind wheels running on the line? Yes.
20. *By Mr. Wecker*: Was there a centre-chain as well as the two outside chains? Yes—screw-coupling in the centre.
21. Was it a goods truck? Yes; on what they call a luggage train.
22. On that line did they always couple goods trucks by screw-couples? Yes, always; the one next to the tender is coupled and screwed up, so that when the train starts it has not so much play. Then there are side-chains, so that if the coupling gives way there are side-chains to carry on with.
23. *By Mr. Jones*: Do you say you have been employed upon a line of railway at home? Yes.
24. Is there, besides the screw-coupling, side-chains connecting the tender with the carriage? There are two side-chains on each side of the buffers. There used not to be, but after there were so many accidents, because the couplings used to snap, perhaps from bad welding, the side-chains were put on. So that if the coupling gave way the chains would carry on.
25. *By Mr. Hay*: You are employed in the neighbourhood of the railway? Yes. I am driving a team for Mr. Thomson, of Liberty Plains, near Parramatta.
26. Do you know any of the men on the line? No. I have been with Mr. Thompson ever since I have been here.
27. You did not know this engine-driver at all? No. If he had taken the signal from me when I was waving my hand round, and shut the valve, the accident would not have happened.
28. When did you wave your hand? Just as the train came to the bridge. The fireman had his eye on me, and I took my hat off and cooeyed, but it had no effect—he was past me like lightning.
29. You waved your hat to try to attract the attention of the driver, seeing the horse-box was off the line? Yes.
30. *By the Chairman*: Can you state with certainty what was the color of the horse-box first, next the tender? No.
31. You are quite sure it was the first horse-box got off first? Yes.

32. Are you quite sure they were the foremost and not the hindmost wheels of the horse-box that were off the line? The two first wheels; the hind wheels would not have gone off at all only for the pitch of the sleepers. I gave my name to a gentleman, to be examined on the inquest, but I was not called. I did not expect the inquest to be closed so soon.
33. Did you expect to be examined? Yes. I was in charge of three horses going from Haslam's Creek with timber. I have been carting through that bridge for the last fifteen months.
34. Have you been very much in the habit of noticing the trains? Yes.
35. You do not make these remarks from any sudden impulse arising from the late accident, but because you have observed the train at other times? Yes.

THURSDAY, 22 JULY, 1858.

Present:—

Mr. DONALDSON,	Mr. JONES,
Mr. HAY,	Mr. EGAN,
Mr. WEEKES,	Mr. PARKES,
Mr. SCOTT,	Mr. OAKES.

THE HON. STUART A. DONALDSON, Esq., IN THE CHAIR.

Charles Henry Storey, Esq., called in and examined:—

1. *By the Chairman:* You have been engaged as a practical engineer for a number of years? C. H. Storey, Esq. Yes, I have. I was with Mr. Jackson for ten years.
2. Have you been engaged in this Colony in similar pursuits? Yes, I have.
3. Since when? Since 1855. About fifteen months.
4. You were engaged with Mr. Randle? Yes.
5. During the traffic on the Parramatta line? Yes.
6. Were you engaged before the railway was entirely finished? Yes; I arrived just one week after the opening.
7. Had you charge of anything? Not on the line. They were merely details that came to my hands in the office.
8. Can you favor the Committee with any practical suggestions in reference to the construction of that Parramatta line—as to whether you deem it good, or bad, or indifferent? I have not travelled on that line since March, 1857, but I have travelled previously, both in carriages and on the engine, and at the time I travelled I considered it a very defective road.
9. Defective—how? Defective in the construction, inasmuch as the rails were concerned.
10. That is, Barlow's rails? Barlow's rails; I did not consider them equal to the double-headed rails.
11. Why? There was a less number of sleepers under them, and I did not think they would be so easily packed as the ordinary transverse sleepers.
12. Well, as to the formation of the Barlow rail, do you think any particular danger arises from the possibility of its flattening, and the opening of the angle which forms the rail, by heavy traffic? If the sleepers be too far apart.
13. Are the sleepers too far apart on the Parramatta line? They were when I travelled over it.
14. Your particular objection to the Barlow rail appears to me to consist in its liability to spring, as it were, unless there are more sleepers used than you saw? Yes.
15. Can you conceive that if a sufficient number of sleepers were used the Barlow rail would become unobjectionable? I should not object to them then.
16. Would you recommend longitudinal supports, as in the case of the Great Western? No; only a sufficient number of sleepers. The value of a permanent way consists of a good bearing surface on the ballast.
17. During your experience of the railway in Mr. Randle's time, have you known carriages to run off the line? No. I perhaps have heard of such a thing, I think, once; but I do not recollect.
18. You have not heard sufficiently often of such instances to make an impression? No.
19. Do you think the railway constructed on this line of a safe character, and properly adapted to the engines? I do not like the engines at all. I think they are too cumbersome—too heavy.
20. And the speed? I do not think the speed too great; but, with such a heavy engine, high speed is objectionable on a permanent way of that description.
21. Why? Unless the permanent way be very strong, heavy engines impair its efficiency, and there is great wear and tear.
22. Does the heavy engine cause more jumping? Decidedly; it is the heavy engine passing over a line constructed of Barlow's rails.
23. Will not that tend to cause more oscillation? No; because the top portion of that rail is very much like the rail used on the Great Western Railway in England.
24. But do not you think that the deflection caused in the railway between sleeper and sleeper, by the passing of a heavy engine, will tend also to cause a jumping, and, therefore, an oscillating motion in horse-boxes or carriages following such an engine? Certainly, if the sleepers are not close enough together.
25. How many sleepers were there, do you remember, to every six feet, or per length of rail? Generally they should average one to every three feet.
26. Should average? Should average upon the ordinary double-headed rail.

27.

- C. H. Storey, Esq. 27. Upon this what would you suggest? At the time I recollect seeing it there were only three to each length of rail—one at each joint and one in the centre—that is, a distance of seven and a-half feet between each sleeper from centre to centre.
28. You say that with the T rail, which you consider stronger than the Barlow rail, there should be one sleeper every three feet? Yes, on an average.
29. How many would you suggest for this Barlow rail, to render it as safe as the T rail? I think only one less—four in fifteen feet, instead of five, as in the ordinary double-headed rail.
30. Then you suggest fewer sleepers? I do not think it would do with less than one.
31. I gather, then, from your observations, that, instead of one for 7 ft. 6 in., you would recommend two for 7 ft. 6 in.? Yes; I would divide it into four, instead of five. I understand that there has been one sleeper added between each two—that is to say, two more to each length, and that, I should say, ought to be sufficient for that section of rail.
32. *By Mr. Weekes*: You are not acquainted with anything on the line since March, 1857? Nothing at all.
33. That is since the present management of the railway has been in existence? I have been on the line only once since the time when it was in Mr. Randle's hands.
34. Did you ever call the attention of Mr. Randle to what you considered the insecure state of the rail? I have often told him that I considered it a bad permanent way as it was then—with one sleeper between the joints.
35. Did you tell him that you considered it unsafe with the number of sleepers it had? Yes; the badness consisted in the want of additional sleepers. By these observations I do not imply that any blame attached to Mr. Randle.
36. With a sufficient number of sleepers do you consider the Barlow rail preferable to the double-headed rail? No; I prefer the double-headed rail.
37. But, with the proper amount of sleepers underneath, you think the Barlow rail has no more inclination for a train to run off than a double-headed rail? I think not.
38. The Barlow rail, in your opinion, being stronger, I think you said, than the double-headed rail? It depends upon the weight of rail. The Barlow rail varies up to 100 lbs. I have seen them 90 lbs. and 80 lbs. I have seen the double-headed rail also of the same weight—therefore, I consider that the same weight in a double-headed rail is stronger than in the Barlow rail.
39. You said that the great weight of the engines rendered the oscillation greater,—is that on account of the weakness of the rail, or on account of the great weight of the engines? I think it is the weight of the engine combined with the weakness of the permanent way—the two combined.
40. Does not weight in an engine tend to give steadiness to the driving, where the rail is of sufficient strength? When the permanent way is sufficient for the weight to travel over it.
41. Are you aware whether Barlow's rails are used in the mother country? They have been used a great deal, but I believe they have been taken up again. I first saw a specimen laid down on the Midland line, near to Derby, which I went to inspect with Mr. Jackson; but I do not know what the result of that experiment was. I have a letter from Mr. Barlow to a friend of mine, pointing out the advantages of it, but it is not yet, I believe, generally approved.
42. You think that in England it is condemned? I think generally it is, although it has been used on a great many lines. I think I have six sections of six different rails of Barlow's which have been used on different railways in England.
43. *By Mr. Oakes*: Do you know whether the round or flat side of the sleepers were put down next the ground formerly? I could not positively say; but knowing that the flat side of the sleepers has been laid down hitherto—lately—in permanent ways in England, I presume it is done so on this line.
44. You think it would be better to have the flat side laid down? Decidedly; because then there is no slipping surface. If you put the round side down, there would be a rolling surface upon the ballast.
45. *By the Chairman*: Was it intended by Barlow himself with his rail to put down sleepers at all? Not at all.
46. Merely transverse iron ties at the joints, and it would support itself? By packing it.
47. Has that been found to fail? I would not say it has been found to fail, but I have no doubt in my mind about it.
48. At all events, Barlow's rails have been removed? In several cases, I believe.
49. Do you know what was the speed at which they travelled on this line in your time—at the time of which you speak? Well, they cannot travel at a very great speed on this line between Parramatta and Sydney, because there is no time to get up the speed, except between Parramatta and Homebush. The stoppages are so short, and consequently they have to slacken speed at each station.
50. At that particular time—between Homebush and Parramatta (at the time you knew it)—what was the speed, as a usual thing? I should say between twenty and thirty miles; but I do not think they could get up any speed which would affect the safety at that distance. I have travelled on the North-western at a speed of thirty-five miles, including stoppages.
51. What is the weight of the Barlow rail, used on this line, per yard? I think 80 lbs. It is a light rail for that section of rail.
52. Was the rail laid down, do you know, on the Midland line in England, done by the patentee and engineer of the Midland Counties Line? It was done by Mr. Barlow himself, as an experiment. I went with Mr. Jackson and Mr. Barlow.
53. And you know, of your own knowledge, that those rails have been lifted? I will not say positively that they have been removed, but my impression is that it is so.
54. *By Mr. Weekes*: You say it is impossible that a high rate of speed could be obtained on this line? Yes, in that length of run.

55. Then, supposing witnesses have stated that a speed of forty miles is attained, do you think that they are deceived? I should say that speed is impossible. C. H. Storey,
Esq.
56. Say between Parramatta and Homebush? Take the medium of the line—it is about three miles in round numbers—and you could not get up such a speed. 22 July, 1858.
57. In a decline say of 1 in 130? Not with the steam off. No engine-driver who knows his duty will keep on the steam on an incline of 1 in 130.

John Trott, Esq., called in and examined:—

1. *By the Chairman:* You were on the railway train on the occasion of the late accident, on Saturday, the 10th of July? I was John Trott,
Esq.
2. In what carriage? In a third-class carriage. 22 July, 1858.
3. Which? The first after the engine.
4. With Mr. Want? Yes.
5. You were injured, I am sorry to hear? I was greatly bruised and knocked about, but I have no broken bones, thank God.
6. Before you met the with the accident, did the speed at which the train was travelling strike you as being very great? I thought we were going very fast, but I cannot say at what rate.
7. Were you going faster than usual? I have been in the train many times before, and sometimes you go faster than at others.
8. You thought at that time that you were going very fast? Yes.
9. Did you remark it to your fellow passengers? No.
10. It merely passed in your mind? It merely passed in my mind.
11. What was your first sensation? Mrs. Trott was sitting on the outside, so that she could look out, and she said "Oh, Trott, we are off the line!"
12. Were you facing the tender at the time, or did you have your back to it? We had our backs to the tender.
13. On which side was Mrs. Trott? On the Parramatta Road side, coming towards Sydney.
14. Will you state what occurred? Mrs. Trott looked out, and said "Oh, Trott, we are off the line!" and before I had the presence of mind to look over, she held fast by the side of the carriage with one hand and caught me by the sleeve with the other, and over we went. She tore my coat sleeve off, and shirt and all.
15. And the carriage turned right over? Yes; to my left hand, as I was sitting.
16. So the seven of you were facing Sydney? Yes.
17. Where was Mr. Want sitting? He was on the other side: I was sitting on one side and Mr. Want on the other.
18. Did you feel any bumping sensation? After it was off the line it shook about.
19. After Mrs. Trott spoke? Yes, before it went altogether.
20. Have you any idea, after all you have experienced, what could have caused the accident? I think it was the horse-boxes.
21. Do you mean their position with regard to the rest of the train? I think I have often observed that it jumps about much more than another carriage, in my little way of thinking. They have a short pressure, and they have not got so much power as when they are long.
22. They have only four wheels and the carriages have six? Yes.
23. Did you chance to notice how the carriages were coupled together? No.
24. Did you ever before travel with the horse-boxes in the same position? I never took any notice of them before. Experienced men say it is the safest place for them, from what I have seen in the papers.
25. We do not want the opinion of the papers—what is your opinion? I do not know.
26. You have an impression that it would be better they should not be there? I think so.
27. You cannot inform us which carriage went off first? Well, really, it seemed very remarkable to me altogether; the hindmost carriage on leaving Parramatta was in advance of us after the carriage I was in was upset, and it was also upset; it must have passed up, of course, after the upsetting of our carriage.
28. You are aware after the accident that the position of the train was reversed? Yes; the hindmost carriages were before me, and the horse-boxes behind me. That was quite enough of the railway.
29. Would not you travel any more by the railway? Oh, yes; but not between Parramatta and Sydney.
30. Have you an idea that this accident can be prevented in future by greater care? Well, my firm belief is—if my voice would be of any service—I would have all horse-boxes and meat-vans, and all empty trucks, go by the luggage train. I was coming down, either eight or nine months ago, and within a few yards of the same place where this railway accident took place, two empty trucks—horse-boxes—went off the line, and they had been off for a little time, coming from Parramatta to Sydney.
31. Before you noticed it? Yes. The gang on the line made a signal to stop.
32. Can you state the date of that occurrence? I cannot; I think it must have been eight months ago, or more.
33. You can state within a month—it was eight or nine months ago? Yes.
34. Do you know if any report was made of that occurrence? No.
35. Did you report it to anybody? No. I never thought we were off the line till the train stopped.
36. Do not you think it would be desirable that intelligent persons like yourself travelling on the line should tell the authorities of such occurrences? Yes.

- John Trott, Esq.
22 July, 1858.
37. Why did you not tell them? I thought reports were made regularly by those in care of the railway.
 38. Captain Martindale is desirous of asking you—are you sure as to the day? I am not.
 39. To the month? No.
 40. *By Mr. Oakes*: Do you know what train it was by? I think it was the 8 o'clock train.
 41. Do you think my son was there? I think so.
 42. Could it have been eight or nine months ago? I think so.
 43. Are you sure it was two empty trucks, or a horse-box? It was two empty trucks, or horse-boxes.
 44. *By Mr. Weekes*: On that occasion what was the first indication of the trucks being off the line that you received? The train stopping and the passengers getting out. I did not get out.
 45. You only knew of it by the stoppage of the train? Yes; then we saw the trucks or horse-boxes off.
 46. Did you get out of the train? I did not, but a great many did, and went and got the gang working about a quarter of a mile off to put them on the rail again.
 47. *By Mr. Oakes*: How long were you delayed? About half-an-hour.
 48. Do you know where it was? Near the tents.
 49. That is between Haslam's Bridge and Homebush, or between Haslam's Creek and Parramatta? It was between Homebush and Parramatta.
 50. *By Mr. Weekes*: Then, between the first indication you felt, the exclamation of Mrs. Trott, and you being precipitated out of the carriage, was only a moment? It could not be more than a moment; and I think, after we did get over, I think we were, by the appearance of it, drawn along three or four yards, by the rumbling and the tearing of the irons.
 51. *By the Chairman*: The time of the trucks being off the line—what train was it? It reached Sydney at half-past nine.
 52. And how many months ago? Well, I think it is about eight months ago, or more.
 53. Was it three or nine? On after consideration I find it is about eight or nine months.

Mr. George Wood, called in and examined:—

- Mr. G. Wood.
22 July, 1858.
1. *By the Chairman*: Have you been employed on railways in London at all? On the Dover and Brighton Railway.
 2. In what capacity? I first went as porter, and from that I rose to occasionally going as guard, and then to a ticket-platform.
 3. As porter or as guard, was it your duty to attend to the coupling of the carriages? No.
 4. Do you know anything about it? As a porter I had it to do.
 5. Is there any invariable rule as to the coupling of carriages? Hooking them with loose couplings and screwing them up, and leaving the side chains at the full extent, so that in case of coming round a curve the draw-bar will draw out further than the buffer will give to, so that if anything breaks it allows sufficient room for them to feel the weight again before the chain snatches; but, if they are hooked short, and the coupling breaks, of course it does not allow sufficient room to the buffers to give.
 6. When you say couplings, do you mean screw-couplings? Yes.
 7. Did you do that where the buffers pressed closed together always in England? Yes.
 8. Did you ever know an instance of a passenger train in England travelling with horse-boxes coupled with a centre-link without a coupling? Yes.
 9. When and where was it? On the Dover and Brighton Railway. It is an every-day occurrence—the engine and tender being hooked with the hook-chain with a spare link.
 10. And what is next to the tender in that case? Generally a break.
 11. What do you call a break? A break-van, or a parcels van, is what they put next to the engine and tender always on the London lines, and hooked on by what they call a chain and a loose link, and if so be that is not long enough they have got couplings which they put on.
 12. Do you mean that they use the loose chain constantly? If it will reach. There is always a chain on the tender—a fixture; and in order to make the chain work level they have got a loose link, so that the hook always hooks downwards.
 13. Is there any screw-coupling in that case? No.
 14. How long is it since you were on the Dover and Brighton Railway? It is ten years since I was there.
 15. You do not know anything about the practice of coupling carriages since that? No; only by travelling, when I was not engaged as a servant. I have been following the sea for the last ten years.
 16. *By Mr. Hay*: Do you say that you have observed it? Yes, Sir.
 17. Of late years? Yes, Sir.
 18. *By the Chairman*: In passenger trains? Yes, Sir.
 19. Could you give us any information as to the cause of this accident, as far as your experience in England would lead you to form an accurate opinion? No; unless it was the coupling breaking, being of insufficient strength to draw the train. There might be a flaw in the iron, and then the sudden jerk would draw it off, particularly if the chains were hooked, as I say, tight.

George

George Oakes, Esq., a Member of the Committee, examined in his place:—

1. *By the Chairman:* Did you travel by the Parramatta Railway on Friday, the 9th July? George Oakes, Esq. 22 July, 1858.
I did.
2. The day before the fatal accident? Yes.
3. Had you occasion to notice the speed at which the morning train, arriving in Sydney at half-past nine o'clock, travelled on any part of the line? I noticed, and remarked at the time, that they were going very fast—unusually fast.
4. At what particular point? At different parts between Parramatta and Homebush.
5. Did you time the difference between Parramatta and Homebush—the whole distance? I could not say exactly to a minute, but it was under ten minutes.
6. That was at the rate of between 34 and 35 miles; that was the whole distance, although they might at times have been going faster than that? I have travelled on the line from its first opening, and it was the first time I was alarmed.
7. Did you notice the speed coming down the incline towards Haslam's Creek? No; not at particular times.
8. At all events you were alarmed? Yes, and I mentioned the speed to my brother, who was sitting by my side—that they were going unusually fast at the time.
9. Did you make any report? No; I intended to do so, but the first time I saw Captain Martindale was after the accident. On the occasion of Friday, the 9th instant, they were late on leaving the Parramatta station, about four minutes, and they gained that time between Parramatta and Homebush. On the occasion in question, my brother and I came to the station rather late, and I noticed the circumstance because we were in time for the train. I remarked in going down, as we were reading the newspaper, how extremely fast we were going.
10. Did you ever know on any previous occasion, or was your attention ever drawn to it, of time being made up after starting late? I never knew them to do it under twelve minutes before, and I have timed them.

Captain Martindale called in, and further examined:—

1. *By Mr. Weekes:* Can you furnish the Committee with a statement of the total number of passengers carried on the Great Southern Railway since its opening? I hand in a statement shewing the number carried on the Great Southern line since its opening. Capt. B. H. Martindale, R. E. 22 July, 1858.
(Witness handed in the same. *Vide Appendix A.*)
2. Will you state the total number carried during that period? On the Great Southern Railway, between the 26th September, 1855, and the 30th June, 1858, the number was 924,348.
3. Is the recent accident the first that has happened to passengers during that period? The first involving injury to passengers.
4. Have you a similar return in reference to the Northern line? The number between the 30th March, 1857, and the 30th June, 1858, on the Great Northern Railway was 56,838, making the total number on the two lines since their opening 981,186 passengers. (*Vide Appendix A*)
5. Have there been any injuries to passengers on the Northern line? None.
6. Can you furnish a similar return in reference to railways in Great Britain? I hand in an extract from a Report of Captain Galton, of the Board of Trade, for the years 1856 and 1857, shewing the proportion of passengers killed and injured from causes beyond their own control, per million, for the several years from 1852 to 1856, inclusive, from which it appears that, in round numbers, only one person in sixteen millions who travelled has been killed from causes beyond his own control. (*Witness handed in the same. Vide Appendix B.*) I wish also to put in an extract from a confidential memorandum given when the Traffic Manager was appointed—shewing the instructions he received with reference to the reports he was to make. (*Witness handed in the same. Vide Appendix C.*)

APPENDIX A.

RAILWAYS IN NEW SOUTH WALES.

The number of passengers who travelled over the New South Wales Lines was—

Great Southern Railway, between the 26th Sept., 1855, and 30th June, 1858.....	924,348
Great Northern Railway, between the 30th March, 1857, and 30th June, 1858 ...	56,838
	981,186

The present is the first accident involving injury to passengers that has occurred.

APPENDIX

Capt. B. H.
Martindale,
R. E.

APPENDIX B.

EXTRACT from Report relating to Railways for the Year 1856-7.

22 July, 1858. THE following Table shows the proportion of passengers killed and injured from causes beyond their own control, per million, conveyed in the several years from 1852 to 1856 inclusive.

	ENGLAND.		SCOTLAND.		IRELAND.		GREAT BRITAIN AND IRELAND.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
1852	14	4.3	0	5.8	0	3.2	11	420
1853	23	2.6	0.9	4.5	2.4	1.6	35	2.80
1854	0.9	3.08	1.6	3.51	1.4	5.7	10	2.97
1855	0.8	2.51	0.8	4.50	1.4	9.7	0.8	2.70
1856	0.7	2.35	.....	1.92	.....	2.5	0.7	2.18

It thus appears that only one person in 16,168,449 who travelled has been killed, and one in 458,370 who travelled has been injured, from causes beyond their own control; and that the degree of safety with which passengers have been conveyed is greater than in any year since 1851.

APPENDIX C.

Extract from a Confidential Memorandum to Mr. Nealds.

" Railway Department,
" 13 October, 1857.

" The Commissioners have decided, therefore, to try Mr. Nealds' competence to take the place of Mr. Newdick till the end of the year, with the title of Traffic Inspector, at his present salary.

" The arrangements for next year will depend upon the pleasure of the Legislature, and the capabilities Mr. Nealds displays for the position.

" The Chief Commissioner has some points to which he wishes to call Mr. Nealds' attention.

" He considers Mr. Nealds as immediately responsible to himself for the convenience and safety of the public travelling by the railway; and for the good conduct of all the officials travelling along the line.

" All accidents involving risk to human life must be reported as early as practicable; and a weekly report must be furnished to the Chief Commissioner, every Tuesday, in a tabular form, shewing all punishments, accidents, or other unusual circumstances that may have happened during the past week, including all complaints of goods not delivered, or from passengers of incivility, &c., &c.

" All reports from those employed in the Traffic Department must pass through Mr. Nealds, and be accompanied by such full explanations on his part as to avoid the necessity for further reference.

" Mr. Nealds' position, and constant presence on the line, will enable him to detect irregularities better than any other person. He will remember it is his duty to check them whenever they exist; and where the department is not under his immediate control to report them to the head of the department concerned.

" The Chief Commissioner will always be happy to see Mr. Nealds in person, and would wish to see him at least every Tuesday, at 10 o'clock, with the report already named.

" In conclusion, Mr. Nealds will consider it his duty to keep the Chief Commissioner fully informed of everything material for him to know in the department under Mr. Nealds' immediate charge."

" B. H. MARTINDALE."

FRIDAY, 23 JULY, 1858.

Present:—

MR. DONALDSON,
MR. EGAN,
MR. HAY,

MR. OAKES,
MR. PARKES,
MR. SCOTT,

MR. WEEKES.

THE HON. STUART A. DONALDSON, ESQ., IN THE CHAIR.

Edward Bell, Esq., C.E., again called in, and further examined:—

Edward Bell, Esq., C.E.
23 July, 1858. 1. By the Chairman: You were kind enough, upon a former occasion, to give the Committee some evidence before you visited the scene of the late fatal accident; will you now state, having, as I understand, visited it yesterday, any information which bears upon the cause of the accident, or resulting from your personal inspection of the line and rolling stock? I went to the station about ten o'clock yesterday morning, and found that instead of the arrangement having been made for the ten o'clock train, I was to go by a special engine at a quarter past ten. I started at about twenty minutes past, and was asked by a gentleman who was accompanying that engine, whom I did not know, but who I was informed was Mr. Mason,

Mason, whether I would go upon that engine, or whether I would have a first-class carriage. Edward Bell, Esq., C.E. I preferred the engine. I put a few questions to the gentleman with regard to the alterations I saw making in the sleepers under the rails. I think the question I put was, "Are you putting down additional sleepers?" His answer was, "No; we are repairing the line." 23 July, 1858. When the engine stopped to put down some person from the engine, whose name I do not know, I looked over the side and asked a man at work on the line if they were putting down additional sleepers. I got no answer. The man who got off the train appeared to be superintending the men, and did not look up when I spoke. The engine went on, and there was not time to ask another question, and I did not think it of sufficient importance to ask them to stop. When we had reached about twelve or thirteen miles from Sydney, the engine stopped and put me down. Mr. Mason got off at the same time. I said, "Is this the scene of the accident?" He said, "Yes," and left me. I saw him going about six or eight chains up the line, and proceed to take some dimensions with a tape. I had a youth with me, of the name of Statham, whom I requested to accompany me, that I might ask some questions of the gentleman who had got off the engine. I asked Mr. Mason if he could inform me which was the person sent down to inform me of anything that it was important for me to know or see, and to acquaint me with any information I wanted. He said, no, he could not. I asked him if he was the person sent down to do so. He said, no, he was not. I said, "Are you quite sure you received no instructions from Captain Martindale or from Mr. Whitton to furnish me with any information, or to point out anything it is fitting for me to see or observe?" He said, "None whatever." "Are you willing to give me any information?" I asked. He said, "Yes; such as I know I will give you." I said, "Captain Martindale, the Chief Commissioner, promised yesterday to send some person with me, as I am quite a stranger on the line, to give any information I might ask for with regard to where the carriages went off, and so on; and am I distinctly to understand that you are not sent, and that you know of no one who was sent to do it?" He said, "Decidedly so." Then I said, "Any information you give to me, I am to understand as a personal favor to me, and is given as such?" He said, "Yes, it was." The first question I asked was, "Show me, if you please, where the carriage left the line?" He said he did not exactly know, as he was not there at the time. A man was present, to whom Mr. Mason had beckoned on the line, and told to "come down to the bridge." I asked him, Fishlock, if he knew where the carriage went off the line. He said, "Yes." I said, "Shew it to me." He proceeded to do so; he went to the bridge a little lower down, I followed the man, and Mr. Mason followed me, and said to the man "Mind and be particular; do that right, state exactly the spot, be very careful, do not do it wrong." The man uncovered the sleeper at the first joint upon Haslam's Creek Bridge. He said that was where the horse-box went off the rail. He went to the first joint on the bridge to examine it, and, on turning the ballast on one side, we could observe no mark of the train having been off there, but he said, "That is the joint," pointing to the third joint, about forty feet further on. Then the first mark which appears of any wheel striking the sleeper is about twenty feet nearer this way, and about nine inches from the inner edge of the rail. I could trace these marks along some few sleepers, but all trace of the wheel marks and of the accident beyond that, excepting a mark on the outer rail of the up-line, where the wheel had run along the outside of it, had vanished, excepting at the bank where the carriages had turned over, some considerable distance further on. I did not devote much more attention to the indications and marks upon the line, because I saw that all the ballast had been lately removed and trimmed up again, and that it would, under these circumstances, be difficult for me to draw any conclusions from those marks. I then directed my attention to the line at that part generally, and observed to Mr. Mason, to whom I went some distance back to speak, that it did not appear to me there was any level at the foot of the incline; it appeared as if it were an undulation, that the upward curve commenced at the bottom of the downward curve, and that there was no level. He said, yes, there was a level, I asked him, "Where?" He said, he did not know where it was, but that he knew there was a short piece, but where it was he could not point out. I said my conviction was that there was none. I then remarked to him what had occurred to me in going down the line, that it was customary on all lines of any importance in England, carrying passenger trains particularly, to have posts erected at the side of the line, on which should be indicated the gradients of the line. Such posts are always erected at every change of gradient, in that style—(*The witness made a slight sketch of a post with an arm projecting on each side, on which should be painted in black figures on a white ground the gradient or level of the line, as the case may be, on each side of the post.*)

2. Is that universal on the lines in England? Yes; it is indispensable upon any line, as a guide to the driver; for where there are no such indications as this, it is hardly possible for any one to know what the state of the line is, whether a level or a gradient, and their extent. The arms on the post are made—of an ascending gradient, to point upwards, if a descending gradient, to point downward, and if a level, the arm is fixed horizontally, and written on "level," and the extent of it in yards. With these posts any engine-driver would at any time know exactly the nature of the portion of the line over which he was travelling, and what duty he had to perform; and any new engine-driver put upon the line would become more readily acquainted with the curves and gradients than otherwise he possibly could. Besides, in the event of an accident like this, there could be no diversity of opinion, whether it occurred on a level or on a gradient, if an inquiry were instituted by a jury, a committee, or any body of gentlemen. On visiting the line they could at once ascertain whether it were on a level or on a gradient, and would have some reliable data upon which to form an opinion; but when I was under examination the other day, I think there were two or three different opinions as to the gradients, and the length of the radius of the curve the train was approaching. Even now I am quite ignorant what the

Edward Bell,
Esq., C.E.

23 July, 1858.

radius of the curve is, what the level is, or what the gradients are. I cannot possibly know the latter without the use of my levelling instruments.

3. Would you recommend the adoption of these posts throughout the Australian railways, as a matter of precaution, and to indicate to engine-drivers or to passengers what the gradients on the lines are? Yes, without any exception.

4. Are there not further precautions adopted on the English lines—are not the words "Stop," "Slow," written in large letters on certain parts of lines? There are signals to shew these things; in very rare instances are they written in letters. There are signals which can be seen by night or by day. I made one remark to Mr. Mason, which I may mention here:—I said it was not at all extraordinary that the engine-drivers did not know the state of the line, when it seemed that the Engineer-in-Chief himself, as I understood the other day, could only give his statement from the plans, and that his assistant could give no information whatever. I then inquired when the train would be up, with a view to seeing the train pass over the line at that spot, and as it was expected in a short time I remained there; but I observed that the whole of the sleepers on that part of the line—at any rate as far as I examined it—were five feet apart, and that the ballast is composed chiefly of sand, which, having been lately removed, appears to be quite alive, as we term it, that is, easily moved. As the train came up a few minutes afterwards, I observed that it had to ascend a very considerable incline before it reached Haslam's Bridge, and that the steam was full on, as far as I could judge from the beating of the engine; indeed it must have been nearly full on for the train to ascend the hill. I noticed that in ascending the hill the carriages led well—followed the engine very steadily.

5. That was between the bridges? No, that was coming up to Haslam's Bridge, before you reach the curve; but I noticed as the engine passed me a very considerable deflection in the rails, and an excessive movement, I might say—some of the sleepers rebounding sufficiently to toss up the loose sand that laid upon them. I inquired of the plate-layer, Fishlock, after the train was passed—(in the absence of Mr. Mason, who had gone some considerable distance up the line)—whether he was not employed in laying additional sleepers upon the line. He said, yes, he was, he had been employed at it some time. "You do not take out any of the old ones?" He said he did not, there was no occasion for it, they were as good as new ones. "Then you are putting in additional sleepers?" He replied, "I am putting in more at every joint." I said, "You are laying them flat side downwards, I perceive the round side up?" "Yes," he said, he was; all the new ones were laid the flat side downwards, and the round side up. I said, "I observe all the old ones are laid round side down and flat side up." He said, yes, they were. I asked him how long he had been about it. He said, he had been only about ten weeks stationed at that part of the line himself. I asked him his name, and he said it was Fishlock. I then, shortly afterwards, saw a train come along the line, within a few yards of the spot where I had seen the up-train pass,—when I saw a few yards, it might have been twenty or thirty yards either way. I saw the same deflection, and I fancied rather more—over one sleeper in particular there was more. At that particular spot one sleeper moved very much indeed, more than the generality, while the engine was passing over, and as the tender moved over the same rail it appeared that the motion of the rail, caused by the engine, had not ceased. I then waited till the special engine returned from Parramatta, and stated to Mr. Mason that, as I had been requested by the Committee to examine the line, and stock generally, and to take particular notice of it, in order that they might benefit by any observation I might make, I should like the engine to stop on the way up. He said it was so arranged, and that I could stop where I pleased; as there was no train coming up for some time. I consequently stopped at the first place which I thought appeared as if there had been considerable alteration in the sleepers. There were several sleepers lying between the lines, and on the sides, and I got down to examine them. I found six sleepers to each rail there.

6. Extra sleepers? They were lying at the side, as if they were about to be put in. At the spot near the scene of the accident the sleepers were five feet apart, and as the rails are twenty feet long consequently there were four. I may observe that where there are four sleepers, one sleeper comes immediately under the joint of two rails; where there are six sleepers under each rail the sleepers are not placed at the joint, but on each side of it. Now, I observed that the engine in passing over the rails where six sleepers were laid to each rail, and consequently one on each side of a joint, they being only three feet three inches apart, there was very little deflection when the special engine passed gently over them, excepting at the joint, and when the leading wheel of the engine passed over the joint the depression was very great between the two sleepers—the line where these extra sleepers are put in is much steadier.

7. Do I understand you that the sleepers were put too far from the end of the joint—that they should have been nearer? Yes; but they are semicircular, and the flat side is laid downwards, so that it would be difficult to put them nearer together.

8. Do you prefer a single sleeper at the joints? I do not prefer cross sleepers at all with this kind of rail—Barlow's. I think they should be longitudinal sleepers throughout. I observed coming over the Long Cove viaduct that the rails are laid on longitudinal sleepers there. I stopped the engine there and got down to look, and found they are laid on longitudinal sleepers of hardwood.

9. Are these longitudinal sleepers laid upon transverse sleepers? No, I could see none; but the rail is nailed at every four feet on each side; there are hardwood transoms between the longitudinal sleepers, and the gauge of the rails is secured by iron ties or distance pieces, which are furnished with this particular kind of rail for the purpose. There was an inch bolt near some of the transoms at the ends or joints of the rails. My impression is, that sooner or later these rails must be laid on longitudinal timbers. The quantity required would be forty lineal feet to each pair of rails. If I was right in taking the length of the present transverse sleepers at seven feet six inches, their combined length, to each pair of

rails

rails of twenty lineal feet, would be forty-six feet. But the present sleepers are certainly not squared as the longitudinal sleepers would require to be, so that the difference of expense would be trifling. Edward Bell,
Esq., C.E.

10. Longitudinal sleepers would require to be broader and heavier than transverse? Not less than twelve inches broad, and six inches thick. 23 July, 1858.

11. Would you state your opinion as to the length of the sleepers? Longitudinal sleepers might run any length, so that the joint of the sleeper did not come at the joint of the rail; the rail would, if laid on longitudinal sleepers, still require to have the iron distance bar keyed on to the lower part of the rail, below it; of course the longer the longitudinal sleeper the better—but they should not be less than twenty or thirty feet. I examined the two horse-boxes when I returned, and found them in the station. The wheels and axles appear, from not having been painted, to have been merely temporarily put on. I could judge nothing from them. I looked at the couplings, and found that the centre-link is torn out of the new horse-box; all the side-chains are perfect. Of No. 2 horse-box both centre-links are bent.

12. *By Mr. Weekes:* When you say all the side-chains are perfect, you mean of that particular box? Yes. The centre-hooks are bent of No. 2—both are bent in the direction of the same side to a curve—both are pointing to the same rail. Of No. 2 horse-box one of the side-chains is broken off, the other three are perfect. Before I went down I measured the distance between the centre of the axles of the horse-box, and found them to be eight feet six inches. All the carriages on the line—first, second, and third class—have but four wheels.

13. *By the Chairman:* Have none more than four? I saw none; and their axles are eleven feet apart between the centres.

14. I judge from your remark that you think it objectionable that they should have only four? Four wheels for such short carriages are enough; their axles are much farther apart than those of the horse-boxes, therefore there is less danger of their going off the line by oscillation. On my former examination I was under the impression that the carriages used upon the Great Southern Railway were "Composite," which are being generally introduced at home, and which have six wheels. I think composite bodies are best suited to the traffic of this line. Then arises an engineering question, whether six wheels to those carriages would suit the sharp curves of this railway. This is a question; but composite bodies may be mounted upon four wheels, and be safer than the short carriages now in use.

15. *By Mr. Weekes:* Do you mean as compared with six-wheeled carriages? As compared with the horse-boxes.

16. On account of their greater length? The shorter the distance between the forward and after axle, the greater the danger of going off the line by oscillation. Instability of the line would cause oscillation. They would be as likely to jump as the others.

17. *By the Chairman:* From what you have seen on the line itself, from what you observed of the permanent way, and from your remarks upon the rolling stock, can you now form any opinion, amounting to a reliable opinion, as to the cause of the accident? Yes. I am decidedly of opinion that the accident was occasioned by excessive speed upon a line which is not able to bear it.

18. That in itself, or coupled with any other circumstances? I think if the carriage next the tender had been a heavy carriage, loaded in any way, there would have been less chance of its going off the line; but the motion I saw on the rail while the engine was upon it, and as it was leaving, was sufficient to cause any light carriage similar to that horse-box, top-heavy, to oscillate and come off the line.

19. Have you informed yourself, since you favored the Committee with your evidence the other day, whether the trucks were loaded or not? No. I had nobody but Mr. Mason to ask, who said he knew nothing. But I must distinctly state that I do not now consider that the loaded goods trucks were the original cause of the accident, or in any way assisted to promote it; but loaded goods trucks being placed at the rear of the passenger carriages tended to aggravate the accident, and render it much more disastrous in its effects than if no loaded goods trucks had been there.

20. Considering the circumstances,—that the first horse-box was attached to the tender by screw coupling, and by that alone—that the two horse-boxes were together, and connected by a centre-link—and that the rest of the train was coupled up as usual with screw-coupling,—do you attach much importance to the fact of the two horse-boxes being connected with side-chains and not with a screw-coupling, as the cause of the accident? I think it would have been much safer if the buffers had been brought together by a screw-coupling, inasmuch as the oscillation of the horse-boxes would have been less.

21. You think Mr. Mason did not give you all the information he should have done? No. I distinctly state that I wanted no assistance or opinion from Mr. Mason. I simply wanted from some person—(the Chief Commissioner volunteered to send the Inspector of Permanent Way)—information with regard to the accident; and while the man Fishlock was with me he was called away by Mr. Mason (who was at a distance) three times I am certain, but I believe four times. The Committee will remember, that when I was asked the other day by the Honorable Member, Mr. Parkes, whether I had made any remark to any one relative to the railway accident, it did not then occur to me that I had done so. I have since called to mind that I had said something on the subject at the time of the occurrence. Whatever information I then had was obtained from official reports of the 13th July, of the Engineer-in-Chief, which stated that the engine and train was on the level when the accident occurred; and the train, according to that report, was just approaching the curve; and believing that to be correct, I expressed my opinion that the steam should have been partly shut off, and the speed slackened as usual, on approaching the curve; and under such circumstances, it was possible that the accident might have been caused by the train pressing upon the horse-boxes immediately at the rear of the engine, whose high speed had just received a shock. And I beg to remind the Honorable Chairman

of

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of the fact of my having, on the former occasion, expressed my disinclination to give any opinion as to the cause of the accident until I had an opportunity of inspecting the railway at the scene of the accident, and making myself acquainted with the circumstances of the case.

22. *By Mr. Hay:* Have you now, having seen the line, formed an opinion as to what caused the accident—what caused the horse-box in the first instance to go off the line? I think the state of the line on that part, with a train passing at high speed was quite sufficient to cause the accident.

23. Have you any idea of the probable speed that would have been necessary under the circumstances to have caused the train to go off the line? I think the speed could not have been less than forty miles per hour at the time the horse-box went off the line. I have been off the rail in a train three times, and never saw carriages travel so far after leaving the rail as they did in this instance, and I am quite sure, from the carriages travelling so far after leaving the rail on an ascending incline of 1 in 192, the speed must have been excessive.

24. That, coupled with the state of the line, you think would have caused the horse-box to get off the line? Yes, I think so. I was at first upon the tender when I noticed that the motion of it on the rails was undulating, and I then got off the tender on to the engine, with a view of ascertaining whether there was much difference in the motion there, and I found that the deflection of the rails was excessive; and I believed if the engine went slowly, the deflection on the rails between the sleepers was such that with closed eyes one could almost count the number of sleepers under the rails as you passed along them. That is where the sleepers are five feet apart, as was the case at the scene of the accident.

25. You think, then, considering the condition of the permanent way, the excessive speed at which the engine must have been running was sufficient to have caused the horse-box to run off the rail? Yes.

26. Being off the rails as it turned the curve — ? It was a little before it came to the curve.

27. But, having been off the rails when it came to the curve, the momentum of the train would then tend to throw the horse-box further off the rails in the direction of a tangent, and so break the coupling? When the horse-box left the rail it was on the straight and not upon the curve; the horse-box would, therefore, proceed by its own momentum and that of the train behind it. Its course, as I before stated, would depend upon what it came in contact with; if it met no serious obstruction, its course would be straight; and, consequently, its distance from the curve would gradually increase, I consider.

28. And in this way the accident was caused? Yes, coupled with the reasons I have just given.

29. You do not think, notwithstanding the deficiencies to which you have alluded in the line, this accident would not have taken place unless the engine had been driven at the time at an excessive speed? I do not think it would, but it might possibly have happened. I cannot draw a line and say what speed the rails would stand. I would not consider myself safe upon those places on the line if I were in a train going over twenty-five miles an hour. 30. *By the Chairman:* If it were going forty miles an hour would you think that was exceedingly dangerous? Yes. The information afforded to me with regard to the accident yesterday by the gentleman, Mr. Mason, who was on the line, amounted to nothing. I do not recollect any information he gave me beyond what I have stated. I never met any person calling himself engineer on a line, or any where else, who so utterly disregarded the usages of professional etiquette by which, without compromising himself in any way, he ought to have afforded me spontaneously such information with regard to the line as would form the basis of my opinion to be given to the Committee. Instead of this, he gave me no information, and appeared to be quite indifferent in the matter. I am quite sure had Mr. Whitton himself been present he would never have behaved so.

31. *By Mr. Parkes:* Did you seek to give evidence before this Committee? No, never in any way. The first remark I made when I came before the Committee on the previous occasion was, that I had no desire to give evidence—that I should not have appeared before the Committee if I had not been summoned to do so. It would have been unprofessional to have put myself forward for such purpose.

ADDENDA.

I would respectfully draw the attention of the Committee to the importance of shewing that it was at the request of the Committee I visited the line on the 22nd instant. That the Engineer-in-Chief, who was present during the whole of my examination, was the person who suggested that I should go by the 10 a.m. train on the 22nd, and return by the 1 p.m. up-train. That the Chief Commissioner promised to send a competent person (the Inspector of Permanent Way) to point out the localities and facts in connection with the accident; and also that I was requested by the Committee to direct my attention to the line generally, and favor the Committee with any opinion and remarks I might be able, on the 23rd July. Being a member of the Institution of Civil Engineers, it is important that I should not be taxed with a want of professional etiquette towards a fellow-member; and I am quite sure, if the points I have mentioned be put in their true light, I cannot be justly taxed with having acted unprofessionally towards any person for complying, as I have done, strictly in accordance with the instruction and expressed wish of the Committee.

E. BELL, C.E.
26-7-58.

David

SELECT COMMITTEE ON THE RAILWAY ACCIDENT.

David Houison, Esq., called in and examined:—

1. *By the Chairman:* Will you inform the Committee whether upon any occasion, when you have been travelling upon the Sydney and Parramatta Railway, you have known any engine, carriage, truck, or tender to go off the line? Yes; a horse-box once.
2. Can you state the date? I cannot state exactly the date.
3. Within a month? Twelve or thirteen months since.
4. At what part of the railway? Between Homebush and Parramatta.
5. Where was the horse-box that went off the line? The last on.
6. Was there much delay in getting it on again? Not above an hour.
7. There were no serious consequences? No.
8. Did you report the circumstance to any one? No.
9. Do you recollect whether Mr. Trott was in the train on that occasion? I do not remember.
10. Do you think he was not? I think he was not.
11. Do you recollect any other time when either carriage, horse-truck, or tender went off the line? I remember the tender going off.
12. When—at a later date? About twelve months; it was about half a mile from Newtown. I have not travelled on the railway since the latter end of last July, so that it must have been above twelve months since.

D. Houison,
Esq.
23 July, 1858.

Mr. Ralph Richardson called in and examined:—

1. *By the Chairman:* Are you engaged in the service of the railway? Yes.
2. In what capacity? Since March I have been time-keeper.
3. Were you Inspector of Permanent Way at any time? Yes, for rather more than a year—from about March, 1857 to March, 1858.
4. You are well acquainted then, from your experience, with the state of the permanent way? Yes, I am, perfectly.
5. Can you give the Committee any information which you think valuable as to the cause of the fatal accident on the 10th of July, between Homebush and Parramatta. Were you on the spot immediately after it occurred? I should imagine somewhere about nine minutes after.
6. Were you the first official of the railway on the spot? Yes.
7. Will you state to the Committee what you first found when you arrived on the spot? When I got there I saw the horse-boxes, and so forth, over the embankment, and, of course, I immediately went to look at the line to see if I could make out how the thing happened. I noticed on the up-line, on the Parramatta side, and close to Haslam's Creek Bridge, the outside rail bent downwards.
8. Did you take any steps beyond merely noticing that at the time? I mentioned it.
9. To whom? To Mr. Morgan, the Inspector of Permanent Way.
10. What was done about it? I moved it up—prized it up, with some men I had with me.
11. Was it at a joint? Yes.
12. Was it part of two rails? Yes.
13. The deflection, or bending, was at the ends of the two rails then? Yes.
14. Do you think the sleeper had sunk at that spot? Yes, I should fancy it had.
15. Did you pick up the sleeper and pack it then? Yes.
16. Was that done before any one else came up? No, not till the afternoon.
17. Did Mr. Whitton see it in the state in which you saw it at first? I cannot say. I did not see Mr. Whitton go there.
18. What did Mr. Morgan do—did he give any orders immediately? I suppose about noon-time. About noon-time he said "Take some men and get this place packed up."
19. When had you got it packed up? I suppose about half an hour after.
20. How many yards from Haslam's Creek was that? I should say not above a yard and a half.
21. That was the last joint? Yes, next the bridge.
22. Do you know where the horse-box first went off the line? It seemed to me to be on the bridge.
23. How far from where you noticed that bending down of the rail? I should say two yards.
24. Do you think the horse-box jumped off in consequence of the bending or depression of the rail? I cannot say; it looked to me so.
25. If that were the cause of the horse-box jumping off the rail, would the effect be the throwing off first the near wheel of the horse-box? It would. I fancied she jumped off from here to this (*Pointing out the position on the plan before the Committee.*)
26. Would not that cause the engine to jump off? No, for that is much heavier.
27. Did you see the train coming that morning? No.
28. Where were you at the time? Somewhere about Newtown.
29. How did you come to the spot? By a special engine.
30. On account of the accident? No; we left Sydney to come after billet-wood.
31. Therefore, you were accidentally the first upon the spot? Yes.
32. Did you stop your engine there? Yes, and remained there till night-time.
33. Had you any men with you, or were you alone? I think I had about eighteen or nineteen men with me.
34. Did they also get off the special engine? Yes.
35. Where was Mr. Morgan at that time? I do not know.
36. How long after that did you see Mr. Morgan? I should say nearly an hour.
37. Did he come from Sydney? Yes.
38. You pointed out this defect to him the moment he came on the line? Yes.
39. And his order to you was to get some men and pack it up? Yes.

Mr. Ralph
Richardson.
23 July, 1858.

- Mr. Ralph Richardson. 40. The accident happened about nine o'clock—do you remember when you were first there? I suppose it would be about nine, within a few minutes.
- 23 July, 1858. 41. And it was three hours, you think, before that was repaired? We had seventeen or eighteen men all the way up this up-line.
42. Was there any reason why this was not packed up at once—were the men occupied with the broken carriages, or in any other way on the line? I would not do it till Mr. Morgan came.
43. After you got the order from Mr. Morgan, which was in about an hour, did you immediately go about it? No; not till the inquest had left for Parramatta.
44. Had any engine passed over the line after the accident, and before you packed it up? No, none at all.
45. It was packed up and repaired before another engine came up to the spot? Yes.
46. Did you understand it to be the intention of Mr. Morgan that it should be packed up before another engine came? I presume so by his having it packed up.
47. Do you attribute the accident to any other cause but that from what you know of the circumstances? I should be almost inclined to believe that the thing would not have happened if the man had not run at such an enormous speed, which I have seen him do several times myself.
48. You have yourself seen him drive at an enormous speed? I have, almost at that spot.
49. Do you think him an indiscreet driver? I do.
50. Was that from a habit of making up time, or rashness, or what? From what I know of the man, he is a man that does not know his business, for I have seen him riding down that incline, near Liverpool, which is tolerably steep, flying as if he were mad.
51. Have you been employed on English railways? On the making of them for more than eleven years.
52. You understand, therefore, from observation, the usual practice of driving on railways? Yes.
53. *By Mr. Parkes:* When you express this opinion of the driver, do you mean he is a man who cannot realize to himself his responsibility, having so much property and so many lives under his care? No, I would not say that, but he seems to me a man who has no notion as to the speed he ought to go at.
54. *By the Chairman:* You say so from repeated observation of his driving when you have been at the side of the line superintending the work? Yes.
55. Did you notice anything particular in this man's style of driving—was it more or less dangerous than is adopted in England? They go much faster there than here.
56. Do you consider this man's style of driving different from what would be practised in England? Supposing the road were good, I should not consider it dangerous.
57. Do you think from the state of the permanent way his driving was not safe? I do.
58. *By Mr. Hay:* Do you consider him an unsteady driver, an irregular driver? Yes, I do.
59. *By Mr. Weekes:* You think he drives without judgment? Upon this old line from Sydney to Parramatta, I think it is.
60. *By the Chairman:* You would not say that upon a very perfect road in England his driving would be dangerous, but, from the mode of construction and peculiarities of the Sydney and Parramatta line, you think it dangerous? Yes.
61. *By Mr. Hay:* You do not consider the line to Liverpool to be a very bad line? No; no more than that for a mile or a mile and three-quarters before reaching Liverpool there is a very steep incline.
62. Do you think, apart from the imperfection of the line, he is a cautious or an incautious driver? No.
63. Do you not think going down an incline like that near Liverpool his style of driving would be dangerous from other causes as well as from the bad character of the permanent way? Near Liverpool there is a nasty incline, and I have seen him go down that very fast.
64. Is there not some danger in entering the Liverpool station at that speed? Yes; but he would not enter Liverpool at that speed.
65. How far is this incline from the Liverpool station? A mile and three-quarters.
66. Is not that approaching one of the level crossings? Yes; there is a level crossing just at the commencement of it.
67. Do you not think the driving of an engine down that incline, with a level crossing ahead, is in itself very dangerous? Yes, I think so.
68. Although the line on the permanent way is very good? Yes.
69. *By Mr. Oakes:* Did you see Captain Martindale or Mr. Whitton on the line soon after the accident? Yes.
70. How soon? Within an hour.
71. Did any one point out the state of the railway at the part to which you have referred? I do not know.
72. Do you know that they were trying to trace out the cause of the accident? Yes.
73. Did they see the state of the rail? I do not know.
74. *By the Chairman:* Was Mr. Morgan there at the time? Yes.
75. Did you think you had discharged your duty by telling him the state of the line? Yes.
76. Did you see Mr. Morgan in communication with Captain Martindale and Mr. Whitton on the spot? Yes.
77. Before it was packed up? Yes.
78. I suppose Captain Martindale and Mr. Whitton could have seen you with the gang of men? No; they had left by that time.
79. *By Mr. Hay:* With regard to this joint of the two rails, which I understand you to say was depressed—was there anything remarkable in the position of the two opposite ends of these rails, the junction of which was depressed? No, because they could not get away.
80. You did not observe anything remarkable at the other two ends? No.

81. You did not observe any bending in these rails? No. The same rails are there now.
82. You simply raised the middle sleeper and repacked it? Yes; put a little sand under it.
83. That was all the repair that was necessary? Yes.
84. You have said that was on the outside rail? Yes.
85. You are aware the carriage went off in the other direction towards the inside? Yes.
86. Upon the opposite side of the line from this depressed rail? Yes.
87. Do you think that would have been the likely effect of passing over a depression of the rail? I do not know.
88. Do you not think it would rather have the contrary effect to prevent the wheel going off on the right side, the depressed rail being upon the left? It certainly looks more likely.
89. On a curve are not the inside rails depressed all round the curve? Yes.
90. To prevent the centrifugal action throwing the train off the rail? Yes.
91. *By the Chairman:* Did you ever report to any of the authorities this dangerous driving on the part of Boan? I did, to Mr. Morgan.
92. You considered him your official superior, and to him alone you reported it? Yes.
93. When did you report it? Several times.
94. Within what time? Within the last month.
95. When were you removed from the office of Permanent Way Inspector? Last March.
96. During the time you were Permanent Way Inspector had you any impression as to the condition of the permanent way, as to its goodness or badness, its efficiency, soundness, and fitness for traffic? Yes; I have always said it was not what we call a good road.
97. Not a road upon which you would travel at a high rate of speed? No.
98. Why were you removed from the office of Inspector of Permanent Way? Mr. Whitton informed me that Mr. Morgan had been sent for before I was engaged.
99. Mr. Morgan is now Permanent Way Inspector? Yes.
100. What position does he hold relatively to yourself that you deem him your superior officer? Because I could not give directions to a man without Mr. Morgan's consent.
101. What are you now? Time-keeper of the men.
102. *By Mr. Weckes:* You have had constant opportunities of seeing the running of the trains on the Parramatta line, have you not? Yes, daily.
103. Have you seen any other driver exhibit the same want of judgment, or drive so carelessly, as Boan? None.
104. You think the others are steady, careful drivers? Yes, the whole of them.
105. Have you ever seen them attain the same speed as Boan? Not one of them.
106. *By Mr. Egan:* During the time you were Permanent Way Inspector did you ever know any part of the carriages, trucks, or horse-boxes to be off the line? Yes; about a year ago.
107. What was off? Mr. Houson said one of the horse-boxes was off.
108. That is the circumstance you refer to? Yes.
109. Did you ever, on any other occasion, know any engine, truck, or carriage to go off the line? No. We have them get off in the Sydney yard sometimes.
110. I mean on the way between Sydney and Parramatta? No; except at the Newtown station, where this horse-box got off.
111. *By Mr. Hay:* You say the horse-box got off at the Newtown station? No; the horse-box got off, if I recollect right, about half a mile off this spot at Haslam's Creek.
112. Was anything off at the Newtown station? Yes; about a year ago, just as she was moving off from the station, the hind wheels of the tender went off the rail.
113. How long ago do you think that was? I think that must have been nearly a year.
114. Was that half a mile from the station? No, just at the station.

Mr. Ralph
Richardson.
23 July, 1858.

Mr. Richard Darby called in and further examined:—

1. *By Mr. Hay:* With respect to the evidence given by you on a former day, are you quite certain that there were six goods trucks attached to the train that day? I am.
2. I think you said three of them were loaded and three were empty? Yes.
3. Where did you take them up? At Campbelltown.
4. The whole of them? Yes.
5. You brought the whole of them from Campbelltown to the spot where the accident happened? Yes.
6. Were they all covered over with tarpaulins? No; the empty ones were not.

Mr. R. Darby.
23 July, 1858.

Mr. James Robinson called in and examined:—

1. *By Mr. Hay:* You are a guard on the Sydney Railway? Yes.
2. How long have you been employed in that way? Ever since the line has been opened.
3. You were not travelling on the occasion of the late accident? No.
4. Have you ever known any part of the train to be off the line before? On two instances, I have; there have been accidents from cattle being on the line—nothing else.
5. Did you ever know of a horse-box being off the line on a previous occasion, somewhere in the vicinity of Haslam's Creek? I remember hearing of it, but was not with it at the time.
6. How long was that ago? I could not say exactly to the date.
7. Do you remember a tender being off the line about half a mile from Newtown? No.
8. Did you hear of that? No.
9. Are the engine-drivers in the practice of making up lost time between Parramatta and Homebush? Not between Parramatta and Homebush; if they are a little late, it is occasionally when they have a good piece of road, such as that between Liverpool and Parramatta,

Mr. James
Robinson.
23 July, 1858.

Mr. James
Robinson.

Parramatta, where they can make up time with great safety; not so much between Parramatta and Sydney.

23 July, 1858.

10. Between Liverpool and Parramatta the road is straighter and better than the other? It is straighter.

11. Do they, in point of fact, run faster? No; they have plenty of time to do it in. They are allowed near upon eighteen minutes to run from Parramatta to Homebush—at least they were a little while ago.

12. Have you had occasion to run with all the engine-drivers at one time or another? I have run with all of them; but, generally, I am stationed with one driver.

13. Have you been accustomed to accompany the driver, Boan? Never, but on one occasion, and that was during the Homebush races; I was taken off my train and put on this, because we were rather in a bustle.

14. Did you observe anything peculiar in his driving, anything different from that of the others? No; I have not known him a sufficient time for that; I have been with him only once.

15. You would be able to tell the difference between a steady driver—one who knew his business, and one who did not? Yes.

16. Did you observe that he was unsteady in his driving? I could not notice it at this time, for we were so busy, and we had to make what haste we could; I had not sufficient time to notice him.

17. Have you formed any opinion with regard to the late accident? No; I could not form any opinion how it happened.

18. *By Mr. Oakes:* You say the time allowed between Parramatta and Homebush is eighteen minutes? Yes.

19. Is that the case when the train goes at a quarter to nine? Yes, I think so.

20. Have you seen the time-table? I have seen it, but have not taken particular notice.

Frederick William Donkin, Esq., called in and examined:—

F. W. Donkin,
Esq.

23 July, 1858.

1. *By Mr. Hay:* Are you much in the way of travelling between Parramatta and Sydney? I used to travel up and down every day, but do not now.

2. How long is it ago since you ceased to travel that way? About two months ago.

3. How long had you been in the way of travelling by the rail? For about two years, with the exception of about two months last winter, when I stopped in Sydney.

4. By what train did you travel? I generally got to Sydney about ten; I came by the train that left Parramatta at a quarter to nine, and left Sydney again about half-past four.

5. Did you ever know any carriages or horse-boxes to be off the line? On one occasion a horse-box got off between Parramatta and Homebush, somewhere near Haslam's Creek, about where the late accident occurred.

6. When was that? As near as I can find from the time-book in the office, on the 2nd April, 1857. I find from the book that I was late on that day on account of a railway accident, and I believe it was on that day.

7. Have you known any instance of a tender being off the line near Newtown? Yes. I was on the train on that occasion, and I think it was about three months after the horse-box got off, as near as I can recollect.

8. How far were you from the station when the tender got off? About a quarter of a mile—just as the station was in sight.

9. After leaving the station? No, before coming to the station from Parramatta.

10. At the time you travelled did the drivers run the train at a rapid rate at that particular part of the line from Parramatta to Homebush? They used to run faster there than perhaps on any other part of the line.

11. Do you know the engine-driver, Boan? No; I do not know any of the engine-drivers by name.

12. *By Mr. Egan:* Did you at any other time know any of the carriages, horse-boxes, or trucks to be off the line? No, never, during the whole time I was travelling.

Mr. William Morgan called in and examined:—

Mr. William
Morgan.

23 July, 1858.

1. *By Mr. Hay:* How long have you been in this Colony? Between six and seven months.

2. You are Inspector of the Permanent Way? I am.

3. When did you receive that appointment? Somewhere about the time I came here.

4. Have you been accustomed to railways in England? Yes.

5. What position did you hold in England? I was Inspector of Works—it was the same as I hold here.

6. Is Inspector of Works and Permanent Way Inspector the same? Both offices are combined.

7. What opinion have you formed as to the character of the permanent way on the Sydney and Parramatta railway generally? I think it is in good running condition.

8. Do you consider it a good permanent way in itself? Not so good as some lines laid down in England; but I have seen lines as bad as that in England—quite as bad running lines, on some parts of them.

9. On passenger lines? Yes.

10. Do you consider the particular rail that is used on the Parramatta and Sydney railway to be a good rail? It is a rail not generally used in England, although it is a very strong rail.

11. It is suitable for laying down on cross sleepers? Yes; it is intended for that.

12. Barlow's rail? Yes; it is never intended for longitudinal sleepers.

13. Do you think the cross sleepers are sufficiently near each other to support that rail on the Sydney and Parramatta line? In weak places perhaps it would be well to have more sleepers; and we have been improving the line by putting down additional sleepers.
14. You were on the ground shortly after the late accident took place? Yes. Mr. William Morgan.
23 July, 1868.
15. How long after? From three-quarters of an hour to an hour. I went with an engine from Sydney.
16. Did you observe anything in the permanent way likely to have caused the accident? I did not.
17. Did you observe any depression in the rail at any particular place where it appeared the horse-box got off the line—did Mr. Richardson point out any depression to you? Not where the horse-box got off.
18. Did he point out any depression at all? He merely said, "There is a slack up yonder." That was at a joint some distance from the bridge.
19. What distance from the bridge? Perhaps a chain from the bridge.
20. It was not at Haslam's Creek Bridge? No.
21. In what direction from Haslam's Creek Bridge? Towards Parramatta.
22. Did the horse-box, from what you observed, go off on this or on that side of the depression? On this side of the depression.
23. Did you examine the spot? Yes.
24. And found such a depression in the rail? Yes; that is, a slight slack in the joint, about a chain from the bridge I should think, but nothing to cause the accident.
25. How many inches was the depression? I should think not above half-an-inch, not so much as that perhaps.
26. You do not think it sufficient to have caused the accident? It was not at the spot; it was this side of it. It was on the bridge where the vehicle got off.
27. You are positive the depression of the joint was not at the bridge? I am.
28. I understood you to say it was on the Parramatta side of the spot where the horse-box got off the rail? Yes.
29. Did you examine particularly into the marks made by the train? I did.
30. Did you observe where the first marks of the horse-box being off the rail were? Yes—on the bridge.
31. Did you observe any marks on the sand before that to show it had been off the rail? No.
32. You think it went off, in the first instance, on the bridge? Yes; I observed the mark on the crown of the metal before it got on to the flange.
33. At what particular part did you observe this mark on the top of the metal? On Haslam's Creek Bridge.
34. Could you see the mark on the sand to correspond with that? Yes.
35. Did you observe marks on the sleepers? Yes.
36. Did the horse-box seem to have taken a course away from the rail immediately, or did it seem to have followed pretty much along the rail? On the flange of the metal for some time—the flange of the rail.
37. Where it marked the sleepers it must have been off the rail? Yes. I am speaking of three or four chains after the accident first happened; when it began to drive on the sleepers the sleepers were covered with sand so that you could not observe any mark on many sleepers.
38. You could have observed recent marks on the sand when you were there? Yes.
39. Where do you think the horse-box left the rail altogether? On the bridge.
40. Which bridge? Haslam's Creek Bridge.
41. It left the rail, but it did not take a course towards the side of the roadway at that time? No, it took a straight direction; where it began to pull from the line was at the commencement of the curve, by the marks on the sand. I believe Mr. Nealds made a mark on the coping-stone of the bridge to show where it went off.
42. Will you look at this plan? (*The witness examined the plan appended.*)
43. Did you examine the sleepers there? Yes, after the accident.
44. Did you not see any mark upon the cross-sleepers as near the bridge as the spot marked upon this plan? No; although it might have passed over the sleeper there was so much sand that it left no impression.
45. *By Mr. Wickes:* It was on the bridge itself you observed the mark going over the crown of the rail? Yes.
46. Did you take particular notice of the position of the train after the accident? Not particular notice. I merely noticed that the two horse-boxes were on the opposite banks—the new horse-box lying towards Parramatta, and the old one towards Sydney.
47. Were they still attached together? Yes.
48. Near the bottom of the embankment? Yes.
49. Were there two third-class carriages? I could not answer that; I think there was one third-class carriage towards Sydney; but I did not notice particularly, for the moment I got there I got to work to clear the line.
50. How many goods trucks were there in that train? I believe three.
51. Did you take notice of that particularly? I saw some, and I believe there were three.
52. *By Mr. Hay:* Do you say that from your own observation? From my own observation I believe there were three.
53. Covered with tarpaulin? One was covered with tarpaulin. My men assisted in pushing them back; they were not off the road. All the rest were off the road, more or less.
54. I suppose you have often had occasion to observe the way in which the trains were conducted along the line—have you observed the drivers proceed at a rapid rate along that portion of the line? I have observed them driving furiously.
55. What would you consider an excessive speed at that portion of the line, taking the circumstances

Mr. William Morgan. 23 July, 1888. circumstances of that portion of the line into consideration? Thirty to thirty-five miles an hour.

56. *By Mr. Weekes*: You mean an excessive speed for that quality of line? For that particular spot at the curve. There, I think, thirty to thirty-five miles is excessive.

57. *By Mr. Parkes*: And, in your opinion, dangerous? Yes; but not on that portion of the line where the accident occurred. It is a straight piece there, and I would not mind travelling over such a portion of the line at forty-five miles, or even fifty.

58. *By Mr. Hay*: Was it not approaching a curve? It was about three chains off.

59. Would you consider that in approaching a curve of thirty-six chains radius you could safely drive at forty miles an hour? I should say not very safely.

60. Is there not a motion in the rail there from the way in which it is supported by cross sleepers—is there not considerable vibration on the rail? There may be a very little vibration as regards the metal, but the rails have very strong sleepers under them. All metals will more or less move under an engine.

61. At this particular spot, have you observed the engine-drivers in the habit of driving fast? Not particularly there; more particularly between Newtown and Petersham; I have observed them, round the curves in particular—these sharp curves—these S curves.

62. Did you ever take notice of the style of driving of this man Boan, who was driving when this accident occurred? I have.

63. Do you think he is a steady driver? I think not. I spoke to him about his driving round the curves.

64. Have you had any report made to you as to the character of his driving? Richardson spoke to me some few days before the accident.

65. What did you do in consequence? I gave Mr. Richardson instructions to tell the gangers of lengths to report to him if I did not see him before they did; and the day before the accident I spoke to the driver about his fast driving, cautioning him.

66. *By Mr. Parkes*: What did he say? He said he was not going to be fined for any one.

67. *By Mr. Egan*: You spoke to him in consequence of his fast driving the day previous? Yes. I was on the engine with him the previous day, when he went rapidly round the curves.

68. *By Mr. Hay*: What time was that? Ten o'clock, from Sydney.

69. You cautioned him? Yes, at Petersham Station.

70. Is the engine-driver under you? No.

71. He is under the Traffic Manager? Under the Locomotive Foreman, Mr. Twiss.

72. Then you did not speak to him as his direct superior, but merely cautioned him? I did, and I spoke to Mr. Twiss when I came in.

73. That was the day previous to the accident? Yes.

74. Would it not be your duty if Richardson reported to you a circumstance of that sort to report it to the Chief Engineer? At the time Mr. Richardson spoke to me about this man, he said the ganger at Parramatta said Boan drove furiously round these curves, and I told him to send in the report in writing, so that I intended to report to the Engineer-in-Chief. I thought I would first report it to Mr. Twiss, and if Boan persisted in driving in the same way I intended to report it to the Engineer-in-Chief; but I had no time to do it. Having reported it to the foreman, he said he would see him about it, and caution him.

75. *By Mr. Parkes*: Will you state to the Committee what conversation passed between you and Boan? I was on the engine the day previous to the accident on the line, between Newtown and Petersham, in company with Mr. Mason, the Assistant-Engineer, and I said, "This man is driving very recklessly." He said, "Yes." I said, "I am afraid he will be off the road if he persists in driving like this," and he said, "Well, it looks very much like it." I said, "I will speak to him." I went back and spoke to him, and that is the answer I got.

76. Nothing more took place? Nothing more. I then made it my business to mention it to the foreman, that Boan did not use proper caution in driving round the curves, and perhaps he would prevent his doing so in future. Had I noticed his doing so again I intended to report it to the Commissioner.

77. Mr. Mason, with whom this conversation took place, is next in authority to Mr. Whitton? Yes.

78. What did you understand him to mean when he said he was not going to be fined for anybody—are the drivers responsible for loss of time? I believe they are responsible for what time they lose in running, as in England.

79. Is the time of starting registered? Yes.

80. So that they are not responsible for the time lost by delay at the station? Yes.

81. *By Mr. Weekes*: Then if they are limited to a moderate rate of speed on the line, an enormous rate is without justification at all? Yes, it is.

82. And is not at all necessary for keeping the running time? Not at all necessary.

83. *By Mr. Parkes*: Should you consider Boan a judicious, careful driver upon more solid ways, such as exist in England? He might be safe if he were driving along a straight line, but not as he drove the other day round these curves.

84. Do you consider that he is a careful, judicious driver, feeling the responsibility he is entrusted with in having so many lives and so much property entrusted to him? I consider him not a cautious driver.

85. *By Mr. Hay*: Of course the risk would be less if the line were more solid and straight? I consider that he is not cautious enough in driving round these curves. I never noticed his driving round this particular spot.

86. Are there generally marks on the lines in England indicating the nature of the gradients, so as to be guides to the drivers? On some lines, not on all.

87. Not on all passenger lines? No.

88. Do you consider that to be very useful? No, not particularly; in fact, many drivers would not be able to read them if they were put up; they would hardly know the figures.
89. The position of the arms would in some measure indicate the abruptness of the decline? Yes, it would indicate in some measure.
90. They would understand that? They would not understand what the gradient was unless they could read the figures, which many of the drivers in England cannot.
91. *By Mr. Weekes*: Then, however ignorant a driver may be, if he have sense enough to understand the telegraph signals that is considered qualification sufficient? Yes, the signals—red, blue, and green—if competent to manage an engine. Men are first employed as firemen, and if they are found competent to manage an engine, they go on as drivers.
92. Generally speaking, are drivers an uneducated class? Generally.
93. Having mere mechanical skill—? Some are without mechanical skill; many drivers are not mechanics.
94. They have simply skill sufficient to drive the engine? Yes; and to know when the water is in the boiler, and to understand their cocks.
95. *By Mr. Oakes*: Have you any cause to complain of any other engine-driver besides Boan? No, I do not know that I have.
96. *By Mr. Egan*: You state that it was pointed out to you by Mr. Richardson that there was some settlement in a part of the rail where the train had passed over—on examining that, did you not consider it of sufficient importance to report it to the Chief Engineer? There was no settlement, it was merely a slack.
97. It was on the Parramatta side, where the accident occurred? It is impossible to keep up the rails exactly.
98. You did not consider this of sufficient importance to report it to the Chief Engineer when he was examining the line? I did not; there it was left, it was hardly discernible.
99. But you thought it necessary to raise it and repack it? Afterwards.
100. *By Mr. Hay*: Was it in the same state when the Engineer-in-Chief went over it as when it was reported to you? Yes. Mr. Richardson said "There is a slack back yonder," and I said, "Do nothing till Mr. Whitton and Captain Martindale have examined it." I tried the road by gauge, and there was as good a gauge as could be. There was a good top on the road.
101. *By Mr. Egan*: That defect was not pointed out to Captain Martindale or to Mr. Whitton? No; I did not think it of sufficient importance, although there are many slacks on the line.
102. Still, that same day you thought it necessary to raise and repack it? I thought it desirable to get up any slack, which slacks will get in a railway where the ballast is not very good—joints will go down, but not sufficiently to endanger the traffic.
103. *By Mr. Weekes*: Are not lines ballasted with sand particularly liable to slacks? They are.
104. *By Mr. Egan*: Have you heard of other instances of either carriages, horse-boxes, or tenders being off the line? No; there have been none, with the exception of the one that occurred at Fairfield, when the engine ran into a truck loading with goods there, and that knocked the engine off the road.
105. *By Mr. Weekes*: How often are the roads inspected? Every day.
106. From end to end? No.
107. To enable you to detect any serious slack? The ganger is responsible for his length. There is a ganger with a certain number of men, and I have to inspect them at their work, or ride over the length, as the work will allow.
108. Is the line covered with gangers from one end to the other? Yes.
109. So that during every day the line is in fact under inspection from one end to the other? The gangers' instructions are, that they are to walk the line twice a day—that is, their length. It is not inspected by me every day; that would be impossible, as sometimes I have to stop a whole day at one place, or I may walk eight or nine miles.
110. Still the state of the line, every inch of it, is ascertained every day? Yes, if the men do their duty. The gangers are expected to walk their lengths twice every day, and examine everything connected with them.
111. Is each gang superintended by a competent intelligent man? Yes.
112. *By Mr. Hay*: Have they to make any memorandum to shew that they have performed this work? No.
113. Are they educated men? Not generally.
114. Some of them, I suppose, cannot write? Many of them are not able to write.
115. It is your duty to see that they perform their duty? It is my duty to examine all the lengths, although they are held responsible, and they are instructed if they consider that anything is giving way, or that there is anything in their lengths likely to cause an accident, to stop the train, or to caution the driver. They are all supplied with signal flags, and everything they require.
116. *By Mr. Weekes*: Has each ganger sets of red and green signal lamps, as well as flags? Some of them have.

Mr. William Morgan.

23 July, 1868.

Mr.

Mr. Peter Woods called in and examined:—

- Mr. P. Woods. 1. *By the Chairman*: Have you been long driving on the Parramatta and Sydney Railway? Between twelve and thirteen months.
- 23 July, 1858. 2. Have you been driving on the Campbelltown extension since it opened? Yes; I drive between Liverpool and Campbelltown.
3. Do you consider, from your experience in driving, that this is a line which requires more caution than a line in England? I never did much work in England.
4. Where did you learn engine-driving? What I have learned I have learned here. I have been working on the line here ever since locomotives have been running.
5. You began as a fireman, I suppose? Yes.
6. And were promoted to be an engine-driver? Yes.
7. Then you have no means of making a comparison between this and English railways, as to whether it requires more or less caution? No.
8. Do you drive very cautiously? I drive more cautiously in bad than in good places.
9. Which do you consider bad places? I consider that there are not many worse places than where the accident happened.
10. Do you consider that there is any danger in approaching the decline at Haslam's Creek Bridge? Not much, if the train went at an ordinary speed.
11. What do you call ordinary speed? From twenty to twenty-four miles an hour. It is a line where there is fifteen minutes to run, though some trains have eighteen minutes. That was in June; I have not been on it since.
12. Would you say if a train were running thirty-five miles an hour over that decline it was unsafe? I should not like to risk it.
13. Would you say forty miles an hour dangerous? Yes, in a place like that.
14. Why do say "in a place like that"? Because it is not so good. For one thing, it is a curve; and for another, it is very rough.
15. What do you mean by "rough"? Not so safe to travel. I can tell by the motion of the engine.
16. By its jumping? Yes.
17. *By Mr. Weekes*: Do you mean on the straight line, before you come on to the bridge? Not on the straight line—when you come on the curve.
18. *By the Chairman*: When you come from Parramatta to Homebush, where do you shut off the steam as you approach the decline? It depends upon what speed you are going. If you are making speed I might shut off at about half-way down the decline.
19. Where do you put it on? Just where you see the engine coming steady.
20. Where is that—at the bottom of the decline, further on? A little on the curve, when she comes nice and steady.
21. Did you find as a general rule, at ordinary speed, that the hinder carriages press up against the engine after you had shut off the steam? I have known the buffer of the first carriage come down on the tender; but then we are always screwed up.
22. Have you noticed the coupling used on the line between the carriages? No. I have noticed it between the tender and the carriages.
23. What kind of coupling was it? Screw-coupling. I have seen them when there have been waggons or carriages coupled with links, but that has been very rare.
24. Have you known that to be done even with passenger-trains? Yes.
25. Do you consider that safe and prudent? I would not say it was safe, though I have seen them screwed so that there was very little slack.
26. If there were a little slack, would that or would it not cause an oscillation in the horse-box? It might cause a little oscillation, but that I cannot say—I mean to say that they are quite as steady when screwed up together.
27. *By Mr. Weekes*: Are you ever required to make up time;—suppose you start five minutes behind time at Parramatta, are you required to make up that time if you can in your journey to Sydney? Yes.
28. Is that in your regulations or orders? No, verbal orders.
29. To make up time? Yes.
30. From whom do you receive your orders? From Mr. Twiss, Locomotive Foreman; I have also received it from the Manager, and I have received it from Captain Martindale, the Chief Commissioner, who was with me, and the Manager told me to make up the time between there and Parramatta. I forget how much it was late—perhaps seven or eight minutes—and I told him it was against rules, I could not fetch up any time without orders. He told me he thought his word was sufficient—at all events, I might fetch up a little. The following day I received an order from the Locomotive Foreman: he told me to fetch up what time I could where the road was good, but not where the road was not fit; of course, after that, I made up time where I could, but I ran cautiously where the road was rough.
31. That is, you made up time as far as was consistent with safety? Yes, but not to get before time.
32. Did you understand that you should be fined if you did not make up any of this time? I had no orders that I should be fined, but I had orders that the next time I came in late I should be dismissed from the premises, except in case of accident, or I could give a satisfactory reason.
33. Have you been late since then? Yes.
34. From what cause? My engine went into the shop to be washed, and it had been standing there four or five days with a dirty fire—I cannot say whether it was that—but it would not make steam. The Manager and Chief Commissioner were with me, and I could not make any steam. After that I was put back from driving into the shop, and I have not been driving since.
35. What is the highest rate of speed at which you have driven your engine with passengers when

SELECT COMMITTEE ON THE RAILWAY ACCIDENT.

- when you have been endeavoring to fetch up time? I think I have fetched up five minutes ^{Mr. P. Woods.} between Parramatta and Homebush. 23 July, 1858.
36. What is the distance? Between five miles and three quarters and six miles; I believe there are fifteen minutes allowed, and I have done it in ten.
37. *By the Chairman:* Generally, as I understand your instructions to be, that if you are late at starting you are to come in punctually? Not punctually, but if I am late at starting to fetch up all I can with safety.
38. *By Mr. Oakes:* What is the shortest time in which you have performed the journey from Parramatta to Homebush? I do not know that I ever came in less than that.
39. *By the Chairman:* If you travelled from Parramatta to Homebush in ten minutes, from station to station, including getting up steam and slackening steam, what do you suppose was the highest rate of speed at any part,—as you were going at an average rate of thirty miles the whole distance, what do you suppose was the highest rate? Perhaps between thirty-five and thirty-eight miles.
40. Do you not think that highly perilous? Not where the road is good.
41. You say there are very bad parts on this portion of the line? Yes; but I should slacken the speed on the bad parts.
42. Then the safety of the train depends upon your judgment in slackening or increasing the speed? Yes.
43. Do you not think that dangerous? I do not think so; if the road is bad I go more cautiously, and I make up the speed where it is good.
44. Would it not be better if you were only required to keep your proper time in running—would not that make travelling more steady and safe? Yes.

TUESDAY, 27 JULY, 1858.

Present:—

MR. DONALDSON,
MR. HAY,MR. PARKES,
MR. SCOTT.

THE HON. STUART A. DONALDSON, ESQ., IN THE CHAIR.

Mr. Joseph Twiss called in and examined:—

1. *By the Chairman:* You are Locomotive Foreman on the Great Southern Line of Railway? ^{Mr. J. Twiss.} Yes. 27 July, 1858.
2. Will you state to the Committee the tenor of the instructions which you have received from the head of the department, and which you have communicated to those under you, with regard to the rate of travelling when trains are late, and more particularly the regulation as to the making up time on the railway? I beg to submit the copy of instructions which I received from the Chief Commissioner. *(The witness handed in the same. Vide Appendix A, and Appendix A to evidence given by Captain Martindale, on 17th July, 1858.)*
3. Have you not a printed book of instructions? I have a book of rules, but I have not brought a copy with me.
4. Do you remember their tenor from memory—what was your understanding of the instruction as to making up time on the line? It is a thing I have always been opposed to from the first.
5. What were you opposed to? To fetching up time; it is altogether contrary to rule. On some lines in England running in conjunction with other lines, it is endeavored to fetch up time; others will not allow it.
6. What have been your instructions to drivers on that point? Nothing in particular, only what is written there.
7. Do the drivers understand that when a train starts from Parramatta, or from Sydney, say a few minutes behind time, they are to make up the time on the line? I have given no instructions to them to do it; they know the rules, and they must know that I have spoken to them. They may have had verbal instructions from some of the officers, but not from me.
8. From what officers? There are so many officers in connection with the line.
9. We understand that you are the engine drivers' immediate superior officer? They are under me when they are in the shop, but when they are on the line they are not considered to be under me—not out of the shop. So long as I see their engines are in good working order, that their conduct is good, that everything is right, everything is fit for the road, I am done with them. If I see anything wrong when they are out, of course I then reprimand them for it. If I see them running at any improper speed, I have control, but not in respect to their time; I have nothing to do with that in any shape or form—they are considered to be under the guard, in the traffic department. In fact, I believe they have all the impression that they are under him when they are on the road; and of course I have said I consider that to be the regular thing, that they should be under the guard and station master.
10. You do not consider yourself responsible for their over driving? No.
11. *By Mr. Parkes:* Do I understand from what you say, that you considered yourself simply over the driver as to the condition of the carriages, as the engineer—but that you have

- Mr. J. Twiss. have nothing to do with the working of the carriages? Only to see that every thing is in an efficient state, and that the men are not the worse for drink, but in proper order to go out.
- 27 July, 1858. 12. You are in reality the engineer overseer? Yes.
13. As far as the work is concerned? I have to see that all the rolling stock is in a proper state. I have to superintend the whole—engines, carriages, and waggons. We have one person appointed who looks after the passengers' carriages.
14. *By the Chairman:* Supposing one of the drivers, Wood, or either of the others, were five minutes late at Parramatta, and made up the time between Parramatta and Homebush, for which fifteen minutes is allowed, in ten minutes, would you consider you had any thing to do with that? No, unless I had had given them a written order to do so.
15. In fact, you are more overseer of the machinery than of the running? Yes; if there were any thing wrong with the engine I should see to it.
16. If you saw them ill using the engine, or mis-driving in any way, you would interfere, but you do not consider yourself responsible for the driving at all? No. If I found they were late I should ask the cause of it—perhaps they would say they were detained at the station; and I might ask "Is the engine right?" If I find any negligence, of course I look to the matter, and occasionally report it to Mr. Whitton, if I think it necessary. If it is anything frivolous, perhaps I give the man a reprimand, and there is no more about it.
17. *By Mr. Parkes:* Is there any one in the engineering department between you and Mr. Whitton? Yes.
18. *By the Chairman:* I see that instructions from Mr. Whitton come to you with regard to late trains? That is a copy I made this morning of Mr. Whitton's memorandum.
19. How is it that you are instructed by Mr. Whitton upon this point, if you have no responsibility with regard to the drivers? If they are late, they will look upon it as our fault that they are behind time. But we have nothing to do with the fetching up time; I have always been opposed to it; my experience tells me better.
20. Does your experience tell you that it is a dangerous plan to make up time? Yes.
21. Is it a source of accident elsewhere? I do not know that I ever knew of an accident from it; but, of course, they must be more liable to danger when they are doing so.
22. Have you been much accustomed to locomotives? Yes, I have been brought up to it.
23. What is your general opinion of the Parramatta line—is it good, middling, or bad? From the first I consider it has been as ill constructed a line as ever I saw.
24. Why so? In consequence of so many curves with small radius for the engines to go round.
25. Is there anything in the rail which you consider objectionable? That is a matter of opinion; it is not a rail I approve of.
26. Looking to the state of the permanent way, would you consider it dangerous for a man to drive from Parramatta to Homebush, a distance of five miles and three-quarters, in ten minutes? I would not consider it a high speed at home.
27. Looking to the curves and inclines on the road? Provided the driver eased the engines round the curves, he might do it with safety. It is customary to reduce the speed going round a curve, and when the engine gets off to give a little more speed. They do not run at a uniform speed.
28. We have it in evidence that one of the drivers, when five minutes late in starting from Parramatta, repeatedly made up that five minutes in the five miles and three-quarters between Parramatta and Homebush—would you consider that dangerous on that part of the line? I should say, as a general thing, the speed was too great; sometimes the line is in a better state than at others, owing to the state of the weather. If we got a week's wet weather, it affects the line very much. If we were without rain for a few weeks, and the line were attended to as it ought to be, I should not think there was the least danger; because it would only be about thirty-four miles an hour, and that is a very limited speed. We should consider it very limited at home.
29. *By Mr. Hay:* Do you consider it your business to see that the drivers are regular in their time of running? If they are late and lose time, they must give an account whether it is the fault of the engine or their own negligence—not if any detention has occurred at the station. We expect them to run to the time-table; that is the instruction I have invariably given, and not to exceed it. If I have told them that once, I have, not to exaggerate, told them a dozen times.
30. It is your business to see that the trains run neither too fast nor too slow? Yes. If I saw them running too fast I should speak to them, because it destroys the machinery. It is a line that will not stand too high a rate of speed, and we have to guard against anything of that kind.
31. It is your duty to see that they do not run either at too high or at too low a rate of speed? I do not go on the line often; I have to look over the work in the establishment, and if I have time I go upon the line.
32. It is one part of your duty to ascertain as far as possible that they run neither too fast nor too slow? That they run at a uniform rate.
33. If you found from your own observation, or from the report of others, that any man were running at too rapid a speed, would you not feel it to be your duty to reprimand him, or to report him? Yes, or to reduce him. In some cases we have inflicted a small fine. It must be understood, that when they are on the line they are not under my direction. If I ascertained from my own personal observation that through their neglect of the engine they had lost time, and then ran at too great speed to make it up, I should reprimand them for it. We expect they will ease the engine in going round a curve, and also in going down an incline.
34. Are the engine-drivers, for the proper running of the engines, or the proper management of the engines, responsible to you? Yes, as regards the working of the thing, but I do not hold them responsible if they are detained at the station.

35. For any irregularity in running between the stations are they responsible to you? Yes. Mr. J. Twiss.
36. Was it reported to you, previous to this accident, by any of the men, that Boan was an irregular driver? Yes. 27 July, 1868.
37. Do you recollect by whom? Yes, by Mr. Morgan, on the previous night.
38. What did you do in consequence of that? It was just as the last train from Sydney was going out, the 5-45 train, and Mr. Morgan came to me about a minute or two minutes before the train was going, and said that he and Mr. Mason had just come down, and that the driver had been going round the curves too quick. I told Mr. Mason that Boan had told me about it, and wanted to know what Mr. Mason had to do with his running. Mr. Morgan said, "I do not think Mr. Mason has anything to do with that." Boan told me, "At the time he spoke to me I was behind time, and I was not running at an improper speed." I said, "Your own judgment ought to tell you whether you were running at an improper speed. I have always told you to run slow when you are running round a curve, because it injures the engine." I told Mr. Morgan I would speak to Boan in the morning; but I never saw him to speak to him till he came up with the empty engine on Saturday morning. I never had an opportunity to reprimand him.
39. Mr. Morgan said he was running too fast? Yes. He told me that he and Mr. Mason had been with Boan on the Friday.
40. Would you not consider, when both Mr. Morgan and Mr. Mason concurred in saying that this man was running too fast, that in point of fact he must have been? It would have been a difficult thing for me to form an opinion, because sometimes a man will fancy an engine is running too quick when it is not doing so; he may make a mistake unless he is practised to ride on an engine.
41. Are not both Mr. Morgan and Mr. Mason in the practice of riding upon engines? The engine-driver ought to be the best judge himself, but then, of course, we ought not to take his evidence.
42. Could you expect to have better evidence than that of Mr. Morgan or Mr. Mason as to the rate at which the engine ran—unless you saw it yourself? But the question was whether he was running to the time, and as he told me he was two minutes under time. He remarked to me that he told Mr. Mason at the time he could not do it in consequence of his order not to lose time.
43. Had you ever heard before that he drove too fast? No; that is the only complaint I have heard of him. He had not been running on the line regularly very long; perhaps it is about a month since he commenced to run regularly with the passenger train.
44. Do you never try to ascertain from any trustworthy person employed upon the line, as Mr. Morgan or Mr. Richardson, at what rate these persons do drive when you do not see them? It is their place to report to me if they see anything of that kind. I have heard these things spoken of occasionally, but, not seeing it myself, the engineer might deny it.
45. Do you not think, if Mr. Morgan reported to you that he and Mr. Mason had been on the engine when it was running at a dangerous speed, that it was your duty to report the circumstance to the Chief Engineer? The time did not admit.
46. Did you intend to report it? Things of this sort might take all my time up if I made a report of every frivolous thing.
47. Did you think this a frivolous thing? I could not tell whether this was or not.
48. You heard what Mr. Morgan said? Yes; and I heard what the man said, and I was going to question him about it again in the morning.
49. Did you not think it a matter of sufficient importance to refer it to the Chief Engineer? Certainly, if I heard that a man did anything likely to result in an accident, or anything likely to impede the working of the line—which I frequently do.
50. Did you not think Mr. Morgan's evidence, combined with Mr. Mason's, was sufficient to shew you that there was a *prima facie* case against the man of going too fast? I did not hear Mr. Mason say anything about it.
51. Did not Mr. Morgan say that Mr. Mason was on the train, and that Mr. Mason had remarked at the time that the train was going too fast? Yes.
52. Then, in point of fact, you had not formed the resolution to report the circumstance to the Chief Engineer? Of course, anything of that kind, where there was gross neglect to make a report of. I intended to draw the attention of the Chief Engineer to it.
53. It appears to me, from what I understand of your statement, that you did not exactly speak to Boan in words of warning, in consequence of what Mr. Morgan said to you? Boan told me that Mr. Mason and Mr. Morgan went down with him upon the down train, and he said Mr. Mason had been grumbling at him, and speaking to him about running too quick round the curves. I said, "You know I have told you not to run too quick round the curves, for I do not consider it safe." He said, "I was only running my regular time." I believe he told me he was two minutes behind time. I said, "Your own judgment ought to tell you, and you know very well that you ought not to run too quickly round a curve." He said, "What am I to do, I am to run to time?" I said, "You have plenty of time without running at any irregular speed." In fact he spoke, prior to that, what Mr. Mason had to do with it. I said, I did not know what Mr. Mason had to do with him, if any person thought proper to speak to him to caution him he could do so, but anything beyond that Mr. Mason had nothing to do with him—which he had not.
54. You told him so? He had nothing to do with him further than this—If I saw a person not particularly under my direction doing wrong I should feel it my duty to speak to him.
55. Did the man leave you with an impression that the facts would be investigated? He must have known from what I said that he must not run quick. I told him so invariably, time after time.
56. You did not tell him that he was running too quick? No, I did not, because I could not tell then.

Mr. J. Twiss. 57. Had not Mr. Morgan and Mason informed you? I had not seen Mr. Morgan at that time. When Mr. Morgan spoke to me I said, "I will speak to the man in the morning."
 27 July, 1858. The following morning the accident occurred, and I had no time to speak to him.
 58. Did Richardson ever speak to you about this man's driving? I have no recollection of it. If he has it has escaped my memory.

APPENDIX A.

GREAT SOUTHERN RAILWAY.

Engineer's Department,
 Sydney, 29th June, 1858.

Memorandum to Cobb, Berry, & Boan, engine-drivers.

I am instructed to inform you that, owing to so many late trains having been run of late, and the excuses which have been made by the drivers not being satisfactory, in future any engine-driver losing time in running, (except in the event of an accident), will be fined one day's pay for every late train, and if frequently late, will be discharged from the service.

J. TWISS.

N.B.—Copy of memo. to Joseph Twiss from Engineer-in-Chief. Vide Appendix A to evidence given by Captain Martindale on the 17th July, 1858.

Mr. John Charles Banks called in and examined:—

Mr. J. C.
 Banks.
 27 July, 1858.

1. By the Chairman: Where do you reside? At the Glebe Road.
2. Are you able to afford the Committee any information as to the accident which happened on the Parramatta line on the 10th of July? The information I have obtained was from one of the men who were employed in repairing it.
3. Can you give the name of that person? If I did so Mr. Whitton would discharge him. I should not like to give the man's name, but I can give you information which will enable you to find out the circumstances.
4. What was the character of the information he gave you,—was it of a kind he should not have given? No.
5. Do you know Mr. Whitton? Yes.
6. You do not consider the information given by this man was of a kind he should not have given? No further than this,—he is a servant of the Commissioners, and if he said anything calculated to throw blame upon them they would dismiss him.
7. Can you state the nature of the information he gave you? I will explain the cause of the accident. On the line there are two rails running parallel, one of the rails was perfectly sound and level, on the other side the sleeper had sunk, and there was a hollow on the rail. When the train came to this place the horse-box was oscillating from side to side, and it jumped, as it naturally would do when it came to this hollow, and the flange which clips the rail pitched on the top of the sunken rail, and the consequence was that it ran along the bar of the rail for a short time, and then ran off. The cause of the accident was that hollow with the motion of the horse-box moving from side to side.
8. Was there any mark upon the rail which showed that the flange had run there? I did not see it myself; I had it from the person who saw it. I can give you the name of Mr. Richardson, and the reason I give his name is this, that he was on the ballast waggon at the time with a number of men. I cannot tell you the names of these men, although I know them by sight. Mr. Richardson can give the names of each man; but, being a servant of the Commissioners, he would be rather cautious what he said, still he knows perfectly well there was a hollow there.
9. You did not see it yourself? No; I know it from one of the men who repaired the damage.
10. Were you employed by the Commissioners during the time Mr. Richardson was Inspector of the Permanent Way? Yes, I was—painting, plumbing, and glazing. I know Mr. Richardson is the most efficient servant on the line. I have known him to be up all night.
11. Since Mr. Richardson ceased to be Inspector of the Permanent Way has any work been done by you? No, none by me. I may state that the men have had a reduction in their pay, and the carriages have not been kept in proper repair. The object of this close cutting economy has been to give the public a report to show that the line has been worked very cheaply; but the next half-yearly, or yearly report will show a very considerable increase in the expenditure, to make good what is now neglected.
12. These reductions have been made on the score of economy? Yes; but it is a mistaken economy to reduce men from 9s. to 7s. a day, as the best men have left.

FRIDAY, 30 JULY, 1858.

Present:—

MR. DONALDSON,
MR. WEEKES,
MR. OAKES,

MR. EGAN.

MR. HAY,
MR. PARKES,
MR. ROBERTSON,

THE HON. STUART A. DONALDSON, Esq., IN THE CHAIR.

Peter Woods, engine-driver, called in and further examined:—

1. *By the Chairman:* You are an engine-driver, and have been previously examined before Peter Woods, this Committee? Yes.
2. Now, I wish to read to you a portion of your evidence, to see if you recollect what you ^{30 July, 1858.} said, and I then wish to ask you a question about it:—"26. *By Mr. Weekes:* Are you ever required to make up time;—suppose you start five minutes behind time at Parramatta, are you required to make up that time if you can in your journey to Sydney? Yes. 27. Is that in your regulations or orders? No, verbal orders. 28. To make up time? Yes. 29. From whom do you receive your orders? From Mr. Twiss, Locomotive Foreman; I have also received it from the Manager, and I have received it from Captain Martindale, the Chief Commissioner, who was with me; and the Manager told me to make up the time between there and Parramatta. I forget how much it was late—perhaps seven or eight minutes—and I told him it was against rules; I could not fetch up any time against orders. He told me he thought his word was sufficient—at all events, I ought to fetch up a little. The following day I received an order from the Locomotive Foreman: he told me to fetch up what time I could where the road was good, but not where the road was not fit. Of course, after that I made up time where I could, but I ran cautiously where the road was rough."
3. That is correct, is it? Yes.
4. Can you state upon what occasion this conversation took place? Captain Martindale was riding on the engine with me, along with the Manager. I was something like (I cannot exactly tell you) six or seven minutes behind time on leaving Liverpool, but he wished me to fetch the time up between Liverpool and Parramatta. I told him it was against rules.
5. Then it was the Chief Commissioner, and not the Manager? All the Chief Commissioner told me was, I could fetch the time up between there and Parramatta.
6. Can you identify the day in any way? No; it was in June some time.
7. In June last? Yes; I believe it was last June.
8. That was last month? It would be early in June.
9. Do you remember anybody else on the engine at that time? There was the fireman opposite the Manager.
10. The fireman, the Manager, and Captain Martindale? Yes.
11. No strangers? No.
12. When you say the Manager, you mean Mr. Nealds? Yes.
13. And Mr. Nealds and Captain Martindale were on the engine at the time you speak of? Yes.
14. Did Captain Martindale seem to approve of that? It was only on this occasion that Captain Martindale ever said anything to me about making up time.
15. *By Mr. Weekes:* You say he told you "he thought his word was sufficient:" is that the Manager's word was sufficient? No, Captain Martindale's.
16. You are certain it was early in June? It was early in June.

Captain B. H. Martindale, R. E., Chief Commissioner of Railways, called in to be further examined, desired to call the attention of the Committee to the evidence of Peter Woods, question 29, and requested that the engine-driver (Woods) might be re-examined in reference to the conversation concerning the making up of time. The engine-driver was re-examined; and on Captain Martindale returning to the room, (which he left ^{30 July, 1858.} while the evidence was being taken,) the evidence was read over to him by the shorthand writer.

Capt. B. H.
Martindale,
R. E.

1. *By the Chairman:* Have you any statement to make in reply? I think I can give the Committee convincing proofs that that statement is incorrect. In the first place, I never do give orders to the drivers if their immediate superior is present: any order I have to give I give to that superior. In the next place, I never should have used such language as the driver states I did; and if the Committee will look at that language for one moment, they will see that it is such as I never should have used. Woods says—"he told me he thought his word was sufficient." What I should have said to any driver who questioned my orders would have been, "Obey your orders, sir;" but I should certainly not have entered into any conversation as to whether my word was sufficient or not. I am perfectly convinced that conversation never took place.
2. Do you recollect riding on the engine early in June? Yes, very frequently, in early June, owing to the want of punctuality in the trains. I distinctly remember giving an order to the Manager to make up time, when travelling on one occasion by the last train, at night, between Parramatta and Homebush. I told the Manager himself to go upon the engine and to make up a minute or two between Parramatta and Homebush, but to mind and drive steady. That is the only occasion that I can recollect upon which I have given an order to make up time. The Manager had a discretionary power to make up time, which I have now withdrawn.

Capt. B. H.
Martindale,
R. E.

30 July, 1858.

3. Since when have you withdrawn it? Since this accident.
4. Then the Committee in'or that you are persuaded now, at all events, whatever may have been your opinion when these rules were framed, that no such discretion should be given? I did not make these rules; they have been in operation since 1855.
5. Whatever may have been the intentions of the framer, you are of opinion that no discretion should be with the Manager? Yes.
6. *By Mr. Wakes:* Allowing that that minute or two was made up, what would be the speed of the engine over that space? Eighteen minutes was allowed; and supposing three minutes were made up, it would then bring the time down to fifteen.
7. What rate per hour? Twenty-three miles.
8. *By Mr. Hay:* The same rate as the morning train runs in? The same rate as the morning train runs in. The reason that I gave the order that night was, that I had a great number of complaints about want of punctuality and I was anxious to bring the train in to time. I had gone down the line specially that day to watch the running of the trains.
9. *By the Chairman:* You have had an opportunity afforded you to see and hear the evidence taken before this Committee—is there any part of that evidence which you wish to draw attention to, as deserving of comment on your part? There are certain parts. I will take first the evidence of Mr. Bell. I will not go into that evidence in detail, because it will be more properly done by the Engineer-in-Chief, with whom I have gone through the evidence this morning. Mr. Bell must have left, I think, the impression upon the Committee by his evidence, that I did not fulfil the engagement I made to the Committee to send him down by a certain train, and to provide a proper person to point out the site and the circumstances of the accident to him. I informed the Committee that I would send Mr. Bell down by the ten o'clock train, and that he might come back by an afternoon train; and that the Inspector of Permanent Way should be sent to point out the circumstances to him, as being the best person. After I left the Committee I made the following alteration in that arrangement:—Instead of sending Mr. Bell by the ordinary train I ordered a special engine for him, for two reasons—one, that the passengers should not be alarmed by the ordinary train stopping at Haslam's Creek Bridge unexpectedly; and the other, that a special engine afforded Mr. Bell the opportunity of getting down wherever he wished to inspect the line, which an ordinary train would not have done; and I requested the Engineer-in-Chief to direct the Inspector of Permanent Way to be in attendance next morning, according to the pledge I gave. He did give those directions, but, owing to circumstances which he will explain, they were not carried out, and his principal assistant, as I understand, Mr. Mason, was directed to go in the Inspector's place, and to give the information necessary. That is all I have to say upon Mr. Bell's evidence—without the Committee have anything they wish to ask me in reference to it. The other point I wish to call the attention of the Committee to, is the evidence that has been given respecting a horse-box having got off the line some considerable time ago. I find, on looking over the evidence, that Mr. Donkin states that the horse-box got off the line in April, 1857; Mr. Richardson states it was about a year ago; Mr. Houson states that it was twelve or thirteen months since; and that appears to be very good evidence, because Mr. Houson states, that he has not travelled on the line since that time, and if he is correct it could not have happened since that time. Mr. Esq. states, it was ten months ago. That evidence corroborates the impression I have, that this accident could not have happened since Mr. Nealds was appointed Traffic Manager, which was in October last, for I am certain, from the system of reports which has been enforced since that time, that the accident could not have happened without my hearing of it. I may call the attention of the Committee, perhaps, to the fact that this appears to be the only accident that has occurred during all that time. This does not show careless management; for I believe upon no line in England, or elsewhere, would it be found that no accident had occurred of any kind during a similar period. I have given considerable attention to the matter since the accident happened, and endeavoured to satisfy myself as to the cause of it: I retain the impression I formed at first, that the speed at which the train was travelling is not sufficient to account for the accident, and I attach no great importance to the centre-links having been used in place of screw-couplings. I wish to call the attention of the Committee to the statement made by one witness, viz., that the first horse-box was oscillating very considerably nearly half a mile before it reached the place where the accident happened. That induces me to think that there must have been something in the condition of that horse-box of which I am not aware that led to that unusual oscillation; which, together with, possibly, some unsteadiness in the driving, or some slight defect in the road, of which, however, I have no proof, may have caused the horse-box to leave the rails. I have been unable to satisfy my mind that any speed at which the train was driven, and the use of centre-links in place of a screw-coupling, are sufficient causes to account for the accident.

John Whitton, Esq., Engineer-in-Chief, M Inst. C. E., called in and further examined:—

J. Whitton,
Esq.

30 July, 1858.

1. *By the Chairman:* You have had an opportunity afforded you of hearing, or seeing after it has been taken, the evidence given before this Committee: would you state if there is anything in that evidence on which you wish to comment—and would you favor the Committee with your remarks upon such parts as you think require comment at your hands? Yes. The first evidence upon which I wish to offer any remark is that of Mr. Arthur. He states that “the tires of the wheels are worn hollow, instead of being flat, and the flanges of the “wheels are worn very much from knocking backwards and forwards upon the rails sideways. “It is my opinion that the cause of the accident was, that the engineer was travelling at a “sharp pace, and easing his engine off too suddenly the carriages were thrown together—the “buffers of one carriage being higher than the others, and being like a dead block of wood, “had

"had thrown the carriages off the line." In reply, with reference to the tires, I can only say that they are in good condition, and the carriage buffers are, for all practical purposes, the same height; the difference being $\frac{1}{2}$ inches, and the horse-boxes $2\frac{1}{2}$ inches. In question No. 6 Mr. Arthur says, the buffers are "completely useless." In reply, I say that the buffers are India-rubber buffers of the usual construction, and they are in good order. In question No. 7 he says, the bush "is completely worn out." In reply, I say it is not so; the brass is in good condition. In question 10 he says, the end marked 78 "is against the journal, the other is against the wheel." I wished that question at the time to be particularly asked of Mr. Arthur, because, from the manner in which he stated it, it was very evident that he did not either understand the nature of the axle-boxes or the brasses. The end marked 78, which he said was against the end of the journal, is against the boss of the wheel, so that the brass, in fact, was put on by him in the very reverse position to that in which it is used. In question No. 11 Mr. Arthur states, that he "cannot say to which carriage the brass belongs." In reply, I say that, perhaps, it did not belong to any of the carriages in the late accident: it appears that he picked it up in the station yard; but to what carriage it belongs he was unable to state. In question No. 22 Mr. Arthur states, that the brass "must remain stationary when the weight is on it." This is not so, as the brasses have a lateral motion when weighted: the brasses, in addition to the play which they acquire when working, have a lateral motion in the axle-boxes, to enable them to run more freely round the curves. In question 36 Mr. Arthur states, "the usual way of making these brasses is to place two together, and bore them out for the journal to work in the brass." In reply to that, I say only one brass is required, and only one is used: two brasses are never used in the axle-box of a railway carriage. In question No. 39 Mr. Arthur states, "India-rubber becomes soft and sticky, and prevents the buffer-frame working." In reply, I say that India-rubber springs are used for the engines close alongside the boiler, and are not damaged by the heat. In question 41 Mr. Arthur states, "one of the buffers had not above an inch play, and the other had above five inches—one was in, the other out." In reply, I say this is not so: I have examined the carriages and can find nothing of the kind. In question 46 Mr. Arthur states, that "there is a difference in the height of the buffers of from four to five inches." In reply, I say that this statement is incorrect. The carriage which, I am informed, was measured by Mr. Arthur, was off the springs and blocked up with wood. I have, since the accident, had the carriages measured, and this is a correct list of their widths, and the heights of the buffers. (*Witness handed in the same. Vide Appendix A.*) When the carriages are loaded, the springs, of course, will come down a little, and after they have been constantly in use for any length of time the springs "become set," and lower probably half an inch or an inch. The new horse-boxes are higher because they are new, but after being in use for some time they will come down nearly to the height of the other carriages. In questions 70 and 71, Mr. Arthur states, that "he has seen carriages put on without screw-couplings." (I believe Mr. Arthur was alluding to the carriages on this line. It is not distinctly stated, I think, in his evidence whether he alludes to these carriages or to carriages in England, but I believe he alluded to this line. It is impossible that he can have done so, as there are no centre-links on any of the carriages on this line.) In question 78, Mr. Arthur states, "there are great numbers of wheels now upon the rails that are a quarter of an inch hollow." This is simply incorrect. In questions 107, 108, and 109, Mr. Arthur states, that "the wear and tear of the flanges of the various wheels and brass bushes, and the imperfect state of the buffers were the chief cause of the carriages going off the rail." As it is generally believed that the horse-box was the first that left the rail—and, I think, we have pretty clear evidence that that was so—I may say that the horse-box which left the rail has only been running about two months, and was in excellent condition, both wheels and brasses. In question 110, Mr. Arthur states, that there are bad rails in the station yard, and he said something about their being as soft as cake. In reply, I say this is not so; the statement is incorrect, and I may also say I never saw a station yard where the rails were in better condition than they are in the Sydney station yard. In answer to question 112—"Do you know of any preventives against accident used in England or elsewhere that are omitted here, as regards the situation of the guard or engine-driver on the train?" Mr. Arthur states: "Generally there are two guards—one in front and one at the back of the train, and they communicate with the engine-driver by a whistle; and when he intends to slacken the speed he gives a signal, and they apply the breaks." In reply to that, I say that two guards are never used with passenger trains, excepting express trains or very lengthy ones, and on the leading lines in England where the traffic is great. In reply to question 129, Mr. Arthur states, that "the builder of those carriages is not one of the best." My reply to that is, that the builders of these carriages are the Messrs. Wright of Birmingham, and I believe that they are amongst the best builders of railway stock in the world. That is all I have to reply to in the answers given by Mr. Arthur. Mr. Parfitt is the next, but he is so thoroughly ignorant of the subject on which he has given his opinion, that it is not necessary for me to trouble the Committee with any remarks upon his evidence. Mr. Bell's evidence is the next upon which I wish to make any remark. Mr. Bell states, in answer to question No. 7, "I assume that there is great danger in putting the horse-boxes where they were in the train." Mr. Bell gave that opinion without (according to his own admission) having had any experience in the working of railways; and I can state, after an experience of above twelve years of the daily working of railways, that the position of those horse-boxes was, by far, the best in the train. In confirmation of my opinion I refer the Committee to a work by Clark; who is the best authority on rolling stock, with regard to the position of horse-boxes.

2. *By Mr. Parkes:* Is that the best authority? I believe so. It is a recent one, and I believe it is the best on rolling stock. Clark says:—"Horse-boxes are made with stalls to receive three horses. Their length is regulated by that of a horse, and it is supplemented with two dog-boxes, one at each end—useful for carrying dogs and harness. The full length

J. Whitton,
Esq.
30 July, 1853.

J. Whittom, Esq.
30 July, 1858. "length so obtained makes a reasonably long under-frame, with wheels properly apart for steady running. It so happens, inconveniently in this respect, that horse-boxes, to be readily uncoupled at the proper stations, are in general placed at the end of the train, where there is most liberty for unsteady carriages—thus, a proper length of wheel-base is indispensable for horse-boxes."

3. *By the Chairman*: At the end of the train? He says, they are "inconveniently placed at the end of the train, where there is most liberty for unsteady carriages." Horse-boxes, having a shorter wheel-base, are, as a rule, more unsteady than carriages of greater length; but on this line the horse-boxes used are built with frames of iron-bark, and are consequently much heavier than the horse-boxes used in England. And I may state that the wheel-base of the horse-boxes in use here is the same as those on the English lines, except the one which fell off the line, and this is eight feet six inches from centre to centre of the axles—being six inches longer than those in England. In answer to question No. 9, Mr. Bell states, "The circumstances [stated by the Chairman] would be quite sufficient to push the horse-trucks off the line, the horse trucks having only four wheels." In reply to that, I say that I never saw a horse-box with more than four wheels either on a broad or a narrow gauge; nor could any impetus from behind have caused the horse-box to leave the line. In answer to question 11, Mr. Bell alluded to the circumstance of some of the carriages having travelled two hundred and fifty yards after they left the line. His answer was, "that having travelled two hundred and fifty yards off the line," he assumed that they must have travelled at a very high speed. In reply to that I have to say, that this is a mis-statement. The carriages only ran about fifty yards after breaking away from the engine. In answer to question 12, Mr. Bell states: "I attribute the origin of the accident to the placing of three loaded goods-trucks at the rear of the train, and the horse-box next the tender."

4. He modified that in his second examination, after he had seen the spot and had become acquainted with all the circumstances? I think he modified it generally. Mr. Bell did not modify that particular opinion, he modified the whole of his evidence. He said, had he seen the spot he should not have given the evidence he did as to the cause of the accident. The trucks were in the best possible position, excepting in the case of collision, and in this case there was no collision. The guard's break, being the heaviest, is always placed at the tail of the train when travelling at high speeds.

5. *By Mr. May*: He did not think, after seeing the scene of the accident, that it resulted from the impulse of the train behind? No; but I can scarcely see what difference the examination could make in his opinion upon that subject, because he certainly gave it as his opinion that the engine broke away, and that the carriages ran by their own impetus 250 yards.

6. Mr. Bell was under a misapprehension as to the facts of the case? Probably he was. My opinion was at the time, that as he evidently was under a misapprehension, it would have been better not to have given an opinion; but as he gave it, I must reply to it. In answer to question 13, Mr. Bell states: "The danger in this case was the pressure from behind." My reply to that is, that this assumption is against evidence. The engine-driver having the steam on, (which all the witnesses have spoken to,) it could not have been caused by pressure from behind. As the engine was leading the train, there could have been no pressure from behind. In answer to question 17, Mr. Bell states: "I have seen no passenger carriage on the present line with less than six wheels." In reply to that, I say that all the carriages on this line have four wheels, and carriages with six wheels are seldom used anywhere on narrow gauge lines. In answer to question 51, Mr. Bell states, that the "Barlow rail requires a longitudinal bearing"—

7. *By Mr. Donaldson*: A continuous bearing he said? That is a longitudinal bearing; the original intention of Barlow was to dispense with sleepers altogether, either longitudinal or transverse. It was supposed that the ballast would collect underneath the rail, and that it would form a solid and good permanent way, but this is a fallacy; but Barlow's rails have never been laid down in England on longitudinal bearers, and Mr. Bell never saw an instance of it. My impression was at the time Mr. Bell was speaking of the Barlow rail, that he was confounding the Barlow rail with the bridge rail: A bridge rail is always in England laid on longitudinal sleepers.

8. What is the bridge rail? The bridge rail is on the upper part nearly of the same form as the Barlow rail, but the depth is usually only $3\frac{1}{2}$ inches with vertical sides, having horizontal flanges about 2 inches wide each, by which the rail is secured to the timber. The only instance, I believe, of the bridge rail being used on cross sleepers for a main line, is by Sir John McNeil on the Irish railways, where he uses the bridge rail on cross sleepers, in preference to the double-headed rail and chairs. In Mr. Bell's second evidence, in reply to question No. 2, he states, that "gradient posts are indispensable upon any line as a guide to the driver." In reply to that I say, that if gradient posts are indispensable for a driver, all night travelling must be prohibited. Gradient posts are thoroughly useless for any driver; no driver ever reads them or looks for them. A man after travelling over a line a few days knows it perfectly well, and can always tell from his engine whether he be going up hill or down hill. They were used, and some engineers put them up now; but they are not at all necessary for the working of a line, and are only useful to the engineer himself, to be able when he is upon the line to say what the gradient is. They are not of the slightest use to the drivers.

9. *By Mr. Parkes*: So far as your statement goes as to the uselessness of these gradient posts for night service, would not any one working on the line get sufficiently acquainted with them during the day, or by means of getting better acquainted with the road during the day, would not they enable him to tell the road better at night? No man is ever put on as a driver on any line until he has become acquainted with the road, either in the capacity of fireman or of assistant driver.

10. Would not he naturally get the better acquainted with the road with those posts as his guide?

guide? He would never look at them; and if he looked at them I do not believe that there is one driver in a thousand that would know what they meant. They are of no use, excepting where you have a very steep incline, which makes it dangerous to go down, and then you have proper signals for the drivers to pull up, and to proceed slowly to a certain spot.

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30 July, 1858.

11. *By Mr. Hay:* Are they permanent signals? Yes, permanent signals. If gradient posts be necessary, driving at night would become almost an impossibility, unless a man was kept at each of the gradient posts with a light to show the driver the incline.

12. *By Mr. Parker:* That is precisely what I do not see. I think a person by his day experience would know where he was at night? Not by gradient posts, but by experience in travelling over the line.

13. But that experience must rest upon external objects? The driver of an engine can tell from his daily experience on the line, and the working of the engine, whether it is rising or descending.

14. Still it is by some exterior object—the formation of the road at all events? In the day time he can see the road, and he has the working of the engine at night.

15. If the drivers, as a whole, are so uninformed that they would not know the meaning of them, that would settle the matter? The driver is never informed what is the meaning of gradient posts, or told what is the radius of any curve on the line, except in cases where the curve may be of very small radius, or the incline very steep, making it dangerous to travel either on the curve or down the incline at his ordinary speed. I have now almost replied to the answer Mr. Bell gave to question 4. He says, "There are signals to show 'stop,' 'slow,' 'written sometimes in letters.'" The signals "written sometimes in letters" are permanent signals, to shew the driver some unusual curve or incline; and there are also signals not "written in letters," used by plate-layers, and all persons engaged in the working of the line, such as porters and policemen, and others, by which trains can be stopped, or the speed slackened. In answer to question No. 6, Mr. Bell states, on his examination of the road where the new sleepers are being put in, that "when the leading wheel of the engine passed over the joint the depression was very great between the sleepers." In making that statement, whether Mr. Bell understood that the ends of the rails were supported by a strong saddle-plate underneath the joint I cannot tell, but I am satisfied that he is wrong in his statement, as there is no deflection when the engine passes over the joints in the new road that has been made anything more than the ordinary deflection of the rails. All rails do deflect. These rails have a proper fish-joint. The introduction of sleepers to the Barlow rail has considerably improved it, and when completed will make a very good permanent way.

16. *By Mr. Hay:* With the double-headed rail, do you place the sleepers on each side or under the joint? The sleepers are placed on each side of the joint, but where the sleeper is placed under the joint it has been found impossible to maintain the road in good condition.

17. *By the Chairman:* Are these fish-joints put on throughout the line now? They were put on when the rails were originally laid. The only alteration that has been made is in laying down additional sleepers, so as to reduce the length of the bearing, and in putting the sleepers on each side the joint, instead of under the joint.

18. That is being done now throughout the Parramatta line? It is. I have omitted to notice Mr. Bell's answer to question No. 3: he there states, "I am quite ignorant what the 'radius of the curve is.'" In reply to question No. 12, Mr. Bell's first examination, he stated the radius of the curve correctly, on information given to him by me; his reply, therefore, to question No. 3 is incorrect. In answer to question No. 7, Mr. Bell states, that "the sleepers are semicircular, and the flat side is laid downwards, so that it would be 'difficult to put them nearer.'" That is a very extraordinary statement, the sleepers being two feet apart from centre to centre, and being only nine inches wide, I can see no reason why they should not be put close together, if that be advisable, but they are put in the position they now are because it is not necessary to put them nearer together. In answer to question No. 10, Mr. Bell states, that "the difference of expense between longitudinal and transverse sleepers would be trifling." That is another extraordinary statement to have been made by an engineer. I have prepared an estimate of the cost of laying down on the line longitudinal sleepers, and also of the cross-sleepers now being laid down; and, to frame a good longitudinal road would cost above £58,000.

19. *By Mr. Weekes:* On what extent of line? Between Sydney and Parramatta; and when laid down it would not be so good, or so economical to maintain, as a cross-sleeper road. The expense of putting in the cross-sleepers will not be more than £5,000. Mr. Bell stated the size of the longitudinal timbers to be 12 x 6, but the width of the Barlow rail would require a wider timber than twelve inches—fourteen inches would be the least that could be used—in addition to which, when the Barlow rail becomes worn out, the longitudinal timbers would not be required, unless the line was re-laid either with the Barlow rail or the bridge rail. The intention in using the cross-sleepers in preference to any other made, in addition to their being much less expensive was, that as the Barlow rail wears out, to take it up entirely, and renew the rail with the double-headed rail, and the sleepers now being used for the Barlow rail will then be serviceable to lay down the double-headed rail throughout. In answer to question 14, Mr. Bell states, "four wheels for such short carriages are enough." In reply to that, I say that the carriages are the same length as those used on the narrow gauge lines in England. There are some other remarks of Mr. Bell which I had not time to read; but one thing which struck my attention was the statement about the horse-boxes being top-heavy. This is certainly a mistake: the horse-boxes are not top-heavy: they run as steadily as any carriages we have on the line.

20. *By Mr. Hay:* Do you mean the new or the old horse-boxes? The new horse-boxes. There is only one other matter I think that I have to name to the Committee, and that is with reference to Mr. Bell's statement as to the incivility or inattention shown to him by Mr. Mason. Captain Martindale has already explained the arrangement made for sending Mr. Bell

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Bell down the line. I wrote to the Inspector of Permanent Way on the same day that the Committee broke up, requesting him to be at my office on the following morning at nine o'clock. At twenty minutes past nine he had not arrived, and Mr. Mason having to go to Haslam's Creek to take some dimensions for me that morning, I wrote to him at the station (he having left previously) requesting him to accompany Mr. Bell on the special engine, in preference to stopping the passenger train at Haslam's Creek. I had not time to write a long note to him, but I sent down my clerk, Mr. Quodling, requesting him to see Mr. Mason, and tell him to accompany Mr. Bell to Haslam's Creek, and give him any information he might require as to the position of the carriages, and the marks on the rails. I also sent a special request that Mr. Mason should not give Mr. Bell any information as to the different descriptions of permanent way in use. I did that from the strong impression on my mind, which has not yet been removed, that Mr. Bell did not know the difference between the Barlow rail and the bridge rail; and, although according to Mr. Bell's statement, Mr. Mason was not perhaps so communicative as he could have wished him to be, I think Mr. Bell himself admitted that everything he required, with regard to the position of the accident, and the marks on the sleepers, had been shown to him by Mr. Mason. It was not the intention (indeed I do not know that any intention of the kind has ever been imputed to any one.) that Mr. Bell should be sent down there without some one being with him to give him every necessary information.

21. *By the Chairman:* That is all you have to state? There is a statement of Richardson's with regard to the permanent way, which I wish to notice. Richardson states that a low joint, a short distance from Haslam's Creek Bridge, was, in his opinion, the cause of the accident. Immediately after the accident Richardson, I am informed, told Morgan, the Permanent Way Inspector, that there was a "slack" in the road on the Parramatta side of Haslam's Creek Bridge, and asked permission from Morgan to send for the nearest gang and have it taken out before any one saw it. Morgan declined to do so, and told Richardson to leave the road until I had seen it; and I can positively state that the remarks made by Richardson with regard to the permanent way are untrue. There was no such slack. The road was in as good running condition as I would wish to see any road. On all lines of course there are slacks, but not slacks of a serious nature; and that there was any such slack or depression in the rails as spoken of by Richardson I positively deny.

22. *By Mr. Weekes:* Then you inspected the particular slack alluded to by Richardson before it was touched? I examined the road very carefully, and I put my head down to the rails on the other side of the bridge, and looked along the line, and there was nothing to cause either oscillation or a carriage to go off the line. The road was in good condition.

23. Your attention was called to that particular slack mentioned by Richardson? It was not. But after mentioning the matter afterwards to the Permanent Way Inspector, he said it was so small that he did not think it worth while calling my attention to it, and that was the reason he did not mention it to me. I examined the road carefully myself, and I am very glad I did so before it was touched.

24. And when you inspected that part of the line nothing had been done to it since the accident? Nothing; the road had not been touched.

25. *By Mr. Egan:* I would like to know whether Mr. Whitton has stated anything to the Committee in reference to the evidence we have before us, that a horse-box and tender have been off the line before, which had never been reported, and nothing taken to prevent it in future? I have had no report that I remember, neither do I believe that any horse-box, or carriage-truck, or engine, or tender, have been off the line since I had charge of the permanent way—nine months ago; and I am quite satisfied that anything of the kind occurring, if not reported, the person neglecting to do so would be visited with very severe punishment.

26. Yes; but supposing it went off twelve months ago, and no report had ever been made of it, and no step taken for preventing similar accidents, is it not as likely to take place again as at any previous period? The railway is managed very differently now to what it was twelve months ago, and I believe that nothing of the kind could possibly occur at the present time without it being reported.

27. My question is this—that, supposing it did take place (which we have evidence that it did,) and we have no doubt that such a thing did happen at some time—no step has been taken to prevent a similar accident? I may again state that the railway now is managed very differently to what it was twelve months ago. At that time Mr. Brady was Manager, and possibly it may have been reported to him, and he may not have reported it elsewhere; but I had nothing to do with the permanent way at that time; and I can say that I do not remember to have heard of such a report until after this accident.

28. *By Mr. Hay:* I suppose the only way to prevent such accidents is to see that the permanent way and rolling stock are kept in good condition, and that the driving is not excessive? That is the only way. If the permanent way and the rolling stock be kept in good order, (which they now are,) every precaution will then have been taken to prevent a recurrence of accidents of this kind.

29. Have you had an opportunity since the accident of turning your attention to the causes of it, and can you tell us if you have seen causes which have induced you to modify your expressed opinion in your evidence on the subject? I have heard no evidence, and I can find nothing since my last examination that could justify me in expressing any positive opinion as to the causes of the accident. The speed is stated by several of the witnesses as being forty miles an hour, and by those in charge of the train, who could have no interest in stating incorrectly the speed, such as the guards, that it was only twenty-six miles. It is quite possible the train may have been running at thirty miles an hour; but there is nothing in the speed, the condition of the road, or rolling stock, that I know of, that could cause the accident. I can only believe that some derangement had taken place in the axle-boxes, or the axles of the horse-box, that caused it to leave the line. With regard to the driver,
Boan,

Boan, I wish to say that previous to this inquiry I believed him to be the best and steadiest driver on the line. I have travelled frequently with him on the engine, and never saw him travelling at an excessive speed; and he certainly understands his business as well as any man I ever saw. From the report of the inspector as to his having driven at an excessive speed, I am induced to believe that he has done so occasionally.

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30. We have it in evidence from Mr. Morgan, that he was on the engine on the Friday, and that he noticed a reckless and dangerous style of driving, and pointed it out to Boan, and that he had reported this to Mr. Twiss on the Friday afternoon; Mr. Mason having also remarked it, and that it was their intention to have reported it on Saturday morning—taking that with the other evidence, do not you think the speed must have been excessive and dangerous—for Morgan and Mason had evidence which was satisfactory to them on that point? The evidence they speak to is no doubt positive as to his having done so; but the evidence of Saturday morning is presumptive, merely.

31. But we are speaking of evidence on Friday: when we have it in evidence of Friday that the man had been driving carelessly, and in the opinion of Morgan and Mason dangerously, do you not consider that, added to the evidence of persons who have no occasion to tell an untruth in reference to the matter—gentlemen of intelligence—that this is irrefutable evidence that the speed was excessive? With regard to the speed spoken of by Morgan and Mr. Mason, I have not the slightest doubt of it; but it is a very difficult thing to estimate speed by any person not accustomed to travel on railways.

32. Do you not think, as matter of prudence, that it would have been better if Morgan and Mason had reported to head-quarters? Probably it would.

33. Is it not to be regretted that it was not done on the spot, and that a delay of twenty-four hours took place in making this report to Captain Martindale, or to you, because I have a strong impression there was some culpability about it; I think when a thing affecting life is at stake the report should have been made instantly? This might have been the first time (Friday previous to the accident) that Mr. Mason saw Boan driving at an excessive speed, and he might have thought that it would be sufficient to caution Boan against driving too fast.

34. *By the Chairman:* I have read you some evidence given by Morgan,—do you not consider, from what I have said, that on witnessing reckless driving it was his duty to have reported to you, or Captain Martindale? The engine-drivers are not supposed to have any connection whatever with the Permanent Way Inspectors, and as the time is kept of the trains at every station he might not think it necessary, and that it would be sufficient to caution Boan about it; and I think that Morgan, in mentioning the matter to the foreman, Twiss, had done all that may be considered necessary.

35. Who is really responsible between the engine-driver and the head of the department—who is the party to report to in such cases? All the engine-drivers are responsible to Twiss, as Locomotive Foreman. I have taken the charge of the locomotive department, and Twiss is appointed there as foreman, to see that the engines are kept in proper repair, and that the drivers are well conducted, and to report any irregularity at once to me.

36. *By Mr. Egan:* Then, in reality, Morgan did his duty by reporting it to Twiss? He did so. When a driver leaves a station he is in charge of the guard, but any report made to Twiss, with reference to the excessive driving of any man on the line, should at once be reported by him to me.

37. In this case—the day before the fatal accident—the report made to him by Morgan was not reported to you? It was reported to Twiss late in the evening, and the accident occurred at nine o'clock on the following morning; he had, therefore, not time to do so. With reference to Boan's statement, that he was "not going to be fined," I wish to read a memorandum which I wrote to Twiss on the 21st of May with reference to speed. (*Witness here read the memorandum, and handed in the same. Vide Appendix B.*) The Committee will see that the discretionary power given to the Manager I struck out in this order.

38. *By Mr. Weekes:* You stated that your impression was, that the accident was caused from some derangement of axle-boxes, or the axles of the horse-box; but from your examination of that particular horse-box, have you seen anything to confirm that impression? The axles are bent now, and they are so much twisted that it is impossible to say in what shape they were immediately preceding the accident; but as I can trace no other cause, it may have been from some derangement of the axle-boxes or axles; it certainly was not the speed, or the want of a screw-coupling, in my opinion, or anything in the state of the permanent way; and I can only imagine it must have been some other cause that has not been traced, and such derangement would be one of the most probable causes I can imagine.

39. *By Mr. Hay:* Have you known accidents resulting from such a cause? Not from such a cause; but I have known accidents frequently, the causes of which never could be traced, of carriages being off the line.

40. *By Mr. Oakes:* Would you be kind enough to state why this train, which leaves Parramatta at 30 minutes after 9, has to run over to Homebush quicker than any other; it does it in fifteen minutes, and I believe eighteen minutes is the time? I believe it is done for bringing in the early train, viz., the business train, from Parramatta. [*Captain Martindale explained:* The trains in May ran in an hour and three-quarters; they were in June altered to two hours. I was told when I altered them, that there would be great discontent among the ordinary passengers by the half-past nine train, on account of the loss of the quarter of an hour's time, and I therefore went through the time-table with Mr. Whitton, and I found that the speed between Parramatta and Homebush had always been fourteen minutes before. I, therefore, kept the same speed, fourteen minutes, and gave an additional minute for stopping at the station, which makes it fifteen minutes. It was thought that that was the only train by which passengers would be inconvenienced by loss of time, and that train runs in five minutes less than any other train. It has run safely since February, 1857, at that particular speed; the present time allowed is one minute more than it ever had before, and the speed is

now

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now only twenty-four miles an hour.] *Mr. Whitton resumed:* There has been a great deal said about the reduction in the number of men on the permanent-way between Sydney and Parramatta. I wish to state, that the reduction in wages was made on the 16th of January, in consequence of our paying a higher rate than that generally paid. At that time, before the reduction took place, the men employed were thirty-five, between Sydney and Parramatta. The number of men employed on the 3rd of July, ten days before the accident, was thirty-seven, and the number of the men employed on that portion of the railway on the day preceding the accident was thirty-eight; so that there were three men more on the railway at the time of the accident than when the reduction took place in January.

41. *By the Chairman:* What wages do you pay to drivers? Fourteen shillings a day each; probably that is a matter which I may give some explanation upon. When I first came to the Colony there were only two men that could be considered experienced drivers; but there were very good firemen on the line, who were quite competent to drive engines. One of the old drivers was dismissed in consequence of repeated acts of insubordination to the station clerks, and making use of abusive language on the platform. After being repeatedly cautioned, without effect, his services were dispensed with. The other engine-driver, I believe, took a farm somewhere up the country, and he gave notice to leave, and did leave. The present engine-drivers had been accustomed to take out special trains and to running goods trains, and were, in fact, in every way competent as engine-drivers. They were promoted from their original pay of ten shillings a day to fourteen shillings, and there has been no cause of complaint against any of these men since they began running the trains, and I believe them to be thoroughly efficient as drivers.

42. What was the wages of the old drivers? The old drivers originally were paid one and a quarter day's pay for one day, and they had 22s. 6d. a day. I stated to the Commissioners that I thought it unnecessary to pay these men for a day and a quarter for working one day, and that a short day, for the number of miles run was only one hundred and thirty. The quarter day was then taken off, and the drivers only had 18s.; they were afterwards reduced to 16s., but no complaint was ever made by the drivers about the reduction. The drivers in England are paid from 5s. to 7s. per day; the best drivers are only paid 7s., and I hardly thought it necessary to pay engine-drivers here 18s. a day for driving a much less mileage.

43. *By Mr. Parkes:* Are the drivers in England a similar class of men to those here? They are.

44. Promoted to their duties in the same manner? Precisely.

45. *By Mr. Weekes:* Generally from firemen? Always.

46. What rate of wages is given to the English firemen? They receive from 3s. 6d. to 5s.; it depends upon length of service; but it is usual for men to be firemen for three to four, or five years, and some men not showing sufficient capacity to be promoted never get beyond that of firemen.

47. *By Mr. Hay:* What are the wages of firemen here? The firemen here are now paid 9s. per day.

48. *By Mr. Oakes:* Up to the present time, can you state the condition of the permanent way all through—the general condition of the permanent way, now—to day? The general condition of the line between Sydney and Parramatta is good for the speed that we are running, and perfectly safe at a speed of thirty miles an hour. It has been considerably improved within the last nine months. I have no doubt that within six months from the present time it will be a good permanent way.

49. *By Mr. Hay:* Will it take six months to put the extra sleepers in the permanent way? I think it will take nearly that time.

50. And when that is done, you think it will be in very good order? Yes, in very good order; it is now in good condition for thirty miles an hour. I travelled upon it yesterday, with a special train, thirty miles an hour, as steadily as could be desired. Between Parramatta and Liverpool the line is in very good condition, and, excepting for the curves, you might run fifty miles an hour. Between Liverpool and Campbelltown the road is in excellent order.

51. *By Mr. Parkes:* Which is the best part of the road? The best part of the road is between Parramatta and Liverpool, at present, but when the embankments on the Campbelltown extension have become properly consolidated this portion will be the best.

52. *By the Chairman:* The Campbelltown extension will eventually be the best? Yes.

53. Can you state whether extra sleepers were put in at the place of the accident? They were not.

54. Are they at the present time? They are not, but they are being put in.

55. *By Mr. Hay:* I suppose the permanent way will always be liable to get out of order, until you can get a better description of ballast? We have been for some time getting a better ballast for the Sydney Railway, of broken stone. The road can never be maintained economically until we get better ballast. There is no ballast in this country, that I have seen, specially fitted for a permanent way, excepting stone, which is very expensive.

56. What should the best ballast be? Strong gravel.

57. *By Mr. Parkes:* Would you state, Sir, what your opinion is as to the original formation of the road between Sydney and Parramatta, as you found it when you took charge of it, and as compared with other roads with which you are acquainted in Europe? I must say that when I took charge of the Sydney and Parramatta Railway, I believe it was one of the worst railways that I ever saw; not only with regard to the manner in which it had been laid out, but to the manner in which the works on the line had been executed, and in which the permanent way had been laid. The whole of the line was, also, badly ballasted, and was not in a condition that it should have been for even a second-class permanent way.

58. Was it necessary, in your opinion, to have had the sharp curves which really exist in the railway in the original survey of it? It was not.

59. *By Mr. Weekes*: Are there not curves in that line for which it is impossible to account? *J. Whittan, Esq.*
 Yes; I can see no reason for them, excepting that the person who laid them out must have gone into very elaborate calculations, to show where, by one foot less cutting, he could save expense; not considering by so doing that he was lengthening the line, and making it far more dangerous and expensive to work. There is no reason why there should have been so many curves on the Parramatta Railway, and those required might have been of much larger radius. 30 July, 1858.

APPENDIX A.

DIMENSIONS OF BUFFERS ON 1ST CLASS CARRIAGES.

No.	Width from centre to centre.		Height from rail to centre.	
	ft.	in.	ft.	in.
1	5	9 $\frac{1}{2}$	3	4
2	5	9 $\frac{1}{2}$	3	3
3	5	9 $\frac{1}{2}$	3	3 $\frac{1}{2}$
4	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
5	5	9 $\frac{1}{2}$	3	3 $\frac{1}{2}$
6	5	9 $\frac{1}{2}$	3	3 $\frac{1}{2}$
7 Coupé	5	9 $\frac{1}{2}$	3	4
8 "	5	9 $\frac{1}{2}$	3	4

2ND CLASS CARRIAGES.

1	5	9 $\frac{1}{2}$	3	3
2	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
3	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
4	5	9 $\frac{1}{2}$	3	4
5	5	9 $\frac{1}{2}$	3	3 $\frac{1}{2}$
6	5	9 $\frac{1}{2}$	3	4
7	5	9 $\frac{1}{2}$	3	4
8	5	9 $\frac{1}{2}$	3	3 $\frac{1}{2}$
9	5	9 $\frac{1}{2}$	3	4
10	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
11	5	9 $\frac{1}{2}$	3	4
12	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$

3RD CLASS CARRIAGES.

1	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
2	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
3	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
4	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
5	5	9 $\frac{1}{2}$	3	5
6	5	9 $\frac{1}{2}$	3	4
7	5	9 $\frac{1}{2}$	3	5
8	5	9 $\frac{1}{2}$	3	3
9	5	9 $\frac{1}{2}$	3	4
10	5	9 $\frac{1}{2}$	3	3 $\frac{1}{2}$
11	5	9 $\frac{1}{2}$	3	4 $\frac{1}{2}$
12	5	9 $\frac{1}{2}$	3	5

DIMENSIONS OF NO. 1 ENGINE AND TENDER BUFFERS.

	Width.		Height.	
	ft.	in.	ft.	in.
Engine	5	0 $\frac{1}{2}$	3	4
Tender	5	0 $\frac{1}{2}$	3	3 $\frac{1}{2}$
Height of Tender Draw-bar			3	3 $\frac{1}{2}$
New Horse-boxes	5	9 $\frac{1}{2}$	3	6
Old Horse-boxes	5	8 $\frac{1}{2}$	3	4 $\frac{1}{2}$

J. TWISS.

APPENDIX B.

GREAT SOUTHERN RAILWAY.

(No. 202.)

*Engineer's Department,
 Sydney, May 21, 1858.*

MEMORANDUM TO JOSEPH TWISS.

I spoke to you last evening relative to the speed at which some of the drivers travel when behind time, and intended writing an order on that subject; but, on referring to their regulations, page 12, I find the following: "Enginemen are on no account to make up time by increased speed." Call the attention of the drivers immediately to this, and say, that for the first offence against this rule, the driver will be fined one day's pay; and for the second offence he will be discharged.

JOHN WHITTON.

THURSDAY, 5 AUGUST, 1858.

Present:—

MR. DONALDSON,
MR. HAY,
MR. WEEKES,
MR. JONES,

MR. SCOTT,
MR. PARKES,
MR. OAKES,
MR. ROBERTSON.

THE HON. STUART A. DONALDSON, ESQ., IN THE CHAIR.

Mr. Ralph Richardson called in, and further examined:—

Mr. Ralph
Richardson.

5 Aug., 1858.

1. *By the Chairman:* You have been re-called partly in consequence of the letter you addressed to me on the 30th of July, and which you did not intend as a privileged and private communication. Are you of opinion that you have it in your power to prove what you state there? Yes.
2. Do you still adhere to what you have stated there is the truth? Yes, I do.
3. Can you suggest what course we should adopt in examining Fishlock and Glover? I must leave the Committee on the contents of my letter to ask what they think fit.
4. You have no suggestion to offer as to which of these men we should call first? Not at all.
5. You state, in the second paragraph of your letter, that "I think when I mention two circumstances, it will prove beyond doubt whether the permanent way was in 'perfect order' as stated." Do you mean as stated by any officials—by papers, or by whom? Both by the ganger, and by Mr. Morgan, and Mr. Whitton.
6. You mean by their evidence before the Chief Commissioner? Yes; both before the Commissioner and at the inquest.
7. Is there any statement you wish to make to the Committee this morning before we call the other witnesses? Nothing.
8. *By Mr. Weekes:* Do you say that Mr. Whitton saw the spot which you referred to where there was the deflection of the outside rail of the Parramatta line before it was repaired? He did; Mr. Whitton and Mr. Morgan saw it.
9. In your former examination, question 17, it is asked of you, "Did Mr. Whitton see it in the state in which you saw it at first?" and you said, "I cannot say; I did not see Mr. Whitton go there." How do you explain that discrepancy? From what this man Fishlock, the ganger, said.
10. You do not know it of your own knowledge? No, I do not.
11. *By Mr. Hay:* You say in this letter that you have observed, from observation, that a low joint on one side has the effect of throwing the carriages to the other side? Yes.
12. How do you mean,—does it throw the carriage in an upper direction? I mean—say this is the engine, and next to this is the horse-box, not quite tumbled off, if the engine gets over, and comes down to this place, it makes an effort to go down, but as the engine presses forward it necessarily makes a jump on to the reverse side. You can see that hourly.
13. But, in throwing it to the other side, do you mean throwing the whole of the carriages right off the line on the other side? That would, of course, depend if it is a short lowness or much: if it is an inch low it would naturally go down and make another bound again, unless it is something enormous, of course she must jump.
14. Is the effect to throw the top of the carriage over, or to throw the carriage off the line? It would check the direction of the carriage.
15. How could you ascertain it by observation? You might see it now by going along the line; you would notice as you go along, if you got behind the tail: you would see them go down at the low spots.
16. As long as the wheel did not go off the line, how do you observe the difference in the direction of the carriage? You see that by the play the carriages get: you see that when the flange strikes against the opposite side of the rail, and I imagine if she was going at a sharpish speed, it would of course increase that effect.
17. Have you ever known an ascertained instance of a carriage being thrown off the line from the adverse side of a low joint? No, I have not.
18. Have you ever read of it in any work? No, I have not.
19. *By the Chairman:* What is your impression of the length of the deflection—the length of the drop? I should say more than two inches.
20. Below the level of the line? Yes.
21. *By Mr. Hay:* You saw the picking up of the joint? Yes.

John Fishlock, ganger, called in and examined:—

J. Fishlock.

5 Aug., 1858.

1. *By the Chairman:* What are you? Well, I am a ganger of a length.
2. On the length where the accident happened on Saturday, the 10th of July? Yes.
3. Do you know anything of the joint being down, or slack, as they call it, on the up-line near Haslam Creek Bridge? No; it might be a little slack at a distance from the bridge.
4. How far? About one hundred yards.
5. What do you call a little slack, or deflection? It was not more than half an inch.
6. Do you mean the perpendicular depth from the gauging? Not more than half an inch.
7. Have you measured it, or do you mean you are guided by your eye? Yes.
8. There was a slack? Yes; but not enough to make a disturbance of the train.
9. You think there was not enough to cause a carriage to roll more than usual? No, I do not.
10. Do you remember giving evidence before the Commissioners, at the office? Yes.
11. Had you any conversation with Mr. Morgan before giving your evidence? No.

12. Did he give you any instructions what you ought to say, or not? Not a word, either backward or forward. J. Fishlock.
13. *By Mr. Hay:* Was there another slack at the bridge close to Haslam's Creek Bridge? 5 Aug., 1858. No, I believe not.
14. Are you quite sure? No, I am not quite certain; I believe there was not another slack within one hundred and fifty yards of Haslam Creek Bridge.
15. But within a few yards past was there not a slack? I do not believe there was a slack upon that road that varied more than half an inch.
16. *By the Chairman:* Did you tell the whole of the truth before the Commissioners on the occasion you were examined—did you tell everything you knew? Yes; I have said just what I thought was the truth.
17. Are you responsible for that length you were on? Yes.
18. Have you had any conversation with Mr. Richardson since the accident—lately? No, Sir.
19. Have you not spoken to him within the last week? I cannot say I have not spoken to him; he came and delivered some stores the other morning.
20. Did he talk to you? Yes; he came and took the time from the men.
21. You had some conversation about the accident? Yes, a few words.
22. Did you say anything about Mr. Morgan having desired you to say what you said before the Commissioners at the office? No.
23. Nothing of the kind? No. Mr. Morgan never said a word backwards or forwards, or any way to me.
24. *By Mr. Weekes:* Was Mr. Richardson the first officer of the railway on the spot after the accident, that you know of? Yes; I believe he was.
25. Did you see him noticing a considerable slack, as it is termed, in the rails, and pointing it out as the probable cause of the accident? No, Sir.
26. Did you repair that slack on the day of the accident? No, Sir.
27. By whom was it repaired? I do not know. I must say I was sent off to Parramatta.
28. It is part of your especial duties to attend to these slacks, and the rails generally, on that part of the line? Yes.
29. How was it not given to you to repair, and why did you not repair the slack when it was pointed out? I was put to work where the sleepers did not stand, and was repairing that part of the line; we were putting in extra sleepers, to make them stiff.
30. Were you sent away from the spot shortly after the accident occurred? Yes; I was sent to Parramatta to the inquest.
31. With your gang? No, only myself.
32. Do you know whether your gang repaired that slack? No.
33. You did not think it your duty to inquire of the men placed in your charge whether they repaired that slack? No, I did not, because I did not see any slack.
34. Was Mr. Morgan on the spot where the accident occurred before you left for Parramatta to attend the inquest? Yes.
35. Did you see Mr. Richardson take Mr. Morgan and point out the slack referred to? No, I did not.
36. Do you think it possible that a slack could have existed to the extent of two inches without it coming to your knowledge? No, I am certain it could not—not half that.
37. Do you yourself, or your gang, make a rigid investigation of the rails on your length? Yes, twice a day. If I find a slack I send one man one way and another down the other way, and they see that all is right.
38. After the accident occurred, you saw no particular slack pointed out by Mr. Richardson, or any one else, as the cause of the accident? No.
39. You heard nothing of it at all? No: he asked me where the gauge was; I fetched the gauge and I went down and gauged the road. Mr. Morgan was there, and there were three or four other gentlemen there also.
40. Is there a man named Glover in your gang? No; he is on the next length to me.
41. Was he there, on the particular spot, although not on the one he is ordinarily fixed on? Yes.
42. He came there on account of the accident? Yes.
43. Did he remain there, or was he sent away for any purpose? He remained there.
44. Do you know whether he repaired the slack? I do not.
45. Do you know whether your gang or any one repaired the slack? I do not. My gang never went near the spot; they were working at the top when the carriages were thrown over.
46. Your gang was repairing the spot—the scene of the accident? They were not; they were put to work at the top when the carriages fell over.
47. *By the Chairman:* Is it a matter of fact that Mr. Richardson came with a gang from Newtown, and did they not mend the permanent way? I do not know; there was something done when I was sent to Parramatta to attend the inquest.

William Glover, ganger, called in and examined:—

1. *By the Chairman:* What are you? I am foreman of the gang of repairers on the railway. Wm. Glover.
2. What gang? The Homebush gang.
3. Under Fishlock? No; I am this side of Fishlock.
4. Nearer Sydney than Fishlock? Yes.
5. You recollect the morning of the accident very distinctly? Yes.
6. After the accident happened, was your attention in any way called to the slack, as it is called, in one of the joints of the rail near Haslam Creek Bridge? No.
7. You know nothing about it? No.

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- Wm. Glover. 8. You did not see any slack, or deflection? No; not at the place where the accident happened.
- 5 Aug., 1868. 9. At Haslam Creek Bridge? No. I understand perfectly well what you mean.
10. Do you recollect being sent away by Mr. Richardson that morning—after the accident happened? Yes.
11. Were you sent away by Mr. Richardson or by Mr. Morgan? By Mr. Richardson. I was going towards Parramatta, and was called back, and ordered to keep this way.
12. Towards Sydney? Yes.
13. Did you understand why the order was given? No.
14. Have you any idea? No.
15. Did you walk over as far from Sydney as over to the bridge? No; I did not go on to the bridge.
16. You could not see the permanent way on the Parramatta side of Haslam Creek Bridge? No.
17. Did you get an order why he would not let you go there? He said he was ordered by Mr. Morgan.
18. By Mr. Hay: He told you so at that time? Yes.
19. Did it come into your mind that there was any reason why he desired you should not see anything? There was a desire upon my mind to see where the fault was.
20. What was the reason of your going up the line? I went to see the rails. I should have went there—not before I knew anything about it, but it was so far distant from the scene of the accident. I thought my services would be required at the place of the accident; I went back, and did not go to the farthest end.
21. Did it occur to you, when Mr. Richardson told you that Mr. Morgan had given him orders to order you away, that it was because it was not desirable that you should see the permanent way? Something did strike me, but I could not tell you why I was not allowed to go; it might be that there was something they did not wish me to see.
22. You did not lend any assistance to pick up the slack? No.
23. By Mr. Weekes: Yours is the portion of the road adjoining Fishlock's? Yes.
24. Where is the boundary? At the nine-mile post.
25. How near is that to Haslam Creek Bridge? About $1\frac{1}{2}$ mile.
26. That is the end of your portion of the line—does it not come within Haslam Creek Bridge nearer than $1\frac{1}{2}$ mile? No; I think it is rather more if anything.
27. How soon after the accident were you on the spot? About a quarter of an hour.
28. Who gave you the first information of the accident? The ballast-train was coming up there after the accident, and they picked us all up (the gang), and took us to the accident.
29. You saw no slack near to the bridge: Had you heard of any slack existing near to Parramatta? No. I did not examine the road all the distance. I went no further than where the track of the wheels went over the side of the rails. I was tracing where the wheels ran off. I went a certain distance, and I saw I had much further to go, and I thought my services were required at the scene of the accident, and so I went back. I did not go to the place where it went off; I should have gone afterwards, but I was told not to go, by Mr. Richardson.
30. Was Mr. Richardson on the spot when you arrived? He was; he was on the ballast train—he was on the engine.
31. Did you see Mr. Richardson examine a particular portion of the rail at that time? No, I did not; I saw him go that way.
32. Did you hear him make any remarks about a particular joint of the rails to any one? No, I did not.
33. You know nothing about the repairs which took place that day? No more than the repairs that were made where the rails were torn out, and where the sleepers were torn to pieces.
34. You never saw anything, or heard anything, of a particular slack having taken place to the extent of two inches? No.
35. Did you hear anything of it? No. I heard there was a slack, but to what depth I do not know. There was some speaking of a slack, but what it was I do not know. Whether it was the place we were repairing where the rails were torn up I do not know. I do not know where the slack was.
36. Did you and Mr. Morgan and Mr. Richardson examine a certain spot on the day of the account? No.
37. Is it possible for a deflection, or slack, of two inches to exist on any portion of the line without coming to the notice of the ganger, or some of his gang? It is almost impossible; but such a thing might be in very wet weather; in very wet seasons the rails go down almost suddenly.
38. Had there been any wet weather preceding the accident? Yes; a good deal of rain before that.
39. By Mr. Jones: And you say, when you first got down you were proceeding to cross the line, tracing the track of the wheels of the horse-boxes? Yes, I was tracing the track of the wheels.
40. How far did you proceed? Near to Haslam's Creek Bridge.
41. Were you stopped at that time? No; I went on my way straight.
42. You could have gone on till you lost the track of the wheels on the sleepers? Yes, I could have gone on; but, as I said before, I thought if the place had not been so far distant, I should have examined it; but I thought my services would be required at the accident where the carriages were thrown off, and so I returned again.
43. At this particular time no one interfered with your examining the line? No.
44. Did you have any conversation with Mr. Richardson since about the deflection of the line on that particular spot? No.

45. *By Mr. Hay*: How long after your first tracing, and when you went back, do you think it was till Mr. Richardson told you not to go on in that direction? I should think something like three hours. Wm. Glover.
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46. Then a great many people had been looking at the spot in the interval? Yes, a great many people; I cannot say how many; I saw a great many passing and repassing. When I came back my time was occupied in getting up the carriages and repairing the railway, so I did not attempt to go that way, or take much notice of what was going forward afterwards.
47. A great number of people might see the slack if it existed? I do not know; persons that were ignorant of what a slack is might not take notice of it; but persons who examined the slack, and were acquainted with it, would have seen it.
48. Any person acquainted with railways would have noticed it—the Chief Engineer, he would notice it? Certainly; if he examined it, he must have seen if there was any such defect.
49. The men employed in picking up these sleepers must be quite aware of the existence of the deflection—they would understand it I suppose? Yes. Most likely they did examine it, but I cannot tell whether they did or not.
50. You said you heard nothing of the slack? Yes; somebody spoke of it.
51. Do you know who spoke of it? No, nor where it was; whether it was at the place where the carriages were thrown off, or farther on to Parramatta.
52. Did Mr. Richardson speak of it? I do not recollect it.
53. Was it spoken of as a slack of any consequence? I don't know. I was busy getting up the carriages; I did not take further notice of what was said.
54. You said something passed through your mind that the reason Mr. Richardson ordered you back was that you might not see something on the line—do you think it was in reference to the slack? I cannot say: I think there might be something there, and that was why I was not allowed to go.
55. Where were you when Mr. Richardson talked to you? I was where the carriages were turned over.
56. You were not proceeding along the line—he did not stop you as you were proceeding along the line? No; I may have been walking there; I was looking for some packing.
57. You did not seem to be going to look at the line? No.
58. You were three hours at the place where the carriages were? Yes.
59. What did Mr. Richardson say—do you recollect the precise words, or as nearly as possible what he said? I think he asked where I was going that way. I think he said something about going down to examine the place. I was walking down that way, and he said, "You must not go down that way, I want you to work up this way." I said, "How is that?" He said, "The fact is, I was ordered not to allow you to go that way." I said, "By whom?" and he said, "By Mr. Morgan." "Very well," said I, "what can be the occasion of it?" He said he did not know. That was all that passed between us.
60. Do you think you said something first to Mr. Richardson, that you wished to go on to examine it? To the best of my recollection, I was going for some packing; whether he thought I was going down the line to examine it I do not know. He said, "I want you up this way," and I said, "very well." He said, "You are not to go down that way"; and some words passed which I spoke of before.
61. Is a slack of two inches very observable on any part of the line? Oh! yes, according to the distance; there is a long slack and a short slack, some of the length of twenty feet, and some forty feet.
62. What is the length of the rails? Some are twenty feet, and some eighteen.
63. *By the Chairman*: Of course the slack is more dangerous if it is a short slack? Yes.
64. *By Mr. Hay*: If there is only one rail? Yes.
65. Did you observe on that, or any occasion, a slack of two inches on one rail? Very seldom, unless it is in very wet weather.
66. Do you think you have known of instances where trains have passed over slacks of that description? I cannot say; it is very seldom if they did. I have no instance to mention that I am aware of to that depth.
67. Might you not have been ordered to go back and attend to your own business on the line? Yes, I have been ordered by my Inspector.
68. Upon that particular occasion might not the order be given to you to go back to Sydney to attend to your own business—to your own part of the line? It might have been so, but it was not.
69. How do you know what was the reason that you were ordered back? I do not know.
70. Might it not have been that the order was to go back to your own part of the line? It was not there. I was a quarter of a mile from there.
71. Where were you? I was at the scene of the accident, where the carriages were turned over; I was ordered to go there.
72. You were ordered to go back there? Yes; that was the spot where they were repairing the railway; I was not to go forward.
73. Were your men employed in rectifying the carriages? Yes.
74. Your gang? Yes.
75. How long did you remain there? Till nearly seven o'clock.
76. You never went forward to Haslam Creek Bridge? Not that day.
77. Did you ever hear since, from any one, that there was a slack of two inches at Haslam Creek Bridge? No, nothing about it. I heard some one speak of a slack, but I did not know where it was.
78. You never heard Mr. Richardson say so? No, not to my knowledge; he might have said so. There were so many speaking I did not take great notice of what they said, as I was busy at the time.
79. Do you think a slack of this sort—two inches—would throw the train off the line? According to the distance.

- Wm. Glover. 80. Suppose it were upon two rails the one length of the rails? I would run in a straight line. Unless there was great oscillation of the carriage I should say not.
- 5 Aug., 1858. 81. It is a straight line at Haslam Creek Bridge? I should say so.
82. *By Mr. Jones*: Were all your gang engaged in getting up the carriages and repairing them? Yes.
83. Would it not be natural to remain with your own gang, to see that they did their work properly? No; there were two gangs; my gang was too small—only four men; so there were two gangs—not one.
84. At the scene of the accident? Yes.
85. You say the whole of your gang was at the scene of the accident—was it not natural for you to remain there? I was there.
86. Was it not natural that you should remain there instead of going to look at the slack? I was there first of all, before I went down the railway.
87. I am speaking of the time Mr. Richardson told you not to go forward—your gang was at work with the carriages, was it not natural you should remain where your gang was employed? Yes; unless I was sent away.
88. Nobody sent you—you were going of your own accord? I was not going, I was looking for some packing to get up the carriages.
89. You spoke of Mr. Richardson speaking to you as you were going down the rails? Yes.
90. He told you not to go that way? Yes.
91. Who were sent to repair the rails? There were two gangs sent—the two nearest to Sydney.
92. Was there any reason why they were sent in preference to you? I do not know, I was sent to repair the place where the carriages were turned over, and where the rails were torn out.
93. Do you know any reason why you were not sent to the particular place where the deflection was any more than the Sydney hands? No.
94. Have you made yourself remarkable for pointing out defects? No.
95. Are either Mr. Richardson or Mr. Morgan aware that you make complaints respecting the line, and that that is the reason why they would not send your gang? Not that I am aware of.
96. Whoever was sent would see where the deflection was? Yes.
97. Anybody would be as well able to notice it as you would be? Yes.
98. You say you know no reason why other persons should be sent, and you not sent? No.
99. *By Mr. Parkes*: Have you ever, since the accident occurred, expressed an opinion among your friends of the cause of the accident? No.
100. You never thought about it? No; I never knew what it was, therefore, I did not express an opinion.

Thomas Markham, plate-layer, called in and examined:—

- T. Markham. 1. *By the Chairman*: You were examined before the Commissioners? Yes.
- 5 Aug., 1858. 2. You are a plate-layer in Fishlock's gang? Yes.
3. Did you know anything of the deflection—the slack on the rail—up near Haslam Creek Bridge on the morning of the accident? No.
4. You never saw it? No.
5. Where were you on the morning of the accident? With the men, half-a-mile from the spot.
6. You were not sent to that spot? I was sent up to where the accident was.
7. You ran to the place when the accident occurred? Yes.
8. You did not return to the Haslam Creek Bridge? Yes; I went to fetch the tools we were repairing the permanent-way with above Haslam Creek Bridge.
9. Did you see anybody repairing the permanent-way on the bridge? There was somebody there, but I do not know what they were doing.
10. *By Mr. Weekes*: Did you see Mr. Richardson on the spot? He was there, and he sent me another way.
11. Where did he send you to? He sent me to where the accident happened, to help to clear the muck off the rails.

Mr. W. Morgan, called in and examined:—

- Mr. W. Morgan. 1. *By the Chairman*: Do you know anything of a slack—a deflection—on the rails on the Parramatta up-line, near Haslam Creek Bridge, on the morning of the accident? Yes; it happened that Mr. Richardson pointed it out to me. I said, "There are two or three up the hill." He said, "Had it nothing to do with the accident?" and I said, "No, nothing." He said, "Shall I get it repaired?" and I said, "No, let it remain till the line is examined."
- 5 Aug., 1858. 2. When you examined it, did you give Mr. Richardson any instructions about Glover? When I was examining it, Richardson asked me who ought to repair it and gauge it. When I saw Mr. Whitton he had said he would require me and Fishlock to go to the inquest at Parramatta. We went off to Parramatta; but before going I told Richardson to repair it, to set the gauge, and get the line in thorough repair, and send to Prime and a gang of men to where Fishlock was lifting, previous to the accident. He asked me who he should take to repair the late damage. I said, "Fishlock has left: you had better take White."
3. Did you give him any orders about not sending Glover? No, not any order about sending Glover.
4. Had you any desire that Glover should not see the slack? No; it was not a bad slack. I have seen slacks on the line forty times worse than that slack.

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5. You never desired Richardson to send Glover away? No.
6. We have it in evidence from Glover that Richardson did send Glover away in consequence of your orders? No; I have no recollection of giving any orders of the kind.
7. *By Mr. Parkes*: Did you give any orders that he was not to send anybody forward to that place? I did not give him any particular orders. He asked me who was to go with Fishlock's men; and I said, "White."
8. Did you give any orders as to any one not going to that particular place? Yes; before it was examined by the Engineer-in-Chief.
9. *By the Chairman*: After it was examined by the Engineer-in-Chief? No.
10. *By Mr. Jones*: All your orders to Richardson were of a positive character—you told him to take so and so to that particular part of the line? He asked me whether he should take Fishlock to repair that part of the line, and I said "you had better take White," who is another ganger on the line.
11. Where was he stationed? At Sydney.
12. He had gone down with the ballast train to Sydney? No, to the scene of the accident to assist.
13. You said, take a certain ganger and the men to repair a certain part of the line? Richardson must have asked me who he should take; I said "White;" I thought him more useful.
14. You did not say do not take so and so to that place? No, I do not recollect anything of the sort. I believe Richardson is capable of saying anything. I am his successor, and I am well aware that being appointed there, I have put a stop to many things which were carried on, and which ought not to have been carried on.
15. *By the Chairman*: You think he is not favorable to you? Yes.
16. And as regards Glover? I think he is not favorable to me; I have reasons for saying so. Previous to Fishlock's being appointed, there was a man of the name of Garrett, a brother-in-law of Glover's: he was a ganger. The first time I was on his length I said to the ganger, "How many men have you?" He said, "Four." I said, "The road is in a very rough state?" He said, "I have not been here very long." I told him to get the joints fastened down, and he said he had not got the dogs to do it with. I told him I should try him, of course, and give him a fair trial, and if he did not get his length in fair condition I would appoint some one else in his place. At the same time I supplied him with dogs and tools. In fact he had not a gauge for his length, which is the most essential thing a ganger should have.
17. *By Mr. Jones*: Did you examine the length of the spot where the accident occurred, immediately after the accident? I did.
18. Did you examine it with a view to see if there was any deflection? I did. I examined it well.
19. From what point? I examined from where I considered the first carriage got off the line—the horse-box. I examined the crown or top of metal, and saw where the flange ran across the middle down to the place that was on the bridge.
20. You examined the road carefully from that part where the carriages had gone over the rail and off the road? Yes, I did.
21. You examined it with a view to see if there was any deflection? I did. It was in good running condition, for the stipulated speed in the time table.
22. What did you consider the depth of any of the slacks? It might have been half-an-inch, or three-quarters, and it might be a little more.
23. In any case did you observe a deflection of two inches—or anything approaching two inches? No.
24. Did you observe anything on the line where the carriages were thrown off? No; there was no slack at all.
25. You did not attribute the accident to the slack? No, nothing whatever to do with it. I do not wish to conceal anything. I am not responsible if the accident occurred from the state of the road. I am not responsible; the ganger is responsible for his length, and Richardson is responsible to me. He was under my direction. I have directed him on several occasions about this part of the line. He lives between Parramatta and Haslam Creek Bridge. These two lengths were always the roughest lengths.
26. What two lengths? Fishlock's and Glover's lengths.
27. And the next between Fishlock's and Haslam Creek Bridge? Yes; they have always been the places, the ballast being bad. It is the fault of this length to have sand ballast. I have directed Richardson to walk this length every morning coming down to Sydney. It is his practice to meet me and get his instructions. Every time he has been down, I said, "Richardson, how did you find it; in what condition?" and he has said sometimes "very wet." We know where the soft places are, and when the weather is wet there are a good many slacks in the joints.
28. Then it is Richardson's especial business to see the two lengths when he goes to get instructions from you? Yes, as much as the ganger is—
29. You say the ganger is first responsible, then Richardson to you, and you beyond Richardson? Yes; it is impossible for me to inspect the whole line if the ganger is not held responsible. He is responsible. When he first came the length which Fishlock had was about the worst of all the lengths, and he has very greatly improved it. I would swear on oath that it is 25 per cent. better than when he took charge of it.
30. He is a reliable man—a careful man? I have always found him such.
31. Would you rely upon his word—upon any thing he stated? Yes, I would upon any thing he stated with regard to the line. I never had occasion to doubt his word.
32. *By Mr. Hay*: You consider your responsibility of a general nature, to see Richardson and the gangers have done their duty? Yes.
33. And would ascertain by occasional inspection of the actual facts themselves. You consider yourself

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yourself responsible for the men doing their duty—you do not consider yourself bound to ascertain the facts of every particular slack on the line? No, I do not consider myself responsible if the ganger neglects his instructions—if he neglects to examine any part of the length in case of slacks. If there should be slacks where he works and he should not repair them every morning I am not responsible.

34. If he habitually neglected his duty you would be responsible for that man remaining in his situation? Of course; if he neglected his duty I would discharge him.

35. It is your duty to see that he does his duty? Yes. I walk on the line as often as I can; sometimes I am not able to walk to Parramatta. Most of the days I go to Long Cove viaduct.

36. If you found the ganger neglect his duty you would report him? I would discharge him at once. With reference to Richardson, I have instructed him as regards the slacks. I have seen him coming by the train perhaps when I have not been able to go there, and I have asked him if he has felt such a place: he may say, it is a very rough place, and I have then said, "Go back, and take a gang and keep them at work at it till it is done." These are the instructions I have given him when he has said there is a slack at a certain place. I have said "Go back at once, and take a gang with you, and wait till it is done, and do not leave till it is done."

37. By Mr. Weekes: Did Richardson point out a slack to you since the accident, and did Mr. Whitton inspect that slack—was it of sufficient importance to call his attention to? I did not consider it of sufficient importance to call his attention to it. Had it been of such sufficient importance it would have caught Mr. Whitton's eye. I went down with Mr. Whitton and gauged the line.

38. With Mr. Whitton? Yes, with Mr. Whitton, Captain Martindale, and Mr. Twiss. I would not let the line be touched till it was examined.

39. If there was any unusual deflection on the line Mr. Whitton would have detected it almost instantaneously? No doubt of it, if there was any slack of importance.

40. Did you have any reason to wish to prevent Glover more than any other ganger from seeing this portion of the line? No. All I can say is, as nearly as I can remember, I discharged Garrett, a relation of Glover's, and he wanted me to discharge another man and let Garrett take his place. I said "You never complained of that man before, and I would not feel justified in discharging him."

41. You selected Prime and White as the most handy men and the best adapted for the work to be done to this spot? Yes; I had no other motive than that.

42. By Mr. Oakes: Was this particular slack repaired before or after you went away? After.

43. Do you know the particular men employed in repairing it? No.

44. What hour did you leave Parramatta? I cannot say.

45. About what time? Nine or ten o'clock. When I arrived at the spot I began to look out to clear the road for traffic.

46. By Mr. Scott: In what order is the permanent way now? It is in good running condition; it is for the stipulated speed in the time sheets.

47. Is it better than it used to be? Yes; it is 25 per cent. better than when I took it.

48. Is it better than it was before the accident—is it better now than it was the day before the accident? I don't think it is; there might be a slack in consequence of the wet; some of the joints go down directly we have a heavy shower of rain.

49. Are you not improving the line with ballast? Yes, there is some part being improved; we are putting extra sleepers.

50. I am not alluding to that? I thought you meant the condition of the line as regards the repairing of the line.

51. I mean the whole condition of the line,—are you not putting additional sleepers and better ballast? Yes, to some part of the line; where we have put additional sleepers there is not a part of the line in better condition.

52. By Mr. Oakes: Are the bridges in a bad state? All of them, but not in a dangerous state.

53. Not in a dangerous state? No; I watch them, and get them stretched. There is Potts', which I have got stretched, on the Canterbury Road.

54. Are they propped in any way? When the sides are coming together—the abutments of the flat top bridges—we put a stretch between them.

55. By Mr. Weekes: You are referring to the bridges the trains run under, not over? I am referring to the bridges the trains run over: the bridges are all safe.

56. By Mr. Scott: Are the bridges of bad construction—bad materials? Bad design—no counterfeits at the back.

57. Bad construction or bad design? Bad design and construction also.

58. What are the materials? The materials in the bridge are pretty good.

59. But badly put together? Yes. We can tell more when they are taken down; both have to come down.

60. Would you consider them as slop-work? Not the work I have been used to.

61. By the Chairman: I will read the passage of Mr. Richardson's letter which we have referred to:—"After Mr. Whitton and Mr. Morgan had examined the spot, the latter came to me and desired me to send 'Glover,' one of the gangers, away, in order that he might not see it, because he might cause mischief, and to take men there myself, and pick up or repair that spot, and to get the half-mile on the Parramatta side of the accident repaired also."—What is your story in reply to that? What I told you before. I told him nothing about Glover. What I said before is what I said to him, to the best of my recollection. I had no reason why Glover should not see it.

62. By Mr. Weekes: Did you give any general order that the men should confine themselves chiefly to this spot? No more than what I told you. He asked me who should go with the men: I said, "White"; he was a useful man. He said, "Who shall we send up to where
"Fishlock

"Fishlock was lifting?" I said, "Send Prime; he is doing nothing." I had no motive in doing that.

62. *By Mr. Jones*: Prime was disengaged when he was speaking to you? Yes.

63. You mentioned White particularly, because you considered him a good man—a handy man to do the work? Yes. Mr. W. Morgan.
5 Aug., 1858.

64. *By Mr. Weekes*: You examined the particular slack referred to by Mr. Richardson? I was standing at a small distance where the horse-box went across the road.

65. How far was that from the spot where the horse-box left the line? About a chain. It was on the Parramatta side.

66. Suppose the slack had been to the extent Mr. Richardson referred to, it would not have been the cause of the accident, because that occurred a chain from where the horse-box left the line? Yes.

Mr. R. Richardson called in and further examined, in the presence of Mr. Morgan:—

1. *By Mr. Parkes*: Did you write that letter? Yes. (*Letter read. Vide Separate Appendix A*) Mr. R. Richardson.
5 Aug., 1858.

2. That is correct—the statement just read? Yes; this is correct.

3. You re-affirm what you have written to Mr. Donaldson? Yes, I do, most solemnly.

4. *By the Chairman*: Who were the men who lifted up the deflection? The Newtown ganger.

5. Do you know his name? No, I don't.

6. Was it Prime or White? No; both the men were half a mile away from this spot.

7. *By Mr. Hay*: Don't you recollect the party in charge who lifted up the sleeper? The party was in charge of himself.

8. No overseer? No. I was the sole overseer.

John Whitton, Esq., called in and further examined:—

(*Mr. Richardson's letter read to witness. Vide Separate Appendix A*)

1. *By the Chairman*: Did you and Mr. Morgan examine the line before the slack was picked up? Yes, before the time it is stated to have been picked up. J. Whitton, Esq.
5 Aug., 1858.

2. Did you notice any deflection whatever? No, none whatever.

3. Not near to Haslam's Creek Bridge? No, I did not. Mr. Gibbons also examined the line, and is now waiting to give evidence, if the Committee desire it. Captain Martindale also examined the line.

Captain Martindale called in and examined:—

1. *By the Chairman*: Were there any steps taken by you as Chief Commissioner, or the Commissioners, to ascertain the cause of the horse-box getting off the line? I had a report from Mr. Whitton, from the Traffic Manager, and, through Mr. Whitton, from the Inspector of the Permanent Way. Different causes were assigned: one was, the breaking of the axle-boxes; another, suggested by the engine-driver, was, that the permanent way was rough. I was not able to trace the cause. Capt. B. H. Martindale, R.E.
5 Aug., 1858.

2. *By Mr. Hay*: Did the Chief Engineer give an opinion as to the cause of the horse-box getting off the rail? Yes; but not from examination. He suggested it might have been from loose coupling. The cause was not traced.

WEDNESDAY, 11 AUGUST, 1858.

Present:—

MR. DONALDSON,
MR. WEEKES,
MR. JONES,

MR. PARKES,
MR. HAY,
MR. OAKES,

MR. ROBERTSON.

THE HON. STUART A. DONALDSON, Esq., IN THE CHAIR.

Captain B. H. Martindale, R.E., Chief Commissioner of Railways, being in attendance, the Chairman read, from the Minutes of Proceedings a Memorandum made by the Clerk of Select Committees to him, at the last meeting of the Committee, relating to the suspension of Mr. Richardson from his duty in the service of the Railway Department, and Captain Martindale was then examined as follows:—

1. *By the Chairman*: Will you state to the Committee whether Richardson has been suspended? He has. Capt. B. H. Martindale, R.E.
11 Aug., 1858.

2. When? On the 5th instant.

3. Was his suspension agreed upon by any formal Minute of the Commissioners of Railway? Yes.

4. Will you state how that Minute was arrived at? A report was received from the Engineer-in-Chief, charging Mr. Richardson with having made a false and malicious statement against his superior officer in the execution of his duty. Upon that report from the Engineer-in-Chief the Board suspended Mr. Richardson, until they could make inquiry into the circumstances.

Capt. B. H.
Martindale,
R.E.

11 Aug., 1858.

5. Was the report from the Engineer-in-Chief made in consequence of anything that took place before this Committee? It was; after a conversation with myself, in which I directed him to make that report.

6. Then the report, as I understand you, was made at the direction or suggestion of the Chief Commissioner, in consequence of what took place before this Committee of the Legislative Assembly? It was made by direction of the Chief Commissioner, to put the matter in an official shape.

7. You had no grounds, as I understand you, for saying or suggesting that Richardson had made a false or malicious statement relating to the conduct of one of his superiors in the execution of his duty, but from what you had heard in consequence of the permission granted to you to be present at all examinations before this Committee? The ground on which the Commissioners acted was the report made by the Engineer-in-Chief.

8. You say he made that report at your suggestion? The Engineer-in-Chief stated to me, in an unofficial conversation, what he thought of the matter, and, to put the matter in an official shape, I suggested that he should send in a report.

9. Will you state how the malicious statement charged against Richardson was made, and to whom? It was made here to the Committee, and read by the Committee to me.

10. Had you any copy of any communication of the kind given to you, or was it merely read to you in the same way as you were allowed to see the evidence? It was merely read to me.

11. In the same way as you were allowed to see the evidence? Yes, except that in this case the evidence was read to me by the Chairman, in place of being sent to me to read.

12. Is Richardson still under suspension? He is.

13. He has not returned to his duty since that time? He has not.

14. Has he had any communication in writing from the Chief Commissioner on the subject? He is not in a position to receive an official communication from the Chief Commissioner.

15. From whom did he receive his notice of suspension? From his immediate superior, Morgan.

16. Do you desire to make any further statement with respect to this matter? Yes. I have been given to understand that the Commissioners have committed a breach of some of the privileges of the House, or of this Committee, in having taken action upon evidence taken before this Committee before it was published. I can only say, that the Commissioners had no wish or intention of interfering with the privileges of the House, or of this Committee. They had no idea at the time they took action that such privileges existed. The Committee will remember, that upon the first day evidence was taken I was informed the Committee was open to the public, and that it was even desirable the public should be present. Subsequently, on the same day, I was requested not to attend when any of the officers or servants of the Commissioners were examined; and I have, therefore, never been present upon any such occasion, except when the Engineer-in-Chief has been examined, the Committee having been pleased to sanction the evidence being sent to me for perusal, and when necessary for reply. I was, therefore, entirely under the impression that the Committee was acting as a public tribunal, and that any communication made to me by the Committee was a public communication. As such at the time I regarded the letter from Richardson read to me by the Chairman, and his comment upon it; and I may repeat that, in the course they pursued in reference to this letter, the Commissioners had no idea of interfering with the privileges of the Committee. They acted upon a report from one of their officers, and they took the mildest action in their power, by suspending the person complained of until they could inquire into the circumstances. I think the Commissioners would have been guilty of a dereliction of duty if they had not done so. It was practically impossible for Morgan and Richardson to go on working together. There was no charge whatever against Morgan. There was a charge against Richardson of having maliciously given such evidence as, supposing it to be true, would necessitate the discharge of Morgan from the Commissioners' service, and not only so, but would have blasted his character for life. I think, if the Commissioners had not stepped in to inquire into the circumstances, and to afford Morgan that protection to which he might be entitled, that it would be perfectly impossible for them to retain in their service any man worth the having. If Richardson had succeeded in getting only one man to back his statement, presuming it to be a false statement, it would have been almost impossible for Morgan to have cleared himself. I think the position in which that puts Morgan, or any other officer in charge of a public department, or branch of a public department, is a most fearful one. It happens every day, for instance, that I am obliged to dismiss, or to punish, or to reprimand my subordinates. If any two of these were to join together to make a false accusation to this Committee, impugning my conduct or character, or that of any principal officer of the department, it would be almost impossible for me or for that officer to clear ourselves; but if, in addition to that danger, a man is to come forward and make a statement to this Committee, and, when that statement is reported to the Commissioners by the head of the branch to which that man belongs, he is to shelter himself under the privileges of this Committee, then I do not see how it is possible for the Commissioners to expect to retain any man worth the having in their department. I believe in the whole annals of railway experience, no railway management has ever been subjected to such an ordeal as the present Commissioners for Railways have been. Owing to an accident which no one can deplore more than they do. An inquest was held, which, in the first place, acquitted the Commissioners and their servants of all blame. Since then, a Select Committee has been appointed, and is now sitting, before which the servants and subordinates of the department have been examined on matters of every kind: they have had every opportunity of saying anything they liked against their superiors. In addition to this; there is now a Royal Commission sitting. I believe that is such an ordeal as no railway management ever went through. The result has been, so far as I am yet aware, that nothing has been said to impugn the conduct or management of those charged with the direction of the department, or of their principal officers. I make no complaint of the steps

steps which have been taken, which may be necessary for the public service; but I do say this, that if, in addition to such an ordeal, any man is to come forward to give evidence against his superior officers, and the Commissioners are to receive a report that such evidence is false and malicious, and then they are to take no steps in the matter, even though they may think such steps absolutely necessary for carrying on the public service, then I do say that is a fearful position in which to place any man having responsible authority.

17. *By Mr. Oakes:* It has been told to me that, on or about the 1st June two passenger trains—one going to and the other coming from Liverpool—met on the single line near to the Fairfield station, and that only by the greatest exertion was collision prevented—have you had any official report of that circumstance? I had an official report of a special engine and a passenger train nearly meeting upon the single line, and the result was the issuing of certain regulations about the running of special engines, which I have already laid before the Committee.

Capt. B. H.
Martindale,
R.E.
11 Aug., 1858.

SEPARATE APPENDIX.

A.

*Great Southern Railway,
30 July, 1858.*

To the Honorable S. A. Donaldson, Esq.,
Chairman of the Railway Accident Committee.

Sir,

Thinking that I might be recalled, I have refrained from disclosing some few facts which I consider of great importance to your Committee. I do this not, I assure you, with any malice, but as my duty, both towards the public and those connected with this unfortunate affair.

Seeing no other person than myself is called to give evidence as to the state of the permanent way, I am of course anxious that what I have stated to you should be clearly proved, as I feel confident of the cause, and I think when I mention two circumstances it will prove beyond doubt, whether the permanent way was in "perfect order," as stated.

1st. After Mr. Whitton and Mr. Morgan had examined the spot, the latter came to me, and desired me to send "Glover," one of the Gangers away, in order that he might not see it, because he might cause mischief; and to take men there myself, and pick up or repair that spot, and to get the half mile on the Parramatta side of the accident repaired also.

I have observed, from observation within this week, that a low joint on one side has the effect of throwing the carriage to the other, which can be easily proved, of course, by experiment.

2nd. I am informed by the ganger "Fishlock," upon asking him why he did not speak the truth on his examination before the Commissioners, that he had been desired by Mr. Morgan to say what he did.

The men are fearful of being discharged, otherwise they would all speak as to what I have asserted.

I have, &c.,
RALPH RICHARDSON.

B.

*Railway Department,
Sydney, 4 August, 1858.*

Sir,

In reference to the evidence given by me before the Select Committee now sitting upon the late Railway Accident, to the effect that I had no recollection of having received a report of a horse-box having got off the line between Parramatta and Homebush, and that I could trace no such report; but that I felt certain, from the system of reports now in use, that such an accident must have been reported had it occurred, I have the honor to inform you that the Secretary yesterday brought to me a report of such an accident having happened on the 10th October last.

Repeated search had been previously made to see if such a paper existed; but a clerk, no longer employed in the department, having omitted to enter it in the Index, it was only accidentally discovered at this late period.

Reports of this accident were received by me from the Engineer-in-Chief, and the Traffic Inspector, and, through the former, from the Inspector of Permanent Way, and the Foreman of Locomotives. The horse-box was the last carriage in the train; and was dragged for a considerable distance after it got off the rails, without doing any injury. Various causes were assigned at the time for the accident, but the actual cause was not ascertained.

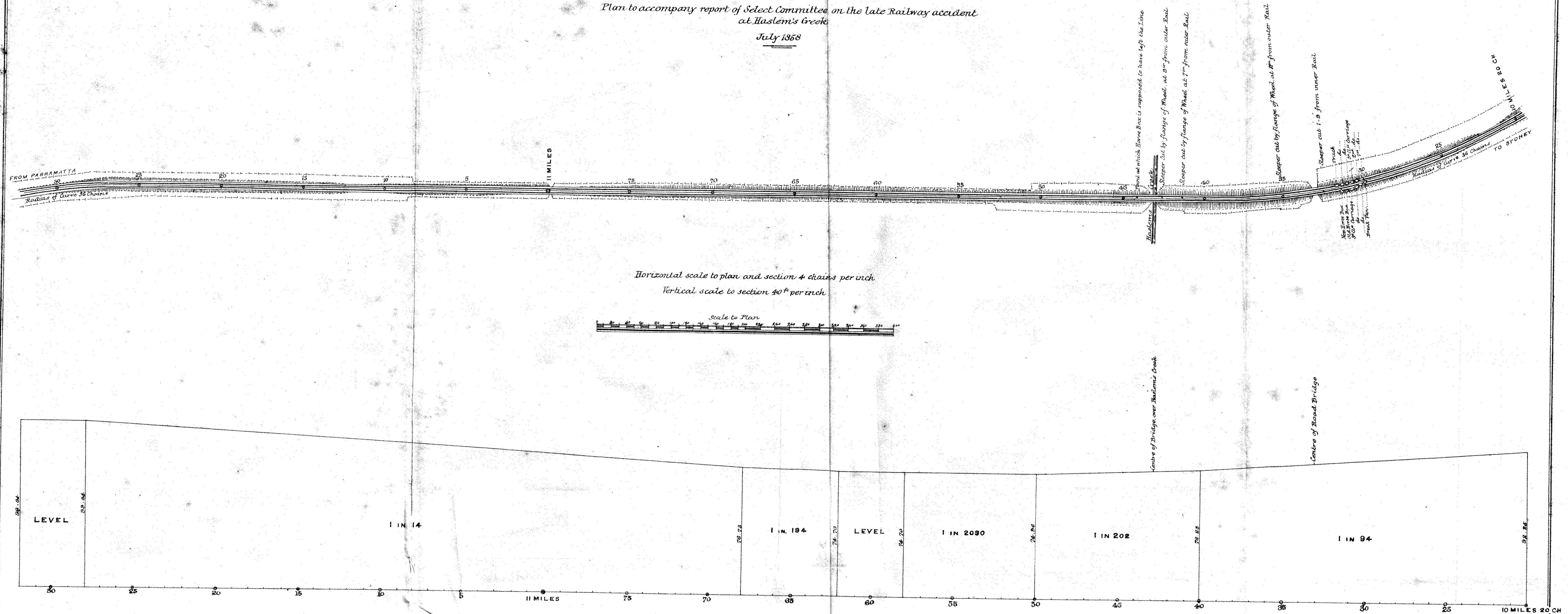
I have, &c.,
B. H. MARTINDALE.

The Hon. S. A. Donaldson, Esq., M.P.,
&c., &c., &c.

C

GREAT SOUTHERN RAILWAY SYDNEY TO PARRAMATTA

*Plan to accompany report of Select Committee on the late Railway accident
at Haslem's Creek
July 1858*



1858.

Legislative Assembly.

NEW SOUTH WALES.

GREAT SOUTHERN RAILWAY.

(CORRESPONDENCE RELATIVE TO TIME TABLE AND SCALE OF FARES.)

*Ordered by the Legislative Assembly to be Printed, 5 August, 1858.*THE CHIEF COMMISSIONER FOR RAILWAYS to THE SECRETARY FOR LANDS AND
PUBLIC WORKS.*Railway Department,**Sydney, 7 May, 1858.*

SIR,

The opening for traffic of the Great Southern Railway as far as Campbelltown rendering necessary a complete revision of the time-table and fares, I have the honor to lay before you the time-table and fares proposed; the determination of the scale of charges to be adopted being a matter of such importance as to induce the Commissioners to consider it their duty to submit the alterations proposed for the consideration of the Government before they are published.

2. It will be sufficient to observe, that the alterations in the time-table are such only as the additional length of line to be travelled over has rendered necessary to provide for the convenience of the public, the carriage of the mails, and the safety of the trains while travelling upon the single line.

3. The fares have been revised in accordance with the principles laid down in my Report upon the Internal Communications on the 17th ultimo, in which this subject is discussed in detail, and in which I trust I have satisfactorily shewn that the present rates are so low as to require revision, and that the revised rates proposed cannot prove burdensome to the public using the railway.

4. In addition to what I have there stated in reference to season tickets, I may observe that the issue of these tickets in the mother country is never made as a matter of right, but as a matter of favor; and that even at the increased rates now proposed, third class passengers using season tickets will travel upon the line at a rate fifty per cent. lower than ordinary passengers of the same class; and first class passengers at a rate eighty-three per cent. lower than ordinary passengers of the first class.

5. At the same time, the public will have a convenience not hitherto afforded, viz., that of taking a season ticket for a period of one month only at a time.

No alteration has been made in the return tickets.

6. It may be observed, that as long as the Government retain the management in their own hands, there can be no objection to lowering rates again as soon as the line becomes self-supporting.

7. His lordship the Bishop of Sydney, and other influential gentlemen, have pressed upon my attention the subject of not running trains upon the Sunday. I concur with those gentlemen in considering that Sunday trains in this Colony cannot be defended on the ground

of necessity, and that this country has a noble opportunity of shewing its appreciation of the day of rest by refusing to sanction Sunday traffic.

It is impossible that those employed in the Railway Department can enjoy the full benefit of the Sunday while such traffic exists.

Some pecuniary loss might arise from the cessation of this traffic, but I believe the prosperity of the railway would on the whole be increased.

I have, however, made no alterations in the Sunday trains, except such as are necessary to meet the increased length of line opened; because the Commissioners consider the social question to be of too general a character to be dealt with by them, and they seek, therefore, the opinion of the Government upon it.

I have, &c.,

B. H. MARTINDALE.

THE HONORABLE THE SECRETARY
FOR LANDS AND PUBLIC WORKS.

P.S.—The proposed increase in the rate of fares renders it desirable the tramway from Redfern to the Circular Quay should be laid down with as little delay as possible.

THE SECRETARY FOR LANDS AND PUBLIC WORKS to THE CHIEF COMMISSIONER
FOR RAILWAYS.

*Department of Land and Public Works,
Sydney, 3 June, 1858.*

SIR,

I am directed to acknowledge the receipt of your letter of the 7th ultimo, submitting for the consideration of the Government a revised scale of charges and time-table for the Great Southern Railway, consequent on the opening of the Campbelltown extension.

2. The letter was personally handed by you to the Secretary for Lands and Public Works on or about the day of its date, and having been returned to you with the verbal approval of his time-table and fares, was again officially transmitted to this Department on the 29th ultimo.

3. There are two questions touched upon in that letter which appears to the Secretary for Lands and Public Works to require official answers. The first of these occurs in the 4th paragraph, wherein you state that in the mother country the issue of season tickets is never made a matter of right, but as a matter of favor. This, I am instructed to observe, may be the case in England, where the railways are the property of persons other than the Government, but such a proposal cannot be entertained in this Colony, where an entirely different order of things prevails.

4. A far more important question, however, is raised in the 7th paragraph of your letter, in which you state that his lordship the Bishop of Sydney, and other influential gentlemen, have pressed upon your attention the subject of not running trains upon the Sunday, and you express your concurrence with those gentlemen in considering that Sunday trains in this Colony cannot be defended on the ground of necessity, and that this country has now a noble opportunity of shewing its appreciation of the day of rest by refusing to sanction Sunday traffic.

5. In reply, I am directed to inform you that Mr. Secretary Robertson cannot concur in thinking it either expedient or proper to abstain from running the trains on Sundays, especially as Sundays are the only days on which a large portion of the people can use them. And if, I am to add, the principle be admitted that Sunday travelling should be prevented, it will be necessary to destroy the efficiency of the entire postal arrangements of the Colony.

I have, &c.,

NICHL. FITZPATRICK.

THE CHIEF COMMISSIONER
OF RAILWAYS.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY FARES.

(PETITION IN REFERENCE TO.)

Ordered by the Legislative Assembly to be Printed, 25 November, 1858

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

The humble Petition of the undersigned inhabitants of Parramatta and its neighbourhood,—

SHEWETH:—

That your Petitioners, recognizing Railways as calculated to confer immense advantages, both material and moral, in their peculiar adaptation to the circumstances of this Colony, are of opinion, that, in consequence of the system of fickle management and high charges hitherto adopted, those advantages have not been attained.

That your Petitioners are of opinion that the following scale of fares, permanently fixed, would be calculated not only to make these great and essential public works popular, but yield ultimately a much larger revenue, and render the resources of the Colony available to the public.

SCALE OF FARES.

CLASS CARRIAGES.

	1ST.	2ND.	3RD.
Single Fares.....	-/2	-/1½	-/1 per milc.
Return Fares.....	-/1	3/4	-/0½ "
Monthly Fares.....	5/6	4/-	2/6 "
Quarterly Fares.....	15/-	10/-	7/- "
Half-yearly Fares.....	25/-	18/-	12/6 "
Yearly Fares.....	40/-	30/-	20/- "

Together with a corresponding reduction in all other Charges.

That the foregoing statements having been repeatedly pressed on the attention of the Commissioners, and disregarded by them; your Petitioners, therefore, have no confidence in their management, and are further of opinion that the appointment of a responsible Minister for Railways and Internal Communications would contribute powerfully to the development of this great national enterprise.

That as there is no public question of more permanent importance to this Colony, nor one in which the public at large are more deeply interested than the progress and proper management of Railways,—

Your Petitioners respectfully, but earnestly pray that you will see fit to cause such steps to be taken as will give effect to the subject matter of this Petition.

And your Petitioners will ever pray.

Parramatta, the 9th day of November, 1858.

G. B. SUTTON,
Chairman.

1858.

Legislative Assembly.

NEW SOUTH WALES.

MESSRS. BISS AND MALTBY.

(PRAYING COMPENSATION FOR LOSS OF RAILWAY CARRYING BUSINESS.)

Ordered by the Legislative Assembly to be Printed, 25 August, 1858.

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

The humble Petition of John L. Biss and William W. Maltby, late Railway Carriers,—

SHEWETH:—

That your Petitioners had during the year 1856 observed with regret the great want of traffic on the Great Southern Railway, and more especially in the goods department, and that from various circumstances they were led at that time to form the conclusion that a well arranged carrying company, similar to that of Pickford's, in England, would not only remunerate those who should establish it, but would likewise prove a great public benefit, by creating a traffic hitherto unknown in carriage of goods, and likewise increase the passenger traffic, by reason of the carriers who having passed their goods, and left their teams at Liverpool, would naturally come to Sydney themselves by the line.

That your Petitioners, in accordance with such views, made application in 1856 to the late Commissioners of Railways for certain privileges and advantages from the Government to enable them to carry out their views with some prospect of success.

That the late Commissioners, taking a favorable view of the undertaking, in reference to the advantage it might prove to the Railway traffic, and consequently to the Government, did consent to grant certain privileges and advantages; and that in consequence of this your Petitioners did on the 22nd of January, 1857, commence an undertaking pronounced by all arduous and doubtful in its issue, and by many a probable failure.

That for the first six months your Petitioners had a most laborious and discouraging undertaking, experiencing much difficulty in combating old prejudices against using the line, and encountering not only much opposition but likewise a considerable pecuniary loss during that period; nevertheless, feeling sure of ultimate success, your Petitioners persevered, and had that satisfaction, as time proved the great advantages they offered the public, to see many of those who had at first discouraged them become their most strenuous supporters.

That in consequence of assiduity and exertion, the undertaking that for the first six months appeared so doubtful, and occasioned so great a loss of time and money, became in the second six months assured, safe, and encouraging, and likewise remunerative; and that your Petitioners flattered themselves that they should now reap the reward of their labors, time and anxiety, and money, and become established in life.

That at this period the Chief Commissioner for Railways, who had succeeded the late Commissioners (under whose auspices your Petitioners had commenced their undertaking), having their attention called to the large traffic which passed through the agency of your Petitioners (and probably without bearing in mind that such traffic was produced solely by

your Petitioners' exertions, and that the advantage arising to the Railway was attributable to such, and was, therefore, in every sense, a benefit to the Railway, caused by your Petitioners), wrote to inform them that their occupation as Railway Carriers must cease, and that Government had decided to appropriate to itself the business thus established by them.

That your Petitioners having represented the case to the merchants of Sydney, and others who supported them, subsequently presented to the Chief Commissioner a memorial, signed by 50 of the chief merchants, &c., of Sydney, praying him to re-consider his decision, and representing the advantage they (the merchants) considered the Carrying Company had afforded the commercial community.

That in consequence of the said memorial the Chief Commissioner had opened fresh negotiations with your Petitioners, which were protracted until the 22nd of December, 1857, when they received a notice on the 29th to close their establishment on the 31st instant, thus virtually receiving only two days' notice.

That by this sudden close of their business the Government reaped the entire benefit of their twelve months' exertions, whilst your Petitioners have experienced considerable loss in collection of debts, forced sale of stock, and unemployed time, to say nothing of the utter disappointment to have *formed* a business and to be thus called upon to relinquish it.

That your Petitioners humbly pray your Honorable House will be pleased to take into consideration the advantages derived by the Government from the foregoing facts, and the loss and injury sustained by your Petitioners; and will afford your Petitioners such compensation as your Honorable House may deem just.

And your Petitioners, as in duty bound, will ever pray.

JOHN L. BISS,
Per W. MALTBY.
W. MALTBY.

1858.

Legislative Assembly.

NEW SOUTH WALES.

RAILWAY SERVICES OF THOMAS WOORE, ESQ.

REPORT FROM THE SELECT COMMITTEE

ON THE

RAILWAY SERVICES OF THOMAS WOORE, ESQ ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

5 November, 1858.

SYDNEY :

**PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.**

1858.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES, No. 55. FRIDAY, 2 JULY, 1858.

8. Railway Services of Thomas Woore, Esquire:—Mr. Murray moved, pursuant to *amended* notice,—
 (1.) That a Select Committee be appointed to inquire into and report upon the services rendered to the cause of Railway Communication in this Colony by Thomas Woore, Esquire, in the years 1846, 1847, 1848, 1849, and 1850.
 (2.) That such Committee consist of Mr. Macarthur, Mr. G. Macleay, Mr. Faucett, Mr. Deniehy, Mr. Lee, Mr. Robertson, and the Mover.
 Question put and passed.
-

VOTES, No. 64. FRIDAY, 23 JULY, 1858.

12. Railway Services of Thomas Woore, Esquire:—Mr. Deniehy moved, pursuant to notice, That the Report from the Select Committee on Railways in 1848 be referred to the Select Committee now sitting to inquire into and report upon the Railway Services of Thomas Woore, Esquire.
 Question put and passed.
-

VOTES, No. 115. FRIDAY, 5 NOVEMBER, 1858.

2. Railway Services of Thomas Woore, Esquire:—Mr. Murray, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee appointed on the 2nd July last, to inquire into and report upon the Railway Services of Thomas Woore, Esq., with Minutes of Proceedings, and Appendix.
 Ordered to be printed.
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1858.

RAILWAY SERVICES OF THOMAS WOORE, ESQ.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 2nd July last, "to inquire into and report upon the Services rendered to the cause of Railway Communication in this Colony by Thomas Woore, Esquire, in the years 1846, 1847, 1848, 1849, and 1850," and to whom was referred, on the 23rd of the same month, "the Report from the Select Committee on Railways in 1848"—have agreed to the following Report:—

From the evidence taken by your Committee it appears that Mr. Woore, under the directions of the Provisional Committee, in 1845 undertook to solve the question—then regarded as very doubtful,—whether, from the nature of the country, railway communication was practicable between Sydney and the inland districts of the Colony. The Provisional Committee undertook to defray the actual cost of the surveying party, towards which the Government contributed £500, the remuneration to Mr. Woore for his personal services being left open, and dependent upon the ultimate settlement of the railway question.

It appears that Mr. Woore devoted two years and nine months to a general examination and survey of the country between Sydney and Goulburn; he traced three distinct lines, and furnished a valuable report, clearly demonstrating that railways could, without much difficulty, be extended to the interior of the country.

In the performance of this service Mr. Woore displayed great energy, as well as ability. The difficulties he had to encounter can now be scarcely understood, much less appreciated.

The immediate result of his Report was the formation of the Sydney and Goulburn Railway Company—a body which, after a short existence, transferred all its interests and liabilities to the Government. Up to this time, however, Mr. Woore has received no remuneration for his services, nor compensation for loss of time, and injury sustained in his private affairs while engaged in the survey. He has not even been fully reimbursed the expenses actually incurred in the prosecution of the survey.

Your Committee refer in particular to the evidence of the Revd. Ralph Mansfield, and that of Mr. C. Kemp, in proof of the high character of Mr. Woore's services. Captain Ward, viewing his surveys as an engineer, thinks that, at the present time, with the greatly increased facilities that are available, he could get those surveys done by a professional Railway Surveyor for £500. But, looking at the fact that when Mr. Woore entered upon the important duty entrusted to him, the field was entirely uninvestigated,—taking into consideration, also, the time, energy, and professional ability which, to the serious injury of his private affairs, he devoted to the investigation of the whole subject, and the completion of his plans, your Committee are of opinion that, under all the circumstances, the services rendered by him to the public cannot be estimated at less than £1,500; and they, therefore, strongly recommend that that sum should be awarded to him.

Legislative Assembly,
Sydney, 5 November, 1858.

T. A. MURRAY,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 13 JULY, 1858.

MEMBERS PRESENT:—

Mr. Murray, | Mr. Faucett.
 Mr. Lee,

Mr. Murray was called to the Chair.

Committee deliberated as to their course of procedure, and it was *Resolved*:—

- " 1. That a letter be forthwith addressed to Thomas Woore, Esquire, requesting
" him to state the earliest day on which he will be able to attend as a witness
" before the Committee.
- " 2. That, as it will be more expedient for this inquiry to be initiated by the
" examination of Mr. Woore, no further meeting of the Committee be
" convened until a reply has been received from that gentleman."

Committee further deliberated.

Motion made and *Question*,—" That the Chairman do move in the House, That the
" Report from the Select Committee on Railways in 1848 be referred to this Committee,"—
agreed to.

[Adjourned.]

WEDNESDAY, 1 SEPTEMBER, 1858.

MEMBERS PRESENT:—

The Honorable T. A. Murray, Esquire, in the Chair.
Mr. Macarthur, | Mr. Faucett,
 Mr. G. Macleay.

By direction of the Chairman, Resolution of the House referring to the Committee
on 23 July last Reports from Select Committee on Railways in 1848, read by the Clerk.
Mr. Thomas Woore examined.

[Adjourned till to-morrow, at Eleven o'clock.]

THURSDAY, 2 SEPTEMBER, 1858.

MEMBERS PRESENT:—

The Honorable T. A. Murray, Esquire, in the Chair.
Mr. G. Macleay, | Mr. Faucett,
 Mr. Macarthur.

Mr. Thomas Woore further examined.

Committee deliberated.

[Adjourned.]

FRIDAY, 29 OCTOBER, 1858.

MEMBERS PRESENT:—

The Honorable T. A. Murray, Esquire, in the Chair.
Mr. Faucett, | Mr. G. Macleay.

Mr. T. Woore was present in the room during the examination of the witnesses.
Captain Ward, R.E., Deputy Master of the Royal Mint, and Commissioner for Rail-
ways, and—
The Reverend Ralph Mansfield, examined.

[Adjourned till Tuesday next, at Two o'clock.]

TUESDAY, 2 NOVEMBER, 1858.

MEMBERS PRESENT:—

The Honorable T. A. Murray, Esquire, in the Chair.
Mr. G. Macleay, | Mr. Macarthur,
 Mr. Faucett.

Mr. T. Woore was present in the room during the examination of the witnesses.

Mr. John Whitton, M. Inst. C.E., Engineer-in-Chief, and—

Mr. Charles Kemp, examined.

The Chairman, at the close of Mr. Kemp's examination by the Committee, having
asked Mr. Woore whether he was desirous of putting any questions to that gentleman,
through the Chair.

Mr.

Mr. Woore stated that there were no questions he was desirous to have put to Mr. Kemp.

The Chairman then desired the opinion of the Committee as to the necessity of taking further evidence.

Committee deliberated, and it was *Resolved* :—

"1. That sufficient evidence has been taken for the purposes of this inquiry.

"2. That a meeting of the Committee be convened for *to-morrow*, to consider "their course of proceeding."

[Adjourned till to-morrow, at *Two o'clock*.]

WEDNESDAY, 3 NOVEMBER, 1858.

MEMBERS PRESENT :—

The Honorable T. A. Murray, Esquire, in the Chair.

Mr. G. Macleay, | Mr. Macarthur.

Committee met, pursuant to Resolution agreed to *yesterday*, to consider course of proceeding.

Committee thereupon deliberated, and requested the Chairman to prepare a Draft Report for their consideration—

And the Chairman, having prepared such Report accordingly, read the same 1^o.

Committee deliberated thereupon.

[Adjourned till to-morrow, at *half-past Twelve o'clock*.]

THURSDAY, 4 NOVEMBER, 1858.

MEMBERS PRESENT :

The Honorable T. A. Murray, Esquire, in the Chair.

Mr. G. Macleay, | Mr. Macarthur,

Mr. Faucett.

Draft Report, proposed by the Chairman, read 2^o.

Committee considered, and *verbally* amended the same.

Motion then made, and *Question*,—"That this Report, as *verbally* amended, be the Report of the Committee,"—*agreed to*.

Further Motion made, and *Question*,—"That a Motion be made in the House for "the Adoption of this Report,"—*agreed to*.

Chairman requested to report to the House.

LIST OF WITNESSES.

<i>Wednesday, 1 September, 1858.</i>		PAGE.
Thomas Woore, Esquire	1	1
<i>Thursday, 2 September, 1858.</i>		
Thomas Woore, Esquire, (<i>Second Examination</i>)	8	8
<i>Friday, 29 October, 1858.</i>		
Captain Ward, R. E., <i>Deputy Master of the Royal Mint, and Commissioner for Railways</i> ..	14	14
The Reverend Ralph Mansfield	16	16
<i>Tuesday, 2 November, 1858.</i>		
John Whitton, Esquire, M. Inst. C. E., <i>Engineer-in-Chief</i>	18	18
Charles Kemp, Esquire	20	20

LIST OF APPENDIX.

(*To evidence given by Captain Ward, R. E., on 29 October, 1858.*)

APPENDIX A.

Estimate of the <i>present</i> value of the labor bestowed by Mr. Woore on behalf of Railways in this Colony	15
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1858.

Legislative Assembly.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

RAILWAY SERVICES OF THOMAS WOORE, ESQ.

WEDNESDAY, 1 SEPTEMBER, 1853.

Present:—

Mr. MURRAY,
Mr. MACARTHUR,

Mr. G. MACLEAY,
Mr. FAUCETT.

THE HON. T. A. MURRAY, ESQ., IN THE CHAIR.

Thomas Woore, Esq., called in and examined:—

1. *By the Chairman:* You were engaged for some time in surveying a line to Goulburn? I was.
2. When did you begin? On the 6th May, 1846.
3. How long did it occupy you? Two years and nine months.
4. Were you engaged in it during the whole of that time? I was.
5. In the field and making plans? In the field making plans, and endeavouring to bring the matter to maturity in Sydney.
6. You say you were thus employed for two years? For two years and nine months.
7. And you submitted your plans to the Government I suppose? Not to the Government, but to a public meeting. I was acting under a Committee appointed by a public meeting of the citizens of Sydney.
8. The public meeting had for its object the establishment of Railway communication? Yes.
9. Did you make any agreement with the Committee? I did—to make a survey of three lines to Goulburn.
10. Have you a copy of that agreement? I have not. I am sorry to say it is mislaid. I believe you read it over once.
11. Will you state the purport of it? I offered my services gratuitously to the Committee in making such surveys, provided they paid the current expenses as they occurred—that is, all the expenses attending the work as they occurred, leaving my remuneration to be paid by whatever Company was formed afterwards to carry out the undertaking.
12. The remuneration for your personal services? Yes. I was not to be out of pocket any sum.
13. And did the Committee pay all the expenses immediately they were incurred in carrying out the survey? They did not.
14. You have been a loser in that way? I have been a loser to the amount of £25. I beg to offer an account of expenses I incurred, which I kept in my tent at the time; this shews a deficiency of £25 6s. 5d.
15. Have you received any compensation for your personal services? None whatever.
16. Did you make any application at all to the Committee on the subject? I did.
17. And what was the reply? I was refused.
18. By the Committee? Yes. The Committee said they were not in possession of funds to remunerate me.
19. Who composed the Committee? I do not recollect all the names. There were a great number of gentlemen in the Committee—Sir Charles Nicholson, Messrs. Lamb, Gilbert Smith, Barker, Lyons, Mansfield, Walker, and Robey, took the leading part. I will not be certain who was Chairman.
20. *By Mr. G. Macleay:* Do you think Mr. Lamb was Chairman? He was sometimes. There was not any permanent Chairman. I know Sir Charles Nicholson was Chairman frequently. The agreement that I made was signed by Sir Charles Nicholson, Mr. Henry Gilbert

T. Woore,
Esq.

1 Sept., 1853.

T. Woore, Esq. Gilbert Smith, and Mr. Lyons. These three gentlemen signed it for the Committee, and Sir Charles Nicholson was Chairman at that time.

1 Sept., 1858. 21. *By Mr. Faucett*: He handed in the Report as Chairman which is printed on page 3 of the Evidence of the Select Committee on Railways in 1848? He did.

22. *By Mr. Macarthur*: How long were you employed in this survey? From the 6th of May, 1846, to the 29th of January, 1849—two years and nine months.

23. Can you state to the Committee what part of the country you examined when you made your survey? I have prepared a statement of the whole, which I have here, and think it would save the time of the Committee if I am permitted to read it.

24. You examined the southern line, did you not, to Pheasant's Nest? I examined three lines between the County of Cumberland and Goulburn. I did not measure the sections of all three, but examined them with the intention of doing so ultimately.

25. Just state shortly to the Committee the three lines? One from Sydney, by the eastern or coast ridges, crossing the Pheasant's Nest to Bong Bong. The summit height between Sydney and Goulburn is in the Gap on the Mittagong Range near Bong Bong. I examined another line by Liverpool, Campbelltown, Picton, and the Little Forest, to the summit at Bong Bong; and a third line, from the Nepean River at Shaucomore by the Oaks, up the ridge which lies between the Nattai and Bargo lines to Bong Bong.

26. I think you also examined some part of the County of Cumberland in the direction of Windsor? I did; and several other branch lines in the County of Cumberland, to Penrith and to Camden, &c. They are all described in this Report which lies on the table.

27. That is already in record, in the Minutes of the Select Committee in 1848? It is.

28. *By the Chairman*: The Report at page 9 you allude to? Yes. I have my maps here also to shew you. The first map I prepared describes these lines when I made a preliminary Report. You will understand, in the first instance I examined the three lines I have just described to ascertain whether it was likely any of these would permit of a locomotive engine and train being driven up them into Argyle, and if so, that a detailed survey might be made. A map shewing these lines, and a preliminary report, I exhibited at a public meeting, when a Committee was appointed that employed me to make such survey; and these drawings and report now lying on the table were made by me, and brought before a public meeting by that Committee.

29. You examined three distinct lines during the two years and nine months? I did.

30. Besides making a regular survey? Yes.

31. For your services in that way you received no compensation whatever? None whatever.

32. *By Mr. Faucett*: That statement you are about to read is not a copy of the report? No; this is a statement I have prepared, and is relating to my claim for compensation. The Witness then read the following:—

“Statement of a claim for remuneration on account of services rendered to the establishment of Railways in New South Wales by Thomas Woore.

“On the 29th January, 1846, the railway movement was first commenced by a public meeting held at Sydney, called at the instance of the late Mr. Percy Earl and Sir Charles Nicholson. The former had just arrived from England, bearing overtures from certain capitalists in England, to the effect that if it could be made to appear that the Colony was ripe for railway operations, there would be no lack of funds for extending their benefit to New-South Wales. At this meeting, which was attended by many of the leading colonists, a Provisional Committee was appointed to collect information on the subject. Without a survey of the country shewing the difficulties to be contended with in their construction, and the probable expense of overcoming them, it soon became evident that the undertaking could not be advanced. The Government were not disposed to effect it through their officers, nor were the public sufficiently interested in the enterprise to provide the necessary funds. Foreseeing the great advantages that must attend the establishment of railways in this Colony, and being desirous of their speedy introduction: I, under these circumstances, and with the hope of interesting the public more strongly in the matter, determined on devoting a few months to making a preliminary survey, that such a detailed one might afterwards be effected as would carry conviction to the minds of the British public of their safety in entering into such a speculation. The Provisional Committee being of opinion that the most practicable line on which to commence operations would be that between Sydney and Goulburn, I left my home on the 6th May, 1846, and set on foot a diligent examination of that country, which examination, with the preparation of a map shewing three different lines for future investigation, and a report on the subject, occupied me until the sixth of August following, when the Committee called a general meeting to receive their report, to which mine became a necessary adjunct. On this occasion much praise was bestowed on my voluntary exertions, and the following vote of thanks proposed by James Macarthur, Esquire, and seconded by Major Lockyer, was passed:—‘That the best thanks of the meeting be presented to Thomas Woore, Esquire, for the laborious survey he has made, and the map and report which he has presented.’

“And for the purpose of effecting a detailed survey of the proposed lines, it was decided that a subscription, which the Government promised to aid to the extent of £500, should at once be raised. The public generally did not second these exertions, subscriptions came slowly in, and it seemed clear that the amount realized would not be sufficient to cover the necessary expenses of surveying one line, though conflicting interests required that all three should be examined.

“When in possession of about £700, the Provisional Committee advertised for tenders to perform the surveys, but no eligible offer was made, in fact that particular branch of surveying, or rather engineering, was then a novelty in this Colony, and the necessary instruments, together with proper tables for facilitating the calculations of the earthworks,

"so impossible to be obtained on the spot, that no efficient person would undertake the work, more particularly as it was known that sufficient funds to defray his labor were not in hand. In this dilemma I again came forward and offered to undertake the surveys the Committee required, on condition that they paid *all necessary expenses in executing the same, as they occurred, and bound themselves to use their influence with any company that might hereafter be formed to carry out the work for the proper remuneration of my services.* This proposal was gladly accepted; I commenced operations, and subsequently an agreement (which, however, did not exactly express the tenor of my offer) was drawn out and signed." That agreement I have not on hand—it has been mislaid, but there are three gentlemen—Messrs. Robey, Mansfield, or Gilbert Smith—could prove its existence and tenor; and I believe Mr. Murray is cognizant of its having existence.

T. Woore,
Esq.

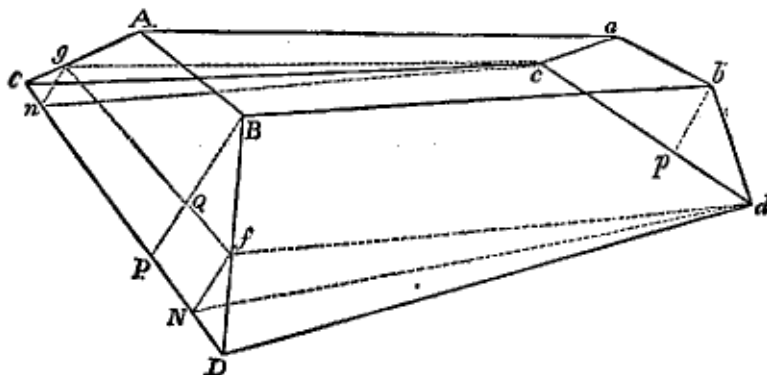
1 Sept., 1858.

33. *By the Chairman:* I suppose there is a copy somewhere? I don't know, but will inquire.

34. *By Mr. Mucarthur:* Mr. Mansfield would know something about it? Mr. Robey prepared it in Committee.

35. *By Mr. Fancett:* You have stated the purport of it? I have. (*Witness reads*)—"The instruments that could not be procured in the Colony I had made, and myself constructed tables to facilitate the calculations of the earthworks, after algebraically solving the problem on which the rule is framed." I have the algebraical calculation here, which I should like to lay before you.

36. *By Mr. G. Macleay:* These tables are in the hands of the Railway Board? I left them with Captain Ward, at the request of His Excellency the Governor General, and they went into the Railway Department, and have been there mislaid. I had some difficulty in searching out the drawings I left there. At the time I undertook this survey there were no books of tables to be procured in the Colony, and before I could make a survey I was obliged to solve the problem, and this is the solution:—



The above figure is meant to represent a longitudinal section of a railway embankment in which $ABba$ shews the horizontal roadway of uniform width, to the direction of which the vertical sections $ACDB$, $acdb$ are at right angles, but of unequal depths BP , bp , of which BP is the greater.

Through cd the base of the smaller section, a plane $cdfg$ is supposed to pass parallel to the roadway, $ABba$, whereby the whole embankment is divided into two parts, whereof the upper $Agfdba$ assumes the form of a Prism, and the lower part $gCddc$ that of a wedge whose base $gCdf$ is perpendicular to its upper surface $gfdc$, while its sides fDd , gCc are equally inclined from that surface.

The following are the "Data" by means of which it is required to calculate the solid contents of the whole embankment, viz:—

$AB = ab$, the breadth of the roadway $= b$, suppose

$Bb = fd$, the length of embankment $= l$, suppose

BP , the height of the greatest vertical section $= h$, suppose

bp , the height of the lesser vertical section $= h'$ suppose.

$PD : BP = pd : bp$, the ratio of the base of the sloping plane $BDDp$ to its perpendicular height $= r$, suppose.

Now the volume of the whole embankment $=$ the volume of the Prism $+$ the volume of the wedge.

And the volume of the Prism $= Bb \times$ area of section $acdb$

$$= l \times (ab + pd) bp$$

$$= l \times (b + rh') h'$$

For $pd = r \cdot p b = rh'$ by hypothesis.

To calculate the Volume of the Wedge $gCddc$.

Suppose two vertical planes gnc , fNd , to be dropped through the lines gc , fd , thereby dividing the wedge into three parts, viz:—A simple rectangular wedge, $gNfde$, and two equal pyramids $Cgnc$, $DfNd$, whose vertices are c and d , and their bases the right angled triangles gnc , fNd .

Now if it be reflected that gn , fN are respectively perpendicular to gc the contents of these three solids may be easily calculated.

For

T. Woore, Esq.
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For the volume of the simple wedge $g n N f d c$ = the area of triangle $f N d \times g f$ or $c d$.
 Now $f N = P Q = P B - Q B = P B - p b = h - h'$
 and $c d = a b + 2 p d = a b + 2 r p b = b + 2 r h'$
 therefore, area of triangle $f N d = \frac{1}{2} f N \times f d = \frac{1}{2} (h - h') l$
 and volume of $g n N f d c = \frac{1}{3} (h - h') b + 2 r h'$

$$\begin{aligned} \text{Again volume of Pyramids } d f N D &= \frac{1}{3} f d \times \text{area } f N D \\ \text{Now the area of } f N D &= \frac{1}{2} f N \times N D \\ &= \frac{1}{2} (h - h') r (h - h') \\ \text{therefore volume of Pyramids} &= \frac{r}{6} (h - h')^2 \\ &= \frac{2}{3} \frac{r}{2} (h - h')^2 \\ &= \frac{r}{3} (h - h')^2 \end{aligned}$$

We have now the volume of the whole embankment in the following expression:—

$$\begin{aligned} & l (b + r h) h' + \frac{1}{3} (h - h') b + 2 r h' + \frac{r}{3} (h - h')^2 \\ &= \frac{1}{3} 6 h' (b + r h) + 3 (h - h') (b + 2 r h') + 2 r (h - h')^2 \\ &= \frac{1}{3} 6 b h' + 6 r h'^2 + 3 h b + 6 r h h' - 3 h' b - 6 r h'^2 + 2 r h^2 - 4 r h h' + 2 r h'^2 \\ &= \frac{1}{3} 3 b h' + 3 b h + 2 r h h' + 2 r h^2 + 2 r h'^2 \\ &= \frac{1}{3} 3 b (h + h') + 2 r (h' + h^2 + h h') \end{aligned}$$

Whence we deduce the following rule:—

- 1st.—Multiply the sum of the two given depths by three times the breadth of the roadway.
 - 2nd.—To the sum of the squares of the two depths add the product of the depths, and multiply the result by 2 r (or twice the ratio of the base of the slope to its height)
 - 3rd.—Add together the two former numbers.
 - 4th.—Multiply the same by one-sixth of the length of the embankment.
- The result will be the sum of this whole section of the embankment in cubic feet, which may be reduced to cubic yards by dividing by 3 and 9.

When the lesser depths becomes 0:—

- 1st.—Multiply the remaining depth by 3 times the breadth of roadway.
- 2nd.—Multiply the square of depth by 2 r .
- 3rd.—Add together the two former numbers and proceed as in the former case.

For Example:—

$$\begin{aligned} \text{Let } h &= 50 \text{ feet} \\ h' &= 20 \\ b &= 30 \\ r &= 2.5 \\ l &= 400 \end{aligned}$$

By that rule I calculated my tables. This is an example worked out by my method, and here is one worked out by Sir John McNeil, which comes to the same result:—

Example worked out by Mr. Woore's method:—

1st greatest depth ...	50 feet
Lesser do....	20
	70
Roadway 30ft. \times 3 ...	90
	6300
	ft. ft.
Square of greater depth ...	50 \times 50 = 2500
do. lesser do....	20 \times 20 = 400
Product of depths ...	50 \times 20 = 1000
	3900
Slope... ..	$2\frac{1}{2} \times 2 = 5$
	19500
Add 1st operation ...	6300
	25800
Length of embankment \times	400 ft.
	6)10320000
	3)1720000
	9)573333 333
Volume of section	63703.703 cubic yards.

The

ON THE RAILWAY SERVICES OF THOMAS WOORE, ESQ.

The same section calculated by Sir John McNeil's formula:—

T. Woore,
Esq.
1 Sept., 1858.

Lesser height	20	Greater height	50	50
Slope	2.5	Slope	2.5	20
	100		250	2)70
	40		100	
	50.0		125.0	mean height 35
base	30	base	30	slope 2.5
	80.0		155	175
height	20	height	50	70
area =	1600.0	area =	7750	87.5
				base 30
				117.5
				mean height 35
				5875
				3525
				mean area 4112.5
				4
				Four times middle area = 16450.0
				Area of greater end = 7750.0
				Area of lesser end = 1600.0
				6)25800
				3)4300
				9)1483.33
				159.26
				Length of embankment 400
				Volume of section 63704.00 cubic yards.

37. These tables were constructed by yourself? They were. I received Sir John McNeil's volume of tables from England afterwards. Here is Sir John McNeil's solution, and here is his formula. You will see by it that I worked mine out at one-third the number of figures less than he has done, which afforded a great saving of mental labor. I was obliged to calculate a set of tables similar to these, (Sir J McNeil's,) but not so extensive, before I could compute the earthworks. I was also obliged to get all the instruments I required made in the Colony, with the exception of the level. This table is similar to one of the pages of the tables I was obliged to make. There were 45 pages similar to this. If I had not been capable of doing so, the survey must have fallen to the ground for that time.

TABLE IV.

Roadway 30 feet wide; inclination of sides $2\frac{1}{2}$ feet by 1 foot.

DEPTH OF EMBANKMENT OR CUTTING IN FEET.																
	3	6	9	12	15	18	21	24	27	30	33	36	39	42	45	48
0	1.92	4.41	7.49	11.09	15.28	20.00	25.30	31.10	37.50	44.43	51.90	60.01	68.60	77.73	87.49	97.75
3	4.16	6.91	10.23	14.16	18.60	23.60	29.16	35.28	41.95	49.15	56.90	65.20	74.15	83.60	93.60	104.10
6	6.43	10.60	13.60	17.79	22.50	27.77	33.60	40.00	46.94	54.43	62.50	71.08	80.22	89.90	100.25	111.07
9	10.27	13.60	17.50	21.93	26.93	32.50	38.60	45.28	52.50	60.27	68.55	77.50	86.92	96.90	107.46	118.53
12	11.17	17.77	21.93	26.97	31.94	37.77	41.16	51.10	58.60	66.05	73.25	84.45	91.16	104.42	115.23	126.53
15	18.61	22.49	26.95	31.92	37.50	43.60	50.28	57.50	65.28	73.60	82.50	91.90	101.90	112.45	123.55	135.25
18	23.60	27.78	32.51	37.77	43.60	50.00	56.54	64.11	72.50	81.10	90.25	100.00	110.27	121.06	132.45	144.40
21	29.17	33.55	38.62	44.18	50.27	56.94	64.15	71.55	80.28	89.17	98.60	108.60	119.17	130.27	141.99	154.15
24	35.22	40.05	45.27	51.10	57.50	64.42	71.94	80.00	88.60	97.78	107.43	117.70	128.55	139.72	151.80	164.40
27	41.93	46.91	52.52	58.60	65.28	72.50	80.28	88.60	97.50	106.94	116.94	127.43	138.52	150.25	162.46	175.18
30	49.16	54.42	60.29	66.65	73.60	81.10	89.17	97.76	106.95	116.65	126.90	137.65	149.08	161.08	173.82	186.65
33	56.91	60.46	68.51	75.90	82.50	90.29	98.60	107.50	116.95	126.94	137.42	148.58	160.25	172.42	185.20	198.55
36	65.25	71.10	77.50	84.42	91.92	100.00	108.60	117.73	127.50	137.78	148.60	159.85	171.90	184.40	197.45	211.05
39	74.18	80.23	86.93	94.17	101.95	110.27	119.17	128.60	138.60	149.13	160.25	171.59	184.10	196.90	210.25	224.10
42	83.60	89.90	96.90	104.45	112.50	121.10	130.30	140.00	150.30	161.10	172.45	184.42	196.90	209.90	223.57	237.70
45	93.60	100.25	107.48	115.28	123.60	132.00	141.90	151.90	162.50	173.60	185.28	197.43	210.23	223.51	237.41	251.90
48	104.15	111.10	118.60	126.65	135.30	144.45	154.12	164.40	175.20	186.91	198.55	211.00	224.13	237.70	251.88	266.60

(Witness continued to read from his statement.) In undertaking such a work, I was not blind to the difficulties attending its performance, nor of the necessity of executing it in such a manner as would bear the scrutiny and win the confidence of English Engineers, to whom I expected it would ultimately be presented, and on whose testimony I thought depended not only its immediate success, but the remuneration justly my due for a long and arduous service.

T. Woore, Esq.
1 Sept., 1838. vice. I was not blind to this, nor was I oblivious to the risk I ran of finding it impracticable to construct a working line to the summit height of Bong Bong, (an elevation of 2,300 feet,) on the success of which line again depended a return for my services. The funds at the disposal of the Committee were so limited that I could not employ any assistance beyond that of the laboring men who cleared the line of vision, drew the chain along, and carried the instruments. The burthen therefore rested solely on me; notwithstanding by the 17th of January, 1848, I had completed a section to Goulburn, with branches to Parramatta, Windsor, Penrith, Liverpool, and Camden, comprising in all a distance of 177 miles, and prepared a report, accompanied by a vast amount of drawing and calculation, which I laid before the Provisional Committee on that day, and with which they expressed themselves greatly pleased.

I may here state the views I entertained at that time in reference to carrying out the enterprize, after having devoted myself exclusively to the subject for a year and nine months. I considered that although the Colony was quite ripe for the introduction of railways of an economical construction, the formation of them was so little understood by any person within it, that it was absolutely necessary reference should be made to England, and more particularly to America, before any steps whatever were taken towards the actual construction of the line, that we might guard against errors being committed, which must be of serious consequence in a work of so costly a nature; and I considered as I had effected one accurate section of the country between Sydney and Goulburn, shewing the elevations we had to contend with, and had become intimately acquainted with the nature of the localities through which it passed, I should be best able to prosecute the inquiry further. It was not a necessary consequence that the line I measured should be the one adopted when the scheme was more matured. It was selected by me as presenting the *easiest ascent to Bong Bong from having the longest base line* to ascend the necessary height, and from the Nepean River to the southward was meant as a trial section, to shew the difficulties to be overcome, but carried out in detail, that a tolerably accurate estimate of the cost of construction might be arrived at.

Although I felt satisfied with the general direction of the line, it would have been folly to conceive it could not have been improved in detail. I had neither time nor means at command to go into that minutiae necessary before the works were commenced, nor did I think it advisable under the circumstances. I considered the time would be better spent in consulting these examples afforded us in England and America, and endeavouring to form an efficient Company to carry out the undertaking. Had these objects first been effected we should have been better prepared to examine the country more in detail, and decide on the nature of the works to be constructed, than we were on commencing the present road; and a much more effective line would most probably then have been constructed, at a saving to the Colony of a vast amount of money. I, therefore, proposed carrying the plans I had made to England, and there obtaining the opinion of those Engineers most conversant with the subject, *as to the best mode of working such a line*—and in visiting the Americans have profited by their experience in constructing the works, for in no other country has the same skill, judgment, and energy been displayed in adopting their native resources to this great means of internal communication. The Provisional Committee immediately on receiving my report and plans called a general meeting, which was held on the 27th January, 1848. To shew the estimation in which my labors were held by them I transcribe the following extract from their report:—"Your Committee have now the pleasure of reporting that Mr. Woore has just brought his labors to a close, and has accomplished his task to their entire satisfaction. His numerous drawings are now laid upon your table, and the neatness of their execution, with the elaborate minuteness of their details, will afford the best testimony to the persevering diligence and eminent ability with which his survey has been conducted. He will also read to you an abstract of the report which he has addressed to your Committee, the document in its original form having been printed for general information, and being deemed too voluminous to be read at a public meeting. Considering the arduous nature of Mr. Woore's work, and the liberal terms on which it has been performed, your Committee are of opinion that he is entitled to the warmest thanks of the meeting, and to the gratitude of the whole Colony."

38. *By the Chairman*: Who signed that report? I do not remember. It was most likely Sir Charles Nicholson, who was generally Chairman at that time.

39. That was the resolution which was adopted? That was the Committee's report to the general meeting.

40. *By Mr. Macarthur*: Did you get it from a newspaper? It was published in the *Sydney Herald* the next day, from which paper I took it.

41. *By the Chairman*: What was the date of that report? 27th January, 1848.

42. *By Mr. G. Macleay*: I think I was in the chair on that occasion? You were; the meeting was held at Lyons' Rooms, in George-street. I think Mr. Mansfield drew up the report and resolutions.

43. It must have been agreed to by the Committee before the public meeting? It was, at a special meeting called for that purpose. (*Witness reads*) "The following resolutions were passed at this public meeting:—

"3rd. That this meeting offers to Thomas Woore, Esquire, its best thanks for the able and zealous manner in which he has conducted the survey entrusted to him by the Committee, and embodied its results in the elaborate report and drawings now lying on your table, and is of opinion that the expenses of his proposed visit to England for the purpose of drawing the attention of the British capitalists to the advantages of introducing railways into this Colony ought to be paid by his brother colonists.

"4th. From all the information which has been collected relative to the amount of traffic now carried upon the public roads of the Colony, and especially from the facts communicated in the report and drawings of Mr. Woore, this meeting is of opinion that the introduction of railways into New South Wales would not only be of inestimable importance to the development of its resources, but afford a safe and profitable investment for capital."

Now

Now that is of importance, as it shows the Company was framed principally on the evidence I produced, founded on my works.

"A subscription in aid of my proposed visit to England was opened. However, the necessity of referring to England and America was not generally entertained, or rather when there was a prospect of salaried officers being appointed, other interests began to operate, and the result of my exertions was a determination, on the part of those interested, to form the late Company, and proceed with the works at once; and consequently an advertisement appeared requesting applications for the office of engineer. Although I did not approve of the proceeding, but considered it a step in the wrong direction, for the foregoing reasons, and, perhaps, too strongly expressed that opinion, I offered myself as a candidate for the office, having by this time become deeply interested in the enterprize, and thinking that by being thus employed I might have greater influence in carrying out my views, but my application was rejected. I then applied for remuneration for my services, which was also refused, and, on my calling the attention of the Committee to their contract with me, they were not disposed to recognise it."

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44. *By the Chairman:* What was the date when the Committee came to this determination? The 29th of January, 1849.

"From the commencement of my survey the Committee broke their faith with me. My tender expressly stipulated that I would voluntarily devote my services to the pursuit, provided the public found funds to meet the expenses as they occurred; nevertheless they obliged me to advance them out of my private resources, to the great detriment of my farming establishment, which, at the time, was suffering severely from my continued absence. This I never contemplated doing, and it was only by my threat of discontinuing the survey altogether, in consequence of their breach of faith which I was forced to from a want of funds, that they were induced to make remittances. Their objection to doing so arose from their considering it their duty to require tracings of my drawings; these being in an unfinished and undigested state, I could not give them until the whole was completed. As will be seen by the accounts which accompany this paper, there is still a balance of £25 6s. 5d. due to me for current expenses of the survey."

45. *By Mr. G. Macleay:* That sum you are positively out of pocket? I am, as will be seen by the book I kept in my tent of the expenses incurred.

"These and other circumstances did not tend to promote a cordial feeling between us. The gratifying manner in which my plans were received at the general meeting of the 27th January, 1848, and the encouragement given to my proposed visit to England, led me to break up my home establishment and prepare for the voyage—no doubt too prematurely. However, this, coupled with my long previous absence from home while effecting the survey, and the expenses attending my sojourn in Sydney afterwards in endeavouring to bring the matter to maturity (i.e., up to the 29th of January, 1847, when my application for the office of Engineer was refused, and all connection with the Committee ceased) has led to very serious loss and inconvenience, which I have not yet recovered from."

46. *By the Chairman:* Who communicated to you on the occasion you referred to in the statement as to your services being discontinued? Mr. Cowper.

47. Was he then acting as Chairman? He was taking a leading part at the time, whether he was appointed Chairman or not I do not recollect.

48. He communicated to you? He did.

49. Sir Charles Nicholson was Chairman of the Company? I think he was at first.

50. *By Mr. Faucett:* Was it the Company refused? It was.

51. Not the former Committee? They were the same persons. They refused in both capacities; but I do not consider they were bound to remunerate me until they formed themselves into a Company.

52. *By the Chairman:* The Committee acknowledged your services in 1848, and it was the Company you had to deal with in 1849? Yes.

53. When that resolution was passed? The Company never acknowledged it. These resolutions emanated from the Committee. The Company was formed in consequence of them. (*Witness reads.*)—"I believe it is generally admitted I was the prime mover in bringing the enterprize to a favorable issue before salaried officers were appointed. I was thus occupied for two years and nine months, and, considering the amount of work performed by me during that time, together with my liberal exertions in initiating the affair, I trust it will be admitted I have a strong claim on the public for remuneration, especially as all persons connected with this matter, save myself, have been remunerated for their services."

54. *By Mr. Macarthur:* In the statement you refer to the report of your survey—look, is it the same as is printed in the appendix to your evidence before the Select Committee of the late Legislature? It is.

55. *By the Chairman:* That is the report you referred to in your statement? Yes.

56. Did the Company ever identify themselves at all, or acknowledge themselves to be bound by the agreement entered into by the Provisional Committee? No, they never did.

57. Did the Company continue your services on the same terms? On the same terms they did. They frequently applied to me for information and drawings, after the Company was formed, without paying me—which were the terms I was working on throughout.

58. Was the survey completed after the Company was formed? It was completed before the Company was formed; but they applied to me for further information after. They particularly applied to me for information on forming tramways. They asked me to give them a plan for a tramroad, which I did.

59. *By Mr. Faucett:* Were these plans finished? Yes.

60. And handed in before the Committee? Yes.

61. *By Mr. G. Macleay:* Did the Company take possession of these plans and charts of yours? No, I think not; they were left in charge of Mr. Dawes, the Secretary, and he retained possession of them. But the Company kept my report which contained the germ of my plans, and made use of it extensively to carry out their views.

- I. Woore, Esq.
1 Sept., 1858.
62. *By the Chairman:* How long was the Company established before you received this letter from Mr. Cowper intimating that your services would not be required? I think five or six months.
63. Up to that time you were still working? I was up to that time working with him and others in endeavouring to establish a Company, and carrying out the work. I was the first to propose to Mr. Cowper to come down from Wivenhoe and interest himself in the undertaking, and I did so with the sanction and concurrence of those in high authority, who were interested in the matter.
64. You received no compensation for this six months service? No, none whatever.

TUESDAY, 2 SEPTEMBER, 1858.

Present:—

MR. MURRAY,
MR. MACARTHUR,

MR. G. MACLEAY,
MR. FAUCETT.

THE HON. T. A. MURRAY, ESQ., IN THE CHAIR.

Thomas Woore, Esq., called in and further examined:—

- T. Woore, Esq.
2 Sept., 1858.
1. *By the Chairman:* Do you recollect who was Chairman? I did not recollect distinctly yesterday who was Chairman. I now recollect that Sir Charles Nicholson and Captain Lamb were Chairmen of the Committee appointed to have a survey made. Some little time, say a month after the meeting of January, 1848, Mr. Cowper began to take a personal interest in the matter. From that time I was always in communication with him, and at his request I made several plans, particularly of tramways.
2. At Mr. Cowper's request? Yes, that is, at the request of the Committee, through Mr. Cowper. At that time it was proposed to establish tramways, not railways, and they wished for further information.
3. Mr. Cowper as Secretary or Chairman corresponded with you on the subject? He did.
4. Your engagement by the Company was clearly acknowledged? I think it was.
5. You considered it an acknowledgment? I did. I was requested to make plans for a tramway on the same terms I had been acting on, and my report was constantly referred to.
6. You made and furnished these plans? I did, and gave them to the Company.
7. *By Mr. G. Macleay:* These plans were made subsequent to the termination of the existence of the Committee? They were. I made all those on the table for the Committee, who presented them to the public meeting held on the 27th January, 1848, and on the information thus obtained the Company was formed. They remained with the Secretary of the Survey Committee, and never went into the hands of the Company to my knowledge; but I made other plans, particularly for a tramway, which Mr. Cowper's Committee received directly from me.
8. Never went into the hands of the Company—who had them? Mr. Dawes, Secretary to the Survey Committee, was directed to retain them. The Committee refused to give them back to me.
9. With Mr. Dawes the Secretary to the Committee? Yes. When I left them with Mr. Dawes I sealed the cases up, but was requested to open them.
10. Who requested you to open them? The Committee of which Sir Charles Nicholson was then Chairman.
11. They would not receive them sealed? No, they would only receive them open. I thought I was justified in having them sealed until my remuneration was acknowledged.
12. They retained them for a considerable period? Yes.
13. Have you any reason to suppose they used them for any purpose? I know they were examined. When I went to the Railway Office I could not learn any thing of my drawings or calculations; I then applied to the Governor General who gave me a note requesting search to be made for them, when I found these plans in that office. There was some difficulty in finding the keys. However, they were discovered in a drawer, apparently used every day; when the tin cases were opened I found other plans with mine, and that the principal ones had been taken out of the cases.
14. No doubt they had been used? I do not know whether they were or not. They appear to have been examined. I am inclined to think they were used otherwise.
15. *By the Chairman:* You, I presume, have no doubt they obtained information from them as to the country? There is no doubt the Company was formed from the information my plans afforded. My report was acknowledged and publicly used.
16. Did you fix any value or compensation for your services? I asked for £2,000 in the Company's shares, which I considered valuable property.
17. And they declined to give it? They did.
18. Through whom did you make the application? Through Mr. Cowper.
19. Was the offer submitted to the Company? I think so. Mr. Cowper wrote to me to say they declined it.
20. *By Mr. G. Macleay:* The directors you mean? Yes.
21. Did they make you any offer at all for them? No.
22. No offer? No.
23. Did they refuse to give them up to you? They had only possession of my report; the plans remained with Mr. Dawes.
24. What claim had Mr. Dawes—when the Company was formed the Provisional Committee ceased to act? None; the Survey Committee ceased naturally.

25. What had Mr. Dawes to do with the Company—was he employed? He had nothing to do with the Company. T. Woore, Esq.
26. *By Mr. Macarthur:* Was there any understanding between you and the Committee that you were to be allowed to retain these plans, or that they were to be left in the Company's Offices for security, but were to be considered as your private property—were you at liberty to dispose of them to any Company that might be formed, or possibly to the Government, in event of their undertaking the management of the Railway? There was not any agreement of that kind; the Committee retained them for the public benefit. 2 Sept., 1858.
27. No agreement or understanding? There was an understanding. I had a claim on the plans; but I was not allowed to use them, or to look at them. I wanted to keep the plans in my possession; but the Committee objected to my doing so. I then handed them over sealed; but they would not allow them to remain sealed, and required me to unseal them.
28. *By Mr. G. Macleay:* They regarded the plans as their property? As the property of the public. They admitted I had a claim to them, and said they would do all they could to have me remunerated.
29. *By Mr. Macarthur:* When you made the offer to give up these plans for £2,000, was that with the sanction of the Committee? The Committee were not in existence, and it therefore could not be with their sanction. The Committee had ceased to exist twelve months before; but their late Secretary still held the plans.
30. Was there not some understanding to this effect—that you should take the plans and offer them to the Company, and make your own terms for these plans? Yes, that was the tenor of the original agreement, and they promised to assist me in every way while they acted as a Survey Committee; but when those gentlemen formed a part of the Company they forgot their agreement, and refused to treat with me for them.
31. They did not object to this? They did.
32. *By the Chairman:* And the Company declined to purchase the plans? They did.
33. Do you know at all if in any of the plans that have been made whether your line in part has been adopted by any subsequent surveyor? I do not.
34. You don't think it has? No, I think not.
35. What way does Mr. Shields' line run? It commences more to the southward than my line, and crosses it to the northward at Newtown, and again runs into mine at Ashfield, crossing the Liverpool Road at the spot I proposed.
36. Where does it go then? It then runs to the north of my line into Parramatta, from whence it takes a southerly direction direct to Liverpool and Campbelltown, whilst mine runs due west on the top of the dividing ridge in to Prospect, to which place I considered it a trunk line; and from there it branches off to Windsor, Penrith and Goulburn.
37. Where does it cross the Cowpasture River on the way to Goulburn? At Shancomore. The whole distance to Goulburn on my line is 180 miles.
38. Now, according to the estimate of the work you made, what did you estimate the expense of making a line at the ordinary rate? I estimated it at £2,500 per mile, without iron rails. At that time it was doubtful whether it would be desirable to use wooden rails or iron rails. The expense of iron rails, and securing them, would have to be added to this.
39. That is, all the cutting, levelling, and filling up would amount to £2,500 a mile? I estimated that the whole cost of constructing a single line (if wooden rails could be used) would be £2,500 per mile.
40. If iron rails were used you would require sleepers, and ballasting besides? No; if iron rails had been used, I would have laid them on the timber I estimated for wooden rails; a very light iron rail would have sufficed, and no extra sleepers or ballasting would have been required.
41. What would be the extra cost of the iron rails, and rods for securing them? About £600 or £700 a mile.
42. Not more than that? It would depend on the cost of the iron.
43. That would amount to £3,100 a mile—do you know what the value of the rolling stock is? I included it in that sum.
44. That is rather a low estimate, £600 for the rails? I don't think it would have been more than that. I should have used a very light rail, strengthened by rough timber.
45. *By Mr. G. Macleay:* When you made that estimate in 1847 what was the rate of labor then? There was a considerable difference between then and now. The rate of wages was £20 per annum for a laboring man, and now we have to pay £40 per annum in the country.
46. *By the Chairman:* That is an increase of one hundred per cent. You think then this line might have been done for £5,000 a mile, allowing for the additional value of labor at the present time. You estimated it at £2,500 at that time, and labor is assumed to be doubled in value? I believe that at the present value of labor and material, lines could be constructed at £5,000 or £6,000 per mile. There are a great many expenses that I should not have had attached to them, had I undertaken their construction, in superintendence, surveying, &c. I believe I could have made an effective line to Goulburn for £5,000 a mile.
47. Rolling stock and all? Yes; I should have had the whole thing completed from Sydney to Goulburn for £5,000 a mile.
48. You are very well acquainted with the lines between Parramatta and Sydney? I am acquainted with the country—not with the present line.
49. You know the line—the present line? Yes, I know it from having passed over it; I have never examined it.
50. Can you form any comparison with the present line and your own, with regard to the amount of work in one or the other? No.
51. Would there be as much cutting in your line? I cannot answer that question. I have not sufficiently examined the present line; I have merely passed over it in a carriage.
52. Did you ever know of any objection being made with regard to yourself, with respect to this survey, on account of your being merely a marine surveyor? Yes; I know when I

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wished to become the engineer of the late Company I was objected to because I was not a professional engineer.

53. That would make a different branch of knowledge I fancy—a surveyor is not an engineer? He is not; the latter must combine mechanical knowledge and other qualifications with surveying, to understand his business. The Committee did not think they would be authorized in employing me in carrying on such a work, not being a professional engineer.

54. Did you think yourself there was any validity in that objection? I think they were justified in coming to that conclusion, as they were acting for the public in a very responsible position. They could not understand my powers, and perhaps there were no means at hand of testing them. I felt I was master of the subject, and laid everything before them in minute detail, in the hope of winning their confidence, but did not succeed.

55. Would you require a great deal more knowledge, and particularly more mechanical genius, for making land surveys? I imagine a man must not only be a good surveyor, but a good mathematician, a good mechanic, and possess considerable inventive genius, to enable him to make a railway in any country, and more particularly in such as this.

56. How is his mechanical talent brought to bear on it? In connection with the survey he is obliged to bear in mind the mechanical works he is about to make. He must form the survey with reference to the works that are to follow; for instance, when he comes to a deep ravine, before surveying it he ought to determine in his mind the nature of the bridge he will throw over it.

57. The man who surveys the line is not the person who plans the bridge or embankments? It is not usual in Europe; but an engineer ought to be able to do both in such a country as this. I understand the engineer directs the whole; he has surveyors under him knowing nothing of the mechanical department; but the engineer, who surveys, directs, and is master of the whole, has a decided advantage over three separate persons. A man carrying a railway through a new country like this ought to have inventive ability to construct it properly, and sufficient energy to take the field himself.

58. Did you conceive, in carrying out this survey, the construction of all those works formed part of your duty in connection with this line? I did, and the most material part of it.

59. Did you make any plan of what the works ought to be? I did.

60. Did you prepare them for the Company? No. I laid them all before the Survey Committee, with the other plans, and subsequently before the Company's late engineer, Mr. Wallace.

61. Where are they now? I have them here. I knew that we had small means to carry out railways in this country, and therefore all the ability I possessed was exerted to keep the cost low. I always bore that in mind in constructing my works, and I believe you will find these plans of as simple a nature as were ever constructed. (*Witness then handed in his plans and drawings, which numbered 185.*) Here is one plan that cost me a vast deal of consideration in order to keep the expense down: it is a simple method of constructing timber viaducts, which I intended using very generally. Here is one over Bargo River.

62. What was the height of that viaduct? One hundred feet. It is a very deep ravine; but there is splendid timber, and good stone to be quarried on the spot; so that the work would not be very expensive. It is a very material thing to come at a simple method of constructing these bridges, which are numerous.

63. By Mr. Macarthur: Did the plans for bridges and viaducts, and the drawings of the general construction of the line you have put in, originate with yourself, or did you derive the idea from the works written on the subject, either English or American? I got all the information I could on the works of both countries, and, without copying any, I applied whatever I thought applicable in principle to our circumstances. The principal part of my works is original.

64. Have you looked at all the viaducts or bridges on the present line of railway? I have. There is only one viaduct on the line, I think.

65. That is at Petersham, is it not? It is near Petersham, over what I called Ironstone Creek.

66. Do you think that an unnecessary degree of expense has been gone to in that viaduct? I do; and if my line had been adopted there would have been no necessity for it at all. I designed only a small bridge to cross that creek, higher up.

67. Supposing the present line to be adopted, do you think that a viaduct of a cheaper construction might have been adopted? No doubt there could.

68. Would you make the same remarks as to any of the other bridges—are you in a position to give an opinion about them? No, I am not. I have never examined any of the other bridges.

69. I wanted to call your attention to page 14 of your own report, as printed in the proceedings of the Select Committee on Railways in 1848. At the top of the page there is this passage: "We then descend the Monument Range and cross Cedar Creek, where it breaks into two heads on a descending gradient of 1 in 50 of 1,767 yards, or about a mile. The crossing of this creek will be performed by means of the rough wooden viaducts before mentioned, a plan of which is laid before you. We then have gradients 1 in 98, 1 in 575, and 1 in 370, ascending which brings us to the Great Lagoon; on the bank of which, 20 miles from the Nepean, I propose forming a watering station, as from this we ascend a dry barren ridge, where that necessary is not to be obtained." At the latter part you speak of a Great Lagoon, where is that Great Lagoon? It lies on the ridge at the heads of Stone Quarry Creek and Myrtle Creek, about 3 or 4 miles north-west of Grey's Inn at Myrtle Creek.

70. You are not acquainted with Mr. Shields' line? No, I am not.

71. In the report there is this passage:—"We now commence a gradual ascent to the Gap in the Mittagong Range, by gradients of 1 in 151, 1 in 74, 1 in 43 of 900 yards, 1 in 85, and 1 in 242, where we cross over the Great South Road at Mrs. Cutter's Inn; then a level, and 1 in 36 of rather more than 1½ mile, which brings us to the Gap, which is 2,307 feet

- "feet above the datum line, or high water level. Here the heaviest cutting in this section of the line will be required, amounting to 92,186 cubic yards." The Gap there spoken of is called the Mittagong Gap? It is.
72. Are you aware whether the other lines pass through that Gap—Mr. Shone's line, or Mr. Shields' line? I am not aware of where these gentlemen measured lines, and I doubt whether they ever measured any so far towards Goulburn. I know there is no other way to get into Argyle than through that Gap.
73. Have you ever heard that every surveyor was obliged to come to that point, whether he took the southern line or any other line—that every survey between Sydney and Goulburn was obliged to pass through that Gap? I have heard that all surveyors admit a line must go through that Gap in going to Argyle.
74. Have you ever heard any comparison between the levels of other surveyors—Mr. Shone and Mr. Shields, and a scientific gentleman, the Rev. Mr. Clarke—whether the level height you have given corresponds very nearly with the elevation of the other surveyors and Mr. Clarke? Both Mr. Clarke and Admiral King gave me a memoranda of their elevations, and they both told me my report agreed with theirs exactly.
75. You don't know anything of Mr. Shone's or Mr. Shields' line? I do not.
76. *By the Chairman:* They must all come through that Gap? Yes.
77. What is the elevation of that Gap? 2,300 feet above the sea.
78. How do you propose to get to that elevation? By ascending the ridge that lies between the Nattai and the Bargo rivers.
79. Where would you ascend that ridge? I would commence to ascend it opposite Shancomore.
80. Do you know what the elevation of Picton is? I do not exactly.
81. Do you know at all near the point? No. I never measured into Picton.
82. You think, then, this Gap at the Mittagong Range is comparatively easy of ascent by your route? Yes, comparatively easy. I believe it is the easiest ascent, in consequence of the base line being most extensive, it being one-third more in length than any other line proposed.
83. Then you rise more gradually to the elevation as you have to go over a greater distance in gaining it? Yes.
84. The gradients are not so steep in any one part? They are not.
85. How do you think that elevation could be obtained from Picton? I think the ascent from Picton to the Gap at Mittagong is too great. I don't think a locomotive could be worked from Picton to the Mittagong Gap. I consider my line at the lagoon in the neighbourhood of Picton is 700 feet above the level of Picton.
86. At the same distance from Sydney? At the same distance from the Mittagong Gap, and about the same distance from Sydney.
87. At the same distance from the Mittagong Gap as Picton: your line has obtained an elevation of 700 feet over Picton—is there any descent after that? Nothing of any consequence.
88. You go on gradually ascending till you reach the Gap? Yes.
89. Stone Quarry Creek, below the bridge, is 482 feet above the sea? It is, by Count Streletzki's measurements. The elevation of the bridge would not be more than 500 feet.
90. What would be the distance from that place to the Mittagong Gap? $28\frac{1}{2}$ miles.
91. In this $28\frac{1}{2}$ miles an elevation of 1800 feet to reach that Gap must be obtained? Yes; there is that difference in the elevation of the two places.
92. That would be something like 70 feet a mile on an average? Nearly so.
93. What do you make the steepest gradient in that distance on your line? One in thirty, on which I proposed to work a very powerful engine—that is the greatest ascent on the whole line, and one of the places I propose to lift the train up by extra power. There are two such on the line. The gradient of 1 in 30 is capable of considerable improvement.
94. By a stationary engine? No, by a powerful locomotive: if that can be accomplished the whole line may be worked by motive power.
95. Of what power? Not much greater than those engines which are now used, but of a different construction. Those I consider very powerful.
96. More powerful than there is an occasion for on the line? Yes, a great deal more.
97. I suppose you are anxious to have these plans of yours inquired into by some persons who are able to judge of these kinds of work? They are open to any scrutiny.
98. From your knowledge of the country there, do you think this Gap at Mittagong could be approached with the same ease from Picton by any other route? I do not think it could. My impression has always been, that there is but one line capable of a locomotive being worked upon—namely, that between the Nattai and Bargo Rivers.
99. *By Mr. G. Macleay:* That is through the Gap? Yes, up the ridge of land that lies between the Bargo and the Nattai Rivers. I don't think it possible to drive a locomotive up any other ridge, or by any other way. I fully satisfied my mind on this point before I recommended the line.
100. *By Mr. Macarthur:* Are you speaking now of the country after you pass the Bargo River? I am speaking of the country between the Nepean River, where it bounds the County of Cumberland at Shancomore, and the Gap at Mittagong, up the ridge between the Nattai and Bargo Rivers. I do not believe there is any other way.
101. *By Mr. G. Macleay:* You have been along all the other lines? I have.
102. You do not believe there is any other line except what you term in your Report the Western Line? I do not. I don't think it is possible to drive a locomotive up any other line, and 'twill be difficult to do so on this.
103. You never examined Mr. Shields' line? No.
104. Have you ever been over Mr. Shields' line? I have been over the country which it is

said

T. Woore,
Esq.
2 Sept., 1858.

- T. Wore, Esq.
2 Sept., 1858.
- said he measured. I never traced his line. I gave that as my opinion from the beginning, and my opinion has been since confirmed.
105. The question is, have you ever examined Mr. Shields' line? I cannot say I have. I don't know it. It never has been pointed out to me. I have no conception of it, further than that it went through Picton somewhere; but I know all that country well.
106. Your answer has reference to a general knowledge of the country, rather than any comparison with particular lines of roads? Yes. I know of no other measured line than that I measured myself.
107. *By the Chairman*: Do you know the elevation of Lupton's Inn? Only from the publication of Count Streletski's work, where it is stated to be 1,260 feet.
108. Do you think there would be any great difficulty in continuing the line from Picton as far as that? I think it is impossible for a locomotive to be worked up there.
109. Where would be the difficulty? The whole ascent would be too great, and parts of it impracticable.
110. In so many miles? Yes. I don't think you could work a locomotive up it.
111. That is 400 feet in about 16 miles? But I don't look at it in that way. You cannot lay down imaginary gradients. I say that particular parts are too steep to work the line.
112. I don't recollect any part too steep? There is a very great ascent to Grey's, at Myrtle Creek, then a level to Bargo River, and then there is a long ascent from that to Lupton's Inn.
113. From what you know of the proposed line from Campbelltown to Picton, are you of opinion that it will add to or shorten the distance between Campbelltown and Goulburn—if you look at your plans? I do not think the line ought to go to Picton at all.
114. Do you think that going to Picton adds to the distance? I do; but the material objection is, that it does not gain height—it does not gain sufficient elevation as it approaches the Gap.
115. *By Mr. Macarthur*: You have examined the Menangle Valley, near Dr. Douglass'? Yes, I went along it, but without bringing any instruments to bear on it.
116. In order to carry out a line most advantageously, would it be necessary to cross the Stone Quarry near its junction with the Nepean, and then to proceed in a direct line towards Gray's Inn, at Myrtle Creek? I think so. I think it is diverging too much north by going to Picton.
117. You diverge too much to the north by going to Picton? Yes; there is no doubt of that.
118. With the disadvantage of crossing a great many spurs of the Razorback ranges? Yes; it would be an expensive road to make, and difficult to keep in order, from that cause.
119. *By Mr. G. Macleay*: Could the line be taken from Campbelltown to any point to enable the line you suggest to be taken advantage of—namely, from Croft's Inn? It is quite possible to do so, but that would be going back to Sydney; you would not be gaining any distance towards Goulburn.
120. About how many miles are lost by it? I should suppose fifteen or sixteen miles.
121. Without going to the same point you propose to cross the Nepean, you could not take advantage of the ridge you propose? You could not get upon that ridge in any other way to the eastward of that point, but it might be ascended with greater ease to the westward.
122. *By the Chairman*: What is the shortest distance between Picton and the Mittagong Gap? Up the ridge between the Nepean and the Bargo Rivers.
123. What do you suppose is the distance between Picton and Mittagong Gap? It is about 28 miles.
124. Is that going by the range you followed? No; by the range on which the present mail road is; it would be about 30 miles by the other ridge.
125. The difference of elevation between the two places is very great, Mittagong being 2,300 feet, and Picton 500 feet, the difference, 1,800 feet, to be ascended in 28 miles—this would give you an average gradient of 1 in 80? Yes, or about 65 feet per mile.
126. Is that practical for a locomotive engine? I believe not.
127. *By Mr. Faucett*: That comes to 1 in 88 feet—is that an impossible gradient? In so great a distance it is quite impracticable.
128. *By the Chairman*: 1 in 30—that is the maximum? It is; but the distance must then be short, and the engine powerful.
129. *By Mr. Faucett*: There is one of your plans in which 1 in 53 you take as an average gradient? I never calculate average gradients.
130. Take a uniform gradient? There is no such thing in practice. I say there are gradients on that line which could not be worked by a locomotive. There is a gradient of 1 in 21 between the Little Forest and Mittagong that cannot be reduced, nor be ascended by a locomotive.
131. Can you get through it? No.
132. Is it necessary to go up there? Yes, to get to Mittagong.
133. *By Mr. G. Macleay*: You have avoided that in your western line? Yes, I have.
134. *By Mr. Faucett*: It appears that the line you think impossible is the line the Government is adopting at present? I do not know what they are adopting.
135. The line to Picton? It is impossible to drive a locomotive from Picton to Mittagong by Lupton's Inn and the Little Forest.
136. By adopting your course they would avoid the greater gradients, and have practicable gradients? They would; I believe the gradients on my line could be worked. There is no gradient on my line, as laid down on my plan, that is not capable of being improved. I had no time to make minute examinations before laying down my gradients, which was done principally to enable me to make an estimate of the cost.
137. It is necessary, in order to form a bridge, that the gradients should be laid out? It is; I could not calculate the bridge without. I never made a second section of the line I measured.

138. Will the gradients you laid down, taking them altogether, be practicable? I believe so, when improved—that is, to work a locomotive on. T. Woore,
Esq.
139. *By the Chairman:* Suppose a line was extended from Campbelltown, by Appin, to Lupton's Inn, crossing the Cataract River—do you think it possible by that route to gain an elevation so that a locomotive might travel? No, you could not, for there is still the gradient of 1 in 21 to ascend from Little Forest. 2 Sept., 1858.
140. You stated in the early period of your evidence you were employed under the Company some six months? No; I don't think that is what I said.
141. Were you engaged in these operations after the formation of the Company? I was. What I did, and suggested, caused the formation of the Company, and I was employed by the Directors after its formation.
142. *By Mr. Faucett:* After the formation of the Company you were engaged in making these plans? No, but in making other plans, more particularly for tramways, which remained in their possession. I was employed up to the 28th January, 1849, when my application for the office of Engineer was refused.
143. You recollect the circumstance of the Company being formed at that time? It was formed previous to that.
144. Before the refusal of that application, or up to the time of the refusal, were you engaged in making these plans? I was. I was in constant communication with the Directors, and I drew several plans.
145. Plans in connection with the survey? Yes. At that time it was proposed to have a tramway. I was applied to for plans by the Company—by Mr. Cowper on behalf of the Company.
146. Did you receive any payment for anything you did from the Company; either for your expenses or services? No.
147. *By the Chairman:* Not for your expenses? No, nothing from the Company.
148. *By Mr. Faucett:* Then you merely did the work, and supplied them with the result of your labors? Quite gratuitously.
149. And they made you no return? None.
150. *By Mr. G. Macleay:* Would the Company have been formed if it had not been for your plans, shewing the practicability of the route to Goulburn? I do not believe it would. There is no doubt the information I afforded was the cause of the Company being formed, and the plans laid before the public, and the sensation created at the time gave confidence to the Government to grant a guarantee of £4 per cent. interest on the capital subscribed, and to the people to join it.
151. Have the Company ever acknowledged your labors? Mr. Cowper told me they had my report, which gave them all the information they required.
152. *By Mr. Macarthur:* But no official acknowledgment of your services on the part of the Company, notwithstanding that you were constantly communicating with them, and so much engaged in forming the Company and assisting to develop railway enterprise in connection with them? No, although I was exclusively engaged in endeavouring to establish that line; and they knew it.
153. *By Mr. Macleay:* If the summit elevation could be obtained by any other route but your own—for instance, by Shields' line—would any difficulty exist between that point and Goulburn? There would not.
154. You know no line except your own which would obtain that height up which an engine could go? I do not believe it could be done on any other line.
155. *By the Chairman:* Did the Government ever acknowledge your services in connection with the railway? No, not officially.
156. I heard some member say, but I cannot find it out, that a vote of £500 was passed at one time? It was.
157. When was that? On the 17th September, 1846. The Committee that was appointed by the public to make the survey applied to the Government for assistance, when the Executive Council granted £500 out of the land fund to meet the expenses, providing the public raised an equal sum by subscription.
158. Was that sum paid to you? A large portion of it was; and these accounts shew the receipts and disbursements. I received £917 6s. 11d., and expended £912 13s. 4d., as will be seen by these accounts.
159. It was not a reward for your services, but merely to provide the expenditure that actually occurred? It was to provide for the expenditure that was absolutely necessary.
160. When was that vote arrived at—in what year? The end of 1846.
161. Were you personally mentioned in connection with that vote? No.
162. *By Mr. Faucett:* Were those plans in the hands of the Company? I cannot say; I left them in the care of Mr. Dawes; I did not see them again for years.
163. Where did you get them? From a store in George-street, after Mr. Dawes' death.
164. In what store—did it not belong to the Company? No, it did not. It was a private store, where some old effects of Mr. Dawes were lying.
165. They are well preserved? They were in tin cases, locked up, and did not receive injury. I then gave them to Mr. Wallace, the engineer of the Company, in the hope of forwarding the work. I subsequently offered them to the Governor General. They have been in the hands of the Company and Government ever since I recovered them from amongst the late Mr. Dawes' effects.

FRIDAY, 29 OCTOBER, 1858.

Present:—

MR. MURRAY, | MR. G. MACLEAY,
MR. FAUCETT.

THE HON. T. A. MURRAY, ESQ., IN THE CHAIR.

Present in the Room:—Thos. Woore, Esq.

Captain Edward Wolstenholme Ward, R.E., called in and examined:—

- Capt. E. W. Ward, R.E. 29 Oct., 1858.
1. *By the Chairman:* You are a Captain of Engineers? Yes.
 2. Have you looked over the evidence of Mr. Woore? I have.
 3. Will you be good enough to give the Committee any information you can in regard to the value of the services rendered to the Colony by Mr. Woore in making the surveys he did with a view to the introduction of railways? I have endeavoured to confine myself to valuing the surveys as an engineer would value them, setting aside what may be due to Mr. Woore for having exerted himself under the peculiar circumstances of the Colony at that time; for I was not here then, and therefore cannot give an opinion on that point. Therefore I have simply valued the service, in the way of so much labor bestowed by Mr. Woore, at the rate the Railway Department would pay an efficient engineer for doing the same amount of work for the railway. And that I might make myself understood, I have written my estimate out in the form which I now submit to the Committee. (*The witness handed in the same.*
Vide Appendix A.)
 4. *By Mr. Faucett:* That is, considering the whole matter simply as an engineer would do? Yes. I assume that I take one of our best railway surveyors and say to him,—Examine the country for a railway on the different branches mentioned in that paper, and, having examined it, take a trial level of the lines you think best, without taking any cross sections (which Mr. Woore has not taken), and prepare plans and estimates, and let me have them in such a shape that I can put them before Parliament, in order to say how much per mile that railway with its branches will cost. And if I gave such an order to a skilled engineer here, I should expect to have the work efficiently done for the sum I have named there, £535, and his actual field expenses; and if you assume that Mr. Woore has efficiently performed the work, and has furnished reliable plans, sections, and estimates, he also has performed services of the value of £535.
 5. *By the Chairman:* Were the professional engineers now employed in the Colony engaged here or brought out from England? From England.
 6. At the expense of the Government, in addition to the salaries they receive? Yes, I believe they had their passages paid out.
 7. Have there been any instances of their leaving the Government service after they came here? No, I think not.
 8. They still remain? Yes.
 9. Did they come under engagement for a particular period? They are under an understood engagement; but Mr. Whitton could give you more information about them than I can: I consider they are well paid, but not over-paid.
 10. *By Mr. Macleay:* Do you know whether they have any ultimate prospect of increased salary? No; £500 a-year is a good salary for them.
 11. *By Mr. Faucett:* That is at home? No. At home you would get them for much less.
 12. At home £500 a-year would be considered a large salary? Yes.
 13. And it is a good salary here? It is quite sufficient; it is quite sufficient to retain their services.
 14. *By the Chairman:* Have you seen by Mr. Woore's evidence that he was engaged in drawing up certain tables—that he had to make instruments and tables for himself? Yes.
 15. Was the calculation of those tables a matter involving time or difficulty? It would involve time, but not a great deal of time.
 16. He says in his evidence—"At the time I undertook this survey there were no books of tables to be procured in the Colony, and before I could make a survey I was obliged to solve the problem." There were tables existing in England. There was a set of tables published by Mr. Law, Civil Engineer, in 1845; and they are framed very much on the principle of this table prepared by Mr. Woore.
 17. Were those tables published in 1845? Yes.
 18. Mr. Woore framed his in 1846? Yes.
 19. Then the presumption is that those had not arrived in the Colony? No. I am not assuming that Mr. Woore had seen them; no doubt he worked out his tables by his own original genius.
 20. What are the instruments required for a survey? A levelling instrument, a levelling staff and chain, a levelling instrument which gives a forward and back level, a staff for determining the level, and a chain for measuring the distance between these levels.
 21. Are those the only instruments required? Those are the only instruments required for taking trial levels.
 22. The chain is a simple matter, of course? Yes.
 23. You saw Mr. Woore's plans? Yes.
 24. They were in your possession for some time? Yes.
 25. What became of them afterwards? Those plans came into my possession when I was Chief Commissioner of Railways in 1855. They were sent to me from the Governor General; and Mr. Woore called and explained the circumstances under which they were prepared. I looked at one or two of them, and I found that the direction of the line passed about four miles

miles to the south of Parramatta, and went on to Prospect Hill, and so took another line to Goulburn, distinct from the line then in contemplation to Goulburn. The railway to Parramatta at that time was almost a fact; at all events the line was decided on, and under construction, and therefore Mr. Woore's plans could not have helped us to construct the line to Parramatta or to Liverpool; so I put them aside, intending to refer to them at some future day, when they might be required. If discussion with respect to other lines ever had arisen, then Mr. Woore's plans might have been valuable to refer to.

26. They remained in the Railway Office? Yes.

27. Do you think they have been of any service at all in reference to the survey of the line to Goulburn? I think not, because they have reference to an entirely different direction. Mr. Woore's line leaves Parramatta about four miles to the north, then goes on to Prospect Hill, and crosses the present line of railway to Liverpool, between Parramatta and Liverpool; then it takes a distinct line of its own, *via* Bong Bong; it does not go near Picton. Therefore there was no necessity to refer to these plans; they would not have guided us.

28. *By Mr. Foucett:* Of course in this estimate you take no account of the difference between the value of labor at the present time and its value when this work was performed? I have made the estimate as the skilled labor of an engineer would be valued at the present time, not on its value in 1848. I assume from the evidence that Mr. Woore was re-paid the expenses he incurred in the field, and every outlay, with the exception of £25.

29. Then, if you were to do the work at the present time you would employ all the labor external to the engineer himself, provide for all the expenses, and pay him the sum you have named for his own skilled labor only? Yes.

30. In the estimate you have handed in, you have considered the labor expended by an engineer in making such a survey as this with reference to the facilities that now exist—the facilities of roads, and other facilities that will easily suggest themselves to your mind? What facilities do you refer to?

31. The difficulties of going through the country in 1845 or 46? I do not know what they were.

32. Then you have considered this work with reference to the facilities, whatever they are, that exist at the present time? Yes; my estimate is in accordance with the circumstances under which the work would be done at the present time.

33. Can you form any estimate of the cost of a survey similar to this of the line at present adopted between Sydney and Goulburn? I cannot, because we take cross sections very often. These are trial levels taken straight a-head. It is not overwork to expect a man to take three miles of trial levels in a day, and estimating at that rate and allowing for Sundays, wet days, and so on, I have given five months for taking 177 miles of levels.

34. *By the Chairman, at the suggestion of Mr. Woore:* Do you think a surveyor could go into the bush, superintend his men to get it cleared in order to have a line of vision, make his survey and plot it down, or even make up his field-book, at the rate of three miles a day? Not through the whole of the country perhaps; but I have given extra time as an allowance for extra labor. If the whole of the country was dense scrub it would not be possible to proceed at three miles a day. The time I have allowed (5 months) for the survey is at the rate of a day for every $1\frac{1}{2}$ miles of work, and I have allowed extra time besides for plotting down, or preparing plans, &c.

APPENDIX A.

ESTIMATE of the labor bestowed by Mr. Woore on behalf of Railways in this Colony.

To form an estimate of the labor bestowed by Mr. Woore on behalf of Railways in this Colony, I have perused his evidence given this year before the Select Committee of the Legislative Assembly, and examined the plans, sections, elevations, and other drawings, together with his estimates and calculations, having reference to the line he surveyed.

2. Mr. Woore appears to have taken about 177 miles of trial levels between the undermentioned places, viz. :—

Sydney to Goulburn <i>via</i> Bong Bong	... ..	130 miles.
Branch from main line to Camden	... ..	10 $\frac{1}{2}$ "
Ditto to Liverpool	... ..	7 $\frac{1}{2}$ "
Ditto to Penrith	... ..	9 $\frac{1}{2}$ "
Ditto to Parramatta	... ..	3 $\frac{1}{2}$ "
Ditto to Windsor	... ..	15 $\frac{1}{2}$ "

He has also prepared two sets of plans and sections of these lines on the following scales :—

- 1st. Plan to a scale of 800 feet to an inch. Section to do., horizontal scale and 100 feet vertical.
- 2nd. General plan to a scale of 1 mile to an inch. Section do., horizontal scale, and 600 feet vertical.

He has also prepared drawings of sundry bridges, permanent ways, &c., and submitted an estimate of the cost of the proposed line of railway.

The time that it ought to take a railway surveyor to execute the work Mr. Woore has done I estimate as follows :—

Examining country for lines...	... ..	3 months.
Taking 180 miles of trial levels	... ..	5 "
Preparing plans, sections, &c., of do.	... ..	3 "
Estimate and report of do.	... ..	1 "

Total... .. 12 months.

Capt. E. W.
Ward, R.E.
29 Oct., 1858.

4. The salary paid to our best railway surveyors is £500 per annum, exclusive of field and travelling expenses, and men's wages; but, as it appears from Mr. Woore's evidence that his expenses were paid, with the exception of £25, or so, a fair estimate of the service he has performed (supposing it to have been efficiently performed) would be:—

12 months salary at £500 per annum...	£500
Amount of expenses due to Mr. Woore	25
Drawing paper, field-books, use of field and office instruments	10
	<hr/> £535

5. I must, however, guard myself from being supposed to convey the idea that the plans, sections, and estimates prepared by Mr. Woore are sufficient for the purpose they appear intended,—viz., to convey an adequate idea of the cost of the line proposed—or are such as a railway surveyor would submit to a Company or Government with that view. The 1st set of plans and sections before mentioned are on a scale too small to take out the quantities, or to prepare an estimate even with a rough approximation to accuracy. The 2nd set being intended to shew generally the line, and the gradients obtainable are for this purpose sufficient.

6. On the other hand, Mr. Woore has put a great deal more work into his plans than a railway surveyor would do, and has prepared many drawings which were unnecessary for the preparation of the estimates; and some consideration is due to the energy with which Mr. Woore exerted himself in the cause of railways, and endeavoured to qualify himself to perform the duties of Engineer-in-Chief.

7. On the whole, I consider the estimate which I have made of the *labor bestowed* by Mr. Woore on behalf of railways to be fair, as well as liberal.

8. I assume that I am not called on to estimate the *value* of Mr. Woore's labors to the Colony, or to give an opinion on his claim to receive compensation for his services from the public purse.

E. W. WARD.
28 October, 1858.

The Reverend Ralph Mansfield called in and examined:—

The Rev.
R. Mansfield.
29 Oct., 1858.

1. *By the Chairman:* You remember the establishment of a company here some years ago in reference to the introduction of railway communication? I do.

2. You held some office in connection with that company? I was a member of the Provisional Committee, appointed at the first public meeting held in January, 1846; I had no other office.

3. Were you not Honorary Secretary? No, merely a member of the Committee, and Chairman of one of its sub-committees.

4. Do you remember any engagement having been made with Mr. Woore in reference to the making of a survey of a line towards Goulburn? Yes, I do, generally.

5. Do you remember at all what the nature of that agreement, if any, was, that was entered into with Mr. Woore at that time? The principal duty of the Committee was to ascertain the practicability of forming railways in this country—of course, by practicability I mean commercial practicability—whether the expense of forming them would be such as to give a reasonable hope of a return for the capital that would be invested in their construction. The first point to which the Committee's attention was turned was, of course, the character of the country through which the railway would have to be carried—what the engineering difficulties would be in forming a railroad; and we were very much embarrassed from the circumstance that there were no railway engineers, so far as we could ascertain, in the Colony. I think we advertised—at any rate we sent circulars to all the gentlemen we could think of professing to be civil engineers; but not one could we find who met our views of the proper qualification for the office of railway surveyor; and under these circumstances Mr. Woore was introduced to our notice. I do not just now remember how that came to pass, but he was introduced to our notice, and the result of our consultations with him was an arrangement that he should make a preliminary survey—for we were satisfied that he was the most competent of any one we had examined to undertake that duty, and he was willing to undertake it on terms that seemed to us very reasonable. As far as I remember, he stipulated that all the Committee should do in the way of expenditure was to defray the current expenses he should incur, without at all remunerating him for his services—that we should save him harmless out of his own pocket, leaving his remuneration to be met by any company that might result from our preliminary operations. That was the general nature of the arrangement.

6. In those days, then, there were no engineers here who could undertake the duty? None whatever, so far as we could find.

7. You advertised for them? My impression is that we advertised; but I am quite certain that if we did not we sent circulars to all the civil engineers whom any member of the Committee happened to know.

8. *By Mr. Macleay:* Were there applications for employment at that time? No; I think every engineer we examined disclaimed competency for the work we wished done.

9. *By the Chairman:* Mr. Woore made you a report subsequently? He did.

10. What was the opinion of the Committee on that report? As far as we could judge, we thought very highly both of the plans that he prepared and the reports that he wrote.

11. There were two reports, were there not—do you remember the second? I think I do not remember more than one report. There may have been two.

12. You were generally satisfied with what Mr. Woore had done? We were.
13. Was the company then formed in consequence of Mr. Woore's reports being favorable? I should state that the preliminary operations extended over about two years, and when we arrived at that point at which the preliminary operations ceased and the organization of the company commenced, I retired. I stated to the Committee that my avocations would not permit of my doing more than I had done; that I had entered on the inquiry with a determination to spare no pains to prosecute the preliminary part of the business, but with an intention to retire when that branch of the labor had been completed. It was, I think, in 1848 that I retired, a company being then on the eve of formation; and Mr. Charles Cowper being appointed its secretary, he undertook all the secretarial duties. We recommended to that company, to the best of my recollection, that they should remunerate Mr. Woore for his services.
14. Do you know at all if Mr. Woore was remunerated? I do not know from my own official acquaintance with the circumstances, because up to the time that I retired the question of remuneration, except as a prospective one, had not been raised. I think he never was. I never heard that he was. I have heard that he was not.
15. *By Mr. Macleay:* The recommendation you speak of was a general one—not specific? Yes, a general one.
16. No sum was mentioned? No, not that I remember.
17. *By the Chairman:* Looking back to the whole matter, are you of opinion that Mr. Woore rendered any material service to railways in this Colony, by the surveys he made at this time? I am of opinion that he did—very essential service.
18. Do you think his co-operation contributed to their establishment at an earlier period than would otherwise have been the case? I do, decidedly.
19. I presume you must have paid some attention to the reports at the time, although you may not remember them now—what their character was in detail;—did they serve to shew that the establishment of railways was practicable? They did. I based upon Mr. Woore's report the reports of the Committee to their constituents, the general meetings.
20. The practicability of railways in a broken country like this was at that time very much doubted, was it not? Yes; we were all profoundly in the dark, until Mr. Woore brought the light of actual investigation to bear upon the subject.
21. Had these reports been at all unfavorable no company would have been formed? Certainly not at that time. It would have thrown it in abeyance for some years at least.
22. Do you think Mr. Woore is fairly entitled to some compensation from the country for the course of action he pursued at that period? Undoubtedly I do.
23. It has been suggested in evidence before the Committee that the services rendered by Mr. Woore are to be estimated by the remuneration that would be given at the present time to any ordinary railway surveyor employed to carry out the same work. For instance, it is said that a well-qualified railway engineer can be had now for £500 a-year. Under all the circumstances, do you think a payment of £500 a-year would be a fair remuneration to Mr. Woore? I think that the lowest sum that could be reasonably named. I do not think any one knowing the circumstances in which we as a Committee were at that time placed, could for a moment doubt that we should have given £500 a-year most cheerfully, or even twice that amount. We should not have hesitated a moment if we had had the means.
24. The services rendered then by Mr. Woore were much more comprehensive in their character than those rendered in a survey by a railway engineer? Yes; he had to break the ground entirely. A railway engineer who has entered into the country since that time has found at any rate the southern line comparatively an open one. Before, it was completely shut up; we knew nothing at all about it as regards railways. Many persons said that it was physically impossible—that there were engineering difficulties so formidable that the idea of a railway being constructed to Goulburn was preposterous, at least in a commercial point of view; but Mr. Woore solved that problem at any rate—he silenced that objection.
25. A survey is now merely a mechanical matter? I think quite so.
26. But then the field was quite unexplored? Quite.
27. All questions of doubt were then solved by Mr. Woore? Yes; to our satisfaction at least.
28. And without regard to other consideration to himself than that which would follow from the success of the experiment? Yes—from the elaborate report he presented, and the plans which accompanied it.
29. You have never heard since that period that any doubt was thrown on the correctness of Mr. Woore's survey? I do not recollect that I have.
30. Nothing has turned up to show that it was inaccurate? I never heard of it.
31. *By Mr. Faucett:* With respect to compensation being due to Mr. Woore, I suppose you mean, first, that compensation was due from the company that was formed? Yes.
32. And then, when the powers of that company were transferred to the Government, that the Government ought to remunerate him? That is my view.
33. And as the Government represents the country the country ought to remunerate him? Yes.
34. Then I understand you say that £1,000 a-year would, at the time, have been a moderate compensation? I feel quite sure the Committee would have thought so.
35. You were of course acquainted with the circumstances of the Colony at the time, and are able to draw a comparison between those circumstances and those which exist now. I think I am.
36. Comparing the circumstances of the two periods, would you say that if £500 be a fair remuneration for the work done, if it were done now, £1,000 would be a fair remuneration for the work as it was done then? I think so.

- The Rev. R. Mansfield. 29 Oct., 1858. 37. The plans are said to be somewhat elaborate—do you think it was advisable at that time to get more elaborate plans than would be actually necessary at the present time, in order to shew the feasibility of railways in a commercial point of view, or any other point of view? I should think it was necessary at that time, for, as I said before, we were all in utter darkness as to the character of the country, and we required very circumstantial evidence to enable us to meet the objections that were presented on every hand as to the feasibility of the railway.
38. Do you consider that it was desirable then to get plans more minute than would perhaps be required by a practical engineer in carrying out the work after it had been determined on? I do.

TUESDAY, 2 NOVEMBER, 1858.

Present:—

Mr. MURRAY,
Mr. FAUCETT,

Mr. MACLEAY,
Mr. MACARTHUR.

THE HON. T. A. MURRAY, ESQ., IN THE CHAIR.

J. Whitton, Esq., Engineer-in-Chief, called in and examined:—

- J. Whitton, Esq. 2 Nov., 1858.
1. *By the Chairman:* What is the office you hold in the Railway Department? Engineer-in-Chief.
 2. What are the duties that devolve on you in that capacity? The laying out and superintending the construction of all railways in New South Wales.
 3. *By the laying out you mean the surveying?* Yes, and determining the direction.
 4. All the lines adopted are approved of by you? Yes, all are approved of and decided upon by me, so far as relates to engineering matters.
 5. The surveys are under your direction? Yes.
 6. Before any line is decided upon you have to approve of it? Yes.
 7. You decide on the lines in the first instance? Yes, after the general direction has been decided on by the Government.
 8. Could you give us what lines in the southern road have been examined? The southern line, as far as Picton.
 9. Has the survey been extended beyond Picton? It has.
 10. How far? Nearly to Goulburn.
 11. How was that survey conducted? By surveyors, acting under the direction of the Surveyor General, and by the sappers.
 12. How is it conducted now? Nothing has been done to it for some months, and before anything can be done I must go over the country between Picton and Goulburn, to decide upon the line to be adopted.
 13. Have any reports been received from the sappers employed between Picton and Goulburn? Yes, there have.
 14. Are these reports favorable? The surveyors were not under my charge at that time, and I have, as yet, paid but little attention to their reports.
 15. No answer has been given on the subject? Nothing decisive.
 16. The practicability of the line is ascertained? Yes, it is.
 17. It does not come within your own knowledge? Yes; assuming the sections furnished to be correct, of which I have no doubt.
 18. The object we have in view is to ascertain what the cost of the survey generally is per mile? That would depend on a variety of circumstances. It is impossible to say what would be the cost, unless the precise character of the work done was stated. The surveys I have had made are working surveys, with occasional traverse lines and trial levels; but the cost even of this would be of little assistance in arriving at the value of the work done by Mr. Woore.
 19. What we want to know is the cost of the survey just now? The cost will depend on the character of the work done. If working surveys are to be made they will be much more expensive than running trial lines through the country. When stating the cost I should wish to state accurately the nature of the work done.
 20. Could you give us any idea of the cost, in the aggregate, either to Picton or beyond Picton? I could not.
 21. How many men were employed beyond Picton? I think about eight or ten.
 22. How long were they employed? They were employed on trial surveys before my arrival in the Colony.
 23. How long is that? About two years.
 24. What is the rate of pay of these men? I think about £400 a-year salary, and £400 allowed for expenses.
 25. *By Mr. Macarthur:* Do you say ten men at £400 a-year? There were twelve men originally engaged for this purpose, but I cannot say positively the number employed between Picton and Goulburn. I dare say about half-a-dozen were employed. I can easily ascertain.
 26. *By the Chairman:* Perhaps you will ascertain the number, and correct your evidence on that point, and the rate of pay. They have been employed for two years on general surveys? Yes, about that time, between Campbelltown and Goulburn. Probably I may say that there has been something more done than taking trial levels. They have made a traverse survey, and taken sections from Campbelltown, I believe, to Goulburn. In addition to the survey and

- and longitudinal levels, cross levels have been taken throughout. [I find on reference, that six surveyors were employed nearly two years at the rate named by me, and also two sappers for nearly the same period, the total cost being £9,168 0s. 2d.] J. Whitton, Esq. 2 Nov., 1853.
27. So that a competent person looking at the work done would be enabled by that work to see what is the best line to follow? To see the best line, according to the work done; but it is possible that I shall not adopt that line at all.
28. You know very little of the line beyond Picton? Very little.
29. No line is decided on from Picton? No.
30. Do you know if it is ascertained—supposing the railway is extended at Picton—that it will be an easy matter to ascend the leading from that point? I have not a doubt of it; judging from the sections I have seen, and from the surveys already made, I can see no great difficulty in the matter.
31. Do you know what the elevation of Picton is? I do not.
32. You don't remember the elevation of Picton? No.
33. *By Mr. Macarthur*: You can state that by referring? Yes. [On referring I find the height to be 475 feet.]
34. *By the Chairman*: Do you know the highest point to which the line must be carried up? The highest point is at Gibraltar Gap.
35. The absolute level between the two places is not stated; but do you know whether it is practicable in the distance to get a good gradient? I have no doubt that a good working gradient may be had, although it is possible that a circuitous course must be taken; still the entire cost of the works may be considerably less than if a direct line were adopted.
36. It is stated in evidence that in reference to some authority (Count Streletzki's work), the elevation of Picton to the Stone Quarry Creek was 482 feet.—Do you know the elevation of Mittagong Gap? I do not.
37. That is the highest point? I cannot tell without referring to the sections. I may say that in the sections I have seen nothing which I could look upon as a difficulty.
38. You will ascertain the elevation of Mittagong Gap, and insert it in your evidence? Yes. [Height to proposed rail level through Gibraltar Gap, 2,208 feet.]
39. Do you know what the distance between Picton and Mittagong Gap is? I know little beyond Picton.
40. Perhaps you will give it in your evidence? Yes. [On referring to the section from which I have taken the height of Picton and the Gibraltar Gap, the distance is stated to be 26 miles.]
41. Will you be good enough to mention what gradient—what is the largest gradient available under railway communication? It is not advisable to use gradients steeper than 1 in 50, but gradients of 1 in 30 can be worked.
42. To be used by one engine? No; an assistant engine would be necessary.
43. It is stated in evidence that the distance between Picton and the Mittagong Gap is 28½ miles, and in that distance there is an elevation of 1,800 feet—that would be at the rate of about 60 feet a mile? Yes.
44. That, I presume, in the ordinary mode would present great difficulties? I do not think there is any difficulty to be got over between Picton and Goulburn.
45. *By Mr. Macarthur*: Have you particularly examined the line between Campbelltown and Picton? I have.
46. Is that settled exactly? Not beyond Menangle. Some deviations will probably be made when preparing the working surveys between Menangle and Picton.
47. Can you state how it is proposed to cross the Stone Quarry Creek? By a bridge beyond Picton.
48. Beyond Picton—the line runs through the village of Picton and crosses the creek higher up? Yes.
49. You perhaps don't know the place? Yes, I do.
50. But that part of the line you have not examined so minutely as you intend to do? I have examined the country to ascertain generally the best direction, but in preparing the working surveys deviations will most probably be made.
51. Is the place you cross the Nepean River settled? It is.
52. Will that be near the present bridge? About 200 yards higher up.
53. At a rocky place there? Yes.
54. Where the water runs over a rocky bottom? Yes; there is rock nearly the whole distance across the stream.
55. *By the Chairman*: Do you know the distance by the road between Picton and Campbelltown? I think by the road it is about 20 miles.
56. What is the distance by rail? Twenty miles.
57. The same distance? Yes, I believe so.
58. What is the estimated cost of the line per mile between Menangle and Picton? £11,500, including the bridge at Menangle, but exclusive of land.
59. Do you know if any of the proposed lines pass near Lupton's, near Bargo? They do.
60. Are they likely to be east or west of it? I would rather not give any opinion of the district till I have examined it. I can only speak now from the plans furnished to the Railway Department, and I do not wish to bind myself by an opinion founded upon such documents.
61. Do you think a detour to Picton will add to the length of the line? Yes.
62. How much? Probably, three or four miles.

Charles Kemp, Esquire, called in and examined:—

C. Kemp,
Esq.

2 Nov., 1858.

1. *By the Chairman:* You are a long resident in the Colony? Yes.
2. You took an active part in the first attempt made with reference to railway communication in the Colony? I did.
3. You were a member of the Provisional Committee? I was.
4. You were also connected with the Company subsequently established? I was one of the first Directors, and some time Chairman; I was a Director all the time.
5. Will you give the Committee, as briefly as you can, a history of the circumstances which led to the formation of the Provisional Committee in the first instance, and the Company afterwards? Without reference to data I may be liable to error. I believe in the beginning of the year 1846—which was the year of the great railway mania in England—Captain Stokes, of the Navy, and some other gentlemen in England had been interesting themselves in getting up some companies in England, which all turned out complete failures.
6. *By Mr. George Macleay:* Railways in connection with this Colony? Yes. Several companies were proposed—one was from Sydney to Windsor. These gentlemen sent out papers, which led to the meeting held at Lyons' auction room, and at which two committees were formed—one in connection with the western, and the other with the southern districts. The committees were to inquire into the nature of the traffic and the general prospects of a railway to the west—the other to the southern districts. I believe I was not on either of these committees, but Mr. Mansfield made a report on the southern; I don't think much was done with reference to the western line. Mr. Mansfield took up the southern, and gave a great deal of information as to its traffic and population. The result was, that at a subsequent meeting it was determined that the time had arrived when railways should be commenced, and a committee was formed, of which I was one, and Mr. Cowper was one: he was made our Chairman. A number of other gentlemen, whose names I forget, were also members of the committee.
7. Sir Charles Nicholson was one? Yes; and I think you were one, Mr. Macleay. Mr. Mansfield and some dozen gentlemen formed the committee.
8. *By the Chairman:* Mr. Macarthur? Yes, and some dozen gentlemen who took an interest in railways, and who prosecuted the inquiry; and the result was they determined to form a Railway Company for a line from Sydney to Goulburn, which we were led to believe at that time would be done at something under a hundred thousand pounds for the Parramatta line. I forget the amount. We formed a Company, and I was chosen one of the Directors, Sir Charles Nicholson another, and, I think, Captain Lamb and Mr. Cowper were also Directors.
9. Mr. Smart? I forget whether he and Mr. Holt came on first. We formed the Company in small shares of £5 each; 10s. per share to be paid up at a time.
10. *By Mr. Macarthur:* Mr. Lowe was a Director? Yes, he was a Director.
11. *By the Chairman:* You were a Member of the Provisional Committee first appointed? Not the first appointed. There were two committees appointed afterwards, who submitted a report of their proceedings; then another committee was elected, of which I was a member. It is my impression that I was not a member of either committee appointed to get preliminary information.
12. What was the first question parties concerned undertook to solve? I think the first question was the traffic.
13. Did they enter, in the first instance, into the practicability of railway communication in this country? Do you mean the progress through the country?
14. Yes? I don't know what the first committee did—the second Provisional Committee, out of which sprung the Sydney Company did.
15. *By Mr. Macarthur:* You are not positive on this point—you cannot say what the first committee did? I did not belong to it.
16. *By the Chairman:* When was the Company first commenced? The origin of the matter was in the beginning of 1846—the 6th of August, 1846.
17. Was that the date on which, at the meeting at Lyons' room, Captain Stokes' letter was read? Yes—in 1846.
18. There was a report of a meeting held at Lyons' room in 1848, when reference was made to the public meeting held on the 6th of August, 1846? Yes.
19. Are you aware that Mr. Woore was employed to make an investigation? I am. I don't know under what authority he commenced. I know he made a considerable amount of investigation. I think I heard him say he was occupied nearly nine months in the work.
20. I find a report was read at the meeting held on the 27th of January, 1848—do you remember the report being read? I remember the report; it was signed by Mr. Thomas Barker.
21. From that time, in January, 1848, from what you said, I suppose you were connected with the Company. At that meeting this Resolution was passed:—Moved by Mr. Mansfield, "That this meeting offers to Mr. Thomas Woore its best thanks for the zealous and able manner in which he has conducted the survey entrusted to him by the committee, and embodied its results in the elaborate Report and drawings now lying on the table; and is of opinion, that the expenses of his intended visit to England for the purpose of drawing the attention of British capitalists to the advantages of introducing railways into this Colony, ought to be defrayed by his brother colonists." I find this from a report in the *Sydney Morning Herald*? I was present at the meeting, and I remember the resolution. It was moved by Mr. Mansfield, and seconded by Mr. Lyons, and carried unanimously. I said before that Mr. Mansfield was more competent than any other to move the resolution, because he took an active part in the southern line.
22. I find another resolution, to this effect:—"That, from all the information which has been collected relative to the amount of traffic now carried on upon the public roads of the Colony, and especially from the facts communicated in the report and drawings of Mr. Woore,

- "Woore, this Meeting is of opinion that the introduction of railways into New South Wales would not only be of inestimable importance to the development of its resources, but afford a safe and profitable investment for capital." That resolution was moved by Mr. Norton? Yes. I think you will find also that a committee was appointed, of which I was one, and this confirms my recollection. I became then much more interested in the matter.
23. I find in a leading article in the *Herald*, with reference to this matter, the following statement:—"In Mr. Woore's Report there is evidence of great diligence, perseverance, and judgment; and the sections and plans which he exhibited at the meeting on Monday last amply satisfy us that there is in the Colony sufficient talent, knowledge, and experience, to carry on such works as these without putting any company that might be formed to the useless expense of importing its surveyors from England. We have no desire to sound a trumpet before Mr. Woore, but it is but due to that gentleman to state, what we have the completest authority for stating, that though interested parties may presume to question his qualifications, Her Majesty's Navy is considered by persons most competent to form a sound opinion to have sustained some loss by Mr. Woore's retirement from the service, and the anxiety of the Admiralty to secure his employment in the service of Government in Jamaica, which he declined, although unusual inducements were held out to him, is sufficient guarantee that he is fully capable of undertaking all the minutiae of such a work as that which has been so long projected. Mr. Woore will, perhaps, pardon this voluntary and unexpected reference to himself, but it is made for the purpose of justifying the confidence which we place in the report before us, and which we now proceed to consider." It appears from these extracts that Mr. Woore's labors in reference to railway communication in this Colony had great influence in promoting that great object? There is no doubt of it—that he was the first person having any claim to scientific knowledge that put on paper any thing tending to show what was the actual state of the country we would have to pass over, and the practicability of carrying a railway through it, which no body before Mr. Woore had done. Before this we were all in the dark, and Mr. Woore's attainments as a surveyor enabled him to put on paper what were the nature of the difficulties to be overcome.
24. You are aware that Mr. Woore undertook a survey of the whole country, to test the practicability of the thing? Yes—between Sydney and Goulburn.
25. I suppose he occupied a great deal of time in doing that? No doubt.
26. And he received no remuneration, except the expenses he was put to? I believe that is the case.
27. These were the terms, and these were the general opinions as expressed here in the extracts I have read of the services of Mr. Woore? Yes; I have no doubt of it.
28. By Mr. Macarthur: You do not remember whether Mr. Woore surveyed the County of Cumberland generally in any other direction between Windsor and Penrith? No.
29. I am aware the reason your succeeding surveyor made very little use of Mr. Woore's plan was because Mr. Woore went to the northward to the Oaks? If I remember rightly, his line was carried more to the Oaks.
30. The western line? It was afterwards determined that that was not the line to take, therefore the survey through the County of Cumberland was entirely dropped.
31. You do not remember whether Mr. Woore made a survey from Windsor to South Creek—I ask the question, because you limited his surveys to Goulburn? I know he took some experimentary surveys. My impression is, that he confined himself to the southern line.
32. Mr. Shields was employed by the Company of which you were a Director? Yes; by the Directors soon after the Company was formed, and the Directors elected Mr. Shields, who was appointed surveyor.
33. By Mr. George Macleay: And the line adopted by the Company from Sydney in the direction of Parramatta, so far as it went, was laid out by Mr. Shields? Yes.
34. Did Mr. Shields, do you remember, propose to take Mr. Woore's line, or a different line southward in the direction of Goulburn? I have a general recollection that Mr. Shields displayed a feeling—which one surveyor who succeeds another generally feels—to phoo phoo all that was done before him. I have seen that feeling in several instances displayed by professional men.
35. By Mr. Macarthur: He treated his predecessor as he was treated by his successors? Yes.
36. There was another line surveyed by Mr. Shone? Yes; he was employed by Sir Thomas Mitchell, and was placed at the service of the Company for 15 months, and he gave a great deal of valuable information, inasmuch as he showed the impracticability of doing what Sir Thomas Mitchell was anxious to have done. It was just as important to show that it could not be done as that it could. I don't think Mr. Shone had anything to do with the line as it exists, beyond warning us of the dangers of the line by the eastward.
37. There were great difficulties by Sir Thomas Mitchell's proposal? Yes, at a place called the Pheasant's Nest.
38. It was very difficult to get over? Yes.
39. By the Chairman: Do you know if any tenders from any competent persons were received in answer to the advertisements published? I only know by report. I know there were some tenders, but I cannot say whether they were from competent persons. I was not on the committee then. I don't know who the parties were.

C. Kemp.
Esq.
2 Nov., 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

ELECTRIC TELEGRAPH.

(REGULATIONS FOR THE MANAGEMENT OF.)

Ordered by the Legislative Assembly to be Printed, 31 March, 1858.

NEW SOUTH WALES ELECTRIC TELEGRAPH.

Offices open from 9 a.m. to 6 p.m. daily, Sundays excepted.

REGULATIONS.

1. Messages must be written with ink, in a clear and legible manner, on the forms provided for that purpose, and must bear a proper date and address; the signature of the sender, in each case, being required in authentication of his Message, and as subscribing to the conditions imposed. Persons bringing Messages written on plain paper will be required to copy the same on the proper official form; or, should any person bringing such Message be unable to write, the Clerk will copy the Message on the official form, and, after reading it to the bearer of the Message, will obtain his or her signature or mark to the said copy. The original will, in all cases, be kept; but the Government will hold itself free from responsibility with respect to the correctness of such copy.

2. As a general rule, all Messages are to be prepaid; but, in cases of emergency or distress, persons may be allowed to send Messages to be paid for by the receiver.

3. RATE OF CHARGES:—*Between Sydney and the South Head*—The charge for Messages not exceeding ten words will be One Shilling and Sixpence, and for every ten words, or portion of ten words additional, One Shilling. *Between Sydney and Liverpool*—Not exceeding ten words, Two Shillings, and for each ten words, or portion of ten words additional, One Shilling. Messages for the Press will be charged at the rate of 1d. per word. *Between the South Head and Liverpool*—Not exceeding ten words, Two Shillings and Sixpence, and for each ten words, or portion of ten words additional, One Shilling. The above charges include delivery within one mile from the office; over that distance, portage or cab hire will be charged, and boat hire on Messages to be delivered on ship board.

4. Where an immediate reply to a Message is required, the sender of such Message is requested to append the word "Reply." The messenger charged with the delivery of the Message will then be directed to wait ten minutes for the Reply, in order to facilitate its transmission to the sender of the Message.

5. Messages can be transmitted in cypher, at 50 $\frac{2}{3}$ cent. above the ordinary rate of charges. Cypher words must not consist of more than three syllables.

6. In order to provide against mistakes in the transmission of Messages by the Electric Telegraph, every Message of consequence ought to be REPEATED, by being sent back from the Station at which it is to be received to the Station from which it is originally sent. Half the usual price for transmission will be charged for repeating the Message. The Government will not be responsible for mistakes in the transmission of unrepeatd Messages, from whatever cause they may arise; nor will the Government be responsible for mistakes in the transmission of a repeated Message, nor for any delay in the transmission or delivery, nor for non-transmission or non-delivery of any Message, whether repeated or unrepeatd, to any extent above £5.

7. Except in cases of emergency, illness, &c., or Messages on the service of the State, Messages will be transmitted in the order in which they are received, and all Messages will be held strictly confidential.

8. If, from any circumstances, a Message is not sent within one hour after being received, the Clerk is instructed to give the person sending the Message information of the fact, with the reason of the delay; it will then be optional with the person to withdraw such Message, and receive back the amount paid.

9. No application for copies of Messages, after delivery, will be entertained, unless at the request of the person to whom the Message is addressed; and, in all cases, the Superintendent will require satisfactory reasons for the application.

10. Duplicates of Messages will be kept in the strict charge of the Superintendent for the space of TWO YEARS, after which they will be burned in the presence of the Superintendent.

B. H. MARTINDALE,
Superintendent.

1858.

Legislative Assembly.
NEW SOUTH WALES.

ELECTRIC TELEGRAPH.

(REPORT UPON LINES TO BATHURST AND THE HUNTER.)

Ordered by the Legislative Assembly to be Printed, 13 August, 1858.

REPORT from CAPTAIN MARTINDALE, R.E., Superintendent of the Electric Telegraph,
on the Construction of Lines of Telegraph to Bathurst and the Hunter.

*Department of Internal Communications,
Sydney, 13 August, 1858.*

SIR,

In reply to your letter of the 25th June last, requesting me to report the estimated cost of establishing telegraphic communication between Sydney and Bathurst and Sydney and the Hunter, the routes which the lines should follow, and the stations to be established, I have the honor to report:—

1st. The line to Bathurst should be constructed along that of the proposed railway to Penrith, and thence follow generally the direction of the main road to Bathurst.

The length of the line would be about 107 miles; the estimated cost £10,500: the stations might be at Parramatta, Penrith, Bowenfels, and Bathurst.

2nd. The line to the Hunter should leave the southern and western lines at Parramatta, and follow the main road to Windsor, thence to Wiseman's Ferry; and *via* Wollombi to Maitland, and from Maitland along the line of railway to Newcastle, and the proposed extension to Singleton.

The length of the line as far as Newcastle would be about 142 miles; the estimated cost £13,000: the stations might be at Parramatta, Wollombi, West Maitland, and Newcastle.

The additional length of line from Maitland to Singleton would be 28 miles, and would require an additional sum of about £3,000, which may be taken as a separate vote.

The terminus on the Hunter should be Newcastle. I have not been over this country myself, but I have put myself in communication with persons well acquainted with this part of the Colony, and, from the information they have been good enough to give me, I recommend this route.

It will be observed that I propose to take the line by way of Windsor to Wiseman's Ferry, in place of by the direct road: the distance will be thus increased by about 5 miles, but the trifling additional expenses thus incurred will be, I conceive, amply repaid by placing in telegraphic communication with Sydney so important a neighbourhood as that of Windsor, at as early a period as practicable.

I have, &c.,

B. H. MARTINDALE.

THE HONORABLE
THE SECRETARY FOR
LANDS AND PUBLIC WORKS.

1858.

Legislative Assembly.

NEW SOUTH WALES.

ELECTRIC TELEGRAPHS.

(PROGRESS AND PRESENT STATE OF IN THE COLONIES.)

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 16 April, 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House,—

“ A Return compiled from the latest official information,
 “ shewing the progress and present state of the Electric
 “ Telegraphs in the Colonies of New South Wales, Victoria,
 “ South Australia, and Tasmania, and the probable date
 “ when the chain of Telegraphic Communication between
 “ the Cities of Sydney, Melbourne, Adelaide, Launceston,
 “ and Hobart Town will be completed.”

(*Mr. Parkes.*)

ELECTRIC TELEGRAPHS.

EXTRACT from the Second Report to the Honorable the Secretary for Lands and Public Works, on the Internal Communications of New South Wales, by Captain Martindale, R. E., &c., &c., &c.

THE ELECTRIC TELEGRAPH.

In reporting, for the first time, upon this branch of my Department, it will be interesting briefly to trace the rise and progress of the Electric Telegraph, not only in New South Wales but in Australia generally, so far as I possess information upon it at present.

THE VICTORIA TELEGRAPH.

The Colony of Victoria took the lead in this great inter-colonial work, the construction of a line of Electric Telegraph to connect Melbourne with Williamstown having been directed as far back as the 10th November, 1853, completed in February, 1854, and publicly opened on the 3rd March, 1854, although, pending the introduction of the Electric Telegraph Act, 17 Victoria, No. 22, no charge was made for the transmission of messages by the public until the 1st May following.*

In September, 1854, an extension of the line was commenced, and on the 5th December following, communication with Geelong was established, and the line from Geelong to the Heads having been in progress simultaneously, communication with Queenscliff was opened on the 30th of January, 1855. A branch line from Melbourne to Sandridge was also completed and placed in operation on the 1st July, 1855, so that at this period there were in operation 72 miles of line as follows:—

Melbourne to Geelong via Williamstown	50 miles
Geelong to Queenscliff.....	20 "
Melbourne to Sandridge	2 "
Total.....	72†

In the month of November, 1855, it was decided to extend lines respectively from Geelong to Ballarat, and from Melbourne to Sandhurst via Castlemaine. The work was commenced early in May, and the line between Geelong and Ballarat, a distance of 58 miles, was permanently opened on the 14th December, 1856, and communication over the line from Melbourne to Sandhurst tested on the 20th of the same month, the distance being 125 miles.

In the year 1856, also, the Governments of Victoria and Tasmania entered into a correspondence relative to the establishment of a submarine telegraph between the two Colonies at their joint expense, the cost of the portion from Tasmania to Cape Otway to be divided equally, and a branch line from Queenscliff or Warrnambool to Cape Otway to be made at the expense of Victoria.

The submarine portion of the line was carefully surveyed by Mr. McGowan in the months of October and November, 1857, and it has been decided the line should leave Victoria at Parker Cove, Cape Otway, and be laid down to a sandy cove in King's Island, named Victoria Cove. From thence it is to be carried across the island to Sea Elephant Bay, and from this point to the north-western bight of Hunter or Barren Island, passing about three quarters of a mile north of Albatross Island; from the north the line passes to a cove on the south side of Hunter Island, nearly opposite the lower end of Stack Island, and thence to a high sand patch about a mile to the westward, and two miles from Cape Grim, in Tasmania.‡

* Report of Mr. S. W. McGowan, Superintendent of the Electric Telegraph in Victoria, dated 31 December, 1856.

† The cost of constructing these lines and stations, the latter being on a permanent scale, was £17,600. In May, 1856, the monthly charges were £360. and monthly receipts about £450.

‡ The particulars of the distances, and the length of submarine cable and land line which it will be necessary to provide, are as follows:—

PLACES.	Actual Distance.	Length of Cable recommended.
	Miles.	Miles.
Cape Otway to Victoria Cove, King's Island	49	56
Victoria Cove to Sea Elephant Bay (land line)	18	..
Sea Elephant Bay to North-west Bight, Hunter Island	48	55
North-west Bight to South Cove (land line)	8	..
South Cove to Tasmania	44	6
Total.....	127‡	117

The cable suggested by Mr. McGowan is a single copper wire cable, the wire of number 16 gauge, the cable to weigh not less than one ton to the mile; the extreme cost of the entire line was estimated at £33,000 in 1856.*

The effect of this line, when carried out, will be to place Hobart Town in instantaneous communication with Adelaide and Sydney, *via* Melbourne, as soon as the inter-colonial lines in progress are completed.

A contract for the portion from Cape Otway to Cape Grim was made on the 7th instant; the date fixed for completion being the 1st May, 1859, and the cost £25,000.

In the course of the year 1857, the telegraphic lines to the western and north-eastern boundaries of Victoria have also been completed; the line *via* Ballarat, Fiery Creek, Hexham, Warrnambool, and Portland, to the South Australian boundary, having been completed on the 29th December, 1857; and that to the River Murray opposite Albury, *via* Sandhurst, Kilmore, Longwood, Benalla, Wangaratta, Beechworth, and Belvoir, on the 5th of the same month. The distance from Ballarat to Portland being 230 miles; and from Melbourne to Portland, 338 miles; and from Melbourne to the River Murray, 250 miles.

The lines contemplated for construction during the year 1858 are an extension from Raglan (Fiery Creek) to Ararat; Castlemaine to Ballarat, embracing, *en route*, Maryborough, Dunolly, Creswick, &c.; Sandhurst to Echuca, on the River Murray; and the line, already alluded to, now fixed from Geelong to Cape Otway to meet the submarine line to Tasmania.

Such have been, up to the present time, the exertions of Victoria to establish inter-colonial telegraphic communications; and one cannot but admire the ability and energy with which they have been carried on.

The system of construction is extremely simple, and in accordance with that pursued in America.

The posts used are saplings of blue gum, red gum, white gum, stringy-bark, and iron-bark, except between Melbourne and Sandridge, the posts there being of Baltic deal.

The measurement of each sapling is usually twenty-five feet in length by nine inches square at the base, tapered to five inches at the top; the base of the post is thoroughly charred and tarred for five feet six inches in height, and is buried five feet in the ground, the holes being bored by earth augers. There are thirty posts to each mile.

The insulators are "bell pattern," of the best quality, of hard baked and highly glazed earthenware.

A single conducting wire of number 6 galvanized iron is found sufficient to meet all the ordinary requirements of traffic.

The cost of the lines has varied considerably,—the first, between Melbourne and Williamstown having been contracted for at £193 15s. per mile; the second, between Williamstown and Queenscliff, at £115 15s. From Geelong to Ballarat the line cost £82, and from Melbourne to Sandhurst £73 per mile; the extensions from Ballarat to the South Australian frontier, and from Melbourne to the Murray, on the New South Wales boundary, having cost respectively £65 10s. and £59 15s. per mile.

The system adopted in working is the Morse, the instrument used being Morse's Recording Telegraph, usually in the single acting form; the double acting Morse instruments, manufactured by Siemens and Halske, of Berlin, being used at important terminal stations.† The battery employed is a Groves Battery, or Chester's patent.

The offices are kept open for the transmission of messages by the public generally from 8.30 a.m. until 8 p.m. The regulations for the transmission of telegrams are of the usual nature.

I understand that the Head Office at Melbourne is kept open all night.

In Table 28 will be found a record of the working of the lines, interesting especially as shewing the rapid increase in the number of messages sent, and consequently in the revenue.

The net receipts for the year 1857, including £1,671 8s. 8d. as the value of despatches on the public service, were £3,531 18s. 2d., affording interest at the rate of nine per cent per annum on £40,000, the round cost of establishing the line,—but Mr. McGowan anticipates, that if office accommodation easy of access were provided at Melbourne, the revenue of that station would receive a marked addition.

SOUTH AUSTRALIAN LINES.

The construction of the Adelaide City, Port, and sea-coast line was commenced in December, 1855, opened to the Port on the 18th February, 1856, and to Le Ferre's Peninsula early in the following month. Between Adelaide and the Port the line is over ground; there are thirty-two posts to the mile, and four wires; the insulators are inverted cones of white porcelain. In the streets of Adelaide a six wire cable is laid under ground in divided iron pipes, and the same has been done at the Port, and across Le Ferre's Peninsula; seven hundred yards of a six wire submarine cable being laid under the creek.

The cost of the line, including the erection of stations, was about £3,024, or £600 per mile under ground, and £228 per mile over ground.

The erection of the line to Gawler Town was commenced in January, 1857, and opened to the public on the 14th of April, 1857.

* Shortland's Bluff to Cape Otway, say 150 miles, at £60.....	9,000
Cape Otway to Cape Grim, at £100.....	15,000
Cape Grim to George Town, at £60	9,000
Total.....	£33,000

† The chief novelty of this instrument consists in its double action, by means of which a message can be transmitted and received by the same instrument at the same moment.

The length of this line is twenty-eight and a-half miles; there are two wires, about twenty-seven posts to the mile, between sixteen and seventeen feet in length along the line of Railway, and twenty-two feet at all level crossings. The cost of the line, exclusive of the Gawler Town station, was £1,576, or £55 5s. 11d. per mile.

The estimated receipts, including £500 for messages on public service, are £1,700 for the year 1857; the expenditure, £1,232; the net receipts, £468.

The number of messages sent is remarkable, being 30,870 for sixteen months, from the 18th February, 1856, to the 30th June, 1857, as compared with 29,284, the number sent during thirty-three months, ending December, 1856, on the Victorian lines.*

In April, 1856, the Governments of South Australia and Victoria entered into communication relative to the establishment of an inter-colonial line of telegraph; and in July of the same year, Mr. Charles Todd, Superintendent of Telegraphs in South Australia, proceeded to Melbourne for the purpose of procuring information to facilitate the execution of the desired object; by whom and Mr. McGowan a joint Report was presented to their respective Governments, dated 25th August, 1856.

This Report, after alluding to the importance of connecting New South Wales with the general system, recommended, among other things, that:—

Each Government should erect the line of telegraph within its own territory, and carry it to a common point on the boundary.

The same description of instrument should be used throughout the Colonies; and the code, regulations, and arrangements be as nearly as possible identical.

There should be an equal division of receipts, derived from all *inter-colonial* messages, between what stations soever they may pass.

These suggestions received the general assent of the two Governments.

Mr. Todd, in returning to Adelaide overland, made a careful survey of the country from Portland, and recommended the following as the route for the line to follow:—

"From Adelaide, by the south road, over Tapley's Hill, through Noarlunga and Willunga to Middleton; thence along the tramway to Port Elliot, and back by the tramway to Goolwa; from Goolwa across to Hindmarsh and Mundoo Islands to Pelican Point, crossing the channels by a single wire submarine cable; and thence along the Coorong to fourteen miles beyond the Salt Creek, or near the Chinamen's Wells; thence to Mount Benson, along the edge of a flat; through Robe Country to Robe Town; from Robe Town towards Mount Muirhead, till about twenty-two or twenty-five miles from Guichen Bay, when it should turn in the direction of Mount Gambier, and from Mount Gambier by the road to the punt near the mouth of the Glenelg,—the distance being about 325 miles."

The Legislature approved of the route recommended, and voted in February, 1857, the sum of £20,500 to erect the line; and a contract was entered into for its construction for £40 a mile, the Government finding wire and fittings, and the estimated expense, excluding buildings, but including instruments, batteries, and station stores, being £60 per mile.

In this is included ten miles of submarine cable, at £80 per mile, laid under the Goolwa Channel, and Lake Alexandrina. The cable weighs only 17 cwt. to the mile, the core consisting of seven copper wires, (No. 18), forming one conductor, well insulated by a thick coating of gutta percha, and the whole protected by 18 strands of (No. 16) iron wire.

The system of construction, the instruments and materials used, and the general arrangements for working, are closely assimilated to those of Victoria. The posts are, however, only 22 feet long in place of 25; a large extent of the country traversed being destitute of serviceable timber.

This line is intended to be opened on the 1st proximo; and it must be very satisfactory to those who by their efforts and cordial co-operation have contributed so materially to its success, to see inter-colonial communication so rapidly advancing.

THE TASMANIAN LINES.

I have not received any official report upon the lines that are being constructed in Tasmania, and am therefore indebted to the reports of Messrs. McGowan and Todd, and to the statements of the daily press, for the scanty information I can at present submit.

I learn, however, that in July, 1856, Mr. Champ, then the Honorable the Colonial Secretary in Tasmania, visited Melbourne for the purpose of inspecting the Electric Telegraph, prior to its introduction into Tasmania, and that, on his return, a line from Georgetown to Mount Lewis was commenced.

In September of the same year a correspondence was opened between the Government of Tasmania and that of Victoria, relative to the establishment of telegraphic inter-communication, the result of which has been the undertaking of the submarine line from Cape Otway to Cape Grim, which I have already detailed in my sketch of the Victoria lines.

This line will be in connexion with that to Hobart Town *via* Circular Head, Georgetown, and Launceston.

I am under the impression that the line, or a portion of the line, between Georgetown, Launceston, and Hobart Town, is now in operation.

The distance between Melbourne and Hobart Town is 682 miles by telegraph, the estimated cost of the line being £45,000.†

WESTERN AUSTRALIA.

I have no information respecting the construction of telegraphic lines in this portion of Australia.

NEW SOUTH WALES LINES.

While the construction of lines was commenced in Victoria as far back as the end of 1853, and in South Australia at the end of 1855, no contract was made for their construction

* Report of Mr. Charles Todd, Observer and Superintendent of Telegraphs, South Australia.

† Reports of Messrs. McGowan and Todd, and "Correspondence relative to the Establishment of Electro-Telegraphic Communication between the Australian Colonies." Victoria, 1856.

in this Colony till the middle of May, 1857; it is not therefore surprising that telegraphic communication should be less advanced here than in the sister Colonies.

As far back, however, as the end of March, 1854, an Estimate of the cost of constructing a line ten miles in length was ordered and sent in to the Government. The estimate amounted to £200 a mile.*

Towards the end of 1855 (November), the attention of the Government appears to have been again turned to this subject,—a Report from Mr. McGowan, of the probable cost of constructing a line between Melbourne and Sydney having been laid before it.†

In August, 1856, a further communication was made to the Government on this subject‡

In September of the same year, the Chief Secretary, Melbourne, addressed the Colonial Secretary, Sydney, requesting to be informed whether, in the event of the Electric Telegraph being extended to the Victoria side of the river Murray, the Government of New South Wales would undertake to construct a line from Sydney to connect with it.

A Select Committee of the Legislative Assembly§ was appointed on the 31st October, to consider and report upon the subject of the introduction into New South Wales of the Electric Telegraph. The Committee recommended, on the 18th December,—

“That immediate steps be taken, in concert with the Government of Victoria, to connect the Cities of Sydney and Melbourne by Electric Telegraph.

“That a sum not exceeding £38,000 be placed on the Estimates for 1857 for that purpose.”

The Committee recommend also the connexion, at an early period, of the town of Bathurst with the metropolis by Electric Telegraph.

The sum of £38,000 was accordingly placed upon the Estimates for 1857.

A contract was entered into for the construction of the line from Liverpool to Albury, on the 11th of May last, tenders having been called for by public competition.

The result appears to afford another proof of the inadequacy of the system of tender by public competition to provide efficiently for the execution of large public works, especially in a new country.

I was not in the Colony at the time, but I am aware that every pains were taken to ascertain the competency of the contractor and his sureties, to whom, as being the lowest tender, the work was given.

At the same time the Government undertook the construction themselves of the line along the Railway to Liverpool.

It soon became apparent that the contractor was incompetent to perform the work he had undertaken, and, after allowing full time to give him a fair trial, the Government terminated the contract on the 12th October, on the only clause giving the power—that of unnecessary delay.

Negotiations were at once entered into, with the view of avoiding delay, with parties competent to execute the work; the Government considered the terms asked too high, and tenders were again called for by public competition.

The usual delays inevitably attendant upon this system of carrying on public works occurred, and, although the tender of the present contractor was provisionally accepted on the 12th November, it was not until the 18th January last the bond was signed.

The line between Berrima and Picton was completed on the 1st instant, a distance of thirty-three miles; since then the progress of the work has been more satisfactory; and the line will be ready to be opened to Goulburn about the 1st proximo; but I cannot anticipate that the line will now be completed in the time specified without the most strenuous exertions on the part of the contractor.

The price of the present contract is £57 per mile, without instruments or buildings; that of the original contract having been £49 14s. 6d.

In the meantime considerable difficulty had been experienced relative to the line between Liverpool and Picton, a distance of thirty-three miles.

When the first contract was terminated, the works were very incomplete upon this portion, and immediately upon its termination several parties waited upon me to state that they had not been paid, either for materials or labor; some of these were apparently laboring men.

It was evident that these parties had no legal claim upon the State, but the Government were very desirous that they should, if practicable, be paid.

I am happy to state that, after a delay of many months, this has been effected, and the claims sent in, up to the time of the signing of a new bond, have been paid.

The arrangement under which this was effected was the making of a second contract with the original contractor, for the completion of the line from Picton to Liverpool, on condition that the sub-contractors, under the original contract, should be paid their several claims.

This contract was made on the 25th February, 1858, and the work completed on the 18th March last, the price paid being £1 per mile less than that first agreed upon, the Government taking the maintenance of the line at once into their own hands.

It is due to the sureties of this second contract to state that it was efficiently carried out.

The line between Sydney and Liverpool, 22 miles, was completed in the early part of October last, but was not then opened.

On the 27th of the same month a line to connect Sydney with the South Head was, by order of the Government, commenced, and was completed early in the following January, at a cost of £657 6s. 8d., or about £91 per mile, including instruments and station fittings.

* By Captain Mann, C.E., letter dated 29 March, 1854.

† By Captain Towns, letter dated 1 November, 1855.

‡ By Mr. Samuel, letter dated 12 August, 1856.

Mr. Parkes, Chairman.

The cost of this line was increased by most of the holes having to be put down in rock for the posts, and by additional labor in coming through the City.

Detailed statements of the Telegraph Accounts to the 31st December, 1857, will be found in the Appendix, Table 27.

Arrangements having been made with the Directors of the Exchange Company for the use of two excellent rooms in the Exchange as a head office for the present, at a nominal rent, an instrument was placed there, and the Liverpool and South Head lines connected with it, instruments being at the same time set up at those stations.

These instruments were Siemen and Halske's recording instruments, there being no single acting Morse instruments to be obtained. They will be found very useful, especially hereafter as the lines extend.

On the 26th January last, the Liverpool and South Head lines were formally opened by His Excellency the Governor General, and on the following day for general use, and they have worked satisfactorily to the present time.*

As soon as the line to Goulburn is opened the Colony will possess the power of instantaneous communication over 130 miles.

The inhabitants of Albury having, at their own cost, continued the Victoria line to Albury, applied to the Government to have a station opened; and the necessary arrangements having been made, the Albury Station was connected with Belvoir on the 9th instant, and opened for public business. The temporary station in use has been erected and fitted at the expense of one of the inhabitants.†

I shall have the honor of immediately submitting, for the consideration of the Government, the terms upon which Mr. McGowan, (with whom I have been in communication upon the subject), proposes the accounts for inter-colonial messages should be arranged.

On the 15th March last the Government directed lines to be constructed to connect the Signal Station at Fort Phillip, the Port Office, and Post Office, and the Railway Office, with the South Head and the Albury lines, at a cost not exceeding £200, including instruments and batteries.

These extensions were completed on the 31st of the same month.‡ and they will ultimately effect a saving of labor, as messengers will no longer be required for the purpose of delivering shipping intelligence between the Harbour Office, Post Office, and Signal Station. The advantage to the Railway Department in meeting the wants, and ensuring the safety of the public using the rail, will be very great; and the more so as single lines extend. Indeed, it is barely safe to work a long single line of Railway without the security afforded by the telegraph.

Arrangements have been made by which messages can be transmitted between the Exchange and the South Head at any hour of the day or night, and the office will immediately be opened for night duty.

In order to form an economical staff of operators, who may at the same time be depended upon, young lads are being paid the nominal wages of 2s. 6d. per week, and trained up to a knowledge of telegraphy. Three are, already, fairly expert operators. I am informed this has given rise to some misconceptions as to the number of persons employed at the Exchange, but the system will be found advantageous to the public in whatever light it is viewed.

It will be necessary to take early measures to construct, or obtain, suitable buildings for stations up the country.

The construction of the New South Wales lines is similar to that of Victoria and South Australia; the instruments and batteries used are the same; and it is proposed to assimilate all the arrangements, as far as possible, to those of the sister Colonies.

The posts are sound saplings, twenty-three feet in length, nine inches at the base, and seven or eight inches at the top. They are of box, iron-bark, or stringy-bark, tarred and charred for five feet up from the butt, and the top bound with hoop-iron. They carry a single wire (No. 6, galvanized,) which is insulated from the posts by a brown earthenware insulator, of the umbrella shape, fixed on the top of the posts by a wooden, or, in some cases, iron pin, and secured by a mixture of resin, shellac, and Venice turpentine,—the wire being bound to the insulator at each point by a binding-wire (No. 16), and very perfect insulation appears to be maintained. The instruments used are Morse's Recording Instruments, and the batteries are Chester's Patent; and a sulphate of copper local battery is also being tried. The Offices are open from 9 A.M. to 6 P.M., daily, Sundays excepted, and messages can be sent at any hour of the day or night between the Exchange and the South Head.

When the line is opened through to Melbourne it may be anticipated the Electric Telegraph will be a reproductive work. Mr McGowan, as I have already stated, is of opinion the Victoria lines will pay more than nine per cent.

I submit for the consideration of the Government, the importance of early extensions, at least, to Bathurst and Newcastle; the latter would, among more important matters, greatly facilitate the effective supervision of the Northern Railway.

The Government are aware of the immense importance of telegraphic communication with England *via* India.

The prosperity of the Colony, and its unity as a State, are inseparable from improvement in the existing condition of Internal Communication, whether Railways, Roads, or the Electric Telegraph be considered.

I have, &c.,

B. H. MARTINDALE.

* These lines were constructed, and the instruments set up, under the immediate superintendence of Mr. Lax, now operating Clerk at Albury.

† Mr. Nichols

‡ The assistance the Government have afforded me, by the appointment of Mr. Cracknell as Assistant Superintendent of Electric Telegraphs, permitted this service to be thus rapidly and efficiently performed.

RETURN shewing the Progress and Present State of Electric Telegraphs in the Colonies of Victoria, South Australia, and New South Wales, up to July 31, 1858.

COLONY.	LINE.	LENGTH.	WHEN COMMENCED.	WHETHER COMPLETED OR IN PROGRESS.	COST.	REMARKS.
					£ s. d.	
Victoria	Melbourne to Williamstown	4	November 10, 1853	Completed, February, 1854	775 0 0	
Do.	Williamstown to Geelong	46	September, 1854	Completed, December 5, 1854	5,324 10 0	
Extension from						
Do.	Geelong to Queenscliffe	20	September, 1854	Completed, January 30, 1855	2,315 0 0	
Do.	Melbourne to Sandridge	2		Completed, July 1, 1855		
Do.	Geelong to Ballarat	58	May, 1856	Completed, December 14, 1856	4,756 0 0	
Do.	Melbourne to Sandhurst	125	May, 1856	Completed, December 20, 1856	9,125 0 0	
Do.	Ballarat to Portland and South Australian Boundary	230	1857	Completed, December 29, 1857	15,065 0 0	
Do.	Melbourne to Belvoir	250		Completed, December 5, 1857	14,937 10 0	
Do.	Castlemaine to Ballarat			In progress		
Do.	Queenscliffe to Cape Otway			Progress		{ To connect Tasmanian lines by submarine cable via King's Island to Cape Grim.
South Australia	Adelaide to Portland and Le Fevre's Peninsula	10	December, 1855	Completed to Port Adelaide, February 18, 1856, Le Fevre's Peninsula, March, 1856	3,024 0 0	
Do.	Adelaide to Gawler Town	28	January, 1857	Completed, April 14, 1857	1,576 0 0	
Do.	Adelaide to Victorian Boundary	300	May, 1857	Completed, June, 1858	20,500 0 0	
New South Wales	Sydney to Liverpool	22	June 1, 1857	Completed, October 1857, and opened January 26, 1858		
Do.	Sydney to South Head	7	October 27, 1857	Opened, January 26, 1858	657 6 8	
Do.	Liverpool to Pictou	32	May, 1857	Completed, March 18, 1858		
Do.	Pictou to Albury	330	January, 17, 1858	In progress		{ Opened to Goulburn, 17 May, 1858; completed to Yass, June, 1858; probable date for completion to Albury, October 15, 1858.
Do.	To connect Signal Station, Port Office, Post Office, and Railway Station	2	March 15, 1858	Completed, 31 March, 1858	198 4 8	
Tasmania	Launceston to Hobart Town	120				
Do.	Georgetown to Launceston	40				
Do.	Georgetown to Cape Grim					{ To connect the Victorian lines by submarine cable via King's Island to Cape Otway; submarine cable to be completed, 1 May, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

SUBMARINE ELECTRIC TELEGRAPH.

(PETITION FOR FORMATION OF BETWEEN GREAT BRITAIN AND AUSTRALIA.)

Ordered by the Legislative Assembly to be Printed, 18 May, 1858.

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

The Petition of the undersigned, George Bowness Carr, John Alexander Mainley Pinniger, John Wortley de la More, and Henry Masterman, of London, Esquires,—

SHEWETH:—

That your Petitioners are the promoters of a public company having for its object to establish a direct independent Line of Submarine Electric Telegraph between Great Britain and Her Majesty's Australasian Colonies.

They propose to lay down along the eastern coast of Australia such Electric Submarine Telegraphs as will effect a communication *via* Torres Straits between some point on the line of Electric Telegraphs of the Honorable East India Company, or other Electric Telegraphs in, or intended to be brought into, communication with Great Britain or the Continent of Europe and the Australasian Colonies, by which means these Colonies will, on the completion of Telegraphic Lines already in operation or projected, have direct communication by Telegraph with Europe, Great Britain, and America.

The Company will take power to lay down such branches and connecting Lines as may be thought advisable.

Your Petitioners, who are actively engaged, under the sanction of Her Majesty's Government, in carrying out other important undertakings of a similar character, have secured the co-operation of an eminent firm engaged in the business of manufacturing submarine cables, who are ready to undertake the contract for the construction and laying down of the Australian Lines of Submarine Telegraph on favorable terms.

It is intended that the Company shall be incorporated either under the English Joint Stock Companies Act, 1856, or by special Act of the Legislature.

Your Petitioners are desirous of obtaining from the Legislature of this Colony powers to lay down and work their telegraphs to and upon the coast of this Colony, and such other special and exclusive privileges and advantages as the Legislature may consider beneficial to the Company and be willing to accord.

Provided the application of your Petitioners be granted, the undertaking will be completed before or in the course of the year one thousand eight hundred and sixty-two.

A proportion of the capital of the proposed Company will be reserved for allotment in Australia, together with a proportion of seats in the direction of the Company to be filled by gentlemen connected with Australia and resident in England, or in the Colonies, as may be deemed expedient; it is also intended to constitute a Colonial Council.

As it is essential, for the purpose of raising the requisite capital for this great undertaking, that the inducement of a minimum guaranteed interest should be offered to the public, your Petitioners venture to hope that the Government of this Colony alone, or in conjunction with the Imperial and other Colonial Governments, will be willing to enter into an arrangement for securing this object, such as agreeing, upon security being given for the completion of the undertaking, to pay a fixed rate of interest, being not less than six per cent., on the outlay during construction, and to guarantee the same for a fixed period after its completion.

The Company will, in such event, be prepared to place Colonial Government Messages upon the same footing of preference as Imperial Government Messages, and to charge for such messages the same rates as may be demanded for ordinary public or private messages; it being understood that if the Imperial or Colonial Government Messages in any year shall, at the usual tariff rate charged to the public, amount to a larger sum than the interest guaranteed by such Governments respectively, such additional payments shall be made as shall be equivalent thereto.

The Company will also consent that the Imperial and Colonial Governments shall fix the tariff of charges, which shall not be increased, without their joint consent, so long as the contract with such Governments respectively lasts. Each Colonial Government, in common with the Imperial Government, shall be at liberty to appoint an "ex officio" Director on the Board of Directors, to watch their joint interests, and, if they shall so desire, to have agents of their own at any of the stations along the line, to superintend the receipt and transmission of their messages.

Your Petitioners feel that the advantages to be obtained for Great Britain and her most important Colonies by this undertaking are too obvious to need mention, whilst the success which has attended other undertakings of a similar nature carried out by your Petitioners in various parts of the world, leaves no reasonable doubt of the feasibility of that now proposed.

Your Petitioners humbly submit, that the undertaking is one in all respects worthy of the support and assistance of the Colonial Government; and

Your Petitioners therefore humbly pray, that you will be pleased to permit a Bill to be submitted to the Honorable the Legislative Assembly of the Colony of New South Wales, and will extend to it your favorable consideration.

And your Petitioners will ever pray.

G. B. CARR.
J. A. M. PINNIGER.
J. WORTLEY DE LA MORE.
H. MASTERMAN.

1858.

Legislative Assembly.

NEW SOUTH WALES.

SUBMARINE ELECTRIC TELEGRAPH.

(PETITION TO THE GOVERNOR OF NEW SOUTH WALES RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 23 November, 1858.

To the Honorable the Governor, the Government, and Legislature of New South Wales,—

Your Petitioners having individually and jointly been the inventors and pioneers of oceanic telegraphs, and through whose exertions nearly the whole of the oceanic telegraphs in Europe have been established, as well as that of the Atlantic Telegraph to America, embracing an aggregate capital of some millions sterling, connecting England and the Continent by substantial oceanic telegraph lines, *via* France and Belgium and the north of Europe, with about 1,200 miles of oceanic telegraph lines at present in successful operation in the Mediterranean, independent of some thousand miles of land telegraph in the United Kingdom and Ireland, all of which are in union and correspondence with the several telegraphic lines of Europe and America.

For evidence of a portion of the lines established by them, your Petitioners would refer to the accompanying volume, containing the prospectuses of some of these companies which have been successfully carried out through their exertions, and by which it will also be seen, at pages 33 to 35, your Petitioners have constantly had in view the desirability of incorporating the several local Governments of Australia in this important system of telegraphs, in accordance as much as possible of a general postal system, as set forth in the letter to the late Sir Robert Peel, at page 12, and are desirous, now the time has arrived for actual operation, to press upon the attention of your Honorable Legislature a new and distinct proposition, in the furtherance of their original appeals, as entitling them to your serious consideration:

Namely, that they are prepared at once to connect Australia with Ceylon on condition of a guarantee of 5 per cent. per annum on the necessary capital, either by Batavia, Singapore, or direct from Ceylon *via* Keeling's Island to Western Australia, as may be most approved by the united Government of Australia. But your Petitioners would submit that, as their original idea as well as their past experience have proved the benefits of uniting all points of commercial importance, as their lines in the Mediterranean will connect Egypt, Greece, Corfu, Malta, Sardinia, Austria, France, (and be the main route of the Indian and Australian Line,) and that their project further contemplated extensions to China *via* Borneo to Hong-Kong, &c., that a line touching at Batavia and Sumatra would be less costly and more valuable as uniting with these interests.

Your Petitioners would also state that, in addition to the several companies permanently established and acting in unison, as set forth in the accompanying volume, they are individually or severally engaged; first, under contracts and joint guarantees of the English and Austrian Governments in carrying out a substantial line of three telegraphic conductors between Ragusa, Corfu, and Alexandria for the object of these extensions, and that the land lines will be brought into connection with six substantial telegraph conductors between Germany, the north of Europe, (or *via* France, Belgium,) and England, as also for their several conductors of ten electric lines connected with the Atlantic Line, embracing united telegraph operations over an extent of 130,000 miles.

Your

SUBMARINE ELECTRIC TELEGRAPH.—PETITION.

Your Petitioners also anticipate, that should your united Governments of Australia accord their petition of a 5 per cent. guarantee on the principle of the $4\frac{1}{2}$ per cent guarantee accorded by Her Majesty's Government to the Red Sea Telegraph Company, that Her Majesty's Government will aid the enterprise with the assistance of ships, as in the Atlantic Telegraph, and thus a large sum be saved to the Colonial Government.

Your Petitioners are aware that other parties have put forward Petitions to the Colonial Government, both on behalf of your Petitioners, (and possibly independently,) but as the said parties have never had experience, or been instrumental in establishing any oceanic telegraphs to the present time, your Petitioners would desire to be understood as being independent of all such propositions, and as acting on their own peril and responsibility in engaging to complete this undertaking for the Governments of Australia, and will name a representative on their behalf to negotiate with the Colonial Government on their behalf.

We have the honor to remain,

Your humble and obedient servants,

JOHN W. BRETT,

Projector and Contractor.

J. R. CARMICHAEL,

Chairman of the Submarine Telegraph Company, and
Deputy Chairman of the British Magnetic and
Mediterranean Extension Telegraph Companies.

1858.

Legislative Assembly.
NEW SOUTH WALES.

INTERNAL COMMUNICATIONS.

SECOND REPORT

TO

The Honorable the Secretary for Lands and Public Works,

ON THE

INTERNAL COMMUNICATIONS OF NEW SOUTH WALES,

BY

CAPTAIN MARTINDALE, ROYAL ENGINEERS,
CHIEF COMMISSIONER FOR RAILWAYS, AND SUPERINTENDENT OF THE ELECTRIC TELEGRAPH,
As. Ins. C. E., &c., &c.



ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
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1858.

Legislative Assembly.

NEW SOUTH WALES.

INTERNAL COMMUNICATIONS OF NEW SOUTH WALES.

(REPORT FROM CHIEF COMMISSIONER FOR RAILWAYS, &c., &c.)

*Ordered by the Legislative Assembly to be Printed, 20 April, 1858.*SECOND REPORT TO THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,
BY CAPTAIN MARTINDALE, ROYAL ENGINEERS.*Railway Department,
Sydney, 17 April, 1858.*

SIR,

I have the honor to submit, for the consideration of the Government, my Second Report on the Railways, and other Public Works connected with the Internal Communications, of the Colony.

RAILWAYS.

It must be considered as a matter of the first consequence, that the Railways of New South Wales should become, as early as possible, self-supporting,* not only on account of the relief that would thus be afforded to the Consolidated Revenue of the country, but also from the impetus that would thus be given to further Extensions.

I have, therefore, carefully studied the past and present working of the existing lines, in order to ascertain whether any causes hinder their prosperity, and, if such exist, to suggest measures for removing them.

In the Tables contained in the Appendix to this Report will be found as complete details of the present Railways as the records of the Department will afford, and these furnish data for reasoning upon every point of importance connected with their present condition and future prospects.

Considerable difficulty was experienced, in the very commencement of the inquiry, in arriving at the exact cost of each line, owing to the charges for permanent way, rolling stock, and other materials procured from England, not having been kept separate for each line; but a careful and very laborious comparison of the accounts with original vouchers and papers has been made,† and the sums given in Table 1 may be relied upon as being as close an approximation to the expense of each length of Railway that has been made, as the records of the Department will afford.

The

* Mr. Locke, M.P., President of the Institution of Civil Engineers, in a most interesting paper read at the Institution in January last, speaks to the following effect on Railway Finance:—"He contended Railways should be so made as, while conferring a public benefit, to produce for their proprietors the benefits in expectation of which funds for their construction had been contributed. Public works would no longer be attempted where experience shewed that, instead of profit, ruin must ensue. Confidence would give way to distrust, capital would seek its harvest in other channels, and the cause of past disappointment would become the object of prejudice, which years of subsequent profit would not entirely eradicate. In every view, then, the successful financial result of the combination of science and capital was the important feature, and the due appreciation of this view concerned the Engineer no less than the Statesman or the Capitalist."

† By the Secretary of the Department, Mr. Rac.

The entire expenditure upon the Government Railways to the 31st December, 1857, was, therefore, £1,366,395 3s. 1d., of which sum there was spent—upon the Southern Line, £942,634 17s.; upon the Northern Line, £366,514 3s. 3d.; and for Stores in stock, on voyage, or by remittances to England, £57,246 2s. 10d.

Of the sum expended upon the Southern Line, £795,875 4s. 5d. is charged against the line from Sydney to Parramatta, £124,888 19s. 6d. against the line from Parramatta to Liverpool, and £21,870 13s. 1d. to the Campbelltown line; but of the first sum £58,649 1s. 11d. was spent for rolling Stock, £35,332 19s. 1d. upon the Darling Harbour Branch, (76 chains in length), £15,142 13s. 7d. for permanent way materials in store at the end of the year, and £19,057 0s. 1d. for stores for the general working of the line, the value of which is gradually repaid to capital by revenue as the stores are used. If these sums be deducted from the gross amount of £795,875 4s. 5d., the cost of the line from Sydney to Parramatta, 13½ miles in length, is £667,693 9s. 9d., or £49,458·7 per mile, for a double line throughout. In this amount is included the entire cost of the workshops, machinery, and store-houses at Sydney, the use of which is common to the whole of the lines, although the cost cannot be separated from that of the construction of the main line to Parramatta.

The cost per mile of the line from Parramatta to Liverpool, 8½ miles long, is £14,692·8, the line being single, with double-way works.

The average cost per mile of the whole line, including the Darling Harbour Branch, is £35,996·3. This amount is exclusive of any outstanding claims for land.

The gross receipts of the line between Sydney and Parramatta, from the 26th September, 1855, the date of opening, to the 1st September, 1856, when the extension to Liverpool was opened, were £23,589 12s. 4d., and the gross expenditure £17,317 2s. 4d., the proportion per cent. of expenditure to receipts being therefore 62·3, and the net receipts £10,772 10s., giving interest at the rate of 1·35 per cent. per annum on £851,612 19s., the capital invested up to the 31st December, 1856, in the construction of the Great Southern Line.*

From the opening of the Extension to Liverpool to the 31st December, 1856, the gross receipts were £12,928 14s. 10d.; the gross expenditure £9,930 1s.; the net receipts £2,998 13s. 10d.; the proportion of expenditure to receipts 76·8 per cent.; and the interest on £851,612 19s. was 35 per cent. on the four months, or at the rate of 1·05 per cent. per annum.

During the year 1857 the gross receipts were £38,935 2s. 2d.; the gross expenditure £28,386 12s. 5d., the net receipts £10,548 9s. 9d.; the proportion of expenditure to receipts 72·9 per cent., and the interest on £905,621 10s. 4d., the capital invested up to the 31st December, 1857, on the line to Liverpool, to 1·16 per cent. per annum.†

The details from which these results have been obtained will be found in Tables 1 and 4.

If the above statements represented the probable permanent condition of the Great Southern Railway, it would have to be considered as a failure in a financial point of view; such, however, is not the case.

The first quarter of the present year shews a marked improvement: the gross receipts for the three months ending the 31st ultimo have amounted to £12,379 0s. 7d.; the gross expenditure has been £7,626 6s. 7d.; the proportion of expenditure to receipts, 61·6 per cent.; the net receipts £4,752 14s., giving interest at the rate of 524 on the quarter, or 2·096 per cent. per annum on £905,621 10s. 4d.‡ as above.

Of the gross receipts in the last quarter, however, about £940 arose from traffic connected with the present extensions; and if, in order not to over-rate any improvement, the

* Of this sum about £100,000 was expended upon the Liverpool Line; if this be deducted the interest will be at the rate of 1·5 per cent. per annum.

† If to this sum be added £21,870 13s. 1d., expended upon the Campbelltown Line, and £15,142 13s. 7d. for permanent way materials in store, making £942,634 17s., and also £57,246 2s. 10d. for materials ordered from England, the rate of interest would be reduced to 1·05 per cent. per annum.

‡ Including the Great Northern Railway, the net receipts from all sources, for the nine months ending 31st December, 1857, were £9,868 16s. 7d., giving interest at the rate of 902 per cent. per annum on £1,366,395 3s. 1d., the total capital invested up to that date on Government Railways.

§ If to this sum be added the same amounts as before, the total will be £999,880 19s. 10d., and the rate of interest will be reduced to 1·9.

the proportionate per centage amount be deducted from the net receipts, the balance will be £4,451 14s. 10d., and the interest will amount to 1·96 per cent. per annum on the same sum, or, in round numbers, 2 per cent.*

It is, as a rule, hazardous to reason on the results of a short period of time; yet, as it appears that the increase in receipts arises mainly from a growing appreciation, on the part of the public, of the convenience of communication by Railway, and from the increased facilities † recent arrangements have afforded for using the Railway; and that the diminution in expenditure is caused by the retrenchments that experience enables the department to effect; it may be anticipated the improvement will be permanent.

Considerable as this improvement is, it is not sufficient, by any means, to render the Railway self-supporting, and the question arises whether any causes exist that hinder the prosperity of the Railway, and of the measures that should be adopted for their removal.

Three principal causes may be named :—

- 1st. The Situation of the Terminal Station at Sydney.
- 2nd. The Present Fares.
- 3rd. The Short Length of the Line.

THE STATION AT REDFERN.

In my first Report I alluded to the inconvenience to the public of the distance to the present terminus at Redfern, an inconvenience which unquestionably operates prejudicially upon the success of the Railway, and I drew attention to the construction of a tramway from Redfern to Sydney Cove as a simple and inexpensive remedy.

I have since laid before the Government ‡ a plan, section, and estimate for this work, and I submit it as one of the measures that should be adopted to promote the prosperity of the Railway in adding to the public convenience.

A project has also been brought under my consideration to extend the Darling Harbour Branch to the Pyrmont Bridge, and to erect a Station at the Bridge. I am unable to recommend that this should be carried out at the public expense; but, should the Directors consider that the advantages to their Company would prove sufficient to warrant the project being carried out by the Company, I am of opinion that every facility should be afforded them necessary for the extension of the line, and liberal terms made with them as regards the working of the line when completed.

THE PRESENT FARES.

For a Railway to succeed financially its charges must be just on the one hand to the public who use the line, and on the other to those by whose funds the line has been constructed, and is worked and maintained. In New South Wales both these classes consist of the general public, the benefit enjoyed by each portion of the community being in direct proportion to its vicinity to the Railway, a circumstance which materially adds to the importance of each line of Railway being self-supporting, and strengthens the necessity for a just scale of charges.

The question of the fares to be charged is one always attended with some difficulties, and especially in a new country. It has received my earnest consideration, and is of such importance as to induce me to request especial attention to it.

In Table 8 will be found the alterations that have been made in the fares and rates of the Great Southern Railway at various times; in Table 7 the changes in the running of trains; Table 6 contains the number of passengers carried and the receipts from passenger traffic, arranged in periods in accordance with the alterations in fares; and Tables 13 to 21 shew in detail the passenger traffic between each station, arranged in similar periods.

It will be seen from these Tables that between the 26th September, 1855, and the 30th April, 1857, the fares were altered six times, the first class fare varying from 6d. to 3d.

per

* The net Receipts for the quarter, including the Great Northern Railway, were £6,455 4s. 6d., giving interest at the rate of 1·88 per cent. per annum on £1,366,395 3s. 1d.; deducting, however, £300 9s. 2d. from the Great Southern Railway, as above, and £643, as being derived from temporary sources on the Great Northern Railway, the interest on the above sum would be at the rate of 1·6 per cent. per annum.

† Among others may be named the arrangements for the collection and delivery of goods, published 28 December, 1857, and the simplification effected by the revised scale of classes and rates for the conveyance of goods, published on the 13th February, 1858.

‡ A copy of my letter, dated 8 March, 1858, will be found in the Appendix, marked A.

per mile, and the mean from 4d. to 3·85d.; the second class varying from 4·5d. to 2d., and the mean from 3·2d. to 2·69d.; and the third class from 3d. to 1·3d., and the mean from 2·19d. to 1·72d.

On the 30th April, 1857, the first class fares varied from 5·6d. to 3·5d. per mile, the mean being 4·34d.; the second class fares from 4·2d. to 3d., the mean being 3·2d.; the third from 2·82d. to 1·77d., the mean being 2·19d.; and the mean of the whole being 3·24d. These rates had then been in existence for seven months.

On the 1st May, 1857, the fares were altered to rates varying from 3·3d. to 2·6d. for the first class, the mean being 2·98d. per mile; from 2·48d. to 2d. for the second class, the mean being 2·29d.; from 1·84d. to 1·41d. for the third class, the mean being 1·56d., and the mean of the whole 2·28d.; and these rates continued unaltered to the end of the year, a period of eight months.

The reduction thus effected was about 31·4 per cent. on first class fares; about 28·5 per cent. on second class fares; and about 28·8 per cent. on third class fares; and 29·5 per cent. on the mean of the whole, or, in round numbers, 30 per cent.

The average number of passengers per month during the first seven months was 20,085, and during the next eight months 28,036; the average receipts, (including special trains and season tickets), £2,462 in the first case, and £2,403 in the second case, per month. The increase in passengers carried therefore was 39·5 per cent., and the decrease in actual receipts, 2·4 per cent.

It is necessary now to examine how much of this increase in passenger traffic must be considered as due to the lowering of the rates, and how much to an increased appreciation on the part of the public of the advantages of railway travelling and other causes.

Table 22 contains a summary of the passengers from the three principal stations—Sydney, Parramatta, and Liverpool—for each month from October, 1856, to April, 1857, and from April to December, 1857.*

If we except from consideration the month of May, in which the Homebush Races are held, and in which a larger number of persons are usually conveyed by rail,† the inconsiderable increase in the passenger traffic for the first four months after the fares were reduced is very striking‡. In the month of September, during which the Liverpool Races are held, there is a large increase; and this is maintained to the end of the year.

About the middle of September the Traffic Department was, after examination, reorganized by the Commissioners.

It must be considered that had the rates existing in April exercised a paramount influence in deterring travellers from using the Railway, the increase in passenger traffic would have shewn itself more decidedly in the first four months, and therefore that a large amount of the increase is due to a greater appreciation by the public of the convenience of travelling by Railway, increasing communication between Sydney and the interior, and additional attention to the wants and convenience of the public.

Some allowance should, perhaps, be made for June, July, and August, being winter months; but it will probably be giving full value to the effect of the reduction in fares if it be allowed that it induced 4,000 additional persons per month to travel by railway.

It follows, therefore, that the remaining 4,000 would, in any case, have travelled at the rates fixed in April.

From

* It is worthy of remark, that the number appears to have obtained its maximum for a time, and that a decrease rather than an increase may be expected. Such an event as the cessation of the influx of Chinese would sensibly affect the numbers and the railway receipts.

† In 1856 the passenger traffic was as follows, from Sydney:—

	1st Class.	2nd Class.	3rd Class.
April	1,460	1,357	11,819
May	1,902	2,238	13,278
June	1,607	1,834	11,661

‡ The traffic was as under:—

	Sydney.			Parramatta.			Liverpool.		
	1st Class.	2nd Class.	3rd Class.	1st Class.	2nd Class.	3rd Class.	1st Class.	2nd Class.	3rd Class.
April....	720	1,239	7,542	303	630	3,785	143	218	1,609
August..	768	1,102	8,569	332	590	3,523	153	272	2,096
Increase	38		1,027	29			10	54	487
Decrease		137			40	262			

From Tables 13 to 21 it may be found that the number of each class of passengers travelling during the eight months ending 31st December, 1857, was 1,324 first class, 2,374 second class, and 18,323 third class, and the average mileage travelled by each class 11·773, 11·828, and 10·364 miles,* the mean fare being 2·98, 2·31, and 1·56 pence per mile.

Assuming that the additional 4,000 passengers per month would have contained the same proportion of each class, and travelled the same average mileage, the increase to railway receipts, had the April rates been maintained, would have been at the rate of £477 0s. 3d.,† in place of the loss of £59 per month, which has followed the reduction.

This, however, does not represent the entire question.

Horses, carriages, and dogs, are conveyed by passenger trains; and it will be seen on reference to Table 11, that there has been a considerable increase in this description of traffic, the average number conveyed for the first seven months being 74 carriages, 254 horses, and 144 dogs per month, at a cost of £125 1s. 10d., and for the latter eight months 88 carriages, 323 horses, and 151 dogs per month, at a cost of £163 4s. 10d., the increase per cent. in receipts being 30·5, the rates having remained unaltered.

It is fair to presume that one-half of this increased traffic arose from the additional passenger traffic caused by the reduction in rates, and the sum of £19 1s. 6d. per month must therefore be deducted from the loss occasioned by that reduction.

On the other hand, the conveyance of so many additional passengers necessarily occasioned an increase in the working expenses of the Railway, during the latter eight months; and on reference to Table 6 it will be seen that the expenditure per train mile run was, in the first period, 7s. 10·3d., and in the second, 9s.; that the proportion of expenditure to receipts, upon passengers only, was 76 per cent. in the first period, and 89·9 in the second; and including horses, carriages, and dogs, 72·5 per cent. in the first, as compared with 84·2 per cent. in the second; the expenditure upon all services being 74·5 per cent. in the first, as compared with 75·5 per cent. in the second period.

It would not, however, be just, to charge the entire of this increased expenditure per train mile run to the increase in passenger traffic. It will probably be sufficient to place it at something less than one-half, or 6d. per train mile run, or £158 16s. per month.

It

* These numbers are the average numbers per month, exclusive of return tickets and season tickets. The accompanying Table is interesting also as shewing the comparative working of each station.

TABLE shewing the average number per month of passengers of each class from each station to all stations, and the number of miles travelled by each class, exclusive of return tickets and season tickets, for the eight months ending 31st December, 1857.

STATION.	PASSENGERS.			MILES TRAVELLED.		
	1ST. CLASS.	2ND. CLASS.	3RD. CLASS.	1ST. CLASS.	2ND. CLASS.	3RD. CLASS.
Sydney	632	1,218	7,543	7520·25	14216·75	84040·75
Newtown	130	161	1,701	393·25	652·25	7656·8
Petersham	19	16	706	88·75	84·0	2486·5
Ashfield	62	84	1,243	269·75	425·25	6335·5
Burwood	23	69	888	147·5	446·25	5563·75
Homebush	25	45	612	193·75	352·25	4551·25
Parramatta	290	556	3,398	3782·5	7103·0	41030·5
Fairfield	3	25	342	53·25	230·75	3253·75
Liverpool	150	238	1,890	3132·75	4520·75	34990·0
Total	1,324	2,374	18,323	15587·75	28081·25	189908·8
Average mileage travelled ..	.....	.....	.....	11·773	11·828	10·364

† The general proportion of each class of passengers being in the ratio of 6·2, 10·6, and 83·2, the numbers conveyed would be about 248 first class, 424 2nd class, and 3,328 3rd class, of whom about one-fifth would be return and season tickets. The figures are therefore as follows:—

	PASSENGERS.		MILES.		PENCE.		PENCE.
1st Class	200	×	11·773	×	4·34	=	10218·9
Returns ..	48	×	11·773	×	6·51	=	3578·8
2nd Class	340	×	11·828	×	3·2	=	12868·8
Returns ..	84	×	11·828	×	4·8	=	4768·8
3rd Class	2,663	×	10·364	×	2·19	=	60442·4
Returns ..	665	×	10·364	×	3·28	=	22605·7
					Pence	..	114483·4
					Or ..	..	£477 0 3

It results, therefore, that the entire loss of revenue to the Railway caused by the reduction in fares may be estimated at £596 6s. 9d. per month.*

It is financially wrong that a Railway should carry 8,000 passengers more per month and lose by it, and in the case of Government Railways it is socially wrong, unless it can be shewn that the conveyance by Railway of these additional passengers confers such benefits upon the country generally that the community at large should pay for it.

I must not be understood as blaming the experiment; it was a fair one to make, and was understood, I believe, at the time to be an experiment; and may yet, by having stimulated the taste for travelling by Railway, contribute ultimately to their financial prosperity. At the same time, I have no doubt the rates require adjustment, and it remains to consider what they ought to be.

In the Mother Country, the lowest rate at which companies are compelled by Act of Parliament to carry passengers is 1d. per mile, while the price of labor† is not more than one-third of the price in this Colony.

The trains by which passengers are conveyed at this rate, (and which are usually called Parliamentary Trains,) are run by the companies at such hours as are found most convenient in reference to the more profitable traffic; and to a large proportion of the passenger trains no third class carriages are attached at all. Here the public have the option of travelling by third class with every train.

Even under the disadvantages of the English system, and of the cold and wet of the English climate, a considerable majority of the passengers travel third class; and to many this is a matter of absolute necessity, from the miserable wages they receive. Here, where the genial character of the climate greatly diminishes any inconveniences arising from travelling third class, and where every facility is afforded for so doing, it is no matter of surprise that a still larger majority are induced by the very low charge to do so. In England, the per-centage proportion of passengers conveyed in 1856 was 13·30 first class, 32·75 second class, 53·92 third class, and ·03 miscellaneous; and the per-centage proportion of receipts was, 30·10 for first class, 35·00 for second class, and 32·79 for third class passengers; the average fares being respectively, 2·07d., 1·44d., and ·83d. per mile,—the ordinary third class fare being reduced by the large amount of excursion traffic.‡

In this Colony, the per-centage proportion of passengers conveyed during the eight months ending 31st December, 1857, was only 6·2 first class, only 10·6 second class, and the astonishing proportion of 83·2 third class; and the per-centage proportion of receipts, 10·9 for first class, 15·3 for second class, and 73·8 for third class.

When the difference in the per-centage proportion of each class travelling in the two countries is taken into consideration, it will be found that the mean Railway fare per mile paid by this country at present does not exceed that paid in England by more than 52 per cent.

I am of opinion, after considering the rate of wages and the cost of the necessaries of life in the two countries, and also the cost of labor and materials necessary for the working of

		£	s.	d.
* The figures are as follows:—				
Receipts in April, from passengers	.. .. .	2,462	0	0
Do. from horses, carriages, and dogs	.. .. .	125	1	10
Estimated receipts from 4,000 additional passengers		477	0	3
Do. do. horses, carriages, and dogs		19	1	6
		£3,083	3	7
Receipts in December, from passengers	.. .. .	2,408	0	0
Do. from horses, carriages, and dogs	.. .. .	163	4	10
		2,566	4	10
Decrease	.. .. .	516	18	9
Add half of increased expenditure	.. .. .	79	8	0
Total loss by reduction of fares per month	.. .. .	596	6	9

† To what an extent this affects the working expenses of the Railway may be seen by reference to Table 23, in which are shewn the relative wages paid to those employed upon Railways at home and here.

‡ Report to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, of the Proceedings of the Department relating to Railways, for the year 1856. Presented to both Houses of Parliament, by Command of Her Majesty, 20th August, 1857.

of the Railway, that the minimum charge in this Colony should not be less than double that fixed by the Parliament in England, or 2d. per mile.

Although the point is one of less importance, I have felt, perhaps, more difficulty in arriving at a conclusion upon the higher rates. It is evident that a moderate increase upon the minimum rate is sufficient to cover any expense incurred in affording the superior accommodation enjoyed, and that any considerable increase tends only to drive travellers into the third class. I consider 3½d. per mile for the first, and 3d. for the second class should be the rate adopted.

The revised scale would, therefore, stand between that of April, 1857, and the reduced scale of May, 1857, as follows:—

	1st Class.	2nd Class.	3rd Class.	Mean.
April, 1857	4-34	3-2	2-10	3-24
May, 1858	3-5	3-0	2-0	2-83
May, 1857	2-98	2-29	1-56	2-28

Upon this scale I have framed the rates to come into force on the opening of the extension to Campbelltown, which I shall have the honor to submit immediately for the consideration of the Government.

It must be observed that the public enjoy one advantage in the Railways of this Colony being public property, which they would not possess were the Railways in the hands of a company, viz., that as soon as they become self-supporting the rates can be lowered.

It may possibly be supposed by some that the proposed increase in rates, however moderate, will prove burdensome to that portion of the public using the Railway; this is a point very necessary to be considered.

By an examination of Tables, 13 to 21, it has been found that the average mileage travelled by each first class passenger from the 1st May, 1857, to the 31st December, 1857, was 11-773 miles; by each second class passenger was 11-828 miles, and by each third class passenger was 10-364 miles; and if we assume that each passenger, not being a season ticket holder, travels upon the line ten times in each year, the entire annual amount each passenger would pay under the revised, as compared with the present rates, would be, of the first class 412-05 pence in place of 350-83, or an increase of 61-22 pence per annum; of the second class 354-84 pence in place of 270-86, or an increase of 84 pence per annum; of the third class 207-28 pence in place of 161-67 pence, or an increase of 45-6 per annum, an increase in each case that could not be sensibly felt by any person in this Colony, but that would make a considerable difference in the revenue gained for the public by the Railways.*

It is necessary, before closing this subject, to draw attention to the system of season tickets established in this Colony.

Season tickets are issued upon any day for a quarter of a year at a time, and for first, second, and third class passengers.

In England third class season tickets are unknown; but by reference to Table 12 it will be seen that here, out of 1,119 season tickets taken between the opening of the line and the 31st December last, 1,035 were third class, only 39 first, and 45 second, having been issued.

This

* The figures stand as follows:—

As each passenger would travel respectively—

1st Class.	2nd Class.	3rd Class.		1st Class.	2nd Class.	3rd Class.	
117-73	118-28	103-64	{ miles per annum.	117-73	118-28	103-64	{ miles per annum.
3-5d.	3d.	2d.	{ fare per mile.	2-98	2-29	1-56	{ fare per mile.
412-05	354-84	207-28	{ payment per ann.	350-83	270-86	161-67	{ payment per ann.

The entire number of passengers who travelled in the eight months ending 31st December, 1857, were:—

1st Class.	2nd Class.	3rd Class.
13919	23785	186584
4639	7928	62194
1855-8	3171-3	21877-8
61-22	84	45-6
£473 5 1	£1,109 19 1	£4,726 15 7

The increase of revenue—the number of passengers continuing the same—would, therefore, be £6,309 19s. 9d. per annum, on a length of 22 miles.

This is not surprising when it is considered that by means of a third class season ticket a passenger using the line once a day each way now travels at the rate of $\frac{1}{2}$ d. per mile.

It might inconvenience a considerable number of persons to decline to issue third class season tickets in future; at the same time it is just that those who derive such great advantages from the Railway should contribute their fair share towards its working expenses.

I am of opinion that only two classes of season tickets should be issued, viz., first and third, the first being calculated at the rate of $1\frac{1}{2}$ d. per mile, and the third at the rate of 1d. per mile.

Thus for 4d. a day the holder of a third class season ticket, and for 6d. a day of a first class season ticket, would travel between Newtown and Sydney.

Under the system of issuing season tickets from day to day, it is difficult to establish a plan by which the collectors of tickets may know precisely the date when each season ticket expires. I propose, therefore, after the 30th instant, to issue season tickets only on the 1st day of each month, and for one month only at a time, as I have reason to believe that monthly in place of quarterly season tickets would prove a convenience to many persons.

The question has been submitted whether a season ticket entitles the holder to travel free between intermediate stations. I am of opinion that he is only entitled to travel free between the two stations named upon the ticket, and that on this condition only, season tickets should be issued.

The great importance of the question will, I trust, be sufficient apology for the length at which I have discussed the prejudicial influence of the present rates on the prosperity of the Railway, and recommended as a remedy their revision.

EFFECT OF THE SHORT LENGTH OF LINE.

The last cause to which I have to direct attention as hindering the financial success of the Railway between Sydney and Liverpool, is its short length.

As a general rule, the shorter the line the heavier will be the working expenses including direction and management; but the ill effect in the present instance is chiefly felt in the goods traffic. For it must be expected that a large majority of the men who bring their drays hundreds of miles from the west or south will not care to unload them when within ten or twenty miles of Sydney, in order to send their goods by rail, especially in summer time, when the roads are good.

It is, therefore, a matter of congratulation that there is a steady, though not rapid, increase in the transport of goods by rail, and I anticipate that the facilities recently afforded* to the public will assist in promoting it. The great hope, however, of a large and remunerative goods traffic consists in judicious extensions.

EFFECT OF THE EXTENSION TO CAMPBELLTOWN.

The line between Liverpool and Campbelltown, 12 miles in length, will be opened in a few days; its probable effect upon the revenue of the Southern Railway may first be considered.

The cost of this extension will, owing to the care and skill of the Engineer-in-Chief,† not exceed £7,000 per mile, exclusive of land and rolling stock, and the entire cost will, I anticipate, not be more than £9,000 per mile.

I estimate the gross receipts of the Southern Line for the year 1859, at £75,000; the gross expenditure at £40,800, the proportion of expenditure to receipts at 54·4 per cent.; the net receipts at £34,200, and the rate of interest at 3·37 on £1,013,621,‡ or nearly 3½ per cent. on the total capital invested on the Great Southern Line.

The

* See arrangements for "The Collection and Delivery of Goods," published 28th December 1857: also the revised scale of "Classes and Rates for Goods Traffic," issued 13th February, 1858.

† Mr. Whitton.

‡ The cost of the Line to Liverpool, 31st December, 1857, was..	£ 905,621	0	0
Campbelltown Line.. .. .	108,000	0	0
	<u>£1,013,621</u>	<u>0</u>	<u>0</u>

The passenger receipts are calculated on the revised rates, and it is assumed the present goods traffic will double within the year. The detailed statement of the estimate will be found in Table 24.

The Campbelltown Extension may, therefore, be considered as likely to prove financially successful.

It is necessary, however, in order to facilitate the transit of goods by the line to improve the condition of the direct road from the Cowpasture Road to Campbelltown, and to this I shall have the honor to request your attention later.

A large increase in passenger traffic can scarcely be expected; but must be dependent on the growth of population and the further settlement of the country. Indeed some time must always be allowed for the development of the traffic of any newly opened line, whether passenger or goods.

COMPARISON BETWEEN RAILWAYS IN THE MOTHER COUNTRY AND IN NEW SOUTH WALES.

It may be useful, before entering into the question of further Railway extensions, to compare the original cost and present receipts and expenditure of the Great Southern Railway with those of Railways in the Mother Country.

The cost of Railways in England has averaged £40,288 per mile, in Scotland £27,750, and in Ireland £14,808; but the average cost of the lines for which Acts have been obtained since 1848, has only been £12,273 per mile in England, £5,408 per mile in Scotland, and £6,716 per mile in Ireland.

The cost of the line to Parramatta has already been stated at £49,458.7 per mile, from Parramatta to Liverpool at £14,692.8 per mile, and to Campbelltown at £7,000 per mile, exclusive of outstanding charges for land; the average cost of the whole per mile being £29,812.4.

When the price of labor in this Colony is considered, the extra charges for freight upon materials from England, and the difficulties and consequently increased expense attendant upon the construction of large works in a new country, it will be admitted that the cost at which Railway works in this Colony are now being constructed will bear a very favorable comparison with the cost of those lately made in the Mother Country, and is such as to present no serious obstacle to further Railway extensions.

The receipts in England in the year 1849 for 4355.5 miles of Railway were £2,345; and in 1856 for 6332 miles opened, were £3,120 per mile per annum; in Scotland in the year 1849, the receipts were £1,498 on 795.5 miles open; and in 1856, £2,022 on 1147 miles; in Ireland, £975 per mile on 428.5 miles in 1849; and £1,092 on 1023 miles in 1856; the average for Great Britain and Ireland being £2,115 per mile on 5579.5 miles open in 1849; and £2,724 per mile on 8502 miles in 1856.

The average working expenses per mile of Railway open in 1856 were in England and Wales £1,531; in Scotland £970, and in Ireland £427.

The proportion per cent. of expenditure to receipts in the year 1856 varied from 92 to 26 per cent, the mean being 49 per cent. in England; from 68 to 42, the mean being 47 in Scotland; from 115 to 37 in Ireland, the mean being 39; and the average for Scotland, England, and Ireland 47.

The interest on the capital invested varied in the year 1854, as regards the English and Welsh Lines from .26 to 8.42, there being in a few cases a deficiency, and the mean being 3.78 per cent. In the year 1856, the interest varied from 1.21 to 8.19, the mean being 4.07.*

The receipts on the Great Southern Railway for the quarter ending 31st ultimo, were £12,379 0s. 7d., or at the rate of £2,250 per mile per annum on 22 miles of Railway only; the working expenses were at the rate of £1,386 per mile per annum; the proportion of expenditure to receipts being 61.6 per cent; and the interest on the capital invested being at the rate of 2 per cent. per annum.

That with a length of only 22 miles of line open the earnings should be £2,250 per mile per annum as compared with £2,724 in the Mother Country, and that with a scale of fares

* Report on the proceedings of the Department relating to Railways for the year 1856, by Captain Douglas Galton, Royal Engineers.

fares fixed at not more than 52 per cent. above those in England, with wages at three times the price, and additional expense for almost every article necessary for the working of the Railway, the proportion per cent. of expenditure to receipts should here be only *61·6 as compared with 49 in England, must be considered as highly satisfactory; and these facts, coupled with that of the reduction in the cost of Railway construction, are perhaps the best refutation that can be given to the inconsiderate statements that are sometimes made relative to Government management of Railways.

If the comparison be further pursued, by taking the effect of the Campbelltown extension into consideration, the result will be still more favorable to the Colony; and it will be conceded that in these comparisons there is nothing to discourage further Railway extensions in this country.

The permanent-way materials in store on the 31st December, 1857, amounting in value to £15,142 13s. 7d. at Sydney, and £17,065 10s. 6d. at Newcastle, are not included in the sum upon which the lines opened should pay interest, as they are not required for these lines, but they furnish a reason for further extension, as the capital invested in them is now lying dead.

EFFECT OF EXTENSIONS TO PENRITH AND PICTON.

In the Estimates now before Parliament, it is proposed to extend to Penrith to the westward, and Picton to the south.

The estimate for the line to Penrith, including land and rolling stock, is £233,000, or £10,071·2 per mile, the distance being 21·75 miles; and the estimate for the line to Picton, including land and rolling stock, and allowing £15,000 for a bridge across the Nepean, at Menangle, is £274,000, or £13,200 per mile, the distance being 20 miles.

It is not possible to state with certainty what the financial result of these extensions will be, but from Table 24 it will be seen that I estimate the gross receipts of the Southern Line, including the extension to Penrith, but exclusive of that to Picton, at £130,000 a year, the gross expenditure at £66,900 a year, the proportion of expenditure to receipts at 51·1 per cent., the net receipts at £63,100, and the interest at the rate of 5·05 on £1,246,621·†

I estimate the gross receipts of the Southern Line, including the extension to Picton, but exclusive of that to Penrith, at £110,000, the gross expenditure at £64,800, the proportion of expenditure to receipts at 58·9 per cent., the net receipts to £46,200, and the interest at the rate of 3·58 on £1,287,621·‡

If both of these extensions be supposed constructed and opened, their joint effect on the Great Southern Railway would be to reduce the mean cost of construction to £20,074·2§ per mile, the proportion of expenditure to receipts to 54·7 per cent., and the rate of interest upon the total capital to 4·66 per cent. per annum.

If, therefore, the data upon which the above estimates are made be considered as sufficiently reliable, the extensions proposed for the Great Southern Railway would render it self-supporting. Its present condition admits of favorable comparison with the Railways of the Mother Country, and neither in its past cost, present working, nor future prospects, is there anything sufficient to prevent such hinderances to its prosperity, as arise from the short length of line at present open, being removed by the construction of judicious extensions.

In

* The proportion per cent. of expenditure to receipts in America varies from 55 to 60 per cent., and in Belgium from 72 to 63 per cent.

† The figures are:—

Cost of line to Campbelltown	£1,013,621 10 4
" to Penrith	233,000 0 0
	<hr/>
	1,246,621 10 4

‡ The figures are:—

Cost of line to Campbelltown	£1,013,621 10 4
" to Picton	274,000 0 0
	<hr/>
	£1,287,621 10 4

§ The figures are:—

Cost of line to Campbelltown	£1,013,324 10 4
" Picton	274,000 0 0
" Penrith	233,000 0 0
	<hr/>
	£1,520,324 10 4

Miles open, 75·75 £20074·2 per mile.

In my first Report, dated 21st August, 1857, I ventured to give as strong a recommendation as I felt my short residence in the Colony justified, that the extensions towards Penrith and Picton should be proceeded with; and I have now only to repeat that recommendation.

In so doing, however, I must advert to the fact, to which I shall have the honor later more particularly to request attention, that the best line of country to connect Bathurst with Sydney by rail is not yet determined.

It is necessary, also, that I should draw attention to the high price* asked for land taken and for severance. This forms so serious an item in Railway expenditure in this Colony as to render it advisable for the Government, in all future sales of land, to provide for securing so much as may be necessary for the construction of Railways, or other means of internal communication, upon more reasonable terms as compared with the price originally paid for the land; nor will this entail hardship upon individual owners, since it will be admitted that the advantages arising from the passage of a Railway through the land in any country, and especially in a new country, are in themselves a great compensation for the small portion taken for its construction.

THE GREAT NORTHERN RAILWAY.

I have now the honor to request consideration to the Great Northern Railway, of which I have hitherto avoided almost all mention, for the sake of greater simplicity in reasoning upon the facts I have thus far submitted.

The cost of the line from Honeysuckle Point to East Maitland up to the 31st December, 1857, has been £305,200 13s. 9d., or £18,497 per mile, the distance being 16.5 miles.†

In this amount is included the entire cost of the workshops, machinery, and store-houses at Honeysuckle Point, the advantages of which will be shared equally with the present line by all future extensions. It is exclusive, however, of outstanding claims for land, and surplus stores procured from England, and now in stock.

This line was only opened on the 30th March, 1857; the gross receipts for the nine months ending the 31st December last were £4,451 9s. 5d.; the gross expenditure £2,963 11s. 7d.; the proportion per cent. of expenditure to receipts being, therefore, 66.5 per cent.; and the net receipts £1,487 17s. 10d., giving interest at the rate of 64 per cent. per annum on the capital invested.

The returns for the first quarter of the present year appear somewhat more favorable the gross receipts for the three months ending 31st ultimo having amounted to £2,682 11s. 8d., and the proportion of expenditure to receipts to 37.2 per cent.

It must be observed, however, that of these gross receipts £643 5s. were derived from sources which cannot be regarded as permanent; the way and works also were maintained by the contractor under his contract until the middle of March, and this additional expense is now a charge upon the Railway receipts.

If the amount necessary for maintenance of way be added to the gross expenditure of the last quarter, and the amount derived from temporary sources be deducted from the gross receipts, the working expenses would absorb the entire revenue.

This Railway has labored not only under the disadvantages the Southern Railway has suffered from, but under two others of, at least, equal importance; it has no extensive population at either terminus, and it has to contend with steamers in direct communication with Sydney at one end, and with Morpeth at the other,—a town situated on a river always navigable, and within three or four miles of the terminus at Maitland.

There are, however, extensive coal fields in the neighbourhood of Newcastle, and from these, I am informed, it has always been anticipated a very large share of the traffic upon this

* A value at the rate of £28,000 per acre has in one case been suggested. It is just, however, to add that many claims are reasonable.

† Of the sum of £366,514 3s. 3d. expended upon the Northern Line to the 31st December, 1857, £3,998 1s. 5d. is to be charged against the extension to West Maitland, £39,288 4s. 1d. to rolling stock, £17,065 10s. 6d. for permanent way materials in store, and £961 13s. 6d. for stores for the working of the line.

The Northern Line between Honeysuckle Point and East Maitland is a single line with double way works.

this line would arise; but until proper wharves and appliances for shipping the coal have been constructed at Newcastle, it cannot be expected that these anticipations will be realized.

An extension, 67 chains in length, from Honeysuckle Point into Newcastle was opened on the 19th ultimo. A very inconvenient curve and dip have necessarily been made in this line, in order to enable the trains to pass under the bridge upon which the tramway of the Australian Agricultural Company crosses the Maitland road; but, I understand the Company contemplate the removal of this bridge as early as possible, after which the direct course of the line will be restored.

The attention of the Government has already been drawn to the fact of the Coal and Copper Company crossing this line with a locomotive on the level.

This extension has afforded that advantage to Newcastle which I propose to provide for Sydney by the construction of the tramway from Redfern to Sydney Cove.

Upon the subject of fares I need here only remark they should be equal upon both Railways.

However great the disadvantage of the short length of its line may be to the Southern Railway, the prejudicial effect of the same cause upon the prosperity of the Northern has been even greater. It is not to be expected that carriers will travel from West to East Maitland for the sake of sending their goods 17 miles by Railway to Newcastle, to be there shipped on board the steamer, when they can ship them direct at Morpeth.

Great progress has been made in the extension from East to West Maitland, a distance of 2 miles 67 chains, and I anticipate this length will be opened about the middle of the year.

There are some facts in the history of this short line too instructive to be passed over in silence.

Tenders were called for, as usual, by public competition, and three were received. The lowest was from a party who was considered incompetent, and who, subsequent events have shewn, would have proved incompetent. The second was from the present contractor, and it being known that he had executed large Railway works in England, and his security for the execution of the work being good, it was, as a matter of course, given to him. The result will be a delay of some months in the opening of the line; and, had the work in the middle been taken from the contractor and given to another, supposing even that another willing and competent could have been found to take up a broken contract, the delay would have been as great, or greater, and the expense at the same time increased.

These facts merely strengthen an opinion formed after considerable experience,—that open competition by tender for large public works is not advantageous to the public service, especially in a new country, and should not be resorted to. In following the customs of other countries the chief thing to be regarded is not the customs themselves, but the principles upon which they are founded.

The dam across Wallis' Creek, and the diversion of its waters into the Hunter by another channel, and a deep cutting at East Maitland render the works upon the Maitland extension heavier than usual in this country.

I do not propose to trouble the Government with calculations of the effect these short extensions may be expected to produce upon the Great Northern Railway, similar to those I have submitted in the case of the extension to Campbelltown. It may be expected that the greater facilities the inhabitants of West Maitland will possess for travelling will lead to an increase in the number of passengers; but I am apprehensive no very marked difference will be found in the goods traffic; for the man who has travelled his hundreds of miles will think little of the extra three or four to Morpeth.

The paramount importance of considerable extension for the success of the Northern Railway is apparent; the only question is, how far will such extension pay.

In the Estimates now before Parliament, provision is made to extend as far as Singleton, a distance of 27½ miles, the estimated cost being £312,000, or £11,192 per mile.

Referring to Table 24, it will be seen that I estimate the gross receipts of the Great Northern Line, including the extension to Singleton at £80,000, the gross expenditure at £57,600,

£57,600, the proportion of expenditure to receipts at 72 per cent., the net receipts at £22,400, and the interest at the rate of 3·06 per cent. per annum, or £731,448 12s. 9d.*

These calculations are founded upon the working of the present Southern Railway, and the data made use of in my first Report, upon which too much reliance must not be placed. But as the entire traffic of the rich Northern District passes through Singleton, it is reasonable to suppose that when the Railway reaches that point it will in time become equally with the Western and Southern Lines self supporting.

It is worthy of notice, that the "general experience of Belgian Railways shows that "whatever may be the amount of traffic on any line in the first year of its complete opening, "that amount is doubled in about five years."†

In my previous Report I recommended the construction of the Northern extension then proposed, viz., a length of $18\frac{1}{2}$ miles towards Singleton; and I consider it necessary that the entire length of $27\frac{1}{2}$ miles from Maitland to Singleton should be constructed, if this Railway is to become in time financially successful.

It will be seen that I have discussed the subject of further extensions quite independently of the vast social advantages that may be anticipated from their construction.

MEANS BY WHICH OTHER COUNTRIES HAVE CONSTRUCTED RAILWAYS.

I propose next to consider by what means the country can most advantageously carry out these extensions. It will be useful to see what has been done in other countries.

In England, Railways have been entirely constructed by Companies, the Government exercising a certain limited control. For this purpose, every Railway Bill is in the first instance submitted to the Board of Trade, who furnish a Report to the Select Committee of the House appointed to report upon it. When Parliament has sanctioned the line, and when it has been constructed, the works are inspected by an officer of the Board of Trade,‡ and should the Board consider from his Report that the condition of the line is not satisfactory, they have the power of deferring the opening for public traffic from time to time at pleasure, until a satisfactory report is received. They retain also a power of inspection afterwards.

The practical results§ of the English system of construction by companies have been immense convenience and advantage to the public who use, and inadequate profit to those who have constructed the Railways, a result arising principally from competing lines, the onerous charges of the Parliamentary proceedings, the heavy cost of the viaducts, tunnels, and other expensive works, and the exactions of land owners, and other interested parties.

In the United States,|| Railways have been constructed under four different arrangements.

1st. By the State.

2nd. By a company, to whose shares, capital, or mortgage debt the state has contributed, retaining an interest in the line, and some power of interference.

3rd. By a company, to whom lands have been granted, but which otherwise has not been interfered with.

4th. By a company, unassisted, and therefore not interfered with.

1st. The Railways made by the State, have not been successful, the officers appointed to manage them having been chosen by universal suffrage, sometimes triennially, sometimes annually, and rather for political reasons than as being specially qualified for the duty.

2nd.

* The figures are—

Honeysuckle Point to East Maitland	£349,448 12 9 (a)
West Maitland and Newcastle Extensions	70,000 0 0
	419,448 12 9
Singleton Line	312,000 0 0
	£731,448 12 9

(a) Exclusive of £17,665 10s. 6d. for permanent way materials in store on the 31st December last.

† Bradshaw's Shareholder's Guide, 1857.

‡ Officers of the Royal Engineers, attached to the Board of Trade for this duty.

§ Paper on French and English Railways, by Mr. Locke, M. P., January, 1858.

|| Report on the Railways of the United States, by Captain Douglas Galton, Royal Engineers, 1857.

2nd. The State and Municipal Corporations have, in several instances, given assistance to Railway Companies, the State or Corporation appointing directors in proportion to the amount contributed; but as these directors are generally elected by universal suffrage for short periods, they often desire to regulate the management of the Railway more with reference to local political objects than to its interests as a commercial speculation.

3rd. The system of granting lands to induce a company to construct a Railway, is resorted to in the Western States with remarkable success; the Railway Company being allowed to take in addition to the actual land required for the line a specified quantity in alternate lots of one square mile each on each side within a certain distance from the line.

The State in granting the land generally reserves a per centage on the gross receipts of the company. In one case in which this plan has proved highly successful, this amount is 7 per cent., the line running however for the greater part of its course through prairie land without trees, land, which with a small expenditure of labor, produces most luxuriant crops.

4th. A large number of Railways have been constructed by unassisted companies; and, in considering this fact in connexion with the rapid growth of Railways in the United States, the recent financial panic should not be lost sight of.

In a majority of States, general Railway laws have been passed, enabling corporations to be formed for making Railways, the course of which is to be approved by Railway Commissioners, or some executive authority.

Almost all Railway Companies are required to furnish annually detailed statements shewing the financial condition and working of the line; but this information is not usually made public.

A power of inspection of existing Railways by Government Officers is reserved in some States, as in Connecticut and New York, the expenses of the department being defrayed by the companies.

The New York Act is founded upon the same principles as the English Railway law, viz., that a Railway shall not be opened until in the opinion of a Government department it is ready to receive traffic safely, but that after the line has once been opened the State retains no power over it, except that of inspection. But the New York Legislature has made this power of inspection a reality, instead of its being nearly nominal, as in England. The Railroad Commissioners of New York have full power to inquire into the financial position of Railway Companies, and to publish such inquiries; they have also full power to inquire into the cause of accidents, and to make suggestions, and if these suggestions are not attended to, it is their duty to report the fact to the Legislature.

The profits in the Western States are higher than in the Eastern, where they do not bear a very different ratio to the ordinary rate of interest than is the case in England.

The arrangements for the construction of Railways in India* by Joint Stock Companies are stated to be as follows:—

1st. A uniform gauge of 5 feet 6 inches is established.

2nd. Companies are protected against their own suicidal acts, and against their injurious bearing upon the carrying trade, by giving a close control and supervision to the Government over all their proceedings.

3rd. Companies are exempted from vexatious and costly legal and Parliamentary proceedings and from the frauds attending voluntary arrangements with land-owners; and they are assisted by receiving the land itself as an equivalent for certain advantages secured to the Government.

4th. Government guarantees a limited rate (5 per cent.) of interest to the shareholders, without which no companies would have undertaken the speculation, and consequently no Railways would have been made.

5th. The Government supervision extends to a close scrutiny of companies' accounts and disbursements, thus placing a wholesome check upon any tendency to irregularities or extravagance.

6th.

* "Principles of Railway Construction Analyzed," by Lieut. Colonel J. P. Kennedy, formerly Consulting Engineer to the Supreme Government in India in the Railway Department, and now Managing Director and Chief Engineer of the Bombay Baroda and Central India Railway Company.

6th. In place of a Parliamentary investigation of the fitness of projects, this investigation is retained as a function of the Government itself, aided by one or more consulting engineers at each of the Presidencies; the supreme Government in India having a similar officer attached to it. The consulting engineers are usually officers of the H. E. I. Company's Engineers, specially selected for this duty.

One peculiar feature in the construction of some of the Madras Railway Works has been their execution by the company themselves direct; and under this system the earthworks upon this Railway were constructed at a cost of 1½d. per cubic yard,* in place of 4½d., the Surat Bazaar price for earthwork, and this system Colonel Kennedy recommends for adoption upon the Bombay works.

It possesses obvious advantages in a new country when the best official assistance is secured for superintendence that can be obtained, irrespective of the increased amount paid in salaries, which will always be found to be a very small per centage upon the saving effected by employing only the best men that can be had.

In Belgium 353 miles of Railway have been most successfully constructed and managed by the State alone. The average gross receipt upon the whole of the lines exceeded in 1856 £2,100 per mile per annum, and was rapidly increasing, experience shewing, as has already been stated, that upon these lines the traffic of the first year is doubled within 5 years.

The small State of Belgium had but just established its independence when the statesmen to whom its Government was confided, seeing the contemptuous regards cast upon it by the Powers of the North and East, resolved, by an effort of enterprise and art, to confer upon it that influence which was denied to it by its insignificant territory, its small population, and limited commerce.

They entered, therefore, upon the construction of the Belgian State Railways.

These consist of two great trunk lines, forming a cross, the intersection being at Malines. One line extends from Ostend to Liege, and Verviers, near the Prussian frontier; the other from Antwerp through Brussels by Mons to the French territory near Valenciennes.

There are several secondary lines.

The date of the law sanctioning the project was May, 1834; its execution was commenced in June of the same year. The system was constructed at the national expense, and is worked under national management.

The statesmen to whom the country is indebted for this great work were MM. Lebeau and Rogier.

The progress of the work was as follows:—

	Length in operation. Miles.
In 1841.....	212
1842.....	246
1843.....	300
1844.....	347
1847.....	353

The cost per mile was £18,016. The gross receipts in 1841, £249,250; in 1847, £593,444; in 1856, £741,300.

"The extraordinary expedition with which the Belgian Railroads were completed, has been mainly caused by the circumstance of their having been executed by the State, and their execution being conducted under the superintendence of a special Railway Committee, invested with adequate powers. By this expedient innumerable official formalities were avoided. The two Engineers, M.M. Simon and Deridder, who had proposed the project, were invested with the general direction of the works; and full powers were given them to form contracts, purchase land, and make other definitive arrangements necessary for carrying on the works, without reference to higher official powers."†

The

* The price per cubic yard in New South Wales varies from 21d. to 33d., and for rock from 48d. to 72d., according to the soil, with an additional charge of from 3d. to 6d. per yard for every quarter of a mile of lead.

The average cost of the Bombay line is estimated at £6,000 per mile; the Campbelltown line is being constructed for £7,000, and £9,000 including land and rolling stock.

† Railway Economy, by Dionysius Lardner, D.C.L., &c.

The last system under which Railways have been constructed to which I shall draw attention is the French, the leading characteristics of which are enumerated by Mr. Locke in the paper to which I have already drawn attention, to be as follows :—

1st. The State determines the locality and direction of the main arterial lines of Railway, and forbids competition within special districts. All Railways must originate with, or be sanctioned by, the State.

2nd. When the Minister of Public Works has decided that any project is of "public utility," he selects the most eligible competitor, if there be more than one, and enters into a preliminary treaty, which, when approved by the Government and the Chamber or Senate, and signed by the Emperor, becomes law. The "Cahier des charges," fixing the conditions of the concession, and the powers of the Company are settled at the same time.

The Government furnish any plans or other information in their possession; and the line is then laid out. The Cahier des charges allows considerable latitude in the selection of the line. The preliminary survey is presented by the Company to the Minister of Public Works, who, after consulting with the Conseil des Ponts et Chaussées, signifies his approval through the Préfet to the Company. Meanwhile, plans and references are prepared for each commune, or parish, which, being sent to the Préfet, are by him communicated to the Mayors of the communes. Their receipt is notified on the doors of the Church and of the Mairie, and by the beat of drum, and they remain during eight days for inspection of all who are interested. A procès-verbal is then drawn up, of all objections, for submission to the Préfet, by whom a commission is named, composed of members of the Conseil-General of the Department, the Mayors of the communes interested, and the Engineer of the Company. The report from this commission is sent by the Préfet to the Government Engineers appointed to report on the nature and fitness of the works and to superintend the fulfilment of the clauses of the concession. The report of these Engineers being then sent, with all plans, &c., to the Minister of Public Works, his final decision is obtained. The Préfet then makes his arrêté de cessibilité, declaring transferable for public utility the parcels of land marked for expropriation; the Procureur Impérial of the Civil Court of each district then requires from the Tribunal orders of expropriation; the Civil Tribunal examines whether all the formalities have been regularly fulfilled, decrees the expropriation, and from that moment all the houses, land, &c., become the property of the company, by whom the amount of indemnity, settled by agreement or by jury, must be paid. All these preliminaries occupy from six to twelve months.

3rd. Between 1823 and 1842 concessions were made to companies for various lines, but the whole were either constructed entirely at the expense of the promoters or lapsed. In 1842 a law was passed authorizing the State to construct the Railways up to "formation level," and to let, for a term of years, the working of the lines to companies who would provide the permanent-way, engines, and rolling stock. This had the effect of giving considerable impulse to the Railway system, and induced the importation of foreign capital. The law was subsequently modified by the State granting "subventions" of money instead of constructing the earthworks, &c. Up to 1842 the concessions granted were under 600 miles; but in that year alone upwards of 1,400 miles were sanctioned. Nearly all the concessions since 1842 have been based on the law of that year, or have been in the modified form of giving a "subvention" in lieu of works with a MINIMUM guaranteed interest of 4 per cent., and an extension of term to 99 years. *To this combination of pecuniary aid with a guarantee of interest may be ascribed the rapid increase in the development of the French Railway system since 1842. It is remarkable that this timely aid granted by the State has been thoroughly successful, and in no case has the guarantee for interest ever been claimed. Thus the object has been completely fulfilled without any loss to the State.*

4th. The most remarkable feature in the finance of the French Railways is the proportion which the share-capital bears to the amount raised on obligations, or bonds. In the whole capital engaged to be provided by the French Companies, amounting, in 1856, to £137,960,000, there was then £50,000,000 in shares, while the remaining 63 per cent. had to be raised on obligations, or bonds; the result being, that as the rate of profit earned on the entire cost is in excess of the current rate of interest, the dividend on the shares is increased in proportion to the excess of the rate of profit over the rate of interest; and it is estimated that the profit realized by the French Companies from this system of borrowing amounts to upwards of 3 per cent. on their share capital.

5th.

5th. The accommodation for the public on the French lines is less than on the English, permitting of greater economy, and influencing the profits.

6th. The cost of Railways in France is less than in England; but they have gradually risen from £18,600 per mile in 1841, to £26,664 per mile in 1854.

7th. The general result is, that the French system has reconciled the interests both of the promoters and the State; the average annual dividends between 1854 and 1857, for some of the Railways, having been as follows:—The Nord, 14 per cent., L'Est, 14 per cent.; L'Ouest, 10 per cent.; Lyons to the Mediterranean, in 1855, 17 per cent., and in 1857, 23 per cent.; the State at the same time having received, in return for its aid and protection from rivalry, the gratuitous conveyance of the Mails, and a tax of 10 per cent. on passengers, and on first-class goods; which two items yielded 5 per cent. on the sum of £36,000,000 of subventions. Low tariffs were also fixed for soldiers, sailors, prisoners, paupers, &c.; participation, in some cases, after certain division of profits; and the possession, at the end of the concessions, of all the Railways in France.

8th. The prosperity of the French Railways must be attributed principally to the Government having sanctioned only main arterial lines, and to the assistance given in raising the money by subvention and guarantee.

In reviewing these different systems, under which other countries have carried out Railways, it may be observed that:—

1st. The English system may be dismissed from consideration, as it is improbable UNASSISTED companies will, for many years to come, undertake the construction of main lines in this Colony.

2nd. The construction of Railways in America by the Government failed from political interference in the executive details.

The construction of Railways by companies, assisted by the Government, or Municipal Corporations, failed from those having the management being mixed up with political matters.

Upon this Captain Galton remarks—"This arrangement is false in principle, and combines two conflicting elements. If the Railway is a commercial speculation, the management should be left to the company; if, on the contrary, it is to be worked with a political object, the commercial element should be left out of view, and the line be wholly managed by the State."

In the Western States, where the soil is, for the most part, eminently fertile, the construction of lines by companies, assisted by grants of land, has been very successful.

3rd. The Indian system of the construction of the lines by Joint Stock Companies, assisted by a Government guarantee of 5 per cent. on the capital raised, appears to work successfully.

4th. In Belgium the construction of Railways and their management by the State has proved eminently successful; the Government employed the most able men they could find, and placed entire confidence in them.

5th. In France the Railways have been constructed by companies having concessions of 99 years, and who have been aided by the Government, both by subvention and guarantee; and the result is most satisfactory.

6th. In every country the Government exercises a more or less stringent control over the lines, and the principle now appears to be admitted that such a control, judiciously conducted, is a safeguard both to the public who use the line, and the public whose funds have made the line.

MEANS BY WHICH THE COLONY MAY CARRY OUT THE PROPOSED EXTENSIONS.

I do not apprehend that any serious hindrances need arise to prevent the short extensions at present proposed for this Colony being proceeded with early. Their entire cost amounts to only £820,000, including £107,000 for rails from England, and, if necessary, the expenditure of this sum may be spread over two, or even three years. At the same time, it should be observed that the more rapidly the lines are completed, the quicker will be the returns on the capital invested.

The Government might construct these works under the present system of loans, for it is not unusual after a financial crisis for the money market to become much easier than before.

Or some eminent English contractor or contractors *might be found willing to undertake the work for the Government at fair prices, and either to receive Debentures in payment on reasonable terms, or the guarantee of the Colony for the interest on the capital invested, together with a mortgage on the extensions constructed.

Or, such a firm might desire to undertake the works on the data now furnished, either on their own account alone, or in company with others as a speculation, especially if they received a concession of all future lines to be constructed in New South Wales, and assistance similar to that given in France; the Government retaining similar privileges and sufficient control.

Modifications of these systems will easily present themselves, fair to all parties; but I should deprecate any arrangement with capitalists or companies that involved the transfer to them of the existing lines, including rolling stock and stores, except upon such terms as entirely to free in time the Colony from any burden on account of them, because I believe that the existing lines will become, as I have shewn, self-supporting. Should the lines ever be transferred to companies, the public would at once lose the advantage of the reduction in rates, as soon as the lines became self-supporting, that would certainly take place were they in the hands of Government, and it would be hard, in addition to this, to be burdened with a perpetual tax for interest on any part of the first cost of their construction. In preference to this, I think the Government should proceed with the extensions themselves, and retain the management in their own hands, at any rate until the re-productive character of the lines becomes so evident as to render capitalists glad to take them.

It is not, however, for me, but for the higher authorities, to decide by what means the country can most advantageously carry out the extensions at present proposed to Penrith, Singleton, and Picton.

OBSERVATIONS UPON THE FUTURE MANAGEMENT OF GOVERNMENT RAILWAYS.

Before concluding my Report on the Railway branch of the Department under my direction, I have to submit some observations on the future management of the Railways, should the Government Railways Bill, now under the consideration of the House, be passed.

Some apprehensions have at times crossed my mind as to how far it would be possible to work the Railway efficiently as a purely Government Department; and those apprehensions would have been much stronger but for the confidence and cordial support the Commissioners have enjoyed from both the Governments under whom they have had the honor to serve since my arrival in the Colony.

Whatever phase the department may assume, certain things appear to be essentially necessary, in order to ensure the safety of the public, and the prosperity of the Railways.

- 1st. The direct and undivided responsibility of the Executive Officer entrusted with its direction to the Government.
- 2nd. Freedom from political bias, and from political interference in details.
- 3rd. To work the Railways precisely as if in the hands of a company; and, therefore,—
- 4th. The sanction of the Government to the Executive Officer to expend the sums voted by Parliament for the working expenses, without reference to higher authorities in matters of detail.
- 5th. Entire control over the working staff of the Railway.
- 6th. A speedy and simple system of Auditing the Accounts, at intervals never longer than one month.

To the last point I have already† had the honor of requesting the attention of the Government, and the others, together with this, appear to contain everything necessary to ensure the public safety and the prosperity of the Railways.

Captain Galton, in his Report on the United States Railways speaks as follows of the New York and Erie Railway:—

“The whole system is based upon a principle which seems to be one well adapted to secure economy and efficiency: viz., the maintenance of rigid discipline and such a distribution of duties as will secure *personal accountability* through every grade of the service.” The

* I am the more disposed to think this from having observed in the daily papers that Sir Samuel Morton Peto and Co., had tendered to construct the whole of the Victorian Railways on terms to be agreed upon between that Government and themselves; and that their offer had not been received, as being informal. The difficulty that it may be anticipated would arise as regards this Colony, is the small amount of work proposed to be done at present.

† Letter dated 7th April, 1858,—copy will be found in the Appendix marked B.

" The idea upon which the system is founded is, that to work a line efficiently, the responsible head must possess a complete daily history of the details of working in all their minutiae, and the following general principles are laid down to carry it into effect :—

- " 1. A proper division of responsibilities.
- " 2. Sufficient power to enable the same to be fully carried out, that such responsibilities may be real in their character.
- " 3. The means of knowing whether such responsibilities are faithfully executed.
- " 4. Great promptness in the report of all derelictions of duty, that evils may be at once corrected.
- " 5. Such information to be obtained through a system of daily reports, and checks that will not embarrass principal officers, nor lessen their influence with their subordinates.
- " 6. The adoption of a system, as a whole, which will not only enable the General Superintendent to detect errors immediately, but will also point out the delinquent.

" The General Superintendent is solely responsible to the President of the line."

The President of the line in this Colony would be the Government.

Lieutenant Colonel Kennedy, in his " Principles of Railway Construction Analyzed " writes as follows :—

" The Gold Mining Company may be ruined whilst the rag dealer derives profit from his calling, because the elements most essential to success may be deficient in the former, whilst they are concentrated in the latter.

" These elements may be defined as follows :—

- " 1. An intimate knowledge of the subject undertaken in those who project it and direct its progress.
- " 2. Forethought, perseverance, and caution in its pursuit.
- " 3. Economy and fidelity in the execution.
- " 4. Concentrated responsibility and undivided attention in the executive direction of the means employed.
- " 5. Combination of interests of the agency employed with the success of the enterprise.

" A Board of six able and irresponsible men, by attending an hour each week, would ruin a sound speculation, where a single individual, of very ordinary capacity, having a knowledge of the subject, giving his whole attention to it, and working consistently to accomplish the object in view under rationally laid down principles, would make the result remunerative."

Both these, gentlemen, are high authorities on Railway principles. I have quoted them chiefly with the object of shewing the views they entertain of the direct and individual responsibility necessary for the efficient carrying on of Railways, and of the confidence and authority necessary to be given to those held responsible.

RECAPITULATION.

The various subjects I have had the honor of thus far bringing under consideration may be briefly recapitulated.

1. It is a matter of the first consequence that the Railways of the Colony should become, as early as possible, self supporting.
2. The existing Railways are not so.
3. There is, however, a marked improvement in the present year, which may be looked upon as permanent.
4. Considerable as the improvement is, it is not sufficient to render the Railways self supporting.
5. It becomes necessary, therefore, to inquire whether any causes exist that hinder the prosperity of the Railway, and the measures that should be adopted for their removal.
6. There are three principal causes as regards the Great Southern Railway,—
The situation of the terminal station at Sydney.
The present fares.
The short length of the line.

7. The remedies proposed are—

The construction of a tramway from Redfern to Sydney Cove.

A revised scale of rates, as submitted.

Judicious extensions, including those proposed in the Estimate for 1858 to Picton and Penrith.

8. The Great Northern Railway labors not only under the same disadvantages as the Southern, but also under those of having no extensive population at either terminus, and of having a navigable river running parallel with its course.

9. Further extension is absolutely necessary for the financial prosperity of the Great Northern Railway, and the extension to Singleton, as provided for in the Estimates for 1858, is recommended.

10. The systems under which Railways have been constructed in different countries are discussed, with the view of ascertaining what measures it would be most advantageous for the Colony to adopt to carry out the extensions proposed.

11. Various systems are suggested for the decision of the higher authorities.

12. Some observations are submitted upon the future management of Government Railways.

I have thought it my duty, under the peculiar circumstances in which Railways now stand in this Colony, to discuss each of these subjects in detail, and I trust the Government will consider their great importance as a sufficient warrant for the length at which I have done so.

RAILWAY EXTENSION AND TRIAL SURVEYS.

With the sanction of the Government, I have entirely remodelled this branch of my department.

The Licensed Surveyors who were attached to the Railway Department in 1855 have returned to their duties in the Survey Department, and a saving in the Railway Survey Staff, of £7,200 a year has thus been effected.

Trial surveys have been made by these Surveyors of the country as far north as Armidale, and as far south as Yass, which, I trust, may be found of some value hereafter.

Trial surveys have also been made by the men of the Royal Engineers of the country between Parramatta, Penrith, Windsor, and Bathurst.

Upon these surveys the preliminary plans and sections for the extensions I have proposed have been prepared, and, when the general lines shown in these have been approved of, the working surveys, plans, and sections can immediately be made.

The system I have adopted consolidates for the time the survey staff upon one point; it permits of their effective superintendence, and provides for their labor being used in the most advantageous manner, and, together with other causes, has enabled me to reduce the Estimate for this branch of my department from £27,000 to £12,000 for the present year.

Under this system the country is now being explored and surveyed between the Hawkesbury and Bathurst.

I shall have the honor of submitting, as soon as these surveys have been completed, a Special Report upon this portion of the country, which I hope previously to be able to visit in person.

It will be sufficient, at present, to say that no labor is being spared by the Engineer employed upon this duty, and those under his orders,* to ascertain the best line. Ravines and gullies, never, it is believed, before entered, have been explored, and days passed in the necessary examination of valleys where it is dangerous for man, and impossible for a horse, to pass.

I am not in a position, at present, to point out the best line for a Railway to Bathurst; but I have reason to believe that a practicable line will be found, although it may possibly be necessary to cut or tunnel occasionally through soft sandstone rock, a matter of no great regret, if in so doing coal fields are opened up, which I anticipate they would be.

If

* Mr. Barton and the detachment of Royal Engineers.

If there be any truth in a rumour which has reached me—that the best line to connect Sydney with Melbourne on the one side, and with the Northern Districts on the other, would be found by way of Bathurst, great importance attaches to the present survey, in addition to that arising from a better means of communication being provided between Sydney and the Bathurst District.

Before this point can however be determined, equally careful surveys must be made of the country, both to the south and north,—a matter involving considerable time and labor.

In the meantime the survey to Bathurst is being vigorously pushed.

I do not consider the present uncertainty of the best line to Bathurst beyond the Hawkesbury a sufficient reason for deferring the line to Penrith. A considerable period must in any case elapse before a Railway will be completed to Bathurst, during which time the traffic must pass by the present main road, and *via* Penrith to Sydney; and I have already discussed the propriety of a Railway being constructed under these circumstances.

Should the valley of the Grose ultimately be found to present the best line, the Railway would cross the Hawkesbury between Penrith and Richmond, and join the Parramatta and Penrith line a few miles beyond the river. From the point of junction to Penrith would then be a short branch; and hereafter two others, for which the country is favorable, might connect Windsor and Richmond with the main line.

Whatever direction, however, the main line may ultimately take, it may be anticipated that before its action could interfere with that of a line to Penrith, the development of that part of the country will have been such, from its position as the temporary western terminal station, as to render a branch connecting it with the main line self-supporting.

Reliable trial surveys, such as that now in progress towards Bathurst, convey information absolutely requisite for the consideration of the question of further extensions, in whatever manner such extensions may be ultimately carried out.

THE ROADS.

It is not necessary for me to trouble the Government at any great length with remarks upon those portions of the main roads at present under my general direction, the question of the future management of the main roads of the Colony being already under their consideration in another form. A first step has, however, been taken towards their ultimate improvement, in accordance with the suggestions contained in my former Report.

Having been requested by the Government to undertake the repair of the Denison Bridge, at Bathurst, endangered by the floods of last winter, I selected for this duty an Engineer acquainted with the principles of the construction of roads as well as bridges, and when the duty he was more immediately sent upon was completed, directed him, with the sanction of the Government, to examine in detail the road between Parramatta and Bathurst.

My object in this was to lay before the Government a reliable statement of the cost of placing the present road between these two points in good condition, and of afterwards maintaining it; and also of what deviations, if any, were advisable, and their cost; in order that the relative expense of Railways and Roads for this district might be fairly compared, and in order to facilitate the formation of the road where necessary, and to provide for its repair and maintenance on a defined system, instead of making desultory repairs, scantily done at first with insufficient funds, and too frequently destroyed when scarcely completed.

I shall have the honor of shortly laying a report upon this road before the Government, and I have already recommended that similar steps should be taken in reference to the other Main Roads of the Colony.

There is an expenditure required upon a particular road not under my charge, *viz*, the direct road from Camden to Campbelltown, which I have already alluded to, and to which I have again to request consideration, as it bears immediately upon the future prosperity of the Southern Railway.

This road is at present undrained, and all but unformed; and there is also a part of it (Kenny's Hill) which forms a most serious obstacle to traffic along it.

A glance at the ground will shew that the road never should have passed, as at present, over the highest summit of the hill; it should be diverted into its natural course, and at the same time formed and drained throughout.

I am of opinion this work will tend so directly to increase the goods' traffic of the Railway as to entitle it to be at once considered a reproductive work, and I recommend its immediate execution.

The construction of Plank Roads in districts where metal is scarce and difficult to be obtained, and wood abundant, to which I alluded in my former Report, has received my further attention. The short lengths made at different times in this Colony, chiefly by way of experiment, or as the readiest means of effecting a temporary repair, have, from the absence of machinery and the high price of labor, been rudely put together, and at considerable cost. The reports I have received as to their duration and convenience, compared with other parts of the roads, have been favorable; but I am informed that in Victoria, Plank Roads have been tried on a large scale, and found unsuccessful. Authentic information has been sought on this subject from the Government of that Colony, which, if supplied, will furnish very interesting data for a further consideration of the value of this description of road.*

Whatever may be the description of roadway ultimately found best suited to the resources and wants of each district, the importance of improved means of communication cannot be over-rated, whether the financial prosperity of the Colony be considered or its unity as a State.

THE ELECTRIC TELEGRAPH.

In reporting, for the first time, upon this branch of my Department, it will be interesting briefly to trace the rise and progress of the Electric Telegraph, not only in New South Wales but in Australia generally, so far as I possess information upon it at present.

THE VICTORIA TELEGRAPH.

The Colony of Victoria took the lead in this great inter-colonial work, the construction of a line of Electric Telegraph to connect Melbourne with Williamstown having been directed as far back as the 10th November, 1853, completed in February, 1854, and publicly opened on the 3rd March, 1854, although, pending the introduction of the Electric Telegraph Act, 17 Victoria, No. 22, no charge was made for the transmission of messages by the public until the 1st May following.†

In September, 1854, an extension of the line was commenced, and on the 5th December following, communication with Geelong was established, and the line from Geelong to the Heads having been in progress simultaneously, communication with Queenscliff was opened on the 30th of January, 1855. A branch line from Melbourne to Sandridge was also completed and placed in operation on the 1st July, 1855, so that at this period there were in operation 72 miles of line as follows:—

Melbourne to Geelong <i>via</i> Williamstown	50 miles.
Geelong to Queenscliff	20 "
Melbourne to Sandridge	2 "
Total	72 ‡

In the month of November, 1855, it was decided to extend lines respectively from Geelong to Ballarat, and from Melbourne to Sandhurst *via* Castlemaine. The work was commenced early in May, and the line between Geelong and Ballarat, a distance of 58 miles, was permanently opened on the 14th December, 1856, and communication over the line from Melbourne to Sandhurst tested on the 20th of the same month, the distance being 125 miles.

In the year 1856, also, the Governments of Victoria and Tasmania entered into a correspondence relative to the establishment of a submarine telegraph between the two Colonies at their joint expense, the cost of the portion from Tasmania to Cape Otway to be divided equally, and a branch line from Queenscliff or Warnambool to Cape Otway to be made at the expense of Victoria.

The

* I omitted in my former Report to state the source from which I drew much of the information afforded upon these and other roads, viz., "Gillespie on Roads and Railroads."

† Report of Mr. S. W. McGowan, Superintendent of the Electric Telegraph in Victoria, dated 31 December, 1856.

‡ The cost of constructing these lines and stations, the latter being on a permanent scale, was £17,600. In May, 1856, the monthly charges were £360, and monthly receipts about £450.

The submarine portion of the line was carefully surveyed by Mr. McGowan in the months of October and November, 1857, and it has been decided the line should leave Victoria at Parker Cove, Cape Otway, and be laid down to a sandy cove in King's Island, named Victoria Cove. From thence it is to be carried across the island to Sea Elephant Bay, and from this point to the north-western bight of Hunter or Barren Island, passing about three quarters of a mile north of Albatross Island; from the north the line passes to a cove on the south side of Hunter Island, nearly opposite the lower end of Stack Island, and thence to a high sand patch about a mile to the westward, and two miles from Cape Grim, in Tasmania.*

The cable suggested by Mr. McGowan is a single copper wire cable, the wire of number 16 gauge, the cable to weigh not less than one ton to the mile; the extreme cost of the entire line was estimated at £33,000 in 1856.†

The effect of this line, when carried out, will be to place Hobart Town in instantaneous communication with Adelaide and Sydney *via* Melbourne, as soon as the inter-colonial lines in progress are completed.

A contract for the portion from Cape Otway to Cape Grim was made on the 7th instant; the date fixed for completion being the 1st May, 1859, and the cost £25,000.

In the course of the year 1857 the telegraphic lines to the western and north-eastern boundaries of Victoria have also been completed; the line *via* Ballarat, Fiery Creek, Hexham, Warrnambool, and Portland to the South Australian boundary having been completed on the 29th December, 1857; and that to the River Murray opposite Albury, *via* Sandhurst, Kilmore, Longwood, Benalla, Wangaratta, Beechworth and Belvoir on the 5th of the same month. The distance from Ballarat to Portland being 230 miles; and from Melbourne to Portland, 338 miles; and from Melbourne to the River Murray, 250 miles.

The lines contemplated for construction during the year 1858 are an extension from Raglan (Fiery Creek) to Ararat; Castlemaine to Ballarat, embracing, *en route*, Maryborough, Dunolly, Creswick, &c.; Sandhurst to Echuca on the River Murray; and the line, already alluded to, now fixed from Geelong to Cape Otway to meet the submarine line to Tasmania.

Such have been, up to the present time, the exertions of Victoria to establish inter-colonial telegraphic communications; and one cannot but admire the ability and energy with which they have been carried on.

The system of construction is extremely simple, and in accordance with that pursued in America.

The posts used are saplings of blue gum, red gum, white gum, stringy-bark, and iron-bark, except between Melbourne and Sandridge, the posts there being of Baltic deal.

The measurement of each sapling is usually twenty-five feet in length by nine inches square at the base, tapered to five inches at the top; the base of the post is thoroughly charred and tarred for five feet six inches in height, and is buried five feet in the ground, the holes being bored by earth augers. There are thirty posts to each mile.

The insulators are "bell pattern," of the best quality, of hard baked and highly glazed earthenware.

A

* The particulars of the distances, and the length of submarine cable and land line which it will be necessary to provide, are as follows:—

PLACES.	Actual Distance.	Length of Cable recommended.
	Miles.	Miles.
Cape Otway to Victoria Cove, King's Island.....	49	56
Victoria Cove to Sea Elephant Bay (land line).....	18	..
Sea Elephant Bay to North-west Bight, Hunter Island.....	48	55
North-west Bight to South Cove (land line).....	8	..
South Cove to Tasmania.....	4½	6
TOTAL.....	127½	117

† Shortland's Bluff to Cape Otway, say 150 miles, at £60..... 9,000
Cape Otway to Cape Grim, at £100..... 15,000
Cape Grim to George Town, at £60..... 9,000

Total..... £33,000

A single conducting wire of number 6 galvanized iron is found sufficient to meet all the ordinary requirements of traffic.

The cost of the lines has varied considerably,—the first, between Melbourne and Williamstown having been contracted for at £193 15s. per mile; the second, between Williamstown and Queenscliffe, at £115 15s. From Geelong to Ballarat the line cost £82, and from Melbourne to Sandhurst £73 per mile; the extensions from Ballarat to the South Australian frontier, and from Melbourne to the Murray, on the New South Wales boundary, having cost respectively £65 10s. and £59 15s. per mile.

The system adopted in working is the Morse, the instrument used being Morse's Recording Telegraph, usually in the single acting form; the double acting Morse instruments, manufactured by Siemens and Halske, of Berlin, being used at important terminal stations.* The battery employed is a Groves Battery, or Chester's patent.

The offices are kept open for the transmission of messages by the public generally from 8-30 a. m. until 8 p. m. The regulations for the transmission of telegrams are of the usual nature.

I understand that the Head Office at Melbourne is kept open all night.

In Table 23 will be found a record of the working of the lines, interesting especially as shewing the rapid increase in the number of messages sent, and consequently in the revenue.

The net receipts for the year 1857, including £1,671 8s. 8d. as the value of despatches on the public service, were £3,531 18s. 2d., affording interest at the rate of nine per cent. per annum on £40,000, the round cost of establishing the line,—but Mr. McGowan anticipates, that if office accommodation easy of access were provided at Melbourne, the revenue of that station would receive a marked addition.

SOUTH AUSTRALIAN LINES.

The construction of the Adelaide City, Port, and sea-coast line was commenced in December, 1855, opened to the Port on the 18th February, 1856, and to Le Fevre's Peninsula early in the following month. Between Adelaide and the Port the line is over ground; there are thirty-two posts to the mile, and four wires; the insulators are inverted cones of white porcelain. In the streets of Adelaide a six wire cable is laid under ground in divided iron pipes, and the same has been done at the Port and across Le Fevre's Peninsula; seven hundred yards of a six wire submarine cable being laid under the creek.

The cost of the line, including the erection of stations, was about £3,024, or £600 per mile under ground, and £228 per mile over ground.

The erection of the line to Gawler Town was commenced in January, 1857, and opened to the public on the 14th of April, 1857.

The length of this line is twenty-eight and a-half miles; there are two wires, about twenty-seven posts to the mile, between sixteen and seventeen feet in length along the line of Railway, and twenty-two feet at all level crossings. The cost of the line, exclusive of the Gawler Town station, was £1,576, or £55 5s. 11d. per mile.

The estimated receipts, including £500 for messages on public service, are £1,700 for the year 1857; the expenditure, £1,232; the net receipts, £468.

The number of messages sent is remarkable, being 30,870 for sixteen months, from the 18th February, 1856, to the 30th June, 1857, as compared with 29,284, the number sent during thirty-three months, ending December, 1856, on the Victorian lines.†

In April, 1856, the Governments of South Australia and Victoria entered into communication relative to the establishment of an inter-colonial line of telegraph; and in July of the same year, Mr. Charles Todd, Superintendent of Telegraphs in South Australia, proceeded to Melbourne for the purpose of procuring information to facilitate the execution of the desired object; by whom and Mr. McGowan a joint Report was presented to their respective Governments, dated 25th August, 1856.

This Report, after alluding to the importance of connecting New South Wales with the general system, recommended, among other things, that:—

Each

* The chief novelty of this instrument consists in its double action, by means of which a message can be transmitted and received by the same instrument at the same moment.

† Report of Mr. Charles Todd, Observer and Superintendent of Telegraphs, South Australia.

Each Government should erect the line of telegraph within its own territory, and carry it to a common point on the boundary.

The same description of instrument should be used throughout the Colonies; and the code, regulations, and arrangements be as nearly as possible identical.

There should be an equal division of receipts, derived from all *inter-colonial* messages, between what stations soever they may pass.

These suggestions received the general assent of the two Governments.

Mr. Todd, in returning to Adelaide overland, made a careful survey of the country from Portland, and recommended the following as the route for the line to follow:—

“From Adelaide, by the south road, over Tapley’s Hill, through Noarlunga and Willunga to Middleton; thence along the tramway to Port Elliot, and back by the tramway to Goolwa; from Goolwa across to Hindmarsh and Mundoo Islands to Pelican Point, crossing the channels by a single wire submarine cable; and thence along the Coorong to fourteen miles beyond the Salt Creek, or near the Chinamen’s Wells; thence to Mount Benson, along the edge of a flat; through Robe Country to Robe Town; from Robe Town towards Mount Muirhead, till about twenty-two or twenty-five miles from Guichen Bay, when it should turn in the direction of Mount Gambier, and from Mount Gambier by the road to the punt near the mouth of the Glenelg,—the distance being about 325 miles.”

The Legislature approved of the route recommended, and voted in February, 1857, the sum of £20,500 to erect the line; and a contract was entered into for its construction for £40 a mile, the Government finding wire and fittings, and the estimated expense, excluding buildings, but including instruments, batteries, and station stores, being £60 per mile.

In this is included ten miles of submarine cable, at £80 per mile, laid under the Goolwa Channel and Lake Alexandrina. The cable weighs only 17 cwt. to the mile, the core consisting of seven copper wires, (No. 18), forming one conductor, well insulated by a thick coating of gutta percha, and the whole protected by 18 strands of (No. 16) iron wire.

The system of construction, the instruments and materials used, and the general arrangements for working, are closely assimilated to those of Victoria. The posts are, however, only 22 feet long in place of 25; a large extent of the country traversed being destitute of serviceable timber.

This line is intended to be opened on the 1st proximo; and it must be very satisfactory to those who by their efforts and cordial co-operation, have contributed so materially to its success, to see inter-colonial communication so rapidly advancing.

THE TASMANIAN LINES.

I have not received any official report upon the lines that are being constructed in Tasmania, and am therefore indebted to the Reports of Messrs. McGowan and Todd, and to the statements of the daily press, for the scanty information I can at present submit.

I learn, however, that in July, 1856, Mr. Champ, then the Honorable the Colonial Secretary in Tasmania, visited Melbourne for the purpose of inspecting the Electric Telegraph, prior to its introduction into Tasmania, and that, on his return, a line from Georgetown to Mount Lewis was commenced.

In September of the same year a correspondence was opened between the Government of Tasmania and that of Victoria, relative to the establishment of telegraphic inter-communication, the result of which has been the undertaking of the submarine line from Cape Otway to Cape Grim, which I have already detailed in my sketch of the Victoria lines.

This line will be in connexion with that to Hobart Town, *via* Circular Head, Georgetown, and Launceston.

I am under the impression that the line, or a portion of the line, between Georgetown, Launceston, and Hobart Town, is now in operation.

The distance between Melbourne and Hobart Town is 682 miles by telegraph, the estimated cost of the line being £45,000.*

WESTERN AUSTRALIA.

I have no information respecting the construction of telegraphic lines in this portion of Australia.

NEW

* Reports of Messrs. McGowan and Todd, and “Correspondence relative to the Establishment of Electro-Telegraphic Communication between the Australian Colonies.” Victoria, 1856.

NEW SOUTH WALES LINES.

While the construction of lines was commenced in Victoria as far back as the end of 1853, and in South Australia at the end of 1855, no contract was made for their construction in this Colony till the middle of May, 1857; it is not, therefore, surprising, that telegraphic communication should be less advanced here than in the sister Colonies.

As far back, however, as the end of March, 1854, an Estimate of the cost of constructing a line ten miles in length was ordered and sent in to the Government. The estimate amounted to £200 a mile.*

Towards the end of 1855 (November), the attention of the Government appears to have been again turned to this subject,—a Report from Mr. McGowan, of the probable cost of constructing a line between Melbourne and Sydney having been laid before it †

In August, 1856, a further communication was made to the Government on this subject.‡

In September of the same year, the Chief Secretary, Melbourne, addressed the Colonial Secretary, Sydney, requesting to be informed whether, in the event of the Electric Telegraph being extended to the Victoria side of the river Murray, the Government of New South Wales would undertake to construct a line from Sydney to connect with it.

A Select Committee of the Legislative Assembly§ was appointed on the 31st October, to consider and report upon the subject of the introduction into New South Wales of the Electric Telegraph. The Committee recommended, on the 18th December,—

“That immediate steps be taken, in concert with the Government of Victoria, to connect the Cities of Sydney and Melbourne by Electric Telegraph.

“That a sum not exceeding £38,000 be placed on the Estimates for 1857 for that purpose.”

The Committee recommended also the connexion, at an early period, of the town of Bathurst with the metropolis by Electric Telegraph.

The sum of £38,000 was accordingly placed upon the Estimates for 1857.

A contract was entered into for the construction of the line from Liverpool to Albury, on the 11th of May last, tenders having been called for by public competition.

The result appears to afford another proof of the inadequacy of the system of tender by public competition to provide efficiently for the execution of large public works, especially in a new country.

I was not in the Colony at the time, but I am aware that every pains were taken to ascertain the competency of the contractor and his sureties, to whom, as being the lowest tender, the work was given.

At the same time the Government undertook the construction themselves of the line along the Railway to Liverpool.

It soon became apparent that the contractor was incompetent to perform the work he had undertaken, and, after allowing full time to give him a fair trial, the Government terminated the contract on the 12th October, on the only clause giving the power—that of unnecessary delay.

Negotiations were at once entered into, with the view of avoiding delay, with parties competent to execute the work; the Government considered the terms asked too high, and tenders were again called for by public competition.

The usual delays inevitably attendant upon this system of carrying on public works occurred, and, although the tender of the present contractor was provisionally accepted on the 12th November, it was not until the 18th January last the bond was signed.

The line between Berrima and Picton was completed on the 1st instant, a distance of thirty-three miles; since then the progress of the work has been more satisfactory; and the line will be ready to be opened to Goulburn about the 1st proximo; but I cannot anticipate that the line will now be completed in the time specified without the most strenuous exertions on the part of the contractor.

The

* By Captain Mann, C.E., letter dated 29 March, 1854.

† By Captain Towns, letter dated 1 November, 1855.

‡ By Mr. Samuel, letter dated 12 August, 1856.

§ Mr. Parkes, Chairman.

The price of the present contract is £57 per mile, without instruments or buildings; that of the original contract having been £49 14s. 6d.

In the meantime considerable difficulty had been experienced relative to the line between Liverpool and Pieton, a distance of thirty-three miles.

When the first contract was terminated, the works were very incomplete upon this portion, and immediately upon its termination several parties waited upon me to state that they had not been paid, either for materials or labor; some of these were apparently laboring men.

It was evident that these parties had no legal claim upon the State, but the Government were very desirous that they should, if practicable, be paid.

I am happy to state that, after a delay of many months, this has been effected, and the claims sent in, up to the time of the signing of a new bond, have been paid.

The arrangement, under which this was effected, was the making of a second contract with the original contractor, for the completion of the line from Pieton to Liverpool, on condition that the sub-contractors, under the original contract, should be paid their several claims.

This contract was made on the 25th February, 1858, and the work completed on the 18th March last, the price paid being £1 per mile less than the first agreed upon, the Government taking the maintenance of the line at once into their own hands.

It is due to the sureties of this second contract to state that it was efficiently carried out.

The line between Sydney and Liverpool, 22 miles, was completed in the early part of October last, but was not then opened.

On the 27th of the same month a line to connect Sydney with the South Head was, by order of the Government, commenced, and was completed early in the following January, at a cost of £657 6s. 8d., or about £91 per mile, including instruments and station fittings.

The cost of this line was increased by most of the holes having to be put down in rock for the posts, and by additional labor in coming through the City.

Detailed statements of the Telegraph Accounts to the 31st December, 1857, will be found in the Appendix, Table 27.

Arrangements having been made with the Directors of the Exchange Company for the use of two excellent rooms in the Exchange as a head office for the present, at a nominal rent, an instrument was placed there, and the Liverpool and South Head lines connected with it, instruments being at the same time set up at those stations.

These instruments were Siemen and Halske's recording instruments, there being no single acting Morse instruments to be obtained. They will be found very useful, especially hereafter as the lines extend.

On the 26th January last, the Liverpool and South Head lines were formally opened by His Excellency the Governor General, and on the following day for general use, and they have worked satisfactorily to the present time.*

As soon as the line to Goulburn is opened, the Colony will possess the power of instantaneous communication over 130 miles.

The inhabitants of Albury having, at their own cost, continued the Victoria line to Albury, applied to the Government to have a station opened; and the necessary arrangements having been made, the Albury Station was connected with Belvoir on the 9th instant, and opened for public business. The temporary station in use has been erected and fitted at the expense of one of the inhabitants.†

I shall have the honor of immediately submitting, for the consideration of the Government, the terms upon which Mr. McGowan, (with whom I have been in communication upon the subject), proposes the accounts for inter-colonial messages should be arranged.

On the 15th March last the Government directed lines to be constructed, to connect the Signal Station at Fort Phillip, the Port Office, and Post Office, and the Railway Office, with

* These lines were constructed, and the instruments set up, under the immediate superintendence of Mr. Lay, now operating Clerk at Albury.

† Mr. Nichols.

with the South Head and the Albury lines, at a cost not exceeding £200, including instruments and batteries.

These extensions were completed on the 31st of the same month,* and they will ultimately effect a saving of labor, as messengers will no longer be required for the purpose of delivering shipping intelligence between the Harbour Office, Post Office, and Signal Station. The advantage to the Railway Department in meeting the wants, and ensuring the safety of the public using the rail, will be very great; and the more so as single lines extend. Indeed, it is barely safe to work a long single line of Railway without the security afforded by the telegraph.

Arrangements have been made by which messages can be transmitted between the Exchange and the South Head at any hour of the day or night, and the office will immediately be opened for night duty.

In order to form an economical staff of operators, who may at the same time be depended upon, young lads are being paid the nominal wages of 2s. 6d. per week, and trained up to a knowledge of telegraphy. Three are, already, fairly expert operators. I am informed this has given rise to some misconceptions as to the number of persons employed at the Exchange, but the system will be found advantageous to the public in whatever light it is viewed.

It will be necessary to take early measures to construct, or obtain, suitable buildings for stations up the country.

The construction of the New South Wales lines is similar to that of Victoria and South Australia; the instruments and batteries used are the same; and it is proposed to assimilate all the arrangements, as far as possible, to those of the sister Colonies.

The posts are sound saplings, twenty-three feet in length, nine inches at the base, and seven or eight inches at the top. They are of box, iron-bark, or stringy-bark, tarred and charred for five feet up from the butt, and the top bound with hoop-iron. They carry a single wire (No. 6, galvanized,) which is insulated from the posts by a brown earthenware insulator, of the umbrella shape, fixed on the top of the posts by a wooden, or, in some cases, iron pin, and secured by a mixture of resin, shellac, and Venice turpentine,—the wire being bound to the insulator at each point by binding-wire (No. 16), and very perfect insulation appears to be maintained. The instruments used are Morse's Recording Instruments, and the batteries are Chester's Patent; and a sulphate of copper local battery is also being tried. The Offices are open from 9 A. M. to 6 P. M., daily, Sundays excepted, and messages can be sent at any hour of the day or night between the Exchange and the South Head.

When the line is opened through to Melbourne it may be anticipated the Electric Telegraph will be a reproductive work. Mr. McGowan, as I have already stated, is of opinion the Victoria lines will pay more than nine per cent.

I submit, for the consideration of the Government, the importance of early extensions, at least, to Bathurst and Newcastle; the latter would, among more important matters, greatly facilitate the effective supervision of the Northern Railway.

The Government are aware of the immense importance of telegraphic communication with England via India.

The prosperity of the Colony, and its unity as a State, are inseparable from improvement in the existing condition of Internal Communication, whether Railways, Roads, or the Electric Telegraph be considered.

I have, &c.,

B. H. MARTINDALE.

* The assistance the Government have afforded me, by the appointment of Mr. Cracknell as Assistant Superintendent of Electric Telegraphs, permitted this service to be thus rapidly and efficiently performed.

1858.

Legislative Assembly.
NEW SOUTH WALES.

INTERNAL COMMUNICATIONS.

APPENDIX TO THE SECOND REPORT

TO

The Honorable the Secretary for Lands and Public Works

ON THE

INTERNAL COMMUNICATIONS

OF

NEW SOUTH WALES.

By CAPTAIN MARTINDALE, ROYAL ENGINEERS,
CHIEF COMMISSIONER FOR RAILWAYS, COMMISSIONER FOR ROADS, AND SUPERINTENDENT OF THE ELECTRIC TELEGRAPH.
A.E. L.S. C.E., M.E.M. I.N.S. M.E., &c., &c.



ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED

17 August, 1858.

SYDNEY:

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1858.

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APPENDIX
TO
CAPTAIN MARTINDALE'S SECOND REPORT
ON
INTERNAL COMMUNICATIONS.

TABLE I.

ABSTRACT of the Capital Account of the Great Northern and Great Southern Railways, shewing the total Expenditure to 31st December, 1857.

	PARRAMATTA, 13½ miles.	LIVERPOOL, 8½ miles.	CAMPBELLTOWN, 12 miles.	GREAT NORTH- ERN RAILWAY, 20 miles.	STORES.	TOTAL.
Construction	595,890 8 7	80,922 15 1	14,302 3 1	250,917 17 5	.....	951,093 4 2
Engines and Tenders..	301 11 9	.....	.....	13 16 7	.....	315 8 4
Machinery	7,009 15 8	.....	.....	436 2 4	.....	7,445 18 0
Engineering	9,259 15 10	.....	.....	4,158 15 2	.....	13,418 11 0
Engines for water	74 17 9	.....	.....	.....	.....	74 17 9
Compensation.....	19,883 7 5	6,174 5 0	508 10 0	1,307 0 0	.....	27,873 2 5
Freight	22,847 16 2	3,033 7 0	1,000 0 0	13,606 8 5	2,422 3 11	43,109 15 6
Permanent Way.....	51,466 7 1	13,009 10 2	6,000 0 0	38,041 16 1	21,940 4 9	130,467 18 1
Rolling Stock.....	58,347 10 2	.....	.....	39,274 7 6	.....	97,621 17 8
General Expenditure..	30,746 4 0	12,749 2 3	.....	18,414 4 10	.....	61,909 11 1
Stores, Great Northern	.....	.....	.....	.....	559 4 9	559 4 9
Do. Great Southern	.....	.....	.....	.....	4,212 16 5	4,212 16 5
Remittances to English Agents ..	.....	.....	.....	.....	28,111 13 0	28,111 13 0
Advances, Roads, Surveys, &c.	47 10 0	.....	.....	143 14 11	.....	191 4 11
	£ 795,875 4 5	124,888 19 6	21,870 13 1	366,514 3 3	57,246 2 10	1,366,395 3 1

ABSTRACT of the Receipts and Payments on Capital Account of the Great Northern and Great Southern Railways, to the 31st December, 1857.

RECEIPTS from Colonial Government, &c., on account of the Great Southern Railway ..	1,002,418 15 5		EXPENDITURE. Sydney to Parramatta ..	795,875 4 5	
			Parramatta to Liverpool	124,888 19 6	
Receipts from Colonial Government, &c., on account of the Great Northern Railway ..	866,514 3 3		Liverpool to Campbell- town	21,870 13 1	
			EXPENDITURE GREAT SOUTHERN RAILWAY	942,634 17 0	
TOTAL RECEIPTS		1,368,332 18 8	Newcastle to W. Maitland	866,514 3 3	
			Stores	57,246 2 10	
Balance of Revenue Ac- count, to 31 December, 1857, due to the Colo- nial Treasurer		2,836 15 5	TOTAL EXPENDITURE ..		1,366,395 3 1
			Balance at the Joint Stock Bank	5,084 2 3	
			Balance at the Bank of Australasia, New- castle	290 8 9	
					5,374 11 0
		£ 1,371,769 14 1			£ 1,371,769 14 1

Railway Branch,
Sydney, 20 April, 1858.

TABLE II.

THE BALANCE SHEET of the COMMISSIONERS FOR RAILWAYS for 1857; for transactions of the year 1857.

CAPITAL ACCOUNTS.			
GREAT SOUTHERN.			
Australian Joint Stock Bank	5,084	2	3
Capital Account	181,198	4	1
Duplicates to Stores	246	12	1
Workshop Plant	215	15	1
Liverpool Pumps	74	17	9
Erecting Engines	54	19	8
Goods Office	2	19	7
Wm. Randle	344	12	1
Wagon under Frames	484	12	2
Station Buildings	3,715	2	11
New Trolleys	7	11	1
Wm. Randle, Liverpool Extension	2,970	0	0
Ditto Campbelltown Extension	8,277	14	2
Sydney Railway Co.	899	8	1
Station Plant	130	3	8
Exchange Account	760	0	0
Freight Account	7,866	1	10
General Expenditure	2,045	14	8
Lloyd, Beilby & Co.	10,000	0	0
Sydney Office	45	0	4
Traversing Crane	4	10	6
Petty Cash	25	0	0
Wheel Standards	2	17	7
Stationery	1,549	4	6
Rent	625	0	0
Furniture	380	19	0
Compensation for Land, viz. :—			
Sydney	3,222	0	0
Liverpool	150	0	0
Campbelltown	508	10	0
Permanent Way Account	7,194	16	4
Plant Account	63,807	1	3
Advance to J. Ball	20	0	0
Printing Account	91	1	3
Rolling Stock Account	1,888	16	5
Machinery	41	6	0
Store Account	2,938	0	2
Station Sidings	399	7	5
Wages	2,845	14	3
Permanent Way Repairs	719	9	10
Salaries Account	10,081	10	9
Advance to Roads Account	27	10	0
	320,936	7	1
GREAT NORTHERN.			
Capital Account	57,043	7	0
Salaries	1,423	0	11
Hunter River Railway Co.	3,492	16	1
Compensation for Land	280	0	0
W. Wright, Contractor	16,605	4	2
General Expenditure	583	17	3
Wages Account	1,786	8	10
Stores Account	559	4	9
Locomotive Expense Account	12	14	0
Advances to Stations	12	0	0
Freight Account	2,016	3	11
Stationery	102	13	1
Printing	92	6	4
Railway Surveys	143	14	11
Rolling Stock Account	263	2	3
Station Plant Account	196	17	3
Duplicates to Stores	1	2	7
Station Buildings	228	1	5
Permanent Way Account	3,800	17	0
Mark Faviell	454	7	0
Bank of Australasia	290	8	9
	£ 89,388	6	6
	£ 410,324	13	7
			£ 410,324 13 7

Examined, audited, and found correct.

ARCHD. CAMPBELL, } Auditors.
W. J. LENNON, }

THOS. H. BARLOW,
Accountant.

TABLE V.

STATEMENT of RAILWAY RECEIPTS and EXPENDITURE, from the

NAME OF RAILWAY.	YEAR.	QUARTER AND HALF YEAR.	NUMBER OF TRAINS.			LENGTH OF LINE OPEN.	PASSENGERS.				GOODS.	RECEIPTS PER MILE OF RAILWAY OPEN.					TRAIN MILES RUN BY		
			Passenger.	Goods.	TOTAL.		1st Class.	2nd Class.	3rd Class.	TOTAL.		Tons.	Passen- gers.	Horses, Carriages, and Dogs.	Goods.	TOTAL, in- cluding Misce- laneous.	Passenger Trains.	Goods Trains.	TOTAL.
GREAT SOUTHERN RAILWAY.	1855	26 Sept. to 31 Dec.	1,045	1,045	134	15,010	16,502	67,844	98,846	No Record	667-2	9-7	11-5	688-5	14,107-5	.....	14,107-5	.....
	1856	1 Jan. to 30 June	1,931 and 890	1,931 and 890	131	18,426	10,630	151,680	189,746	No Record	955-2	44-0	83-1	1,082-2	27,889	.....	27,889	.....
		1 July to 31 Aug.	768 and 1001	768 and 1001	134	6,055	6,524	51,789	64,309	No Record	310-6	18-2	10-06	349-4	9,770	.....	9,770	.....
	1856	1 Sept. to 31 Dec.	1,186	210	1,396	22	6,953	13,173	76,481	96,608	2,469-407	498-8	23-19	62-1	587-07	26,092	4,620	30,712	.....
		1857	1 Jan. to 30 June	1,714	310	2,024	22	8,043	16,627	103,612	127,312	7,155-58	656-97	43-15	118-4	818-5	37,708	6,820	44,528
	1857	1 July to 31 Dec.	1,736	316	2,052	22	10,484	17,693	144,681	172,258	12,132-227	664-06	42-8	229-06	952-2	38,182	6,952	45,144	.....
		Total Number of Passengers, from 26 Sept., 1855, to 31 Dec., 1857						64,972	88,640	565,827	749,140								
GREAT NORTHERN RAILWAY.	1857	30 Mar. to 30 June	364	...	364	16½	1,553	.....	7,510	9,063	317-34	75-66	0-739	10-04	86-4	6,006	.....	6,006	.....
		1 July to 31 Dec.	736	...	736	16½	3,063	.....	17,823	20,386	1,242-32	156-2	4-4	35-6	186-2	12,144	.....	12,144	.....
	Total Number of Passengers, from 30 Mar. to 31 Dec., 1857						4,616	.....	24,833	29,449									

TABLE VI.

STATEMENT of RECEIPTS and EXPENDITURE, arranged in periods, in accordance with the various to the 31st

YEAR.	PERIOD.	MONTHS.	PASSENGERS.				RECEIPTS.	FARE PER MILE.						Average Number of Passengers per Month, and ratio, 1,000 being unity.	Average Receipts per Month, and ratio, £1,000 being unity.	Train Miles run, and average number per Month.	Train Miles run, and average number per Month, excluding Goods Trains.						
			1st Class Passengers.	2nd Class Passengers.	3rd Class Passengers.	TOTAL Passengers.		1st Class.	2nd Class.	3rd Class.	Mean.	Mean.	Mean.										
£	s.	d.	d.	d.	d.	d.	d.	d.	d.	d.													
1855	26 Sept. to 31 Oct.	1-10	7,720	7,999	23,164	38,883	4,284	1	9	6	d.	4	5	4	5	3	9	32	33,511 and 83.5	3,689 and 3.6	5,948.5	}	.....
1855	1 Nov. to 30 Nov.	1	3,959	4,274	21,536	29,770	2,498	4	7	6	0	0	0	0	0	0	0	0	29,770 and 20.7	2,498 and 2.4	4,644			}	.....
1856	1 Dec. to 29 Feb.	3	8,715	10,113	66,626	84,455	6,179	16	11	3	1	1	1	1	1	1	1	1	25,152 and 28.1	2,000 and 2.0	12,987	}	.....
1856	1 Mar. to 31 Aug.	6	19,096	20,361	180,393	199,850	13,124	11	1	4	8	3	2	2	2	2	2	2	33,399 and 33.3	2,189 and 2.1	4,329			}	.....
1856	1 Sept. to 30 Sept.	1	2,536	4,449	24,307	31,293	3,593	9	6	3	0	5	6	4	2	1	7	2	31,293 and 31.2	3,593 and 3.5	28,587	}	.....
1857	1 Oct. to 30 April.	7	9,025	17,659	113,913	140,597	17,234	7	1	4	0	4	2	3	1	9	7	2	20,065 and 24	2,462 and 2.4	52,756			}	6,424
1857	1 May to 31 Dec.	8	13,019	23,785	186,684	224,288	19,229	18	7	3	5	3	3	2	2	8	1	1	28,036 and 28.0	2,403 and 2.4	7,586	}	6,352
										2	6	6	6	2	2	2	2	2	28.0	2.4	7,507		

TABLE V.

26th September, 1855, (date of Opening,) to the 31st December, 1857.

20th September 1900;

TABLE VI.

alterations in the Fares for Passengers, from the opening of the Great Southern Railway December, 1857.

Receipts per Train Mile from Passengers only.	Receipts for Horses, Car- riages, and Dogs, and Average Receipts per Month.	Receipts per Train Mile from Passengers, Horses, Carriages, and Dogs.	Total Receipts from all sources, and per Train Mile, and Average per Month.	Total Expenditure on all services, and per Train Mile, and Average per Month.	Length of Line Open.	Receipts per Mile open, Passengers only, Average per Month.	Receipts per Mile open, including Horses, Car- riages, and Dogs, Average per Month.	Receipts per Mile open, from all sources, Average per Month.	Proportion of Expenditure to Receipts, Passengers only.	Proportion of Expenditure to Receipts, including Horses, Carriages, and Dogs.	Proportion of Expenditure to Receipts on all services.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.			
0 15 50	28 10 7 and 24 6 0	0 16 64	4,347 6 0 2,743 5 2,586 3 8 11 19	2,832 6 3 10 30 2,331 9 1,710 5 3 7 43	13 1/2	273 26 (273 26)	275 0	277 3	66 5	66 1	65 6
0 10 84	46 17 6	0 10 115	6,746 12 0 10 46	4,121 4 11 6 40	13 1/2	185 03	188 5	192 2	68 8	67 1	65 9
0 9 62	204 5 0 and 68 1 8	0 9 98	2,228 87 14,338 11 8 10 52	1,373 75 9,153 4 5 5 115	13 1/2	152 59	157 6	166 5	66 5	64 5	61 0
0 9 21	691 9 3 and 115 4 10	0 9 79	2,489 76 4,020 5 7 10 74	1,625 53 2,379 6 2 6 33	13 1/2	162 14	170 6	184 4	64 9	61 6	57 1
0 11 21	156 17 3	0 11 79	20,782 8 6 7 10 3	16,487 4 8 5 10 3	22	163 31	170 4	182 7	56 1	55 82	59 1
0 7 64	875 12 11 and 125 1 10	0 8 00	2,968 91 27,061 2 11	2,312 45 20,459 3 3 6 96	22	111 9	118 0	134 9	76 0	72 5	74 6
0 7 67	1,306 19 7 and 163 4 10	0 8 09	3,382 63	2,556 27	22	109 2	110 6	153 7	89 9	84 2	75 5

TABLE VII.

STATEMENT, shewing Alterations in the Number and Time of the Trains, from the Opening of the Lines to the 31st December, 1857.

26TH SEPTEMBER to 31ST OCTOBER, 1855.

20th SEPTEMBER TO 31st OCTOBER, 1855.

STATIONS.												STATIONS.											
Down Trains.						SUNDAY.						Up Trains.						SUNDAY.					
Leave—												Leave—											
a. m.	a. m.	a. m.	a. m.	noon	p. m.	p. m.	a. m.	a. m.	p. m.	p. m.	p. m.	a. m.	a. m.	a. m.	a. m.	p. m.	p. m.	p. m.	p. m.	a. m.	p. m.	p. m.	p. m.
SYDNEY	6.0	8.0	10.0	12.0	3.0	5.15	9.0	11.0	3.0	6.0		PARRAMATTA	7.0	9.0	11.0	2.0	4.0	6.15	10.0	4.0	5.0	7.0	
Newtown	6.7	8.7	10.7	12.7	3.7	5.22	9.7	11.7	3.7	6.7		Homebush	7.15	9.15	11.15	2.15	4.15	6.30	10.15	4.15	5.15	7.15	
Ashfield	6.15	8.15	10.15	12.15	3.15	5.31	9.15	11.15	3.15	6.15		Burwood	7.21	9.21	11.21	2.21	4.21	6.35	10.21	4.21	5.21	7.21	
Burwood	6.24	8.24	10.24	12.24	3.24	5.39	9.24	11.24	3.24	6.24		Ashfield	7.27	9.27	11.27	2.27	4.27	6.42	10.27	4.27	5.27	7.27	
Homebush	6.30	8.30	10.30	12.30	3.30	5.45	9.30	11.30	3.30	6.30		Newtown	7.35	9.35	11.35	2.35	4.35	6.51	10.35	4.35	5.35	7.35	
PARRAMATTA	6.42	8.42	10.42	12.42	3.42	5.57	9.42	11.42	3.42	6.42		SYDNEY	7.42	9.42	11.42	2.42	4.42	6.57	10.42	4.42	5.42	7.42	

NOVEMBER, 1855.

NOVEMBER, 1855.											
STATIONS.		Down Trains.					SUNDAY.				
Leave—		a.m.	a.m.	a.m.	noon	p.m.	p.m.	a.m.	a.m.	p.m.	p.m.
SYDNEY		6-0	8-0	10-0	12-0	3-0	5-15	8-30	10-30	3-0	6-0
Newtown .....		...	...	...	...	...	...	8-57	10-37	...	...
Ashfield .....		...	...	...	...	...	...	9-45	10-45	...	...
Burwood .....		...	...	...	...	...	...	8-51	10-51	...	...
Homebush .....		...	...	...	...	...	...	8-57	10-57	...	...
PARRAMATTA .....		...	...	...	...	...	...	9-12	11-12	...	...
STATIONS.		Up Trains.					SUNDAY.				
Leave—		a.m.	a.m.	a.m.	p.m.	p.m.	p.m.	a.m.	p.m.	p.m.	p.m.
PARRAMATTA		7-0	9-0	11-0	2-0	4-0	6-15	9-30	4-0	8-0	7-0
Homebush .....		...	...	...	...	...	...	9-45	...	...	...
Burwood .....		...	...	...	...	...	...	9-51	...	...	...
Ashfield .....		...	...	...	...	...	...	9-57	...	...	...
Newtown .....		...	...	...	...	...	...	10-6	...	...	...
SYDNEY .....		...	...	...	...	...	...	10-12	...	...	...

DECEMBER, 1855.

DECEMBER, 1855.																			
STATIONS.		Down Trains.					SUNDAY.			STATIONS.		Up Trains.					SUNDAY.		
Leave—		a. m.	a. m.	a. m.	p. m.	p. m.	a. m.	p. m.	p. m.	Leave—		a. m.	a. m.	p. m.	p. m.	p. m.	a. m.	p. m.	p. m.
SYDNEY	60	80	110	3-15	5-15	90	30	60		PARRAMATTA	70	90	20	40	6-15	100	40	70	
Newtown	...	...	117	3-22	...	97	...	...		Hornebush	...	...	...	...	10-15	...	...	...
Ashfield	...	...	11-15	3-30	...	9-15	...	...		Birchwood	...	...	...	...	10-21	...	...	...
Birchwood	...	...	11-21	3-36	...	9-21	...	...		Ashfield	...	...	...	...	10-27	...	...	...
Hornebush	...	...	11-27	3-43	...	9-27	...	...		Newtown	...	...	...	...	10-35	...	...	...
PARRAMATTA	...	...	11-42	3-57	...	9-42	...	...		SYDNEY	...	...	...	...	10-42	...	...	...

JANUARY & FEBRUARY, 1856.

JANUARY & FEBRUARY, 1856.

STATIONS.		Down Trains.						SUNDAY.				STATIONS.		Up Trains.						SUNDAY.			
Leave—		a. m.	a. m.	a. m.	noon	p. m.	p. m.	a. m.	p. m.	p. m.	Leave—		a. m.	a. m.	a. m.	p. m.	p. m.	p. m.	a. m.	p. m.	p. m.		
SYDNEY	.....	6 0	8 0	10 7	12 0	3 0	5 15	9 0	3 0	6 0	PARRAMATTA	.....	7 0	9 0	11 0	2 0	4 0	6 15	10 0	4 0	7 0
Newtown	.....	6 7	8 7	10 7	12 7	3 7	5 22	9 7	3 7	6 7	Homebush	.....	7 15	9 15	11 15	2 15	4 15	6 30	10 15	4 15	7 15
Ashfield	.....	6 15	8 15	10 15	12 15	3 15	5 30	9 15	3 15	6 13	Burwood	.....	7 21	9 21	11 21	2 21	4 21	6 36	10 21	4 21	7 21
Burwood	.....	6 21	8 21	10 21	12 21	3 21	5 36	9 21	3 21	6 18	Ashfield	.....	7 27	9 27	11 27	2 27	4 27	6 42	10 27	4 27	7 27
Homebush	.....	6 27	8 27	10 27	12 27	3 27	5 42	9 27	3 27	6 27	Newtown	.....	7 36	9 36	11 36	2 36	4 36	6 51	10 36	4 36	7 36
PARRAMATTA	.....	6 42	8 42	10 42	12 42	3 42	5 57	9 42	3 42	6 42	SYDNEY	.....	7 42	9 42	11 42	2 42	4 42	6 57	10 42	4 42	7 42

MARCH, 1856.

STATIONS.	Down Trains.										SUNDAY.					
Leave—	a. m.	a. m.	a. m.	a. m.	a. m.	noon	p. m.	p. m.	p. m.	p. m.	a. m.	p. m.	p. m.	p. m.	p. m.	
SYDNEY	6 0	8 0	8 30	10 0	10 30	12 0	1 0	3 0	4 0	5 15	6 0	9 0	3 0	4 0	5 0	
Newtown .....	...	...	8 37	...	10 37	...	1 7	...	4 7	...	6 7	...	3 7	4 7	5 7
Ashfield .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Burwood .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Homebush .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
PARRAMATTA .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

STATIONS.	Up Trains.										SUNDAY.					
Leave—	a. m.	a. m.	a. m.	a. m.	a. m.	p. m.	p. m.	p. m.	p. m.	p. m.	a. m.	p. m.	p. m.	p. m.	p. m.	
PARRAMATTA	7 0	...	9 0	...	11 0	...	3 0	...	4 0	...	6 15	10 0	4 0	7 0	...	
Homebush .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Burwood .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ashfield .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Newtown .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
SYDNEY .....	...	8 45	...	10 15	...	1 30	...	4 15	...	6 15	...	...	...	...	...
...	...	8 51	...	10 51	...	1 36	...	4 21	...	6 21	...	...	...	...	...

APRIL, 1856.

STATIONS.		Down Trains.												SUNDAY.		
<i>Leave—</i>		<i>a. m.</i>	<i>a. m.</i>	<i>a. m.</i>	<i>a. m.</i>	<i>a. m.</i>	<i>noon</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>a. m.</i>	<i>p. m.</i>	<i>p. m.</i>
SYDNEY	.....	5.55	7.15	8.35	9.55	11.15	12.15	1.35	2.55	4.15	5.35	6.55	8.15	9.0	3.0	5.15
Newtown	.....	6.00	7.20	8.40	10.00	11.20	12.20	1.40	3.00	4.20	5.40	7.00	8.20	9.15	3.15	5.30
Ashfield	.....	6.05	7.25	8.45	10.05	11.25	12.25	1.45	3.05	4.25	5.45	7.05	8.25	9.20	3.20	5.35
Burwood	.....	6.10	7.30	8.50	10.10	11.30	12.30	1.50	3.10	4.30	5.50	7.10	8.30	9.25	3.25	5.40
Homebush	.....	6.15	7.35	8.55	10.15	11.35	12.35	1.55	3.15	4.35	5.55	7.15	8.35	9.30	3.30	5.45
PARRAMATTA	.....	6.20	7.40	9.00	10.20	11.40	12.40	2.00	3.20	4.40	6.00	7.20	8.40	9.35	3.35	5.50

STATIONS.		Up Trains.												SUNDAY.		
<i>Leave—</i>		<i>a. m.</i>	<i>a. m.</i>	<i>a. m.</i>	<i>a. m.</i>	<i>a. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>p. m.</i>	<i>a. m.</i>	<i>p. m.</i>	<i>p. m.</i>
PARRAMATTA	.....	6.30	7.50	9.10	10.30	11.50	12.50	1.50	3.10	4.30	5.50	7.10	8.30	9.15	3.15	5.30
Homebush	.....	6.35	7.55	9.15	10.35	11.55	12.55	1.55	3.15	4.35	5.55	7.15	8.35	9.20	3.20	5.35
Burwood	.....	6.40	8.00	9.20	10.40	12.00	13.00	2.00	3.20	4.40	6.00	7.20	8.40	9.25	3.25	5.40
Ashfield	.....	6.45	8.05	9.25	10.45	12.05	13.05	2.05	3.25	4.45	6.05	7.25	8.45	9.30	3.30	5.45
Newtown	.....	6.50	8.10	9.30	10.50	12.10	13.10	2.10	3.30	4.50	6.10	7.30	8.50	9.35	3.35	5.50
SYDNEY	.....	6.55	8.15	9.35	10.55	12.15	13.15	2.15	3.35	4.55	6.15	7.35	8.55	9.40	3.40	5.55

TABLE VII.—continued.

FEBRUARY & MARCH, 1857.

STATIONS.	Down Trains.					Up Trains.					SUNDAY.				
	goods					goods									
Leave—	a.m.	a.m.	a.m.	p.m.	p.m.	a.m.	a.m.	a.m.	p.m.	p.m.	a.m.	p.m.	p.m.	p.m.	p.m.
SYDNEY	10-0	11-0	...	...	...	9-30	2-45	5-30	...	...	9-15	2-30	5-15	...	...
Newtown	10-7	11-13	...	...	...	9-38	2-53	5-38	...	...	9-23	2-40	5-30	...	...
Ashfield	10-17	11-30	...	...	...	9-48	3-3	5-48	...	...	9-45	3-0	5-45	...	...
Burwood	10-22	11-41	...	...	...	9-56	3-11	5-56	...	...	10-3	3-18	5-3	...	...
Homebush	10-27	11-50	...	...	...	10-3	3-18	6-3	...	...	10-9	3-24	5-9	...	...
Parramatta	10-43	12-22	...	...	...	10-23	3-10	6-23	...	...	10-16	3-31	5-16	...	...
Fairfield	11-1	12-42	...	...	...	10-39	3-44	6-39	...	...	10-31	3-46	5-31	...	...
LIVERPOOL	11-12	1-0	...	...	...	10-52	4-7	6-52	...	...	10-37	3-52	5-37	...	...

APRIL, 1857.

STATIONS.	Down Trains.					Up Trains.					SUNDAY.				
	goods					goods									
Leave—	a.m.	a.m.	a.m.	p.m.	p.m.	a.m.	a.m.	a.m.	p.m.	p.m.	a.m.	p.m.	p.m.	p.m.	p.m.
SYDNEY	7-0	...	...	...	...	7-0	8-30	...	...	...	...	...	...	...	...
Newtown	7-7	...	...	...	...	7-13	8-43	...	...	...	...	...	...	...	...
Ashfield	7-17	...	...	...	...	7-31	9-1	...	...	...	...	...	...	...	...
Burwood	7-22	...	...	...	...	7-45	9-15	...	...	...	...	...	...	...	...
Homebush	7-27	...	...	...	...	7-49	9-19	...	...	...	...	...	...	...	...
Parramatta	7-48	...	...	...	...	7-54	9-24	...	...	...	...	...	...	...	...
Fairfield	8-1	...	...	...	...	8-7	9-37	...	...	...	...	...	...	...	...
LIVERPOOL	8-12	...	...	...	...	8-12	9-42	...	...	...	...	...	...	...	...

MAY & JUNE, 1857.

STATIONS.	Down Trains.					Up Trains.					SUNDAY.				
	goods					goods									
Leave—	a.m.	a.m.	a.m.	p.m.	p.m.	a.m.	a.m.	a.m.	p.m.	p.m.	a.m.	p.m.	p.m.	p.m.	p.m.
SYDNEY	6-30	10-0	11-0	1-30	4-25	6-30	8-15	11-30	1-20	3-30	9-15	2-30	5-15	...	...
Newtown	6-37	...	...	...	...	6-43	8-28	...	...	...	...	...	...	...	...
Ashfield	6-47	...	...	...	...	7-1	8-46	...	...	...	...	...	...	...	...
Burwood	6-52	...	...	...	...	7-15	9-0	...	...	...	...	...	...	...	...
Homebush	6-57	...	...	...	...	7-19	9-4	...	...	...	...	...	...	...	...
Parramatta	7-18	...	...	...	...	7-24	9-9	...	...	...	...	...	...	...	...
Fairfield	7-31	...	...	...	...	7-37	9-22	...	...	...	...	...	...	...	...
LIVERPOOL	7-42	...	...	...	...	7-42	9-27	...	...	...	...	...	...	...	...

JULY, 1857 TO DECEMBER, 1857.

11 A.M. DOWN GOODS TRAIN altered to 10-45 A.M.

GREAT NORTHERN RAILWAY.

APRIL & MAY, 1857.

APRIL 6, 1881, 1882.

STATIONS.	DAILY.		SUNDAY.	APRIL.		MAY.		STATIONS.	DAILY.		SUNDAY.	APRIL.		MAY.		
				FARES.		FARES.						FARES.		FARES.		
	1st Class	2d Class		1st Class	2d Class	1st Class	2d Class		1st Class	2d Class		1st Class	2d Class			
Leave—	a. m.	p. m.	a. m.	p. m.	s. d.	s. d.	s. d.	p. d.	Leave—	a. m.	p. m.	a. m.	p. m.	s. d.	s. d.	s. d.
NEWCASTLE, Honeycomb Pt.	7-30	8-0	7-30	3-0	2 3	1 6	2 6	1 3	MAITLAND	8-45	4-10	8-45	4-10	2 3	1 0	1 9
Hexham	8-0	3-30	8-0	3-30	5 6	2 9	4 2	2 3	Hexham	9-5	4-30	9-5	4-30	5 6	2 9	4 2
MAITLAND, EAST	8-24	3-54	8-24	3-54					NEWCASTLE, Honeycomb Pt.	9-39	5-4	9-39	5-4			

JANUARY TO DECEMBER, 1857.

From NEWCASTLE, SUNDAY TRAIN p.m. altered to p.m.
 " MAITLAND, " 4-10 6-15

ABSTRACT of ALTERATIONS in the Running of Trains from 25th September, 1855, to 31st December, 1857.

DATE.	DAILY TRAINS.		SUNDAY.	TOTAL.	REMARKS
	Passenger.	Goods.			
1855.					
September and October	6	...	4	10	Sunday Trains altered.
November	6	...	4	10	
December	5	...	3	8	
1856.					
January and February	6	...	3	9	5 Trains to Newtown and back.
March	11	...	3	14	
April	11	...	3	14	
May	10	...	4	13	General alteration. Time altered.
June and July	7	...	4	11	
August	7	...	4	11	
September	5	1	4	10	Liverpool Station opened. Sunday Trains altered.
October and November	5	1	4	10	
December	5	1	4	10	
1857.					
January	5	1	4	10	Morning Trains altered. Alteration from April. Goods Train altered. No alteration.
February and March	5	1	3	9	
April	5	1	3	9	
May and June	6	1	3	9	
July	5	1	3	9	
August, 1857, to December, 1857	5	1	3	9	

TABLE VIII.

STATEMENT, shewing Alterations in Fares and Rates, from the Opening of the Lines to the 31st December, 1857.

	DAILY.			RETURN.			Dogs.	PARCELS.				HORSES.			CARRIAGES.	
	CLASS	CLASS	CLASS	CLASS	CLASS	CLASS		1 Qt.	2 Qrs.	3 Qrs.	1 Cwt.	Single.	Pair.	Three & above.	2-wheel.	4-wheel.
	1.	2.	3.	1.	2.	3.		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
SEPTEMBER & OCTOBER, 1855.																
Sydney to—																
Newtown ..	1 0	0 9	0 6	....	....	....	0 6	..	..	..	..	....	....	....	....	....
Ashfield	2 0	1 3	1 0	....	....	....	0 9	..	..	..	..	....	....	....	....	....
Burwood	2 6	1 9	1 3	....	....	....	0 9	..	..	..	..	....	....	....	....	....
Homebush	3 0	2 3	1 6	....	....	....	1 0	..	..	..	..	....	....	....	....	....
Parramatta ..	4 0	3 0	2 0	....	....	....	1 6	..	..	..	..	10 0	9 0	8 0	6 0	8 0
Parramatta to—																
Homebush ..	2 0	1 6	1 0	....	....	....	....	..	..	..	..	....	....	....	....	....
Burwood	2 6	1 9	1 3	....	....	....	....	..	..	..	..	....	....	....	....	....
Ashfield	3 0	2 3	1 6	....	....	....	....	..	..	..	..	....	....	....	....	....
Newtown ..	3 6	2 6	1 9	....	....	....	....	..	..	..	..	....	....	....	....	....
Sydney	4 0	3 0	2 0	....	....	....	....	..	..	..	..	10 0	9 0	8 0	6 0	8 0
NOVEMBER, 1855.																
Sydney to—																
Newtown ..	1 0	0 9	0 6	....	....	....	....	..	..	..	..	....	....	....	....	....
Ashfield	2 0	1 3	0 9	....	....	....	....	..	..	..	..	....	....	....	....	....
Burwood	2 6	1 9	1 0	....	....	....	....	..	..	..	..	....	....	....	....	....
Homebush	3 0	2 0	1 3	....	....	....	....	..	..	..	..	....	....	....	....	....
Parramatta ..	3 6	2 6	1 6	....	....	....	....	..	..	..	..	10 0	9 0	8 0	6 0	8 0
Parramatta to—																
Homebush ..	2 0	1 6	0 9	....	....	....	....	..	..	..	..	....	....	....	....	....
Burwood	2 3	1 9	1 0	....	....	....	....	..	..	..	..	....	....	....	....	....
Ashfield	2 9	2 0	1 0	....	....	....	....	..	..	..	..	....	....	....	....	....
Newtown ..	3 3	2 3	1 3	....	....	....	....	..	..	..	..	....	....	....	....	....
Sydney	3 6	2 6	1 6	....	....	....	....	..	..	..	..	10 0	9 0	8 0	6 0	8 0
DECEMBER, 1855.																
Sydney to—																
Newtown ..	0 9	0 6	0 3	....	....	....	....	..	..	..	..	....	....	....	....	....
Ashfield	2 0	1 3	0 9	....	....	....	....	..	..	..	..	....	....	....	....	....
Burwood	2 6	1 9	1 0	....	....	....	....	..	..	..	..	....	....	....	....	....
Homebush	3 0	2 0	1 3	....	....	....	....	..	..	..	..	....	....	....	....	....
Parramatta ..	3 6	2 6	1 6	....	....	....	....	..	..	..	..	10 0	9 0	8 0	6 0	8 0
Parramatta to—																
Homebush ..	2 0	1 6	0 9	....	....	....	....	..	..	..	..	....	....	....	....	....
Burwood	2 3	1 9	1 0	....	....	....	....	..	..	..	..	....	....	....	....	....
Ashfield	2 9	2 0	1 0	....	....	....	....	..	..	..	..	....	....	....	....	....
Newtown ..	3 3	2 3	1 3	....	....	....	....	..	..	..	..	....	....	....	....	....
Sydney	3 6	2 6	1 6	....	....	....	....	..	..	..	..	10 0	9 0	8 0	6 0	8 0
JANUARY & FEBRUARY, 1856.																
Sydney to—																
Newtown ..	0 9	0 6	0 3	....	....	....	0 6	0 6	..	..	..	....	....	....	....	....
Ashfield	2 0	1 3	0 9	....	....	....	0 9	1 0	..	..	..	....	....	....	....	....
Burwood	2 6	1 9	1 0	....	....	....	0 9	1 0	..	..	..	....	....	....	....	....
Homebush	3 0	2 0	1 3	....	....	....	1 0	1 6	..	..	..	....	....	....	....	....
Parramatta ..	3 6	2 6	1 6	....	....	....	1 6	2 0	..	..	..	7 0	6 0	5 0	6 0	8 0
Parramatta to—																
Homebush ..	2 0	1 6	0 9	....	....	....	0 9	1 6	..	..	..	....	....	....	....	....
Burwood	2 3	1 9	1 0	....	....	....	0 9	1 6	..	..	..	....	....	....	....	....
Ashfield	2 9	2 0	1 0	....	....	....	1 0	1 6	..	..	..	....	....	....	....	....
Newtown ..	3 3	2 3	1 3	....	....	....	1 6	2 0	..	..	..	....	....	....	....	....
Sydney	3 6	2 6	1 6	....	....	....	1 6	2 0	..	..	..	7 0	6 0	5 0	8 0	6 0
MARCH to AUGUST, 1856, INCLUSIVE.																
Sydney to—																
Newtown ..	0 6	0 4	0 3	....	....	....	....	..	..	..	..	....	....	....	....	....

TABLE VIII.—continued.

	DAILY.			RETURN.			DOGS.	PARCELS.				HORSES.			CARRIAGES.		
	CLASS	CLASS	CLASS	CLASS	CLASS	CLASS		Q	Q	Q	Cwt	Single.	Pair.	Three & above.	2-wheel.	4-wheel.	
	1.	2.	3.	1.	2.	3.		1	2	3	1	s. d.	s. d.	s. d.	s. d.	s. d.	
SEPTEMBER, 1856.																	
Sydney to—																	
Newtown	0 8	0 6	0 4				0 3	0 6	0 9	1 0	1 3						
Ashfield	2 0	1 3	0 9				0 6	0 6	0 9	1 0	1 3						
Burwood	2 6	1 9	1 0				0 9	0 6	0 9	1 0	1 3						
Homebush	3 0	2 0	1 3				1 0	0 6	0 9	1 0	1 3						
Parramatta	4 0	3 0	2 0				1 6	1 0	1 3	1 6	1 9	7 0	6 0	5 0	6 0	8 0	
Fairfield	6 0	4 6	3 0				2 0	1 6	1 9	2 0	2 3						
Liverpool	7 6	5 6	4 0				2 6	2 0	2 3	2 6	2 9	11 0	9 6	8 0	9 6	13 0	
Liverpool to—																	
Fairfield	2 6	1 6	1 0				0 6	0 9	0 9	1 0	1 3						
Parramatta	3 6	2 6	1 6				0 9	1 0	1 0	1 3	1 6						
Homebush	5 6	4 0	2 6				0 9	1 0	1 3	1 6	1 9						
Burwood	5 9	4 3	2 9				1 0	1 3	1 6	2 0	2 3						
Ashfield	6 3	4 6	3 0				1 6	1 6	2 0	2 3	2 6						
Newtown	7 0	5 0	3 6				2 0	2 0	2 3	2 6	2 9						
Sydney	7 6	5 6	4 0				2 6	2 0	2 3	2 6	2 9	11 0	9 6	8 0	9 6	13 0	
OCTOBER, 1856.																	
Sydney to—																	
Newtown	....	....	....				....	0 6	0 6	0 6	0 6					
Ashfield	2 0	1 6	1 0				....	..	..	..	..	
Burwood	2 6	1 9	1 3				....	..	..	..	..	
Homebush	2 9	2 3	1 6				....	..	..	..	..	
Liverpool to—																	
Fairfield	2 0	1 6	1 0				0 6	0 9	0 9	1 0	1 3						
Parramatta	3 6	2 6	1 0				0 9	1 0	1 0	1 3	1 6						
Homebush	5 0	3 9	2 6				0 9	1 0	1 3	1 6	1 9						
Burwood	5 6	4 0	2 9				1 0	1 3	1 6	2 0	2 3						
Ashfield	6 0	4 6	3 0				1 6	1 6	2 0	2 3	2 6						
Newtown	7 0	5 0	3 9				2 0	2 0	2 3	2 6	2 9						
Sydney	7 6	5 6	4 0				2 6	2 0	2 3	2 6	2 9	7 0	6 0	5 0	9 6	13 6	
NOVEMBER & DECEMBER, 1856, JANUARY, FEBRUARY, MARCH, & APRIL, 1857.																	
Sydney to—				Commencing 1st Decr., 1856, at a Reduction of one-fourth of double journey.													
Newtown	0 8	0 6	0 4					0 3	0 6	0 6	0 6	0 6					
Ashfield	2 0	1 6	1 0					0 6	0 6	0 9	1 0	1 3					
Burwood	2 6	1 9	1 3					0 6	0 6	0 9	1 0	1 3					
Homebush	2 9	2 3	1 6					0 9	0 6	0 9	1 0	1 3					
Parramatta	4 0	3 0	2 0	1 0	1 0	1 3	1 6	1 9	7 0	6 0	5 0	6 0	8 0				
Fairfield	6 0	4 6	3 0	1 3	1 6	1 9	2 0	2 3									
Liverpool	7 6	5 6	4 0	1 6	2 0	2 3	2 6	2 9	11 0	9 6	8 0	9 6	13 0				
Liverpool to—				Commencing 1st Decr., 1856, at a Reduction of one-fourth of double journey.													
Fairfield																	
Parramatta																	
Homebush																	
Burwood																	
Ashfield	Same as October, (above.)							Same as October, (above.)									
Newtown																	
Sydney																	
MAY, 1857.																	
Sydney to—				Reduction of one-fourth on double journey.													
Newtown	0 6	0 4	0 3					0 3									
Ashfield	1 3	1 0	0 9					0 6									
Burwood	1 9	1 4	1 0					0 9	-3	-6	-9	1/-					
Homebush	2 0	1 6	1 0					1 0									
Parramatta	3 6	2 6	1 9	1 3					7 0	6 0	5 0	6 0	8 0				
Fairfield	4 6	3 6	2 3	1 6													
Liverpool	5 6	4 3	2 9	1 6					11 0	9 6	8 0	9 6	13 0				
Liverpool to—				Reduction of one-fourth on double journey.													
Fairfield	1 0	0 9	0 6					0 3									
Parramatta	2 0	1 9	1 0					0 6									
Homebush	3 6	2 9	1 9					0 9									
Burwood	4 0	3 0	2 0					1 0	-3	-6	-9	1/-					
Ashfield	4 3	3 3	2 3	1 0													
Newtown	5 0	3 9	2 6	1 3													
Sydney	5 6	4 3	2 9	1 6					11 0	9 6	8 0	9 6	13 0				

TABLE VIII.—continued.

	DAILY.			RETURN.			Dogs.	PARCELS.				HORSES.			CARRIAGES.	
	CLASS	CLASS	CLASS	CLASS	CLASS	CLASS		1 Qr.	2 Qrs.	3 Qrs.	1 Cwt.	Single.	Pair.	Three & above.	2-wheel.	4-wheel.
	1.	2.	3.	1.	2.	3.		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
JUNE TO DECEMBER, 1857, INCLUSIVE.																
<i>Sydney to—</i>																
Newtown....	0 6	0 4	0 3	0 9	0 6	0 5	0 3	}	-3	-6	-9	1/-	.....	.....	.....	.....
Ashfield....	1 3	1 0	0 9	1 11	1 6	1 2	0 6						.....	.....	.....	.....
Burw. ol....	1 9	1 4	1 0	2 8	2 0	1 6	0 6						.....	.....	.....	.....
Homebush...	2 0	1 6	1 0	3 0	2 3	1 6	0 9						.....	.....	.....	.....
Parramatta...	3 6	2 6	1 9	5 3	3 9	2 8	1 0						.....	.....	.....	.....
Fairfield....	4 6	3 6	2 3	6 9	5 3	3 5	1 3						.....	.....	.....	.....
Liverpool...	5 6	4 3	2 9	8 3	6 5	4 2	1 6	.....	.....	.....	.....	.....	.....	.....	.....
<i>Liverpool to—</i>																
Fairfield....	1 0	0 9	0 6	1 6	1 2	0 9	0 3	}	-3	-6	-9	1/-	.....	.....	.....	.....
Parramatta...	2 0	1 9	1 0	3 0	2 8	1 6	0 9						.....	.....	.....	.....
Homebush...	3 6	2 9	1 9	5 3	4 2	2 8	0 9						.....	.....	.....	.....
Burwood....	4 0	3 0	2 0	6 0	4 6	3 0	1 0						.....	.....	.....	.....
Ashfield....	4 3	3 3	2 3	6 5	4 11	3 5	1 0						.....	.....	.....	.....
Newtown....	5 0	3 9	2 6	7 6	5 8	3 9	1 3						.....	.....	.....	.....
Sydney.....	5 6	4 3	2 9	8 3	6 5	4 2	1 6	.....	.....	.....	.....	.....	.....	.....	.....

GOODS RATES.

OCTOBER, 1855.						s. d.
In parcels not exceeding 7 tons dead weight ..	..	..	..	..	..	7 0 per ton.
" " 7 " measurement..	..	..	..	..	..	9 0 "
NOVEMBER AND DECEMBER, 1855.						
Above 1 qr., and not exceeding 2 qrs. ..	..	..	..	..	..	3 6
" 2 " " 3 " ..	..	..	..	..	..	4 0
" 3 " " 4 " ..	..	..	..	..	..	4 6
" 1 cwt., " 5 cwt. ..	..	..	..	..	..	6 0
" 5 " " 10 " ..	..	..	..	..	..	8 0
" 10 " " 20 " ..	..	..	..	..	..	10 0
" 1 ton dead weight ..	..	..	..	..	..	8 0 per ton
" 1 " measurement ..	..	..	..	..	..	10 0 " }
} the whole distance.						
JANUARY TO APRIL, 1856.						
Above 1 qr., and not exceeding 2 qrs. ..	..	..	..	..	..	2 6
" 2 " " 3 " ..	..	..	..	..	..	3 0
" 3 " " 4 " ..	..	..	..	..	..	3 6
" 1 cwt. " 10 cwt. ..	..	..	..	..	..	0 6 per cwt. }
" 10 " " 20 " ..	..	..	..	..	..	0 3 " }
" 1 ton dead weight ..	..	..	..	..	..	6 0 per ton }
" 1 " " ..	..	..	..	..	..	8 0 " }
} in addition to above rates.						
} the whole distance.						
(Intermediate distances proportionately.)						
MAY TO AUGUST, 1856.						
Above 1 qr., and not exceeding 1 cwt. ..	..	..	..	..	..	2 6
" 1 cwt. " 5 " ..	..	..	..	..	..	0 3 per cwt. in addition to above rate.
" 5 " " 10 " ..	..	..	..	..	..	4 6
" 10 " " 20 " ..	..	..	..	..	..	6 0
" 1 ton dead weight ..	..	..	..	..	..	6 0 per ton.
" 1 " measurement ..	..	..	..	..	..	8 0 "
(Intermediate distances proportionately.)						
SEPTEMBER, 1856.						
* GOODS RATES FROM 2 CWT. AND UPWARDS.						
CLASS 1. @ 3d. per ton per mile.	CLASS 2. @ 4d. per ton per mile.	CLASS 3. @ 6d. per ton per mile.	CLASS 4. @ 3d. per ton per mile.	CLASS 5. @ 1s. per ton per mile.		
Firewood.	Hay, timber in boards, scantling, metal, wrought iron, cast iron, brass, machinery, copper, tin, bricks, stone, lime, sand, shingles, cement, hides, tallow.	Timber in logs, flour, grain of all kinds, potatoes, leather.	Wine and beer in cask and bottle, hardware, ironmongery, grocery, carpentry, earthenware, saddlery.	Furniture, dairy produce, vegetables, fresh meat.		
OCTOBER TO DECEMBER, 1856.						
CLASS 1. @ 3d. per ton per mile.	CLASS 2. @ 4d. per ton per mile.	CLASS 3. @ 6d. per ton per mile.	CLASS 4. @ 9d. per ton per mile.			

TABLE XII.

RETURN of Season Tickets issued on the Great Southern Railway, from the Opening of the Line to the 31st December, 1857.

SYDNEY TO

SYDNEY TO																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
NEWTOWN.					PETERSHAM.					ASHFIELD.					BURWOOD.					HOMEBUSH.					PARRAMATTA.					FAIRFIELD.					LIVERPOOL.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
No. of 1st Class. No. of 2nd Class. No. of 3rd Class. TOTAL. AMOUNT.					No. of 1st Class. No. of 2nd Class. No. of 3rd Class. TOTAL. AMOUNT.					No. of 1st Class. No. of 2nd Class. No. of 3rd Class. TOTAL. AMOUNT.					No. of 1st Class. No. of 2nd Class. No. of 3rd Class. TOTAL. AMOUNT.					No. of 1st Class. No. of 2nd Class. No. of 3rd Class. TOTAL. AMOUNT.					No. of 1st Class. No. of 2nd Class. No. of 3rd Class. TOTAL. AMOUNT.					No. of 1st Class. No. of 2nd Class. No. of 3rd Class. TOTAL. AMOUNT.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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* Between Liverpool and Fairfield.

+ Between Parramatta and Liverpool.

TABLE XIII.
STATION RETURNS.—SYDNEY.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.				
	FIRST CLASS.					SECOND CLASS.					THIRD CLASS.					TOTAL.				
	PASSENGERS.	RATE.	RETURN TICKETS.	RATE.	AMOUNT.	PASSENGERS.	RATE.	RETURN TICKETS.	RATE.	AMOUNT.	PASSENGERS.	RATE.	RETURN TICKETS.	RATE.	AMOUNT.	PASSENGERS.	RATE.	RETURN TICKETS.	RATE.	AMOUNT.
STATION.																				
SYDNEY TO NEWTOWN.																				
1855.—26 September to October	234	1 0	...	...	11 14 0	145	0 9	...	...	6 8 9	715	0 6	...	...	17 17 0	1091	...	...	...	35 0 3
November	150	...	...	...	7 10 0	77	...	...	...	2 17 9	682	...	...	...	17 1 0	909	...	...	...	27 8 9
Dec. to Feb., 1856	134	0 9	...	...	5 0 6	177	0 6	...	...	4 8 0	1193	0 3	...	...	14 18 3	1501	...	...	...	24 7 3
1856.—March to August	538	0 6	...	...	13 9 0	377	0 4	...	...	6 3 8	2777	0 3	...	...	31 14 3	3692	...	...	...	51 8 11
September	227	0 8	...	...	7 11 4	354	0 6	...	...	8 15 0	1323	0 4	...	...	22 1 0	1900	...	...	...	38 7 4
October to April, 1857*	100	...	31	1 0	4 17 8	125	...	27	0 9	4 1 3	676	...	152	0 6	15 1 4	898	210	...	...	21 0 3
1857.—May to December	116	0 6	9	0 9	3 4 9	10	0 4	9	0 6	1 18 2	878	0 3	45	0 5	12 6 2	1095	0 4	...	...	17 9 1
SYDNEY TO PETERSHAM.																				
1857.—8 June to December	12	10	4	1 3	0 15 0	20	0 8	8	1 0	1 1 4	548	0 5	89	0 8	14 7 8	580	101	...	...	16 4 0
SYDNEY TO ASHFIELD.																				
1855.—26 September to October	250	2 0	...	...	25 0 0	353	1 3	...	...	23 18 9	1022	1 0	...	...	51 2 0	1655	...	...	...	100 0 9
November	175	2 0	...	...	17 10 0	178	1 3	...	...	11 2 6	1396	0 9	...	...	32 7 0	1719	...	...	...	80 19 6
Dec. to Feb., 1856	91	...	...	...	9 2 0	137	...	...	...	11 1 3	1397	...	...	...	52 7 9	2605	...	...	...	72 11 0
1856.—March to August	86	...	...	...	8 12 0	138	...	...	...	8 12 6	1392	...	...	...	57 14 3	1763	...	...	...	71 18 9
September	21	...	...	...	1 2 0	135	...	...	...	8 8 9	1333	...	...	...	49 12 3	1469	...	...	...	59 3 0
October to April, 1857*	11	...	27	3 0	5 3 9	79	1 6	99	2 3	17 1 3	697	1 0	517	1 6	73 12 6	797	643	...	...	95 16 9
1857.—May to December	46	1 3	43	1 11	6 19 11	55	1 0	150	1 6	15 18 0	836	0 9	302	1 2	48 19 4	975	493	...	...	71 17 3
SYDNEY TO BURWOOD.																				
1855.—26 September to October	140	2 6	...	...	17 10 0	237	1 9	...	...	20 14 9	633	1 3	...	...	39 11 3	1010	...	...	...	77 16 0
November	87	...	...	...	10 17 6	161	...	...	...	14 1 9	868	1 0	...	...	43 8 0	1116	...	...	...	68 7 3
Dec. to Feb., 1856	74	...	...	...	9 5 0	95	...	...	...	8 6 3	1085	...	...	...	54 5 0	1294	...	...	...	71 16 8
1856.—March to August	43	...	...	...	5 7 6	98	...	...	...	8 11 6	1290	...	...	...	61 10 0	1371	...	...	...	75 9 0
September	35	...	...	...	4 7 6	112	...	...	...	9 16 0	936	...	...	...	49 16 0	1143	...	...	...	63 19 6
October to April, 1857*	17	...	6	3 9	3 5 0	79	...	43	2 8	12 12 11	668	1 3	288	2 0	70 11 0	704	337	...	...	86 8 11
1857.—May to December	25	1 9	17	2 8	4 9 1	63	1 4	37	2 0	7 18 0	735	1 0	239	1 6	51 13 6	823	293	...	...	67 0 7
SYDNEY TO HOMERUSH.																				
1855.—26 September to October	80	3 0	...	...	12 0 0	89	2 3	...	...	7 15 3	471	1 0	...	...	35 6 6	620	...	...	...	65 1 9
November	118	...	...	...	22 4 0	223	2 0	...	...	22 6 0	988	1 3	...	...	51 15 0	1370	...	...	...	106 5 0
Dec. to Feb., 1856	49	...	...	...	7 7 0	54	...	...	...	5 8 0	608	...	...	...	31 15 0	611	...	...	...	44 10 0
1856.—March to August	46	...	...	...	6 18 0	95	...	...	...	9 10 0	600	...	...	...	37 10 0	741	...	...	...	53 18 0
September	37	...	...	...	5 1 0	145	...	...	...	14 10 0	507	...	...	...	31 13 0	689	...	...	...	51 4 9
October to April, 1857*	5	2 9	5	4 2	1 14 7	34	2 3	11	3 5	5 14 1	307	1 6	119	2 3	36 8 3	346	135	...	...	43 16 11
1857.—May to December	36	2 0	77	3 9	15 8 0	253	1 6	149	2 3	35 14 9	463	1 0	307	1 6	49 18 6	732	583	...	...	100 16 3
SYDNEY TO PARRAMATTA.																				
1855.—26 September to October	2568	4 0	...	...	513 12 0	2554	3 0	...	...	398 2 0	7215	2 0	...	...	721 10 0	12437	...	...	...	1633 4 0
November	1295	3 6	...	...	214 7 6	1078	2 6	...	...	134 15 0	4551	1 6	...	...	511 6 6	6854	...	...	...	690 9 0
Dec. to Feb., 1856	1059	...	...	...	185 6 6	1131	...	...	...	141 7 6	5188	...	...	...	289 2 0	7378	...	...	...	715 16 0
1856.—March to August	582	...	...	...	150 17 0	926	...	...	...	115 15 0	5791	...	...	...	434 6 6	7579	...	...	...	700 18 6
September	446	4 0	...	...	89 4 0	758	3 0	...	...	113 14 0	3477	2 0	...	...	347 14 0	4691	...	...	...	550 12 0
October to April, 1857*	272	...	77	6 0	77 10 0	533	...	137	4 6	110 15 6	3082	...	610	3 0	401 1 0	3887	833	...	...	589 6 0
1857.—May to December	254	3 6	53	5 3	58 7 3	472	2 6	93	3 9	76 8 8	2541	1 9	500	2 8	289 0 1	5267	646	...	...	423 16 0
SYDNEY TO FAIRFIELD.																				
1856.—September	4	6 0	...	...	1 4 0	2	4 6	...	...	0 9 0	132	3 0	...	...	19 16 0	138	...	...	...	21 9 0
October to April, 1857*	3	...	1	0 0	1 7 0	17	...	5	6 9	8 10 3	165	...	31	4 6	36 4 6	185	67	...	...	43 1 9
1857.—May to December	4	4 6	...	0 9	0 18 0	17	3 6	8	5 3	4 7 6	115	2 3	26	3 5	17 9 7	132	34	...	...	22 15 1
SYDNEY TO LIVERPOOL.																				
1856.—September	428	7 6	...	...	180 10 0	512	5 6	...	...	140 16 0	1576	4 0	...	...	315 4 0	2516	...	...	...	616 10 0
October to April, 1857*	143	...	29	11 3	69 18 9	193	...	35	6 3	67 10 3	1113	...	260	6 0	337 0 0	1481	321	...	...	474 9 0
1857.—May to December	139	5 6	30	8 3	50 12 0	203	4 3	27	6 5	51 16 0	1427	2 9	154	4 2	229 5 11	1769	211	...	...	330 13 11

TABLE XIV.
STATION RETURNS.—NEWTOWN.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.				
	FIRST CLASS.					SECOND CLASS.					THIRD CLASS.					TOTAL.				
	PASSENGERS.	RATE.	RETURN TICKETS.	RATE.	AMOUNT.	PASSENGERS.	RATE.	RETURN TICKETS.	RATE.	AMOUNT.	PASSENGERS.	RATE.	RETURN TICKETS.	RATE.	AMOUNT.	PASSENGERS.	RATE.	RETURN TICKETS.	RATE.	AMOUNT.
STATION.																				
NEWTOWN TO SYDNEY.																				
1855.—26 September to October	329	1 0	...	...	16 9 0	142	0 9	...	...	5 6 6	676	0 6	...	...	16 18 0	1147	...	...	...	38 13 6
November	176	...	...	...	8 16 0	89	...	...	...	3 6 9	420	...	...	...	10 10 0	685	...	...	...	22 12 9
Dec. to Feb., 1856	170	0 9	...	...	6 7 6	117	0 6	...	...	2 18 6	1127	0 3	...	...	14 1 9	1414	...	...	...	23 7 0
1856.—March to August	490	0 6	...	...	12 5 0	324	0 4	...	...	5 8 0	2479	0 3	...	...	30 10 3	3293	...	...	...	48 12 3
September	187	0 8	...	...	6 4 8	193	0 6	...	...	4 16 6	1038	0 4	...	...	17 6 0	1818	...	...	...	28 7 2
October to April, 1857*	53	...	14	1 0	2 9 4	77	...	5	0 9	2 2 3	493	...	44	0 6	9 6 4	623	63	...	...	13 17 11
1857.—May to December	103	0 6	7	0 9	4 5 5	110	0 4	12	0 6	3 4 0	1071	0 3	33	0 6	23 8 3	1284	52	...	...	30 17 8
NEWTOWN TO PETERSHAM.																				
1857.—June to December	5	0 4	...	...	0 1 8	2	0 3	...	...	0 0 0	57	0 2	6	0 3	0 11 0	64	6	...	...	0 13 2
NEWTOWN TO ASHFIELD.																				
1855.—26 Sept to October	18	...	...	...	...	15	...	...	...	...	86	...	...	...	...	119	...	...	...	...
November	8	...	...	...	...	15	...	...	...	...	89	...	...	...	...	112	...	...	...	...
December to Feb., 1856	3	1 6	...	...	0 10 0	10	1 0	...	...	0 10 0	106	0 9	...	...	3 19 6	119	...	...	...	...
1856.—March to August	4	...	...	...	0 6 0	10	...	...	...	0 10 0	115	...	...	...	4 6 2	129	...	...	...	...
September	1	1 9	...	...	...	3	...	...	...	0 3 0	83	...	...	...	3 2 3	86	...	...	...	...
October to April, 1857*	2	1 6	...	...	0 3 0	8	...	7	1 6	0 18 6	68	...	63	1 2	6 3 0	76	70	...	...	...
1857.—May to December	7	1 2	13	1 9	1 10 11	15	0 9	17	1 2	1 11 1	178	0 6	74	0 9	7 3 0	197	164

* Return Tickets, 5 Months.

ON INTERNAL COMMUNICATIONS.

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TABLE XIV.—continued.
STATION RETURNS.—NEWTOWN.—Continued.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.				AVERAGE PER MONTH.				AVERAGE PER MONTH.				AVERAGE PER MONTH.		
	FIRST CLASS.				SECOND CLASS.				THIRD CLASS.				TOTAL.		
	Passen- gurs.	Rate.	Return Tickets.	AMOUNT.	Passen- gurs.	Rate.	Return Tickets.	AMOUNT.	Passen- gurs.	Rate.	Return Tickets.	AMOUNT.	Passen- gurs.	Return Tickets.	AMOUNT.
STATION.															
NEWTOWN TO BURWOOD.															
1855.—25 Sept. to October	13	s. d.		s. d.	22	s. d.		s. d.	48	s. d.		s. d.	83		
" November	4				6				69				79		
" December to Feb., 1856	16			0 3 0	5	10		0 5 0	91	0 8		3 8 3	98		3 16 3
1856.—March to August	20			0 3 0	6	10		0 6 0	114			4 4 0	122		4 14 0
" September	20				3	10		0 4 0	112			4 4 0	115		4 8 0
" October to April, 1857*	1	3 0		0 3 0	6	12	23	0 13 0	58	10	38	5 15 0	64	41	6 11 6
1857.—May to December	2	1 6	1	2 8	4	12	3	0 12 11	73	0 9	27	3 8 0	79	31	4 6 2
NEWTOWN TO HOMERUSH.															
1855.—25 Sept. to October	5				7				36				48		
" November	11				65				185				261		
" December to Feb., 1856	20			0 4 0	6	16		0 9 0	100	0 9		3 15 0	108		4 8 0
1856.—March to August	20			0 12 0	8			0 12 0	104			3 18 0	118		5 2 0
" September	20			0 17 6	31			2 6 6	248	1 0		12 8 0	286		15 12 0
" October to April, 1857*	23				2	19	0	0 19 6	15	13	11	1 19 10	17	17	2 19 4
1857.—May to December	23	2	3 5	0 6 10	6	16	13	1 18 3	27	12	44	5 8 6	33	59	7 13 7
NEWTOWN TO PARRAMATTA.															
1855.—25 Sept. to October	16				81				363				465		
" November	33				66				305				466		
" December to Feb., 1856	44	3 3		7 3 0	37	23		6 8 3	472	13		29 10 0	573		43 1 3
1856.—March to August	39			6 6 9	41			4 12 3	499			31 3 9	579		42 2 9
" September	7	3 6		1 4 6	31	2 6		3 17 6	248	1 6		18 12 9	286		23 14 0
" October to April, 1857*	6		3 53	1 16 9	23	2 9	15	5 5 9	243	1 9	70	22 5 8	177	88	30 8 2
1857.—May to December	12	4 6	6 6 9	4 7 9	17	3 5	10	5 9 9	175	2 8	108	35 2 3	204	123	47 19 9
NEWTOWN TO FAIRFIELD.															
1856.—September					1	4 0		0 4 0	7	2 9	8	2 12 7	15		1 17 6
" October to April, 1857*					1	4 0	1	0 11 3	12	3 0	5	2 18 6	8	8	2 16 7
1857.—May to December													13	6	3 9 9
NEWTOWN TO LIVERPOOL.															
1856.—September	12	7 0		4 4 0	23	5 0		5 15 0	187	3 6		32 14 6	292		42 13 6
" October to April, 1857*	2		4 10 6	2 16 0	6		4	8 0 0	70	3 9	27	20 11 0	84	35	26 7 0
1857.—May to December	1	7 6	2 11 3	1 10 0	6	5 8	3	2 19 6	111		29	27 6 7	118	34	31 16 1

TABLE XV.
STATION RETURNS.—PETERSHAM.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.				AVERAGE PER MONTH.				AVERAGE PER MONTH.				AVERAGE PER MONTH.		
	FIRST CLASS.				SECOND CLASS.				THIRD CLASS.				TOTAL.		
	Passen- gurs.	Rate.	Return Tickets.	AMOUNT.	Passen- gurs.	Rate.	Return Tickets.	AMOUNT.	Passen- gurs.	Rate.	Return Tickets.	AMOUNT.	Passen- gurs.	Return Tickets.	AMOUNT.
STATION.															
PETERSHAM TO SYDNEY.															
1857.—June 8 to December	11	0 10		0 9 2	11	0 8	1 10	0 8 4	550	0 5	92	0 8 14 11 4	574	93	15 8 10
PETERSHAM TO NEWTOWN.															
1857.—June to December	3	0 4		0 1 0	2	0 3		0 0 6	74	0 2	7	0 8 0 11 1	79	7	0 15 7
PETERSHAM TO ASHFIELD.															
1857.—June to December	1	0 5		0 0 5		0 4			29	0 3	1	0 5 6	21	1	0 5 10
PETERSHAM TO BURWOOD.															
1857.—June to December									9	0 5	3	0 5 9	9	3	0 5 9
PETERSHAM TO HOMERUSH.															
1857.—June to December									12	0 7	3	0 11 0 9 9	12	3	0 9 9
PETERSHAM TO PARRAMATTA.															
1857.—June to December	3	2 6		0 7 6	1	2 0		0 2 0	28	1 3	4	1 11 2 2 8	32	4	2 12 2
PETERSHAM TO FAIRFIELD.															
1857.—June to December									1	1 10		0 1 10	1		0 1 10
PETERSHAM TO LIVERPOOL.															
1857.—June to December	1	4 8		0 4 8	2	3 6		0 7 0	19	2 4	3	2 14 10	22	3	3 6 6

* Return Tickets, 5 months.

TABLE XVI.
STATION RETURNS.—ASHFIELD.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.		
	FIRST CLASS.					SECOND CLASS.					THIRD CLASS.					TOTAL.		
	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RETURNS.	TICKETS.
ASHFIELD TO SYDNEY.																		
1855.—26 Sept. to October	230	2 0			460 0 0	360	1 3			23 5 0	1017	1 0			50 17 0	1627		
November	101				16 10 0	102				10 2 6	1102	0 0			70 2 4	1729		
December to Feb., 1856	77				7 14 0	177				11 1 3	1367				78 7 0	1821		
1856.—March to August	50				5 0 0	152				8 5 0	1894				79 14 0	1776		
September	111				1 9 0	138				8 12 6	1338				65 18 0	1490		
October to April, 1857*	16				2 7 0	69				7 31 6	699	1 0	415	1 6	63 1 6	783	442	
1857.—May to December	47	1 11	4	2 11	5 1 9	72		13		6 17 3	917	1 2	270	1 9	67 2 4	1030	257	
ASHFIELD TO NEWTOWN.																		
1855.—26 Sept. to October	13					15					92					130		
November	1					14					1014					117		
December to Feb., 1856	3	1 6			0 4 6	9	1 0			0 9 0	96	0 9			3 12 0	108		
1856.—March to August	2				0 3 0	8				0 8 0	77				2 17 9	87		
September	2	1 9				24				0 7 6	63				2 7 7	71		
October to April, 1857*	2				0 3 0	8	1 0			0 8 0	65				2 8 9	75	12	
1857.—May to December	3	1 2			0 3 0	7	0 9			0 6 3	168	0 6	25	0 9	5 2 9	178	25	
ASHFIELD TO PETERSHAM.																		
1857.—June to December											30	0 3	3	0 5	0 8 9	30	3	0 8 9
ASHFIELD TO BURWOOD.																		
1855.—26 Sept. to October	5					1					14					20		
November	1					2					12					13		
December to Feb., 1856	1										12	0 6			0 6 0	12		
1856.—March to August	1	1 0			0 1 0						18				0 9 0	12		
September						1	0 6			0 0 6	8	0 4			0 2 6	5		
October to April, 1857*						1				0 0 6	13	0 5	1	0 8	0 3 8	9	2	
1857.—May to December						1				0 0 6	13	0 5	1	0 8	0 3 8	14	1	0 6 7
ASHFIELD TO HOMERUSH.																		
1855.—26 Sept. to October	1					7					30					38		
November	14					42					102					158		
December to Feb., 1856						2	1 0			0 2 0	25	0 9			0 18 9	27		
1856.—March to August						3				0 3 0	40				1 10 0	43		
September						4	1 0			0 4 0	26	6 9			0 19 0	30		
October to April, 1857*											10		3	1 2	0 11 0	19	3	
1857.—May to December						0 9	2 12			0 2 4	24	0 6	18	0 9	1 5 6	24	20	1 7 10
ASHFIELD TO PARRAMATTA.																		
1855.—26 Sept. to October	25					31					118					174		
November	4					12					210					226		
December to Feb., 1856	3	2 9			0 8 3	10	2 0			1 0 0	247	1 0			12 7 0	260		
1856.—March to August	6				0 16 6	6				0 12 0	225				11 8 0	240		
September	3	3 0				9				0 18 0	91	1 3			5 13 9	100		
October to April, 1857*	1				0 7 6	3	2 3	3	3 5	0 17 0	49	1 6	25	24	6 12 0	53	20	
1857.—May to December	1	3 5			0 3 5	3	2 8			0 8 0	49	1 11	23	2 11	8 1 0	53	23	8 12 5
ASHFIELD TO FAIRFIELD.																		
1856.—September											12	2 0			1 4 0	12		
October to April, 1857*											3	2 3	12	3 5	0 13 7	3		
1857.—May to December											8	2 8	5	4 0	1 13 4	8	3	1 13 4
ASHFIELD TO LIVERPOOL.																		
1856.—September	4	6 3			1 5 0	6	4 6			1 7 0	76	3 0			11 8 0	85		
October to April, 1857*	1	6 0	1	9 0	0 9 0	2	4 6	3	0 9	1 9 3	25	3 0	15	4 6	7 2 6	27	19	9 0 0
1857.—May to December	1	6 5			0 6 5	1	4 11			0 4 11	34	3 5	8	5 2	7 17 6	36	8	8 8 10

TABLE XVII.
STATION RETURNS.—BURWOOD.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.		
	FIRST CLASS.					SECOND CLASS.					THIRD CLASS.					TOTAL.		
	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RETURNS.	TICKETS.
BURWOOD TO SYDNEY.																		
1855.—October?	140	2 6			17 10 0	256	1 9			22 8 0	827	1 3			51 13 9	1223		
November	66				8 5 0	146				13 13 0	958	1 0			47 16 0	1280		
December to Feb., 1856	101				12 12 6	108				8 15 0	1260				63 0 0	1461		
1856.—March to August	31				3 17 6	91				7 19 3	1011				61 14 0	1356		
September	24				3 10 0	127				11 2 3	1041				52 4 0	1199		
October to April, 1857*	15				2 8 9	65				9 3 1	557	1 3	292	1 11	63 5 11	637	319	
1857.—May to December	23	2 8	2	4 0	3 6 8	60	2 0	12	3 0	7 16 0	729	1 6	217	2 3	81 15 9	832	251	92 18 5
BURWOOD TO NEWTOWN.																		
1855.—October?	4					2					45					50		
November	3					1					58					62		
December to Feb., 1856	2	1 6				5	1 0			0 5 0	90	0 9			3 7 6	95		
1856.—March to August	2				0 3 0	5				0 5 0	163				3 17 3	110		
September	1	2 0			0 2 0	4	1 6			0 0 0	83				3 2 8	84		
October to April, 1857*						6				0 0 0	43	1 0	11	1 0	3 4 0	49	14	
1857.—May to December	1	1 6			0 1 6	4	1 2	1	1 0	0 0 5	68	0 9	17	1 2	3 10 10	73	18	3 18 9
BURWOOD TO PETERSHAM.																		
1857.—June to December											10	0 5			0 4 2	10		0 4 2

*Returns Tickets, 5 months.

†No acct. for September.

TABLE XVII.—continued.
STATION RETURNS.—BURWOOD.—Continued.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.				AVERAGE PER MONTH.				AVERAGE PER MONTH.				AVERAGE PER MONTH.			
	FIRST CLASS.				SECOND CLASS.				THIRD CLASS.				TOTAL.			
STATION.	Passen- gers.	Rate.	Return Tickets.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	AMOUNT.
BURWOOD TO ASHFIELD.																
1855.—October	12	s. d.		s. d.		s. d.		s. d.	13	s. d.		s. d.	15			s. d.
" November					2				10				14			
" December to Feb., 1856									9 0 6			0 4 6	9			0 4 6
1856.—March to August									12			0 0 0	12			0 0 0
" September									5			0 4 6	5			0 4 6
" October to April, 1857*					0 6		1 0 9	0 1 3	11 0 4		9 0 6	0 8 2	11 10			0 9 5
1857.—May to December								0 0 6	26 0 5		4 0 8	0 12 8	27		4	0 13 2
BURWOOD TO HOMEHUSH.																
1855.—October					1				3				4			
" November					7				24				31			
" December to Feb., 1856									1 0 6			0 0 6	1			0 0 6
1856.—March to August					1 0 9			0 0 9	1			0 0 6	1			0 1 3
" September									2			0 0 4	2			0 1 0
" October to April, 1857*									1 0 4			0 0 4	1			0 0 4
1857.—May to December									7 0 5		4 0 8	0 5 7	7		4	0 5 7
BURWOOD TO PARRAMATTA.																
1855.—October	15				23				97				135			
" November					3				72				82			
" December to Feb., 1856	6 2 3			0 13 6	1 1 0			0 1 9	122 1 0			6 2 0	129			6 17 3
1856.—March to August				0 6 9	4			0 7 0	120			6 0 0	127			6 13 9
" September	1 2 0			0 2 6	2 2 0			0 4 0	161			8 1 0	164			8 7 6
" October to April, 1857*					4		3 3 0	0 17 0	38 1 3		26 1 11	4 17 4	42		20	5 14 4
1857.—May to December					3 2 3		3 5	0 6 9	43 1 6		20 2 3	5 12 6	48		20	5 19 3
BURWOOD TO FAIRFIELD.																
1856.—September					3 3 3			0 9 9	5 2 0			0 10 0	8			0 10 9
" October to April, 1857*									4		2 3 0	0 14 0	4		2	0 14 0
1857.—May to December									2 2 3		1 3 5	0 7 11	2		1	0 7 11
BURWOOD TO LIVERPOOL.																
1856.—September					1 4 3			0 4 3	28 2 9			3 17 0	29			4 1 3
" October to April, 1857*					1 4 0			0 4 0	15		4 1 2	2 17 11	16		4	3 1 11
1857.—May to December					1 4 6		1 6 9	0 11 3	28 3 0		16 4 6	6 9 0	29		10	7 0 3

TABLE XVIII.
STATION RETURNS.—HOMEBUSH.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.				AVERAGE PER MONTH.				AVERAGE PER MONTH.				AVERAGE PER MONTH.			
	FIRST CLASS.				SECOND CLASS.				THIRD CLASS.				TOTAL.			
STATION.	Passen- gers.	Rate.	Return Tickets.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	AMOUNT.
HOMEBUSH TO SYDNEY.																
1855.—26 September to October	68	s. d.		s. d.	69	s. d.		s. d.	507	s. d.		s. d.	640			s. d.
" November	130			10 4 0	140			7 15 3	1054			37 14 6	1334			55 13 9
" December to Feb., 1856	37			5 1 0	34			3 8 0	542			19 16 0	613			116 1 6
1856.—March to August	43			6 9 0	87			8 11 0	633			40 13 0	763			49 2 0
" September	33			6 5 0	71			7 2 0	607			47 9 6	713			62 12 6
" October to April, 1857*	5 2 9			0 13 9	32 2 3		5 3 5	4 8 3	227 1 6		148 2 3	33 13 6	264		133	57 17 6
1857.—May to December	23 3 0		1 4 0	3 19 6	38		1	4 8 11	462		119	51 8 3	525		151	59 10 8
HOMEBUSH TO NEWTOWN.																
1855.—24 September to October	1				2				39				42			
" November	6				14				155				175			
" December to Feb., 1856	1 2 0			0 2 0	3 1 6			0 4 6	99 1 0			4 19 0	103			5 5 6
1856.—March to August					6			0 9 0	102 0 9			3 16 6	168			4 5 6
" September	2 6				19			0 3 6	79 1 0			3 19 0	79			3 10 0
" October to April, 1857*	2 3				12 2			0 3 6	25 1 3		7 1 11	2 4 8	27		7	2 8 2
1857.—May to December					16			0 3 0	42 1 2		7 1 0	3 1 3	44		7	3 4 3
HOMEBUSH TO PETERSHAM.																
1857.—June to December									7 0 7		3 0 11	0 6 10	7		3	0 6 10
HOMEBUSH TO ASHFIELD.																
1855.—26 September to October	2				3				38				41			
" November	9				9				45				60			
" December to Feb., 1856	2 0				1 1 6			0 1 0	19 0 9			0 14 3	20			0 15 9
1856.—March to August	1 1 6			0 1 6	1 1 0				32			1 8 6	39			1 10 0
" September									44			1 13 0	44			1 13 0
" October to April, 1857*	1 3				1 10			0 1 0	11 0 9		5 1 2	0 14 1	12		5	0 15 1
1857.—May to December	1 2				0 9				25 0 6		5 1 9	0 16 3	26		5	0 16 3
HOMEBUSH TO BURWOOD.																
1855.—26 September to October									2				2			
" November									21				25			
" December to Feb., 1856	1 0				4 0 9				6 0 6			0 3 0	6			0 3 0
1856.—March to August									61			0 3 0	6			0 3 0
" September					1			0 0 9	9			0 4 6	10			0 5 3
" October to April, 1857*	0 8				0 6				5 0 4		1 0 6	0 2 2	5		1	0 2 2
1857.—May to December	0 9				1			0 0 6	11 0 5			0 4 7	12			0 5 1

TABLE XVIII.—continued.
STATION RETURNS—HOMEBUSH.—Continued.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.		
	FIRST CLASS.					SECOND CLASS.					THIRD CLASS.					TOTAL.		
STATION.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RETURNS.	TICKETS.
HOMEBUSH TO PARRAMATTA.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.			
1855.—25 September to October	17	...	...	...	...	30	...	...	...	...	104	...	...	...	...	151	...	...
" November	20	...	...	...	...	36	...	...	...	...	125	...	...	...	...	181	...	...
" December to Feb., 1856	5	20	...	...	0 10 0	4	16	...	...	0 6 0	132	0 9	...	...	5 11 0	161	...	6 10 0
1856.—March to August	4	...	...	...	0 8 0	6	...	...	...	0 9 0	140	...	...	...	5 5 0	150	...	6 2 0
" September	7	23	...	...	0 15 9	10	19	...	...	0 17 6	139	1 0	...	...	6 19 0	156	...	8 12 3
" October to April, 1857	1	...	...	...	0 2 3	3	...	...	...	0 6 2	41	...	14	16	3 2 0	44	15	3 10 5
1857.—May to December	...	...	...	...	...	3	16	...	...	0 4 6	53	12	12	19	4 2 10	56	12	4 7 4
HOMEBUSH TO FAIRFIELD.																		
1856.—September	...	...	...	...	...	...	...	...	...	...	10	19	...	...	0 17 6	10	...	0 17 6
" October to April, 1857	...	...	...	...	...	...	...	...	...	...	2	23	1	28	0 6 2	2	1	0 6 2
1857.—May to December	...	...	...	...	...	...	...	...	...	...	2	23	1	35	0 7 11	2	1	0 7 11
HOMEBUSH TO LIVERPOOL.																		
1856.—September	...	...	...	...	...	8	40	...	...	1 12 0	75	26	...	...	2 7 6	83	...	10 19 6
" October to April, 1857	...	...	...	...	...	...	...	...	...	...	11	...	7	39	2 13 9	11	7	2 13 9
1857.—May to December	...	...	...	...	...	2	42	...	...	0 8 4	21	28	6	40	4 0 0	23	6	4 8 4

TABLE XIX.
STATION RETURNS.—PARRAMATTA.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.		
	FIRST CLASS.					SECOND CLASS.					THIRD CLASS.					TOTAL.		
STATION.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RATE.	RETURNS.	TICKETS.	AMOUNT.	PASSENGERS.	RETURNS.	TICKETS.
PARRAMATTA TO SYDNEY.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.			
1855.—25 Sept. to October	1142	3 6	...	...	199 17 0	999	2 6	...	...	124 15 0	4519	1 6	...	...	338 18 6	6659	...	663 10 6
" November	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
" December to Feb., 1856	1016	...	...	...	177 16 0	1068	...	...	...	133 10 0	5311	...	...	...	398 6 6	7195	...	709 12 6
1856.—March to August	809	...	...	...	141 11 6	847	...	...	...	103 17 6	5801	...	...	...	435 1 6	7457	...	682 10 0
" September	411	4 0	...	...	82 4 0	669	3 0	...	...	100 7 0	3713	...	...	...	371 6 0	4793	...	553 17 0
" October to April, 1857	263	...	...	...	44 6 0	464	...	...	...	103 4 6	93 7 6	2441	...	...	860 3 0	3172	907	532 5 6
1857.—May to December	258	5 3	20	7 11	73 12 10	475	3 9	52	5 8	111 11 11	2491	2 8	387	4 0	409 10 8	3224	450	596 15 5
PARRAMATTA TO NEWTOWN.																		
1855.—25 Sept. to October	38	3 3	...	...	6 3 6	41	2 3	...	...	4 12 3	283	1 3	...	...	17 13 9	362	...	25 9 6
" November	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
" December to Feb., 1856	31	...	...	...	5 0 9	35	...	...	...	4 1 0	385	...	...	...	24 1 3	452	...	33 2 0
1856.—March to August	21	...	...	...	3 8 3	20	...	...	...	3 5 0	435	...	...	...	27 3 9	476	...	33 17 0
" September	9	3 0	...	...	1 8 0	30	2 6	...	...	3 15 0	251	1 6	...	...	19 11 6	299	...	34 14 6
" October to April, 1857	6	...	...	...	1 1 0	20	2 9	...	...	2 18 2	138	1 0	28	2 8	15 18 0	164	29	19 18 8
1857.—May to December	12	4 6	2	6 9	3 7 6	16	3 5	2	5 2	3 5 0	176	2 3	69	3 5	48 16 9	204	73	55 9 3
PARRAMATTA TO PETERSHAM.																		
1857.—June to December	3	2 6	...	...	0 5 0	3	2 0	...	...	0 6 0	22	1 3	...	...	1 7 6	28	...	1 18 6
PARRAMATTA TO ASHFIELD.																		
1855.—25 Sept. to October	...	...	...	...	0 11 0	13	2 0	...	...	1 6 0	192	1 0	...	...	9 12 0	229	...	11 9 0
" November	4	2 9	...	...	0 19 3	8	...	...	...	0 16 0	271	...	...	...	13 11 0	285	...	15 6 3
" December to Feb., 1856	7	...	...	...	0 19 3	8	...	...	...	0 16 0	198	...	...	...	9 18 0	209	...	11 2 3
1856.—March to August	3	...	...	...	0 8 3	7	...	...	...	0 14 0	13	1 3	...	...	5 13 0	122	...	6 13 0
" September	2	3 0	...	...	0 6 0	7	...	...	...	0 15 10	48	1 6	20	2 3	5 17 0	53	22	6 15 10
" October to April, 1857	1	...	...	...	0 3 0	4	2 3	...	...	0 16 0	44	1 11	19	2 11	6 19 9	50	19	7 15 9
1857.—May to December	...	3 5	...	...	...	6	2 8	...	...	...	...	...	...	...	...	...	...	...
PARRAMATTA TO BURWOOD.																		
1855.—25 Sept. to October	...	...	...	...	0 15 9	5	1 9	...	...	0 8 9	61	1 0	...	...	3 4 0	76	...	4 8 6
" November	...	...	...	...	0 9 0	5	...	...	...	0 10 6	67	...	...	...	3 7 0	77	...	4 6 6
" December to Feb., 1856	4	...	...	...	0 9 0	5	...	...	...	0 8 9	120	...	...	...	6 0 0	129	...	6 17 9
1856.—March to August	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
" September	2	6	...	...	...	7	2 0	...	...	0 14 0	149	1 0	...	...	7 9 0	158	...	8 3 0
" October to April, 1857	...	...	...	...	...	6	...	...	...	0 10 0	47	1 3	12	1 11	4 1 9	52	12	4 11 9
1857.—May to December	1	3 0	...	...	0 3 0	4	2 3	...	...	0 12 5	53	1 6	9	2 3	5 0 6	67	10	5 13 11
PARRAMATTA TO HOMEBUSH.																		
1855.—25 Sept. to October	...	...	...	...	0 18 0	13	1 6	...	...	0 19 6	300	0 9	...	...	11 5 0	322	...	13 2 6
" November	9	2 0	...	...	0 10 0	3	...	...	...	0 4 6	146	...	...	...	5 9 6	154	...	6 4 0
" December to Feb., 1856	5	...	...	...	0 6 0	4	...	...	...	0 6 0	153	...	...	...	5 14 9	180	...	6 6 9
1856.—March to August	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
" September	1	2 3	...	...	0 2 3	12	1 9	...	...	1 1 0	156	1 0	...	...	7 15 0	160	...	8 19 3
" October to April, 1857	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1857.—May to December	1	...	...	...	0 2 3	5	...	...	...	0 8 9	59	1 2	50	2 2	8 6 8	66	60	8 17 8
PARRAMATTA TO FAIRFIELD.																		
1856.—September	...	2 0	...	...	...	...	...	...	...	...	126	1 0	...	...	6 6 0	126	...	6 6 0
" October to April, 1857	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1857.—May to December	1	1 6	...	...	0 1 6	9	1 12	...	...	0 14 3	78	...	37	1 6	6 13 6	83	40	7 7 9
PARRAMATTA TO LIVERPOOL.																		
1856.—September	29	8 6	...	...	4 19 0	125	2 6	...	...	15 12 6	876	1 6	...	...	65 14 0	1023	...	86 5 6
" October to April, 1857	12	...	...	...	3 18 9	41	...	...	...	7 15 0	256	2 0	90	3 0	39 2 0	309	111	60 15 9
1857.—May to December	16	5 0	3	4 6	3 1 6	38	2 8	...	...	8 4 0	613	4	407	1 6	101 2 3	42	4	51 19 4

* Return Tickets, 6 months.

TABLE XX.
STATION RETURNS.—FAIRFIELD.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.				
	FIRST CLASS.					SECOND CLASS.					THIRD CLASS.					TOTAL.				
	Passen- gers.	Rate.	Return Tickets.	Rate.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	Rate.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	Rate.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	Rate.	AMOUNT.
FAIRFIELD TO SYDNEY.																				
1856.—September	60	s. d.				18	s. d.			4 1 0	139	s. d.			20 17 0	163				26 8 0
October to April, 1857*	46				0 18 0	11				2 9 6	72				24 7 6	51				27 15 0
1857.—May to December	46				0 18 0	12			2 4 9	2 11 6	115				24 0 0	100				27 5 10
FAIRFIELD TO NEWTOWN.																				
1856.—September						140				0 4 0	32				2 13 0	23				2 19 0
October to April, 1857*						130				0 4 0	6 2 9				1 9 0	7				1 13 0
1857.—May to December						130				0 3 0	12 2 0				2 2 0	13				2 5 0
FAIRFIELD TO PETERSHAM.																				
1857.—June to December											1 1 10				0 4 7	1				0 4 7
FAIRFIELD TO ASHFIELD.																				
1856.—September											15				1 10 0	15				1 10 0
October to April, 1857*											3 23				0 13 7	3				0 13 7
1857.—May to December											6 19				0 17 3	5				0 17 3
FAIRFIELD TO BURWOOD.																				
1856.—September											4 20				0 8 0	4				0 8 0
October to April, 1857*											1				0 5 0	1				0 5 0
1857.—May to December											5 16				0 14 3	6				0 14 3
FAIRFIELD TO HOMEBUSH.																				
1856.—September											4 10				0 7 0	4				0 7 0
October to April, 1857*											1				0 1 9	1				0 1 9
1857.—May to December											1 16				0 3 9	1				0 3 9
FAIRFIELD TO PARRAMATTA.																				
1856.—September						7 16				0 10 6	125				6 5 0	132				6 15 6
October to April, 1857*						4				0 12 9	55				7 12 6	59				8 5 3
1857.—May to December						8 09				0 13 0	143				7 18 6	151				8 11 6
FAIRFIELD TO LIVERPOOL.																				
1856.—September	4 26				0 10 0	11 16				0 16 6	141				7 1 0	156				8 7 6
October to April, 1857*						4				0 8 9	28				2 10 6	31				2 19 3
1857.—May to December	2 10				0 2 0	4 09				0 10 0	60				2 13 3	66				3 5 3

TABLE XXI.
STATION RETURNS.—LIVERPOOL.

PERIOD. INCLUSIVE.	AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.					AVERAGE PER MONTH.				
	FIRST CLASS.					SECOND CLASS.					THIRD CLASS.					TOTAL.				
	Passen- gers.	Rate.	Return Tickets.	Rate.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	Rate.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	Rate.	AMOUNT.	Passen- gers.	Rate.	Return Tickets.	Rate.	AMOUNT.
LIVERPOOL TO SYDNEY.																				
1856.—September	340	s. d.			127 10 0	411	s. d.			113 0 6	1309	s. d.			301 18 0	2259				542 6 6
October to April, 1857*	108				44 8 0	147				16 8 3	47				263 10 0	1082				351 19 3
1857.—May to December	142				40 14 0	175			13 6 5	40 17 2	1253				232 4 1	1580				313 16 3
LIVERPOOL TO NEWTOWN.																				
1856.—September	18				6 6 0	17				4 5 0	127				22 4 6	162				32 15 6
October to April, 1857*	1				0 7 0	1			1 7 6	1 12 6	62				16 1 2	68				18 0 8
1857.—May to December	2 50				0 10 0	5 30				0 18 9	106				21 6 3	113				22 15 0
LIVERPOOL TO PETERSHAM.																				
1857.—June to December	1 48				0 4 8	4 36			1 53	0 19 3	19				2 18 4	21				2 3
LIVERPOOL TO ASHFIELD.																				
1856.—September	5 63				1 11 3	2 46				0 9 0	60				9 0 0	67				11 0 3
October to April, 1857*	1 60				0 6 0						29				6 16 6	30				7 2 6
1857.—May to December	1 43				0 4 3	2 33				0 6 6	30				6 12 5	33				7 3 2
LIVERPOOL TO BURWOOD.																				
1856.—September						5 43				1 1 3	23				3 3 3	28				4 4 6
October to April, 1857*						2 40				0 8 0	13				1 15 9	15				2 3 9
1857.—May to December						2 30				0 6 0	25				3 14 0	27				4 0 0
LIVERPOOL TO HOMEBUSH.																				
1856.—September	1 56				0 5 6	7 40				1 8 0	76				9 10 0	81				11 3 6
October to April, 1857*	1 50					3 39				9 9 8	10				2 3 9	10				2 3 9
1857.—May to December	1 36				0 3 6	2 29			1 42	9 9 8	24				5 6 0	27				5 19 2
LIVERPOOL TO PARRAMATTA.																				
1856.—September	44				7 14 0	198				24 15 0	771				57 16 6	1013				90 5 6
October to April, 1857*	21				3 13 6	52				8 3 9	242				21 5 0	315				33 2 3
1857.—May to December	21 20				2 5 0	43 19			7 28	4 13 11	356				32 11 0	430				39 9 11
LIVERPOOL TO FAIRFIELD.																				
1856.—September	2 26				0 5 0	11 16				0 16 6	128				6 8 0	141				7 9 6
October to April, 1857*	2 0					2				0 3 0	28				6 16	30				2 0 0
1857.—May to December	2 10				0 2 0	5 09			1 12	0 4 11	57				2 2 9	61				2 9 8

* Return Tickets, 5 Months.

TABLE XXII.

STATEMENT, shewing the Number of Passengers and Class of Passengers travelling from Sydney, Parramatta, and Liverpool, for the periods from the 1st October, 1856, to 30th April, 1857; and 1st May to 31st December, 1857.

PERIOD.	SYDNEY.			PARRAMATTA.			LIVERPOOL.			REMARKS.
	1st Class.	2nd Class.	3rd Class.	1st Class.	2nd Class.	3rd Class.	1st. Class.	2nd Class.	3rd Class.	
1856.										
October.....	839	1,442	7,969	429	761	4,365	197	300	1,611	
November.....	722	1,214	6,565	340	619	3,605	152	236	1,443	
December.....	741	1,550	7,269	324	723	4,271	112	243	1,835	
1857.										
January.....	667	1,273	7,291	362	645	4,238	129	241	1,662	
February.....	541	834	5,617	253	562	3,159	117	180	1,373	
March.....	679	1,009	6,386	251	503	3,797	126	166	1,331	
April.....	720	1,239	7,542	303	630	3,785	143	218	1,609	
May.....	1,295	2,469	9,747	339	880	3,607	156	229	2,111	Homebush Races.
June.....	670	1,117	8,790	341	536	3,649	132	235	1,971	
July.....	737	1,183	8,802	390	630	3,679	174	285	2,063	
August.....	755	1,102	8,569	332	590	3,523	153	272	2,096	
September.....	971	1,549	10,755	368	670	4,289	229	285	2,769	
October.....	776	1,515	10,144	306	524	3,982	150	235	2,541	
November.....	815	1,311	11,003	323	515	4,269	201	201	2,824	
December.....	1,225	2,244	11,667	361	636	5,074	198	349	3,199	

TABLE XXIII.

COMPARATIVE Rates of Wages paid for Labour on Railways, in England, 1856, and in New South Wales, 1857.

South Wales, 1857.

	ENGLAND.				NEW SOUTH WALES.			
	1856.				1857.			
LOCOMOTIVE DEPARTMENT.								
Enginemen	s. d.		s. d.		s. d.		s. d.	
per diem	5 6	to	7 0		15 0	to	18 0	
Firemen	3 6	"	4 6		10 0	"	12 0	
"	2 6	"	2 9		8 6	"	9 0	
Laborers	3 0	"	3 6		8 6	"	.....
Cleaners	4 6	"	6 0		14 0	"	15 0	
Fitters	4 6	"	5 6		14 0	"	18 0	
Smiths	3 6	"	4 0		14 0	"	.....
Carpenters								
PERMANENT WAY.								
Gangers	3 0	"	3 6		12 0	"	.....
"	2 4	"	2 6		9 0	"	.....
Laborers	2 6	"	.....		8 0	"	.....
Gate-men	2 8	"	3 0		.....	"	.....
Signal men								
COACHING DEPARTMENT.								
Station Clerks.....	£ s. d.		£ s. d.		£ s. d.		£ s. d.	
per ann.	70 0 0	to	120 0 0		150 0 0	to	250 0 0	
Guards.....	1 7 0	"	1 10 0		4 4 0	"	.....
per week								
Porters.....	0 13 0	"	0 15 0		2 19 6	"	3 17 0	

TABLE XXIV.

APPROXIMATE ESTIMATE of Receipts and Expenditure of Railways in New South Wales, after completion to Campbelltown, Penrith, Picton, and Singleton.

RECEIPTS.

EXPENDITURE.

SYDNEY AND CAMPBELLTOWN LINE FOR 1852.

	£ s. d.		£ s. d.
Assuming the same number of passengers will travel between Campbelltown and all stations as now travel between Liverpool and all stations, and adding traffic between the Towns of Liverpool and Campbelltown themselves :—			
Passenger Traffic between Campbelltown and all stations, per annum	22,534 10 0	Working Expenses, thirty-four miles at £1,200 per mile per annum	40,800 0 0
Passenger Traffic at present on line to Liverpool, at revised rates	36,751 14 0	Net Receipts, Balance	34,200 0 0
	59,286 4 0		
Deduct three-fourths of present Passenger Traffic between Liverpool and all stations, as being through traffic transferred to Campbelltown	10,091 8 0		
Total of Passenger Traffic	49,191 16 0		
Present Receipts from Horses, Carriages, and Dogs, £180 15s. 4d. per month, and allowing this to increase in proportion to the miles open	3,362 0 0		
The Goods Traffic for the last quarter was	3,285 18 and		
Deducting, as not being permanent traffic	940 0		
Leaves	£ 2345 48 x 4 = 0981 02 p. ann.		
Assuming that the opening to Campbelltown will double this within one year :—			
Goods Traffic	18,763 16 0		
Miscellaneous Receipts, from Special Trains, Rents, Creak Rooms, &c., are at the rate of £3,331 per annum, during last quarter	3,692 8 0		
	£170,000 0 0		£ 75,000 0 0
Estimated Cost of Line to Campbelltown	£108,000 0 0		
Add Cost of Line to Liverpool	905,621 0 0		
Total Cost of Line from Sydney to Campbelltown	£1,013,621 10 4		
Upon which £34,200 gives Interest at the rate of 3-37 per annum.			

CAMPBELLTOWN LINE, INCLUDING PENRITH EXTENSION, INCLUSIVE OF PICTON EXTENSION.

	£ s. d.		£ s. d.
Assuming the same number of passengers will travel between Penrith and all stations as now travel between Parramatta and all stations, and adding traffic between the Towns of Picton and Parramatta themselves :—			
Passenger Traffic between Penrith and all stations per ann.	21,558 5 0	Working Expenses of 51-75 miles, at £1,200 per mile, per annum	65,900 0 0
Add existing Passenger Traffic on Campbelltown line	49,191 16 0	Net Receipts, Balance	63,100 0 0
Add 10 per cent. increase in Passenger Traffic from opening of line to Penrith, over thirteen and a-half miles	4,919 3 7		
Horses, Carriages, and Dogs, on Penrith Branch, in proportion to mileage	2,144 8 0		
Horses, Carriages, and Dogs, Campbelltown line	3,362 0 0		
The Goods Traffic between Penrith and Parramatta is said to be 54,000 tons annually, very little of which now comes by rail. Taking it at 27,000, over 35-25 miles	23,793 15 0		
Goods Traffic, Campbelltown line	18,763 15 9		
Miscellaneous	3,266 13 8		
TOTAL	£ 130,000 0 0		£ 130,000 0 0
Estimated Cost of Line to Campbelltown	£1,013,621 10 4		
Add Cost of Penrith Branch	233,000 0 0		
	£1,246,621 10 4		
Upon which £63,100 gives Interest at the rate of 5-05 per annum.			

CAMPBELLTOWN LINE, INCLUDING PICTON EXTENSION, INCLUSIVE OF PENRITH EXTENSION.

	£ s. d.		£ s. d.
Assuming the same number of passengers will travel to Picton, when a Terminal Station, as now travel to Liverpool, and adding Traffic between Liverpool, Campbelltown, and Picton :—			
Passenger Traffic between Picton and all stations	14,336 0 0	Working Expenses of 54 miles of Railway at £1,200 per mile, per annum	64,800 0 0
Add existing Passenger Traffic on Campbelltown Line	49,191 16 0	Net Receipts, Balance	46,200 0 0
Add 20 per cent. increase in Passenger Traffic from opening of line to Picton, over 34 miles	9,818 6 7		
Horses, Carriages, and Dogs, in proportion to mileage	5,324 0 0		
Allowing the Goods Traffic would be increased one-half	28,145 0 0		
Miscellaneous	3,961 0 0		
TOTAL	£ 111,000 0 0		£ 111,000 0 0
Estimated Cost of Line to Campbelltown	£1,013,621 10 4		
" " of Picton Branch	274,000 0 0		
	£1,287,621 10 4		
Upon which £10,200 gives Interest at the rate of 3-58 per cent. per annum.			

TABLE XXIV.—continued.

RECEIPTS.		EXPENDITURE.	
GREAT SOUTHERN LINE, INCLUDING PENRITH AND PICTON EXTENSIONS.			
Gross Receipts—		£ s. d.	£ s. d.
Campbelltown Line, as above, per annum	75,000 0 0	Working-Expenses of 7,575 miles of line at £1,200	90,300 0 0
Penrith Line	55,000 0 0		
Picton Line	35,000 0 0	Balance, Net Receipts	74,100 0 0
PER ANNUM, TOTAL	£ 165,000 0 0		£ 165,000 0 0
Estimated Cost of Campbelltown Line, £1,013,631 10 4			
" " of Penrith Line	270,000 0 0		
" " of Picton Line	274,000 0 0		
			£1,557,631 10 4
Upon which £74,100 gives Interest at the rate of 4-66 per cent. per annum.			
GREAT NORTHERN LINE, INCLUDING EXTENSION TO SINGLETON.			
Assuming that one-third of the average number of passengers on the Southern Line would travel on the Northern Line, and that the mileage travelled by these would be in proportion to the rail age owned:		£ s. d.	£ s. d.
Passenger traffic, Great Northern Line	21,422 1 0	Working Expenses of 48 miles of Railway at £1,200 per mile, per annum	57,600 0 0
Horses, Carriages, and Dogs, on the same assumption	1,584 0 0		
In 1855-6 the Goods Traffic between Singleton and Maitland was said to be 51,000 tons per annum, allowing this to be increased one-half for Coal Traffic, &c.:-		Net Receipts, Balance	22,100 0 0
Goods Traffic	51,000 0 0		
Miscellaneous	2,953 19 0		
TOTAL	£ 80,000 0 0		£ 80,000 0 0
Cost of Line from Honeysuckle Point to East Maitland £ 319,448 12 9			
" Newcastle and West Maitland Extension	70,000 0 0		
" Singleton	312,000 0 0		
			£ 701,448 12 9
Upon which £22,400 gives Interest at the rate of 3-06 per cent. per annum.			

TABLE XXV.

RETURN of Expenditure upon Railway Extension Surveys, from the 1st October (the date on which payments commenced to be made by this Department) to 31st December, 1857.

Description of Work and where situated.	By whom performed, and particulars of Expenditure.	Authority under which it is executed.	Fund from which the Expense is defrayed.	When commenced under this Department.	Whether finished or in progress.	Amount of Expenditure up to present date.
Of the Surveyors some were employed on similar service on the Southern and others on the Northern Extensions. The Railway Engineers and the Detachment of Royal Engineers were principally employed in taking Levels and making Trial Surveys for the Western Extension from Penrith towards Bathurst.	Railway Engineers for Salaries and Travelling Expenses, &c.	Vote of the Legislature.	£50,000.	1st October, 1857.	In Progress.	157 0 10
	Surveyors for Salaries and Allowances					1,066 13 4
	Royal Engineers:—					
	Working Pay					274 7 5½
	Colonial Allowance					30 10 0
	Ration Allowance					166 14 2
	Fuel, Water, and Light					5 10 4
						477 1 11½
	Contingencies.					
	Field Allowances					23 18 0
Forage	37 8 4					
Equipment	45 11 6					
Incidental Expenses	22 16 11					
Chainmen's Wages	100 16 7					
	230 11 3					707 13 2½
						£ 1,831 7 4½

TABLE XXVI.

RETURN of Expenditure upon Roads, for the year 1857.

Description of work, and where situated.	Whether Constructing or under Repair.	Authority under which it is executed.	Fund from which the expense is defrayed.	When commenced.	Whether finished or unfinished.	Amount of Expenditure up to present date.
						£ s. d.
GREAT NORTHERN ROAD	Under Repair	The Legislature.	The Consolidated Revenue.	1 Jan., 1857.	Unfinished.	10,644 14 4
GREAT SOUTHERN ROAD	Do.	Do.	Do.	Do.	Do.	8,853 9 4
GREAT WESTERN ROAD	Do.	Do.	Do.	Do.	Do.	11,794 5 8

Of these three sums £13,380 12s. 8d. were expended under the direction of the Colonial Architect, as follows:—

	£ s. d.
Great Northern Road	3,582 1 10
Great Southern Road	3,416 14 4
Great Western Road	6,381 16 6
	£ 13,380 12 8

TABLE XXVII.

RETURN of Expenditure upon Electric Telegraph, to the 31st December, 1857.

Name of Line.	Authority under which it is executed.	When commenced.	Whether finished or in progress.	Description of Work.	Amount.	Total Expenditure up to present date.	Vote from which the Expenditure is defrayed.
Sydney to South Head	Vote of the Legislature	November, 1857	In progress	Cartage of Poles, Materials, &c.	54 2 9	523 1 5	£700
				Wire	59 8 2		
				Poles	150 0 0		
				Wages	205 12 0		
				Salaries, Allowances, and Travelling	34 12 6		
				Tools, Ironmongery, &c.	17 2 0		
				Stationery	0 14 0		
				Advertising	0 4 0		
				Insulating Pins	6 6 0		
Sydney to Albury	Vote of the Legislature	June, 1857	In progress	Horses	80 0 0	1,940 16 7	£38,000
				Salaries, Allowances, and Travelling	719 16 1		
				Tools and Ironmongery	65 12 10		
				Wages	272 11 3		
				Poles and Cartage	218 1 1		
				Contract	200 0 0		
				Advertising	47 16 6		
				Insulators, &c.	16 5 4		
				Galvanized Wire	320 10 0		
				Stationery	0 3 6		
				TOTAL.....£		2,463 18 0	

TABLE XXVIII.

STATEMENT, shewing the General Business of the Telegraph Department in Victoria, during the Years 1854, 1855, and 1856.*

Year.	Month.	No. of Private Messages.	No. of Messages on Public Service.	Value of Messages on Public Service.	No. of Press Reports.	No. of Words in Press Reports.	Total Cash Receipts.	Total No. of Messages Transmitted.
				£ s. d.			£ s. d.	
1854	March	193	152	32 19 6	3	642	.....	348
	April	209	171	38 12 8	2	424	.....	382
	May	151	114	96 13 10	.....	.....	15 10 7	265
	June	195	132	95 5 0	.....	.....	25 19 6	327
	July	193	113	99 5 0	.....	.....	19 8 3	306
	August	197	117	101 16 0	.....	.....	14 8 3	314
	September	190	126	128 0 5	.....	.....	17 12 0	316
	October	280	221	131 3 2	.....	.....	11 9 6	501
	November	242	211	172 2 0	.....	.....	7 11 6	453
	December	437	213	138 2 10	7	480	111 2 6	657
		2,287	1,570	1,037 0 5	12	1,546	223 2 7	3,869
1855	January	607	216	209 3 6	9	645	158 11 7	832
	February	622	219	271 4 7	21	5,305	255 15 0	862
	March	904	237	230 3 10	22	4,873	288 2 7	1,163
	April	874	167	247 3 4	13	3,739	263 3 0	1,054
	May	772	216	270 4 7	25	5,789	258 19 3	1,013
	June	785	250	280 13 4	25	5,627	272 0 3	1,069
	July	642	221	267 16 4	26	4,460	242 0 11	889
	August	718	167	244 10 7	21	3,222	238 9 9	896
	September	754	188	264 15 4	15	4,118	255 18 4	957
	October	977	249	246 9 10	12	4,034	325 13 9	1,238
	November	996	203	251 15 4	5	4,496	321 4 3	1,209
	December	822	222	290 11 1	15	4,470	282 15 3	1,059
		9,473	2,559	3,074 11 8	209	50,778	3,162 13 11	12,241
1856	January	927	204	159 12 1	17	9,932	357 6 7	1,148
	February	882	226	191 17 4	19	5,786	296 6 0	1,127
	March	913	240	213 15 5	11	1,770	254 6 3	1,164
	April	889	200	172 6 0	6	6,579	315 7 8	1,095
	May	836	163	165 5 5	2	1,194	252 9 4	1,001
	June	880	254	209 19 4	6	1,844	232 15 1	1,140
	July	809	233	207 16 4	2	1,721	229 7 1	1,044
	August	648	232	255 18 4	4	140	224 5 2	884
	September	709	224	205 6 10	5	658	205 10 3	938
	October	795	181	209 4 11	4	200	223 8 9	980
	November	831	174	184 13 4	5	642	232 9 1	1,010
	December	1,256	354	246 7 11	33	6,361	402 2 2	1,643
		10,375	2,685	2,422 2 3	114	36,827	3,225 13 5	13,174
†1857	July	4,736	525	251 5 0	.....	.....	912 18 1	5,261
	August	4,876	462	230 14 7	.....	.....	805 17 5	5,338
	September	4,749	547	263 12 3	.....	.....	871 17 11	5,296
	October	5,183	741	355 5 8	.....	.....	911 2 11	5,924
	November	5,193	612	298 0 2	.....	.....	891 5 5	5,805
	December	5,384	570	272 11 0	.....	.....	939 13 8	5,954
	TOTAL	30,121	3,457	1,671 8 8	.....	.....	5,362 15 5	33,578

* Extracted from the Reports of the Superintendent of the Electric Telegraphs, Victoria.

† The detail for the first half of the year 1857 has not been received.

ON INTERNAL COMMUNICATIONS.

25

A.

Letter from Chief Commissioner for Railways to the Secretary for Lands and Works, on the proposed Tramway from Redfern to Sydney Cove.

*Railway Department, Sydney,
8 March, 1858.*

Sir,

In my Report upon "The Internal Communications of New South Wales," dated 21st August, 1857, I drew attention to the very inconvenient position of the present Railway Terminus, and pointed out that a simple and inexpensive remedy existed in the construction of an Iron Tramway from Redfern to Sydney Cove.

I have now the honor to submit, for the consideration of the Government, a plan and sections for such a Tramway, at a total estimated cost of £7,500, viz.:-

Construction of Tramway	£5,000.
Goods Shed	£1,000.
Rolling Stock	£1,500.

From the plan it will be seen that after leaving the station at Redfern the line passes along the centre of Pitt-street direct to the Circular Quay; and is continued as far as the yard adjoining the Ordnance Stores, upon a strip of which it is proposed to erect the Goods Shed; a small branch also leads towards the Wool Shed, and this may be continued to any extent that the mercantile and shipping interests demand.

The Goods Shed is intended to meet the wants of those parties to whom it is inconvenient to send goods intended for transmission by railway as far as Redfern; but it is not proposed to be used as a warehouse for the storage of goods.

It will be seen from the section that the tramway can in no degree interfere with the ordinary traffic of the streets; on the contrary, to heavily laden vehicles of the same gauge the iron rails would be found of great advantage: nor would it surprise me to find them after a time generally adopted in the streets of Sydney.

The Rolling Stock is proposed to consist of one or more Omnibuses, drawn by two horses, conveying railway passengers only, each capable of containing fifty or sixty persons, having a separate compartment for ladies, and receptacles to contain the ordinary luggage of passengers. These Omnibuses would run to meet every train, and would thus pass up Pitt-street five or six times a-day, and down as often. They would stop at the corners of cross-streets to take up or put down passengers. Apprehensions, I have been informed, have been expressed that they would interfere with the ordinary traffic; but they would be as completely under control as any other carriage, and a little reflection will shew how groundless such apprehensions are.

Goods would, when desired, be brought by the ordinary goods trucks to the Circular Quay, or from it to Redfern. It is proposed, if they can be built at a reasonable price, that the omnibuses should be constructed in the Colony.

The rails are upon the spot, and should the Government sanction it, the tramway can be at once proceeded with. I believe it would afford, at a small cost, all the principal advantages to be derived from the construction, at a heavy expense, of a station in Hyde Park, and be without some of the defects a station there would have. I am of opinion it would be found a great public convenience, and, by affording additional facilities, increase the transit by railway of both passengers and goods.

The entire cost being, comparatively, so small, may be defrayed from savings on the Campbelltown Extension Line.

I have, &c.,
B. H. MARTINDALE.

THE HONORABLE
THE SECRETARY FOR LANDS AND WORKS.

B.

Letter from Chief Commissioner for Railways to the Secretary for Lands and Works, on the subject of Auditing Railway Accounts.

*Railway Department, Sydney,
7 April, 1858.*

Sir,

I have the honor to request your consideration to the necessity of making provision, in the Government Railways Bill, now before the Legislature, for the audit of Railway Accounts.

The most effectual audit of any public account is that which is conducted by persons responsible to Parliament alone, and which follows most closely on the expenditure; for, the more speedily the check of the auditors follows the work of the accountant, the greater will be the security to the public, and the greater the relief to the Head of the Department entrusted with the expenditure of the public money.

The system of audit I have now to submit for your consideration will combine these advantages in a pre-eminent degree.

I propose that auditors shall be appointed by Parliament whose duty it shall be to audit the accounts of the Railway Department, under the provisions of the Railway Act, and under such instructions as shall, from time to time, be issued by Parliament.

The auditors so appointed should be required to examine the entire accounts of the Department, so that no portion of the audit shall be more than one month in arrear of the expenditure; and it should be the duty of the auditors to ascertain that the several subsidiary books are kept so that every item of revenue is properly collected, and brought to the credit of the public, and that every expenditure is on due authority.

At the end of every quarter the Railway Department should prepare, to be forwarded to the Auditor General, an Abstract of the Expenditure of the past Quarter, shewing the appropriation of the receipts and expenditure under the several votes of Parliament, and the balance remaining in hand to the credit of each vote or head of receipt.

This account should be verified by the signature of the auditors, and will enable the Auditor General to check the gross expenditure, under the revised votes, and to connect the whole with the general account of the Colony.

In comparing this system of audit with that at present contemplated for the Railway Department, it will be seen that no one desirable check is lost sight of, while the following beneficial results will be secured by its adoption. The audit may, at the discretion of the auditors, take place the day after the expenditure is carried to account, and cannot follow at an interval greater than one month. The audit will be conducted by gentlemen responsible to Parliament alone, and not through the Auditor General to the Government. Every information regarding the accounts, and on every other point, will, as before, be accessible to Government, who will possess also the same control in this respect, as well as over the expenditure, through their officer, the Commissioner, as the Bill now provides.

The immense labor of preparing duplicate cash and store accounts, vouchers of every description in duplicate, including duplicate way-bills, ticket returns, counterfoils, butts of receipts, &c., &c., will be avoided; and by the appointment of the same men to audit continually the complicated transactions of the Department, they will become conversant with the details of railway business, and questions raised can be decided by conference with the Commissioner on the spot, instead of giving rise to endless queries and replies in writing, and a chain of correspondence.

Were the Railway Accounts to be audited in the Department of the Auditor General, I understand a special additional staff would be required for the purpose; and it would be in vain to attempt to render accounts in duplicate to the Auditor General without a large addition, also, to the Railway Staff, and a consequent heavy increase of expense. Even with such an addition, the extra duties thrown upon the superior officers would tend greatly to draw off their attention from more important duties; and the further Railways extend, and the more prosperous their condition, the more these evils would be felt.

It may be anticipated, also, from the numerous and complicated details of Railway Accounts, that considerable intervals would elapse between the expenditure by the Department and a release being given to it by the Auditor General; and it appears to me neither fair to the public nor to the Commissioner to permit such an accumulation as might thus arise, of unaudited accounts, where it can be prevented without the surrender of one necessary or desirable check.

I have, &c.,
B. H. MARTINDALE.

THE HONORABLE
THE SECRETARY FOR LANDS AND WORKS.

P. S.—Should the views I have submitted be adopted, it will be necessary to make provision for their being carried out by the insertion of a clause in the present Government Railways Bill.

1858.

Legislative Assembly.

NEW SOUTH WALES.

INTERNAL COMMUNICATIONS.

REPORT

TO THE

Honorable the Secretary for Lands and Public Works.

ON THE

GREAT NORTHERN ROAD,

BY

CAPTAIN MARTINDALE, ROYAL ENGINEERS,

COMMISSIONER FOR ROADS, &c., &c.



ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

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NEW SOUTH WALES.

GREAT NORTHERN ROAD.

(REPORT FROM COMMISSIONER FOR ROADS.)

REPORT TO THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS, BY
CAPTAIN MARTINDALE, R.E., COMMISSIONER FOR ROADS, &c., &c.

Department of Internal Communications
25 September, 1858.

SIR,

I have the honor to submit, for the information of the Government, a Report on the Great Northern Road, from the inspection of which I returned on the 4th instant.

By the Schedule of the Main Roads Management Act, 21 Vic., No. 8, the Great Northern Road is defined as follows:—"From a point in Swan-street, in the Town of Morpeth, one hundred yards easterly from the junction of George-street, *via* Maitland, Singleton, Muswellbrook, Scone, Murrumbidgee and Tamworth to Armidale."

Road extends from Morpeth to Armidale.

The total length thus included is not accurately known, but it is said to be from 230 to 236 miles.

Length of road is 236 miles.

This distance may be conveniently divided into two parts, the first extending from Morpeth to Doughboy Hollow, at the foot of the dividing Range, or about 104 miles, and the second from Doughboy Hollow to Armidale, or about 132 miles. Along the first the general course of the road may be considered as determined: along the second part as undetermined. No portion of the road has ever been completely proclaimed as a main road in a legal manner.

Road may be divided into two parts, determined and undetermined.

No part legally proclaimed.

To decide upon and mark out the exact course and width of the road where not yet defined, and to proclaim it according to law, are among the first things that should be done.

Road should be defined and proclaimed.

Between Morpeth and the dividing Range it appears advisable to deviate as little as possible from the track or road at present in use; for, although a better line might in many instances be followed, avoiding numerous unnecessary ascents and descents, yet a considerable expenditure has been incurred in clearing and forming this portion of the roads, and land has been purchased and buildings erected on the strength of vicinity to the high road.

No unnecessary deviation from the road at present in use should be made.

Some deviations are, however, absolutely necessary.

- 1st. At Falbrook, to meet a bridge urgently required over that dangerous creek, and proposed to be erected as soon as the necessary funds can be obtained. Necessary deviations—
At Falbrook.
- 2nd. Near Muswellbrook, to avoid the long and unnecessary ascent and descent over the Black Hills, through sandstone rock cut into gullies by water, stiff yellow clay, and black soil. At Muswellbrook.
- 3rd. At Warland's Range, up an abrupt spur of which the road now ascends with a gradient of 1 in $4\frac{1}{2}$, having near the base a very sharp and dangerous turn round a creek, which is crossed by a rough timber bridge at right angles to the town. At Warland's Range.

This

This pass I found to be universally considered the worst on the whole Northern Road; it may be greatly and at once improved, at the small cost of £600, and I recommend this work should be immediately proceeded with.

At Murrurundi Gap.

4th. At the dividing range, the ascent up which to the Murrurundi Gap rises with a gradient in some parts of 1 in 5, and with sharp turns exceedingly dangerous to bullock teams.

Careful examination with instruments is desirable before the improvements so necessary at this pass are decided on.

Minor deviations.

5th. Some minor deviations are required, but they are not of sufficient importance to require special mention.

No more land should be sold at Camberwell till diversion at Falbrook is decided upon.

I may observe here, that the diversion at Falbrook will pass through the township of Camberwell; the position of its proposed streets should therefore be clearly marked upon the ground, and no more land should here be sold until the line of the main road is defined.

Streets of all townships should be marked on the ground.

Indeed, generally, it appears desirable that the streets of all the townships through which the road will probably pass should be so marked upon the ground as to be easily recognized.

Measures should be taken to define and proclaim road between Morpeth and the dividing Range.

There is nothing in the deviations required between Morpeth and the dividing Range to prevent measures being immediately taken to mark out the exact course and width of this portion of the road where not yet defined, and subsequently to proclaim it.

Measures required.

A survey party should therefore be at once organized and employed, to obtain the information necessary to make a plan, longitudinal section, and book of reference of this length, starting from Morpeth; and as they advance they should lay out the width wherever the road does not pass between buildings or fences, and define it by unmistakeable and enduring marks.

The width of the road might be regulated as follows:—

Width of road.

- 1st. When the road passes between fences or buildings, the present width to be maintained.
- 2nd. When the road passes through alienated lands, and is not built or fenced in the width to be that reserved.
- 3rd. In all other cases the width to be that specified in 4 Wm. IV., No. 11, viz., 90 feet within 3 miles of towns, and 80 feet elsewhere.
- 4th. Should the width in any case between fences or buildings be less than one chain, each such case to be specially considered.

Present road and proposed deviations to be both surveyed.

As the surveyors reach each point where a deviation is required, the present road and proposed deviation should both be surveyed, and plans of both routes submitted to the Government.

Road to be proclaimed in parts.

When the plans and books of reference of any considerable length of the road have been approved of by the Government, such length might be proclaimed without waiting for the remainder.

Authorized works may proceed in the meantime.

These measures will occasion no delay in the progress of the works for which funds are available for the present year: if at once commenced, they should by the beginning of next year be so far advanced as to permit of the necessary works being undertaken upon a more extended scale than hitherto.

Additional grant required for Lochinvar.

Indeed there is a part of the present road, viz., that in the neighbourhood of Lochinvar, so utterly bad as to make the formation of it a matter of the most urgent necessity, and at the same time to render it a service beyond the funds at my command to execute; and I have therefore to submit, that an additional sum of £1,500 should be appropriated for this work.

It may be objected that the Great Northern Railway will in all probability reach Lochinvar within a few months, and very materially diminish the traffic upon the road; but in the meantime the latter must be used, and when the present Road Act was passed, the principle that the Government should not maintain a public road running parallel or nearly parallel to the public railway, though discussed, was not assented to.

In

In the Appendix marked A will be found a detailed Report upon the Great Northern Road, by the Assistant Engineer* for Roads, who accompanied me over it; I shall not therefore myself now submit any further remarks upon the present condition of the road, or upon the works required, between Morpeth and the dividing Range. I must however observe, that great credit is due to the surveyor of the Northern Road† for the manner in which he has availed himself of the materials at hand to form the road, and by which he has effected great improvements with small means.

Detailed report of Assistant Engineer for Roads.

Existing improvements made by surveyor.

Between Doughboy Hollow and Tamworth the traffic now travels by two distinct routes, running together however, as far as the Willow Tree, a distance of about 6 or 7 miles; from this point one track passes through Quirindi and over a low summit in the Currabubla Range,—the other by Wallabadah and Goonoo Goonoo to Tamworth.

Two roads in use between Doughboy Hollow and Tamworth.

The latter is the present mail road; and after having inspected both, I have no hesitation in giving it the preference—

The road by Wallabadah recommended.

1st. Because, although by no means so level, yet the ground over which it passes is naturally more capable of sustaining traffic, and is far better provided with materials for road making; the present track between Quirindi and Tamworth, a distance between 40 and 50 miles, being over level black soil, destitute of ballast or stone suitable for metal.

2nd. Because it is shorter, the distance between the Willow Tree and Tamworth being, according to the best information that I could obtain, 56 miles by the Currabubla route, and 52 miles *via* Wallabadah; and this difference may be further increased by 6 or 7 miles, by deviations to which I shall immediately draw attention.

Before quitting however the consideration of the Currabubla route, it should be mentioned that the present track to Brocza and the surrounding district diverges from it about half way between the Willow Tree and Tamworth.

The Brocza traffic.

The road to Tamworth by Wallabadah after leaving Doughboy Hollow passes over the intervening hills by a rough, unformed, and very circuitous route, with steep ascents and descents, and principally through black soil, to the Willow Tree, and Loder's station; thence it ascends and follows for some miles the crest of a hill through equally bad ground, after which the character of the soil changes and the track becomes good to Wallabadah.

Description of Wallabadah Road.

Between Wallabadah and Tamworth, a distance of about 37 miles, the road runs generally over a hard gravelly soil, forming an excellent natural road in dry weather, when not cut up by water running across it, and affording every facility for making a good road, for which abundant materials are at hand. There are, however, occasional patches of black alluvium, which becomes general towards Tamworth, the ground lying low and being sometimes flooded.

The first deviation proposed is from Doughboy Hollow by Chilcott's Creek, passing north of the Willow Tree, and also, if practicable, north of Loder's station into the present track, by which the heavy black hills between Doughboy Hollow and Berambil Creek will be avoided, and it is anticipated one or two miles saved in distance.

Deviation proposed by Chilcott's Creek.

It must be observed however, that the Yarra traffic comes into the present track about half way between Doughboy Hollow and the Willow Tree.

The Yarra traffic.

The second deviation proposed is from Wallabadah to Goonoo Goonoo by the Wallabadah Gap, and Sugar Loaf Hill, by which five or six miles will be saved, an indifferent part of the present road be avoided, and an excellent road obtained.

Deviation proposed by Sugar Loaf Hill.

The Assistant Engineer for Roads inspected this deviation while I was engaged upon the Currabubla Road, and I annex his Report‡ recommending that it should be adopted.

Report of Assistant Engineer for Roads on deviation by Sugar Loaf Hill.

While so doing Mr. Bennett met with a severe accident, by his horse falling with him; he was able however to travel on the following day.

During the few hours delay thus occasioned, the Surveyor of the Northern Road examined Chilcott's Creek, and verbally reported to me that he had formed a favorable opinion of the proposed deviation.

Surveyor's Report on Chilcott's Creek deviation.

Both

* Mr. Bennett, C.E.

† Mr. Collett.

‡ Appendix B.

Deviations to be surveyed.

Both this however and the Sugar Loaf Line, must be carefully surveyed and compared with the present route, before the adoption of either is decided upon.

Bridge at Tamworth.

The papers relative to the bridge over the Peel having been referred to me before leaving Sydney, I made when at Tamworth a careful examination of the river banks and neighbourhood; and I recommend the bridge should be built immediately above the present foot bridge.

The plans and estimate for this work will be shortly submitted for final approval, after which it can be at once proceeded with.

No material deviation required between Tamworth and the Moonbics

Between Tamworth and the summit of the Moonbics Pass, a distance of about 18 miles, no material deviation is required. The road traverses a firm hard soil, changing abruptly after about 10 miles from sandstone to granite, and is good until within about 4 miles of the summit when it becomes rugged and much waterworn.

Improvement of the ascent up the Moonbics.

The ascent up the Moonbics Range was as steep and difficult a track as it is possible to suppose could be overcome by loaded vehicles. It has been very judiciously improved at a small cost by Mr. Collett; and I have directed that officer to proceed at once with the works still urgently required, as rapidly as the means I am able to place at his disposal will permit.

Deviation from the Moonbics to Bendemeer.

It is proposed to avoid the treacherous swamps between the Moonbics Pass and Bendemeer, by following a ridge to their west.

Two roads in use between Bendemeer and Armidale. The Uralla Road preferred.

From Bendemeer two tracks exist to Armidale—the one by Salisbury Plains, the other by Uralla. After having travelled over both I consider the latter preferable, and I have reason to believe it may be considerably improved by deviations.

Both roads to be surveyed.

Both routes however should be carefully surveyed before either is decided on.

Two survey parties to be employed.

I recommend, therefore, that two parties of surveyors should be at once organized and employed—the one to start from Doughboy Hollow, the other from Tamworth, to perform duties similar to those already detailed in this Report. In the meantime no expenditure should be incurred upon this half of the Great Northern Road beyond that necessary to keep open the traffic, and remove such obstacles as materially impede it and as can be removed at a small expense.

Vigorous measures to be adopted as soon as any part is proclaimed.

As soon however as any portion of the road is proclaimed, vigorous and systematic measures should be adopted to clear, form, and maintain it.

Principles that should regulate expenditure upon the main roads.

The principles that should guide the public expenditure upon the main roads are—

- 1st. A road thoroughly sufficient for the traffic should be made at the public expense throughout each district.
- 2nd. Once made, the road should be maintained by the traffic upon it, or by local rates.
- 3rd. The more rapidly a good road is made the less will be the cost to the public.
- 4th. The funds to form such a road should be raised by loan if necessary.
- 5th. The interest due upon the loan should be defrayed from the Consolidated Revenue.
- 6th. The loan should be repaid from the funds derived from the sale of Crown Lands along the line of road.

Such a road should be formed between Morpeth and Armidale within two years.

The system under which the main roads should be formed and maintained is,

- 1st. To reduce day labour to a minimum.
- 2nd. To obtain large contracts for clearing and forming the road as proclaimed, under Government direction and supervision.
- 3rd. To let the maintenance of the entire road, or of as large portions as practicable, to one contractor for a term of years, the contractor levying and receiving the tolls fixed by the Government.

Competent contractors can be obtained.

My recent tour in the north leaves no doubt upon my mind that parties would there be found competent and willing to undertake such contracts.

The

The results of the system would be—

Results of system proposed.

- 1st. Government supervision, and therefore the public expenditure for such supervision would be reduced to a minimum.
- 2nd. The work would be both better and more economically done by large contracts.
- 3rd. The road being sooner formed the public would the sooner obtain the comfort and indirect advantages arising from its formation.
- 4th. The loss arising from the employment of toll-gate keepers would be reduced to a minimum, as the contractor would no doubt make arrangements that the wives or children should attend to the gates, while the husbands superintended portions of the road.

An immense difference would be made in the safety of the journey, and in the time occupied in travelling between Morpeth and Armidale were the road even merely cleared throughout and the creeks and rivers made passable. Importance of clearing, and of bridging, creeks and rivers.

At present long circuits are constantly made to obtain a crossing, often difficult at best, over the steep and sidling banks of the creeks, which very ordinary bridges of simple and inexpensive construction would in general obviate. Nothing perhaps is more required than these upon the road—nothing would more facilitate the traffic. Ordinary bridges over creeks required.

At Singleton, the Hunter flows between wide banks, and the traffic, when the river is in flood, is often delayed for days together. A bridge should be erected in connection with the railway. Bridges required over rivers—At Singleton.

At Aberdeen the main road again crosses the Hunter by a good ford; but to perfect the road and provide against floods a bridge is also required here. In the meantime a punt might be supplied at a cost of about £300. At Aberdeen.

The main road passes through the Pago three times; at one of these crossings a bridge of some length will be wanted. Over the Pago.

The ford over the Macdonald at Bendemeer is rough and deep. A memorial has been presented by the inhabitants praying for a bridge, and I propose submitting the necessary plans and estimates shortly. At Bendemeer.

Should the Government approve of the suggestions contained in this Report, the survey parties cannot be despatched too early. Survey parties to be despatched at once.

The measures necessary for their supervision, and for that of the works, should the system I have recommended be carried out, are matters of detail that can be arranged hereafter. Measures for supervision of surveyors and contractors.

I would suggest however to the Government, that arrangements should if possible be made to leave the maintenance of the road between Morpeth and the Toll-bar on Campbell's Hill, which has hitherto been under the Maitland Road Trust, in the hands of local authorities. Forming, as the Great Northern Road here does, part of the towns of Morpeth, East Maitland, and West Maitland, it appears more natural, and would probably be more satisfactory, that the control of this portion of it should rest with those so much interested in it, and who, being on the spot, could constantly give it close supervision. Maintenance of road from Morpeth to Toll-bar on Campbell's Hill to be under local authorities.

In the observations I have submitted to the Government, I have not been unmindful that the Northern Districts naturally look to the extension of the Railway as their ultimate main road; but under the most favorable circumstances this must be a work of some years, and I see no reason why in the meantime the condition of the Great Northern Road should not, by a moderate expenditure, be rendered such as to admit, by night as well as by day, of easy, safe, and rapid intercommunication. Until superseded by a Railway, the Great Northern Road should be such as to admit, by night as well as by day, of easy, safe, and rapid intercommunication.

I have, &c.,

B. H. MARTINDALE.

APPENDIX A.

DETAILED REPORT ON THE MAIN NORTHERN ROAD.

The Main Northern Road commences in the Town of Morpeth, and extends to Armidale.

It may be subdivided into three portions:—

- 1st. From Morpeth to Black Creek, 20 miles; lately in charge of the Maitland Road Trust.
- 2nd. From Black Creek to the Gap of Murrurundi, 83 miles; under the care of the Surveyor of the Northern Road.
- 3rd. From the Gap to Armidale, 133 miles, which has had no regular surveillance.

1ST. DIVISION. MORPETH TO BLACK CREEK.

Through the Town of Morpeth the road though rough is hard; thence to the Morpeth toll-gate the road, six months since, received a covering of soft sandstone, but now requires slight repair.

From the toll-bar to East Maitland Railway Bridge the road is worn into ruts, and the drainage destroyed; it requires immediate and thorough repair.

From East to West Maitland, and through both towns, the road is generally in good order, well shaped, and hard; it will require maintenance. The floor of the Victoria Bridge has been recently covered with rough slabbing, the jolting of heavy vehicles over which will tend very much to injure the framing of the bridge if the slabs are not covered with gravel, or taken up and replaced by planks. Materials for ballast and metal are abundant, and close to the road.

From West Maitland to $\frac{3}{4}$ of a mile beyond Campbell's toll-bar the road is in pretty fair order, and superior metal is available from the trap-dyke at the hospital; thence to the junction of the Wollombi Road is wide and unformed.

From the junction of the Wollombi Road to Spread Eagle Flat the road is over heavy yellow clay, more than $1\frac{1}{2}$ chains wide, with the drains on the extreme margin, having large lumps of stone in the centre, and being greatly cut up at the sides.

At Spread Eagle Flat is the commencement of the worst piece of road between Morpeth and Armidale, extending over a distance of 2 miles to near Lochinvar, over a flat of heavy yellow clay and black alluvium, without perceptible fall in any direction, or any available outlet for drainage. The first mile of this is now under repair by the Maitland Road Trust. The new road is formed by soft sandstone ballast, covered with nine inches of gravel, the surface is very rough, not sufficiently rounded, and the entire too low to have proper fall for the lateral drainage; at the end of this contract is a piece of log road 24 feet wide, of very rude construction; the remainder of this flat is impassable when the weather is at all wet, and the traffic goes over the out-turn through the bush. Repair is more urgently required on this piece than on any part of the entire road.

At the base of Lochinvar Hill is $\frac{1}{4}$ of a mile of road through equally bad black alluvium, but it is judiciously formed, and, though made 3 years since, only requires general repair.

The ascent and descent of Lochinvar Hill are both bad—over black alluvium and yellow clay; an intercepting drain required. Five chains of thorough repair and 3 culverts are urgently required on this part of the road.

Close to the Village of Lochinvar is a mile of undulating road over sandy clay, requiring thorough forming, ballasting, and draining; the available material is blue metal.

At Harper's Hill Flat are 25 chains of a road over heavy yellow clay and black alluvium, which is most dangerous and nearly impassable in wet; one culvert is to be rebuilt, a bridge repaired, and the road formed, at an estimated cost of £150.

The ascent of Harper's Hill is in fair order, and well provided with stone culverts, built by the ironed gangs.

At Oswald's Inn, on the descent from Harper's Hill, there are 15 chains of very bad road, through heavy black soil, to be immediately repaired.

At Little Harper's Hill the road is bad, through sand and yellow clay, but never impassable,—a plank road would be the most advisable remedy.

At Greta is rather a flat heavy sand enclosed by fences, known as the Nailor's—a plank road might also be advisable here, as iron-bark is abundant.

From Greta to Anvil Creek is wide and unformed, over sandy clay with gravel surface,—at present requiring only drainage.

The abutments of the bridge at Anvil Creek require to be defended with sheet piling, as the floods last year have scoured the bottom of the river 7 feet deeper than the foundations.

From Anvil to Black Creek the road is wide, and flat, and a portion, known as Wyndham's road, is very bad in wet weather.

On this division the immediate repairs required are the flat at end of Nixon's contract the Harper Hill Flat, the black soil at Oswald's Inn, and the Anvil Creek Bridge. Next year portions at the junction of Wollombi Road, the Lochinvar Hill, and remainder of Little Harper's Hill will require attention; but any very heavy outlay on this part of the road might be objectionable, as it will be entirely superseded by the Railway in a few months.

2ND DIVISION. BLACK CREEK TO MURRURUNDI.

At Black Creek a bridge built by the Road Surveyor has been swept away; it would probably cost £1,000 to replace it, the expenditure of which would be injudicious, as the Railway will be to Black Creek in a short time.

From

From Black Creek to Singleton the road is generally in very fair order; a narrow track from 12 to 16 feet in width of gravel ballast 9 inches thick, with numerous culverts and side drains, has been formed by the Road Surveyor; several minor bridges of logs have also been constructed.

Near Singleton, on Patrick's Plains, there are at intervals about two miles of heavy sand, which the surveyor has been instructed to clay and ballast. This with a few necessary repairs will put the road as far as Singleton in good order. The streets in Singleton are also very good, being ballasted in a similar way for the entire width.

The crossing of the Hunter at Singleton is frequently interrupted by floods; but as a bridge here would be a most expensive construction, it is not proposed to take any steps towards its erection until the railway design is completed.

Singleton to Barlow's Hill is a narrow ballast road between fences. The ascent and summit of Barlow's Hill require ballasting for $1\frac{1}{4}$ miles; at $3\frac{1}{2}$ miles from Singleton is Rix's Creek, which must ultimately be bridged.

The ascent from Rix's Creek requires more ballast. From Wiseman's Gully to Falbrook is in fair order, requiring ballast from Nolan's fences. The great defect between Singleton and Falbrook is that the road passes over all the minor summits on the ridge instead of contouring round their bases; but as the road is formed, and nothing decidedly objectionable, it does not seem advisable to alter it.

At Falbrook it was proposed to construct a causeway at the present wide crossing-place; but as a most advantageous site for a bridge exists a short distance down stream, trial pits have been sunk, and transverse sections made, with a view to the preparation of a design for a bridge above the flood level, and in the line of one of the streets of Camberwell.

Thence to Foy Brook the road is ballasted and in fair order; a bridge will ultimately be required there.

At Ravensworth, Mr. Collett diverted the road from the summit round the side of the hill, which is an improvement. This has not yet been ballasted, but should be as soon as possible. Near Liddell is $1\frac{1}{4}$ mile of road very soft and bad; wants ballasting and drainage. At Chain of Ponds is a rude bridge, with inclined platform 36 feet span.

The road near Liddell requires ballasting for some distance; at Lagoon Flat is a very bad portion, 400 yards in length, requiring immediate repair. At Leaming's Bridge the road is very rough, and crust weak—wants ballast. At Appletree Flat a bridge is required 30 feet span; along the bank of Saltwater Creek to foot of Grasstree Hill the road is very sandy and heavy, but rather better in wet; two bridges will be required across creeks now logged, and for this portion about $1\frac{1}{2}$ mile of ballasting at intervals.

At the foot of Grasstree Hill a very good bridge has been erected by the Road Surveyor, at a cost of £170; some improvement has been made in the lower ascent, which is now in fair order, the upper portion of ascent is unformed, with an intercepting drain, and being over yellow clay, is evidently very bad in wet weather. This is the first serious difficulty on the road, and some attention must be devoted to improve its inclination and surface.

From Grasstree to Pig Holes Hill the road runs along the ridge, and will require forming and ballasting; near the Pig Holes Hill a change in the direction of the road is proposed, turning off to the right to avoid the unnecessary ascent and descent of the Pig Holes and Black Hills, and the very bad rock and yellow clay of the former, and black soil of the latter; the deviation will have an uniform fall, and pass over good ground; it is about 2 miles in length.

One mile over the flat near Little Muswellbrook will require forming, draining, and ballasting. The bridge at Muswellbrook is an old structure; the foundations are being undermined; the Surveyor was directed to take measures for securing them.

From Muswellbrook to Sandy Creek, 2 miles, the road is undulating over clay soil; has been formed and drained; requires ballasting.

At Sandy Creek a bridge is much required, as the mail is frequently stopped; there is not much driftwood, bottom of creek is sandy, and ironbark abundant.

The flats of St. Hiliers, 2 miles long, want forming and ballasting, the culverts are built; this must be executed next summer at latest, as it is a very bad part of the road.

At Dartmouth Hill a piece of road has been marked out ready to commence when funds are allocated. Thence to Aberdeen the road generally wants forming, draining, and metalling; at Lynch's Gully is a very bad black unformed flat.

The proper entrance to the town of Aberdeen is through Macquarie-street; at present the road makes a detour to the right, to avoid a gully at the intersection of St. Andrew-street. The surveyor has been instructed to bridge this gully, and form the road in its proper direction.

Opposite Grundy's Inn is another difficulty, where the present road runs through an allotment which has been alienated, the legal road being over very bad ground.

The Hunter at Aberdeen is 410 feet in width, at the present crossing-place; its floods frequently interrupt transit, and as a bridge is for the present too expensive, and no boat provided, a small punt should be purchased, at a probable expense of £300.

From Aberdeen to Scone the road is almost level, through black alluvial flats, with only one hill, Mount Ararat, $2\frac{1}{4}$ miles from Aberdeen; it is intended to bring the road to the west side of this hill, the surface being so much harder than the black soil it at present passes over. For 5 miles the road is unformed and undrained, but was cleared of timber by the Road Surveyor last year.

From Mr. Dangar's gate to St. Aubins the road is very bad, but formed and drained, requiring ballast. St. Aubins to Scone one mile has been lately ballasted, but is not yet consolidated.

At Scone the direction of the road through the north end of the town is yet unsettled, as there is some objection to passing through allotments; for $\frac{3}{4}$ of a mile is a narrow ballast causeway, through a very bad black flat; then, for some distance, a similar soil traversed by waterworn gullies, undrained and unformed. At Two-mile Creek a bridge required, estimated at £80. Thence to Highland Home at intervals a considerable length of road has been formed and ballasted, and several bad creeks cut down and paved; there is yet much black alluvial soil unballasted, and some few short abrupt pinches at hills and creeks yet to be improved; at Forsythe's fences ballasting is much wanted, the traffic being there restricted to the breadth of the road.

Near the village of Wingen the road has been formed and ballasted through Raglan-street; the road still requires forming and draining.

The Highland Home Creek, which was very deep, has been cut down.

North of the Highland Home Creek the men were engaged forming a new road; at Bolland's a new and good bridge, but there is a very bad piece of road between fences, which requires ballasting.

At Brimstone Creek the road has been lately drained, and requires ballasting.

At Dangar Creek a bridge of 1-40 feet and 2-15 feet spans is required; thence to foot of Warland's Range the road has been cleared, fenced, and drained.

Warland's Range is the most serious impediment to traffic on the entire road; the present route ascends the abrupt end of a spur, with a sharp incline of 1 in $4\frac{1}{2}$, with a most acute and dangerous bend over a creek at the base, which is crossed by a rude timber causeway at right angles to the direction of the steep incline.

It is proposed to gain some height before coming to the spur by creeping up a lateral range, and crossing a creek to the main spur, with a high level bridge, and then to wind up the left side, changing at plateau to the right, winding into a cutting made on a secondary summit. After passing this summit is a narrow natural causeway, with a very steep ascent, which it has been proposed to avoid, by keeping to the right down the valley, coming on to the road half a mile further on; but it is considered more advisable to embark on this natural bridge, and by diverging half way up to reduce the upper slope considerably.

The easing of this ascent is one of the most necessary works on the entire road. It is of no use whatever doing any work north of this point until its improvement is effected. The sooner this is effected the better, as water is very scarce on the ground.

From the top of the range, for one mile, the descent should be formed and ballasted; the route then passes through a soft flat, with a piece of slab road, which cost 25s. per running yard, and crosses the River Page, where a bridge will ultimately be required—the mail and four horses having been swept away some time ago. The road crosses the Page three times before reaching Murrurundi.

At the village of Blandford there is some dispute about the direction of the road. The portion done under the grant for Warland's Flat commences there, extending towards Murrurundi for two miles; it is now a very good road, but appears to have been a deep swamp, without an outlet for drainage. The road was made by continuing to pour in ballast until a surface was formed, and even now it requires constant renewal; the gravel is in some places 18 inches deep; there are 2 miles of this road, 9 culverts, 3 platforms, the entire costing £900.

At Sutherland's Creek a bridge is required, thence the road is not very good to Drew's Inn, from which there is a very smooth, hard, and good road to Haydenton, consisting of 2 feet deep of ballast laid down two years since.

At Haydenton is the third crossing of the Page. A bridge is required, as the river severs Court House, &c., from the town. The flood range is but four feet; the span would be 120 feet, and the approximate cost £1,200. The road through Murrurundi has been formed and ballasted, but requires another coating. A small bridge required in town.

From Murrurundi to Bolland Bridge No. 2 the road is fenced in, surface hard but in a state of nature, quite uncleared, &c.

This bridge was nearly taken away by floods; and as a diversion is proposed which will avoid it, the rebuilding might be delayed. Before coming to the Deep or Station Creek a considerable deviation has been decided on; a high rocky place suitable for a bridge has been selected for crossing the creek, and the road is to be brought to it. A short distance further on commences the ascent to the Gap of Murrurundi.

Next to Warland's Range this is the great obstruction to traffic on the road. The steepest inclination is at present one in five, on a new piece of road near the summit. To attain even this, considerable excavation was necessary; and it cannot well be avoided, without immense outlay in changing the whole course of the road to the left side of the ravine. The proposal of the Road Surveyor, to ascend the spur on right of present road and cut fourteen feet at the summit of the ridge, would not improve the inclination of the worst pinches, and ought not to be adopted without an instrumental examination of the ravine to the left.

The entire road under the direct control of the Surveyor, from Black Creek to the Gap, is in comparatively good order. The ascents of Grasstree Hill, Warland's and Liverpool Ranges, are the great natural impediments. The two crossings of the Hunter, three of the Page, of Falbrook, and of Black Creek, are the principal points where heavy bridges are required, and the flats at or near Liddell, Muswellbrook, and St. Hiliers, and between Aberdeen and Scone, are the worst points in wet weather. It is proposed at once to alter the ascent to Warland's Range, to build a bridge at Falbrook, and several small bridges, and to proceed with the draining, forming, and ballasting, as far as the funds will permit.

Surveys will be required to determine the best line near Muswellbrook, and the road must be determined and accurately marked out with reference to the streets in Aberdeen, Scone, and Wingen, as well as from Murrurundi to the Gap.

3RD. DIVISION. FROM LIVERPOOL GAP TO ARMIDALE.

Is the third and largest division of the Great Northern Road; it is about 133 miles in length, and may be subdivided into two sections, from the Gap to Tamworth, about 62 miles, and thence to Armidale, 71 miles.

No portion of this road has as yet been properly proclaimed or laid out, but it seems to follow the old bullock track from station to station; it has not been in any responsible charge, but some desultory improvements, under special grants, have been executed by the Surveyor of the Northern Road.

The descent from the Gap of Murrurundi is still very steep, but has been improved, the funds having been allocated from the Doughboy grant.

At the village of Doughboy the streets do not coincide with the direction of the road. The ascent of the Doughboy, Gravestones, or Conical hill commences here; this hill is most objectionable, the ascent and descent being both very steep, and over bad black soil; some works have been executed to improve it, but without much success.

The descent to Berambil Creek is unformed, heavy, and very circuitous.

An alteration has been proposed from Doughboy to Berambil, down Chilcott's Creek, which the Road Surveyor reports would be a most decided improvement, avoiding Doughboy Hill.

From Berambil Creek to the Willow-tree, 5 miles is across a black alluvial flat, evidently very bad in wet.

From the Willow-tree there are two roads at present in use to Tamworth, one to the westward by Quirindi and Currabubla, the other *via* Cooley Creek, Wallabadah, and Goonoo Goonoo; the latter is the mail road. The road by Currabubla is 56 miles in length; by Wallabadah, 52 miles; the former, for a great part of the distance, is through the worst possible black soil. The latter is shorter and better, but still susceptible of great improvement.

Very many routes have been suggested from Doughboy to Wallabadah—a detailed instrumental examination only can determine the best.

From Wallabadah the best route will be found to be an intermediate one, passing close to the east of the Sugar-loaf Hill; this has been the subject of a detailed Report, in which it is stated that a probable expenditure of £3,000 will be required to make it passable—when a distance of 5 or 6 miles will be saved, and the road much improved.

On the existing line *via* Wallabadah there are several pieces of bad black alluvium and steep pinches—good ballast is scarce—and there are numerous creeks difficult to cross, the worst of which is the Yellow Woman's Gully, the descent to which has been lately improved by the Road Surveyor.

At 13 miles from Wallabadah the road comes close to the Goonoo Goonoo Creek, and continues along its left bank to the village site of Goonoo Goonoo, where the proposed new road comes in.

Thence to Tamworth the road continues along the Goonoo Goonoo Creek—the first half very good and hard natural surface; remainder generally over flat alluvium intersected with water-courses, and occasionally flooded.

At Tamworth the road makes a detour of nearly a mile; but as the present is the most advisable point to cross the Peel Valley, no change is recommended.

A bridge has been erected over the Goonoo Goonoo Creek, at Tamworth, and there has been considerable correspondence about a carriage bridge over the Peel, which at present has a bullock-chain suspension foot-bridge. The proper site has been the subject of much discussion, but the bridge, for many and cogent reasons, should be erected close up-stream of the present foot-bridge.

The expenditure on this part of the road should be kept as low as possible, and the works confined merely to the removing or easing impassable obstructions, until the line of road is finally determined on, when the first operation should be the clearing. It will be necessary to have the entire country from the Gap to Tamworth thoroughly examined, and the two or three best lines surveyed and sectioned, to enable a proper determination to be arrived at.

The road out of Tamworth is not yet accurately defined with respect to the direction of the streets; thence for some miles it is in very fair order, running along the alluvial banks of the Boyarra, in the bed of which is abundance of good ballast. There are some small bridges, one quite new, another in bad order, the immediate repair of which was directed; at about 8 miles from Tamworth is a dangerous sidling, where the range encroaches on the river valley; this should at once be put in order; it would cost about £150.

Ten miles from Tamworth the character of the formation changes to granite and igneous rock, the road surface, consisting of decomposed granite, is hard, but water-furrowed, requiring only judicious drainage to make a first-class road; there are some creeks to be bridged.

At McGill's, near the village of Moonbics, the old road has been fenced in, and there is a very bad creek, requiring a bridge; thence to the foot of the Moonbics Range the road is undulating, but hard; some culverts and drainage have been executed under a special grant, but there is still great room for improvement, particularly at one bad sidling close to the range, the work of which would cost £150.

At the Moonbics, the road up the first declivity has been abandoned, and a new and much easier ascent made by the Road Surveyor. The Commissioner pointed out a means of further improvement by lengthening the base, and reducing the inclination to 1 in 9 from 1 in 5 and in 7, to be carried out as funds permit. The surface of the steep incline should be at once metalled.

Thence to the upper ascent is an interval of $1\frac{1}{4}$ mile of undulating granite road the old ascent of the Upper Moonbics has also been abandoned, and a new one made by the Road Surveyor.

From

From the top of the Moonbies to Bendemeer it is proposed to carry the road along a ridge to the west of the present track, avoiding Poison Swamp and Mr. Perry's ground; it will be advisable to decide on the merits of this as soon as possible, as Mr. Perry is about to fence in his land.

At Bendemeer a bridge will be required across the Macdonald; a punt has been applied for, but the cost of a bridge will not be more than double the expense of a punt and its maintenance.

The span will require to be about 100 feet, and the position is a most favorable one; it will however interfere, to some extent, with the street arrangements, and with private property.

From Bendemeer to Armidale many changes have been proposed in the roads; at present there are two routes, one by Kentucky Ponds and Uralla, the other by Salisbury Plains; a modification of the Uralla route it is considered will be the most advisable, especially on account of the rising township and valuable gold field there.

From Bendemeer to Carlyle Gully is common to both routes; the road generally follows the top of a range, is hard, but crossed by some bad creeks; the descent to Rocky Gully is very rough, and the passage of creek at Nine Mile Ponds also circuitous and bad.

Thence to Uralla the road is very indefinite, has several bad creeks and pinches, and crosses a considerable length of black swamp at Kentucky, which might be avoided. Near Uralla the road is on a ridge, and rather better.

From Uralla to Armidale, 14 miles, the road is broken and bad; crosses some bad creeks, and passes through a considerable length of black soil close to Armidale, through the suburban lots of which the road has not yet been defined.

The direction of the road generally, from Tamworth as far as the top of the Moonbies, will not require much attention; so that the sidelings at 9 miles, and at foot of the range, should be at once put in order; and whatever funds are available, devoted to the improvement of the Moonbies ascent. The Bendemeer bridge might be at once constructed; but the route generally from the top of the Moonbies, *via* Bendemeer and Uralla to Armidale, should be closely examined, surveyed, and sectioned, before determining on the line; in the interim anything really dangerous on the road might be improved, as at the Rocky Creek and Collett's Nine Mile Pond, the expense of which would not exceed £150.

WILLIAM C. BENNETT,
Assistant Engineer for Roads.

7 September, 1858.

Captain Martindale, R.E.,
Commissioner for Roads, &c., &c.

APPENDIX B.

Singleton, 2 September, 1858.

SIR,

As directed by you, I left Tamworth on the 30th ultimo, and proceeded by mail to Goonoo Goonoo; thence riding over the country to Wallabadah in a direction nearly due south of Goonoo Goonoo, passing by the east base of the Sugar Loaf Hill, through the Wallabadah Gap, to that village.

For the first eight miles the route is nearly level, over hard ground; the ascent thence to the Sugar Loaf is gentle; from the Sugar Loaf the route passes through a valley intersected by several gullies not difficult to cross, and then has an easy ascent to the Wallabadah Gap, the passage of which is the great difficulty, and but for which the road would have been in use long since. It is a narrow rocky gorge, with steep sides, and a creek in the bottom. Side cutting in rock, about 8 or 9 feet in depth, will be required for a distance of 10 or 12 chains; thence to the village there are no difficulties, the road passing through open forest land.

With an expenditure of about £3000, on clearing, side cutting, and four bridges, the route can be made far superior to either of the lines now used. There is little, if any, black soil; no part liable to flood; the inclinations not worse than on the present line; and the distance about 17 or 18, instead of 23 miles.

I have, therefore, no hesitation in recommending its adoption as the future main road to the North; but, of course, a detailed instrumental examination of the country will be required previous to the exact line being determined.

I have, &c.,

WILLIAM C. BENNETT,
Assistant Engineer for Roads.

Captain Martindale, R.E.,
Commissioner for Roads, &c., &c.

1858.

Legislative Assembly.

NEW SOUTH WALES.

HIGH ROAD NEAR HORSE FLAT, COLLECTOR.

(RETURN RELATIVE TO REPAIRS, &c.)

Ordered by the Legislative Assembly to be Printed, 13 July, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 29 June, 1858, That there be laid upon the Table of this House,—

“(1.) A Return shewing the extent and the estimated cost of
“the repairs required on the high road near the Horse Flat,
“Collector.

“(2.) The date on which those repairs were commenced, and the
“progress which has been made.

“(3.) The number of men employed thereon per month, since
“those repairs were commenced, and the rates at which they
“have been paid.”

(*Mr. Murray.*)

HIGH ROAD NEAR HORSE FLAT, COLLECTOR.

THE SURVEYOR OF SOUTHERN ROADS to THE CHIEF COMMISSIONER OF RAILWAYS.

Berrima, 5 July, 1858.

SIR,

I have the honor to hand you the Return of work done on the Horse Flat, near Collegdar, as required by your letter of the 30th ultimo.

You will see that the first sum of £500 was made available in July, 1857, (per letter from Colonial Architect, No. 489, dated July 10th, 1857,) or in the middle of last winter, when the Flat was under water, and it would have been madness to commence the repairs. In October, as soon as the weather permitted, the work was begun, and by the 19th June, 1858, the funds were exhausted.

I have further to call your attention to the fact of the causeway at Collegdar Creek having been constructed by the same gang of men, during the same period, as it was not considered advisable to form a new gang to expend the special vote of £100 for that purpose; and three weeks were consumed on this work.

A sum of £120 was granted in 1856 for repairing part of the Collegdar Road, near the Horse Flats. This sum was expended by August, in the same year; from which date to July, 1857, there were no funds available. I mention this, as it may account for Mr. Murray's misapprehension of the time the work has been in hand.

I have, &c.,

H. MOGGRIDGE,

Surveyor of Southern Roads.

THE CHIEF COMMISSIONER
OF RAILWAYS,
Sydney.

RETURN

RETURN showing particulars of Expenditure on HORSE FLATS, near COLLEGDAR.

Extent of Repairs.	Estimated Cost.	When commenced.	Work completed to June 19, 1858.			Monthly average number of Men.						Expenditure to June 19, 1858.		Total Amount.	Sum available.	Unexpended Balance.
			Drains.	Metalling.	Culverts built.	Ganger.	Rate per diem.	Laborers.	Rate per diem.	Cart and Horse.	Rate per diem.	Wages.	Tools, &c.			
Draining, forming, and metalling 2,068 yards of road; width between drains, 21 feet; metalled 12 feet wide.	£ s. d. 1,550 0 0	1857. October 19.	Yards. 2,652.	Yards. 1,276.	4	October 19, 1857, to March 4, 1858.						£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
						1	10s.	6	6s. 8d.	2	9s.	758 17 11	27 4 11	786 2 10	791 13 4	5 10 6
						March 4, to June 19, 1858.										
						1	10s.	11	6s. 8d.	3	9s.					

Dates on which Sums voted were made available.			Balances unexpended on		Cost per Yard forward.	Tons Stone and Gravel carted.	Average distance from Quarry.	Probable Cost of remaining 792 yards.
	£	s. d.		£ s. d.			Miles.	
July 10, 1857.....	500	0 0	July 9, 1857 .....	.....	12s. 4d. nearly.	2,499	Stone 2	£500.
January 23, 1858	125	0 0	January 28, 1858	358 1 2			Gravel 1½	
April 23, 1858	41	13 4	April 22, 1858	131 12 1				
May 14, 1858.....	125	0 0	May 13, 1858.....	54 14 5				
Total	791	13 4						

HENRY MOGGRIDGE,
Surveyor of Southern Roads.

1858.

Legislative Assembly.

NEW SOUTH WALES.

TENTERFIELD ROAD TRUST.

(RETURNS AND CORRESPONDENCE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 20 July, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 8 June, 1858, That there be laid upon the Table of this House :—

“ 1. A Return shewing the amount of money placed at the
“ disposal of the Road Trust of the Tenterfield and Grafton
“ Road, for the years ending 1857 and 1858, respectively.

“ 2. The amount drawn by the Trustees of such Road, from the
“ 1st January, 1857, to the 4th June, 1858.

“ 3. Copies of all correspondence between the Government and
“ the said Road Trustees upon the subject of the funds to be
“ provided by the Government for the years 1857 and 1858,
“ and upon the business of the Trust relating to such Road.”

(*Mr. Taylor.*)

SCHEDULE.

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16. F. King, Esquire, J.P., to Secretary for Lands and Public Works, on subject of Road Accounts. 4 May, 1858	10
17. Secretary for Lands and Public Works to Bench, Tenterfield, calling for a Report of the state of the Funds allotted to them. 10 May, 1858	11
18. Same to the Secretary to the Treasury, authorising further Funds being placed at the disposal of the Bench. 13 May, 1858	11
19. Same to the Bench, informing them of the above. 13 May, 1858	11
20. Memorandum from Treasury to Bench of Magistrates, Tenterfield, informing them that the sum of £75 had been placed to their credit in the Bank, to meet their cheque drawn in favor of Mr. Yates. 14 May, 1858	12
21. F. King, Esquire, J.P., to Secretary for Lands and Public Works, furnishing Report on the state of the Funds at the disposal of the Bench. 22 May, 1858	12
22. Same to same, on the above subject. 22 May, 1858	13
23. Same to same, requesting money to meet vouchers up to end of June, 1858. 12 June, 1858	13
24. Secretary for Lands and Public Works to F. King, Esquire, J.P., in reply. 25 June, 1858	13
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TENTERFIELD ROAD TRUST.

I.—A RETURN shewing the amount of money placed at the disposal of the Road Trust of the Tenterfield and Grafton Road, for the years ending 1857 and 1858, respectively.

The amounts placed to the credit of the Bench of Magistrates, Tenterfield, for the repair of the Road from that place to Grafton, for the years 1857 and 1858, respectively :—

15 July, 1857.—First moiety of £500 allotted for this Road, for the year 1857	£250	0	0
31 December, 1857.—Second moiety of ditto	250	0	0
29 April, 1858.—For the first quarter of the year 1858, being the fourth part of the amount allotted for the year 1857	125	0	0
14 May, 1858.—For the purpose of meeting a dishonored cheque ..	75	0	0
29 June, 1858.—With a view to retire a cheque drawn by that Bench in further excess of the amount at their credit	263	3	2
	£963	3	2

II.—THE Amount drawn by the Trustees of such Road, from the 1st January, 1857, to the 4th June, 1858.

Total amount drawn by Bench of Magistrates, Tenterfield, on account of Road from that place to Grafton, from 1 January, 1857, to 4 June, 1858 .. £700 0 0

III.—CORRESPONDENCE.

No. 1.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE BENCH OF
MAGISTRATES, TENTERFIELD.

*Department of Lands and Public Works,
Sydney, 17 June, 1857.*

(Circular.)

GENTLEMEN,

The arrangements having been completed for the distribution of the sums provided by Parliament to be expended during the present year in the repair of the Public Roads, I am directed by the Honorable the Secretary for Lands and Public Works to inform you that the sum of Five hundred pounds (£500) has been allotted for the repair of the road from Grafton to Tenterfield.

2. Assuming that you will charge yourself with the expenditure of this money, Mr. Secretary Hay will cause the amount to be placed to your credit in the Joint Stock Bank, and you may at once make your arrangements for having the work gone on with. As the object of the appropriations is to keep open the communication along the main leading and secondary thoroughfares of the Colony, it is conceived that the most beneficial mode of proceeding will be to lay out the money allotted to each district in repairing, as perfectly as the amount will admit, the worst portions of the road, those portions of it, in fact, which now, more or less, interrupt the traffic. Such being the intention of the Government and Legislature, Mr. Hay feels confident that it will be carried out faithfully by you, and that no division of the funds for any merely local object, however much required in itself, will meet with your sanction.

3. Whilst leaving the matter unreservedly in your hands, Mr. Secretary Hay would wish to suggest to you, that it might be desirable, in many points of view, to associate with you in the actual superintendence of the necessary repairs two or three of the residents in or near the line of road, who are directly interested in the successful employment of the means placed at your disposal, and who, by their active habits, are qualified to superintend with advantage the works that may be undertaken.

4. I am also instructed to intimate to you, that, to avoid confusion in the Public Accounts, it has been resolved not to keep appropriations of this character open for an indefinite period, as heretofore. Any portion, therefore, of the sum now placed at your disposal which may not have been expended, or contracted to be expended, on or before the 31st March, 1858, will be regarded as having lapsed.

5. Should you for any cause be unwilling to charge yourselves with the expenditure of this money, I am to request that you will make an early intimation of that circumstance, in order that other arrangements may be made without delay.

6. It will be satisfactory to be informed of the particulars of the works determined upon, and their progress from time to time, in order that this department may, as far as possible, be in possession of the facts relating to the improvement of the ordinary roads of the Colony; and as everything depends upon the energy of the local management, Mr. Secretary Hay particularly requests your zealous co-operation in the endeavour to secure the full benefit anticipated from the liberality of the Road Vote for the year.

I have, &c.,

MICHL. FITZ PATRICK.

THE BENCH OF MAGISTRATES,
Tenterfield.

No. 2.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE BENCH OF
MAGISTRATES, TENTERFIELD.

*Department of Lands and Public Works,
Sydney, 3rd July, 1857.*

(Circular.)

GENTLEMEN,

Referring to my Circular Letter of the 17th ultimo, I am directed by the Secretary for Lands and Public Works to inform you, that with a view to meet your convenience, as well as that of the Bank, it has been arranged that the money placed to your credit in the Australian Joint Stock Bank, for the repair of the roads, shall be drawn by cheques signed by any one member of your Bench, and countersigned by the Clerk of the Bench.

2. To enable the Bank to judge of the authenticity of the cheques presented to them for payment, it will be necessary that the Clerk of your Bench should, before any such cheque is drawn, send to the Bank a specimen of his autograph, or usual signature, (as well as his name in full); and I am to request that he may be requested to write his name and signature on the fly leaf of this Circular, which may then be torn off and forwarded direct to the Bank.

3. In order to ensure accuracy, and to simplify the keeping of your accounts in this matter, I am further directed to transmit to you a cheque book, and particularly to request that no cheques on account of the Road Appropriations may be drawn except in the forms thus supplied, the numbers of which are recorded at the Treasury.

I have, &c.,

MICHL. FITZ PATRICK.

THE BENCH OF MAGISTRATES,
Tenterfield.

TENTERFIELD ROAD TRUST.

5

No. 3.

F. KING, Esq., to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Tenterfield,

6 August, 1858.

SIR,

I do myself the honor to enclose the accounts of the Tenterfield and Grafton Road Trust for the quarter ending June 30th, 1857.

The works are going on very satisfactorily, and I find Mr. Yates very energetic and skilful in the management of the road repairs.

If it could be arranged, Mr. Yates would make a very good Road Inspector for New England and the Clarence River Districts: he could then have parties on the different roads viz.—the Tenterfield and Grafton line and the Armidale and Grafton line, the Tenterfield Road to Armidale, and the same to the north. An appointment of this sort would secure the services of a good and practical surveyor, for such I consider Mr. Yates to be.

I have, &c.,

THE HONORABLE

THE SECRETARY FOR

LANDS AND PUBLIC WORKS.

FREDERIC KING,

Road Trustee.

No. 4.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE BENCH OF
MAGISTRATES, TENTERFIELD.

(Circular.)

*Department of Lands and Public Works,**Sydney, 14 August, 1857.*

GENTLEMEN,

With reference to previous correspondence on the subject of the expenditure of the money apportioned to you out of the amount voted by the Legislature for the repair of Roads and Bridges generally, I am directed by the Secretary for Lands and Public Works to request that you will have the goodness to cause the Clerk of your Bench to keep proper and accurate accounts of the expenditure of the money entrusted to you, and that you will transmit such accounts quarterly to the Auditor General, accompanied by the proper vouchers for the expenditure. The accounts so rendered should be attested by the declaration of the Clerk, in the usual way, and should be certified by you as having been examined and found to correspond with the several authorised entries in the books kept by him for that purpose.

I have, &c.,

THE BENCH OF MAGISTRATES,
Tenterfield.

MICHL. FITZ PATRICK.

No. 5.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to R. BLIGH, Esq.

*Department of Lands and Public Works,**Sydney, 5 September, 1857.*

SIR,

In transmitting to you the accompanying copy of a communication which has been received from Mr. King, respecting the appointment of Mr. T. B. Yates as Superintendent of Roads for the New England and Clarence River Districts, I am directed to inform you that Mr. Secretary Hay has been pleased to authorise the appointment of Mr. Yates, if you see fit, in concert with Mr. King, to employ him on the Grafton and Armidale Roads.

I have, &c.,

RICHARD BLIGH, Esq.,
Grafton.

MICHL. FITZ PATRICK.

No. 6.

F. KING, Esq., to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Tenterfield, 3 October, 1857.

SIR,

I do myself the honor to enclose a report which has been handed in to me by Mr. T. B. Yates, the Road Superintendent engaged on the Tenterfield and Grafton Road.

In consequence of the very bad state of the road between Tenterfield and Grafton, I instructed Mr. Yates to search for a better and shorter line. He has succeeded, and the enclosed report will inform you of his opinion.

Mr. Yates informs me that the new line can be opened and made good for less money than the old road can be repaired.

I beg respectfully to request that I may be allowed to open this road; and also that a sum of money may be granted for the purpose.

The roads have been in such a shocking state that much inconvenience has been caused to the public.

Mr. Yates is now employed on the old road between Tenterfield and the proposed turn off: he is a clever road surveyor, and I would suggest that he should receive the appointment of Road Surveyor, when he would be able to have overseers and parties under him on the different lines.

I have, &c.,

FREDERIC KING.

THE HONORABLE

THE SECRETARY FOR

LANDS AND PUBLIC WORKS.

*[Enclosure in No. 6.]**Camp, Sandy Creek,
26 September, 1857.*

SIR,

I beg to inform you that I have examined the country near the Rocky River from the falls downwards, and can find nothing suitable for a road into the river. I have also been over the country a second time, from the Moguni Range to Hamilton's Gap, and find that a very good road may be made in that direction. There can also be a very great improvement made on the present line from Tea-tree Creek to Sandy Creek, and also from Sandy Creek to Tenterfield. The following is an estimate of the probable cost of making the line a very fair road from Grafton to Tenterfield.

	£	s.	d.
From Grafton to Clarence River, 45 miles, @ £10 per mile	450	0	0
Two Bridges over Blackman's and Deep Creeks, @ £150 each	300	0	0
Crossing-place at river	200	0	0
Punt for time of flood	300	0	0
Ten miles from river to Hamilton's Gap, @ £10 per mile	100	0	0
Three miles including Gap and Rocky River crossing, @ £500 per mile	1,500	0	0
Forty-five miles to Tenterfield, @ £10 per mile	450	0	0
Team of bullocks, dray, &c.	200	0	0
	£3,500	0	0

I have, &c.,

T. B. YATES.

Frederick King, Esq., J.P.,
Tenterfield.

No. 7.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SURVEYOR GENERAL.

*Department of Lands and Public Works,
Sydney, 31 October, 1857.*

SIR,

In transmitting to you the accompanying communication from Mr. F. King, J.P., Tenterfield, covering a report from Mr. T. B. Yates, on the subject of the improvement of the line of road from that place to Grafton,—

I am directed to request that you will have the goodness, before the alteration of the road therein suggested is approved, to furnish a report to this office on the subject.

I have, &c.,

MICHL. FITZ PATRICK.

THE SURVEYOR GENERAL.

No. 8.

TENTERFIELD ROAD TRUST.

7

No. 8.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to F. KING, Esq.

*Department of Lands and Public Works,
Sydney, 31 October, 1857.*

SIR,

With reference to your letter of the 3rd instant, covering a report from Mr. T. B. Yates on the subject of the improvement of the line of road from Tenterfield to Grafton, I am directed to inform you, that the Surveyor General has been requested, before the alteration of the road therein suggested is approved, to furnish a report to this office on the subject.

2. I am to add, that Mr. Yates' name has been noted for employment as Road Surveyor, when there is an opening for such an appointment.

F. KING, Esq., J.P.,
Tenterfield.

I have, &c.,

MICHL. FITZ PATRICK.

No. 9.

*The Treasury, New South Wales,
31 December, 1858.*

MEMORANDUM.

The undermentioned sum has been this day placed to the credit of your Public Account at the Australian Joint Stock Bank :—

PARTICULARS.	PERIOD.		AMOUNT.		
	FROM	TO			
Second Moiety of the sum voted for the repair of the road from Tenterfield to Grafton	250	0	0
TOTAL	£		250	0	0

THE BENCH OF MAGISTRATES,
Tenterfield.

S. G.

No. 10.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Surveyor General's Office,
Sydney, 5 February, 1858.*

SIR,

In returning the papers transmitted in your letter of the 31st October last, No. 634, I have the honor to forward, for submission to the Honorable the Secretary for Lands and Public Works, a report, which has been furnished by Mr. Surveyor Darke, in reference to the road from Tenterfield to Grafton.

I have, &c.,

GEO. BARNEY,

Surveyor General.

THE UNDER SECRETARY FOR
LANDS AND PUBLIC WORKS.

[Enclosure

[Enclosure in No. 10.]

Sydney, 5 December, 1857.

Sir,

In attention to your letter of the 13th ultimo, No. 1420, enclosing communications from F. King, Esq., J.P., and Mr. T. B. Yates, relative to a proposed new line of road from Tenterfield to Grafton, or improvements on the line now in use, and desiring me to report on the subject,—

I beg to state that during my surveys in the localities referred to, I formed a strong opinion that a much better and shorter road could be found than the objectionable track then and still in use, which is so bad that any outlay in such improvements as may be practicable in some few places would be injudicious, until the question of the possibility of opening a better shall have been determined.

I cannot offer remarks on the line proposed by Mr. Yates, as I am unacquainted with the names he applies to the localities westward of the Clarence, in the country of the Rocky River; nor am I guided by any mention in his report of the approximate points at which he proposes to cross these streams.

I enclose a tracing from a reduction of my surveys, shewing the general direction that appeared to me to be practicable, of which the only part from (B to C) requires examination.

From Grafton to B the line may be at once used without any outlay worth consideration—the “Coal Ridge” at A presenting no obstacle: this point (where I have left marked trees) is shewn on my maps deposited in your office.

From Tenterfield towards Grafton the route I suggest would follow the Bolivia Road about four miles, then take a general direction east by south four miles to a very favorable part of the Great Dividing Range, which may perhaps with advantage be traversed about a mile southerly, and crossed almost imperceptibly at C, which point is laid down on my map of the locality.

My reason for supposing that the country between C and B is most likely to admit of a practicable road, is from having observed from the summits of the Great Dividing Range, south of C, that the features easterly appear less rugged and broken than in any other part of the mountain tract; and after gaining the watershed eastward of the Rocky River, the road to the ford at B (“Ogilvie’s Horseshoe Bend”) would follow leading features parallel with tributaries of the Clarence.

I have, &c.,

WM. WEDGE DARKE,
Assistant Surveyor.The Surveyor General,
Sydney.

No. 11.

F. KING, Esq., to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Tenterfield,

7 April, 1858.

Sir,

I do myself the honor to inform you that the funds at the disposal of the Trustees of the Grafton and Tenterfield Road are nearly expended, and I wish to be informed if the balance at the Australian Joint Stock Bank can be replenished, so as to prevent the breaking up of the party now at work on the road, under the able superintendence of Mr. T. B. Yates.

Great expense will necessarily be incurred in reorganising a party at any future period.

Mr. T. B. Yates is an experienced and skilful officer, and is making great improvements in the road.

I have, &c.,

FREDERIC KING,
Road Trustee.THE HONORABLE,
THE SECRETARY FOR
LANDS AND PUBLIC WORKS.

TENTERFIELD ROAD TRUST.

9

No. 12.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS, to THE BENCH OF
MAGISTRATES, TENTERFIELD.

*Department of Lands and Public Works,
Sydney, 23 April, 1858.*

GENTLEMEN,

With reference to your letter of the 7th instant, I am directed to inform you that the Secretary for Lands and Public Works has been pleased to authorise the sum of one hundred and twenty pounds—the one-fourth of the amount allotted for the repair of the road from Tenterfield to Grafton, for the year 1857—being placed in the Joint Stock Bank to your credit, for the purpose of enabling you to carry on the improvements to the road in question. £120.

2. This appropriation is for the first quarter of the year, for which period provision was specially made by the Legislature.

I have, &c.

THE BENCH OF MAGISTRATES,
Tenterfield.

MICHL. FITZ PATRICK.

No. 13.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SECRETARY TO THE
TREASURY.

*Department of Lands and Public Works,
Sydney, 23 April, 1858.*

SIR,

I am directed by the Honorable the Secretary for Lands and Public Works to request that you will have the goodness to move the Finance Minister to cause the sum of one hundred and twenty-five pounds—the one-fourth of the amount allotted for the repair of the road from Tenterfield to Grafton, for the year 1857—being placed in the Joint Stock Bank to the credit of the Bench of Magistrates at Tenterfield, for the purpose of enabling them to carry on the improvements to the road in question, the same to be charged to the Vote of fifteen thousand pounds, granted for road purposes for the first quarter of the present year. £125. £15,000.

I have, &c.

MICHL. FITZ PATRICK.

THE SECRETARY TO THE TREASURY.

No. 14.

The sum of £500 authorised for this service has been issued in full to the Bench at Tenterfield: the accounts of Expenditure to the 31st of March, 1858, shew an overcharge of £114 18s. 5d., at that date. There were, therefore, no funds available to meet the cheque drawn on 3rd April.

The further sum of £125, just authorised for the same service, is insufficient, it will be seen, to cover the amount required, which appears to be £314 18s. 5d.

B. C. Audit Office, 24 April, 1858.

W. C. MAYNE,
A. G.

THE UNDER SECRETARY FOR
LANDS AND PUBLIC WORKS.

[Enclosure in No. 14.]

Tenterfield, 17 April, 1858.

Sir,

£200.

I do myself the honor to enclose a cheque on the Australian Joint Stock Bank, cancelled. I sent it to the Bank of Australasia, to the credit of Mr. T. B. Yates' public account, and it was refused at the Australian Joint Stock Bank. I have not ascertained the reason yet. The cheque is filled in as on former occasions. I have now filled another out, and have countersigned it myself. I hope you will give instructions to the Manager of the Australian Joint Stock Bank to honor it, as Mr. T. B. Yates has drawn against it.

I have, &c.,

FREDERIC KING.

The Auditor General,
Audit Office, Sydney.

No. 15.

The Treasury, New South Wales,
29 April, 1858.

MEMORANDUM.

The undermentioned sum has been this day placed to the credit of your public account at the Australian Joint Stock Bank.

PARTICULARS.	PERIOD.		AMOUNT.		
	FROM	TO			
Road from Tenterfield to Grafton	125	0	0
TOTAL.....			£ 125	0	0

THE BENCH OF MAGISTRATES,
Tenterfield.

No. 16.

F. KING, Esq., to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Tenterfield, 4 May, 1858.

Sir,

I do myself the honor to acknowledge the receipt of your letter of the 23rd ultimo, stating that the Secretary for Lands and Public Works had authorised the payment of one hundred and twenty pounds for the repair of the Grafton and Tenterfield Road.

I have to inform you that our Road Committee had a balance in the Australian Joint Stock Bank of £250 at the end of March, but, from some unaccountable reason, our cheques were refused at that Bank, the answer being that this account was closed.

I trust this error may be corrected, and that the cheque for £200 in the hands of the Bank Australasia may be cashed.

The refusal of the Bank to cash our cheques has caused much inconvenience to Mr. Yates, who has the charge of the road repairs.

I have &c.,

FREDERIC KING.

THE HONORABLE
THE SECRETARY FOR
LANDS AND PUBLIC WORKS.

No. 17.

No. 17.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE BENCH OF
MAGISTRATES, TENTERFIELD.

*Department of Lands and Public Works,
Sydney, 10 May, 1858.*

GENTLEMEN,

In acknowledging the receipt of your letter of the 17th ultimo, forwarding a dishonored cheque for the sum two hundred pounds, drawn by you in favor of Mr. £200. T. B. Yates, to be charged to the amount granted for the road from Grafton to Tenterfield, I am directed by the Secretary for Lands and Public Works to inform you that you appear to have overdrawn your account, and to request your explanation of the matter.

2. The sum of five hundred pounds was allotted for the repair of the road from £500. Grafton to Tenterfield, for the year 1857, (as intimated to you in my circular letter of the 17th June last,) the whole of which it appears, from the report of the Auditor General, was placed to your credit in the Joint Stock Bank, to which was added the sum of one hundred £125. and twenty-five pounds, on the 23rd ultimo, out of the amount sanctioned by the Legislative Assembly for roads generally, for the first quarter of present year.

3. The Auditor General states that the accounts forwarded to him by you on the 31st March last shew that at that date you had overdrawn your account to the amount of one hundred and fourteen pounds eighteen shillings and five-pence; the further £114 18s. 5d. sum of one hundred and twenty-five pounds (before alluded to) was then placed to your credit; but even with this amount, you will perceive that there are not sufficient funds to meet the cheque for two hundred pounds given to Mr. Yates.

I have, &c.,

MICHL. FITZ PATRICK.

THE BENCH OF MAGISTRATES,
Tenterfield.

No. 18.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SECRETARY TO THE
TREASURY.

*Department of Lands and Public Works,
Sydney, 13 May, 1858.*

SIR,

With reference to my letter of the 23rd ultimo, I am now directed by the Secretary for Lands and Public Works to request that you will have the goodness to place in the Joint Stock Bank, to the credit of the Bench of Magistrates at Tenterfield, a further sum of seventy-five pounds, in order to meet a cheque drawn by them as Trustees for £75. the repair of the Grafton and Tenterfield Road, in favor of Mr. Yates, for two hundred £200. pounds, the same to be charged in anticipation of the road vote of the present year.

I have, &c.,

MICHL. FITZ PATRICK.

THE SECRETARY TO THE TREASURY.

No. 19.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE BENCH OF
MAGISTRATES, TENTERFIELD.

*Department of Lands and Public Works,
Sydney, 13 May, 1858.*

GENTLEMEN,

In acknowledging the receipt of your further letter of the 4th instant, stating that you had a balance in the Joint Stock Bank of two hundred and fifty pounds, to your £250. credit, at the end of March last, for the repair of the road from Grafton to Tenterfield, and notwithstanding that, your cheque for two hundred pounds, in favor of Mr. Yates, was dishonored,—I am directed to inform you, that from inquiries made at the Bank, it appears that

£500. that you had drawn the whole of the five hundred pounds, allotted for the repair of the road in question for the year 1857, before the end of March, and consequently had nothing to your credit when the cheque for two hundred pounds was presented.

£125. 2. The sum of one hundred and twenty-five pounds was paid into your credit on the
 £75. 23rd ultimo, as intimated to you in my letter of that date, and a further sum of seventy-five pounds will now also be placed to your credit, in order to meet the cheque in favor of Mr. Yates. But Mr. Secretary Robertson desires me, at the same time, to draw your attention to the explanation of this matter, sought in my communication of the 10th instant, and to request that you will have the goodness to state how this apparent error in the accounts has occurred.

THE BENCH OF MAGISTRATES,
Tenterfield.

I have, &c.,
MICHL. FITZ PATRICK.

No. 20.

The Treasury, New South Wales,
14 May, 1858.

MEMORANDUM.

The undermentioned sum has been this day placed to the credit of your Public Account at the Australian Joint Stock Bank :—

PARTICULARS.	PERIOD.		AMOUNT.		
	FROM.	TO.			
To meet a Cheque drawn by you in favor of William Yates, for £250, as Trustees of the road from Grafton to Tenterfield.....	75	0	0
TOTAL.....£			75	0	0

THE BENCH OF MAGISTRATES,
Tenterfield.

JOHN WELLS.

No. 21.

F. KING, ESQ., to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Tenterfield, 22 May, 1858.

SIR,

I do myself the honor to acknowledge your letter of the 10th instant, in which you refer to our overdrawn account in the Australian Joint Stock Bank.

In your circular of the 17th June, 1857, the Bench of Magistrates were informed that the sum of £500 was to be placed to the credit of the Road Committee; again, on the 31st December, it was informed that the sum of £250 had been placed in the Bank; again, on April 29th, it was informed that £125 had been placed to the credit of the Road Committee, making a total of £875.

The Bench, assuming that this sum of £875 had been placed to its credit, drew against it, and now find that the sum of £625 only had been placed to its credit in the Australian Joint Stock Bank.

I hope to be in Sydney in the first week in June, and shall call at the office of the Honorable the Secretary for Lands and Public Works and explain the error.

THE HONORABLE
THE SECRETARY FOR
LANDS AND PUBLIC WORKS.

I have, &c.,
FREDERIC KING.

No. 22.

F. KING, ESQ., to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Tenterfield, 22 May, 1858.

SIR,

I do myself the honor to acknowledge your letter of the 14th instant, in which you state that the sums of £125 and £75 had been placed to the credit of the Tenterfield and Grafton Road Committee.

I have written an explanation of the apparent error, and hope it will shew that it was simply a mistake on my part.

I have, &c.,

FREDERIC KING.

THE HONORABLE

THE SECRETARY FOR

LANDS AND PUBLIC WORKS.

No. 23.

F. KING, ESQ., to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Sydney, 12 June, 1858.

SIR,

I do myself the honor to inform you, that the amount required by the Tenterfield and Grafton Road Committee to meet the vouchers up to the end of the quarter, is £263 3s. 2d. I have received the vouchers, but cannot hand them in until my return to Tenterfield, as I have not the proper forms with me for filling up the statement.

I beg to call your attention to the manner in which money is drawn out of the Australian Joint Stock Bank, and to urge the necessity of your ordering my cheque to be honored without its being countersigned by the Clerk of the Bench.

I have written to Mr. Yates on the subject of his taking the Armidale line in connexion with the Tenterfield and Grafton line of Road. On receipt of his answer I will communicate with you again.

I have, &c.,

FREDERIC KING,

Road Trustee.

THE HONORABLE

THE SECRETARY FOR

LANDS AND PUBLIC WORKS.

No. 24.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to F. KING, ESQ.

*Department of Lands and Public Works,**Sydney, 25 June, 1858.*

SIR,

Referring to your letter of the 12th instant, stating that the amount required by the Tenterfield and Grafton Road Committee to meet the amount of the vouchers for expenses incurred during the first quarter of the current year is two hundred and sixty-
three pounds three shillings and two-pence, and urging the necessity for the payment of your cheque without being countersigned by the Clerk of the Bench,—I am directed to inform you, that the Secretary for Lands and Public Works regrets that the payment asked for cannot be made until the usual vouchers and signatures are obtained.

I am, at the same time, to point out to you, that the expenditure of so large an amount of money without authority is very inconvenient; but Mr. Secretary Robertson is not disposed to make that part of the matter a difficulty in this case, excepting to urge upon you the necessity of exercising more caution for the future.

I have, &c.,

FREDERIC KING, ESQ., J.P.,

Tenterfield.

MICHL. FITZ PATRICK.

TENTERFIELD ROAD TRUST.

No. 25.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE BENCH OF
MAGISTRATES, TENTERFIELD.

*Department of Lands and Public Works,
Sydney, 29 June, 1858.*

GENTLEMEN,

With reference to your letter of the 12th instant, I am now directed to inform you, that the Secretary to the Treasury has been requested to place the sum of £263 3s. 2d. two hundred and sixty-three pounds three shillings and two-pence in the Joint Stock Bank to your credit, with a view to retire cheques drawn by you in farther excess of the amount at your credit on account of the road from Tenterfield to Grafton, the same being charged in anticipation to the road vote for 1858.

I have, &c.,

THE BENCH OF MAGISTRATES,
Tenterfield.

MICHL. FITZ PATRICK.

No. 26.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SECRETARY TO THE
TREASURY.

*Department of Lands and Public Works,
Sydney, 29 June, 1858.*

SIR,

With reference to previous correspondence, I am now directed by the Secretary for Lands and Public Works to request that you will have the goodness to move the Honorable the Finance Minister to cause to be placed in the Joint Stock Bank, to the credit of the Bench of Magistrates, Tenterfield, on account of the road from that place to Grafton, the further sum of two hundred and sixty-three pounds three shillings and two-pence, with a view to retire cheques drawn by that Bench in further excess of the amount at their credit, the same being charged in anticipation to the road vote for 1858.

I have, &c.,

THE SECRETARY TO THE TREASURY.

MICHL. FITZ PATRICK.

1858.

Legislative Assembly.

NEW SOUTH WALES.

TOLL DUES BETWEEN DRAYTON AND IPSWICH.

(AMOUNT OF COLLECTED.)

Ordered by the Legislative Assembly to be Printed, 14 April, 1858.

RETURN to an Order made by the Honorable the Legislative Assembly, dated 9 April, 1858, that there be laid on the Table of this House:—

“ A Return of all Tolls collected at a Turnpike situated on the
“ Road leading from Drayton to Ipswich, on the summit of the
“ Main Dividing Range.”

RETURN of Tolls Collected at a Turnpike situated on the Road leading from Drayton to Ipswich, on the summit of the Main Dividing Range.

DATE OF COLLECTION.	By WHOM COLLECTED.	FOR WHAT PERIOD COLLECTED.	AMOUNT.	REMARKS.
1856.		1856.	£ s. d.	
2 April	The Clerk of Petty Sessions at Drayton, by the agency of a person appointed by the Bench of Magistrates.	March	23 4 9	The sum of £248 1s. 5½d. paid as the collections from March, 1856, to April, 1857, by the person appointed by the Bench, to the late Clerk of Petty Sessions, Mr. A. G. Ravenscroft, has not been accounted for by the latter.
2 May		April	23 11 4½	
6 June		May	25 5 10½	
4 July		June	40 9 10½	
1 August		July	13 4 5	
6 September		August	8 19 10	
6 October		September	4 3 10	
1 November		October	4 2 7	
18 December		November	6 18 4	
1857.		December	13 9 7	
3 January		1857.		
5 February		January	15 8 3	Paid into the Colonial Treasury £134 7s. 5d.
3 March		February	4 14 10	
1 April		March	20 14 0	
May		April	33 13 10½	
		May		
1 September		June	20 0 0	
5 October		July	11 0 6	
21 October		August	8 6 0	
23 November		September	11 0 5	
19 December		October	21 12 6	
1858.		November		
19 January		December	24 16 3	
16 February		1858.		
23 March		January	21 18 5	
		February	15 13 4	

No entry of the amount of Tolls collected during the month of May, 1857, appear in the books of the Clerk of Petty Sessions, and as no attested accounts for that month have been furnished by him, the amount cannot be ascertained.

The Treasury,
13 April, 1858.

R. CAMPBELL.

1172

1858.

Legislative Assembly.
NEW SOUTH WALES.

BRIDGES IN THE WIDE BAY & BURNETT DISTRICTS.

(BURRAMBA AND GUNDI CREEKS.)

Ordered by the Legislative Assembly to be Printed, 1 June, 1858.

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

The Petition of the undersigned Stockholders of the Wide Bay and Burnett Districts, together with the Inhabitants of the Towns of Maryborough and Gayndah, in the aforesaid Districts,—

HUMBLY SHEWETH:—

That a period of twelve years having transpired since these Districts were first occupied by Europeans for pastoral and other pursuits, during which time a very large increase of stock has taken place; the sheep alone in the two Districts now exceed 600,000, besides cattle and horses to a very large extent.

The population of the Districts has also increased in a proportionate degree. Two towns, the result of private and individual enterprise, each containing a considerable number of inhabitants, have also sprung up. That of Maryborough is the shipping port of these Districts; and Gayndah, distant 84 miles, is situated in the centre of the Districts.

The object of your Petitioners in now entering on these particulars is to shew, that from the number of stock and population in the Districts a very large amount of traffic must necessarily take place, in order to supply all our requirements. This traffic has hitherto been carried on under very trying and unfavorable circumstances, owing to the continued and constant wear and tear of our public roads, and creeks intersecting them. These, for want of repairs, or looking after, coupled with the late fearfully wet season, now present in many places more the appearance of extensive ploughed grounds or quagmires; the difficulty of getting drays over such places may be inferred, when it is well known that few of them have lately made Gayndah from Maryborough in less than from 4 to 5 weeks, but in many cases it has taken double that time to accomplish the journey. The consequence is, that most of the stations in the interior have been put to the greatest straits for want of supplies.

Your Petitioners feel convinced that the future progress and welfare of these Districts depend so much on good thoroughfares, that they cannot urge too strongly on the Legislature the immediate necessity of alleviating to some extent the difficulties now set forth.

Your Petitioners beg to represent that the Baramba Creek, crossing the main line of road between Maryborough and Gayndah, is at all times a barrier to vehicles, but during wet weather to postal and all other communication. The Gundi Creek, on the south-western branch of a leading thoroughfare, stands equally in need of a Bridge, and offers natural facilities for erecting one.

Your Petitioners having given an outline of the necessities of the District, have now only to leave the matter in the hands of your Honorable House, trusting that the urgency of the appeal will meet with that attention which it so much desires.

We shall, as in duty bound, ever pray.

[Here follow 113 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

BRIDGE OVER THE MURRAY AT ALBURY.

Ordered by the Legislative Assembly to be Printed, 11 May, 1858.

To the Honorable the Members of the Legislative Assembly of New South Wales.

The Petition of the undersigned Inhabitants of Albury, of the Southern Districts, of the Colony of New South Wales, and the Victorian Provinces adjacent to the Murray River, the boundary of the two Colonies,—

SHAWWETH:—

That, in the month of November, in the year 1856, a Petition was despatched from this place to your Honorable House, praying, for the reasons assigned therein, that a Bridge might be erected over the Murray River at Albury; and, in a communication received from the Department of Lands and Public Works, dated 2nd January, 1857, Petitioners were informed that the Government of New South Wales had entered into a correspondence with the Government of Victoria, for the purpose of securing its co-operation in the erection of a suitable Bridge at Albury, with as little delay as possible, and that the object would be to have the Bridge free to the inhabitants of both Colonies; that, should the Government of Victoria refuse to join in so important an undertaking, it would still be the object of the New South Wales Government to execute the work.

That, on the 7th November, 1856, a debate took place in the Legislative Assembly, with reference to the construction of a Bridge over the Murray, when Mr. George Macleay withdrew the motion before the House in consequence of receiving a pledge that the Government would enter into immediate communication with the Government of Victoria for the purpose of carrying out the object in view, and the motion itself not being strictly in accordance with the Rules of the House.

That a sum was placed on the Estimates of 1857 for the erection of a Bridge over the Murray at Albury; but your Petitioners have been surprised and grieved to find that no such sum has been placed on the Estimates by the present Ministry, for the purpose of carrying out this much-wanted national work: the reason given being that the Surveyor directed to prepare a plan and estimate had not sent in his report on the subject, the Colonial Treasurer at the time, however, stating that, when the report should be received, the Ministry would be quite prepared to place on the Additional Estimate any reasonable amount that the work would cost.

Your Petitioners are cognizant of the fact that the Surveyor's plan, estimate, and report have long since been despatched to the Surveyor General's Office, and trust sincerely that there will be no further impediment to the early commencement of a work of so much national importance.

That your Petitioners have, at various times, transmitted frequent Petitions to your Honorable House, praying for the immediate erection of a Bridge over the River Murray, as a means of averting the great loss of life, the immense sacrifice of property taking place every year during the ordinary floods, and the occasional cessation, for weeks together, of the entire traffic on the main line of road between Sydney and Melbourne; and, so that a correct estimate may be formed of the extent of traffic at this place, your Petitioners insert a synopsis of the Returns furnished by the Victorian Collector of Customs' stationed at Belvoir, two miles from Albury, for the year 1857:—

EXPORTS. 1857.				IMPORTS. 1857.			
First Quarter, 31 March	190,315	9	0	First Quarter, 31 March	50,502	5	0
Second Quarter, 30 June	292,562	16	0	Second Quarter, 30 June	75,130	6	8
Third Quarter, 30 September	212,757	3	0	Third Quarter, 30 September	53,339	4	0
Fourth Quarter, 31 December	168,957	5	0	Fourth Quarter, 31 December	93,478	4	0
	<hr/>				<hr/>		
	£854,592	13	0		£272,444	19	8
	<hr/>				<hr/>		

Your Petitioners deem it unnecessary to revert here to many of the subjects touched upon in their previous Petitions, but content themselves for the present with once more urgently praying for the erection of a Bridge over the River Murray, at the Township of Albury, and that the prayers of your Petitioners will meet with your early and favorable consideration.

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

[Here follow 235 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

BRIDGE OVER RIVER MURRAY AT ALBURY.
(CORRESPONDENCE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 5 November, 1858.

RETURN to an *Address* from the Honorable the Legislative Assembly, dated 3 September 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table :—

“ 1. Copies of all Correspondence that has passed between the
“ Government of New South Wales and that of Victoria res-
“ pecting the erection of a Bridge over the River Murray at
“ Albury.”

“ 2. Copies of all Correspondence that has passed between the
“ Honorable the Secretary for Lands and Public Works and the
“ Surveyor General, or other Officers, on the same subject.”

(*Mr. George Macleay.*)

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6. Secretary for Lands and Public Works to Captain Cadell, in reply to his letter of the 29th November. 31 December, 1856	8
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36. Under Secretary for Lands and Public Works to Surveyor General, requesting a copy of Mr. Haage's plan and report for transmission to Melbourne. 20 February, 1858	20
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43. Surveyor General to Mr. Surveyor Haage, on same subject. 24 June, 1858	22
44. Mr. Surveyor Haage to Surveyor General, reporting on the borings made at the site for Bridge. 7 August, 1858	22
45. Mr. Surveyor Adams to Surveyor General, reporting height necessary for Bridge. 18 August, 1858	23
46. Principal Under Secretary to Under Secretary for Lands and Public Works, respecting further reference to Government of Victoria. 19 August, 1858	23
47. Under Secretary for Lands and Public Works to Chief Commissioner of Railways, requesting report as to progress in preparation of plans. 1 September, 1858	23
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51. Chief Commissioner of Railways, in reply. 21 September, 1858.	25
52. Under Secretary for Lands and Public Works to Surveyor General, on same subject. 30 September, 1858	25
53. Surveyor General to Under Secretary for Lands and Public Works, in reply. 9 October, 1858	25

BRIDGE OVER RIVER MURRAY AT ALBURY.

No. 1.

To the Honorable the Secretary for Lands and Public Works of the Colony of New South Wales.

The Petition of the undersigned Inhabitants of Albury,—

SHEWETH :—

That the rising importance of the town and district of Albury, in conjunction with the increased traffic through the interior, is considerably cramped and restrained by the want of a better mode of crossing the Murray River.

That during the last four months nearly all overland communication between New South Wales and Victoria has been cut off by the Murray River, except by boats. Drays in great numbers, laden with produce, in transition to the Ovens Diggings market, where a highly remunerative price can always be obtained even for goods elsewhere unsaleable, congregate here, and after waiting in hopes of being able to cross the stream, find their means exhausted, and sales have to be made at a ruinous sacrifice, and those who attempt to cross, their goods and merchandize suffer most serious losses.

That your Petitioners regret to have to state the loss of life annually taking place here during the flooded season; this winter no less than four lives, one of them the mailman, have been lost immediately adjacent to this town, which losses are almost entirely attributable to there being no bridge over the river; and, apart from the loss of human life, cattle and horses in great numbers have perished while crossing the river on their way to market.

That great numbers of horses and cattle are daily passing through Albury on their way to the Victorian Markets, all of which have to cross the Murray by swimming that river, and great loss by drowning, and in all cases great trouble and expense, and deterioration in value is occasioned to the owners, and very frequently sheep cannot be crossed at all by the punt in consequence of the high state of the river.

That your Petitioners find that a sum of not less than twenty-six thousand pounds has been paid into the Treasury of the Colony, the proceeds of the sales of land in this district, and that the only sums they have received in return have been fifty pounds for one bridge, twenty pounds for mending the approaches to a creek, six hundred for erecting a lock-up, one hundred pounds for erecting a school house, and a trifling amount for eradicating a few stumps in the streets.

That the traffic through the township of Albury is now very considerable, and if fostered would soon become of such magnitude as to justify almost any outlay incurred for the purpose of facilitating the means of communication between the two Colonies.

Your Petitioners, therefore, pray that steps may be at once taken to have a suitable site selected for a bridge and that designs and estimates be called for, for construction of the same, and that a sum of money be set apart for that purpose.

And, as in duty bound, your Petitioners will ever pray.

[Here follow 241 Signatures.]

No. 2.

CAPTAIN CADELL to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Echuca, 29 November, 1856.

SIR,

I have the honor to address you regarding the bridge across the Murray at Albury, as contemplated by the Government of New South Wales; and I would respectfully point out, that any bridge without some provision for the passage of steamers may prove detrimental to the navigation of the upper river.

One of the R. M. N. Company's steamers has already ascended several miles above Albury, and individually I have prospected rich "gold-bearing creeks" above the confluence of the Mitta Mitta. I submit, therefore, that it is of the highest importance to preserve an open navigation to those future gold fields, as well as to other sources of undeveloped wealth.

There are now two steamers plying on the river, whose extreme breadth of beam from sponson to sponson is about (40) forty feet; and if from my knowledge of the locality I may be permitted to suggest the most advisable description of bridge, I should say that a draw-bridge of some sort possesses advantages in point of expediency and economy over any arch.

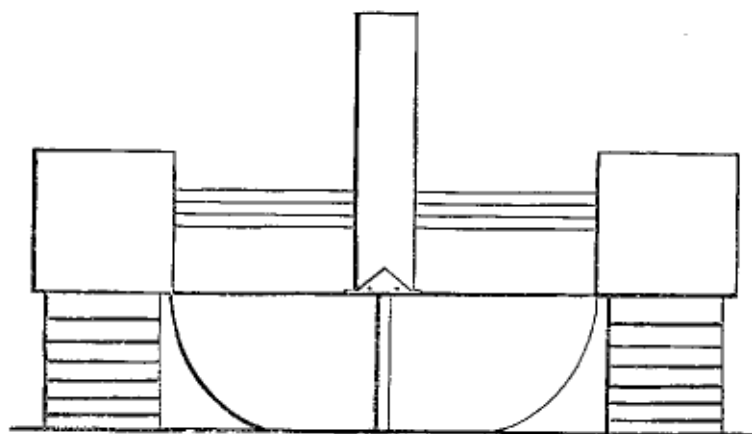
I have, &c.,

HON. JOHN HAY, Esq.,

THOS. CADELL.

Commissioner of Crown Lands and Public Works,
Sydney.

Beam to outside of paddle-boxes 33 feet.
Height of paddle-boxes above water, when light 14 feet 6 inches.
Funnel when lowered, above water 21 feet 6 inches.



"STURT" and "LEIGHARDT" Steamers.

No. 3.

THE SECRETARY FOR LANDS AND PUBLIC WORKS to THE COLONIAL SECRETARY.

*Department of Lands and Public Works,
Sydney, 18 December, 1856.*

SIR,

I have the honor to request that you will invite the co-operation of the Government of Victoria in the construction of a bridge over the River Murray at or near Albury.

2. It is considered to be highly desirable that the communication along the main line of road from this city to Melbourne should be subject to as little interruption as possible. There is a natural tendency in population to aggregate itself to a considerable degree on the flanks of the chain of Australian Alps, but particularly to do so in the extensive and fertile valley of the Upper Murray, which belongs in almost equal portions to both colonies, and about the centre of which the great intercolonial road now crosses the river. It is plain that the inhabitants of that valley and of both colonies for a considerable distance beyond would be much benefited by the erection of a bridge at or near Albury, which would enable them to carry their trade into either colony without those interruptions to which it is now subject; and as opening and extending the intercourse between the colonies, it is hoped that the accomplishment of such a work may not only facilitate the natural exchanges of their products, and so enhance the material prosperity of both, but that it may tend to prevent their social isolation with all its evils, and to produce instead a union of feeling and interest between them.

3. It is on grounds such as these that I look upon this as an undertaking which may be called as respects Australia a national one.

4. The structure in that view should be one not unnecessarily expensive, but of a useful and permanent character, worthy of the care of the colonies whose joint property it would be.

5.

BRIDGE OVER RIVER MURRAY AT ALBURY.

7

5. For the purpose of carrying out this work, the first steps to be taken will be, it is presumed, to make such arrangements as will enable two qualified persons—one appointed by each Government—to meet, and after the necessary investigation and survey to report upon the most suitable site for a bridge over the Murray, which shall serve to unite the present towns of Albury and Belvoir, and thus the colonies of New South Wales and Victoria.

6. This report, if approved of, will enable a plan and estimate to be framed at once, according to which votes may be sought from the Colonial Legislatures for the moiety of the total required expenditure, and the work be carried on either by a department of one or other Government, or under an officer expressly appointed by both for this work exclusively.

7. In conclusion, you will probably see fit to assure the Government of Victoria of the earnest anxiety of that of New South Wales that there should be a cordial co-operation of the two in this, as in all matters of an intercolonial or Australian character, and that all difficulties of a formal nature should be as much as possible overlooked or surmounted.

I have, &c.,

JOHN HAY.

THE HONORABLE

THE COLONIAL SECRETARY.

No. 4.

THE COLONIAL SECRETARY, NEW SOUTH WALES, to THE CHIEF SECRETARY, VICTORIA.

Colonial Secretary's Office,

Sydney, New South Wales,

20 December, 1856.

SIR,

I have the honor to transmit to you a copy of a letter addressed to me by the Secretary for Lands and Public Works in this Colony, suggesting the expediency of an arrangement being made for the erection of a bridge over the River Murray at Albury, at the mutual cost of the Colonies of Victoria and New South Wales; and I request that you will have the goodness to submit the proposed measure for the consideration of your Government, and to favor me with as early a communication on the subject as may be convenient.

2. In inviting the Government of Victoria to join in this important undertaking, I beg to express to you the earnest desire of that of New South Wales that in matters such as this, of an intercolonial character, the two should cordially co-operate for their mutual advantage.

I have, &c.,

HY. WATSON PARKER.

THE CHIEF SECRETARY TO

THE GOVERNMENT OF VICTORIA,

Melbourne.

No. 5.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

Colonial Secretary's Office,

Sydney, 20 September, 1856.

SIR,

I am directed to state to you, for the information of the Honorable the Secretary for Lands and Public Works, that a copy of his letter of the 18th instant has been forwarded to the Chief Secretary to the Government of Victoria, with an invitation, in accordance with his suggestion, to that Colony to co-operate in the construction of a bridge over the River Murray at Albury.

I have, &c.,

W. ELYARD.

THE UNDER SECRETARY

FOR LANDS AND PUBLIC WORKS.

No. 6.

BRIDGE OVER RIVER MURRAY AT ALBURY.

No. 6.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to CAPTAIN CADELL.

*Department of Lands and Public Works,
Sydney, 31 December, 1856.*

SIR,

I am directed by the Honorable the Secretary for Lands and Public Works to thank you for the suggestions contained in your letter of the 29th November, on the subject of the most desirable kind of bridge for the River Murray, and to suggest to your consideration whether it may not be the readiest way of solving the difficulty, to have the funnels of the steamers intended for trade on the Murray and its tributaries removable, as it will, no doubt, be found necessary to have other bridges besides that proposed at Albury, on these rivers, and draw-bridges must necessarily, he imagines, be found expensive. At the same time I am to assure you that any information or suggestion from you will be highly valued by him.

I have, &c.,

MICHL. FITZPATRICK.

CAPTAIN CADELL,

Echuca.

No. 7.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to HEYWARD ATKINS, ESQ.,
AND OTHERS.*Department of Land and Public Works,
Sydney, 2 January, 1857.*

GENTLEMEN,

In acknowledging the receipt of your Petition, praying, for the reasons therein assigned, that a bridge may be erected over the Murray River at Albury, I am directed to inform you that the Government of this Colony have entered into a correspondence with the Government of Victoria for the purpose of securing its co-operation in the erection, with as little delay as possible, of a suitable bridge at that place, and that if such co-operation be obtained the bridge will be free to the inhabitants of both Colonies.

2. It is not anticipated by the Secretary for Lands and Public Works that the Government of Victoria will refuse to join in this important undertaking, but, if so, it will still be the object of the Government of New South Wales to set about it under the best arrangements which can in such an event be devised.

3. I am also instructed to state, that if the negotiation now on foot cause a certain delay in the erection of the bridge in question, it is hoped that it will lead to the execution of a work which will in every way be more satisfactory to the Colony and to the inhabitants of Albury than could otherwise be accomplished.

I have, &c.,

M. FITZPATRICK.

HEYWARD ATKINS, ESQ.,

and the other Inhabitants of Albury

signing the Petition for the erection of a
Bridge over the Murray River.

No. 8.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to GEORGE MACLEAY, ESQ.

*Department of Lands and Public Works,
Sydney, 2 January, 1857.*

SIR,

With reference to a Petition presented by you from certain of the inhabitants of Albury, praying that a bridge may be erected over the River Murray at that township, I am directed to transmit to you the accompanying copy of a communication which has been addressed to the Petitioners on the subject.

2 January, 1856.

I have, &c.,

M. FITZPATRICK.

GEORGE MACLEAY, ESQ., M. P.,

Sydney.

No. 9.

No. 9.

CAPTAIN CADELL to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Adelaide, 3 February, 1857.

SIR,

I have the honor to acknowledge receipt of your letter of 31st December, 1856, wherein you suggest for my consideration whether or not it would be advisable to have the funnels of the steamers removable, *i. e.* on hinges. In reply, I beg to enclose diagram, received from the owners of the steamers "Leichhardt" and "Start," as they have the greatest breadth of beam of any river boats.

By the said diagram you will perceive that to allow the passage of such steamers under any bridge a height of arch would be required quite out of keeping with the adjoining banks, and involving a considerable elevation on its approaches. The calculations of course would be made from the highest flood level. It was owing to what may have been false notions of economy that I suggested a draw-bridge, as a bridge capable of allowing beneath it the unimpeded navigation of the stream would be of much more solid and durable structure. Any information I can at any time furnish is very much at the service of your department.

I have, &c.,

THOS. CADELL.

THE HONORABLE JOHN HAY, ESQ.,

Minister of Crown Lands and Public Works,
Sydney.

No. 10.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to CAPTAIN CADELL.

*Department of Lands and Public Works,
Sydney, 16 March, 1857.*

SIR,

I am directed to convey to you the thanks of the Honorable the Secretary for Lands and Public Works for your further communication of the 3rd ultimo, on the subject of the proposed bridge over the River Murray at Albury, and at the same time to inform you that the suggestions therein contained will be considered in connexion with the question of bridges on the Murray River.

I have, &c.,

MICHL. FITZPATRICK.

CAPTAIN CADELL,

Adelaide.

No. 11.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Colonial Secretary's Office,
Sydney, 12 June, 1857.*

SIR,

Referring to my letter of the 20th December last, I am directed to state that a duplicate of the communication addressed to the Chief Secretary of Victoria on that date, on the subject of the erection of a bridge over the Murray at or near Albury, was forwarded to him on the 21st April last, but that no reply has been received from him, and to request that you will move the Secretary for Lands and Public Works to be good enough to cause the Colonial Secretary to be informed whether he desires that further communication should be addressed to the Government of Victoria.

I have, &c.,

W. ELYARD.

THE UNDER SECRETARY

FOR LANDS AND PUBLIC WORKS.

No. 12.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE PRINCIPAL UNDER SECRETARY.

*Department of Lands and Public Works,
Sydney, 26 June, 1857.*

SIR,

In reference to your letter of the 12th instant, No. 188, stating that a duplicate of the communication addressed to the Chief Secretary of Victoria on the subject of the erection of a bridge over the Murray at or near Albury, was forwarded to him on the

21st April last, but that no reply had been received from him, and inquiring whether a further communication should be addressed to the Government of Victoria,—I am directed to apprise you, for the information of the Honorable the Colonial Secretary, that the Secretary for Lands and Public Works considers it desirable that the Government of Victoria should be addressed once more, and requested to state whether they are desirous of undertaking the work, in conjunction with the Government of New South Wales, as an inter-colonial one.

2. Mr. Secretary Hay would wish that it may at the same time be intimated that he has reluctantly taken steps for the selection of a site without the concurrence of that Government in the survey; but that he trusts if the site be approved of, the erection of the bridge itself may still be carried on as a work of equal importance to the Colonies, and by their united action. At all events, a proper understanding must be come to by the two Governments as to the management of the bridge when erected; and it is hoped that the President of the Board of Lands and Works of Victoria will take the subject under his early consideration.

I have, &c.,

MICHL. FITZPATRICK.

THE PRINCIPAL

UNDER SECRETARY.

No. 13. -

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SURVEYOR GENERAL.

*Department of Lands and Public Works,
Sydney, 26 June, 1857.*

SIR,

I am directed by the Secretary for Lands and Public Works to request that you will have the goodness to instruct Mr. Haage, immediately on his arrival at Albury, to make the necessary surveys, so as to ascertain the best site for a bridge over the Murray at Albury, which shall serve to connect that town with Belvoir, and the Colony of New South Wales with that of Victoria.

2. In selecting such a site Mr. Haage should be instructed to take into consideration the convenience of the approaches, and the expenditure necessary to complete them, as well as the best position for the bridge itself, in so far as security and economy of construction are concerned.

3. With this view, the surveyor should not only indicate the position he himself considers the best on the whole, and furnish a plan and estimate adapted for such position, but also any other positions which may appear to be, in some respects, equally or more eligible. The character of the banks, and of the bottom, and the levels of the approaches, and those of the ordinary or highest floods, according to the best information he can obtain, should also be ascertained and marked by him.

4. A bridge so constructed as that it should, if not now, at a future time, without any very great interference with the plan be converted into a swing or pivot bridge, so as to admit of the passage of river steamers, would be preferable to any other; and it is believed that a structure upon piles, which will answer for such a purpose, if required, will be found best adapted to the character of the river and of the strata at Albury.

5. This, however, so far as the report and plan may go, will be for Mr. Haage to judge of from his personal observation; and, so far as the final decision of the character of the bridge is involved, it will depend upon the professional opinions obtainable after the Government shall have obtained the surveys and reports now called for.

6. In conclusion, I am to impress upon you the desirableness of every means being taken to expedite the report of the surveyor.

I have, &c.,

MICHL. FITZPATRICK.

THE SURVEYOR GENERAL.

No. 14.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Colonial Secretary's Office,
Sydney, 30 June, 1857.*

SIR,

Referring to previous correspondence, I am now directed to forward herewith a copy of a communication which has been received from the Department of the Chief Secretary, Victoria, relative to the erection of a bridge over the Murray at Albury; and to request that you will move the Secretary for Lands and Public Works to cause the Colonial Secretary to be informed whether, in consequence of the receipt of this letter, he would desire any alteration to be made in the communication proposed to be made to the Government of Victoria on your letter of the 26th instant.

I have, &c.,

W. ELYARD.

THE UNDER SECRETARY

FOR LANDS AND PUBLIC WORKS.

[Enclosure in No. 14.]

*Victoria,
Chief Secretary's Office,
Melbourne, 18 June, 1857.*

Sir,

By desire of the Chief Secretary, I have the honor to acknowledge receipt of your letter of the 20th December last, relating to the proposed erection of a bridge over the River Murray at Albury, in which work the co-operation of the Government of this Colony is desired; and I am directed by Mr. Haines to request you will be so good as to state at what time the Government of New South Wales can arrange that a duly qualified officer shall meet an officer deputed by this Government at Albury, with a view to making a survey and report upon the most suitable site for the proposed bridge.

I have, &c.,

J. MOORE,

Under Secretary.

The Honorable

The Colonial Secretary,

New South Wales.

No. 15.

THE SURVEYOR GENERAL to MR. SURVEYOR HAEGE.

*Surveyor General's Office,
Sydney, 29 June, 1857.*

SIR,

I have, at the request of the Honorable the Secretary for Lands and Public Works, to instruct you that immediately on your arrival at Albury you should make the necessary surveys so as to ascertain the best site for a bridge over the Murray at Albury, which shall serve to connect that town with Belvoir, and the Colony of New South Wales with Victoria.

2. In selecting such a site you will take into consideration the convenience of the approaches, and the expenditure necessary to complete them, as well as the best position for the bridge itself, in so far as security and economy of construction are concerned.

3. With this view, you should not only indicate the position which you yourself consider the best on the whole, and forward a plan and estimate adapted for such position, but also any other positions which may appear to be in some respects equally or more eligible; the character of the banks and of the bottom, and the levels of the approaches, and those of the ordinary or highest floods, according to the best information you can obtain, should also be ascertained and marked by you.

4. Mr. Secretary Hay remarks that a bridge so constructed as that it should, if not now, at a future time, without any very great interference with the plan, be converted into a swing or pivot-bridge, so as to admit of the passage of river steamers, would be preferable to any other; and it is believed, he continues, that a structure upon piles, which will answer for such a purpose if required, will be found best adapted to the character of the river and the strata at Albury.

5.

5. This, however, as far as the report and plan may go, it will be for you to judge of from your personal observation.

6. Your best expedition and attention are requested in this matter, which is, I need not say, one of great importance.

HENRY HAEGE, Esq.,
Surveyor.

I have, &c.,

GEO. BARNEY,
S. G.

No. 16.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SURVEYOR GENERAL.

*Department of Lands and Public Works,
Sydney, 3 July, 1857.*

SIR,

Adverting to the letter to you from this Department of the 26th ultimo, on the subject of the instructions to be issued to Mr. Haege in connexion with the necessary surveys to be made so as to ascertain the best site for a bridge over the River Murray at Albury, I am now directed (the Government of Victoria having since intimated its willingness to join in the survey and report upon the most suitable site for the proposed bridge) to request that you will have the goodness to instruct Mr. Haege to join in such survey, and report with the officer appointed by that Government for the purpose.

2. I am to add, that Mr. Haege may, however, proceed with the necessary preliminary surveys at once.

I have, &c.,

THE SURVEYOR GENERAL.

NICHL. FITZPATRICK.

No. 17.

THE SURVEYOR GENERAL to MR. SURVEYOR HAEGE.

*Surveyor General's Office,
Sydney, 7 July, 1857.*

SIR,

Adverting to my letter of the 27th ultimo, No. 727, directing you to make a survey for the purpose of ascertaining the best site for a bridge over the River Murray at Albury, I have now to inform you that the Government of Victoria has since intimated its willingness to join in the survey and report upon the most suitable site for the proposed bridge, and to request therefore that you will join in such survey, and report with the officer appointed by that Government for the purpose.

2. You may, however, proceed with the necessary preliminary surveys at once.

I have, &c.,

H. HAEGE, Esq.,
Surveyor.

GEO. BARNEY,
S. G.

No. 18.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE PRINCIPAL UNDER SECRETARY.

*Department of Lands and Public Works,
Sydney, 10 July, 1857.*

SIR,

In reference to your letter of the 30th ultimo, No. 208, forwarding a copy of a communication from the Department of the Chief Secretary at Victoria relative to the erection of a bridge over the Murray at Albury, and inquiring whether, in consequence of the receipt of that letter, any alteration should be made in the communication proposed to be made to the Government of Victoria, in accordance with the letter from this Department of the 25th ultimo, I am directed to state, for the information of the Principal Secretary, that the Secretary for Lands and Public Works considers it will be better for a duplicate of the communication from this office of the 26th ultimo still to go on, as shewing the nature of the instructions under which Mr. Surveyor Haege has been dispatched to Albury.

2. I am to add, that Mr. Secretary Hay will be extremely gratified, however, if the Government of Victoria will now, at once, carry out the proposal of deputing a duly qualified officer to join with Mr. Haage, who will be on the spot, in the survey, and report upon the most suitable plan for the proposed bridge.

I have, &c,

THE PRINCIPAL UNDER SECRETARY.

MICHL. FITZPATRICK.

No. 19.

THE COLONIAL SECRETARY, NEW SOUTH WALES, to THE CHIEF SECRETARY, MELBOURNE.

Colonial Secretary's Office,

Sydney, New South Wales,

18 July, 1857.

SIR,

With reference to your letter of the 18th June last, respecting the erection of a bridge over the Murray, I have the honor to transmit, for your information, the copies of two letters from the Department of Lands and Public Works in this Colony on the subject, and to state that this Government will be extremely gratified if the Government of Victoria will now carry out the proposal of deputing a duly qualified officer to join with Mr. Haage (who, it will be observed, has been sent from Sydney for the purpose, and will be on the spot,) in the survey, and report upon the most suitable plan for the proposed bridge.

I have, &c,

THE HONORABLE

THE CHIEF SECRETARY,
Melbourne.

HY. WATSON PARKER.

No. 20.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

Colonial Secretary's Office,

Sydney, 30 September, 1857.

SIR,

Referring to your letter of the 10th July last, I am directed to forward herewith, for the purpose of being laid before the Secretary for Lands and Public Works, a copy of a communication from the Department of the Chief Secretary, Victoria, relative to the site of the proposed bridge over the Murray, near Albury.

I have, &c,

THE UNDER SECRETARY

FOR LANDS AND PUBLIC WORKS.

W. ELYARD.

[Enclosure in No. 20.]

Victoria,

Chief Secretary's Office,

Melbourne, 21 September, 1857.

SIR,

With reference to your Despatch of the 18th July, on the subject of the proposed erection of a bridge over the River Murray at Albury, I have the honor, by desire of the Chief Secretary, to inform you, that it has been brought under the notice of the President of the Board of Land and Public Works, and that it appears by the report received from this Department that the Inspector General of Roads, Mr. Assistant Surveyor Martin, and Mr. Haage, have been unanimous in their selection of a site, but that the report of the officer first named has not yet been received.

I have, &c,

J. MOORE,

The Honorable the Colonial Secretary,
New South Wales.

Under Secretary.

No. 21.

MR. H. HOPWOOD to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

To the Minister of Lands
and Public Works, Sydney.

Eucha, 5 November, 1857.

HONBLE. SIR,

I am informed it is the intention of the Governments of New South Wales and Victoria concurrently to erect a bridge at Albury, and having had experience of Bates' Patent, am prepared to tender to erect one across the Murray upon that principle, together

with the necessary approaches, and have the honor to request a tracing of map from Mr. Haage's return when sent in to you. I beg to forward herewith (for return) tracing and description of a bridge which has been subjected to the "Military Test" by the Victoria Government. • *Vide "Argus," 2nd Nov., '57.*

I have, &c.,

H. HOPWOOD.

The foregoing letter referred for the report of the Chief Commissioner of Railways.—B. C.

No. 22.

MR. H. HOPWOOD to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

To the Secretary of Lands

Echuca, 14 November, 1857.

and Public Works, &c., Sydney.

SIR,

With reference to the Albury bridge, and the statement made in the last paragraph of the second leader in the *Sydney M. Herald*, 6th instant, although, as you know, it is to a certain extent incorrect, I am, if practicable, willing to undertake the work on the presumed terms.

The reason I did not propose to build it on similar terms as the Deniliquin bridge was, I was afraid the boundary question would be re-opened, and, therefore, only used the word "tender" in my communication to you upon the subject.

I have, &c.,

H. HOPWOOD.

No. 23.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to MR. H. HOPWOOD.

Department of Lands and Public Works,

Sydney, 24 November, 1857.

SIR,

In acknowledging the receipt of your further letter of the 14th instant, I am directed to inform you that in all probability the building of the Albury bridge will be offered to public tender, but as the work will be undertaken in concert with the Melbourne Government, no assurance can be given on the subject.

I have, &c.,

MR. H. HOPWOOD,

MICHL. FITZPATRICK.

Echuca.

No. 24.

THE CHIEF COMMISSIONER OF RAILWAYS to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Railway Department,

Sydney, 11 December, 1857.

SIR,

I have the honor to return herewith Mr. Hopwood's letter of the 5th ult., with enclosed papers, and to inform you, that having been compelled by illness to cease work for a few days past as far as practicable, I requested Mr. Whitton to favor me with a report upon the bridge alluded to in Mr. Hopwood's letter, a copy of which I have now the honor to enclose for your information.

I have, &c.,

THE HONORABLE

B. H. MARTINDALE,

THE SECRETARY FOR

Chief Commissioner.

LANDS AND PUBLIC WORKS.

I can see nothing new in this bridge. It is an ordinary laminated timber arch, with a cambered suspended roadway. If well put together I have no doubt it will answer the purpose intended. I think laterally the bridge will be weak.

J. W.

Dec. 7th, '57.

No. 25.

No. 25.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to MR. HOPWOOD.

*Department of Lands and Public Works,
Sydney, 18 December, 1857.*

SIR,

Referring to my letter of the 24th ultimo, I am now directed to return to you the tracing and description of a bridge proposed to be erected over the River Murray at Albury, which was forwarded by you on the 5th of last month, and to inform you that, from a report received from the Chief Commissioner for Railways, it appears that the bridge in question would, if well erected, answer the purpose for which it is intended, but it is considered that the structure would be weak laterally.

2. I am to add that Mr. Surveyor Haeghe has been instructed to propose a plan of a bridge for the locality in question, in concert with the surveyor of the Victorian Government.

I have, &c.,

MR. H. HOPWOOD,
Echuca, Murray River.

MICHL. FITZPATRICK.

No. 26.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SURVEYOR GENERAL.

*Department of Lands and Public Works,
Sydney, 19 December, 1857.*

SIR,

With reference to my letters of the 26th June and 3rd July last, requesting you to instruct Mr. Surveyor Haeghe to make the necessary surveys, and ascertain the best site for a bridge over the Murray at Albury, I am directed to draw your attention thereto and to request the favor of your early forwarding the information sought.

I have &c.,

THE SURVEYOR GENERAL.

MICHL. FITZPATRICK.

No. 27.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Surveyor General's Office,
Sydney, 29 December, 1857.*

SIR,

I have the honor to inform you that, in attention to your letters of the 26th June and 3rd July last, instructions were issued to Mr. Surveyor Haeghe, in concert with an officer to be deputed by the Victorian Government, to select a site for the erection of a bridge over the Murray at Albury, to connect that of Victoria with this Colony, and I now beg to forward a plan and report which I have received from that officer for submission to the Honorable the Secretary for Lands and Public Works.

2. These documents, I may be permitted to add, are very satisfactory, and the Colonial Architect will now be enabled to prepare the necessary plan and estimate for the bridge.

I have, &c.,

THE UNDER SECRETARY FOR
LANDS AND PUBLIC WORKS.

GEO. BARNEY,
S. G.

P. S.—It appearing to me that Mr. Green can have no claim to compensation for the land required for the approach to the bridge, I have called upon Mr. Surveyor Haeghe forthwith to furnish an estimate of the cost of the approach, minus the amount which he had allowed as compensation to Mr. Green, and on receipt of this document I shall do myself the honor to forward it to you.

G. B.

[Enclosure in No. 27.]

*Thurgona, near Albury,
17 December, 1857.*

SIR,

With reference to your letters of the 29th June last, No. 721, of the 7th July last, No. 743, and of the 9th instant, No. 1530, I do myself the honor to state, that I have met in conference the officer deputed by the Victorian Government (the Inspector General of Roads),

Roads,) for the purpose of reporting on the bridge over the Murray at Albury, and that, after a careful inspection of the river in the vicinity of Albury, it was mutually agreed that the spot to which a line of telegraph has been marked out on the Victorian side of the river, and which is nearly opposite the next street south of and parallel to Nurigong-street, offers the only available site for the bridge.

Separate Roll.

2. I have furnished the preliminary survey, and beg to transmit herewith one plan and one sheet sections. The plan shows the proposed site and new line of road from Albury to Belvoir, and, in combination with the sections, minutely illustrates the nature and condition of both the site of the bridge and the approaches.

3. With regard to the mode of construction to be adopted for the bridge, the Victorian officer coincides with me in the opinion that a single arch, either wooden or iron, supported by stone abutments, would be best adapted to the character of the river; the width to be spanned being about 220 feet. A structure on piles, although perhaps more economical, was objected to on account of the danger arising from the obstruction such a bridge would offer to the rapid current and the heavy masses of timber carried down by it at flood times.

4. I have not furnished a plan and estimate of the bridge, as it was impossible for me to get them out without having any work of reference. However, the plan and sections transmitted herewith contain every local information required for making a proper design. I have only to add, that the roadway of the bridge should have sufficient width for the convenient crossing of large mobs of horses or cattle, as those form a considerable portion of the traffic to be accommodated.

5. With regard to building materials and the prices thereof, I have instituted inquiries, and find *timber* (flooded gum) in lengths not exceeding 30 feet is plentiful and close at hand; the Wodonga Steam Saw Mills price is 30s. per 100 feet superficial; by the introduction of another saw mill it might, however, be reduced to 20s. Timber in greater lengths and of suitable size is scarce, and more expensive, on account of the carriage.

Stone, of excellent quality, (a kind of granite) is obtained at Atkin's Hill, about a mile from the proposed site for the bridge; the price at the quarry 12s. per perch.

Roach Lime is obtained at Girogiry, 25 miles distant, and is worth 4s. 6d. per bushel.

Iron-work, of the kind required for a wooden bridge, is 9d. per lb.

6. The expense of forming the approaches on the New South Wales side, that is, raising the road above the level of the highest flood, erecting a wooden bridge over the creek near Green's house, and re-appropriating the land purchased by Green, would amount to £820.

7. I have not formed an estimate of the much more extensive approaches on the Victorian side, as I was informed by the Inspector General of Roads that those would concern the Government of Victoria only; the probable cost might, however, be ascertained from the section I have furnished. In raising the road from the proposed bridge to Belvoir above the level of the highest flood, provision should be made for a sufficient number of openings to allow the flood water to pursue its natural course across the Wodonga Flat, as the stopping up of all those flood water courses would necessarily have the effect of throwing a large body of water into the lower situated portions of the township of Albury. The bridge over Wodonga Creek is in a very unsatisfactory condition, and, in order to make the approaches perfectly safe, and at all times practicable, it should be replaced by a new one.

I have, &c.,

HENRY HAEGE,

Surveyor, 2nd Class.

The Surveyor General.

No. 28.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SURVEYOR GENERAL.

*Department of Lands and Public Works,
Sydney, 9 January, 1858.*

SIR,

With reference to your letter of the 29th ultimo, forwarding a report from Mr. Surveyor Haege relative to the site for a bridge over the Murray at Albury, I am directed to request that you will have the goodness to state whether Mr. Haege could carry this work a stage farther, and prepare a plan, specification, and estimate of the proposed bridge. It is apprehended that both Mr. Adams and Mr. Haege are qualified, from their professional knowledge, to undertake this service; but on this point the Secretary for Land and Public Works would like to be further informed.

2. Provided that you see no objection, there would arise this advantage,—that these gentlemen being already employed upon the spot, the Government would not have to send up another officer.

I have, &c.,

MICHL FITZPATRICK.

THE SURVEYOR GENERAL.

No. 29.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Surveyor General's Office,
Sydney, 18 January, 1858.*

SIR,

I have the honor to acknowledge the receipt of your letter of the 9th instant, No. 58-75, wherein—with reference to my letter of the 29th ultimo, forwarding a Report from Mr. Surveyor Haage relative to the site for a bridge over the Murray at Albury—you inquire whether Mr. Haage could carry the work a stage farther, and prepare a plan, specification, and estimate of the proposed bridge.

2. In reply thereto I beg to state, for the information of the Honorable the Secretary for Lands and Public Works, that I believe Mr. Haage to be quite qualified to furnish the required documents; but that I should, in giving him instructions for their preparation (should it be so determined), desire him to avail himself of the professional assistance and advice of Mr. District Surveyor Adams, should he find it desirable

I have, &c.,

GEO. BARNEY.

THE UNDER SECRETARY
FOR LANDS AND PUBLIC WORKS.

No. 30.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Colonial Secretary's Office,
Sydney, 22 January, 1858.*

SIR,

Referring to my letter of the 30th September last, I am directed to enclose, for the information of the Secretary for Lands and Public Works, the copy of a communication from the Department of the Chief Secretary, Victoria, forwarding a copy of the Report furnished by the Inspector General of Roads, in that Colony, relative to the proposed bridge over the Murray River.

I have, &c.,

W. ELYARD.

THE UNDER SECRETARY
FOR LANDS AND PUBLIC WORKS.

[Enclosure in No. 30.]

*Victoria.
Chief Secretary's Office,
Melbourne, 7 January, 1858.*

SIR,

Referring to your letter of the 18th July, upon the subject of the proposed bridge over the River Murray, and to a communication from this Office on the 21st September, in which you were informed that the Report of the Inspector General of Roads had not been furnished, I have now the honor to call your attention to the enclosed copy of the statement which has been submitted by that officer.

I have, &c.,

J. H. KAY,
(for the Under Secretary.)

The Honorable
The Colonial Secretary,
New South Wales.

MEMO.

In compliance with the request of the Secretary that I should state, in writing, what steps I had taken when at Albury (as already reported verbally) with respect to the proposed bridge over the Murray between Wodonga and Albury, I beg to state that having met Mr. Haage (from the New South Wales Government) we decided upon a site already selected by that gentleman as the most eligible—indeed the only eligible site.

2. Mr. Haage undertook, as he had been already instructed, to prepare the preliminary survey, section, &c., of the site, and to furnish copies of this information to our engineer, (or rather to allow him to take copies).

3. I was awaiting this before reporting more definitely, as this information was required to enable me to give anything like an accurate estimate of the cost.

4. In its absence, however, I am of opinion that a sum of ten thousand pounds would cover half the expense of the work in the first instance, as for the present the approaches on the Victoria side need not be carried more than from 5 to 10 chains from the bridge, leaving the rest of the road into Wodonga to be made at a future period: probably this need not be done till land on the Wodonga Flat is sold.

The President of the
Central Road Board.

G. W. HAINES.
25/11/57.

No. 31.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SURVEYOR GENERAL.

*Department of Lands and Public Works,
Sydney, 25 January, 1858.*

SIR,

In acknowledging the receipt of your letter of the 18th instant, stating that you consider Mr. Surveyor Haegge fully qualified to furnish a plan, estimate, and specification of the proposed bridge at Albury, I am directed by the Secretary for Lands and Public Works to request that you will have the goodness to instruct that officer to proceed with the preparation of the documents in question, availing himself of the professional assistance of Mr. District Surveyor Adams, should he find it desirable.

THE SURVEYOR GENERAL.

I have, &c.,
MICHL. FITZPATRICK.

No. 32.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE PRINCIPAL UNDER SECRETARY.

*Department of Lands and Public Works,
Sydney, 30 January, 1858.*

SIR,

With reference to your letter of the 22nd instant, enclosing a copy of a communication from the Chief Secretary of Victoria, forwarding a copy of the Report furnished by the Inspector General of Roads relative to the proposed bridge over the Murray, I am directed to inform you, that the Secretary for Lands and Public Works is under the impression, after perusing the Report in question, that it is the intention of the Victorian Government to have plans of the proposed bridge prepared by their officers.

2. Previously, however, to the receipt of your letter, instructions had been given for the preparation of a plan in this Colony. These instructions will not now be countermanded, as it is conceived that there may be some advantage in a comparison of the two plans; and should any question arise as to which of the two is to be preferred, or whether a modification of either is desirable, the Government of Victoria will not perhaps see any objection to remit such question for the final decision of His Excellency the Governor General.

THE PRINCIPAL UNDER SECRETARY.

I have, &c.,
MICHL. FITZPATRICK.

No. 33.

CAPTAIN CADELL to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

Adelaide, 3 February, 1858.

SIR,

I have the honor to acknowledge receipt of your letter of 31 Dec., 1856, wherein you suggest for my consideration whether or not it would be advisable to have the funnels of the steamers removable, i. e., on hinges. In reply, I beg to enclose diagram received from the owners of the steamers "Leichhardt" and "Sturt," as they have the greatest breadth of beam of any river boats.

By the said diagram you will perceive that to allow the passage of such steamers under any bridge a height of arch would be required quite out of keeping with the adjoining banks, and involving a considerable elevation on its approaches. The calculations, of course, would be made from the highest flood level. It was owing to what may have been false notions

notions of economy that I suggested a draw-bridge, as a bridge capable of allowing beneath it the unimpeded navigation of the stream would be of much more solid and durable structure.

Any information I can at any time furnish is very much at the service of your Department.

I have, &c.,

THE HONORABLE JOHN HAY, ESQ.,
Minister of Crown Lands and Public Works,
Sydney.

THOS. CADELL.

No. 34.

THE COLONIAL SECRETARY, NEW SOUTH WALES, to THE CHIEF SECRETARY, VICTORIA.

Colonial Secretary's Office,

Sydney, New South Wales,

13 February, 1858.

SIR,

With reference to a letter from your Department of the 7th ultimo, No. 12, forwarding a copy of the report furnished by the Inspector General of Roads relative to the proposed bridge over the Murray, I have the honor to inform you that it is understood from this report that the Government of Victoria intend to have plans of the proposed bridge prepared by their officers; but as instructions had been given previously to the receipt of your communication for the preparation of a plan in this Colony, it is not now proposed to countermand these instructions, as it is conceived that there may be some advantage in a comparison of the plans prepared by the respective Engineers.

2. When the plans shall have been completed, together with specifications and estimates, the question as to which shall be carried out will have to be determined by some competent authority. It was suggested by the Minister of Lands and Works in this Colony that this point should be decided by Sir William Denison, the Governor General; and this suggestion having been submitted to His Excellency, he intimated his willingness, if requested, to give advice or to express an opinion on them, although he does not desire to undertake the responsibility of deciding upon the adoption of either.

3. I beg to add, that when the plan which is to be prepared in this Colony shall have been furnished to Victoria this Government will be glad to be favored with a further communication from you on the subject.

THE HONORABLE
THE CHIEF SECRETARY,
Victoria.

I have, &c.,

CHARLES COWPER.

No. 35.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS AND
PUBLIC WORKS.

Colonial Secretary's Office,

Sydney 13 February, 1858.

SIR,

I am directed by the Colonial Secretary to inform you that a communication has been made to the Chief Secretary for Victoria on the subject of the proposed bridge over the River Murray, in terms of your letter of the 30th ultimo, with the exception that it has been stated that whilst the Governor General will be willing to give his opinion and advice as to the plan of the bridge which it may seem most advantageous to approve of, His Excellency does not desire that the decision which of the two should be adopted should rest with him.

2. I am at the same time desired to forward, for the information of the Secretary for Lands and Public Works, a copy of a letter from the Government of Victoria, by which it appears that the details of the plan proposed by Mr. Haage for the bridge, with an estimate of the cost, were expected to have been furnished by this Colony.

I have, &c.,

THE UNDER SECRETARY
FOR LANDS AND PUBLIC WORKS.

W. ELYARD.

[Enclosure]

[Enclosure in No. 35.]

Victoria,
Chief Secretary's Office,
Melbourne, 5 February, 1858.

Sir,

With reference to the correspondence between the Government of New South Wales and Victoria upon the subject of the proposed bridge over the Murray at Albury, I have the honor, by desire of the Chief Secretary, to inform you that an intimation has been received at this office from the Department of Roads and Bridges to the effect that in the absence of the details of the plan proposed by Mr Haegge, and an estimate of the cost with which it was arranged between him and the late Inspector General of Roads that this Government should be furnished, the President of the Board of Land and Public Works has not considered it advisable to propose any provision of the work on the Estimates for the present year.

I have, &c.,
J. MOORE,
Under Secretary.

The Honorable the Colonial Secretary,
New South Wales.

No. 36.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SURVEYOR GENERAL.

Department of Lands and Public Works,
Sydney, 20 February, 1858.

Sir,

With reference to my letter of the 25th ultimo, I am directed to request that you will forward to me, as soon as possible, a copy of the survey made by Mr. Surveyor Haegge in connection with the intended bridge at Albury, in order that it may be transmitted with a copy of his Report to the Government of Victoria.

I have, &c.,
MICHL. FITZPATRICK.

THE SURVEYOR GENERAL.

No. 37.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

Surveyor General's Office,
Sydney, 13 March, 1858.

Sir,

In reference to your letter of the 25th January, No. 58-18, directing me to instruct Mr. Haegge to furnish a plan and specification of the proposed bridge at Albury, I have the honor to forward herewith a letter which I have received from Mr. Haegge, wherein he states that, without having books of reference, or any other such information as is usually at the command of a projecting engineer at his command, he is unable to prepare the required plan and specification; but he repeats that the documents already forwarded are the usual ones which pass from the surveyor to the engineer in such cases, and contain every information necessary for the latter.

I have, &c.,
GEO. BARNEY,
Surveyor General.

THE UNDER SECRETARY
FOR LANDS AND PUBLIC WORKS.

[Enclosure in No. 37.]

Camp, near Albury,
3 March, 1858.

Sir,

In answer to your letter of the 1st ultimo, No. 130, requesting me to furnish a plan, specification, and estimate for the proposed bridge over the Murray, I do myself the honor to state, that I have communicated with Mr. District Surveyor Adams, and that, without having books of reference, or any other such information as are usually at the command of a projecting engineer, at our disposal, we find it almost impossible to prepare the required plan and specification. The documents transmitted with my reports of the 17th December last, No. 19, are the usual ones which pass from the surveyor to the engineer in such cases, and contain every information necessary for the latter. I, therefore, beg respectfully to suggest that the above documents should be handed over to the engineering department, in order to obtain the required plan and specification.

I have, &c.,
HENRY HAEGGE.

The Surveyor General.

No. 38.

No. 38.

THE COLONIAL SECRETARY, SYDNEY, to THE CHIEF SECRETARY, MELBOURNE.

*Colonial Secretary's Office,
Sydney, New South Wales,
13 March, 1858.*

SIR,

With reference to my letter of the 13th ultimo, No. 9, I have the honor to transmit herewith a copy of Mr. Haeg's plan of his survey for a site of a bridge proposed to be erected over the River Murray, together with a copy of his report thereon.

I have, &c.,

THE HONORABLE

THE CHIEF SECRETARY,
Melbourne.

CHARLES COWPER.

No. 39.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to CAPTAIN CADELL.

*Department of Lands and Public Works,
Sydney, 16 March, 1858.*

SIR,

I am directed to convey to you the thanks of the Honorable the Secretary for Lands and Public Works for your further communication of the 3rd ultimo, on the subject of the proposed bridge over the River Murray at Albury, and at the same time to inform you that the suggestions therein contained will be considered in connection with the question of bridges on the Murray River.

I have, &c.,

CAPTAIN CADELL,
Adelaide.

MICHL. FITZPATRICK.

No. 40.

ALBURY BRIDGE.

*Railway Department,
Sydney, 31 March, 1858.*

MINUTE PAPER.

I am of opinion there is sufficient information in these drawings, with the exception of that relative to the foundations, for which purpose the ground ought to be further examined. Borings should also, if practicable, be taken in the bed of the river, to ascertain its character. A bridge of 200 feet span would be very expensive, and it should be clearly shown to be necessary before such an expensive style of construction is resorted to.

Plans returned herewith and papers.

THE HONORABLE THE SECRETARY
FOR LANDS AND PUBLIC WORKS.

B. H. M.
31/3

No. 41.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Colonial Secretary's Office,
Sydney, 7 April, 1858.*

SIR,

I am directed to state, for the information of the Secretary for Lands and Public Works, that the copy of Mr. Surveyor Haeg's plan of his survey for site of a bridge at Albury, and of his report thereon, which were forwarded under your blank cover of the 9th ultimo, have been transmitted to the Government of Victoria; and that it appears, from a communication received from the Department of the Chief Secretary, that they have been brought under the notice of the Department of Roads and Bridges in that Colony.

I have, &c.,

THE UNDER SECRETARY
FOR LANDS AND PUBLIC WORKS.

W. ELYARD.

P. S.—A copy of the letter from the Government of Victoria is enclosed.

W. E.

23 March, 1858.

575—F

No. 42.

No. 42.

THE CHIEF COMMISSIONER OF RAILWAYS to THE SURVEYOR GENERAL.

*Railway Department,
Sydney, 22 June, 1858.*

SIR,

The Honorable the Secretary for Lands and Public Works having directed me to put myself in communication with you, in order to procure any further information required for preparing plans for a bridge over the River Murray at Albury, I have the honor to request you will instruct Mr. Haegs, who you have been good enough to inform me shall be directed to carry out any instructions I may prepare in reference to this subject, to take the measures necessary to obtain the information requested in the accompanying memorandum.

I have, &c.,

THE SURVEYOR GENERAL.

B. H. MARTINDALE.

[Enclosure in No. 43.]

ALBURY BRIDGE.

Borings to be taken on the Melbourne side of the river to a depth of at least 15 feet below the bottom of the river in the lowest part, unless before arriving at that depth rock of at least 5 feet in thickness be met with. On the New South Wales side of the river the borings should be continued to at least 15 feet below the bed of the river at the lowest point shown on the section, as the gravel met with may only be a thin bed. Borings should also be taken in the centre of the river to a depth of at least 20 feet below the lowest portion of the bed of the river, the thickness and description of the strata being accurately noted.

No. 43.

THE SURVEYOR GENERAL to MR. SURVEYOR HAEGE.

*Surveyor General's Office,
Sydney, 24 June, 1858.*

SIR,

I request that, with as little delay as practicable, you will supply the information required by the enclosed Memo., and which is needed in the preparation of the plans for a bridge over the Murray River at Albury.

I have, &c.,

H. HAEGE, Esq.,
Surveyor.

GEO. BARNEY.

No. 44.

MR. SURVEYOR HAEGE to THE SURVEYOR GENERAL.

Albury, 7 August, 1858.

SIR,

Referring to your letter of the 24th June last, No. 58-908, requesting me to take borings at the site for the bridge across the River Murray at Albury, I have the honor to state—

1. That I have made inquiries at the neighbouring diggings (Adelong and Orens) with the view to obtain a proper boring apparatus, but without success.

2. I then procured such tools as I could get made here on the spot, with which I obtained the results noted on the enclosed diagram.

3. If the information contained therein should not be sufficient in the preparation of plans for a bridge, and if it is required to proceed with the borings to the depth mentioned in the memorandum, herewith returned, it will become necessary to procure a proper boring apparatus, which might most advantageously and expeditiously be obtained from Melbourne.

I have, &c.,

THE SURVEYOR GENERAL.

HENRY HAEGE.

No. 45.

No. 45.

MR. SURVEYOR ADAMS to THE SURVEYOR GENERAL.

Albury, 18 August, 1858.

SIR,

With reference to the bridge over the River Murray at Albury, I have the honor to report that the result of information which I have gathered since I have been in this district leads to the belief that no part of the superstructure of the bridge should be less than five or six feet above the level of the river in 1852, which is the highest known rise.

2. The rain which caused this flood I find to have been partial to the northern waters of the Murray and the south-eastern waters of the Murrumbidgee; but, had the whole body of water fallen into the water-shed of the Murray the rise would have been greater.

3. After the rise obtains this height the sectional area increases so enormously that I do not think any amount of rain would cause a rise of more than a few feet.

I have, &c.,

P. FRANCIS ADAMS,

THE SURVEYOR GENERAL.

District Surveyor.

No. 46.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS AND
PUBLIC WORKS.*Colonial Secretary's Office,**Sydney, 19 August, 1858.*

SIR,

I am directed to inquire, with reference to my letter of 7th April last, whether the Secretary for Lands and Public Works desires that any further communication should be made to the Government of Victoria on the subject of the proposed bridge over the River Murray at Albury.

I have, &c.,

W. ELYARD.

THE UNDER SECRETARY

FOR LANDS AND PUBLIC WORKS.

No. 47.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE CHIEF COMMISSIONER
OF RAILWAYS.*Department of Lands and Public Works,**Sydney, 1 September, 1858.*

SIR,

I am directed to request that you will have the goodness to report to this office what progress has been made in the preparation of the plan for the erection of the proposed bridge over the River Murray at Albury.

I have, &c.,

MICHL. FITZPATRICK

THE CHIEF COMMISSIONER OF RAILWAYS.

No. 48.

THE CHIEF COMMISSIONER OF RAILWAYS to THE SECRETARY FOR LANDS AND WORKS.

ROAD BRANCH.

*Department of Internal Communications,**Sydney, 7 September, 1858.*

SIR,

In answer to your letter of the 1st instant, inquiring what progress has been made in the preparation of the plan for the erection of the proposed bridge over the River Murray at Albury, I have the honor to inform you that these papers were first transmitted to me with the plans on the 25th March last, for an opinion as to whether sufficient information had been obtained on the spot to enable a proper plan and specification to be prepared.

On

On the 31st of that month I stated in reply that the information was sufficient, except as regarded the character of the foundations, to ascertain which borings should be taken.

The papers were returned to me on the 12th of June, and on the 22nd of the same month I transmitted to Mr. Haeghe, through the Surveyor General, in compliance with your instructions, directions as to the borings that should be taken.

Reports in reply to those instructions were received in this office on the 25th and 27th ultimo, during my absence inspecting the Great Northern Road.

The borings taken appear to have been the best that could be made with the tools procurable in the immediate neighbourhood, and although not so satisfactory as could be wished, are sufficient to permit it to be assumed that a bed of gravel extends under the river, and for some distance on either side of it, affording good foundations.

The reports and papers in original are transmitted herewith, and as soon as these are returned the plans and specifications for the bridge shall be commenced.

I presume it is the wish of the Government that the bridge should be so constructed as to be capable of being used for Railway traffic when required.

It would be desirable that, while the plans are being prepared, Mr. Haeghe should be authorized to procure boring tools from Melbourne, and to obtain the information required in the previous instructions transmitted to him.

I have, &c.,

B. H. MARTINDALE.

THE HONORABLE THE SECRETARY
FOR LANDS AND WORKS.

No. 49.

THE CHIEF COMMISSIONER OF RAILWAYS to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

*Department of Internal Communications,
14 September 1858.*

SIR,

In reference to my letter of the 7th instant, transmitting to your office the papers and reports relating to the Albury Bridge, I have the honor to request that these may, if convenient, be returned to me, to permit of the plans for the bridge being proceeded with.

I have, &c.,

B. H. MARTINDALE.

THE HONORABLE THE SECRETARY
FOR LANDS AND PUBLIC WORKS.

No. 50.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE CHIEF COMMISSIONER OF RAILWAYS.

*Department of Lands and Public Works,
Sydney, 15 September, 1858.*

SIR,

In returning to you the enclosed papers, which accompanied your letter of the 7th instant, relative to the proposed bridge over the Murray, at Albury, I am directed to inform you that the Secretary for Lands and Public Works approves of your obtaining, without delay, the necessary boring tools from Melbourne, in order that a satisfactory conclusion may be arrived at as to the nature of the foundation to be obtained for the bridge in question.

2. In the meantime, however, I am to request that the preparation of the plans of the proposed bridge (which Mr. Secretary Robertson was some time since informed were in a state of forwardness) may be proceeded with without delay.

3. I am also instructed to inform you, that Mr. Robertson is desirous of having officially on record the memo., which he is under the impression he forwarded to you, with reference to the description of bridge desired, and to request that you will have the goodness to forward the memo., or a copy of it, to this office, for the purpose of being placed with the other papers on the subject.

I have, &c.,

MICHL. FITZPATRICK.

THE CHIEF COMMISSIONER OF RAILWAYS.

BRIDGE OVER RIVER MURRAY AT ALBURY.

25

No. 51.

THE CHIEF COMMISSIONER OF RAILWAYS to THE UNDER SECRETARY FOR LANDS AND
PUBLIC WORKS.

ROAD BRANCH.

*Department of Internal Communications,
Sydney, 21 September, 1858.*

SIR,

In reply to your letter of the 15th instant, on the subject of the Albury Bridge, I have the honor to suggest, that as I have no person to whom I can entrust the carrying out of the necessary borings at Albury, Mr. Haege should be instructed, through the Surveyor General, to procure the boring tools required from Melbourne, and be authorized to engage such persons, and to incur such an expenditure, as may prove necessary to obtain the information sought for.

2. Some misapprehension seems to exist as to the plans of the proposed bridge, which are only now about to be commenced; those alluded to, however, may be the plans and sections of the river.

3. I am not aware of having received any memorandum having reference to the description of bridge desired; if I have done so, the fact must have escaped my memory, and the paper must have been destroyed.

I have, &c.,

THE HONORABLE THE SECRETARY
FOR LANDS AND PUBLIC WORKS.

B. H. MARTINDALE.

No. 52.

THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS to THE SURVEYOR GENERAL.

*Department of Lands and Public Works,
Sydney, 30 September, 1858.*

SIR,

Referring to my letter of the 25th January last, and previous correspondence, I am now directed to request that, as the Chief Commissioner of Railways reports that he has no officer to whom he can entrust the carrying out of the necessary borings at the side of the Albury Bridge, you will have the goodness to instruct Mr. Surveyor Haege to procure the necessary boring tools from Melbourne, and to engage such persons and incur such expenditure as will enable him to arrive at a satisfactory conclusion as to the nature of the foundation to be obtained for the bridge in question.

I have, &c.,

THE SURVEYOR GENERAL.

MICHL. FITZPATRICK.

No. 53.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS AND PUBLIC WORKS.

*Surveyor General's Office,
Sydney, 9 October, 1858.*

SIR,

I have the honor to acknowledge the receipt of your letter of the 30th ultimo, No. 270, and to inform you that, in attention to the instructions thereby conveyed, Mr. Surveyor Haege was, on the 7th instant, directed to procure from Melbourne the necessary boring tools, and to engage such persons and incur such expense as will enable him to arrive at a satisfactory conclusion as to the nature of the foundation to be obtained for bridge at Albury.

I have &c.,

THE UNDER SECRETARY
FOR LANDS AND PUBLIC WORKS.

GEO. BARNEY,
S. G.

1858.

Legislative Assembly.
NEW SOUTH WALES.

COCKFIGHTER'S CREEK BRIDGE.

(DESTRUCTION OF BY FLOODS OF LAST YEAR.)

Ordered by the Legislative Assembly to be Printed, 15 June, 1858.

To the Legislative Assembly of New South Wales.

The humble Petition of the undersigned Inhabitants of Maitland, Singleton,
Wollombi, and Jerry's Plains,—

HUMBLY SHEWETH :—

That at the end of the month of August, in the year one thousand eight hundred and fifty-seven, a portion of the bridge over Cockfighter's Creek, near Jerry's Plains, connecting the main roads from Maitland, Singleton, Wollombi, Jerry's Plains, Cassilis, and Mudgee, with some of the principal of the Western Gold Fields and each other, was broken down by the floods, caused by the heavy rains about that time, and many of the inhabitants of the above-named towns and the surrounding districts have, since the said month of August, been most seriously inconvenienced in their traffic, and injured in their trade in consequence.

That, since the destruction of the said bridge, no loaded drays have been able to cross the said creek at or near the place where the said bridge formerly stood,—the soil at the bed of the creek thereabouts being of a very sandy kind, and loaded drays would sink down axle-tree deep in making the attempt to cross,—and the drivers of the drays have been compelled to unload and carry over their loads in small quantities, in the best way they could, thereby causing a delay whereby both the owners of the goods and the carriers have suffered very serious loss and inconvenience.

That, since the time of the said bridge being destroyed, the drays have been compelled to make a very circuitous route—being at least fifteen miles out of their direct line of journey—having now to cross at a place called Merton.

The traffic over the bridge before it was washed away was very considerable, it being the sole thoroughfare from the towns of Maitland, Goulburn, Gammon Plains, and Cassilis, to the Gold Fields of Mudgee, Tambaroora, Oakley Creek, Louisa Creek, the Turon, and other Diggings.

This road or thoroughfare passes through or near to numerous large squatting runs, farms, and a great many public houses; and all, both squatters, farmers, and publicans, feel the loss and inconvenience of having no crossing-place or bridge at the spot over the said creek where the old bridge formerly stood.

The inhabitants of Jerry's Plains and the surrounding districts suffer very materially both from the inconvenience and delay they now experience in obtaining their goods, as well as the loss they sustain pecuniarily from the traffic now, with few exceptions, taking a road which leaves the township of Jerry's Plains entirely out of the main thoroughfare.

Your Petitioners most humbly pray that your Honorable House will be pleased to take your Petitioners' case into your consideration, and grant such relief unto your Petitioners as your Honorable House may think proper and necessary.

And your Petitioners will ever pray.

[Here follow 127 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

BRIDGES ON THE VARIOUS ROADS OF THE COLONY.

(NUMBER ERECTED AT THE PUBLIC EXPENSE.)

Ordered by the Legislative Assembly to be Printed, 1 September, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 18 May, 1858, That there be laid upon the Table of this House,—

- “ (1.) A Return of the number of Bridges erected at the public
 “ expense on the Main Road to the South, as well as on the
 “ District Roads running into that Main Road, distinguishing,
 “ in each case, the cost thereof; also, a Return of all sums of
 “ money voted but not expended for similar works on such roads.
- “ (2.) Similar Returns in the case of the Main Road to the
 “ North and its District Roads.
- “ (3.) Similar Returns in the case of the Main Road to the
 “ West and its District Roads.”

(*Mr. Piddington.*)

BRIDGES ON THE VARIOUS ROADS OF THE COLONY.

RETURN OF EXPENDITURE UPON BRIDGES, NEW SOUTH WALES.

NAME OF BRIDGE.	AMOUNT OF EXPENDITURE.	AMOUNT VOTED BUT NOT EXPENDED.	REMARKS.
	£ s. d.	£ s. d.	
NORTHERN ROAD.			
Wallis Creek, Maitland.....	1,760 6 3	Erected by Colonial Architect's Depart- ment.
Anvil Creek.....	500 0 0	.....
Black Creek.....	300 0 0	Erected under Super- intendence of Road Surveyors.
Leman's Bridge.....	100 0 0	.....
Appletree Flat.....	70 0 0	.....
Grasstree Hill.....	90 0 0	.....
Muswelbrook.....	500 0 0	.....
Goonoo Goonoo.....	250 0 0	
Long Bridge, West Maitland.....	500 0 0	
Bridge over Paterson River.....	150 0 0	
	3,570 6 3	650 0 0	
SOUTHERN ROAD.			
Goulburn.....	9,632 12 8	Erected by Colonial Architect's Depart- ment.
Yass.....	9,648 6 3	.....
Paddy's River.....	4,179 11 0	.....
Menangle.....	3,406 1 9	.....
Cowpasture, Camden.....	601 0 0	.....
Queanbeyan.....	6,596 7 2	
Deadman's Creek, near Marulan.....	200 0 0	Erected under Super- intendence of Road Surveyors.
Cordeaux's Creek.....	80 0 0	.....
Nattai Creek.....	410 15 6	.....
Burnt Bridge, Urangella Creek.....	262 17 3	.....
Gibraltar Creek, near Fitz Roy Mines.....	311 0 0	.....
Creek near Shelly's Flats.....	72 9 0	.....
Sidwell's Creek, near Goulburn.....	112 11 6	.....
Shelley's Flats Creek.....	144 6 6	.....
Redbank Creek.....	65 1 7	.....
McCormack's Creek.....	354 2 5	.....
Shelley's Flats Creek (backwater).....	54 18 0	.....
Entrance from Yass into Goulburn.....	168 1 1	.....
Township, Goulburn.....	243 7 3	.....
Jerrard's Creek.....	111 9 9	.....
Jones' Creek.....	97 0 0	.....
Bargo.....	5,000 0 0	About to be Erected.
Jugiong Creek.....	.....	4,000 0 0
Gunning.....	.....	4,000 0 0
	36,811 18 8	13,000 0 0	
WESTERN ROAD.			
Bathurst.....	11,074 0 10	Erected by Colonial Architect's Depart- ment.
Carcoar.....	3,533 15 10	.....
Jordan's Creek, Bathurst.....	603 19 7	.....
Fitz Roy Bridge, Windsor.....	805 8 7	
Solitary Creek.....	122 17 5	Erected under Super- intendence of Road Surveyors.
Meadow Flat, near Durack's Inn.....	50 0 0	.....
River Lett Bridge.....	90 0 0	.....
Mt. Victoria, Bathurst Road.....	150 0 0	.....
Furby's Creek, Carcoar.....	364 19 7	.....
Bridge between Bathurst and Carcoar.....	200 0 0	
" Junction Creek.....	250 0 0	
	16,855 1 10	500 0 0	

1858.

Legislative Assembly.

NEW SOUTH WALES.

PYRMONT BRIDGE COMPANY'S WORKS.

(BRIDGE ACROSS BLACKWATTLE SWAMP.)

Ordered by the Legislative Assembly to be Printed, 24 August, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 17 August, 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House :—

- “ (1.) Copies of the plan and general specification of the Embankment and Bridge proposed to be constructed across Blackwattle Swamp by the Pyrmont Bridge Company, as laid before the Executive Council on the 12th May, 1857.
- “ (2.) Copies of Minutes of all Proceedings of the Executive Council connected therewith.”

(*Mr. Forster.*)

PYRMONT BRIDGE COMPANY'S WORKS.

PROCEEDINGS of the Executive Council on the 6th February, 1857, with respect to the extension of the Pyrmont Bridge Company's line of road from Union-street, Pyrmont, to the Glebe Road.

Extract from Minute No. 57-6, dated 2nd February, 1857.

Present:—

HIS EXCELLENCY THE GOVERNOR GENERAL.
THE HONORABLE THE VICE-PRESIDENT OF THE COUNCIL.
THE HONORABLE THE COLONIAL SECRETARY.
THE HONORABLE THE SOLICITOR GENERAL.
THE HONORABLE THE COLONIAL TREASURER.
THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS.

HIS Excellency the Governor General lays before the Council a letter from the Secretary of the Pyrmont Bridge Company, forwarding, in accordance with the 11th section of the Pyrmont Bridge Company's Act of 1855, a copy of the Plan and Book of Reference of the extension of the Company's line of road from Union-street, Pyrmont, across the Ultimo Estate and Blackwattle Swamp Bay to the Glebe Road.

2. The Council advise that this Plan and Book of Reference be referred to the Surveyor General for his report, with the view of ascertaining whether it may be necessary to require any alterations therein.

EDWARD C. MEREWETER,
Clerk of the Council.

PROCEEDINGS of the Executive Council on the 12th May, 1857, with respect to the Pyrmont Bridge Company's Bridge across Blackwattle Swamp.

Extract from Minute No. 58-24. Confirmed 20 May, 1857.

Present:—

HIS EXCELLENCY THE GOVERNOR GENERAL.
THE HONORABLE THE VICE-PRESIDENT OF THE COUNCIL.
THE HONORABLE THE COLONIAL SECRETARY.
THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS.

REFERRING to the Proceedings on the 2nd February last, with respect to the extension of the Pyrmont Bridge Company's line of road from Pyrmont, across the Ultimo Estate, to the Glebe Road, HIS Excellency the Governor General now lays before the Council the Report of the Surveyor General, called for on the above date.

2. With this Report HIS Excellency also lays before the Council a letter from the Engineer of the Company, submitting for approval a section of the road and a plan of the Bridge which it is proposed to erect across Blackwattle Swamp.

3. As it appears by the Report of the Surveyor General that it is not necessary to require any modification of the line as proposed, the Council advise that the plan and book of the said extension, together with the section and plan of the Bridge across Blackwattle Swamp, be approved: provided that the latter be so modified as that a clear way of at least 4 feet at high-water spring tides be preserved below the timbers of the Bridge.

EDWARD C. MEREWETHER,
Clerk of the Council.

GENERAL

GENERAL SPECIFICATION of the Embankment and Bridge proposed to be constructed across Blackwattle Swamp by the Pyrmont Bridge Company.

The Pyrmont Bridge Co.'s line of road will be carried across Blackwattle Swamp on an embankment 30 feet wide on the top and 24 feet deep in the centre, having a timber bridge about the middle of its length, 90 feet long, to admit the free passage of boats, as well as to allow the tide to flow in and out.

The bridge, which will be 30 feet wide between the handrails, will consist of three bays or openings, 30 feet span each. The piles to be of the best ironbark, thoroughly seasoned, free from shakes, knots, pipes, and with not more than $1\frac{1}{2}$ in. on the heads, where they will be 14 in. by 14 in. (not less), 11 in. by 11 in. at foot. Ceppered from 2 feet under high water mark to 1 foot into the mud. Each bay of piles to be firmly braced with cross and diagonal braces secured by patent Muntz metal and wrought iron bolts: scantling of braces to be 12 in. by 6 in. Cross caps to be mortised down on the pile heads, to be of ironbark, dye square, 14 in. by 14 in. by 33 feet long. Corbels to be also of ironbark notched down 2 in. on the caps, to which and to the longitudinal girders they will be secured by wrought iron knees with bolts and nuts.

The girders, 4 to each bay, will consist of a simple bow truss, framed in the manner shown on the accompanying drawing, and secured with proper wrought iron bolts, nuts, and washers.

The deck planking, joists, cross and diagonal braces, will consist of the best Colonial (New South Wales) hardwood; i. e., ironbark, spotted or blue gum.

Generally, the bridge will be of the same substantial and permanent character as that which the Company are now constructing across Darling Harbour.

E. O. MORIARTY,
Engineer.

1858.

Legislative Assembly.

NEW SOUTH WALES.

FERRY AT BUMADERRY POINT, SHOALHAVEN.

(PETITION FOR THE ESTABLISHMENT OF.)

Ordered by the Legislative Assembly to be Printed, 18 June, 1858.

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

The humble Petition of the undersigned Landed Proprietors, Leascholders, Tradesmen, and other Residents in the Police District of Shoalhaven,—

RESPECTFULLY SHEWETH :—

That the aforesaid Police District is divided into two parts by the Shoalhaven River, across which there is a considerable and increasing amount of traffic.

That it is of serious importance to the welfare of the District, and the mutual interests of the public, that a Ferry should be established, under the auspices of Government, for the purpose of permanently promoting and extending the advantage of uninterrupted intercourse and communication between both sides of said river.

That Petitioners most respectfully beg to direct the attention of your Honorable House to Bumaderry Point, as the most eligible site for a public Ferry, being the nearest and best line of communication from Illawarra through the Government township of Nowra to Jervis Bay, Ulladulla, Broulee, Moruya, Twofold Bay, Braidwood, &c.

That, irrespective of Bumaderry Point being the most eligible site for the Ferry, it would have the ulterior object of immediately connecting the Government township of Nowra with Illawarra by means of the new line of road, through the Foxground, to Jamberoo or Kiama, thus avoiding very difficult and dangerous obstacles. The said road would also throw open a great extent of available Crown Land, and confer a great benefit upon all residents and the public in general.

Your Petitioners, therefore, most humbly and earnestly pray that your Honorable House will consider the establishment of a public Ferry connected with the new line of road from Bumaderry Point to Kiama or Jamberoo of serious importance to the rise and welfare of the District, and will be pleased to take such steps as you may consider desirable for carrying out the objects sought for by your Petitioners.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 150 Signatures].

1858.

Legislative Assembly.
NEW SOUTH WALES.

SUPPLY OF WATER TO WOLLONGONG.
(REPORT OF MR. SURVEYOR SHONE.)

Ordered by the Legislative Assembly to be Printed, 20 April, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 9 April, 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House:—

“ The Report of Mr. Shone, Government Surveyor, and any
“ other Report presented to the Government relating to the
“ Supply of Water to Wollongong.”

SCHEDULE.

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5. Colonial Architect's Report to the Colonial Secretary, 23 May, 1855	3
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7. Colonial Secretary to Surveyor General, on same subject, 5 June, 1855	4
8. Mr. Thomas Garrett to the Colonial Secretary, enclosing a Petition from the Inhabitants of Wollongong, praying for a Grant of £2,000, 9 March, 1855	4
9. Colonial Architect's Report thereon, 24 March, 1858	5

SUPPLY OF WATER TO WOLLONGONG-

No. 1.

To His Excellency SIR CHARLES AUGUSTUS FITZ ROY, Knight Companion
of the Royal Hanoverian Guelphic Order, Knight Commander of the
Bath, Governor General of all Her Majesty's Australian Possessions, and
Captain General and Governor in Chief of New South Wales and its
Dependencies.

The respectful Memorial of the undersigned Landholders, Proprietors and Residents of the
Town of Wollongong,—

RESPECTFULLY SHEWETH :—

That the Town of Wollongong is rising rapidly into importance, with an almost daily increasing population.

That it is the favorite resort of the Colonists who seek health and recreation ; but that its usefulness and value are much diminished from the want of a due supply of water.

That it is at present suffering under great privation from continued drought, the inhabitants being obliged to send a distance of between three and four miles for a daily supply ; and the cattle are dying in scores from the same cause.

That a permanent and sufficient supply of this necessary of life might be obtained by an outlay of three thousand pounds, expended under proper engineer's superintendence.

And your Memorialists therefore humbly pray your Excellency to recommend to the Committee of the Legislative Council on Public Works, now sitting, the appropriation of a sum of money to that amount for the above object.

And your Memorialists, as in duty bound, will ever pray.

[Here follow 118 Signatures.]

No. 2.

THE COLONIAL SECRETARY to H. G. DOUGLASS, ESQ.

Colonial Secretary's Office,

Sydney, 8 November, 1854.

SIR,

With reference to the Memorial presented by you to the Governor General from certain landholders, proprietors and residents of the Town of Wollongong, praying that a sum of £3,000 may be appropriated for providing a permanent and sufficient supply of water to that town, I am directed to acquaint you, for the information of the Memorialists, that His Excellency regrets that it is too late to make any addition to the Estimates for the present Session, but their request will receive due consideration when the Estimates for next Session are in course of preparation.

I have, &c.,

H. G. DOUGLASS, ESQ., M.L.C.,
Sydney.

W. ELYARD.

No. 3.

THE COLONIAL SECRETARY to THE ACTING AUDITOR GENERAL.

Colonial Secretary's Office,

Sydney, 8 November, 1854.

SIR,

I have the honor to inform you that an application has been made by certain landholders, proprietors, and residents of the Town of Wollongong for a sum of three thousand pounds, to be appropriated for the purpose of providing a permanent and sufficient supply of water to that town ; and I am directed by His Excellency the Governor General to request that the matter may receive due consideration when the Estimates for next Session of the Legislative Council are in course of preparation.

I have, &c.,

THE ACTING AUDITOR GENERAL.

W. ELYARD.

No.

SUPPLY OF WATER TO WOLLONGONG.

3

No. 4.

THE SURVEYOR GENERAL to THE COLONIAL SECRETARY.

*Surveyor General's Office,**Sydney, 17 April, 1855.*

SIR,

The increasing wants of the Town of Wollongong rendering the supply of water a subject of much importance to the inhabitants, I have been induced, by applications made on the subject, to instruct Mr. Assistant Surveyor Shone to examine the environs under Mount Keera, and to select from amongst the gullies on its northern or eastern slopes one best suited to form, by means of damming up the water, a reservoir from whence a supply might be conducted in a pipe or pipes to Wollongong.

2. Mr Shone has now transmitted to me his preliminary survey, plan, and report on the subject, which I have the honor to submit for the consideration of His Excellency the Governor General.

I have, &c,

THE HONORABLE
THE COLONIAL SECRETARY.

T. L. MITCHELL.

[Enclosure in No. 4.]

*Camp, near Wollongong,
11 April, 1855.*

SIR,

With reference to your letter of the 13th December last, wherein I am instructed to examine the features of the country in the neighbourhood of Mount Keera, and report, for the information of the Government, the most desirable and economical source from whence a supply of pure water may be obtained for the Town of Wollongong,—I do myself the honor to submit for consideration the accompanying preliminary survey and plan, shewing the situation recommended for affording such supply.

2. After a close examination of the creeks, gullies, and features on the north side of Mount Keera, I found that the more elevated situations on the range were less likely to afford a permanent supply of water than some intermediate point situate between the sea and the summit of the mountain. The reason of this being the porous nature of the ground, the water filtrating through the soil, and again making its appearance in the lower lands, and this, I may remark, appears to me to be the characteristic feature of most of the creeks on the Illawarra side of the mountain range.

3. In the plan now transmitted it will be seen that there are two situations recommended for the construction of dams, marked (A) and (E);—the situation (A) being the most desirable; the banks of the creek at this point are high, the water of good quality, and by the construction of a dam of the requisite dimensions, an adequate supply can always be obtained. The water can be conveyed in pipes to a reservoir marked (B) at the prolongation of Smith-street, on the land at present in the possession of Mr. Wilshire; and should the level of the dam be found sufficient to convey the water over the elevation marked (F), I would recommend the construction of a fountain in the market-place, marked (C), which would be a convenient situation for the inhabitants residing at the eastern extremity of the town. The situation (E) is also a very good one for the formation of a dam, to retain the surface water; but I fear that the nature of the soil is such, being strongly impregnated with alumy and metallic substances, that it might affect the quality of the water.

4. In addition to the recommendations contained in the foregoing paragraph, it would be desirable that the lagoon marked (D) be properly cleaned out, and substantially fenced in, to prevent cattle disturbing the water,—in fact, if this had been done some time since, the inhabitants of the town would not have experienced that great want of water which they endured during the late dry season.

5. There are no doubt many other situations from whence the town may be supplied, such as the Fig-tree, American Creek, &c., but the expense of conveying the water would be much greater than there is any necessity for, and on this account I recommend the situation (A) in preference to any other I am acquainted with.

I have, &c.,

SIR T. L. MITCHELL,
Surveyor General.

WM. SHONE.

[The foregoing papers referred for the report of the Colonial Architect.]

No. 5.

COLONIAL ARCHITECT'S REPLY.

Being unacquainted with the locality, it is quite impossible for me, in the absence of sections and further information, to offer an opinion on the proposition referred to by the Surveyor General. Should, however, His Excellency wish me to inquire further into the matter, I shall probably have occasion to visit the neighbourhood of Wollongong shortly on other business, when I could obtain some further information on the subject.

WM. WEAVER,
Colonial Architect.

23 May, 1855.

No.

No. 6.

THE COLONIAL SECRETARY to THE COLONIAL ARCHITECT.

*Colonial Secretary's Office,**Sydney, 5 June, 1855.*

SIR,

With reference to your blank cover report of the 23rd ultimo, on a letter from the Surveyor General respecting the supply of water to the Town of Wollongong, I am directed by the Governor General to inform you that His Excellency approves of the matter being allowed to wait your further report after your proposed visit to that neighbourhood.

I have, &c.,

THE COLONIAL ARCHITECT.

W. ELYARD.

No. 7.

THE COLONIAL SECRETARY to THE SURVEYOR GENERAL.

*Colonial Secretary's Office,**Sydney, 5 June, 1855.*

SIR,

With reference to your letter of the 17th April last, No. 289, relative to the supply of water to the Town of Wollongong, I am directed by His Excellency the Governor General to inform you, that the matter must await the report of the Colonial Architect, who will shortly visit that neighbourhood.

I have, &c.,

W. ELYARD,

THE SURVEYOR GENERAL.

(For the Colonial Secretary.)

No. 8.

MR. THOMAS GARRETT to THE COLONIAL SECRETARY.

Wollongong, 9 March, 1858.

SIR,

I have the honor to request that you will be pleased to lay the accompanying Petition of the Residents of Wollongong and its vicinity before His Excellency the Governor and the Honorable the Executive Council. On behalf of the Petitioners,

I have, &c.,

THOMAS GARRETT,

THE HONORABLE

Hon. Secretary.

CHARLES COWPER, ESQ.,

Colonial Secretary.

[Enclosure in No. 8.]

To His Excellency SIR WILLIAM THOMAS DENISON, Knight, Governor General in and over all Her Majesty's Colonies of New South Wales, Van Diemen's Land, Victoria, South Australia, and Western Australia, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same;

and

To the Honorable the Executive Council in and for the Colony of New South Wales.

The humble Petition of the undersigned Landowners, Householders, and Residents in and of the Town of Wollongong and its vicinity,—

SHEWETH :—

That the Town of Wollongong, in the County of Camden, on the coast, in the Illawarra District, and sixty-four miles from Sydney, comprising within its bounds a population of at least six hundred souls,—is unrivalled in the beauty of its scenery and the salubrity of its climate; whilst its distance from the metropolis renders it the resort of valetudinarians, and of those seeking relaxation and pleasure from Sydney, and other parts of the Colony.

The trade of Wollongong is every day increasing and becoming more important, and the Town itself is daily being improved and built on; and from these causes, as well as from the operations carried on by reason of its newly discovered and worked Coal Mines, the population is greatly on the increase.

There

There is, however, one drawback, and a most deplorable one it is, to this fair picture, namely, that the only water attainable within a distance of three or four miles from the Town, fit for domestic purposes, save rain water, is that procured from a lagoon in the Town, the lagoon itself not being extensive, whilst into it are driven, at all hours of the day, and especially in the time of drought, (it being the only accessible water), cattle of every description, which "lave their limbs and slake their thirst therein." The consequence is, that the water, precarious and inadequate in its supply, becomes so impure as to engender disease, affecting thereby the health and lives of those who are constrained to use it. The wealthier classes, it is true, can procure good water, but at an immense cost; and shipping are supplied with water from a distance, entailing a carriage cost of not less than twenty shillings a ton.

Your Memorialists beg respectfully to state that, from the insufficiency and bad quality of the water procurable in the Town, visitors become alarmed, and seek some other resort, and the commerce and advancement of the district are greatly retarded, and hence the urgency of the case is imperative.

That your Memorialists have reason to believe it was contemplated by the late Surveyor General, Sir Thomas L. Mitchell, when the Town of Wollongong was first laid out, that it could be well and abundantly supplied with water from one of the numerous creeks meandering down the north side of Mount Keera, and that, in consequence of the Surveyor General's letter, dated from his office on the 13th December, 1854, addressed to Mr. Shone, the District Surveyor, (that gentleman, who is believed to be in every way qualified to judge in the matter,) recommended in his report, or reply to the Surveyor General, and dated "Camp, near Wollongong, 11th April, 1855," a plan for supplying the Town permanently with pure water; and your Memorialists beg respectfully to state, that Mr. Shone's plan for the purpose is generally understood to be perfectly feasible, and comparatively an inexpensive one; the cost of carrying his plan into effect being calculated at about two thousand pounds.

That the late Sir Thomas Mitchell, in his official letter to Mr. Shone, above referred to, says, "This is (the supply of water) of such vital importance to the prosperity of the Town, that I should never have planned a town in that situation had I not felt confident that, under such an elevation as Mount Keera, it would always be possible to select from among the gullies on its northern side the one best suited to form, by means of damming up the water, a reservoir from whence a supply may be conducted in a pipe or pipes to Wollongong."

That your Memorialists, under the circumstances narrated, venture to hope your Excellency and the Honorable the Executive Council may be induced to confer upon your Memorialists the great blessing of pure water, so much and for so many reasons required by the inhabitants of Wollongong and its vicinity; and your Memorialists would beg leave most respectfully to remind your Excellency and the Honorable the Executive Council, that grants from the public funds have been conceded by the Government for the supply of water to the City of Sydney, and to the Towns of Parramatta and Campbelltown, and elsewhere in the Colony.

Wherefore your Memorialists earnestly and respectfully entreat that your Excellency and the Honorable the Executive Council may be pleased to grant a favorable consideration of this Memorial, and to take into consideration the great want of pure water, felt universally by residents in and visitors to Wollongong.

And that your Excellency and the Honorable the Executive Council may be pleased to authorise a sum of two thousand pounds being placed upon the Estimates for the ensuing year, with a view to carrying out the plan recommended by Mr. Shone, or such other plan as to Her Majesty's Government may seem expedient, for procuring an adequate supply of pure water for the use of the Inhabitants of Wollongong and its vicinity.

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

[Here follow 292 Signatures.]

[The foregoing papers transmitted to the Secretary for Lands and Public Works, and by him referred for the Report of the Colonial Architect, 22 March, 1858.]

No. 9.

COLONIAL ARCHITECT'S REPORT.

I have seen the locality referred to, but it is impossible to give a definite idea of the expense of carrying out the proposition without making extensive detail surveys and estimates, and these I have not hitherto been a position to procure.

The papers referred to are returned herewith.

A. D.

24 March, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

SUPPLY OF WATER TO WOLLONGONG.

(E. O. MORIARTY'S REPORT UPON.)

Ordered by the Legislative Assembly to be Printed, 25 June, 1858.

E. O. MORIARTY, ESQ., to THE UNDER-SECRETARY FOR LANDS AND PUBLIC WORKS.

33, Hunter-street,

19 June, 1858.

SIR,

I beg to state, for the information of the Honorable the Secretary for Lands and Public Works, that, in accordance with your verbal instructions, I visited Wollongong, with a view to making such surveys and examinations as might be necessary, in order to determine the best source from which to draw a supply of water for the inhabitants.

Having been furnished with the Plan and very able Report of Mr. Assistant Surveyor Shone to the late Sir Thomas L. Mitchell on this subject, wherein two localities are suggested as suitable for the formation of reservoirs—one on the creek adjoining the Dapto Road, marked E on plan, the other on Para Creek, marked A, and the latter of which Mr. Shone thinks preferable on many accounts,—I am happy to be enabled to state, that after a careful examination of both these and many other sources from which water might be taken, I quite agree with Mr. Shone in thinking that Para Creek is the best. The water of the creek, marked E, is sensibly impregnated with salt, alum, and other mineral substances, so much so as to be, in my opinion, quite unfit for human use.

The water of the Para Creek at Mend's, on the contrary, is of very fair quality. The bed of the creek is of rock, and the water-holes, though small, permanent. A little lower down the creek, where it receives the drainage of some branch creeks, the water is said to be brackish in dry seasons, but at Mend's it is stated to be always pure. The area of the basin draining into this creek, and its proximity to the lofty Mount Keera, are sufficient to ensure an adequate supply of water in all ordinary seasons; and if proper means be adopted for catching and storing it, there is no danger, in my opinion, of the inhabitants of Wollongong ever being short of this necessary element, even in the driest seasons. The works, therefore, which will be necessary for supplying the inhabitants with water must be classed under these different heads:—

- 1st—The works which are necessary for catching the surface water, by means of a dam or dams across the creek, at some convenient place or places.
- 2nd—The conveyance of the water, by means of piping, from the reservoir so formed into the town.
- 3rd—The formation of a storage reservoir or reservoirs, in some convenient spot in the neighbourhood of the town.

It is not possible to combine at Wollongong the first and third of these operations, as was done at Parramatta, in consequence of the rapid rise of the bed of the creek from Mend's upwards, and the lowness of its banks, rendering it impossible to construct a reservoir sufficiently large for storage purposes at any reasonable cost. Below Mend's the bed of the creek and its banks are not sufficiently retentive, and the water is bad. At this place, therefore, I should only construct a dam sufficiently large to ensure the feeding of the "main pipe." The storing of the water which may fall in ordinary seasons, and holding it in sufficient quantity to meet a deficiency during dry seasons, must be a distinct operation.

The works which I have now, therefore, the honor to propose for the consideration of the Honorable the Secretary for Lands and Public Works, are as follows:—

1st.—The construction of a stone dam of about 12 feet in height, across the creek at Mend's, so as to form a small reservoir from which to supply a six-inch pipe.

The bed of the creek at this point being of rock, and the water-holes permanent, there are, I think, sufficient grounds for believing that the dam might easily be made water-tight. The cost of this dam would be about £272.

2nd. The laying down of a six-inch cast iron pipe, to convey the water from the catching to the storing reservoir, the fall being considerable—81·90 feet.

I consider a six-inch pipe would be quite sufficient for this purpose for the present, and for many years to come. It is not, I believe, in contemplation, nor indeed do I think it necessary, to expend on these works so large a sum of money as would be necessary for a house service,—the object now being chiefly to ensure the inhabitants against a recurrence of those straits to which they have sometimes been put for want of water during droughts.

3rd.—The formation of a storage reservoir, in some convenient locality in or close to the town.

After a careful examination of several sites, I could see no spot so well adapted to the purpose as the lagoon from which the town is now supplied, and which is at present in fact nothing better than a stagnant pond, receiving all the drainage and sewerage of the lower part of the town. I would propose, in forming the reservoir here, to surround it with an earthen dam of about six feet in height. The ground is, I am informed, a Government reserve. The soil is a strong retentive clay, so that a dam of the height and dimensions I have shewn might be constructed from side cutting at a very moderate cost, and it would effectually exclude the drainage from the town, which would be intercepted and led off by the outer ditch and a small drain.

The water might be partially or entirely turned off from the storage reservoir during the daytime, so as to keep the street service pipes charged, but during the night it might be allowed to run into the reservoir, to supply the waste from evaporation and leakage, while a waste water-pipe, discharging from the other extremity of the reservoir, would maintain a gradual but steady change in the water it contained, and so, to some extent, check the growth of animal and vegetable impurities.

In selecting the water of Para Creek, I have been guided as well by Mr. Shone's Report as that of others from whom I have sought information. I have, however, brought up specimens of the water from this and the other creeks and ponds, which Professor Smith has kindly promised to analyse. On receipt of his analysis and report, I shall do myself the honor of forwarding them to the Honorable Secretary.

I forward herewith a general plan of the works which, in my opinion, will be necessary, with the estimated cost thereof, amounting to about four thousand nine hundred £4,956 5s. 4d. and fifty-six pounds five shillings and four-pence.

There is, of course, no very urgent reason why the exact extent of reservoir that I have proposed should be arbitrarily adhered to. This might be modified to any extent which may be thought desirable; but, as the capacity of the reservoir increases nearly as the square of the cost, it is, of course, desirable to get the greatest cubic content that can be obtained for a reasonable outlay. The reservoir I have sketched could contain about two and a-half years' supply for the present population, numbering 864 persons, and allowing 30 gallons for each person per diem.

I do not think this is too much, when it is considered that, in a young country such as this, we should look to the probable future rather than to present requirements; and Wollongong possesses natural advantages in the extent and value of its adjacent coal fields and agricultural lands, equalled by few other towns in this Colony with which I am acquainted, and which must lead to its rapid advancement in wealth, population, and importance.

I have, &c.,

THE UNDER-SECRETARY

E. O. MORIARTY.

FOR LANDS AND PUBLIC WORKS.

WOLLONGONG

SUPPLY OF WATER TO WOLLONGONG.

3

WOLLONGONG WATERWORKS.

To earthwork in dam at reservoir, 5,236 cubic yards, at 2s. 6d. ...	...	654	10	0
Clay puddle do, 1,496 yards, at 4s. ...	...	299	4	0
Turfing outer face of dam, 2,244 square yards, at 6d. ...	...	56	2	0
3,388 yards lineal of cast-iron 6-inch main pipe—124 tons 4 cwt., at £18 per ton ...	...	2,235	12	0
4 tons 14 cwt. 2 qrs. 3-inch main pipe, (448 yards) at £18 per ton...	...	85	1	0
4 " 14 " 2 " (") " (to supply shipping in harbour) ...	...	85	1	0
Laying 6-inch main, 3,388 yards, at 3s. per yard ...	...	508	4	0
" 3-inch " 836 " 2s. 6d. per yard ...	...	104	10	0
Water-cocks, plugs, hydrants, &c. ...	...	200	0	0
Masonry in dam wall at Mend's, 104 perches set in cement, at £2 10s. ...	...	252	10	0
56 cubic yards clay puddle to dam, at 4s. ...	...	11	5	0
55 square yards pitching back of dam-wall, at 5s. ...	...	18	15	0
		4,505	14	0
Contingencies, &c....	...	450	11	4
		£4,956	5	4

1858.

Legislative Assembly.

NEW SOUTH WALES.

SLAUGHTER HOUSES IN SYDNEY AND ABATTOIRS ON GLEBE ISLAND.

(PETITION FROM INHABITANTS OF SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 9 April, 1858.

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

The Petition of the undersigned Inhabitants of the City of Sydney and its Environs,—

HUMBLY SHewETH:—

That your Petitioners desire respectfully to represent to your Honorable House, that the Slaughter Houses at present established in this City are attended with many and great objections, and that the hurtful and noxious effluvia arising therefrom in several localities is highly prejudicial to the health of the citizens.

That your Petitioners beg to observe, that the great delay already experienced in completing the Abattoirs on Glebe Island has been fraught with serious injury to the entire population of the City of Sydney and Suburbs, and still continues to be so.

That, in a pecuniary as well as a sanitary point of view, the present system of private Slaughter Houses is most objectionable; as the whole community will continue to be charged a higher price for animal food than they would otherwise be.

That the lately erected Abattoirs on Glebe Island—from their isolated position, and yet close and unobjectionable contiguity to the City, (being in distance less than a mile and a half from the George-street Markets.)—are very admirably situated for their intended purpose; and that having been constructed in a most excellent manner, and a good cattle road having been formed and fenced from the Parramatta Road, over a causeway to the island, made at considerable expense, your Petitioners beg to observe, that the completion of these buildings for use (which, from their nature, it is impossible to convert advantageously to other purposes,) would be attended with many sanitary and pecuniary advantages to the citizens generally.

That as the large expenditure of the public money for the erection of the Abattoirs, the causeway, and the cattle road, has cost the Colony about £34,000, and as only a very small comparative outlay is now necessary to complete the buildings and make them available for great and permanent good,—and as, also, the slaughtering superintendence (so desirable to be particularly attended to) could then be concentrated,—your Petitioners humbly trust that an early decision to this effect will be made by your Honorable House; as the Pyrmont Bridge Company are ready to erect a bridge without delay, which will give the necessary substantial access to the island, by a short road from Ballast Point, on Pyrmont.

Your Petitioners, therefore, being certain of the following facts, namely,—that the present Slaughter Houses in Sydney are a nuisance of great magnitude; that the non-completion of the Glebe Island Abattoirs is deplored by the community generally; that such non-completion has already entailed upon the inhabitants a great and unnecessary loss, notwithstanding the large outlay of public money; and your Petitioners feeling at the same time assured, that the compliance of your Honorable House with this their prayer will most certainly be attended with incalculable good to the public;—humbly pray that your Honorable House will be pleased to take the entire subject into your careful consideration, and afford your Petitioners and the community generally such relief as the reason and justice of the case demands.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 1,918 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

ABATTOIRS AT GLEBE ISLAND.

(BUTCHERS OF SYDNEY AND ITS ENVIRONS.)

Ordered by the Legislative Assembly to be Printed, 26 May, 1858.

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

The Petition of the undersigned Butchers of Sydney and its environs,—

HUMBLY SHEWETH:—

That your Petitioners are extremely surprised that no steps have been taken to carry out the Petition presented to your Honorable House on the 13th day of January, 1857.

That your Petitions have been looking forward from that time to the present with considerable anxiety for the completion of the Abattoirs on Glebe Island, by which your Petitioners would be enabled to select their cattle before killing, thus ensuring to the consumer a better article, at a less cost.

That as the Pyrmont Bridge Company are about erecting a bridge from Pyrmont to the Glebe Island, which will bring the Abattoirs within a distance of one mile and a half from the George-street Markets, thus affording to all concerned, such facilities as cannot be had elsewhere,—

Your Petitioners humbly pray that your Honorable House will not (as the buildings can be finished at a very small outlay of money) object now to the completion of the Glebe Island Abattoirs, when their establishment will most certainly be attended with incalculable public benefit.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 73 Signatures.]

31 April, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

BUILDINGS OCCUPIED AS GOVERNMENT OFFICES IN SYDNEY.
(RETURN OF PROBABLE VALUE.)

Ordered by the Legislative Assembly to be Printed, 8 June, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 21 May, 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House,—

“ A Return shewing the number of Buildings occupied in the
“ City of Sydney as Government Offices, the annual amount of
“ Rent paid in each case where rented, and the probable
“ Annual Value of all Buildings so occupied, the same being
“ the property of the Government.”

BUILDINGS OCCUPIED AS GOVERNMENT OFFICES IN SYDNEY.

RETURN of Buildings, the property of the Government, in the City of Sydney, occupied as Government Offices, and their probable Annual Value.

BUILDING.	PROBABLE ANNUAL VALUE.	REMARKS.
	£ s. d.	
Colonial Secretary's Office	600 0 0	
Surveyor General's Office	600 0 0	
Colonial Treasury	450 0 0	
Auditor General's Office	350 0 0	
Custom House and Offices	800 0 0	
Port Office and Office of Pilot Board	200 0 0	{ Part of Custom House Buildings, comprising 2 rooms.
Civil Engineer's Office, Circular Quay	100 0 0	
Shipping Master's Office	200 0 0	{ Consisting of 4 rooms in New Water Police Office.
Colonial Storekeeper's Office	150 0 0	
Commissariat Office, George-street	300 0 0	
Brigade Office, Bent-street	300 0 0	
Government Printing and Stamp Office, } Phillip-street	100 0 0	Exclusive of the working apartments.
Signal Station, Fort Phillip	20 0 0	One room used for Telegraph purposes.
Observatory, Fort Phillip	50 0 0	One room used as an Office.
Crown Law Offices, Macquarie-street, viz.:—		
Attorney General's Office		
Solicitor General's Office		
Civil Crown Solicitor's Office	200 0 0	
Criminal Crown Solicitor's Office		
Crown Prosecutor's Office		
Clerk of Peace Office		
Immigration Offices	250 0 0	Exclusive of Immigrants' apartments, &c.
Court of Requests	150 0 0	
Chief Inspector of Distilleries, and Agent } for Church and School Estates	50 0 0	{ These Offices are in the premises formerly used as a Printing Office, Hyde Park.
Vaccine Office	75 0 0	
City Coroner's Office	50 0 0	
Chairman of Quarter Sessions' Office	50 0 0	
Mint Offices	400 0 0	{ Exclusive of working part of Establishment.
Colonial Architect's Office	200 0 0	
General Post Office	1,000 0 0	
Supreme Court Offices, viz.:—		
Sheriff's Office		
Prothonotary's Office	300 0 0	Exclusive of Court Rooms, &c.
Master in Equity		
Insolvency Office		
Office of Inspector of Weights and Measures, George-street	50 0 0	

This Return does not include Government House, the Legislative Buildings, nor the Buildings appropriated to Judicial and Police purposes. The Government Offices, or portions of Buildings used as Offices only, are enumerated and valued.

ALEXR. DAWSON,
Colonial Architect.

RETURN of Buildings in the City of Sydney rented by the Government as Public Offices, and the Annual Rent paid for the same.

BUILDING.	ANNUAL RENT.	REMARKS.
	£ s. d.	
Lands and Works' Office, O'Connell-street ..	400 0 0	
Registrar General's Office, Castlereagh-street	400 0 0	
Office of Inspector General of Police, } Elizabeth-street	250 0 0	
Railway Office, Phillip-street	650 0 0	
Late Railway Office, Phillip-street	400 0 0	{ Held under Lease by Railway Commissioners, but vacated, and intended to be re-let.

ALEXR. DAWSON,
Colonial Architect.

1858.

Legislative Assembly.

NEW SOUTH WALES.

FITZROY DOCK, COCKATOO.

(REPORT OF CIVIL ENGINEER.)

Ordered by the Legislative Assembly to be Printed, 19 November, 1858.

G. K. MANN, ESQ., to THE SECRETARY FOR LANDS AND PUBLIC WORKS.

*Civil Engineer's Office,
Sydney, 26 October, 1858.*

SIR,

I have the honor to acknowledge the receipt of your B. C. communication of the 14th instant, forwarding a letter from the Superintendent of the Royal Mail Steam Packet Co., herewith returned, requesting further information relative to the capabilities of the Fitz Roy Dock; and in reply transmit a general report of that work, and of the additions now being made thereto. 13 October.

2. In my letter of the 1st I informed you that a vessel of 300 feet keel, 330 feet over all, with 19 feet draft of water and 59 feet beam, could at present be readily docked thereat, and I now remark, that as the upper works of the class of ship indicated would stand well above the general level, it is presumed that the dimensions "over all" practically exceeds 330 feet; but in the absence of actual measurement of the largest class of mail steamers visiting this port, I have confined my statements to figures somewhat within the capabilities of the Dock itself.

3. Enclosed is a plan and section of the works indicating the finished portion and that in progress.

4. About 75,000 cube feet of surface excavation has, up to the present time, been effected of the elongation; but I have not hitherto been able to keep a gang of prisoners permanently employed thereon without interruption to other pressing work, on account of the decrease in the numerical strength and the generally inferior description of the prison labor of late placed at my disposal.

5. Judging, as far as I am now able, I anticipate that the excavation will have sufficiently progressed in the next six months to admit a vessel of 360 to 370 feet over all, and in the next nine or ten months to the full extent; but the entire completion of all the masonry of the invert altars, &c., will not, I fear, be out of hand for the next two years, unless there is an augmentation to the labor. I would, however, remark, that as the excavation proceeds the Dock, if requisite, can at any time be made available to the full extent thereof, the only probable obstacle being a temporary suspension of the operations at the head of it.

6. Recent soundings give an average depth through the entrance to the Dock of 21 feet 9 inches, with 20 feet water on the sill of the caisson; but the bottom requires to be carefully levelled off; and I deem it essential, with the view of ensuring the permanency of this channel, and to guard against the silting up of the entrance (of which, however, I am happy to say I have not as yet observed any tendency), and to prevent a flow of mud into

the Dock, that the depth of water here should be fully 22 feet, increasing towards the harbour with 20 feet water on the sill, and I am pressing on the submarine operations with the view of attaining this depth; it may also be advisable ultimately to remove a few thousand tons of silt from before the entrance to this channel with the steam dredge, now that she can lift from a sufficient depth.

7. I take this opportunity of bringing under your notice the efficiency and willingness with which the prisoners employed as divers have generally performed their work; these men have, in every instance, been instructed on the island, under my orders, and extensively employed both in the bell and with the diving dress. I shall be glad if, on the completion of these arduous operations, any indulgence could be awarded to such of them as I may then be enabled to report favorably of.

8. The machinery ordered from England, of which the following is a list, has all been received; it was landed on the works without accident and in good order; a large portion of it is now permanently erected in the workshops, and this could in case of emergency be made available, by employment of free labor, in ten days or a fortnight, viz.:—

1. A planing machine, by "Fairbairns," capable of working 9 feet by 9 feet and 20 feet long.
2. A planing machine, by "Fairbairns," equal to work 4 feet by 4 feet and 10 feet long.
3. A 5-foot centre self-acting lathe, by "Whitworth."
4. A 12-inch self-acting lathe, by "Whitworth."
5. A foot lathe.
6. A slotting machine, self-acting, equal to work 8 feet in diameter, transverse slide and rotatory table.
7. A boring bar and heads for cylinders from 5 to 8 feet in diameter.
8. A drilling machine to admit work 8 feet diameter, and bore up to 12 inches and 24 inches lead.
9. A 20-ton overhead travelling crane, fixed to traverse the entire length of the workshop.
10. A 25-ton jib crane.
11. A 40-cwt. steam hammer, by "Nasmyth."
12. A 5-cwt. steam hammer, by "Nasmyth."
13. A punching and shearing machine.
14. A rivetting press.
15. A 10-ton weigh-bridge, also tools, vices, stocks, taps, and dies, by "Whitworth."

9. The main shafting for the machine shop has been constructed in the Colony, and is now permanently fixed to be driven by the present engine the length of the workshop.

10. With this "plant" elaborate work could be undertaken and repairs readily effected to first class heavy steam machinery; but it probably will be advisable at a future period to obtain, in addition, from England, an intermediate self-acting lathe, a screw cutting, a shaping machine, and other implements for economising labor, and it will also eventually be requisite to establish a brass and iron foundry in connexion with the works; but I do not consider it essential to recommend any provision for the foregoing at present.

11. The Dock is pumped by means of two double action 19-inch pumps worked by the 20-horse condensing engines, but additional pumping power is now desirable, and will become indispensable on the enlargement of the Dock. Provision for the construction on the works of four 22-inch single action pumps, to be adapted to the present engine power, has been included in the estimates for this department for the ensuing year, and detailed drawings of the proposed alterations will be submitted.

12. The Dock could be at once made available for shipping to the extent indicated in the 2nd paragraph of this Report, and I think by judicious management (for some time to come) without interruption to the discipline of the penal establishment of the island; although ultimately, I am of opinion, it will be found impracticable or inadvisable to maintain a penal establishment of the present character adjacent to that of a dock-yard, but other arrangements might then be made to employ prisoners on these works with advantage to the public service.

13. The lengthening of the Dock interferes with the present road between the wharf and the barracks, &c., and also, with a water tank and filtering bed for general supply.

14. I find that both a shorter and easier ascent can be readily obtained, and with little labor, on the northern side of the island; and this arrangement would have the advantage of diverting the thoroughfare from the vicinity of the Dock. I therefore propose that a road be at once constructed in that direction.

15. Another reservoir, with filtering arrangements, can be better constructed at a higher level and clear of the works; an amount for this service has been voted in the estimates for the current year, and the plan and sections of the tank will form the subject of a distinct letter.

16. I beg leave to refer you to my letter of the 6th January last, reporting on, and suggesting the expediency of admitting Her Majesty's ships free of dues, both to the Dock and workshops, and on the mode and cost of working the establishment.

17. It would, I fear, be found incompatible with the discipline requisite for the present penal establishment, and inconvenient for the efficient prosecution of the works in progress at present, to lease the Dock for a term of years. I therefore submit for consideration, with the view of bringing this important work into operation, the expediency, in the first instance, of allowing the public the use of it, and the machinery, on payment of certain moderate dues, of an amount to be specially agreed upon; and I think the Government would have applications when it became generally known that vessels could be docked on such terms.

18. It is not, however, easy to name an amount that should be charged in this instance. In private establishments a graving dock is often maintained at considerable expense, and no charge made for the use of it, remuneration being derived from the business it attracts—a source of income not open to a Government establishment; and I do not think the rates of 1s. per ton per diem, and 2s. on the days of entry and exit, are strictly adhered to in this harbour; nor would it be judicious, unless the demand for the use of the Dock warranted such a measure, to adopt the scale calculated in my letter of the 6th, based upon a money value of the works.

19. It is important that I should advert to the description and amount of labor at present available for the works; and I trust that, if practicable, a transfer from some other of the penal establishments of the Colony of *able-bodied* men may be authorised, there being a large amount of building required to be done. The wharfs will have to be completed on the lines shewn in the drawing, and it will be requisite to extend the excavation of the surface rock on the northern side of the Dock, besides which it must be anticipated that other operations will from time to time be found essential on so extensive and new a work as the Fitz Roy Dry Dock.

20. Having during the absence of my principal foreman, on medical certificate, been obliged to attend personally to the detail of erection of the machinery, which is all being effected by prison labor, I regret that I have not been able to reply to your communication of the 14th, marked urgent, at an earlier date.

I have, &c.,

GOTHER K. MANN.

THE HONORABLE

THE SECRETARY FOR

LANDS AND PUBLIC WORKS.

1858.

Legislative Assembly.

NEW SOUTH WALES.

HYDE PARK IMPROVEMENT COMMITTEE.

(RETURNS RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 25 November, 1858.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 19 October, 1858, That there be laid upon the Table of this House,—

“ A Return of the Names of the present Members of the
 “ Hyde Park Improvement Committee, and of the Number
 “ of Attendances of each Member at the Meetings of the
 “ Committee, from the 1st October, 1854, to the date of the
 “ Return. Also, a detailed account of the Moneys expended
 “ by the Committee for the same period.”

(Mr. Forster.)

ATTENDANCES of COMMITTEE and SUB-COMMITTEE.

NAMES.	*1854.	1855.	1856.	1857.	1858.	REMARKS.
Edmund T. Blacket, Esq.	1	3	2	* In this year Messrs. Egan, M'Levie, Moore, and Weaver, were appointed a Sub-Committee, to meet weekly for the transaction of ordinary business. This Sub-Committee sat in 1854, 1855, and the beginning of 1856.
Daniel Egan, Esq., M.P.	6	20	5	1	1	
Gilbert Elliott, Esq.	2	5	19	12	7	
Arthur T. Holroyd, Esq.	1	10	8	8	9	
John M'Levie, Esq.	5	24	1	15	12	
The Honble. James Martin, Esq., M.P..	1	3	The General Meetings of the Committee are held on the first Monday in every month.
The Right Worshipful the Mayor.....	..	..	..	1	6
Charles Moore, Esq.	6	26	16	17	11	
John Rae, Esq.	3	18	18	8	..	
William Weaver, Esq... ..	5	30	10	5	6	

HYDE PARK IMPROVEMENT COMMITTEE.

HYDE PARK PETTY CASH ACCOUNT, from the 1st of October, 1854, to the 22nd of November, 1858.

Dr.

Cr.

Dr.		Cr.	
1854.		1854.	
Balance on the 1st of October	46 14 0	Labor Account—Wages to men from 21st October to 18th November	36 4 0
Cash received from Mr. Peisley for three months' Rent of the five Hyde Park Paddocks east of College-street, ending 30th of November	25 0 0	Tools	0 9 4
		Shepherd—Plants	4 5 0
		Advertising and Printing Account	2 7 7
		Secretary's Salary for the half-year end- ing 31st December	10 0 0
		Account Books, Postage Stamps, and Stationery	0 18 4
		Balance on the 31st of December	17 9 9
	£ 71 14 0		£ 71 14 0
1855.		1855.	
Balance on the 1st of January	17 9 9	Advertisements	2 0 6
Cash received from Mr. Peisley for the Rent of the five Hyde Park Paddocks east of College-street, from the 5th of March to 31st December	50 0 0	Postage Stamps and Stationery	2 17 0
Cash received from Mr. Peisley for the rent of Hyde Park, from the 5th of June to the 5th of September	25 0 0	Secretary's Salary, from 1st January to 31st December	50 0 0
		Tools	0 13 6
		Overseer's bush expenses	1 0 0
	£ 92 9 9	Balance on the 31st of December	35 18 9
			£ 92 9 9
1856.		1856.	
Balance on the 1st of January	35 18 9	Implements	14 17 3
Cash received from Mr. Peisley for the Rent of the five Hyde Park Paddocks east of College-street, from the 4th of February to the 31st of December	150 0 0	Advertisements	8 13 6
Cash received from Mr. Peisley for the Rent of Hyde Park, from the 16th of April to the 31st of December	25 0 0	Corn for the Hyde Park horse	0 15 6
		Moreton Bay fig-trees	10 7 0
		Horse livery	2 0 0
		Overseer's bush expenses	1 0 0
		Secretary's Salary	50 0 0
		Postage Stamps and Stationery	2 3 6
		Stone steps in William-street	77 12 8
	£ 210 18 9	Balance on the 31st of December	43 9 4
			£ 210 18 9
1857.		1857.	
Balance on the 1st of January	43 9 4	Advertisements	7 10 3
Cash received from Mr. Peisley for the Rent of Hyde Park, and the five Hyde Park Paddocks east of College-street, from the 1st January to 31st of De- cember	200 0 0	Implements	3 16 0
		Corn for the Hyde Park horse	2 11 0
		Repairing fencing	8 5 0
		Secretary's Salary	50 0 0
		Postage Stamps and Stationery	1 12 6
	£ 243 9 4	Balance on the 31st of December	169 14 7
			£ 243 9 4
1858.		1858.	
Balance on the 1st of January	169 14 7	Overseer's bush expenses	1 0 0
Cash received from Mr. Peisley for the Rent of the five Hyde Park Paddocks east of College street, from the 1st of January to the 30th of June	65 0 0	Horseshoes	2 8 0
		Implements	5 0 2
		Corn and bran for the Hyde Park horse	2 19 9
		Advertising and Printing Account	6 18 9
		Trenching Account	17 16 8
		Secretary's Salary to 30th of June	25 0 0
		Postage Stamps and Stationery	0 10 0
		Shepherd—Moreton Bay fig-trees	3 0 0
		Balance on the 22nd of November	170 1 3
	£ 234 14 7		£ 234 14 7

HYDE PARK IMPROVEMENT COMMITTEE.

3

HYDE PARK CASH ACCOUNT, from the 1st of October, 1854, to the 22nd of November, 1858.

Dr.

Cr.

1854.	Balance of the Vote of £500 in the Commercial Bank on the 1st of October ..	69	4	7	
	Balance due on overdrawn Account to the Commercial Bank on the 31st of December	61	9	5	
		£	130	14	0
1855.	Cash from the Colonial Treasury	1,000	0	0	
	Balance due on overdrawn Account to the Commercial Bank on the 31st of December	30	1	7	
		£	1,030	1	7
1856.	Cash returned by the Inspector General of Police	10	16	0	
	Cash from the Colonial Treasury	750	0	0	
	Balance due on overdrawn Account to the Commercial Bank on the 31st of December	137	5	9	
		£	898	1	9
1857.	Cash from the Colonial Treasury, balance of last year's vote	250	0	0	
	Cash from the Colonial Treasury	1,000	0	0	
		£	1,250	0	0
1858.	Balance in the Commercial Bank on the 1st January	112	18	4	
	Cash received from the Colonial Treasury	750	0	0	
		£	862	18	4

1854.	Labor Account—Wages to men from the 1st to 19th October, and from the 20th of November to the 31st of December	86	14	0	
	Fencing Account	39	10	0	
	James Bothwell—Harness	4	10	0	
		£	130	14	0
1855.	Overdrawn Account at the Commercial Bank on 1st January	61	9	5	
	Labor Account	295	6	6	
	Fencing Account	242	11	0	
	Trenching Account	263	14	0	
	Quarrying, preparing and laying down stone steps	68	17	4	
	Constables' salary, paid in advance, and clothes	67	15	0	
	Miscellaneous items	17	15	4	
	Interest charged by the Commercial Bank on overdrawn Account	1	17	0	
	Cash returned by the Inspector General of Police, on account of salary of constable, paid in advance	10	16	0	
		£	1,030	1	7
1856.	Overdrawn Account at the Commercial Bank on 1st January	30	1	7	
	Labor Account	377	16	6	
	Fencing Account	190	4	7	
	Trenching Account	233	0	0	
	Miscellaneous items	11	17	1	
	Stone steps	26	5	0	
	Interest charged by the Commercial Bank on overdrawn Account	8	17	0	
		£	898	1	9
1857.	Overdrawn Account at the Commercial Bank on the 1st January	137	5	9	
	Labor Account	418	10	0	
	Fencing Account	277	9	2	
	Trenching Account	285	11	10	
	Pines and Fig Trees	8	2	6	
	Miscellaneous items	7	4	0	
	Interest charged by the Commercial Bank on overdrawn Account	2	18	5	
	Balance in the Commercial Bank on 31st December	112	18	4	
		£	1,250	0	0
1858.	Labor Account, from the 1st January to 13th of November	238	16	6	
	Fencing Account	330	10	0	
	Trenching Account	133	14	0	
	Five Gas Lights, for the quarter ending 30th September	8	4	1	
	Johnson—Horse-shoes	1	6	0	
	Balance in the Commercial Bank	150	7	9	
		£	862	18	4

The Hyde Park Vouchers up to the 30th of June, 1858, with all the details, are in the Auditor General's Office, and can be referred to.

1858.

Legislative Assembly.
NEW SOUTH WALES.

SEWERAGE AND WATER SUPPLY.

Ordered by the Legislative Assembly to be Printed, 25 March, 1858.

*FIRST YEARLY REPORT of the Municipal Council of the City of Sydney of their
Proceedings in connexion with the Sewerage and Water Supply.*

IN accordance with the provisions of the 75th section of the Sydney Corporation Act of 1857, the Municipal Council have the honor to submit, for the information of the Parliament of New South Wales, the following Report of their Proceedings, and Statements of their Receipts and Expenditure under the Sewerage Act, 17 Victoria, No. 34, and Water Act, 17 Victoria, No. 35, to the 31st December, 1857.

In so doing, the Municipal Council have thought it advisable to embody in their Report a statement of all the works executed during the past year, although those works were not placed under the control of the Council until the 13th of April last, the day on which the late City Commissioners vacated office.

As it would have been extremely difficult, if not altogether impossible, to separate the portions of the several works carried out under the direction of the Commissioners from those performed by the Council, and as there does not appear to have been any official report made by those gentlemen to the Government since the 31st December, 1856, the Municipal Council have made a general statement of the various contracts entered into, and work executed during the past year, and have also submitted an account of the receipts and disbursements for the same period.

SEWERAGE.

The following are the particulars of the several works undertaken in connexion with the sewerage of the City, in the year 1857.

New Pitt-street, Contract No. 5, entered into by Mr. Mathew Lacey, for diverting the course of, and making a new outlet for, the Tank Stream, comprising 500 feet in length of stone culvert of elliptical form, was entered into 19th November, 1856, and satisfactorily completed on the 18th September, 1857.

Contract No. 6, Section No. 1, entered into by Mr. Thomas Donohoe, for constructing sewers in Lower George-street, and an outlet for same at Queen's Wharf, comprising—

145 lineal feet of 4-feet oviform sewer,
1209 " of 3 " do.
281 " of 12-inch pipe drain,

entered into 24th February, 1857, and satisfactorily completed on 4th August, 1857.

Contract No. 7, Section No. 1, entered into 30th March by Messrs. Gibbons and Brian, for constructing sewers in Bathurst and Market Streets, and a ventilating shaft for the sewers in Hyde Park, comprising—

545 lineal feet of 3-feet sewer,
411 " of 2 do.
45 " of 1-foot pipe drain,

was satisfactorily completed on the 11th December, 1857.

Contract No. 8, Section No. 1, entered into by Mr. Hugh Murphy, for constructing sewers in George-street North, and in Argyle, Essex, Harrington, Cambridge, and Gloucester Streets. Of this contract, was completed in 1857—

1,520 feet of 2-feet sewer,
400 feet of 18-inch ditto,

and the remainder of the work is approaching completion satisfactorily.

Contract No. 9 comprises 265 feet of 4 feet 6-inch sewer, in the water-course in Woolloomooloo, between Stanley and William Streets, constructed by Mr. Charles Simmons, at the joint expense of the City, Mr. Levein, and himself.

Contract No. 10, Section No. 1, entered into September, 1857, by Mr. M. W. Parker, for constructing—

40 feet of 3-feet sewer, and

650 feet of 2-feet ditto,

in O'Connell-street, was satisfactorily completed by him on the 17th November, 1857.

Contract No. 11, Section No. 1, entered into by Mr. Martin Gibbons, for constructing—

320 feet of 2-feet sewer,

in Market-street East, was satisfactorily completed on the 26th November, 1857.

Contract No. 12, Section No. 1, was entered into 4th November, 1857, by Mr. Martin Gibbons, for the construction of sewers in Park, King, and Hunter Streets, but was not commenced in 1857. This contract comprises—

122 feet of 3-feet sewer,

855 feet of 2 feet 6 inch ditto,

1,212 feet of 2-feet ditto,

140 feet of 12-inch pipe drain,

17 Gullies and pipe connections with sewers.

Contract No. 13, Section No. 1, was entered into 4th November, 1857, by Messrs. Bubb and Sons, for the construction of two pieces of iron sewer, for crossing the Tank Stream in King and Hunter Streets, but was not commenced in 1857.

Contract No. 14 was entered into by Mr. Thomas Sinclair, to construct 1,058 feet of 2-feet sewer and 15 street gullies in Erskine-street, from York-street to Darling Harbour, but was not commenced in 1857.

The number of trapped street gullies which were made in 1857, in connection with the new Sewerage Works, in addition to those hereinbefore mentioned as being contracted for, is—

12 in Bridge-street.

18 „ George-street.

1 „ Argyle-street.

21 „ Pitt-street.

4 „ O'Connell-street.

4 „ Castlereagh-street.

3 „ Elizabeth-street.

2 „ Phillip-street.

4 „ Bathurst-street.

2 „ Market-street.

Total 71

The Old Sewers in the following streets have been repaired as required, at a cost of £38 3s. :—

Bent-street, two old sewers.

Culvert across Kent-street.

Sussex-street.

George-street, six old sewers.

Hunter-street, sewer near Union Bank.

Phillip-street.

Macquarie-place.

Market-street.

Pitt-street South, two old sewers.

Barrack-street.

Pottinger-street.

William-street East.

Wynyard-square.

Elizabeth-street South.

Upon entering into office, the Municipal Council found that the Trigonometrical Survey of the City had been so far proceeded with as to allow of the filling in of the detail of the different sections of the City—twenty-four in number—but as the City Engineer was

not

not in possession of a plan shewing the several stations, fixed points, angles, &c., instructions were given for the preparation of the necessary information, and the same is now near completion.

WATER.

The Works completed and commenced in connection with the permanent supply of water to the City during the past twelve months, are as follows:—

PERMANENT SUPPLY.

The contract entered into by Mr. P. N. Russell with the City Commissioners on the 18th December, 1854, for the supply of 2,200 thirty-inch water pipes, was completed to the extent of 2,178 pipes, but, in consequence of a discrepancy which was discovered between the invoiced and actual weight of some pipes, which were tested upon the Sydney weigh-bridge, the whole of the pipes were carefully weighed on the Botany Road, and it was found that the total weight delivered to the City by the contractor is 3,303 tons 5 cwt. 0 qrs. 2 lbs., whilst the weight paid for was 3,405 tons 15 cwt. 3 qrs. 24 lbs., an excess of 102 tons 10 cwt. 3 qrs. 22 lbs., which difference has to be accounted for by Mr. P. N. Russell.

Of the last amount, 18 tons 3 cwt. were for pipes which arrived in Sydney, but, in consequence of their being broken, were not delivered to the City by Mr. Russell, and the balance of 84 tons 7 cwt. 3 qrs. 22 lbs. was short of the weight charged and paid for in England.

The Council, in the absence of definite advices from England, are not at present enabled to explain whether this difference has arisen from the loss in weight since the casting of the pipes, and consequent upon the process of turning and boring, or from erroneous weighing in the first instance.

The necessary documents have been transmitted to the contractor in England for adjusting this discrepancy with the manufacturers, and the amount of deficiency will be deducted upon the final settlement of the accounts with Mr. Russell.

Another contract, taken by Messrs. P. N. Russell and Co., for a further supply of 30-inch pipes for the completion of the line of main to the reservoir in Sydney, and for 20-inch and 12-inch pipes for mains to conduct the water from the reservoirs to the town, is being executed by that firm, and will probably be completed by the time stipulated (the 22nd instant).

The contract entered into by Mr. John Stone for the removal of 1,074 of the 30-inch mains from the Botany Road to the line upon which they are to be laid, was completed by him most satisfactorily.

The contract for the removal of the 30-inch, 20-inch, and 12-inch mains, from the quays to their destination in Crown-street, South Head Road, and Darlinghurst, was entered into by Mr. John Woods, and is being performed satisfactorily.

There were 300,000 bricks, impervious to water, ordered from England for the purpose of lining the reservoirs. These are arriving and being delivered, under the contract entered into by Mr. Henry Horler for the cartage of them to the land selected for the reservoir in Crown-street.

A plot of ground, situate between Crown, Riley, Gipps, and Campbell Streets, containing about two acres, has been entered upon by the Municipal Council, and taken for the purposes of the low level reservoir for these works, the estimated value of which is £9,250.

A contract was entered into on the 5th October, by John Waters, for 37 rods of 6 feet close paling, and has been satisfactorily erected on part of the land entered upon for the reservoir.

The Municipal Council having determined to enter upon the land along the line of 30-inch mains to the extent of half a chain in width throughout its whole length, from the Botany Reserve to Baptist's Garden, and to erect along it a double line of three rail fence, a specification was prepared, and the tender of Messrs. Waters and Dunk accepted, for the supply and erection of the said fence, at the rate of ten shillings per rod. The quantity of fencing required will be about 2,000 rods.

The contract for the erection of an engine-house, boiler, and coal-houses, pump, and sluice-wells at Botany, was entered into by Messrs. Ramsay and Burt, for the sum of £18,250, in October last, for completion in ten months from the date of contract. The excavations when completed exhibited throughout firm, dry, solid sandstone rock, which is in every respect the most suitable foundation which could have been selected.

The

The works connected with the structure are progressing very favourably. The footings of the engine-house walls are laid to the extent of four courses, and those of the boiler and coal-houses, two courses. The bottoms of the pump wells are constructed, and the brickwork, in cement, for the walls of the wells is completed to the height of five feet above the bottom.

The six boilers are all placed in their positions in the boiler-house, and the foundations for the engines and chimney are commenced. The 30-inch main pipes for leading the water into the wells are, some of them, in position, and the others are being placed.

In the Report of the late City Commissioners of their proceedings during the year 1856, a statement was transmitted from the City Engineer, that under the contract entered into with Mr. William Randle, six boilers for the engines, their furniture, and the chief of the heavy parts of the engines had arrived in Sydney, and were being removed to Botany; that it had been found necessary to stop the shipment of the cylinder slides, air-pump, and condenser and fly-wheel shaft of each engine, that they might be altered and adapted to the work for which they were required, on the best principle. The advices received from England, under date 10th November, 1857, from Mr. Homersham, C.E., the agent appointed by the City Commissioners, state, "that the whole of the pumping engines, excepting some minor parts, which will be required for fixing last, are now already shipped, or being shipped, for Sydney."

The air vessels and connections, which were ordered by the City Commissioners to be made in and sent from England, are reported as being nearly completed, and will follow the shipments of the engines.

A ten ton traveller crane, which was ordered from England to fix in the engine-house, for the removal of the heavy parts of the engines, as occasion may require, has been received and carted to the Botany Works.

The contract let to Mr. Joseph Edwards for laying the first portion of the 30-inch mains, which extends 76 chains in a north by easterly direction, from the site of the engine-house at Botany, was, in consequence of the work contracted for not being proceeded with in a satisfactory manner, taken from him by the Municipal Council, and the works to be done under that contract have been carried on by day work for the Municipal Council, under the immediate superintendence of the City Engineer, and will be completed in two weeks hence, without exceeding the contract price.

The laying of the second portion of the 30-inch mains the Municipal Council resolved to do by day work, under the Engineer's supervision. The extent is 77 chains 85 links. One half of the excavation is already performed, and the pipe laying has commenced. This section, it is anticipated, will be completed in two months hence.

A specification has been prepared for the excavation of the low level reservoir, situate in Crown-street, and another for the subsoil drainage of the same. These are already advertised for tenders, and will be commenced early in this year.

CITY SERVICE.

During the past year new mains, to the extent of 7,482 yards, have been laid in **Appendix A.** various parts of the City, as specified in the Return hereunto annexed.

The contract let to Messrs. Bubb and Sons for various castings used for the distributing mains of the City Service in 1857; that of Mr. Robert King for the supply of coals to the Lachlan Swamp engine for 1857; that of Messrs. Halliday and Co. for the supply of 9, 6, and 4-inch water-locks for the City Service; and that of Messrs. Napier Postlethwaite for general castings and fitting work for Water Works, have been all very creditably performed by the several contractors.

A list of the old mains which have been taken up during the past year is also attached **Appendix B.** hereunto.

The supply of water from Lachlan Swamp throughout the year was abundant until the middle of December, when it suddenly decreased so rapidly as to render it necessary to adopt some means for limiting the supply to the lower levels of the City, in order that the water might be forced into higher localities.

Arrangements were accordingly made for shutting the locks supplying that portion of the City south of Liverpool-street, from the hour of eleven in the morning until eight in the morning of the following day, by which system, and by keeping the engine at the swamp constantly at work, the necessary relief was afforded to those parties who were before considerably inconvenienced by the insufficient supply. These arrangements are still being carried

SEWERAGE AND WATER SUPPLY.

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carried out and it is hoped that, by a more careful use of the water by the citizens, (the necessity for which has been pointed out by the Council), and a strict watchfulness on the part of the officers of the Water Department, the citizens may be saved from a scarcity of water until all danger in that respect be removed by the completion of the works now in progress for a permanent supply.

FINANCIAL.

The subjoined statement shews the particulars of the Receipts and Expenditure on account of the separate Funds, from the 1st of January to the 31st December, 1857.

JOHN WILLIAMS,
Mayor.

Passed by the Municipal Council of the City
of Sydney, this twenty-ninth day of Jan-
uary, A. D. 1858.

CHAS. H. WOOLCOTT,
Town Clerk.

APPENDIX A.

RETURN of Water Mains laid during the year 1857.

6-INCH PIPES.						Pipes.	Yards.
Forbes-street, Woolloomooloo	...	...	...	...	...	133	420
Bourke-street, North end	...	...	...	...	...	70	205
Stanley-street, from Yurong to Palmer Streets...	...	...	...	...	...	90	272
Crown-street, from Liverpool to William Streets	...	...	...	...	...	125	373
Francis-street, from Yurong to Riley Streets	...	...	...	...	...	27	80
Riley-street, from Liverpool to William Streets	...	...	...	...	...	125	373
William-street, from Dowling to Brougham Streets	...	...	...	...	...	29	101
Margaret-street, from Clarence to Kent Streets, and from Margaret-	...	...	...	...	...	130	80
street to Gas-lane in Kent-street	...	...	...	...	...		348
Lower George-street, from Queen's Wharf to North end	...	...	...	...	...	220	673
Bathurst-street, East end	...	...	...	...	...	14	50
Pitt-street, North, from Hunter-street to Queen's Wharf	...	...	...	...	...	58	174
Total.....						1,021	3,149
4-INCH PIPES.							
Dowling-street, from William-street to North end	...	...	...	...	...	210	620
Queen-street, Chippendale	...	...	...	...	...	54	165
Alfred-street, Forbes to Dowling Streets	...	...	...	...	...	37	113
Devonshire-street, from Parramatta to Elizabeth Streets	...	...	...	...	...	210	620
Palmer-street, Woolloomooloo to Bay Streets	...	...	...	...	...	60	187
Bay-street, Woolloomooloo	...	...	...	...	...	65	200
Margaret-street, from Wynyard-lane to York-street	...	...	...	...	...	45	136
Cleveland-street, from Botany to Abercrombie Streets.	...	...	...	...	...	80	248
Riley-street, from William to Woolloomooloo Streets	...	...	...	...	...	75	235
Woolloomooloo-street, from Riley to Forbes Streets	...	...	...	...	...	128	382
Total						964	2,906
3-INCH PIPES.							
Macquarie-street, North end	...	...	...	...	...	21	65
Lime-street, Soldiers' Wharf	...	...	...	...	...	24	72
Hunter-street	...	...	...	...	...	38	123
Dale-street, Chippendale...	...	...	...	...	...	58	143
Middle-street	...	...	...	...	...	58	143
Waterloo-street	...	...	...	...	...	45	122
Circular Wharf	...	...	...	...	...	17	50
George-street, North end	...	...	...	...	...	3	9
Princes-street, North end	...	...	...	...	...	25	75
Kent-street, North, and Argyle-street	...	...	...	...	...	4	12
Susan-street, Woolloomooloo	...	...	...	...	...	25	76
Circular Wharf	...	...	...	...	...	10	30
Dalton's Lane, Parramatta-street	...	...	...	...	...	45	120
Chippen-street, Chippendale	...	...	...	...	...	80	235
Brougham-place, Riley-street	...	...	...	...	...	24	76
Campbell-place, Riley-street	...	...	...	...	...	24	76
Total.....						501	1,427
ABSTRACT.							
6-inch Pipes	...	...	...	...	...	1,021	3,149
4-inch "	...	...	...	...	...	964	2,906
3-inch "	...	...	...	...	...	501	1,427
TOTAL.....						2,486	7,482

APPENDIX B.

RETURN of Water Mains taken up during the year 1857.

6-INCH PIPES.					Yards.
Kent-street ... ..	...	...	...	...	285
Bathurst-street, East side ... ..	...	...	...	...	50
Total... ..					<u>285</u>

3-INCH PIPES.					
Macquarie-street, North ... ..	...	...	...	...	65
Lime-street, Erskine-street ... ..	...	...	...	...	72
Circular Wharf ... ..	...	...	...	...	24
Margaret-street ... ..	...	...	...	...	80
George-street, North ... ..	...	...	...	...	682
Princes-street, North ... ..	...	...	...	...	75
Kent-street, North, and Argyle-street...	...	...	...	...	30
Kensington-street ... ..	...	...	...	...	220
Pitt-street, South ... ..	...	...	...	...	28
Total... ..					<u>1,276</u>

ABSTRACT.					
6-inch Pipes ... ..	...	...	...	...	285
3-inch Pipes ... ..	...	...	...	...	1,276
Total... ..					<u>1,561</u>

APPENDIX C.

STATEMENT of the RECEIPTS and EXPENDITURE of the Corporation of the City of Sydney, on account of the Water and Sewerage Funds, for the year 1857.

RECEIPTS ON ACCOUNT OF SEWERAGE FUND.	For 30 JUNE, 1857.	For 31 DECEMBER, 1857.	TOTAL AMOUNT.
	£ s. d.	£ s. d.	£ s. d.
Proceeds of Sale of Pipes.....	378 18 11	283 2 5	662 1 4
Repayment for Making Drains.....	.....	40 12 8	40 12 8
TOTAL AMOUNT OF RECEIPTS...	378 18 11	323 15 1	702 14 0
EXPENDITURE ON ACCOUNT OF SEWERAGE FUND.	For 30 JUNE, 1857.	For 31 DECEMBER, 1857.	TOTAL AMOUNT.
	£ s. d.	£ s. d.	£ s. d.
Salaries of Officers	609 11 11	499 9 5	1,109 1 4
GENERAL WORKS.			
Wages of Workmen	672 6 8	335 8 7	1,007 15 3
Repairs.....	175 4 9	.....	175 4 9
Drains	361 14 4	.....	361 14 4
Sundries	2 7 0	13 10 2	15 17 2
	1,211 12 9	348 18 9	1,560 11 6
CITY SURVEY.			
Wages	78 9 0	.....	78 9 0
Surveyor	747 0 8	.....	747 0 8
Sundries	4 17 0	.....	4 17 0
	830 6 8	.....	830 6 8
Constructing Main Sewers	20,129 4 9	8,671 10 1	28,800 14 10
Interest .....	.....	9,039 5 6	9,039 5 6
Repayment of Advances to City Fund..	753 0 0	865 19 5	1,618 19 5
Purchase of Stone.....	64 6 8	.....	64 6 8
Brick Works	70 0 0	.....	70 0 0
Allowance for Clothes spoilt in Sewers...	10 0 0	.....	10 0 0
TOTAL AMOUNT OF EXPENDITURE...	23,678 2 9	19,425 3 2	43,103 5 11
ABSTRACT OF THE ACCOUNT.		£ s. d.	£ s. d.
Dr. Balance due Colonial Government, 31st Dec., 1856...		164,425 0 0	
EXPENDITURE for the year 1857		43,103 5 11	207,528 5 11
Cr. RECEIPTS for the year 1857		702 14 0	
Balance due by Joint Stock Bank, 31 Dec., 1856.....		9,967 1 11	
Balance due to Colonial Government, 31 Dec., 1857...		189,425 0 0	
Balance due to Joint Stock Bank, 31 Dec., 1857.....		7,433 10 0	
			207,528 5 11

EDWD. LORD,
City Treasurer.

City Treasurer's Office,
Sydney, 12 January, 1858.

The Accounts connected with the Sewerage Fund, of which the above is an Abstract, have been duly audited by us, and found to be correct.

ROBERT BYERS, }
JAMES SIMPSON, } City Auditors.

RECEIPTS

APPENDIX C.—Continued.

RECEIPTS ON ACCOUNT OF WATER FUND.	For 30 JUNE, 1857.	For 31 DECEMBER, 1857.	TOTAL AMOUNT.
	£ s. d.	£ s. d.	£ s. d.
WATER WORKS.			
Laid on to Houses in the City	3,269 10 3	6,873 14 4	10,143 4 7
Proceeds from Hyde Park	328 3 0	370 5 9	698 8 9
„ Dockyard and Soldiers' Point	84 13 0	253 19 0	338 12 0
„ South Head Road	10 0 0	9 0 0	19 0 0
	3,692 6 3	7,506 19 1	11,199 5 4
Proceeds of sale of old Pipes	27 11 9	2 12 6	30 4 3
Repayment for laying down Pipes	105 7 4	86 11 2	191 18 6
Proceeds of sale of Bricks		312 3 9	312 3 9
TOTAL AMOUNT OF RECEIPTS...	3,825 5 4	7,908 6 6	11,733 11 10
EXPENDITURE ON ACCOUNT OF WATER FUND.	For 30 JUNE, 1857.	For 31 DECEMBER, 1857.	TOTAL AMOUNT.
	£ s. d.	£ s. d.	£ s. d.
SALARIES OF OFFICERS	594 11 11	559 1 1	1,153 13 0
GENERAL WORKS.			
Wages of Workmen	1,106 11 1	761 8 1	1,867 19 2
Iron Pipes and Cartage	16,675 18 8	532 11 10	17,208 10 6
Tools, Repairs, &c.	241 8 1	459 17 11	701 6 0
Castings	829 8 10	1,530 6 4	2,359 15 2
Bricks and Cartage		1,602 8 6	1,602 8 6
	18,853 6 8	4,886 12 8	23,739 19 4
LACHLAN SWAMP.			
Wages	284 10 0	250 6 5	534 16 5
Fuel and Cartage	262 10 0		262 10 0
Sundries	15 10 0	5 5 0	20 15 0
	562 10 0	255 11 5	818 1 5
BOTANY WORKS.			
Wages	529 9 6	3,676 10 9	4,206 0 3
Timber and Piling	918 9 3	595 1 7	1,513 10 10
Engine House		694 18 4	694 18 4
	1,447 18 9	4,966 10 8	6,414 9 5
CITY SURVEY.			
Wages	34 9 0		34 9 0
Surveyors	791 0 8		791 0 8
Sundries	4 17 0		4 17 0
	830 6 8		830 6 8
Compensation for Land resumed		354 15 0	354 15 0
Law Expenses	104 6 7		104 6 7
Purchase of Stone	64 6 8		64 6 8
Interest		6,459 13 10	6,459 13 10
Repayment of Advances to City Fund	753 0 0	865 19 5	1,618 19 5
TOTAL AMOUNT OF EXPENDITURE...	23,210 7 3	18,348 4 1	41,558 11 4

ABSTRACT

SEWERAGE AND WATER SUPPLY.

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APPENDIX C.—Continued.

ABSTRACT OF THE ACCOUNT.		£	s.	d.	£	s.	d.
Dr.	Balance due Colonial Government, 31st Dec., 1856 ...	106,587	0	0			
	EXPENDITURE for the Year 1857	41,558	11	4			
	Balance due to Joint Stock Bank, 31st Dec., 1856 ...	166	0	2			
	Balance due by Joint Stock Bank, 31st Dec., 1857 ...	9	0	4			
					148,320	11	10
Cr.	RECEIPTS for the year 1857	11,733	11	10			
	Balance due to the Colonial Government, 31st Dec., 1857	136,587	0	0			
					148,320	11	10

EDWD. LORD,
City Treasurer.

City Treasurer's Office,
Sydney, 12 January, 1858.

The Accounts connected with the Sydney Water Fund, of which the foregoing is an Abstract, have been duly audited by us and found to be correct.

ROBERT BYERS, }
JAMES SIMPSON, } City Auditors.

1858.

Legislative Assembly.

NEW SOUTH WALES.

JUSTICES OF THE PEACE.

(APPOINTMENT OF UNDER MUNICIPALITIES BILL.)

Ordered by the Legislative Assembly to be Printed, 30 April, 1858.

To the Honorable Legislative Assembly of New South Wales.

The Petition of the undersigned Inhabitants of the Town and District of Wollongong,—

HUMBLY SHEWETH:—

That the present mode of appointing Justices of the Peace has not worked hitherto to the satisfaction of the Colonists, nor been productive of the objects for which the appointments are made.

That your Petitioners believe the grievance they complain of would be removed, and a more satisfactory administration of justice secured, if the individuals elected as Members under the proposed Municipal Councils Bill were, subject to His Excellency the Governor General's veto, empowered to act *ex officio* as Justices of the Peace in and for the district in which the Councils of which they are Members may be situated.

Your Petitioners would also urgently pray that the Local Benches, as at present constituted, may not be empowered to adjudicate, as proposed in clause No. 78 of the Bill, on appeals from the assessment for rates.

Therefore, your Petitioners humbly pray that a clause to the effect that the Councillors shall be *ex officio* Justices of the Peace within the limits of their respective Municipalities may be introduced into the Bill, and that your Honorable House will pass the same, and that appeals from rates may not be decided by the present Local Benches.

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

[Here follow 299 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

VACCINATION.

(REPORT FROM MEDICAL ADVISER TO GOVERNMENT.)

Ordered by the Legislative Assembly to be Printed, 7 April, 1858.

THE MEDICAL ADVISER TO THE GOVERNMENT to THE HONORABLE THE COLONIAL SECRETARY
with the General Return of Vaccinations for the Year 1857.

Parramatta, 16 February, 1858.

SIR,

I do myself the honor to present, for the information of the Government, the General Return of the number of persons vaccinated at the different Government Vaccine Institutions during the year 1857, distinguishing the age and sex.

2. The total number of successful vaccinations in the year amounts to three thousand six hundred and forty, being an advance of one hundred and fifty per cent. on the numbers in 1856. The totals for 1855, 1856, and 1857, will be found in the margin.

Years.	Totals.
1855.....	964
1856.....	1,423
1857.....	3,640

3. Almost the whole of this great increase is due to the last quarter of the year, when the fear of small-pox, which had been introduced into Melbourne by the ship "Commodore Perry" in September, and the information that some of the passengers in that vessel had come on to Sydney, created a temporary eagerness for the protection afforded by vaccination. Owing to the prompt measures taken at Melbourne, the disease did not spread there, and as no case occurred here, the alarm gradually died away.

4. It was greatest in Sydney; for of the total number vaccinated, two thousand three hundred and sixty-six were in Sydney, and of this number eighteen hundred were in the last quarter.

5. But large as this number is, compared with former years, it is by no means what it ought to be; for as upwards of three thousand births take place yearly in Sydney, and as the reports of former years shew that the vaccinations have never even approached the number of births, so there must be a continually increasing number of unprotected persons.

6. It is most probable that not one-half of the native-born population of Sydney is protected, and the proportion is very much less in the country. The births in the Colony would probably be above twelve thousand in the year, and the public vaccinations of all ages even this year do not amount to one-third of that number.

7. In the country districts, or bush, the native-born children must be generally unprotected. There is at present no Government Vaccinator between Maitland and Moreton Bay to the north, while to the south there is not one between Sydney and the borders of Victoria, with the exception of the narrow mountain-locked strip of Illawarra.

8. The return from Maitland is remarkable for its number, (five hundred and eighty,) as in the second quarter cutaneous eruptions prevented, and in the third the floods and state of the roads put a stop to vaccination. In the fourth quarter Dr. Macartney succeeded in vaccinating a great number by meeting the parents in different districts.

9. In Newcastle, in the hot weather of the first quarter, vaccination produced unpleasant symptoms, such as inflammation, followed by a crop of small pustules, so that Mr. Stacey was obliged to discontinue it for the time.

10. In Brisbane the heat of the weather in the first and also in the last quarter of the year prevented successful vaccination.

*12—

11.

11. Almost all the Vaccinators complain of the apathy of parents.
12. In Sydney the wet weather at the beginning of the year operated as a great hinderance; but in the last quarter Dr. Rutter was overpressed by the numerous applications, and an additional Vaccinator was appointed for two of the suburbs. I annex Dr. Rutter's separate Report.
13. The cost per case varies from a little over ten-pence (a sum far too low for the care and attention required) in Maitland, to something over a pound in Brisbane.
14. Small-pox is so fearful a scourge when it attacks the unprotected—and it is a disease happily so little known here, and therefore too little feared—that it would be very desirable to spread some general information on the subject. Some useful letters have been written by Mr. Bell of Campbelltown, and published in the papers. But the letter of Mr. Simon, Health Officer of the City of London, to the General Board of Health, is such a mine of information, and so full of valuable statistics, that it leaves nothing to be desired. It is unfortunately too long for general reading, and I am now, by your direction, preparing an abridgement for the use of the Colony, which I hope to be able to lay before you in a few days.
15. There is one other part of this subject which deserves consideration—that of re-vaccination. It is found in Europe that an increasing proportion even of those most carefully vaccinated in childhood do, when subjected to re-vaccination at puberty, take and show the symptoms of cow-pox in a manner not to be distinguished from a primary vaccination. As we are precluded from testing the validity of our vaccinations by subsequent inoculation with small-pox, as may still be done in England, so it seems particularly desirable that some carefully conducted experiments should be made and recorded in re-vaccinating persons whom we know by the cicatrix to have been properly vaccinated. It does not follow as a natural consequence that persons who show true signs of cow-pox on re-vaccination would necessarily take the infection of small-pox if exposed to it—for the introduction of lymph under the cuticle is a far more delicate test than any other can be—still it is to be feared that such persons would be amongst the liable to infection, which liability would be taken away by re-vaccination.
16. Enclosed will be found the General Return of Vaccinations, and Dr. Rutter's Report of the Sydney Vaccine Institution.

I have, &c.,

R. GREENUP,

Medical Adviser to the Government.

THE HONORABLE

THE COLONIAL SECRETARY.

*Vaccine Institution,
4 February, 1858.*

SIR,

I do myself the honor to transmit, for the information of His Excellency the Governor General, a Report of my proceedings during the year 1857.

The alarm created in this City by the existence of small-pox in Victoria roused the people from their apathy, and during the three months of October, November, and December, seventeen hundred and seventy-two individuals were brought under the influence of vaccine protection—nearly a thousand of whom were above the age of one year—showing the neglect which had previously existed.

Such was the anxiety of parents to have their children vaccinated, and the large numbers coming to the Institution from the country, that I considered it my duty to recommend to the Government the temporary appointment of a medical man to vaccinate in the populous districts of Newtown and the Parramatta Road,—a report of whose proceedings I have the honor to enclose.

The applications from medical men for vaccine lymph were very numerous, nearly fifteen hundred charges having been supplied, from which I infer that vaccination was carried on to a great extent.

I am sorry to state that during this year, 1858, the old apathy has returned, which nothing will, in my opinion, remedy but compulsory vaccination.

I have further the honor to enclose a detailed account of my duties.

I have, &c.,

JOHN YATES RUTTER,

Superintendent.

GENERAL RETURN of Persons Vaccinated at the Government Vaccine Institutions, from 1st January to 31st December, 1857.

DISTRICT.	1 Month and under 1 Year of Age.						1 Year and under 5 Years of Age.						5 Years and under 10 Years of Age.						10 Years and under 15 Years of Age.						Adults.						TOTAL NUMBER OF CASES OF VACCINATION.						
	Males.	Females.	TOTAL.	Successful.	Unsuccessful.	Unascertained.	Males.	Females.	TOTAL.	Successful.	Unsuccessful.	Unascertained.	Males.	Females.	TOTAL.	Successful.	Unsuccessful.	Unascertained.	Males.	Females.	TOTAL.	Successful.	Unsuccessful.	Unascertained.	Males.	Females.	TOTAL.	Successful.	Unsuccessful.	Unascertained.							
Sydney	363	440	803	803	..	..	516	578	1124	1124	..	..	119	139	258	258	..	..	62	79	141	141	..	..	25	15	40	40	..	..	1115	1251	2366	2366	..	..
Newtown and Ashfield	19	8	27	27	17	30	47	47	10	7	17	17	8	4	12	12	4	4	4	4	54	53	107	107
Brisbane	9	9	18	12	5	1	8	4	12	10	2	..	1	..	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	18	13	31	23	7	1
Newcastle	84	85	169	169	..	..	63	53	116	116	..	..	16	12	28	28	..	..	3	11	14	14	..	..	2	2	4	4	..	..	168	163	331	331	..	..
Maitland	27	42	69	69	..	..	192	166	358	358	..	..	62	49	111	111	..	..	14	19	33	33	..	..	5	4	9	9	..	..	300	280	580	580	..	..
Wollongong	31	27	58	58	..	..	28	24	52	51	..	1	12	13	25	25	..	..	10	12	22	22	..	..	7	6	13	13	..	..	88	82	170	169	..	1
Bathurst	18	14	32	19	3	10	24	26	50	23	3	21	11	13	24	13	..	11	2	9	11	6	..	5	2	3	5	3	..	2	57	63	122	64	6	52	
				1157												453							228					73					3640				

* From 21st November to 31st December only.

R. GREENUP, M.D.,

Medical Adviser to the Government.

Parramatta,
16 February, 1858.

1858.

Legislative Assembly.

NEW SOUTH WALES.

HEALTH OFFICER OF PORT JACKSON.

(DUTIES TO BE PERFORMED BY.)

*Ordered by the Legislative Assembly to be Printed, 1 June, 1858.**MEMO. of duties performed by the Health Officer of Port Jackson.*

THE enclosed extract from a Letter of Instructions addressed to Dr. Dobie, 21st January, 1839, details the ordinary duties of the Health Officer of the Port, viz., to visit all Vessels arriving in Port, ascertain the state of health, and report to Government; to make frequent visits to the Quarantine Station, and to assist in carrying into effect the arrangements which may be ordered in cases of Quarantine; and to see that provisions, medicines, &c., of proper quality, are regularly supplied; to afford medical aid to the Emigrants in Port, and, since the establishment of the Dépôt for Females at Hyde Park, the additional duty of medical charge of that institution, in which there are always a number of invalids, from various causes, and of women waiting to be confined before they can join their friends.

1 June, 1858.

H. G. ALLEYNE.

EXTRACT of a letter from the Colonial Secretary to the Health Officer, dated 21 January, 1839.

The questions now enclosed embrace, it is believed, everything to which your inquiries should be directed, in reference to the health of the people arriving, and you will, as soon as possible after your return from any vessel, forward to me a copy with the replies of the Master and Surgeon, or other person in charge, accompanied by a brief report from yourself of anything which may deserve notice; you will also make a report in person at this office. Should there be no cause for preventing communication with the vessel, the Pilot as well as the Officer of Customs should be apprised to that effect; but if any sickness should be on board, or should you have reason to suspect that there is anything requiring investigation, you will interdict all intercourse until due inquiry has been made and the instructions of the Government obtained on the subject. Of course any officer or other person who may have boarded the vessel must, in this case, remain in her until your permission shall be given for his landing.

In case of a vessel arriving, and being reported by the Master, Surgeon, or other person in charge to have any contagious disease on board, or to have touched at any port at which such has prevailed, you will not of course board such vessel, but you will proceed alongside, adopting such precautions as the case may require, and obtain the necessary particulars to enable you to make your report for the information of the Government, by which further instructions will thereupon be given. It will be proper on such occasions to ascertain whether any and what medicines, medical comforts, or other supplies are immediately required, in order that if vessels in the service of Government, steps may be taken for furnishing them; or, if private ships, that the owners or agents may be apprised.

The existing orders are for ships subject to Quarantine to anchor in Spring Cove, and, when necessary, the crews and passengers are disembarked, and placed under medical superintendence on the adjoining shores.

To assist in carrying into effect the arrangements which may be ordered in such cases will form part of your duty, and during the continuance of the Quarantine you will be expected to make frequent visits to the station for the purpose of consulting with the Surgeons in charge on the measures best calculated to promote the comfort and re-establish the health of the persons detained. You will also ascertain the quality of the provisions, and the regularity of their supply; that the Regulations for preventing the infringement of the Quarantine are duly enforced; and that all the measures recommended with the view of providing against the introduction of disease to the Colony are carried into effect. Upon your return from each of these visits, you will personally report the result at this office, pointing out anything in which the orders or intervention of Government may be necessary; and you will subsequently communicate to me, in writing, any suggestions or remarks which you may deem it proper to bring formally under notice.

A daily report is to be made to you by the Surgeon in charge of the Quarantine Station, stating the name and age of each patient, the number of days in hospital, the nature of the disease, and any change for the better or otherwise in the affected person; and this report is to be forwarded to me with your remarks, as early as practicable on the day of its receipt, for the information of the Governor.

To you will also be forwarded all requisitions for medicines, which being countersigned by you, will be supplied from the General Hospital Stores, or otherwise, as may be directed at the time; and demands for medical comforts will be likewise transmitted to you, to be submitted with your remarks to this office, from which orders will be given upon them.

Requisitions for provisions will be complied with by the proper department, but should an inspection or examination of the supplies be at any time necessary, you will be expected to afford your assistance. It must, however, be understood, that in the case of any other than Government ships, the owners or agents will be required to arrange for the supplies. It will further be your duty to make yourself acquainted with the state of health of the crews of vessels in the port not in Quarantine; and in the event of any epidemical disease making its appearance subsequently to the arrival of a vessel, you will lose no time in making the necessary inquiries, and report for the information of the Government. But, under present circumstances, it will be necessary, before proceeding to any vessel, to communicate with the Master, who should be recommended to adopt such measures as you may deem proper, in consequence of any sickness found to exist on board, pending your reference to the Government.

It will be proper for you to keep a Journal of your proceedings, specifying therein:—the vessels which you visit; the result of your enquiries and observation; your consultations with the Medical Officers in Quarantine, and the suggestions made to them; and such other particulars as may be useful for future reference. A Register should also be kept of the reports which you make to this office.

In addition to the reports which you may make from time to time, in the execution of your duties, you will be pleased, at the termination of each year, to furnish me with a general Report for the past twelve months, adverting to the several cases of Quarantine which may have occurred, the origin and progress of the disease which occasioned them, and their duration—stating the general health of the port, and offering any suggestions which may occur to you for improving or rendering more efficient the Regulations relating to Quarantine. This Report you will accompany by a Return of the number of vessels visited during the year; the number placed in Quarantine, distinguishing the ports from which they sailed, and whether Emigrant, Convict, or other ships; the number of sick whilst in detention, and the number of deaths, with a nominal list of the latter.

I am further directed to inform you, that it is to be understood that your engagement included your services in affording medical aid when required to the Emigrants in the Government buildings in Bent-street. The Surgeon of each Emigrant ship is expected to give his attendance at the Emigrant buildings daily, as long as he may be in the pay of the Local Government, and he will, therefore, of course, remain for that time in charge of his own sick; but medical attendance on those who continue longer at the buildings will form a part of the duties of the Health Officer of this port.

HEALTH OFFICER OF PORT JACKSON.

3

HEALTH OFFICER'S REPORT.

QUESTIONS to be put by the Health Officer to the Surgeon and Master, or other person in command of any Ship or Vessel arriving in Port Jackson.

QUESTIONS.	REPLIES.
<ol style="list-style-type: none"> 1. What is the name of the Vessel and Tonnage? 2. What is the Master's name? 3. From whence do you come and when did you sail? 4. At what Ports have you touched on your passage? 5. Did you receive any Cargo or Passengers at the intermediate Ports? 6. What is the nature of the Cargo, and the number of Officers, Mariners, and Passengers? 7. What Vessels have you had intercourse or communication with on your passage, and from whence did they come? 8. Have you any, and what Bill of Health? 9. Are you aware that any epidemical, contagious, or infectious disease prevailed at the place from which you sailed, or at any of the places which you have touched, or on board of any vessel with which you have had communication? If so, state where and when. 10. In the course of your voyage have any persons on board suffered from sickness of any kind, and what was the nature of such sickness, and when did it prevail? How many persons were affected by it, and have any of them died in the course of the voyage? 11. How many sick have you now on board, and from what disease? 12. If any sickness prevailed during the passage, state the date of the first and last case? 13. If any of the crew or passengers have died during the voyage, state the nature of the disease of which they died, and the date? 14. Upon the appearance and prevalence of any disease, was there any unusual state of the weather which might lead you to suppose its existence to depend rather upon atmospherical than upon specific contagion? 15. Are you aware of any circumstances, during the passage or at present, which would render it expedient to place the ship and people in Quarantine? 16. To the correctness of the foregoing statements, are you ready to make declaration if required? 	

1858.

Legislative Assembly.

NEW SOUTH WALES.

HEALTH OFFICER, SYDNEY.

(REPORT FOR 1857.)

*Ordered by the Legislative Assembly to be Printed, 4 June, 1858.*REPORT FROM THE HEALTH OFFICER OF PORT JACKSON FOR THE
YEAR 1857.*Sydney, 10 April, 1858.*

SIR,

I have the honor to submit to you, for the purpose of being laid before the Legislative Assembly, the following Returns:—

- 1st. A nominal List of the Ships visited during the year 1857.
- 2nd. A nominal List of the Government Immigrant Ships which have arrived in the Colony during the year 1857,—shewing the port of departure; the number of passengers; the nature of the diseases prevailing during the voyage; the number of deaths during the voyage, and the disease causing death.
- 3rd. A nominal List of Ships that have been placed in Quarantine,—shewing the ports from which they have sailed; the number of deaths which occurred among the passengers of each ship during its detention in Quarantine; the duration of the Quarantine, and the nature of the disease which occasioned it.

The sanitary state of both Government Emigrant Ships and other vessels arriving in this port has been generally good; and the rate of mortality among the passengers by Government Emigrant Ships contrasts most favorably with that of the passenger ships from England to North America, and other parts of the world.

From the greater attention paid to the inspection of the Immigrants previous to embarkation, and to the sanitary condition of the depôts in England, small-pox has not been of such frequent occurrence on board of Emigrant Vessels as it was during the year 1856; and, notwithstanding its prevalence in the neighbouring Colony of Victoria, we have as yet been happily preserved from its introduction into this port.

Six vessels were placed in Quarantine during the year, in consequence of measles, scarlet fever, typhus fever, and in one instance of small-pox, having prevailed on board of them during the voyage.

On the arrival of the vessels at Spring Cove, the passengers were all landed, with their luggage, and the sick separated from the healthy.

The ships, with the healthy portion of the passengers and crews, were released from Quarantine as soon as all the clothing and bedding had been washed, and the ships thoroughly cleansed; the sick people remaining at the Quarantine Station until they were perfectly restored to health.

Fresh provisions of good quality are daily supplied to all the people who are detained in Quarantine, and fruits and other medical comforts are allowed for the use of such cases as may require them.

I have, &c.,

H. G. ALLEYNE, M.D.,

Health Officer, Port Jackson.

THE PRINCIPAL SECRETARY
TO THE GOVERNMENT.

RETURN

A NOMINAL LIST OF THE SHIPS VISITED DURING THE YEAR 1857.

From Great Britain.

Pioneer	1,883	John and Lucy	1,235	Ravendale	602
Abbot Lawrence	1,487	Abblawward	520	Northumbria's Daughter	486
Alnwick Castle	1,088	Thetis	586	Monica	1,404
Matoaka	1,323	Golconda	1,124	Aethos	1,430
Catherine Adamson	1,100	Canard	590	Zemindar	707
Anna	1,098	John Bunyan	466	Clara	693
London	960	Cheviott	1,066	Oliver Cromwell	640
Brisbane	1,000	Herefordshire	1,400	Vocalist	1,004
Emma	1,049	Heather Bell	416	Brazil	664
Europa	1,000	Ivanhoide	550	Woolloomooloo	628
Walter Hood	918	Senekale	350	Admiral Lyons	1,360
Nourmahal	846	Martin Frederick	400	Damascus	964
Ethereal	776	Gladiolus	556	Moses Wheeler	800
Claremont	634	Rocklight	2,100	Washington Irving	777
Joshua	804	Sevastopol	609	Palmerston	978
Lord Warriston	1,144	Konig Willen	770	Orwell	1,200
Hindustan	708	Aallotar	760	Ann	860
Star of Peace	1,100	Contest	1,120	Light of the Age	1,268
Plantagenet	806	Daphne	760	Merrington	710
European	2,400	Princess Alice	600	Thracian	537
Electra	666	Regina	670	Nimrod	1,200
Moulton	611	Anna Maria	489	Vimeira	1,038
General Windham	864	Adelia Margartia	800	Boanerges	1,236
Beejapore	1,676	Disraeli	779	Wave of Life	1,000
Connecticut	1,100	Centurion	639	John Bunyan	961
Mary Ann	957	Araminth	830	La Hogue	1,200
Camperdown	993	Electra	1,170	Harvest Home	460
Omer Pasha	987	H.M.S. Iris, 26 guns		Antonia Petronella	711
Lady Hodgkinson	823	Gannymede	1,143	Granite City	680
Oneida	2,500	Glen Isla	1,969	Hepscott	574
Fitz James	1,307	Wiscousin	943	Priam	603
Balaclava	621	Julia Augusta	418	Royal Shepherdess	406
.....	918	Matilde	700	Bangalore	511
Phœnician	460	Armais	510	Clara	401
Wellington	415	Mersey	600	Lloyds	1,069
L. A. Bang	909	Maid of Judah	960	Walter Hood	919
Hannah Fownes	900	Alfred	1,278	Duncan Dunbar	1,360
Shand	836	Ellwood Castle	1,072	Lawrence Brown	872
Tomatin	428	Tartar	487	Govenor Morton	1,325
Cyclone	665	Manitou	1,400	Columbine	958
John Taylor	787	Alloc	1,057	Commonwealth	980
Sarah Newman	1,003	General De Stuers	800	British Merchant	1,015
Clara Henrietta	674	Newton	430	British Trident	1,399

From Colonial Ports.

Gratia	179	Mary	150	Wonga Wonga	700
Caernarvon	320	Messenger	152	Bella Vista	199
Woodlark	250	Julie	46	John Bull	51
Black Dog	143	Fire Fly	181	European	2,500
Ariel	105	Clipper	155	Dunedin	208
Pocklington	164	Fettercairn	292	City of Sydney	734
Alfred Gibbes	425	John Ormerod	187	Brilliant	112
Maria	250	Sea Bird	492	Callender	138
Kate	236	Robertina	213	Zone	93
Ganges	315	Mary Grant	106	Crookbanc	154
Ferrie	99	Amelia Breillat	162	Caroline	117
Almeda	230	Shamrock	184	London	700
Atlantic	321	Speedy	1,031	Tiger	76
Lady Blackwood	260	Stag Hound	117	Wonga Wonga	700
St. Ann	437	Robertina	200	Undaunted	2,000
Venus	40	Rebecca	251	Jeanne	450
Vernon	222	Despatch	140	Stag Hound	117
Garrow	228	Mary Grant	230	Victoria Packet	320
Joseph Butler	168	Rebecca	115	Talbot Castle	189
Lord Burleigh	622	Otago	70	Favorite	198
Malvina Vidal	900	Golden Spring	198	London	700
Water Witch	250	Elizabeth Ann	100	Wonga Wonga	700
Tickler	112	London	700	Yarra Yarra	350
.....	145	Monarch	315	Prince Arthur	420

FROM COLONIAL PORTS—Continued.

Viceroy	100	Wonga Wonga	700	Wonga Wonga	700
London	700	Zone	100	Boomerang	400
Istamboul	1,174	Lalla Rookh	156	John Ormerod	200
Caroline	111	Boomerang	400	Talbot Castle	189
European	2,200	Esperanza	141	Prim Patrick	118
Wonga Wonga	700	Acacia	225	Jane	143
Despatch	139	London	700	Douglass	100
Garrow	229	Wonga Wonga	700	Wanderer	180
Wave	105	Victoria Packet	270	Stag Hound	117
Yarra Yarra	350	Mary Grant	166	Callender	138
Monarch	315	Janie	130	London	700
Wanderer	140	Vanquish	114	Golden Spring	189
Golden Spring	190	London	700	Wonga Wonga	700
London	700				

From Other Ports.

Concordie	328	Pauline	380	Emma	121
Sultan	130	Gertrude	483	Grey Feather	586
Joseph Butler	193	Singapore	460	Post Boy	130
Sutton	282	New Forest	157	Christina	271
Jane	188	Maria	178	Schiller	170
Vulture	164	Jane	336	William Oswald	434
Maria		Snap Dragon	650	George Washington	241
Magdalena		Crookbane	135	Caernarvon	230
Rover's Bride	380	Independence	200	Alster	336
Juanita	300	Coleraine	623	Abblasaward	650
Susan	250	Deva	1,039	Lord Burleigh	622
Sea Gull	455	European	2,400	Wild Wave	179
Onga	250	Styx	300	Phantom	157
Mary Grant	172	Fanny A. G.	189	Crystal Palace	653
Maria	172	Hebe	190	Asa Packer	323
Dart	130	Martha	273	Meina	157
Chance	468	Amherst	170	Maid of Alican	102
Granite City	771	Magnet	705	Manuel Carballo	139
Launceston	329	Fanny Fisher	239	Snap Dragon	618
Melbourne	251	Imina Bronz	450	Eudorus	144
Uni	310	Unknown	48	Jane	360
Robert Treat	694	Zelassar	475	Eliza	167
Eli Whitney	650	Columbian	2,500	John Wesley	235
Vanguard	370	Inkermann	475	Jacatia	348
Thames	240	Kara	180	Alexander	421
Valliant	323	Gratia	230	Susan	180
Tropic	512	Kathay	1,480	Commodore Morris	460
Amelia Breillat	162	Velox	571	Carrie Leland	317
Morayshire	833	Ocean	175	Peri	146
Live Yankee	427	Revelry	665	Victoria	238
Gazelle	280	T. Godfrey	486	William and Martha	357
Bolla Vista	178	Andrew Bayes	389	Souvenir	63
Acacia	227	Scotia	70	Fanny Fisher	360
Lady A. Duff	370	New York	608	Mechanic	49
Jaques Langlow	383	Port Jackson	441	What Cheer	334
Weideman	300	Ethereal	706	Helvetia	570
Lisle Amelie	337	Fanny	211	Amelia Breillat	162
Steinwarden	258	Mont Riant	578	Rival	372
Asa Packer	323	Surprise	50	Scotia	68
Horizont	430	Oberon	49	Eli Whitney	540
William Oswald	430	Europa	919	Dart	84
William and Martha	260	Lootoe	148	F. R. Mera	282
Grey Feather	586	Almeda	190	Gertrude	463
Wild Wave	179	Chance	468	Daphne	760
Hero	160	Thames	240	Cornelius and Edward	705
Jacob Rogervein	694	Tery	451	Amherst	170
Alster	500	Arago	360	Elizabeth	127
Lucas	350	Harlequin	324	Konig Willen	664
Prince Oscar	705	Bayonnaise, 28 guns		Morayshire	833
Favorite	140	Jane Catherine	360	Hesperian	577
Ann Lockerby	467	Gottorp	700	Nightingale	34

H. G. ALLEYNE, M.D.,

Health Officer, Port Jackson.

RETURN, shewing amount of MORTALITY (and causes thereof) on board EMIGRANT SHIPS arrived during the year 1857.

NAME OF SHIP.	DATE OF ARRIVAL.	PORT OF DEPARTURE.	NUMBER OF PASSENGERS.	NATURE OF DISEASE PREVAILING DURING THE VOYAGE.	NUMBER OF DEATHS DURING THE VOYAGE.	DISEASE CAUSING DEATH.	REMARKS.
New Great Britain..	1857. 6 Jan. ..	Southampton..	264	Scarlatina.....	.....	.....	Arrived at Moreton Bay.
Matoaka	22 " ..	Liverpool	423	Diarrhoea	8	Diarrhoea	
Emma	31 " ..	Do.	414	Infantile diseases	6	Diarrhoea, marasmus, inflammation of lungs	
Parsec	9 Feb. ..	Southampton..	399	{ Diarrhoea, dysentery, measles, scarlet fever, croup, &c., &c. }	28	Diarrhoea, dysentery, croup, inflammation of lungs, &c.	Arrived at Moreton Bay.
Hindustan	12 " ..	Do.	279	Bronchitis and diarrhoea, from detention	2	Bronchitis and Diarrhoea from detention	
Plantaganet	13 " ..	Plymouth	334	Hydrocephalus inflammation of lungs, erysipelas.	4	Hydrocephalus, inflammation of lungs, erysipelas	
Beejapore	14 March	Southampton..	469	Dyspepsia, diarrhoea, cough, fever	7	Diarrhoea, marasmus, and inflammation of bowels	
Mary Ann	19 " ..	Do.	337	Constipation, diarrhoea, measles, erysipelas	6	Measles, dysenteric diarrhoea, &c., &c.	
Fitzjames	1 April..	Plymouth	437	Rheumatism, pleurisy, diarrhoea, spasms	2	Dysentery	
John and Lucy	6 May ..	Liverpool	403	Diarrhoea, bilious disorders, and small-pox	5	Diarrhoea and teething, consumption, debility.	
Golconda	25 " ..	Do.	390	Scarlatina and fever	6	{ Scarlatina, tabes, mesenteria, continued fever ending in typhus.	
Herefordshire	27 " ..	Plymouth	411	Pulmonary affections and diarrhoea	7	{ Worms, convulsions during dentition, pneumonia, disease of brain.	
Hastings	30 " ..	Liverpool	390	Diarrhoea, hooping cough, and catarrhal affections	2	Convulsions, phrenitis	Arrived at Moreton Bay.
Regina	23 June..	Southampton..	292	Measles and scarlatina .....	.....	.....
Anna Maria	25 " ..	Do.	220	Fever, rheumatism, diarrhoea, &c. ....	.....	.....
Glen Isla	2 July ..	Liverpool	373	Diarrhoea and fever	3	Debility, convulsions, marasmus.	
Alfred	23 " ..	Do.	453	Pneumonia	6	Pneumonia.	
Tartar	27 " ..	Plymouth	262	Measles, diarrhoea, coughs and colds	3	Debility, pneumonia, and one drowned at sea.	
Aloe	31 " ..	Liverpool	392	Fever of a typhoid nature, hooping cough, diarrhoea	12	Marasmus, diarrhoea, fever.	
Mary Picasants	9 Aug. ..	Do.	297	Colds, rheumatic attacks	2	Teething	Arrived at Moreton Bay.
Monica	18 " ..	Do.	437	.....	.....	.....
Zemindar	23 " ..	Plymouth	291	Diarrhoea, teething	6	Debility, inflammation of bowels, atrophy.	
Vocalist	28 " ..	Liverpool	374	Scarlatina, dysentery, hooping cough	6	Diseased heart, mesenteric dysentery, debility.	
Admiral Lyons	15 Sept.	Do.	440	Scarlet fever and measles	12	Fever, scarlet fever, consumption, teething.	
Washington Irving ..	27 " ..	Southampton..	309	Bronchitis, diarrhoea, hysteria, worm fever	1	Consumption.	
Light of the Age ..	4 Oct. ..	Do.	133	Not specified	1	Not specified	Not Government Immigrants.
Blenheim	6 " ..	Plymouth	301	Affections of stomach, bowels, throat, bronchitis..	2	{ Debility supervening on chronic disease, mesenteric disease	Arrived at Moreton Bay.
Boanerges	20 " ..	Liverpool	475	Scarlatina	3	Coup de soleil, diarrhoea, bronchitis.	
John Bunyan	27 " ..	Do.	339	Rheumatism, diarrhoea	3	Mesenteric disease, injury to hand, dentition.	
TOTAL			10,338	TOTAL	142		

H. G. ALLBYNE, M.D.
Health Officer, Port Jackson.

NOMINAL LIST of Ships which have been placed in QUARANTINE during the Year 1857, shewing the Ports from which they sailed, the nature of the Disease causing Quarantine, duration of Quarantine, number of Deaths while in Quarantine, and whether Emigrant or other Ships.

NAME OF SHIP.	FROM WHAT PORT.	NATURE OF DISEASE CAUSING QUARANTINE.	DURATION OF QUARANTINE.	WHETHER EMIGRANT OR OTHER SHIP.	NUMBER OF DEATHS WHILE IN QUARANTINE.	REMARKS.
Mary Anne	Southampton	Measles	9 Days	Government Emigrant.	1 from Measles	{ The sick remained at the Quarantine Station 20 days after the release of ship and healthy people.
John and Lucy	Liverpool	Small-pox	8 „	Do. ....	.....	{ No fresh case of Small-pox; ship and people released after they had washed their clothes.
Golconda	Do.	Typhus Fever.....	8 „	Do.	3	{ Sick and convalescent remained at Quarantine Station 33 days after release of ship and healthy people.
Regina	Southampton	Measles	6 „	Do. ....	.....	{ Ship with crew and healthy people released as soon as the people had finished their washing; the sick remained for 22 days.
Admiral Lyons	Liverpool	Scarlet Fever.....	6 „	Do. ....	.....	{ Ship with crew and healthy passengers released as soon as they had finished their washing; sick people remained 15 days at Quarantine Station.
Boanerges	Do.	Do.	6 „	Do. ....	.....	{ Ship and all the passengers released as soon as the washing had been completed.

H. G. ALLEYNE, M.D.,
Health Officer, Port Jackson.

1858.

Legislative Assembly.
NEW SOUTH WALES.

HEALTH OFFICER, MORETON BAY.

(REPORT FOR 1857.)

Ordered by the Legislative Assembly to be Printed, 4 June, 1858.

REPORT FROM THE HEALTH OFFICER OF MORETON BAY, FOR THE YEAR 1857.

Brisbane, 5 February, 1858.

SIR,

I have the honor to submit to you, pursuant to instructions received in the month of October last, a nominal List of Ships visited during the year 1857, and a nominal List of Emigrant Ships from the United Kingdom and Europe, during the year 1857,—shewing the number of passengers in each; nature of disease prevalent during the voyage; the number of deaths during the voyage; and the cause of death.

The condition of the Emigrant Vessels arriving in this port during the year has been generally good, and the mortality, with one exception, (the Parsee) very small.

I have, &c.,

W. HOBBS,

Health Officer.

THE GOVERNMENT RESIDENT,
Brisbane.

No. 1.

NOMINAL List of Ships visited by the Health Officer of Moreton Bay during the year 1857.

<i>From Great Britain.</i>		<i>From Ports other than in Great Britain.</i>	
	Tonnage.		Tonnage.
1. New Great Britain	570	1. Juno	212
2. Gazehound	383	2. Helene	294
3. Parsee	1,170	3. Julia Percy	100
4. Hastings	996	4. Don Juan	130
5. Mary Pleasants	763	5. W. B. Dean	92
6. Blenheim	808		

W. HOBBS,

Health Officer.

No. 2.

RETURN shewing the total number of Emigrant Ships from the United Kingdom and Europe, during the year 1857; the number of Passengers in each; nature of Disease prevalent during the voyage; number of Deaths during the voyage; and cause of Death (or nature of disease in cases of death.)

Name of Ship.	Tonnage.	Port of Sailing.	Number of Passengers.	Nature of Disease prevalent during the Voyage.	Number of Deaths.	Cause of Death, (or nature of disease in cases of death.)
New Great Britain	570	Southampton..	264	{ Small-pox, scarlatina, diarrhoea, boils	2	Premature births.
Parsee.....	1,170	Southampton..	422	{ Measles, scarlatina ..	25	{ Sequela of measles and scarlatina.
Helene	294	Hamburgh ..	143	{ No sickness of any importance.....	2	Teething.
Hastings	996	Liverpool	388	{ Diarrhoea, whooping cough	2	{ 1 Convulsions; 1 Phrenitis after sun-stroke.
Mary Pleasants....	763	Liverpool	296	{ No sickness of any importance.....	2	Teething.
Blenheim	808	Plymouth....	301	{ Ditto	2	{ 1 Debility, supervening chronic liver disease; 1 mesenteric disease.
			1,814		35	

W. HOBBS,
Health Officer.

1858.

Legislative Assembly.

NEW SOUTH WALES.

ORDNANCE RETURNS.

Ordered by the Legislative Assembly to be Printed, 7 April, 1858.

No. 1.

*Military Store Office,**Sydney, 2nd February, 1858.*

A RETURN of all Moneys which have been received by, or now payable to, Her Majesty's War Department, in respect to Lands, Tenements, or Buildings vested in the Principal Officers of Her Majesty's Ordnance in New South Wales, under the provisions of the Act of Council, 4th Victoria, No. 2.

DESCRIPTION OF PROPERTY.	NAMES OF OCCUPIERS.	RENT PER ANNUM.	AMOUNT RECEIVED.
Military Buildings, and Lands:—		£ s. d.	£ s. d.
Morston Bay	Colonial Government ...	0 1 0	0 1 0
Parramatta			
Windsor			
Liverpool			
Bathurst			
Newcastle			
Pinchgut Island	Colonial Government ...	0 1 0	0 1 0
Dawes' Battery			
Victoria Barracks			
Brigade Major's Quarters	Colonial Government ...	0 1 0	0 1 0
		£	0 3 0

PERCIVAL WILKINSON,

Assistant Military Storekeeper.

THE HONORABLE

THE PRINCIPAL SECRETARY.

No. 2.

*Military Store Office,
Sydney, 2nd February, 1858.*

A RETURN of all Lands, Messuages, Tenements, and Buildings vested in the Principal Officers of Her Majesty's Ordnance in the Colony of New South Wales, pursuant to the provisions of the Act of Council, 4th Victoria, No. 2.

DESCRIPTION OF PROPERTY.	CONTENTS OF LAND.			WHERE SITUATED.			DATE OF DEEDS OF GRANT.	PURPOSES FOR WHICH AUTHORIZED.
	A.	R.	P.	PARISH.	TOWN.	COUNTY.		
Part of Goat Island .....	...	...	...	Petersham .....	.....	Cumberland	30 January, 1844 ...	Magazine and Stores.
Lands	1	2	34	Brisbane.....	Stanley	Stanley	21 July, 1843	Sites for Military Buildings.
	0	1	9	St. Luke.....	Liverpool	Cumberland	4 August, 1843 ...	
	0	0	13	St. John.....	Parramatta.....	Do.	Do.	
	0	1	31½	Do.	Do.	Do.	Do.	
	0	3	39	St. Matthew	Windsor.....	Do.	Do.	
	0	0	16	St. Philip	Sydney	Do.	30 January, 1844 ...	
Pinchgut Island.....	...	...	...	Alexandria.....	.....	Do.	Do.	For the Harbour Defences.
Land on which Dawes' Battery is erected	7	2	11	St. Philip	Sydney	Do.	31 July, 1844	
Land	14	3	24	Bathurst	Bathurst	Bathurst	18 December, 1844....	For Military purposes.
	7	1	18	St. John.....	Parramatta.....	Cumberland	30 January, 1846 ...	Sites for Military Barracks.
	16	1	25	Newcastle	Newcastle	Northumberland ...	5 January, 1847 ...	
	29	2	17	Alexandria.....	.....	Cumberland	31 July, 1850	

NOTE.—The whole of the above, with the exception of Goat Island, are leased to the Colonial Government.

PERCIVAL WILKINSON,
Assistant Military Storekeeper

1858.

Legislative Assembly.

NEW SOUTH WALES.

MILITARY FORCE FOR NEW SOUTH WALES.

(CORRESPONDENCE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 14 October, 1858.

THE BRIGADE MAJOR to THE COLONIAL SECRETARY.

*Brigade Office,
Sydney, 4 October, 1858.*

SIR,

I have the honor, by direction of the Colonel commanding the troops, to enclose a copy of a letter received from the head quarters of the Command, relative to the 28 Sept., 1858. force the Government of this Colony would be inclined to entertain, and to request you will have the goodness to favor me with the information solicited, at your earliest convenience.

I have, &c.,

CHARLES N. LOVELL, CAPT. R. A.,
Brigade Major.

THE HONORABLE

THE COLONIAL SECRETARY,
&c., &c., &c.

[Enclosure.]

*Head Quarters,
Melbourne, 28 September, 1858.*

SIR,

With reference to your letter of the 25th August, and my reply thereto, dated 1st September, I am directed by the Major-General Commanding to request that you will ascertain whether the Government of New South Wales would be inclined to entertain a larger force than is now in that Colony, and if so, to what extent.

Definite information on this subject is necessary, to admit of arrangements being made for the disposal of such men as may volunteer to the 12th from the 58th Regiment.

I have, &c.,

J. MARTIN BLADEN NEILL,
Lt.-Col. Dep. Adj. General.

To

Colonel J. M. Percival, C. B.,
Commanding 12th Regiment,
Sydney.

1858.

Legislative Assembly.

NEW SOUTH WALES.

COMMUTED PENSIONERS.

Ordered by the Legislative Assembly to be Printed, 23 April, 1858.

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

The humble Petition of Commuted Pensioners,—

RESPECTFULLY SHEWETH :—

That your Petitioners are old Soldiers, who commuted their Pensions for the purpose of emigrating to Australia.

That they expended large sums (to them) in accomplishing such emigration ; many of them, in fact, paying all they had for such purpose.

That, subsequently to their doing so, persons of the same class received Land Orders in proportion to the money expended by them in paying passages of themselves and their families.

That many of your Petitioners have portions of their families unprovided for.

That the admission of your Petitioners to the same privileges as enjoyed by the Commuted Pensioners, under the Regulations of 1832, will aid them materially in providing for the still unsettled portions of their families.

That the Legislative Council of the Colony, in 1850, favorably entertained a like Petition to the present one, the reply to which is hereunto appended.

That your Petitioners believe that in other British Colonies the favor now sought has been granted long since to persons of the same class as your Petitioners, and under precisely similar circumstances.

Your Petitioners, therefore, most respectfully pray that your Honorable House will take their case into consideration.

And they, as in duty bound, will ever pray.

[Here follow 4 Signatures.]

1858.

Legislative Assembly.

NEW SOUTH WALES.

SEPARATION OF MORETON BAY.

(PROCEEDINGS AND DESPATCHES RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 8 April, 1858.

RETURN to an *Address* from the Honorable the Legislative Assembly of New South Wales, dated 30 March, 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House,—

“ Copies of all Proceedings of the Executive Council, during the
 “ years 1856 and 1857, upon the subject of the Separation of
 “ Moreton Bay from New South Wales; also, Copies of all
 “ Despatches upon this subject which may have been addressed
 “ by His Excellency the Governor General to the Secretary of
 “ State, especially of any Despatch written since the second
 “ reading of the Moreton Bay Debt Bill, which was introduced
 “ into the Legislative Assembly by the Government during the
 “ Session of the late Parliament in 1857, but not passed.”

SCHEDULE.

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SEPARATION OF MORETON BAY.

No. 1.

PROCEEDINGS of the Executive Council on the subject of the Separation of Moreton Bay.

EXTRACT from Minute No. 56-62, dated 24 November, 1856.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR GENERAL.

The Honorable E. DEAS THOMSON, Esq., C.B., Vice-President of the Council

The Honorable H. W. PARKER, Esq., Colonial Secretary.

The Honorable J. B. DARVALD, Esq., Solicitor General.

The Honorable S. A. DONALDSON, Esq., Colonial Treasurer.

The Honorable JOHN HAY, Esq., Secretary for Lands and Public Works.

HIS EXCELLENCY the Governor General lays before the Council a Despatch from the Right Honorable the Secretary of State for the Colonies, conveying an intimation that it is the intention of Her Majesty's Government to separate the Northern Districts of New South Wales, and to erect them into a distinct Colony. But that before the separation can take place, the following questions have to be determined, on the last of which, especially, the Secretary of State desires to have the opinion of His Excellency and the Council, namely,—

- 1st. The boundary between the two future provinces.
 - 2nd. The future Government of the separated portion; and
 - 3rd. The division of the debt of the province.
2. To enable the Council to form an opinion as to the proportion of the debt which would be chargeable on the revenue of the Northern Districts, the Governor General also lays before them the following Returns, which have been called for with that view:—
- (1.) A Return shewing the relative Areas of the Territory to the southward and exclusive of the Clarence River District, and of that to the northward and inclusive of it, together with the amount of land alienated, leased, and waste, in each of those territories.
 - (2.) A Return shewing the Population in each territory according to the last census.
 - (3.) A Return shewing the amount of the Debt of the Colony, the date and purposes of the several loans, and the amount expressly sanctioned for Public Works in the Northern Territory.
 - (4.) A Return shewing the number of Immigrants introduced by loan, distinguishing, as far as practicable, the number sent to the Northern Territory either directly from England, or indirectly from Sydney.
 - (5.) A Return shewing the Revenue and Expenditure of each territory during 1855.
 - (6.) A Return shewing the Exports and Imports of each territory during 1855.
3. After some deliberation, the Council express a desire to have before them Returns shewing the total Revenue and Expenditure of the Northern Districts during the last 10 years.

EDWARD C. MEREWETHER,
Clerk of the Council.

No. 2.

EXTRACT from Minute No. 56-64, dated 8 December, 1856.

PRESENT :—

HIS EXCELLENCY THE GOVERNOR GENERAL.

The Honorable H. W. PARKER, Esq., Colonial Secretary.

The Honorable W. M. MANNING, Esq., Attorney General.

The Honorable J. B. DARVALL, Esq., Solicitor General.

The Honorable S. A. DONALDSON, Esq., Colonial Treasurer.

The Honorable JOHN HAY, Esq., Secretary for Lands and Public Works.

REFERRING to the proceedings on the 24th November last, respecting the separation of the Northern Districts, the Council being invited thereto by His Excellency the Governor General, resume the consideration of the question of the decision of the debt of the Colony, and the proper proportion which should be chargeable upon the Revenue of the Northern Colony; and having deliberated at some length, defer its further consideration until their next meeting.

EDWARD C. MEREWETHER,

Clerk of the Council.

No. 3.

EXTRACT from Minute No. 56-65, dated 15 December, 1856.

PRESENT :—

HIS EXCELLENCY THE GOVERNOR GENERAL.

The Honorable E. DEAS THOMSON, Esq., Vice-President of the Council.

The Honorable H. W. PARKER, Esq., Colonial Secretary.

The Honorable S. A. DONALDSON, Esq., Colonial Treasurer.

The Honorable JOHN HAY, Esq., Secretary for Lands and Public Works.

REFERRING to the proceedings on the 8th instant and previous date, respecting the separation of the Northern Districts, the Council resume the consideration of the question of the division of the debt of the Colony, and the proper proportion which should be chargeable upon the Revenue of the Moreton Bay District; and having deliberated at some length, again defer its further consideration until they shall have before them the following Returns, viz. :—

- (1.) A Return shewing the Population in the District of Moreton Bay, north of the 30th parallel of latitude, in each year since 1846, as deduced from the several Census Returns, distinguishing the population in the New England and Clarence River Districts north of the 30th parallel.
- (2.) A Return shewing the total Ordinary Revenue collected in that district during the same period, as deduced from the Population Returns relatively to the total population of the whole Colony, and distinguishing the Revenue in the above districts.
- (3.) A Return shewing Total Expenditure chargeable on the Ordinary Revenue during the same period, and in the said districts.
- (4.) A Return shewing total Territorial Revenue collected in the same districts during the same period.
- (5.) A Return shewing Total Charges on the last-mentioned Revenue, and net proceeds of the said Revenue.

EDWARD C. MEREWETHER,

Clerk of the Council.

No. 4.

EXTRACT from Minute No. 57-3, dated 15 January, 1857.

PRESENT :—

HIS EXCELLENCY THE GOVERNOR GENERAL.

The Honorable E. DEAS THOMSON, Esq., Vice-President of the Council.

The Honorable H. W. PARKER Esq., Colonial Secretary.

The Honorable W. M. MANNING, Esq., Attorney General.

The

The Honorable J. B. DARVALL, Esq., Solicitor General.

The Honorable S. A. DONALDSON, Esq., Colonial Treasurer.

The Honorable JOHN HAY, Esq., Secretary for Lands and Public Works.

UPON the invitation of His Excellency the Governor General, the Council resumed the consideration of the question of the share of the public debt of the Colony which ought to be borne by the Northern Districts when separated from New South Wales Proper.

2. This question was initiated on the 24th November last, when His Excellency laid before the Council a Despatch from the Right Honorable the Secretary of State for the Colonies on the subject, and also the following Returns bearing upon it :—

- (1.) A Return shewing the relative Areas of the Territory to the southward, and exclusive of the Clarence River District, and of that to the northward, and inclusive of it, together with the amount of land alienated, leased, and waste, in each of these territories.
- (2.) A Return shewing the amount of the Debt of the Colony, the date and purposes of the several loans, and the amount expressly sanctioned for public works in the Northern Territory.
- (3.) A Return shewing the Population in each territory, according to the last census.
- (4.) A Return shewing the number of Immigrants introduced by loan, distinguishing, as far as practicable, the number sent to the Northern Territory either directly from Europe or indirectly from Sydney.
- (5.) A Return shewing the Revenue and Expenditure of each territory during 1855.
- (6.) A Return shewing the Imports and Exports of each territory during 1855.

3. After some deliberation on that occasion, certain other Returns were called for; the question was further considered on the 8th December, and again resumed on the 15th December, when other additional Returns were also required.

4. The Governor General now lays before the Council two memoranda expressive of his own views upon the subject, both of which have been circulated amongst the Members, together with the following Returns, which complete the information desired by the Council :—

- (1.) A Return shewing the Population in the District of Moreton Bay, north of the 30th parallel of south latitude, in each year since 1846, as deduced from the several Census Returns, distinguishing the population in the New England and Clarence River Districts, north of the 30th parallel.
- (2.) A Return shewing the total Ordinary Revenue collected in that district during the same period, as deduced from the Population Returns relatively to the total population of the whole Colony, and distinguishing the Revenue in the above district.
- (3.) A Return shewing Total Expenditure chargeable on the Ordinary Revenue during the same period, and in the said districts.
- (4.) A Return shewing total Territorial Revenue collected in the same districts, during the same period.
- (5.) A Return shewing Total Charges on the last mentioned Revenue, and net proceeds of the said Revenue.
- (6.) A Return shewing the amount received for the Sale of Land, and the total amount of money paid on account of Immigration.

5. In the Despatch of the Right Honorable the Secretary of State, above referred to, it is stated, "That the basis of the arrangement for the division of the debt should be an equitable division according to the several contributions to the Revenue of the two portions; and the benefit which they respectively derived, or expected to derive, from the public services to which the loans thus contracted were appropriated."

6. The Council find it difficult, if not impossible, to adopt this basis, inasmuch as the principle asserted is inapplicable to some of the items constituting the public debt of the Colony.

7. That debt, amounting in its entirety to £2,234,700, is divisible under five heads, viz. :—

(1.) Sydney Municipal Works	£293,700
(2.) Public Works	290,700
(3.) Railways	1,087,300
(4.) Immigration	413,000
(5.) Deficiency	150,000
	£2,234,700

8. The Council are of opinion that the justice of the case demands that these items should be treated separately; and, after very full deliberation, advise with respect to each as follows :—

Sydney Municipal Works.

- (1.) The Water Supply and the Sewerage of the City of Sydney being works in which the Northern Districts are not directly interested, no portion of the debt incurred on their behalf should be charged upon the new Colony.

Public Works.

- (2.) In respect to Public Works, the Northern Colony should be charged with so much of the Public Debt as has been already directly expended, or at the time of actual separation shall have been expended within the limits thereof.

Railways.

- (3.) No Railway Works have yet been undertaken in the Northern Districts. Preliminary surveys, however, are now in progress, and the amount expended on these, and in course of expenditure, may be the subject of future adjustment, based on the foregoing principle.

Immigration.

- (4.) The proportion in which the debt incurred for Immigration should be divided between the two Colonies should be determined by debiting each Colony with the cost of the passage of the Immigrants who, by the records of the Immigration Department, can be ascertained to have been sent to each, and by crediting each the half of the net proceeds of the Revenue derived from the sales and the leasing of Crown Land, which, in accordance with the provisions of the Land Sales Acts, is devoted to the introduction of Immigrants. The ratio of these differences between Revenue and Expenditure will be the ratio in which the actual outstanding debt should be divided between the two Colonies.

Deficiency.

- (5.) The loan proposed to be incurred for past deficiency in the public service cannot be apportioned so satisfactorily, perhaps, as the preceding items. The deficit has been caused by the General Revenue for two or three years past falling short of the expenditure. It is therefore clearly impossible to say to what extent any particular district of the Colony participated in this over expenditure; and, under the circumstances, the Council recommend that this debt should be apportioned according to the population of the Colonies, as shewn by the census taken on the 1st of March, 1856.

9. In the views which the Council have thus expressed on this subject, they have confined themselves entirely to the question with which they were invited to deal, viz.—the proper distribution of the existing debt of the province; but they are of opinion that to meet the justice of the case, there should be, on the occurrence of separation, an adjustment of accounts between the two Colonies, and a financial balance struck between them, irrespective of the debt.

10. They therefore advise, that on separation actually occurring, a debit and credit account should be taken of the general contributions to, and expenditure of Revenue, in the separated portions in which their proper share of the cost of the central or general Government, computed according to population, should be included.

11. The Council are further of opinion that, except as regards the Territorial Receipts, which can be ascertained with sufficient accuracy, the Revenue contributed by the separated districts should be deduced from the population resident therein at the taking of each quinquennial census, as compared with the total Revenue and total population of the entire province. In this manner the New Colony will receive credit for any portion of the Customs' Revenue which may have been paid in New South Wales Proper, although the goods may have been sent overland (or eastwise) for consumption in the Moreton Bay or Clarence River Districts.

EDWARD C. MEREWETHER,
Clerk of the Council.

No. 5.

EXTRACT from Minute No. 57-58, dated 2 November, 1857.

PRESENT :—

HIS EXCELLENCY THE GOVERNOR GENERAL.

The Honorable CHARLES COWPER, Esq., Vice-President of the Council.

The Honorable JAMES MARTIN, Esq., Attorney General.

The Honorable R. JONES, Esq., Colonial Treasurer.

REFERRING to the proceedings on the 15th January last and previous dates, when the Executive Council had under consideration a Despatch from the Right Honorable the Secretary of State for the Colonies on the subject of the separation of the Northern Districts of New South Wales, and their erection into a distinct Colony, His Excellency the Governor General now lays before the Council two farther Despatches from the Secretary of State in reference to the projected separation; one conveying the decision of Her Majesty's Government with respect to the boundary line between the two provinces, the division of the debt, and the form of constitution to be granted to the new Colony; the other transmitting the copy of some observations on the boundary question, addressed to Her Majesty's Government by Mr. M. H. Marsh, who is largely interested therein.

2. These Despatches have been circulated amongst the Members during the absence of the Governor General at Norfolk Island, and His Excellency now invites from the Council an expression of opinion upon the several matters therein referred to be finally dealt with by the local authorities, or with respect to which further information is required by Her Majesty's Government.

3. The Council accordingly proceed, in the first place, to consider the question of boundary, with a view to the preparation of the Returns necessary to enable them to offer recommendations upon the other points submitted to them. Upon this head the Secretary of State intimates that Her Majesty's Government have decided, in deference to the wish expressed by the inhabitants of the Clarence, New England, and Gwydir Districts, not to be included in the new Colony, to abandon the boundary of the 30th parallel of latitude, originally indicated as probable, and are prepared to adopt a line of demarcation suggested by the Governor General, unless His Excellency should see fit to vary it in accordance with the views propounded by Mr. Marsh.

4. The boundary proposed by His Excellency is as follows :—"A line commencing at Point Danger, following the division of the Districts of Clarence River and Moreton Bay, until that division coincides with the range forming the boundary of the basins of the Richmond and Clarence Rivers, thence along that range until it reaches the parallel of south latitude 29 degrees, thence along that parallel until it reaches the meridian of 141 degrees."

Mr. Marsh, upon the assumption that by this boundary it was intended to give the whole of the Pastoral Districts of Clarence, New England, and Gwydir, to New South Wales, and the Districts of Moreton, Darling Downs, and Maranoa, to the new Colony, suggests that it would be desirable to take in lieu thereof the boundaries of those Districts which have been recognised and acted upon for many years.

After a careful inspection of certain maps prepared by the Surveyor General to illustrate these boundaries, the Council express themselves in favor of the following line of demarcation, viz. :—A line commencing on the sea coast at Point Danger, in latitude about 28 degrees 8 minutes south, by the range thence which divides the waters of the Tweed, Richmond, and Clarence Rivers, from those of the Logan and Brisbane Rivers, westerly to the Great Dividing Range between the waters falling to the East Coast and those of the River Murray; by the Great Dividing Range southerly to the range dividing the waters of Tenterfield Creek from those of the main head of the Dumaresq River; by that range westerly to the confluence of Tenterfield Creek with the Dumaresq River; by the Dumaresq River (which is locally known as the Severn) to its confluence with the Macintyre River; by the Macintyre River, which lower down becomes the Barwan, downward to the 29th parallel of south latitude; and by that parallel westerly to the 141st meridian of east longitude, which is the boundary of South Australia.

By

By the adoption of this boundary, which does not materially differ from that proposed by Mr. Marsh, the whole of the Clarence, New England, and Gwydir Districts, will be preserved to New South Wales, with the exception of such portion of the latter as lies to the northward of the 29th parallel, which, however, is to a great extent unoccupied.

EDWARD C. MEREWETHER,
Clerk of the Council.

No. 6.

EXTRACT from Minute No. 57-57, dated 23 November, 1857.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR GENERAL.

The Honorable CHARLES COWPER, Esq., Vice-President of the Council.

The Honorable A. P. LUTWICHE, Esq., Solicitor General.

The Honorable R. JONES, Esq., Colonial Treasurer.

REFERRING to the proceedings on the 2nd instant, when the Council had under consideration certain Despatches from the Right Honorable the Secretary of State for the Colonies on the subject of the Separation of the Northern Districts, His Excellency the Governor General now invites the attention of the Council to the question of the division of the new Colony into Electoral Districts, and at the same time lays before them a scheme for such division, adopted to the line of demarcation agreed to by the Council on the above date.

2. The Council advise that this project, which is hereinafter set forth at length, be approved, and that His Excellency the Governor General should transmit the same to Her Majesty's Government for insertion in the Order in Council constituting the Government and Legislature of the new Colony.

EDWARD C. MEREWETHER,
Clerk of the Council.

ELECTORAL District Scheme for the Colony of Moreton Bay.

	DISTRICTS.	POPULATION.	MEMBERS.
1	Town of Brisbane (including Western Suburbs and Kangaroo Point)	2,525	3
2	Town of South Brisbane (including Suburbs).....	915	1
3	Hamlet of Fortitude Valley	955	1
4	Town of Ipswich	2,459	3
5	Town of Drayton (including Toowoomba)	528	1
6	Town of Warwick.....	472	1
	Average of Town Population to each Member	785½	10
7	East Moreton (Police District of Brisbane, except Towns and Hamlets, 1, 2, 3)	1,449	2
8	West Moreton (Police District of Ipswich, except Town of Ipswich)	2,099	3
*9	Western Downs (Police District of Drayton, except Town of Drayton); present population, 929; anticipated population	1,200	2
*10	Eastern Downs (Police District of Warwick, except Town of Warwick)	890	1
11	Northern Downs (Police District of Dalby)	678	1
*12	Maranoa (Police District of Surat); present population, 415; anticipated population	500	1
13	Burnett (Police District of Gayndah)	1,809	2
14	Wide Bay (Police District of Maryborough)	669	1
15	Leichhardt and Port Curtis (Police or Squatting Districts)	615	1
	Average of Country District Population to each Member..	672¼	14
	General Average of Population to each Member.....	719¾	24

* In Districts 9, 10, 12, will be included any portion of the New England and Gwydir Districts taken within the boundaries of the Moreton Bay Colony on separation.

No. 7.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

(No. 1.)

*Government House,
Sydney, New South Wales,
1 January 1858.*

SIR,

On the receipt of your Despatches No. 88 and 89, dated 13th July, 1857, on the subject of the steps to be taken in order to prepare for the separation from New South Wales of the districts to the northward, and the establishment of a separate Colony, I proceeded at once to provide for the division of the new Colony into proper Electoral Districts, and I have succeeded in making all the purely executive arrangements. I had also, in concert with my Ministers, prepared a Bill, which would, if passed, have provided the means of settling the question of the division of the debt of New South Wales between the two Colonies. The dissolution of the Legislature, which I reported to you in my Despatch No. 160, dated 20th ultimo, will, of course, postpone all legislative proceedings for upwards of two months; and I think it more than questionable whether, when the Legislature does meet, it will assent to any arrangement with regard to the debt which will exonerate the Territory of Moreton Bay from the liabilities which many people seem to think attach to the whole of the Territory of New South Wales, as it was when the debt was contracted.

Under these circumstances, I propose to bring before you the whole subject in a series of Despatches, dealing with each question which may be raised in a separate Despatch, and thus placing Her Majesty's Government in a position to act, should it be disposed to do so, without waiting for the adoption of any measure by the Legislature, inasmuch as the present feeling of the people of New South Wales is, I think I may safely say, adverse to separation.

I have, &c.,

THE RIGHT HONORABLE

W. DENISON.

HENRY LABOUCHERE,

&c., &c., &c.

No. 8.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

(No. 2.)

*New South Wales,
Government House, Sydney,
2 January, 1858.*

SIR,

In accordance with the directions contained in your Despatches Nos. 88 and 89, dated 13 July, 1857, I forward herewith the necessary Plans and Descriptions, defining, firstly, the boundary line between the new Colony and New South Wales; and, secondly, the different Electoral Districts into which it will be advisable for the present to divide the former.

2. You observe, in your Despatch No. 88, "that Her Majesty's Government will adopt, instead of the boundary line formerly proposed, that suggested by me in my Despatch No. 176, dated 11 November, 1856, which appears to be described in language sufficiently accurate to be inserted at once into the Order in Council, with very little alteration." In describing this boundary, however, in the Despatch in question, a very material deviation has been made from the line proposed by me; for, instead of adhering, as proposed in your Despatch No. 89, to the well known division of existing districts, the line in question cuts off from New South Wales that portion of the Clarence River District which is situated on the Upper Richmond. This, I imagine, must have originated in some misconception of my meaning; as it appears to me very inadvisable to place the upper waters of a river in one Colony and its outlet in another, and still more inadvisable to disregard natural and well known lines of separation, and to adopt arbitrary and undefined boundaries, such as parallels of latitude, about which questions are sure to arise hereafter. I have, therefore, in my description of the boundary line, retained, as suggested by you in your Despatch No. 89, the well known division of existing districts, as by this no inter-

section of existing runs can occur; and I have followed, as nearly as possible, the line proposed in my Despatch before alluded to, which has met with the approval of Her Majesty's Government.

3. In arranging the Electoral Districts, the first point which came under consideration was the number of Members of which the Legislative Assembly should be composed; and, after consulting with parties well acquainted with the country, I have proposed twenty-four; which number, though it bears rather a large proportion to the population, is as few as could with any propriety be placed in an Assembly out of which the Officers of the Executive Government have to be selected. The enclosed Tabular Statement, shewing the Population of the proposed Electoral Districts, and the number of Members to be allotted to each, is sufficient to prove the fairness of the distribution of the representation. With reference to population, and to the mode in which the population is employed, it will be seen that in six districts there are more than one representative; and I would beg to suggest that a principle, the application of which to the election of the Upper House in Tasmania I advocated some years ago, should be adopted as a general rule in Moreton Bay—namely, that no elector should be entitled to more than one vote, or, to speak more correctly, that no elector should be entitled to vote for more than one Member in any given district. Of course, if an elector is registered in several districts, he would be allowed to exercise his right of voting in each. When the population is large enough in any district to entitle it to return two Members, the practice of giving to each elector two votes has the effect, in the first place, of doubling the elector's power of each individual, and thus of placing him in a better position than the electors in a smaller district, and, in the second place, of admitting, and even suggesting combinations, by which a large majority may have the power of returning both Members, and of thus practically depriving a minority, whose numbers may be such as to entitle it to return one Member, of any representation at all.

It may be said, why not then divide the districts, and give to each section a single member? The reply to this is, that in such a case, the representatives are too apt to consider themselves as mere delegates of a small section of the community, and to postpone the interest of the public to that of the particular locality in which they have a special interest.

4. As the Electoral Districts into which it is proposed to divide the new Colony differ altogether from those which return Members to the Legislature of New South Wales, some steps must be taken to register the votes in each of the new districts, and to make all the necessary preparations for the electors of a Legislative Assembly. The persons entitled to vote have been already registered under the provisions of the Electoral Act of New South Wales, and all that is absolutely necessary would be to determine for which of the new districts the voters already registered are entitled to vote; but the simplest plan would be, to direct the adoption, so far as it is applicable to the circumstances of the new Colony, of the New South Wales Electoral Act, 14 Victoria, No. 48.

The Governor will then, on his arrival, cause the provisions of this enactment to be applied to the new Electoral Districts; proper lists of voters will be made, revised, and registered; and the Legislative Assembly, when it meets, will be furnished with a complete set of rules for its guidance.

5. I have, in the present Despatch, given all the information which may be necessary to enable Her Majesty's Government to provide for the election of a Representative Assembly in the proposed new Colony. The questions relative to the appointment by Her Majesty of the Members of the Legislative Council I shall discuss in a separate Despatch.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE
THE SECRETARY OF STATE
FOR THE COLONIES.

SEPARATION OF MORETON BAY.

11

No. 9.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

(No. 3.)

*Government House,
Sydney, New South Wales,
4 January, 1858.*

SIR,

In your Despatch, No. 88, dated 13 July, 1857, you direct me to furnish you with the numbers and names of such persons as I should recommend for Her Majesty's choice as Members of the future Legislative Council of the new Colony of Moreton Bay, your object being to insert in the Order in Council itself, as far as possible, the necessary provisions for constituting the new Government and Legislature.

2. In accordance with your instructions, I have, after consultation with the Members of my Executive Council, and with other persons interested in the new Colony, decided to recommend that the Legislative Council should be composed of not less than twelve Members; and I enclose a list of the names of twelve gentlemen, who, from their position and acquirements, are entitled to have this distinction conferred upon them.

3. I would, however, beg to submit for your consideration, whether it would not be desirable to leave the selection of the Legislative Council to the Governor of the new Colony, who, acting upon information which he will obtain upon the spot, will be better able to judge than I can be of the advisability of appointing the gentlemen I have named to you.

I have no hesitation in expressing my conviction of the fitness of these gentlemen; but it may be very possible that several of them may intend to offer themselves as candidates for the representation of some of the Electoral Districts in the Legislative Assembly, against which their nomination in the Orders in Council may perhaps militate.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE,
&c., &c., &c.

No. 10.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

(Extract)

(No. 4.)

*Government House,
Sydney, New South Wales,
5 January, 1858.*

SIR,

In your Despatch, No. 88, dated 13th July, 1857, you direct me to inform you what Establishment it will be necessary to create at Moreton Bay for the purpose of Local Government, and to accompany this information with any suggestions which I may wish to make, as to the appointment of particular individuals to office there.

2. There are at present existing at Moreton Bay certain Establishments connected with the ordinary machinery of Government; these must be maintained for the present, and all the change which it will be necessary to make in the arrangements respecting them will be that they will have to report to heads of Departments in Brisbane instead of in Sydney. There is, for instance, a Collector of Customs at Brisbane—he, instead of forwarding his receipts and accounts to Sydney, will hand them over to a Treasurer on the spot. There is a Police Establishment, and the officers of this, instead of referring to the Colonial Secretary at Sydney, will report to a similar officer at Brisbane. In the same way the Magistrates, Chairman of Quarter Sessions, &c., must correspond with some authority at Brisbane, instead of with the Attorney General at Sydney. It will then be necessary that the Governor should, on his arrival, be prepared to appoint a Colonial Secretary, a Colonial Treasurer, and an Attorney General, among whom would be distributed the charge of the various Establishments already existing at Moreton Bay. A Solicitor General

General would not be required; neither do I think that it would be necessary to appoint an Auditor General, until the Legislature of the new Colony may be able to decide as to the system upon which their accounts are to be audited. A Board of Audit, composed of persons independent of the Government, might perform the business of the Audit Office for the first few years of the existence of the Colony.

3. Looking to the scanty population and the (probably) trifling Revenues of the new Colony, I should limit the number of officers to those already named, who will form the Executive Council of the Governor.

4. The Judicial business is already provided for by the Act 20 Victoria, No. 25, under which a Judge has been appointed, who resides at Brisbane, and performs there all the functions which are the attributes of the Supreme Court in New South Wales.

5. The only other office to which I think it is necessary to allude is that of the Surveyor General. There is at present a District Surveyor at Moreton Bay, but he would be utterly incompetent to the performance of those duties which devolve on the head of a Department of this kind. In a new Colony like Moreton Bay, where a large amount of Revenue must be derived from the land, it is essential that the Survey Department should be conducted upon the soundest principles, and that money should not be wasted there, as it has been in the Australian Colonies generally, upon incorrect, and, therefore, useless surveys. The business of a Surveyor General would be the establishment of a good system, the superintendence of its working, and the institution of such checks as will enable him to secure the proper performance of their work by his subordinates. In order to do this, he must have a perfect knowledge of the theory and practice of surveying; he must be orderly and methodical, and have had a proper training in the management of an office. In addition to these, or, rather, in order to enable him to avail himself of these qualifications, he should be energetic, and active in body and mind. Many persons are apt to imagine that a Surveyor General should be always in the field; there cannot, however, be a greater delusion than this. The superintendence of surveyors' work is far more effectively exercised in the office,—in fact, it is only those who are altogether ignorant of the system upon which surveys ought to be made who would venture to express such an opinion. As, then, it will be necessary to create a new Survey Department for the Colony of Moreton Bay, I would suggest, for your consideration, the propriety of sending out an Officer of Engineers with a certain number of Sappers, and the necessary instruments, to lay the foundation of a good system at the commencement; to such an officer might be entrusted also the superintendence of the Public Works generally, and I have no doubt that the arrangements would be found both useful and economical.

6. In your Despatch before quoted, you have not alluded to the salaries of the different officers to be appointed; as, however, these will have to be specially provided for, as has been done in the reserved Schedules of the Constitution Act of the different Australian Colonies, I have thought it advisable to allude to them in this Despatch. The probable Revenue of the Colony should, of course, have some influence upon the salaries, but the expense of living should also be borne in mind in fixing the amount.

I do not think that the Governor could maintain his proper position with a smaller income than £3,000 per annum—£1,200 per annum may be given to the Colonial Secretary, £1,000 per annum to the Treasurer, and £800 per annum to the Attorney General. Should you send an officer out in charge of the Survey Department and of the Public Works, both of which offices are likely to be of great importance, I do not think that a less sum than £1,000 per annum should be paid to him.

7. In connection with the subject of the amount to be reserved and placed at the disposal of Her Majesty as a Civil List, I may take the opportunity of suggesting the necessity of applying a certain sum towards the maintenance of Public Worship in the new Colony. At present, a certain number of Clergymen, of different denominations, receive salaries from the sum reserved in Schedule C of the Constitution Act, New South Wales; the payment of these gentlemen must, of course, be transferred to the new Colony. I should not propose to make any deduction from Schedule C on account of this transfer; but I do not think that the amount reserved for the maintenance of Religious Worship in the

new Colony should be limited to that which the existing Clergymen receive. The Colony is extending its boundaries rapidly, and the want of adequate religious instruction is everywhere felt. I should, therefore, suggest that a sum should be reserved, bearing something like the same proportion to the population of Moreton Bay that the amount paid for Religious Worship in New South Wales does to its population, which would make the amount reserved for Moreton Bay about £3,500.

* * * * *

9. Power must, of course, be given to the Governor, with the advice of his Executive Council, to appropriate such sums as may be required for the purposes of Government, without the previous consent of the Legislature. It is evident that, although certain expenses may have been authorised by the Legislature of New South Wales, there will be many items of expenditure which could never have been contemplated, and which must, therefore, be defrayed by the authority of the Governor and Executive Council until the Legislature can act.

* * * * *

I have, &c.,
W. DENISON.

THE RIGHT HONORABLE
HENRY LABOUCHERE,
&c., &c., &c.

No. 11.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

(No. 6.)

*Government House,
Sydney, New South Wales,
7 January, 1858.*

SIR,

Having in former Despatches gone fully into all the questions connected with the separation of the districts to the northward from the Colony of New South Wales, with the exception of that which relates to the division of the outstanding debt of New South Wales between the two Colonies, I now propose to address you on this subject.

2. In your Despatch No. 88, dated 13 July, 1857, you say that the division of the debt, when made, must, according to the opinion of the Law Officers, be embodied in an enactment of the New South Wales Legislature.

Acting, then, in accordance with this opinion, I brought the subject under the consideration of the Executive Council; and, in accordance with their advice a Bill was prepared (a copy of which I forward herewith), embodying the principles which had been adopted by a previous Ministry, and which were reported to you in my Despatch No. 5, dated 5 February, 1857.

3. This Bill was read a second time, but has now lapsed in consequence of the dissolution of the Legislative Assembly; and I am bound to inform you that a strong feeling appears to exist throughout the Colony against a measure, the effect of which would, in the opinion of many people, be to saddle the Colony of New South Wales with a very large proportion of a debt for which the joint capital of the two Colonies was originally pledged, and I do not think it likely that the Bill will pass.

With regard to the Bill itself, I may remark that clauses 1, 2, 3, and 4, embody the principles upon which the *existing* debt of the Colony should be apportioned between New South Wales and Moreton Bay; but clause 5 recognizes the districts about to be separated as partners with New South Wales, and provides for a settlement of the partnership accounts. To this I have always objected. In the first place, it appears to recognize a right on the part of each district or division of a country to claim that the whole of the revenue directly or indirectly raised in such district should be specially appropriated to its particular and direct use and benefit. In the second place, it would be impossible to say what effect the outlay of money upon works of general utility has had upon different sections of the Colony; and the settlement of a set of accounts, upon each item of which discussions would be raised, as to the principle upon which the division was to be based, would not only occupy

a long time, but be productive of jealousies and heart-burnings, which would tend to create an ill-feeling between two Colonies, whose relations with each other ought to be of the most intimate and friendly character.

5. The Bill, and indeed any Bill to be passed by the Legislature of New South Wales, appears to be liable to the objection that it proposes to legislate for another Colony over which, at the very instant when it becomes necessary to enforce the provisions, neither the Government nor the Legislature can exercise any control; so that, in point of fact, without some specific understanding with, or guarantee from, Her Majesty's Government, the whole may be looked upon as a dead letter.

Under these circumstances, I am of opinion that it would be in every way better that Her Majesty's Government should, at once, take upon itself the decision of the question, in accordance with the principles laid down in clauses 1, 2, 3, and 4, with the exception that, in clause 3, the account should shew the number of immigrants introduced within the limits of Moreton Bay within the years 1851, 1852, 1853, 1854, 1855, and 1856, which were the years during which Loans for Immigration were negotiated, together with the cost of introducing the same; and on the credit side, an account should be given of half the *net* Revenue of the Land Fund from all sources. I was in hopes of being able to send with this Despatch the Returns required to exemplify it; but as these cannot be prepared in time, I have thought it better to send the Despatch in its present state. The Returns, and calculations based on them, I will forward by the next Mail.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE,

&c., &c., &c.

No. 12.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE FOR THE COLONIES.

(No. 31.)

Government House,

Sydney, New South Wales,

6 February, 1858.

SIR,

In my Despatch, No. 6, dated 7th ultimo, I stated that I would send by the next Mail the Returns and the calculations, based on these Returns, as to the proportion of the New South Wales debt which should be paid by Moreton Bay. I now forward the following Returns which have been prepared, carrying out the accounts, as far as could be done, to the end of 1856.

No. 1 is a Statement of the amount received for the Sale of Land in the years from 1842 to 1856, inclusive, distinguishing the land sold in the Northern Districts from that sold in the Southern, and marking further the total received in each during the years from 1842 to 1850, and from 1851 to 1856.

No. 2 is a Statement of the amount received as Rent or License Fee for Crown Lands, distinguishing that paid in the Northern Districts from that paid in the Southern, and giving also the total received from 1842 to 1850, and from 1851 to 1856.

No. 3 is a Statement of the share of the expense of Survey, Sale, and Management of Crown Lands chargeable against Moreton Bay for the years from 1851 to 1856, inclusive.

No. 4 is a Return shewing the total Ordinary Revenue collected in the District of Moreton Bay during the years from 1842 to 1856, inclusive. There are no precise data upon which this return could be based. The amount of Custom dues received at the Port of Brisbane would give no approximation to the proper sum to be credited to the Northern Districts, for a large proportion of the imports intended for Moreton Bay pay duty at Sydney, and are shipped coastwise to Brisbane as they are wanted. The only available means of arriving

arriving at any probable result was to divide the whole amount of the Revenue between the two Colonies in proportion to the population of each. No. 4 also contains another Return, showing the amount received for the sale of land in each year from 1842 to 1856, and the total outlay in each year on account of Immigration.

No. 5 is a Return of the amount sanctioned for Public Works, to be paid for by loan in the Northern Districts; and it also contains an account of the debt of New South Wales, under different heads, at the end of 1856.

No. 6 is a Return shewing the number of Assisted Immigrants who have been sent to Moreton Bay in the years from 1848 to 1856.

No. 7 is a Statement of the Expenditure from the Ordinary Revenue upon account of the Northern Districts of the Colony from 1842 to 1856.

No. 8 shews the proportion of the cost of the General Government for the same years which is chargeable to Moreton Bay.

No. 9 is a Statement of the Expenditure charged upon the Territorial Revenue which has been charged to the account of Moreton Bay from 1842 to 1856.

No. 10 is a statement of the number of Immigrants landed in the Colony in the years from 1851 to 1856 inclusive.

2. I will now proceed to explain the use which I propose to make of these Returns with reference to the recommendations contained in the 6th paragraph of my Despatch, No. 6, of 7 January, 1858. There can be no doubt as to the meaning of clause 1 of the Act which charges the debt created for the Sewerage and Water Works of Sydney to the Colony of New South Wales.

3. The meaning of the second clause is also clear, but the amount under this head cannot be defined until separation actually takes place. The Return No. 5 only shews the amount sanctioned up to the end of 1856, and during the whole of 1857, and at the present instant various works are in course of execution, the cost of which is being defrayed from borrowed money.

4. The determination of the proportion of the debt incurred for immigration, amounting, as shewn in the Table No. 5, to £418,000, is a more complicated question, and the mode in which I have arrived at the result, that the sum chargeable in the account against Moreton Bay is £72,750 8s. 2½d., will be seen more clearly by reference to the tabular account (A) appended to this Despatch.

5. On reference to this tabular statement, it will be seen that I have taken into account only the years from 1851 to 1856, being those in which the debt for immigration was incurred. I have, however, credited Moreton Bay with half of the net Land Revenue arising from the leasing, as well as the sale of Crown Lands. That I have done substantial justice to that part of the Colony will be seen by reference to the tabular account B, herewith enclosed, by which it will be seen, that taking the gross revenue of Moreton Bay from all sources, and comparing it with the expenditure fairly chargeable to that part of the Colony, the balance, even upon this rough account at the end of 1856, would not amount to more than £10,000 or £12,000; while if the expenditure of 1857 were introduced into the account, and every small item looked up which might fairly be charged against the Northern Districts, the difference between the receipts and expenditure would be too trifling to merit notice, certainly not enough to justify a course of inquiry, which would spread over a long time, and be productive of very great irritation.

6. The share of the public debt which has been incurred to meet deficiencies in the Revenue cannot of course be determined till the accounts have all been made up, and must be allowed to stand over until the separation of the Colonies; and I have not attempted to forward any return relative to it, as the amount is sure to vary from year to year in proportion as the Revenue is more or less productive.

7. The question, I am perfectly aware, is one which presents very many difficulties; taking, however, for granted that Her Majesty's Government is convinced of the expediency of separating the Northern Districts from New South Wales, and is prepared to take the necessary

necessary steps for the erection of these into a separate Colony, I think it would not be advisable to prolong the state of suspense in which the colonists are placed. In my former Despatches I forwarded all the data required for the formation of the Government of the new Colony; and, with regard to the share of the debt to be charged to it, it will not be difficult for Her Majesty's Government to make arrangements for the determination of the amount due at the time of separation for Public Works, and for the deficiencies in the Revenues, while the share of the Immigration Debt may be put at £72,750, as shewn in the return marked A.

8. The accounts between the two Colonies will thus be simplified, and a definite arrangement having been made by Her Majesty's Government, upon the data furnished by the enclosed returns, no opening will be left for irritating discussion between the Colonies themselves.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE
THE PRINCIPAL SECRETARY OF STATE
FOR THE COLONIES.

[Enclosures in No. 12.]

No. 1.

STATEMENT of the Total PURCHASE PRICE OF LAND SOLD in the COLONY OF NEW SOUTH WALES, between the Years 1842 and 1856, distinguishing whether to the North or South of Point Danger.

YEAR.	NORTH.	SOUTH.
1842	5,290 17 2	6,554 0 6
1843	1,831 10 4	3,479 11 8
1844	2,075 14 5	4,670 0 3
1845	1,222 17 10	8,584 12 8
1846	615 6 10	7,249 2 5
1847	693 5 0	7,436 14 2
1848	1,295 7 5	5,728 19 1
1849	3,197 3 4	9,843 2 11
1850	3,411 3 2	18,613 3 9
	19,633 5 6	72,159 7 5
1851	9,954 7 7	33,101 19 6
1852	3,768 1 3	40,299 18 3
1853	31,203 4 8	138,215 7 11
1854	58,316 18 10	228,619 14 4
1855	31,590 16 0	207,155 16 7
1856	23,661 13 3	221,893 9 2
	158,495 1 7	869,286 5 9
TOTALS ...£	178,128 7 1	941,445 13 2

The Treasury, New South Wales,
4 January, 1858.

No. 2.

RETURN shewing the Amount derived from the LEASING of CROWN LANDS within the Settled Districts, North and South of Point Danger.

YEAR.	North of Point Danger.	South of Point Danger.
	£ s. d.	£ s. d.
1848	.....	991 0 4
1849	298 11 3	6,054 13 0
1850	368 1 3	4,636 15 8
	666 12 6	11,682 9 0
1851	455 6 11	5,469 7 6
1852	793 19 0	5,451 4 7
1853	487 15 3	4,279 0 11
1854	2,299 5 2	4,944 13 3
1855	2,075 4 9	5,130 16 10
1856	2,120 12 5	5,717 14 6
	8,232 3 6	30,992 17 7
TOTALS..... £	8,898 16 0	42,675 6 7

The Treasury, New South Wales,
31 December, 1857.

RETURN shewing the Amount derived from the LEASING of CROWN LANDS beyond the Settled Districts, North and South of Point Danger.

YEAR.	North of Point Danger.	South of Point Danger.
1842	150 0 0	8,791 0 0
1843	300 0 0	7,640 0 0
1844	660 0 0	9,400 0 0
1845	1,469 10 0	15,969 0 0
1846	1,817 10 0	17,315 10 0
1847	1,902 0 0	20,799 10 0
1848	2,572 15 0	21,144 12 6
1849	2,783 8 9	20,922 11 5
1850	3,964 16 0	22,751 6 8
	15,619 19 9	144,733 10 7
1851	5,422 1 0	21,904 10 10
1852	5,707 8 0	21,430 13 0
1853	6,270 6 4	25,193 11 4
1854	7,299 16 5	29,524 10 4
1855	6,824 5 4	29,458 5 9
1856	8,192 0 4	30,968 7 0
	39,715 17 5	158,479 18 3
TOTALS..... £	55,335 17 2	303,213 8 10

The Treasury, New South Wales,
31 December, 1857.

No. 3.

STATEMENT of the Cost of SURVEY, SALE, and MANAGEMENT of CROWN LANDS in the MORETON BAY TERRITORY, including the Expenses of the PORT CURTIS ESTABLISHMENT, and a proportionate share of the Expenses of the DEPARTMENTS of the SURVEYOR GENERAL and CHIEF COMMISSIONER OF CROWN LANDS, from 1st January, 1851, to 31st December, 1856.

PARTICULARS.	1851.	1852.	1853.	1854.	1855.	1856.	TOTAL.
Surveying Parties	2,727 13 5	2,293 19 1	3,232 0 11	2,285 12 5	1,189 7 3	618 9 11	12,347 3 0
Licensed Surveyors ... ..	.....	.....	.....	272 9 3	1,110 4 6	1,129 4 6	2,511 18 3
Commissioners of Crown Lands	3,854 10 6	3,875 6 5	4,149 16 9	3,106 10 7	2,810 16 2	3,235 12 0	21,032 12 5
Commission	343 16 2	254 7 8	622 4 11	1,915 9 3	1,234 0 5	976 11 8	5,346 10 1
Port Curtis Establishment ... ..	.....	.....	2,438 4 2	9,634 2 8	8,484 3 2	2,974 7 1	23,530 17 1
Proportion of the Expenses of the—							
Surveyor General's Department	950 10 1	906 13 2	1,605 4 5	1,155 5 1	870 12 3	506 16 1	5,995 1 1
Chief Commissioner's do.	611 11 10	633 1 2	848 9 2	634 1 9	556 15 0	464 5 8	3,798 4 7
TOTALS	8,488 2 0	7,963 7 6	12,896 0 4	19,053 11 0	16,255 18 9	9,905 6 11	74,562 6 6

No. 4.
Audit Office, Sydney, New South Wales,
19 January, 1858.

W. C. MAYNE,
Auditor General.

No. 4.

A RETURN shewing the Total ORDINARY REVENUE collected in the District of Moreton Bay, in each Year, from 1842 to 1856 inclusive, as deduced from the Population Returns, relatively to the Population of the whole Colony.

YEARS.	Population of the whole Colony.	Population of Moreton Bay.	Total Ordinary Revenue of Colony.	Revenue of Moreton Bay District as deduced from the Population.
1842	136,031	665	290,951	2,153
1843	141,206	1,130	282,520	1,861
1844	146,381	1,595	298,076	2,267
1845	151,556	2,060	317,944	2,962
1846	156,730	2,525	334,219	3,290
1847	162,832	3,735	354,868	4,699
1848	168,934	4,945	378,720	6,109
1849	175,036	6,155	402,577	8,178
1850	181,138	7,365	427,573	10,066
1851	187,243	8,575	457,729	12,719
1852	203,739	10,241	496,084	18,904
1853	220,235	11,907	545,897	31,136
1854	236,731	13,573	615,440	35,286
1855	253,227	15,240	641,432	38,603
1856	269,722	16,907	788,187	49,406
TOTAL.....£				227,639

The Treasury, New South Wales,
6 November, 1857.

RETURN, shewing the amount Received for the SALE of LAND, and the amount Paid on account of IMMIGRATION, from 1st January, 1842, to 31st December, 1856, inclusive.

YEARS.	Amount Received for Sale of Land.	Total Outlay on Account of Immigration.
1842	11,844 17 8	76,473 0 10
1843	5,311 2 0	8,894 17 1
1844	6,745 14 8	44,970 6 10
1845	9,807 10 6	9,547 17 7
1846	7,864 9 3	873 0 0
1847	8,129 19 2	951 1 3
1848	7,024 6 6	59,389 14 3
1849	13,040 6 3	72,695 8 5
1850	22,024 6 11	85,608 13 2
		920,583 16 7
1851	43,056 7 1	95,815 11 0
1852	44,067 19 6	149,107 6 3
1853	169,418 12 7	146,573 15 9
1854	286,936 13 2	242,655 14 6
1855	238,746 12 7	165,782 12 6
1856	245,555 2 5	120,648 16 7
TOTALS... £	1,119,574 0 3	1,279,987 16 0

The Treasury, New South Wales,
6 November, 1857.

No. 5.

No. 5.

RETURN of amount sanctioned for PUBLIC WORKS, in the Territory North of Point Danger, to 31st December, 1856.

WORKS.	Amount Sanctioned	Amount Expended.
18 VICT. No. 35.		
Lighthouse, Cape Moreton	3,250 0 0	3,040 12 3
Court House, Ipswich	3,500 0 0	
19 VICT. No. 40.		
Brisbane Gaol	20,000 0 0	
Steam Dredge and Punt for River Brisbane	10,450 0 0	115 13 11
Water Works, Gladstone.....	3,757 0 0	2,581 9 0
TOTAL.....	£ 40,957 0 0	
Railway Surveys		2,400 0 0
		£ 8,437 15 2

The Treasury, New South Wales,
6 November, 1857.

RETURN of the DEBT of the Colony of New South Wales on the 31st December, 1856, shewing the years in which the different Loans were contracted, and the purposes for which the money was raised.

SERVICES.	YEARS.	AMOUNTS.	TOTALS.
Immigration	1851	20,800	361,200
	1852	130,400	
	1853	100,000	
	1854	60,000	
	1855	53,000	
To pay off Land and Immigration Debentures	1856	54,000	54,000
			418,200
Railways	1853	50,000	1,087,300
	1854	150,000	
	1855	534,400	
	1856	352,900	
Public Works... { 18 Vict., No. 35	1855	21,000	300,200
	1856	279,200	
Sydney Water Works	1854	10,000	115,400
	1855	18,000	
	1856	87,400	
Sydney Sewerage	1854	10,000	178,300
	1855	44,900	
	1856	123,400	
TOTAL.....		£	2,009,400

The Treasury, New South Wales,
6 November, 1857.

No. 6.

No. 6.

RETURN shewing the number of Assisted Immigrants introduced into the MORETON BAY District, from the 1st January, 1842, to 31st December, 1856, together with the cost of the same.

60-2

YEAR.	IMMIGRANTS DIRECT TO MORETON BAY.						FORWARDED FROM SYDNEY BY GOVERNMENT.						COST OF CONVEYANCE FROM EUROPE, &c.			COST OF CONVEYANCE FROM SYDNEY.			TOTAL.		
	Adults.		Children.		Total.	Statute Adults.	Adults.		Children.		Total.	Statute Adults.	£	s.	D.	£	s.	D.	£	s.	D.
	M.	F.	M.	F.			M.	F.	M.	F.											
1842 to 1847	Nil.																				
1848	96	67	47	31	241	195½	...	...	...	...	...	...	2,654	18	0	...	...	...	2,654	18	0
"	...	...	...	...	...	...	30	61	13	17	121	103	1,356	4	2	117	10	0	1,473	14	2
1849	...	...	...	...	...	...	33	79	22	14	148	126½	1,657	10	0	194	5	0	1,851	15	0
1850	108	83	41	31	263	223	...	...	...	...	...	...	2,611	11	1½	...	...	...	2,611	11	1½
"	...	...	...	...	...	...	22	120	8	9	159	149	1,795	2	6½	224	4	0	2,019	6	6½
1851	92	76	28	32	228	194	...	...	...	...	...	...	2,285	5	10	...	...	...	2,285	5	10
"	...	...	...	...	...	...	...	25	1	2	28	26½	309	14	4½	40	10	0	350	4	4½
1852	371	382	208	158	1,119	911½	...	...	...	...	...	...	13,459	4	0	...	...	...	13,459	4	0
"	...	...	...	...	...	...	2	29	...	7	38	34	385	5	3	7	5	0	442	10	3
1853	509	871	339	374	2,093	1,687½	...	...	...	...	...	...	31,998	5	3¾	...	...	...	31,998	5	3¾
"	...	...	...	...	...	...	...	5	...	1	6	5½	97	12	6	16	10	0	114	2	6
1854	526	376	161	187	1,250	1,051½	...	...	...	...	...	...	25,787	14	5½	...	...	...	25,787	14	5½
"	...	...	...	...	...	...	12	...	...	...	12	12	142	19	0	49	10	0	192	9	0
1855	1,136	823	387	373	2,719	2,277½	...	...	...	...	...	...	41,249	15	0	...	...	...	41,249	15	0
"	...	...	...	...	...	...	14	13	3	11	41	33	565	12	9½	130	5	0	695	17	9½
1856	563	389	146	157	1,255	1,073	...	...	...	...	...	...	16,189	10	10½	...	...	...	16,189	10	10½
"	...	...	...	...	...	...	10	16	6	...	32	28½	411	4	10½	88	5	0	499	9	10½
TOTAL...	3,401	3,067	1,357	1,343	9,168	7,613½	123	348	53	61	585	518	£142,957	10	1¼	£918	4	0	£143,875	14	1¼

No. 7. Government Immigration Office,
Sydney, 20 January, 1858.

H. H. BROWNE,
Agent for Immigration.

No. 7.

EXPENDITURE.—ORDINARY

STATEMENT of EXPENDITURE, charged upon the ORDINARY REVENUE, for the DISTRICTS of BURNETT, from 10th February, 1842, to 31st December, 1856, so

PARTICULARS.	1842.	1843.	1844.	1845.	1846.	1847.	1848.
CIVIL.							
Government Resident—							
Moreton Bay							
Port Curtis							
Postal Communication	42 4 10	47 19 10	71 19 1	67 7 0	137 13 7	261 2 8	314 2 0
Harbour Master, Brisbane	39 12 3	272 2 5	245 5 0	171 8 10	230 6 7	368 12 2	708 4 6
Do. Port Curtis							
Shipping Master							
Steam Navigation Board							
Customs					306 17 5	637 7 6	731 9 8
Botanic Gardens							
Floating Light							
JUDICIAL.							
Circuit Courts							
Sheriff							
Insolvent Court							
Coroners	9 10 0	2 1 0	17 0 6	4 2 6	15 10 0	37 6 6	89 2 6
ECCLIESIASTICAL.							
Clergy and Churches		100 0 0	100 0 0	336 0 0	235 0 0	374 0 0	195 0 0
EDUCATIONAL.							
Schools & School Buildings				14 7 10	29 1 5	34 2 6	45 3 3
MEDICAL.							
Health Officer							
Vaccine Establishment							
POLICE.							
Police, Ordinary	424 13 8	1,963 15 7	2,131 17 9	2,136 17 11	2,001 3 6	2,397 7 5	2,168 0 6
Native Police							591 11 0
GAOL—Brisbane							
HOSPITAL—Brisbane							29 1 10
WORKS AND BUILDINGS					26 0 0	191 5 6	1,427 16 0
ROADS AND BRIDGES							
GRANTS IN AID.							
School of Arts, Brisbane							
MISCELLANEOUS.							
Electoral and Election Expenses							
Unforeseen Expenses	109 0 0					7 13 8	1 0 0
Erection of Pounds, &c.							
Charges on Collections						12 3 2	
Disputed Boundary Commissioners							
Expenses of Collecting the Census							
Revenue and Receipts returned							
Fencing in the Burial Ground at Brisbane							
Premium for Samples of Cotton							
ASSESSMENT ON SHEEP (Scab in Sheep Act, 18 Victoria, No. 26)							
SURVEYOR GENERAL							
COMMISSIONERS OF CROWN LANDS							
ABORIGINES							
COMMISSION ON LAND SALES, &c.							
IMMIGRATION							
QUARANTINE							
TOTALS	£ 625 5 9	2,385 18 10	2,566 2 4	2,733 4 1	2,981 11 6	4,371 1 1	6,300 11 3

* Incomplete, waiting the Returns from the Immigration Department.

Audit Office, Sydney, New South Wales,
9 November, 1857.

SEPARATION OF MORETON BAY.

23

REVENUE ACCOUNT.

MORETON, DARLING DOWNS, MARANOVA, LEICHHARDT, PORT CURTIS, WIDE BAY, and far as can readily be ascertained from the Accounts in this Office.

1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	TOTAL.
				562 10 0	618 15 0	675 0 0	876 18 1	2,733 3 1
211 7 8	636 19 2	1,076 19 0	1,840 0 10	2,665 5 5	3,203 12 11	3,646 8 3	707 9 9	707 9 9
606 15 9	608 10 7	629 15 4	1,233 14 11	1,616 8 10	2,886 8 11	2,103 1 0	6,702 9 5	20,915 10 8
					198 17 8	609 0 11	2,434 13 5	14,158 0 6
					168 2 10	18 15 0	477 16 4	1,285 14 11
				15 0 0		47 1 9		186 17 10
728 18 1	836 5 6	798 5 10	822 0 7	1,266 7 11	1,748 10 5	2,133 14 11	37 10 0	99 11 9
						212 16 7	2,134 5 11	12,194 3 9
							622 5 11	865 2 6
							643 2 4	643 2 4
	565 6 2	1,062 1 7	926 3 0	865 2 7	920 6 4	1,383 8 6	1,563 14 0	7,286 2 2
	63 8 8	101 6 5	103 17 0	197 1 0	261 0 0	253 13 0	195 0 0	1,175 6 1
		4 7 0	2 14 0	4 11 0				11 12 0
74 17 3	39 15 10	97 12 9	109 4 6	85 18 10	98 10 6	124 13 6	205 2 0	1,010 8 2
673 9 4	736 17 0	991 10 0	745 0 0	565 5 5	638 6 8	1,206 9 8	1,398 1 2	8,295 0 3
115 16 11	100 0 0	335 2 11	182 18 4	412 19 2	485 15 0	572 9 9	461 5 11	2,789 3 0
		4 1 0	40 13 0	42 15 11	56 7 8	50 0 0	62 10 0	256 7 7
		0 17 2		0 19 9	23 18 3	25 0 0	81 5 0	82 0 2
2,148 13 0	2,725 10 1	4,692 0 8	4,792 1 9	6,560 5 11	9,095 0 7	7,682 12 5	15,502 18 4	66,423 4 1
646 9 4	2,405 1 8	1,911 18 3	5,149 13 6	6,765 0 2	8,317 2 10	10,739 1 2	6,557 19 7	43,083 17 5
	1,007 7 7	1,078 5 10	1,225 4 5	1,450 19 8	1,673 15 8	1,944 11 10	2,173 15 8	10,554 0 8
108 17 0	231 7 8	403 9 4	203 15 2	252 16 0	450 0 0	200 0 0	300 0 0	2,179 1 0
652 3 1	342 5 0	444 7 8	641 8 0	855 11 9	575 16 7	2,298 4 3	3,790 12 10	11,215 10 8
	250 0 0	750 0 0	600 0 0	1,056 2 2	3,637 3 2	7,387 10 0	8,163 10 3	21,864 5 7
		300 0 0			100 0 0			400 0 0
		21 8 0	48 1 0	11 18 0	31 13 11	42 9 0	154 2 0	309 11 11
	5 7 6		76 2 9	18 0 0		13 18 6	46 14 6	277 16 11
20 0 0		10 0 0		10 0 0			10 0 0	50 0 0
18 1 0	29 14 0	19 9 2	22 7 8	19 17 8	2 6 8	0 19 3	91 8 10	216 7 11
	157 1 8	284 2 9						441 4 5
		274 14 5	7 9 4				651 0 0	933 3 9
			1,314 19 5	261 17 8				1,576 17 1
				45 6 6				45 6 6
					50 0 0			50 0 0
						4,333 0 0	167 14 10	4,500 14 10
							1,538 16 4	1,538 16 4
							3,119 17 2	3,119 17 2
							371 9 2	371 9 2
							916 16 10	916 16 10
							3,669 3 1	3,669 3 1
							619 13 8	619 13 8
6,005 8 11	10,730 18 1	15,291 15 1	20,087 9 1	25,607 16 4	35,261 11 7	47,733 19 3	66,939 2 4	249,081 15 6

W. C. MAYNE,
A. G.

the GENERAL GOVERNMENT chargeable to the MORETON BAY DISTRICT, and of other Expenses not Debited of the Population, upon which this Charge has been based, of each year for the same period.

1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	TOTAL.
5,594 6 3	5,754 16 9	6,248 2 0	6,387 11 0	6,878 4 2	6,987 2 6	8,911 14 2	16,400 11 8	102,410 3 7
3,676 19 2	3,673 12 9	3,753 13 1	4,955 4 7	7,408 15 5	8,251 15 0	9,001 18 1	13,739 0 11	75,389 17 8
6,005 7 7	6,747 14 7	6,272 3 6	6,104 0 3	10,255 12 2	10,762 11 0	14,201 17 11	12,762 13 2	117,002 16 0
.....	.....	.....	.....	.....	.....	.....	1,442 9 10	1,442 9 10
3,487 0 8	3,943 8 2	3,903 5 10	3,842 11 11	6,603 16 4	7,416 11 10	7,666 7 5	9,489 19 10	71,546 2 5
2,596 8 5	2,908 9 8	2,636 19 4	2,896 9 1	5,292 5 3	5,378 18 4	7,057 8 3	7,333 18 7	56,432 1 9
2,755 0 0	2,960 0 0	2,960 0 0	2,460 0 0	2,001 13 4	1,518 6 8	4,669 15 11	4,331 13 6	41,621 3 4
8,486 1 11	7,000 0 0	7,000 0 0	7,000 0 0	8,283 6 8	8,657 10 0	8,449 15 6	9,026 4 6	126,333 10 6
1,040 3 11	920 15 4	1,013 3 7	1,213 4 9	2,972 8 1	3,896 9 4	5,110 1 5	5,065 14 3	28,671 4 6
1,753 19 3	1,094 17 4	2,756 4 6	957 18 6	679 4 9	1,373 9 4	917 2 9	3,100 10 5	23,312 13 1
2,298 19 1	1,740 8 1	.....	.....	.....	.....	.....	.....	5,734 2 9
.....	.....	.....	1,820 13 4	16,164 12 6	23,286 0 4	34,778 2 6	24,920 0 10	100,969 9 6
.....	.....	5,000 0 0	5,000 0 0	5,000 0 0	5,000 0 0	5,000 0 0	5,000 0 0	30,000 0 0
.....	.....	.....	.....	.....	.....	.....	2,988 0 7	2,988 0 7
1,922 4 7	400 0 0	1,704 14 7	2,353 15 1	3,456 18 0	2,623 19 9	2,741 13 4	3,696 4 5	27,449 15 4
39,616 10 10	37,144 2 8	43,338 6 5	44,991 8 6	74,996 16 8	86,152 14 1	108,505 17 3	119,297 2 6	811,303 10 10
230,097	246,593	264,588	* 199,875	214,086	229,876	247,243	266,189	
5,792	7,123	8,575	9,936	11,467	13,168	15,040	17,062	
937 4 6	1,072 18 7	1,404 10 11	2,236 1 5	4,017 0 5	4,877 3 10	6,600 9 0	7,655 8 0	31,672 5 6
10th February, 1842, to the 31st December, 1854, at 1s. 4d. per diem								267 16 0
1st January, 1855, to 31st December, 1856, at 2s. 2d. per diem								603 1 10
the Colony, from the 10th February, 1842, to the 30th June, 1853, at 8d. per diem								870 17 10
do. from the 1st July, 1853, to the 31st December, 1856, at 1s. per diem								1,627 0 0
								997 11 0
								2,624 11 0
TOTAL CHARGEABLE TO MORETON BAY								£ 35,067 14 4

Phillip District from New South Wales.

more scrupulously just towards the new Colony than an average would be.

No. 9.

EXPENDITURE.—TERRITORIAL REVENUE ACCOUNT.

STATEMENT of EXPENDITURE charged upon the TERRITORIAL REVENUE for the DISTRICTS of MORETON, DARLING DOWNS, MARANOA, LEICHHARDT, PORT CURTIS, WIDE BAY, and BURNETT, from 10th February, 1842, to 31st December, 1856, so far as can readily be ascertained from the Accounts in this Office.

PARTICULARS.	1842.	1843.	1844.	1845.	1846.	1847.	1848.	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	TOTAL.
Survey Department.....	1,226 6 0	1,391 16 0	717 17 6	406 19 3	1,082 6 7	988 2 10	1,105 14 5	1,277 11 3	2,561 6 9	2,727 13 5	2,293 19 1	3,232 0 11	2,558 1 8	2,299 11 9	203 18 1	24,078 5 0
Commissioners of Crown Lands.....					372 1 4	1,073 18 9	1,780 0 2	3,489 7 6	3,372 4 9	3,854 10 6	3,875 6 5	4,349 16 9	3,106 10 7	2,810 16 2	116 11 10	28,000 7 9
Public Works and Buildings.....				187 9 0	120 4 5	46 0 0		11 0 0				195 0 0	27 15 0	170 0 0		747 8 5
Commission and Charges.....						295 19 9	111 8 6	185 19 7	135 13 8	343 16 2	254 7 8	622 4 11	1,915 9 5	1,231 0 5	59 14 10	5,158 14 9
Miscellaneous.....												0 3 0	238 15 6	60 0 0		288 18 6
Immigration & Quarantine.....			56 10 10	4 7 6			809 0 3	619 16 4	2,087 9 2	4,616 15 10	13,695 17 6	32,131 5 2	25,843 8 2	39,087 2 11	133 6 2	119,114 19 10
Aborigines.....	209 16 5	22 4 4	56 4 5	11 17 6	39 1 9	20 6 7	41 3 11	74 17 7	2 14 11	34 15 11	132 9 8	267 16 11	229 16 1	230 0 0	47 8 1	1,520 11 1
Roads, Streets, and Bridges.....						101 1 3						10 0 0		587 8 5		998 9 8
Revenue Refunded.....								89 0 0			10 4 0		561 19 1		32 0 0	693 3 1
Port Curtis.....												2,128 4 2	9,435 5 0	7,873 2 3	1,789 1 0	21,537 12 5
TOTALS..... £	1,926 2 5	1,414 0 4	860 12 9	610 13 3	1,613 14 1	2,435 0 2	3,847 7 3	5,747 12 3	8,159 9 3	11,607 11 10	20,252 4 4	43,036 11 10	43,907 0 4	54,654 1 11	2,386 3 0	202,168 11 0

Audit Office, Sydney, New South Wales,
9 November, 1857.

Not complete for 1856.

No. 10.

RETURN, shewing the Number of ASSISTED IMMIGRANTS who arrived in the Colony of New South Wales, during the period from 1st January, 1851, to 31st December, 1856, inclusive.

YEAR.	ADULTS.		CHILDREN.		TOTAL.
	Male.	Female.	Male.	Female.	
1851	734	664	196	205	1,799
1852	1,758	2,030	812	780	5,330
1853	2,856	4,833	1,432	1,700	10,821
1854	2,816	2,717	863	913	7,309
1855	5,926	5,909	2,186	2,171	16,192
1856	2,887	2,776	791	778	7,232
	16,977	18,929	6,280	6,497	48,683

Government Immigration Office,
Sydney, 3 February, 1858.

H. H. BROWNE,
Agent for Immigration.

APPENDIX A.

MORETON BAY DEBT.

IMMIGRATION.

	£	s.	d.
Land sold in Moreton Bay District in years 1851 to 1856 inclusive, as per Return No. 1	158,495	1	7
Receipts in same year for land leased, as per Return No. 2—			
Within Settled Districts	£ 8,232	3	6
Without do.	39,715	17	5
	47,948	0	11
Total Land Revenue in years from 1851 to 1856 for Moreton Bay ...	206,443	2	6
Cost of Survey, Sale, and Management during those years, as by Return No. 3... ..	74,562	6	6
Net Revenue	2)	131,880	16 0
Balance available for Immigration	65,940	8	0
Outlay for Immigration in years from 1851 to 1856 inclusive, as per Return No. 4	920,583	16	7
Money borrowed in aid of Land Fund for purposes of Immigration, as per Return No. 5	418,200	0	0
Balance furnished from Land Fund	502,383	16	7
Number of Immigrants landed in New South Wales in years from 1851 to 1856 inclusive, as per Return No. 10, 48,683.			
Cost of Passage and other expenses as above	920,583	16	7
Average Cost per Immigrant	18	18	2½
Number of Immigrants sent to Moreton Bay, as per Return No. 6, 7,334½.			
Cost of do. 7,334½ × £18 18s. 2½d.	133,690	16	2½
Do. do. Balance available for Immigration, as shewn above	65,940	8	0
Proportion of Debt due by Moreton Bay... ..	72,750	8	2½

APPENDIX B.

MORETON BAY.

GENERAL ACCOUNT.

	£	s	d.
Ordinary Revenue, as per Return No. 4	227,639	0	0.
Land Revenue previous to 1851—			
Sale, per Return No. 1	£19,633	5	6
Lease, per Return No. 2	666	12	6
	15,619	19	9
	35,919	17	9
Add half of net Revenue of Land, from 1851 to 1856, as shewn in			
Account of Immigration Debt	65,940	8	0
Total Revenue available during years from 1842 to 1856	329,499	5	9
Ordinary Expenditure, as per Return No. 7	249,081	15	6
Proportion of Charge of General Government, as per Return No. 8	35,067	14	4
Charges on Land Fund previous to 1851, as per Return No. 9	26,815	0	9
Charges on Land Fund since 1851, not included in			
Return No. 3—See Return No. 9—			
Public Works and Buildings	£382	15	0
Aborigines	942	6	8
Roads, Streets, and Bridges	897	8	5
Revenue refunded	604	3	1
	2,826	13	2
This is incomplete, as Return No. 3 does not give full accounts... ..	313,291	3	9
Add average proportion of Cost of Surveyor General's Department and			
Chief Commissioner of Crown Lands, for years previous to 1851,			
say, £600 per annum, for 9 years	5,400	0	0
	318,691	3	9
Balance Credit of Moreton Bay... ..	£10,808	2	0

1858.

Legislative Assembly.

NEW SOUTH WALES.

SEPARATION OF MORETON BAY.

(DESPATCH RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 19 October, 1858.

THE SECRETARY OF STATE FOR THE COLONIES to THE GOVERNOR GENERAL.

No. 11.

*Downing-street,
16 July, 1858.*

SIR,

As the Session of Parliament is drawing towards a close, I think it advisable to inform you by this mail that Her Majesty's Government are not prepared to introduce, before its termination, any measure for removing the obstacles which now exist to the separation of Moreton Bay from New South Wales.

I shall address you more fully on the subject by next mail.

I have, &c.,
E. B. LYTON.

GOVERNOR SIR W. DENISON,
&c., &c., &c.

1858.

Legislative Assembly.

NEW SOUTH WALES.

SEPARATION OF THE NORTHERN DISTRICTS.

(CORRESPONDENCE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 25 March, 1858.

RETURN to an *Address* from the Honorable the Legislative Assembly of New South Wales, dated 13 November, 1857, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of the House,—

“Copies of all Despatches received by His Excellency the Governor General from the Right Honorable the Secretary of State for the Colonies relative to the separation of the Northern from the Middle Districts of the Colony of New South Wales, from the 21st July, 1856, down to the present time, excepting Nos. 88 and 89, bearing date July 13th, 1857, respectively, already published; together with copies of all Correspondence from His Excellency the Governor General to the Right Honorable the Secretary of State for the Colonies on the same subject and during the same period, excepting No. 176, bearing date November 11th, 1856, and No. 25, dated February 5th, 1857, already printed.”

SCHEDULE.

No.								Page.
1.	Sir W. Denison to Secretary of State.	10 September, 1856	..	..	..	..	..	2
2.	Ditto ditto.	27 November, 1856	..	..	..	..	..	2
3.	Ditto ditto.	28 November, 1856	..	..	..	..	..	2
4.	Ditto ditto.	29 November, 1856	..	..	..	..	..	3
5.	Ditto ditto.	29 November, 1856	..	..	..	..	..	3
6.	Ditto ditto.	7 December, 1856	..	..	..	..	..	3
7.	Ditto ditto.	8 January, 1857	..	..	..	..	..	6
8.	Ditto ditto.	10 January, 1857	..	..	..	..	..	6
9.	Ditto ditto.	17 January, 1857	..	..	..	..	..	7
10.	Ditto ditto.	17 January, 1857	..	..	..	..	..	7
11.	Ditto ditto.	14 February, 1857	..	..	..	..	..	9
12.	Ditto ditto.	27 February, 1857	..	..	..	..	..	9
13.	Ditto ditto.	9 March, 1857	..	..	..	..	..	10
14.	Ditto ditto.	9 March, 1857	..	..	..	..	..	10
15.	Secretary of State to Sir W. Denison.	25 July, 1857	..	..	..	..	..	10

SEPARATION OF THE NORTHERN DISTRICTS.

No. 1.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 141.)

*Government House,
Sydney, 10 September, 1856.*

SIR,

I have the honor to forward herewith a Petition addressed to the Right Honorable the Secretary of State for the Colonies, from the landholders and residents in the District of Port Curtis, praying, for the reasons therein stated, that the Northern Districts of the Colony of New South Wales may not be made into a separate Colony.

2. My opinion on the subject of this separation has been so fully stated in former Despatches that it is needless for me to say more than that I fully concur in the prayer of the Petitioners.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE.

No. 2.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 182.)

*Government House,
Sydney, 27 November, 1856.*

SIR,

I have the honor to forward herewith, for presentation to Her Majesty, a Petition signed by six persons, stating themselves to be the Chairman, Directors, and Secretary of the Moreton Bay Immigration and Land Company, praying that the territory to the north of the 30th parallel of latitude may be erected into a separate Colony, to be termed the Colony of Cooksland.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE.

No. 3.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 183.)

*Government House,
Sydney, 28 November, 1856.*

SIR,

I have the honor to forward herewith, for presentation to Her Majesty, a Petition signed by John Dunmore Lang, D.D., and John Richardson, M.L.C., praying that the District of Moreton Bay may be erected into a distinct Colony, to be called Cooksland.

2. I would point out that the Petition is dated 26 January, 1856, at which time Dr. Lang was, as he is therein stated, a Member of the Legislative Council of New South Wales. The document, however, was only presented to me yesterday.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE.

No. 4.

No. 4.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 184.)

*Government House,**Sydney, 29 November, 1856.*

SIR,

I have the honor to forward herewith, for presentation to Her Majesty, a Petition signed by Henry Buckley, John Richardson, and Gordon Sandeman, Esquires, three of the five Members for the District of Moreton Bay, praying that Her Majesty would separate from the Colony of New South Wales all the territory extending northwards from the 30th parallel of south latitude.

2. I do not think it necessary to comment upon the allegations of this Petition, as my views with relation to the principles by which the line of demarcation between the two Colonies should be determined have been fully stated in former Despatches, and as the statements as to matters of fact—that is, as to the wishes of the inhabitants of the Districts of Clarence River and New England—will be brought before Her Majesty's Government in a more direct form.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE.

No. 5.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 185.)

*Government House,**Sydney, 29 November, 1856.*

SIR,

I have the honor to forward herewith, for presentation to Her Majesty, a Petition from certain persons stating themselves to be residents, or owners of property, in Tenterfield, Wellingrove, and the Upper Clarence, praying that those districts and the other parts to the north of New England may remain, as now, a portion of the Colony of New South Wales.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE.

No. 6.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 187.)

*Government House,**Sydney, 7 December, 1856.*

SIR,

I have the honor to forward herewith, for the information of Her Majesty's Government, an Address presented to me by the Legislative Council of this Colony, containing a series of Resolutions with relation to the proposed separation of certain Districts from New South Wales, and the formation of those Districts into a separate and distinct Colony.

2. The 1st Resolution expresses the concurrence of the Council in the opinions expressed by the Legislative Assembly, as notified in certain Resolutions submitted by me for your consideration in my Despatch, No. 176, dated 11th ultimo. The 2nd and 3rd Resolutions question the legal power of Her Majesty to separate any portion of the territory south of latitude 26° south without the assent of the inhabitants of the said territory—being householders—first had and obtained; and assert the positive illegality of any severance of Territory south of the parallel of 30°. With reference to this question, I forward herewith a copy of a letter addressed to me by His Honor Sir Alfred Stephen, the Chief Justice of the Colony, in which the legal points of the case are briefly discussed. The 4th Resolution embodies the views of the Council with reference to the resumption of transportation to Moreton Bay.

3. As my own views upon these subjects have been made known to you in former Despatches, I do not think it necessary to say more at present than to express a hope that the wishes of the inhabitants of the Clarence River District, and of that of New England, will be respected.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE
HENRY LABOUCHERE.

[Enclosure 1 in No. 6]

To His Excellency Sir William Thomas Denison, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and Captain General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of New South Wales, beg respectfully to present to your Excellency the following Resolutions adopted by the Council, and to request that your Excellency will be pleased to forward, by the earliest opportunity, a copy thereof to the Secretary of State for the Colonies, for the information of Her Majesty's Government.

1. That this Council cordially concurs in, and adopts the following Resolutions agreed to by the Legislative Assembly on the 5th day of November instant, namely:—

- "(1.) That this House has learned, with regret, that it is the intention of the Imperial Government to fix the southern boundary of the proposed new Colony of Moreton Bay at a line south of the 30th parallel of south latitude."
- "(2.) That, as the interests of the various Districts proposed to be included in the new Colony are not identical, this House is of opinion that, in defining the future boundary line of the Colony of Moreton Bay, it is the duty of the Imperial Government to consult the wishes of the several Districts proposed to be included in that Colony."
- "(3.) That, while this House does not feel called upon to dispute the propriety of the Imperial Government erecting the Districts of Moreton Bay and Darling Downs into a separate Colony, if, in accordance with the expressed wish of the majority of the inhabitants thereof, it submits that, on the same principle, it will be unjust to the inhabitants of New England and the Clarence River to include those Districts in such Colony, if they are averse to be so included."
- "(4.) That, in the opinion of this House, the interests and commercial connection of New England and the Clarence River are now, and will continue to be, so completely identified with the Colony of New South Wales, and distinct from those of the Districts of Moreton Bay and Darling Downs, that, if the question whether the first mentioned Districts shall be included in the new Colony be referred to the inhabitants of those Districts, a very large majority will be found to be opposed to their being so included; and, in support of such opinion, this House refers to the Petition, signed by 1,551 inhabitants of New England and Clarence River, praying for the establishment of an Assize Court at Armidale,—in which Petition they assert that they do not desire to be included in any section of the Northern Districts which may be separated from the present Colony of New South Wales."

2. That this Council desires, moreover, to submit to Her Majesty's Government that no power is vested in Her Majesty, under any circumstances, to detach from this Colony any portion of the Territory lying south of the 30th degree of south latitude; or to detach any of the Territories lying between the 26th and 30th degrees of such latitude, except upon the Petition of the inhabitants—householders—of each district or territory proposed to be detached; and that no such Petition signed, or purporting to be signed, by a majority of the inhabitants—householders—of the New England or of the Clarence River Districts, appears to have been presented to Her Majesty.

3. That this Council submits, for these reasons, that the final settlement of the Southern Boundary Line of the new Colony should be deferred by the Imperial Government until the wishes of the inhabitants of the Districts of New England and Clarence River shall have been legally expressed on the subject.

4. That this Council having understood that the question of a recurrence to transportation to some portion of the Territory of Australia has been recently mooted, in connection with the establishment of a Northern Colony, feels it to be a duty further to represent on this occasion, that the transportation or exiling of criminals to a new Colony so immediately adjoining New South Wales, and forming so accessible a portion of the same continent as the intended new Colony of Moreton Bay, would be a measure fraught with the most serious evils to this Colony, political, social, and moral; and this House, therefore, records
its

its earnest protest against the taking of any step, in contemplation of such a measure, in opposition to the deliberately expressed opinion and wishes of the people of New South Wales, whose interests would thereby be so materially compromised.

5. That an Address be presented to the Governor General, requesting His Excellency to forward, by the earliest opportunity, a copy of the above Resolutions to the Secretary of State for the Colonies, for the information of Her Majesty's Government.

ALFRED STEPHEN,
President.

Legislative Council Chamber,
Sydney, 21 November, 1856.

[Enclosure 2 in No. 6.]

25 November, 1856.

My Dear Sir William,

Will you forgive my addressing you on a public matter in this unofficial style, and for the imperfect manner in which I am compelled to write. But I am anxious, having undertaken the full responsibility of concurring in the Resolutions of the Legislative Council, this day to be presented* to you, not to be supposed to have changed, or to be unwilling to abide deliberately by my opinion; and, moreover, as the newspapers have not reported the grounds stated by me in Council for that opinion, and have misreported what I said on the last debate, when the Resolutions, with those suggested by myself, were carried, I wish to be allowed the opportunity of explanation.

I retain, then, my first opinion, that the Queen has not the power to detach any of the Territory between the 26th and 30th degrees of latitude, except on the petition of the inhabitants there, being householders; nor any portion lying south of the 30th degree, under any circumstances. All that I said to qualify this was, that a friend, quite as well, or better able to judge on such a point, inclined to an opposite conclusion; and that I could not therefore feel myself entitled to say that the point was free from doubt. I then gave his view of the matter, which was that the Constitution Act, s. 46, was in effect, though not in terms, an *enabling* enactment; that it was therefore, to that extent, "repugnant" to the 6 Vict., c. 76, s. 51, and 14 Vict., c. 59, s. 34, which had *restrained* the powers of the Crown; and that, consequently, by s. 2 of the 19 Vict., c. 54, those enactments in 6 and 14 Victoria were repealed. I afterwards stated my own reasons for, nevertheless, adhering to my former impression. Reporters for the Press in this City cannot (or never do) follow law arguments; and so, the only notice of the whole is, that the President made a "very lengthy speech," or something to that instructive purport.

I have not time, nor should I feel entitled to weary your Excellency in like manner: but I will, with your permission, indicate very shortly the grounds of my opinion. The Crown, or Parliament, having once granted to the inhabitants of any Territory certain privileges, cannot (or, at least, the Crown, without the aid of the other Estates, cannot) derogate from the grant. But, to the Territory which for the last 25 years has constituted *in fact* New South Wales, various rights and privileges have, by Parliament, been from time to time during those years conceded,* and the 6 Vict., c. 76, s. 51 enacted, that from that Colony (*i. e.* the Territory then constituting it) *no portion south of the 26th degree* should be detached. The 14 Vict., c. 59, s. 34, however, so far altered that enactment as to enable the Crown to detach portions as far as the 30th degree, *on the petition of the inhabitant householders* of those portions. Now, my position is, with all possible respect to Mr. Labouchere, those enactments have never been repealed, but form still the law, binding the Crown on this subject.

If they have been repealed, it can only be because they are "repugnant" to the Constitution Act of this Colony; for all Statutes, or parts of Statutes, so *repugnant* are, by the 19 Vict., c. 54, s. 2, repealed. I maintain that there is nothing in our Constitution Act (though most loosely and slovenly drawn in many parts) which is repugnant to those enactments in 6 and 14 Vict. The only part of our Constitution Act which touches the question is the 46th section. But this, extending the previous boundaries of the Colony considerably, gives no new *enabling* power to the Crown. Had the clause contained no proviso, such as it does contain, the Crown could not have trenched on the newly created boundaries. Then, indeed, it would have been repugnant to (for it would in effect have repealed) the enabling clause in the 14 Victoria. The clause, however, to prevent that repugnancy contains a proviso,—that nothing therein shall be *deemed to prevent* Her Majesty from altering the boundary on the north. In other words, say the Legislature, "we extend our boundaries beyond what they were before,—but *that* extension shall not prevent the Crown from doing what it otherwise and previously might have done."

It is true that the words used are "from altering the boundary *in such manner* as to *Her Majesty may seem fit*." And these words are supposed to have given a power which she had not previously. I conceive such a conclusion to be unwarranted by the context, and equally by the reason of the thing, and the probabilities of the case. That our Legislators, individually, meant to enable the Queen to dismember the Colony to any extent, at Her discretion, up to the very harbour of Sydney (which is the result of the proviso, if rightly construed

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* None of these rights can, therefore, be taken away, or affected, as they would or might be by dismemberment from New South Wales, except by Parliament. Nay, the extent of the Territory thus, as it were, incorporated, becomes part of the concession.

construed by Mr. Labouchere) is incredible; and I feel clear that the true construction of the clause is that, only, which I have expressed,—that the proviso is a mere saving clause to prevent the *new* enactment, that contained in the clause itself, in the extending of the boundaries, *from taking away a power already vested by previous statute*; and which power, but for that proviso, would have been taken away.

I enclose a printed copy of the three enactments,

His Excellency
Sir W. T. Denison, K.C.B.,
Governor General.

And remain, &c.,
ALFRED STEPHEN.

No. 7.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 2.)

Government House,
Sydney, 8 January, 1857.

SIR,

I have the honor to forward herewith an Address to Her Majesty from certain inhabitants of the Northern Districts of New South Wales, expressive of their gratitude for the concession made to their wishes by the erection of these Northern Districts into a separate Colony.

2. The Address also contains a suggestion that a Commission should be appointed equally from both New South Wales and the New Colony, to furnish Her Majesty's Ministers with true data for arriving at an equitable adjustment of the share of the debt due by each. And it farther prays that the boundary between the Colonies should be fixed at or near the 30th parallel of latitude.

3. It is unnecessary for me to comment upon the statements or the views of those who have appended their names to this Address to Her Majesty, as I have in other Despatches distinctly stated my opinion upon all the subjects alluded to.

I have, &c.,
W. DENISON.

THE RIGHT HONORABLE
HENRY LABOUCHERE.

No. 8.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 3.)

Government House,
Sydney, New South Wales,
10 January, 1857.

SIR,

I have the honor to forward herewith, for presentation to Her Majesty, a Petition from the Legislative Council of New South Wales, praying that Her Majesty would not assent to any law by which any portion of the Colony to the south of latitude 30° should be transferred to another Colony, and that none of the territory between the latitudes of 26° and 30° should be separated from New South Wales, except upon the Petition of the inhabitant householders of the districts proposed to be separated.

2. In forwarding this Petition, I do not wish to express any opinion upon the legal point raised by the Council. I believe the fact to be that the inhabitant householders, or, at all events, the majority of the population of the Moreton Bay District, wish to be separated from New South Wales; but I believe also, that the inhabitants of the Clarence River Districts, and of New England, are decidedly averse to the connection with Moreton Bay, and wish to remain, as they now are, a portion of New South Wales. Justice would be done to each, should Her Majesty's Government adopt the line of boundary as explained in my Despatch, No. 176, dated 11th November last. Any other arrangement would only lead to constant heartburning and political disagreement between the adjoining colonies.

I have, &c.,
W. DENISON.

THE RIGHT HONORABLE
HENRY LABOUCHERE.

No. 9.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 9.)

*Government House,
Sydney, New South Wales,
17 January, 1857.*

SIR,

I have the honor to forward herewith a Petition addressed to Her Majesty, by 462 inhabitants of the District of Clarence River, praying that the boundary between New South Wales and the proposed new Colony may not be fixed to the southward of the range of mountains to the northward of the River Tweed, near the 28th parallel of south latitude.

The Petitioners state that they wish to remain in connexion with New South Wales, and that a transference to the new Colony of Moreton Bay will be injurious to their interests.

I have in former Despatches stated my opinion with reference to this question, and I need only therefore say, generally, that I concur in the views of the Petitioners.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE,

&c., &c., &c.

No. 10.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 10.)

*Government House,
Sydney, New South Wales,
17 January, 1857.*

SIR,

I have the honor to forward herewith an abstract of the communications which have been received by the Government on the subject of the proposed Boundary between New South Wales and the Colony to be formed to the northward. The Memorial and Addresses refer, not to the fact of the separation, but to the wishes of the inhabitants in the vicinity of the border to be attached to one Colony or the other.

2. The Petition addressed to Her Majesty by the people of Moreton Bay is an exception: This is a request from people of the territory which, under any circumstances, would be separated from the Colony, that the line should be drawn to the southward so as to include in their territory a tract of land the inhabitants of which are, as far as can be ascertained, averse to such an arrangement.

3. I may be allowed to remark that, as the researches of the North Australian Expedition shew that there is not land enough to admit of the formation of another Colony upon the East Coast of Australia, the whole of the territory to the northward of Moreton Bay will fall within the limits of the new Colony, and there can therefore be no good reason for attaching to that Colony a District which has not any natural connexions with it, and the inhabitants of which are averse to the union.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE.

[Enclosure

[Enclosure 1 in No. 10.]

DATE.	PLACE FROM WHICH PETITION OR LETTER SENT.	CHARACTER AND QUALITY OF THE PARTIES.	No. of Signatures	PRAYER, OR SUBJECT OF PETITION OR LETTER.	REMARKS.
1856.					
19 Nov. ..	Armidale (District of New England.)	Magistrate. ..	1	Stating that Public Meeting had been held, and that Petition was being got up by the inhabitants against inclusion of the New England District in proposed new Colony.	(Petition not yet come in.) Meeting convened in pursuance of Circular addressed to Bench requesting opinions of inhabitants.
20 Nov. ..	Warrialda (Pastoral District of Gwydir.)	Magistrates. ..	3	Representing that the opinions of the inhabitants are very much opposed to the inclusion of the Gwydir District in the Northern Colony.	In reply to Circular above alluded to.
20 Nov. ..	Wellingrove (Pastoral District of New England.)	Magistrates. ..	2	Stating that a Public Meeting had been held, which was unanimous in a Resolution to Petition Her Majesty against the separation of any part of the District from New South Wales as proposed.	In reply to Circular.
28 Nov. ..	Tenterfield (Pastoral District of New England.)....	Magistrate. ..	1 for Bench	Representing that Petition of inhabitants of Clarence River and New England Districts was adopted at a Meeting held at Tenterfield, against the separation of the Districts from New South Wales, and stating that a large majority of the residents in the north end of New England are averse to the change.	In reply to Circular.
2 Dec. ..	Grafton. (District of Clarence River)..	(Mr. T. Bowden, Chairman of Meeting held at Grafton....)	1	Forwarding Minute of Proceedings of Public Meeting at which several Resolutions against the inclusion of the Clarence River District in the proposed new Colony; and a Petition embodying the same were adopted.	(General meeting of inhabitants.) Minute of Proceedings containing draft of Petition, being the one alluded to in the foregoing letter from Bench at Tenterfield, and for which signatures were being obtained.
2 Dec. ..	Grafton. (District of Clarence River)..	Magistrates. ..	3	Stating that Public Meeting had been held, at which majority of the people were decidedly opposed to the proposed separation of the District from New South Wales. Enclosing two separate lists of signatures, one in favor of, and the other opposed to, the separation of the District from New South Wales, as follows:— In favor of it..... 60 Against it 202 Majority against Separation 152	Meeting held in pursuance of Circular addressed to Bench.
29 Dec. ..	Casino	Magistrate....	1		

[Enclosure 2 in No. 10.]

PETITIONS TO THE QUEEN.

DATE.	PLACE FROM WHICH PETITION OR LETTER SENT.	CHARACTER AND QUALITY OF THE PARTIES.	No. of Signatures	PRAYER, OR SUBJECT OF PETITION OR LETTER.	REMARKS.
		Among the Petitioners are included the names of four Members of the Legislative Assembly, one of the Legislative Council, several Magistrates, and the remainder settlers, land and householders, &c., &c.	1587	Praying that the separation of the Northern Districts from New South Wales, in the manner contemplated, may be carried into effect, and declaiming the hostility shewn to the measure.	Petition signed by residents in the Northern Districts generally.
1857. 10 Jan. ..	Grafton, (Clarence River District.)	Magistrates, land and householders, tradesmen, and other residents	462	Praying Her Majesty that the Boundary of the proposed new Colony may not be fixed at any point southward of the range of mountains to the northward of the River Tweed, near the 28th parallel of south latitude.....	Petition adopted at General Meeting of inhabitants.

No. 11.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 11.)

*Government House,
Sydney, New South Wales,
14 February, 1857.*

SIR,

I have the honor to forward herewith a Petition addressed to Her Majesty, by the inhabitants of the District situated between the latitudes of 29° and 51°,—a District which it has been proposed to transfer in part, if not in whole, to the new Colony about to be formed in the northern part of New South Wales.

2. The prayer of the Petition is, that Her Majesty will not, in forming such new Colony, include within its limits any portion of the Pastoral Districts of New England and the Macleay, or of the Clarence and Richmond Rivers, but will leave them, as they are at present, socially and commercially connected with New South Wales.

3. The gentlemen who handed this Petition to me for transmission to Her Majesty, explained that a similar Petition had been addressed to the Legislative Assembly more numerous signed, and that all the names which had been appended to that Petition would, had time allowed, have been attached to that which I forward with this Despatch.

4. You will observe that the names in several of the sheets of parchment are written in one hand; but these have all been transcribed from sheets of paper which have been handed to me, but which I have not thought it necessary to enclose.

5. You are aware, from several former Despatches, that my opinion is in accordance with that of the Petitioners, as to the impolicy of uniting them to a Colony with which they have no community of feeling or interest. I beg, therefore, to submit this Petition for the favorable consideration of Her Majesty.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE,

&c., &c., &c.

No. 12.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 42.)

*Government House,
Sydney, New South Wales,
27 February, 1857.*

SIR,

I have the honor to forward herewith a Petition addressed to Her Majesty by 135 of the inhabitants of the District of the Clarence and Richmond Rivers, praying that Her Majesty will, in pursuance of the powers vested in Her, separate the territory extending northwards from the 30th parallel of south latitude from the Colony of New South Wales, and erect it into a distinct Colony.

2. It is unnecessary that I should express any opinion as to the prayer of the Petition, as I have already on several occasions made my views with relation to the Boundary between these two Colonies known to you.

3. I may remark, however, that a very large proportion of the persons signing this Petition belong to the labouring class.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE,

&c., &c., &c.

No. 13.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 50.)

Government House,
Sydney, New South Wales,
 9 March, 1857.

SIR,

I have the honor to forward herewith a Petition addressed to Her Majesty by several of the large occupiers of land and owners of stock in the Northern Districts of the Colony, praying, that when such Districts are formed into a separate Colony, the form of Government adopted may be similar to that which formerly existed in the Australian Colonies, namely—a Governor, aided by an Executive Council, appointed by the Crown, and a single Legislative Chamber, composed partly of Members nominated by the Crown.

2. It is needless for me to make any remarks with reference to the prayer of this Petition, as the question has been considered and provided for in the Act 18 and 19 Vict., cap. 54, conferring a Constitution upon New South Wales.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE,

&c., &c., &c.

No. 14.

SIR W. DENISON to THE SECRETARY OF STATE.

(No. 51.)

Government House,
Sydney, New South Wales,
 9 March, 1857.

SIR,

I have the honor to forward herewith a Petition addressed to Her Majesty by sundry large occupiers of land and owners of stock in the Districts lying to the north of the thirtieth parallel of south latitude, praying that convicts may be sent to the Northern Colony, when it is separated from New South Wales, under certain conditions therein specified.

2. Without adverting to the conditions under which these gentlemen are disposed to relinquish their natural prejudices against the employment of convicts, I would observe that a compliance with the prayer of this Petition would be considered by the inhabitants of New South Wales as a breach of faith, and by the majority of the inhabitants of the Northern Colony as an evil, which the advantages conferred upon the large proprietors and employers of labor would not, in any degree, palliate. I trust, therefore, that Her Majesty may not be advised to accede to the prayer of the Petition.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE,

&c., &c., &c.

No. 15.

THE SECRETARY OF STATE to SIR W. DENISON.

(No. 94.)

Downing-street,
 25 July, 1857.

SIR,

No. 182, 27 Nov. 1856 you, that I have laid before the Queen the Memorials which accompanied your Despatches of
 " 183, 28 " the numbers and dates specified in the margin, and which had been addressed to Her
 " 184, 29 " Majesty by various parties, whose signatures were thereunto annexed, in connexion with the
 " 185, " " question of the separation of the Northern District; and in reply to these Petitions, it is only
 " 2, 8 Jan. 1857 necessary that I should refer you to the views of Her Majesty's Government, as communi-
 " 3, 10 " cated to you in my Despatch above-mentioned.
 " 9, 17 "
 " 31, 14 Feb. 1857
 " 42, 27 "

I have, &c.,

H. LABOUCHERE.

GOVERNOR SIR WM. DENISON, K.C.B.,

&c., &c., &c.,

New South Wales.

1858.

Legislative Assembly.

NEW SOUTH WALES.

MARRIAGE OF THE PRINCESS ROYAL.

(DESPATCH IN REPLY TO ADDRESS UPON.)

Ordered by the Legislative Assembly to be Printed, 22 October, 1858.

W. DENISON,
Governor General.

Message No. 36.

The Governor General lays before the Legislative Assembly a copy of a Despatch with which he has been honored by the Secretary of State for the Colonies, acknowledging the receipt of the congratulatory Address of the Assembly on the occasion of the Marriage of the Princess Royal with the Prince Frederick William of Prussia.

*Government House,
Sydney, 22 October, 1858.*

THE SECRETARY OF STATE FOR THE COLONIES to THE GOVERNOR GENERAL.

No. 19.

*Downing-street,
5 August, 1858.*

SIR,

I have received your Despatch, No. 71, of the 8th May last, forwarding a congratulatory Address to Her Majesty from the Legislative Assembly of New South Wales, upon the occasion of the marriage of the Princess Royal with the Prince Frederick William of Prussia.

I have to inform you that I have laid this address before the Queen, and that Her Majesty was pleased to receive the same very graciously.

I have, &c.,

GOVERNOR SIR W. T. DENISON, K.C.B.,
&c., &c., &c.

E. B. LYTTON.

1858.

Legislative Assembly.

NEW SOUTH WALES.

PURCHASE OF HORSES FOR ARTILLERY DRAFTED TO INDIA.

(MESSAGE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 7 April, 1858.

W. DENISON,

*Governor General.**Message No. 3.*

The accompanying Despatch has just been received by His Excellency from the Most Noble the Governor General of India, requesting that such Troops as may be spared from the Australian Colonies may be forwarded forthwith to Calcutta, and particularizing more especially a Regiment of Infantry and a Company of Artillery.

Confiding in the assurances conveyed in the Address of the 24th ultimo, the Governor General does not hesitate to apply to the Legislative Assembly to make provision for the purchase of the Horses which are required, in order to enable the Company of Artillery, which it is proposed to detach to the assistance of the Indian Government, to take the field at once on landing at Calcutta.

The number of Horses required will be 104, and the cost of purchasing them is estimated at £35 per Horse, or £3,640.

*Government House,**Sydney, 7 April, 1858.**[Enclosure to the foregoing.]**Calcutta, 30 January, 1858.*

Sir,

A private letter of the 12th of December, which I had the honor to receive from your Excellency a few days ago, leads me to believe that it may be in the power of your Excellency's Government, when this letter reaches Sydney, to spare from the Forces now stationed in the Australian Colonies one Regiment of Infantry, and perhaps one Company of Artillery.

In the hope that this may be the case, Her Majesty's Steam Transport "Megara" is dispatched to Sydney to bring to Calcutta such portion of the Troops as your Excellency or the Commander-in-Chief may think proper to place in her. For the transport of the remainder the Government of India must trust to your Excellency's good officers in taking measures to provide such tonnage as may be available and suitable. Your Excellency will probably not expect me to give any assurance as to the time at which it may be possible to restore to the Colony the force which you may be able now to spare from it. It may be sufficient to say that the Troops shall not be kept longer than necessary—how long that may be depends not only upon the course of events in India, but also upon the extent to which the army in India may be strengthened by reinforcements from England fit for early service in the field.

It is well that I should add that I attach more importance to an additional Regiment of Infantry than to an increase of Artillery in the field.

I have, &c.,

CANNING.

His Excellency Sir W. Denison,
&c., &c., &c.,
Sydney.

1858.

Legislative Assembly.

NEW SOUTH WALES.

DISPATCH OF TROOPS TO INDIA.

(DESPATCHES RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 12 August, 1858.

THE GOVERNOR GENERAL OF INDIA to GOVERNOR SIR W. DENISON.

Allahabad, 14 May, 1858.

SIR,

It has afforded me much gratification to receive your Excellency's letter, dated the 27th February last, forwarding a copy of the Minutes of Proceedings of the Executive Council of New South Wales.

I beg that your Excellency will accept for yourself—and convey to the Executive Council—the best thanks of the Government of India for the hearty and patriotic exertions which they have made to assist this Government in its difficulties. My letter of the 30th January will have shewn your Excellency that the assistance is very acceptable.

I have, &c.,

CANNING.

HIS EXCELLENCY

SIR WILLIAM DENISON,

&c, &c., &c.

THE GOVERNOR GENERAL OF INDIA to GOVERNOR SIR W. DENISON.

Allahabad, 22 May, 1858.

SIR,

I have the honor to acknowledge the receipt of your Excellency's letter, dated the 10th ultimo, which arrived within a few days of the despatch of my letter of the 14th instant.

I regret greatly that the liberal and considerate intentions of your Excellency and of the Executive Council should have been the cause of any difference of opinion between your Excellency's Government and the Legislative Assembly.

I assure your Excellency that whilst the Government of India is deeply grateful to the Government and to the people of New South Wales for the warm sympathy evinced towards the sufferers in India, and for the aid which has been given in strengthening the Queen's army in this country, it would have seen with much regret any expenditure incurred by the Colonial authorities on account of India if in any quarter of the Colony the least objection had been felt thereto.

It would, of course, have added much to the completeness of the aid which I am now expecting from your Excellency's Government if horses had been sent with the battery, but the guns and men will be of great service as it is.

I have, &c.,

CANNING.

HIS EXCELLENCY

SIR WILLIAM DENISON,

&c. &c., &c.

GOVERNOR SIR W. DENISON to THE GOVERNOR GENERAL OF INDIA.

*Government House,
Sydney, 10 April, 1858.*

MY LORD,

I received your Lordship's Despatch, dated 30th January, on the 3rd of this month, and have proceeded at once to comply with the request contained in it, so far as was in my power.

2. By the last mail I received instructions from the Secretary of State to forward the 77th Regiment to Hong-Kong, and was on the eve of taking up transports for its conveyance, when the "Megara" arrived. I have, however, induced the General to alter the destination of this Regiment, and to send it at once to Calcutta, and the "Megara" will sail with the men and officers as soon as the necessary fittings can be prepared, and she will be accompanied by a transport conveying the baggage, &c.

3. In my Despatch addressed to your Lordship by the last mail, I stated that the Government had placed at the disposal of the Major-General the whole of the Troops in the Colony, with the exception of two Companies, and had, in addition, agreed to put the Artillery in a position to act at once on landing, by providing them with horses. On opening the Session I alluded in my Speech to the steps then taken, and was assured by the Legislative Assembly that it would have cheerfully and promptly contributed to the expense thus proposed to be thrown upon the Colony had the necessity arisen. When, however, on the receipt of your Lordship's Despatch, I brought the subject again under the notice of the Assembly, and asked for a sum of between £3,000 and £4,000 to enable me to purchase 104 horses, I was met by such a general opposition as obliged the Ministers to withdraw the application for the grant of this sum. I very much regret that it will not be in my power to fulfil the promise made to your Lordship in my former Despatch.

Some opposition will, I understand, be made to the departure of the Artillery, but I hope to be able to embark them, with the harness required for a full battery, as soon as a transport can be procured and prepared to receive them. In my Despatch above quoted, I stated that one, or even two Regiments might perhaps be spared from the Command. I must be allowed to qualify this statement slightly. One strong Regiment would, in all probability, be quite sufficient for the five Australian Colonies; but I am afraid that neither the 12th nor the 40th are strong enough singly for the duty. I will, however, put myself in communication with the Governors of the different Colonies and with the Major-General in Command, and ascertain whether we might not be in a position to detach a Regiment, or, at all events, one wing of a Regiment, should further assistance be required in India.

I have, &c.,

HIS EXCELLENCY

W. DENISON

THE VISCOUNT CANNING,
Governor General of India.

1858.

Legislative Assembly.
NEW SOUTH WALES.

DISPATCH OF TROOPS TO INDIA.
(DESPATCH RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 25 August, 1858.

W. DENISON,
Governor General.

Message No. 22.

The Governor General has great satisfaction in laying before the Legislative Assembly a copy of a Despatch with which he has been honored by the Secretary of State, expressive of the gratification felt by Her Majesty at the alacrity shown by the Government of New South Wales in placing at the disposal of the Government of India such reinforcements of Troops, and such assistance in the shape of Military equipment, as could be spared from the service of the Colony.

Government House,
Sydney, 25 August, 1858.

THE SECRETARY OF STATE FOR THE COLONIES to GOVERNOR SIR W. DENISON.
(No. 28.)

Downing-street,
19 May, 1858.

SIR,

I have received your Despatch No. 46, of the 26th February last, with its enclosures, by which it appeared that the Government of New South Wales, in its desire to assist the Government of India, had agreed to place at the service of the Major-General in Command in Australia the 77th Regiment, now quartered in New South Wales, with the exception of two Companies, which were considered necessary for furnishing the necessary guards. It also appeared that your Government had offered to dispense with the services of the Company of Artillery stationed at Sydney, and further to equip them, at a charge to the Colony of between £3,000 and £4,000, with 100 horses, in order that the troops might be landed in India in an efficient state for immediate service.

In my Despatch No. 2, of the 15th January last, which had not reached you at the date of your Despatch now under acknowledgment, I intimated to you that it was intended to remove the 77th Regiment from Sydney to Hong-Kong; and in a Despatch which I have received from Sir H. Barkly, with reference to the same arrangement, it is stated that there will be no difficulty in supplying from Victoria two Companies of the 40th Regiment for service in New South Wales.

The alacrity with which your Government placed at the service of the Indian Government the Company of Artillery, and the munificent offer of 100 horses for their equipment, is evidence of the loyalty and sympathy of the Colony, which Her Majesty's Government have seen with the deepest satisfaction. I have to acquaint you that I have laid your Despatch before the Queen, and that Her Majesty has commanded me to express to you Her gratification at this fresh instance of devotion and generosity by which your Government has well represented the feelings of the Colony towards the Crown and the Mother Country; nor can I omit to notice your own readiness and thoughtfulness in attending to those pressing wants of the Government in India, which appeared to you to admit of relief from Colonial resources.

I have &c.,
STANLEY.

GOVERNOR
SIR WILLIAM DENISON,
 &c., &c., &c.
 New South Wales.

1858.

Legislative Assembly.
NEW SOUTH WALES.

DISPATCH OF TROOPS TO INDIA.

(DESPATCH AND PROCEEDINGS RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 8 September, 1858.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 31 August, 1858, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table of this House,—

“ A Copy of the Despatch addressed to the Secretary of
“ State, dated 26th February, 1858, upon the subject of 100
“ Artillery Horses, and certain Military Equipments, stated
“ to have been placed at the disposal of the Government of
“ India by this Government; as well as a copy of the
“ Proceedings of the Executive Council upon the same
“ matter; to which Despatch and Proceedings the Message
“ from His Excellency the Governor General, laid upon the
“ Table of this House on Wednesday, the 25th instant, has
“ reference.”

(Mr. Donaldson.)

SCHEDULE.

NO.	PAGE.
1. Governor General to Secretary of State, 26 February, 1858, relative to placing Company of Artillery, &c., at disposal of Indian Government	2

DISPATCH OF TROOPS TO INDIA.

THE GOVERNOR GENERAL to THE SECRETARY OF STATE.

(No. 46.)

Government House,
Sydney, 26 February, 1858.

SIR,

I have the honor to forward herewith a copy of a Minute addressed by me to the Executive Council, and of the proceedings of the Council thereupon, by which you will perceive that the Government of New South Wales, in its wish to afford assistance to the Government of India in the present crisis, has agreed to dispense with the services of the Company of Artillery at present doing duty at Sydney; it has also placed at the disposal of the Major-General in Command the Regiment quartered in New South Wales, with the exception of two Companies—a force not more than sufficient to mount the necessary guards. And as the services of the Artillery would not be effective unless their guns were horsed, it has further agreed to supply one hundred horses, at its own expense, in order that the Troops when landed at Calcutta might be ready to act at once.

2. I forward the correspondence which has taken place between Major-General Macarthur and myself on this subject, and should the news from India by the next Mail induce him to believe that reinforcements are required, I have no doubt that he will act in accordance with my suggestions, and detach from this Command at all events *one* Regiment and a Company of Artillery: In case of necessity I believe two might be spared.

I have, &c.,

W. DENISON.

THE RIGHT HONORABLE

HENRY LABOUCHERE.

PROCEEDINGS of the Executive Council with respect to the forwarding of a portion of the Military in this Colony to India.

EXTRACT from Minute No. 58-9, dated 15th February, 1858.

Present:

HIS EXCELLENCY THE GOVERNOR GENERAL.

THE HONORABLE THE VICE-PRESIDENT OF THE COUNCIL.

THE HONORABLE THE ATTORNEY GENERAL.

THE HONORABLE THE COLONIAL TREASURER.

THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS.

HIS Excellency the Governor General invites the earnest attention of the Council to that portion of the Indian intelligence brought to the Colony by the "Emeu" in which currency is given to a rumoured revolt of the Sikhs. Although this rumour does not merit implicit faith, yet, looking to the disorganized state of the Indian Army, such a revolt is far from improbable, and would, of course, greatly enhance the necessity for large reinforcements of troops. Considering it advisable, therefore, that the Major-General Commanding in Australia should be strengthened by placing it in his power to detach, should he consider it expedient so to do, as strong a body of men as possible to the assistance of the Indian Government, HIS Excellency consults the Council—1st, as to the amount of Military force which it is desirable to retain in this Colony, having regard to the advanced state of the defences of Port Jackson, and to the fact that Great Britain is at peace with every nation from which molestation could be anticipated; 2nd, as to the composition of such force; and, 3rd, in the event of the Artillery being dispensed with, whether this Colony would bear the expense of horsing them, as it is well known that the Indian Government is not in a position to find horses on the spot with sufficient rapidity, and it is desirable that they should land in India ready at once to enter the field.

DISPATCH OF TROOPS TO INDIA.

3.

2. It appears from a Minute laid before the Council by His Excellency, a copy of which is hereto appended, that the present disposable force in this Colony is as follows, viz. :—

77th Regiment...	... 658 men.
Artillery ...	... 101 „
	<hr/> 759

3. The Council entirely concur in the general views expressed by His Excellency in this matter, and they desire to record their opinion, that, under present circumstances, two Companies of Infantry of Her Majesty's troops will be an adequate force to retain here, and they advise that, in case Major-General Macarthur should deem it advisable to detach the Company of Artillery, the necessary number of horses to mount the Battery, say one hundred horses, should be provided at the expense of the Colony, and accompany the corps to India.

The cost of these horses, which will probably amount to £4,000, will, of course, require the formal sanction of the Parliament; but the Council have little doubt but that the House of Assembly will gladly seize the opportunity of showing, by such a contribution, the sympathy which is felt by the people of New South Wales for their fellow countrymen in India, in the time of danger and necessity.

EDWARD C. MEREWETHER,
Clerk of the Council.

MINUTE REFERRED TO.

I regret to observe in the papers which have been received from India by the "Hindu" that rumours prevail of the revolt of the Sikhs. Now I am in no way disposed to place implicit faith in such rumours as these, but, looking to the thoroughly disorganized state of our Indian Army, at all events of that large portion of it which is attached to the Bengal Presidency, I do not think it at all improbable that a warlike people like the Sikhs should feel disposed to take advantage of the opportunity of regaining their independence, and perhaps of extending their power over portions of British India, which are now left comparatively defenceless. Should the rumours to which I have alluded prove correct, the Indian Army will require to be reinforced as speedily as possible; should they not be verified immediately, it is probable that the presence of strong reinforcements pouring in from all quarters may put a stop to any attempt at insurrection. It appears to me that under any circumstances it would be very desirable that the hands of the Major-General in Command in Australia should be strengthened by placing it in his power to detach (should he consider it advisable to do so) as strong a body as possible to the assistance of the Indian Government. It is for this purpose that I propose to bring under the consideration of the Council to-day the question of the force which it may be desirable to retain in New South Wales.

From the Return submitted, it appears that the strength of the 77th is 658 men, and that of the Artillery 101. We are at peace with every nation from whom we could anticipate an attack, and it would therefore seem that this force is far in excess of our present wants; so much has been done to strengthen the defence of Sydney, that should a war break out suddenly, a very small amount of preparation would be sufficient to place the Batteries in such a state of efficiency as to render any attack on the City or the Shipping most dangerous to the assailants. Under such circumstances, I am of opinion that a couple of companies would be amply sufficient for the defence of the Colony; and I should be disposed to recommend that the services of the remainder of the existing force, and especially of the Company of Artillery, should be made available for the reinforcements of the Army in India.

In forwarding reinforcements to India, it is essential that they should arrive in a thorough state of efficiency, and be in readiness to take the field immediately on landing—this could not be the case were the Artillery unprovided with horses. We are quite aware that the Indian Government is not in a position to horse a Battery of Artillery from the fact that it has sent down officers to Australia to purchase horses; it would, therefore, be a matter of importance that horses should be sent up with the men. I think it would show the sympathy of the Government of New South Wales with that of India were we to take upon ourselves the expense of providing horses, and of thus placing the reinforcement of Artillery in an efficient condition for active service. I should wish, therefore, to obtain the opinion of the Council as to the amount of the force which it will be desirable to retain in Colony; 2nd, as to the composition of that force; and, 3rd, as to whether I might take upon myself to state to General Macarthur that in case he should feel it advisable to detach the Company of Artillery to India, this Colony would be at the expense of horsing it.

W. D.

15 February, 1858.

The approximate estimate of the number of horses required would be as follows:—

6 Guns, 6 horses to each ...	... 36
6 Ammunition Waggon, 4 horses ...	... 24
6 extra Carriages of different kinds, 4 horses ...	... 24
	<hr/> 84

and, to allow for casualties, I should propose to embark 100 horses, at a cost of from £3,500 to £4,000.

EXTRACT

EXTRACT from Minute No. 58-15, dated 7 April, 1858.

Present :—

HIS EXCELLENCY THE GOVERNOR GENERAL.
 THE HONORABLE THE VICE-PRESIDENT OF THE COUNCIL.
 THE HONORABLE THE ATTORNEY GENERAL.
 THE HONORABLE THE COLONIAL TREASURER.

REFERRING to the proceedings on the 15th February last, with respect to the reinforcements of Her Majesty's Troops in India, His Excellency the Governor General informs the Council that some time previous to the receipt of the news which now particularly induced him to bring the question under the consideration of the Council, he had addressed a private communication to the Governor General of India on the subject, and that, within the last few days, he has received by Her Majesty's Steam Transport "Megæra" a Despatch in reply from Lord Canning, requesting that such Troops as can be spared from the Australian Colonies may be forwarded forthwith to Calcutta, and particularizing more especially a Regiment of Infantry and a Company of Artillery.

This Despatch His Excellency now lays before the Council, and at the same time intimates that, with the concurrence of Major-General Macarthur, he proposes to comply with Lord Canning's request, by dispatching to Calcutta the 77th Regiment now under orders for Hong-Kong, as also the Company of Artillery; and, therefore, consults them as to the propriety of taking immediate steps to carry out their recommendation on the above date, viz., that the horses required to mount the Battery of Artillery should be provided at the expense of the Colony, and accompany the corps to India.

This measure will entail an expense of £3,640, the number of horses required being 104, and their estimated cost £35 each.

2. Confiding in the expressions of sympathy with our fellow subjects in India, conveyed in the Address presented to the Governor General in reply to the speech delivered by him on the occasion of opening the present Session, the Council do not hesitate to advise that His Excellency should at once lay Lord Canning's Despatch before the Legislative Assembly, and invite them to make provision, in accordance with the foregoing Estimate, for the purchase of the horses required to enable the Company of Artillery to take the field immediately on landing at Calcutta.

EDWARD C. MEREWETHER,
Clerk of the Council.

1858.

Legislative Assembly.

NEW SOUTH WALES.

BATHURST SCHOOL OF ARTS BILL.

REPORT FROM THE SELECT COMMITTEE

ON THE

BATHURST SCHOOL OF ARTS BILL,

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
4 June, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 21. FRIDAY, 30 APRIL, 1858.

21. Bathurst School of Arts Bill:—Mr. Sutter moved, pursuant to notice,—
 (1.) That the Bathurst School of Arts Bill be referred for the consideration and Report of a Select Committee.
 (2.) That such Committee consist of the following Members, viz.:—Mr. Hay, Mr. Lee, Mr. Rotton, Mr. Jones, Mr. Owen, Mr. Taylor, and the Mover.
 Question put and passed.
-

VOTES No. 40. FRIDAY, 4 JUNE, 1858.

6. Bathurst School of Arts Bill:—
 (1.) Mr. Sutter, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee for whose consideration and Report this Bill was referred on the 30th April last.
 Ordered to be printed.
 (2.) Mr. Sutter then moved, That the second reading of this Bill stand an Order of the Day for Friday next.
 Question put and passed.
-

1858.

BATHURST SCHOOL OF ARTS BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and Report was referred, on the 30th April last, the "*Bathurst School of Arts Bill*," beg leave to report to your Honorable House,—

That they examined Mr. William Teale, *Agent* for Messrs. M'Intosh and Pinnock, of Bathurst, Solicitors for the Bill, (whose evidence will be found appended hereto,) and that the Preamble having been satisfactorily proved by the evidence of that gentleman, they proceeded with the enacting part of the Bill, in which they found it unnecessary to make any amendment;—

And your Committee now beg to lay before your Honorable House the said Bill, with a *verbal amendment* in the Preamble.

W. H. SUTTOR,
Chairman.

*Legislative Assembly Chamber,
Sydney, 4 June 1858.*

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 4 JUNE, 1858.

Members Present:—

Mr. Sutter,	Mr. Taylor,
Mr. Hay,	Mr. Owen,
Mr. Jones,	Mr. Rotton.

Mr. Sutter was called to the Chair.

Solicitors for the Bill—Messrs. McIntosh and Pinnock, of Bathurst.*Sydney Agent*—Mr. William Teale.

Mr. W. Teale examined.

Witness withdrew.

Committee then considered the Preamble of the Bill, and having *verbally* amended the same—(*vide* "*Schedule of Amendments*")—and being of opinion that the allegations contained therein were satisfactorily proved by the evidence of Mr. Teale;—

Motion made (The *Chairman*) and *Question*—"That this Preamble, as *verbally* amended, stand part of the Bill"—*agreed to*.

Enacting Clause of the Bill then read by the Chairman.

Committee considered and agreed to the same without any amendment.

Chairman requested to report the Bill, as *verbally* amended and agreed to, to the House.

SCHEDULE OF AMENDMENTS.

Preamble—page 1, line 14, *omit*—this present.

WITNESS.

Friday, 4 June, 1858.

William Teale, Esq., Solicitor

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1858.

Legislative Assembly.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

BATHURST SCHOOL OF ARTS BILL.

FRIDAY, 4 JUNE, 1858.

Present:—

Mr. SUTTOR,
Mr. JONES,
Mr. HAY,Mr. OWEN,
Mr. TAYLOR,
Mr. ROTTON.

WILLIAM HENRY SUTTOR, Esq., IN THE CHAIR.

William Teale, Esq., examined:—

1. *By the Chairman:* You are Solicitor for this Bill? I am agent for McIntosh and Pincock, of Bathurst, who are joint Solicitors with Mr. Sergeant for the Bill. W. Teale,
Esq.
2. Have you a copy of the Grant from the Crown of the land sought to be surrendered? I produce an attested copy of the grant of two roods of land at Bathurst, to the Bathurst School of Arts or Mechanics' Institute. *(The witness handed in the same.)* 4 June, 1858.
3. Do you consider it necessary, under that grant, that a Bill of this kind should be passed, to enable the trustees to surrender that portion of land? I see, by the trusts on which this grant is made, that there is a clause against alienation, and, therefore, it is impossible they could surrender the land without the authority of Parliament.
4. Are you at all acquainted with the locality of the land in question? I believe the land originally granted is rather out of the town—somewhere near the Vale Creek; and the land proposed to be granted in lieu of this allotment is in a much more eligible situation, as it is in the centre of the town—a part of the Square.
5. You see by the Bill that it is intended to give this power to the trustees, or a majority of them? Yes; it is drawn in that way because Mr. Thomas Dunningham Syer, one of the trustees, is in England, and to enable him to join in any formal surrender would necessitate sending to England, and of course considerable delay would occur.
6. The object of giving this power to the majority is to avoid that necessity? Yes; that is the only object.
7. Messrs. George Busby, George Rankin, Thomas Dunningham Syer, and Richard Machattie, are the trustees? Yes.
8. These gentlemen are all named in the copy of the grant you produce? Yes.
9. *By Mr. Owen:* Do you know anything of the locality yourself, personally? I do, a little.
10. I suppose this School of Arts consists of trustees and members? Yes—subscribers.
11. Have the subscribers been consulted in this matter? I cannot answer that question.
12. Or is this the mere motion of the trustees themselves? I cannot answer that question at all. *(A Petition to the Assembly, praying for leave to introduce the Bill, was here produced by the Clerk of Committees, and handed to the witness.)*
13. Do you hold in your hand the Petition presented to the Assembly? I do.
14. By whom is it signed? By the President, two Vice-Presidents, and a considerable number of gentlemen whom I know to be subscribers and members of the Society.
15. Do you know how many subscribers there are in the whole to this School of Arts? I do not.
16. Has the intention to apply for this Bill been advertised in the local papers? It has.
17. Is there any building upon the land originally granted? No, I believe not. They are occupying temporary apartments now. This land has been lying in abeyance.
18. Is there any building upon the land proposed to be given in lieu? Not that I am aware of; but it is two years, I may state, since I was at Bathurst.

1858.

Legislative Assembly.

NEW SOUTH WALES.

ST. PHILIP'S PARSONAGE BILL.

REPORT FROM THE SELECT COMMITTEE

ON

ST. PHILIP'S PARSONAGE BILL;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

20 *July*, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES No. 44. TUESDAY, 15 JUNE, 1858.

9. St. Philip's Parsonage Bill :—Mr. Thornton moved, pursuant to notice,—
 (1.) That the St. Philip's Parsonage Bill be referred for the consideration and report of a Select Committee.
 (2.) That such Committee consist of the following Members, viz. :—Mr. Owen, Mr. Jenkins, Mr. Cox, Mr. Tooth, Mr. Buckley, and the Mover.
 Question put and passed.

VOTES No. 61. TUESDAY, 20 JULY, 1858.

6. St. Philip's Parsonage Bill :—
 (1.) Mr. Thornton, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on the 15th ultimo.
 Ordered to be printed.
 (2.) Mr. Thornton then moved, That the second reading of this Bill stand an Order of the Day for Tuesday next.
 Question put and passed.

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1858.

ST. PHILIP'S PARSONAGE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on the 15th ultimo, the "*St. Philip's Parsonage Bill*," beg leave to Report to your Honorable House :—

That they examined Mr. William Barker, Solicitor for the Bill (whose evidence will be found appended hereto), and that the Preamble having been satisfactorily proved by the evidence of that gentleman, they proceeded with the several Clauses of the Bill, in which they found it unnecessary to make any amendment.

And your Committee now beg to lay before your Honorable House the said Bill, *without amendment*.

GEO. THORNTON,
Chairman.

Legislative Assembly Chamber,
Sydney, 20 July, 1858.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 20 JULY, 1858.

Members Present:—

Mr. Thornton,
Mr. Jenkins,

Mr. Buckley,
Mr. Owen.

Mr. Thornton was called to the Chair.

Solicitor for the Bill—Mr. William Barker.

Mr. William Barker examined.

Committee considered the Preamble of the Bill, and being of opinion that the allegations contained therein were satisfactorily proved by the evidence of Mr. Barker;—

Motion made (The Chairman) and Question—"That the Preamble stand part of the Bill"—agreed to.

Committee then proceeded to consider the several clauses.

Clauses 1, 2, 3, 4, 5, 6, and 7, and Schedule, read *seriatim*, considered, and agreed to without amendment.

Chairman requested to report the Bill to the House.

WITNESS.

Tuesday, 20 July, 1858.

William Barker, Esq., *Solicitor for the Bill*..... Page. 5

1858.

Legislative Assembly.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

'ST. PHILIP'S PARSONAGE BILL.

TUESDAY, 20 JULY, 1858.

Present:—

MR. JENKINS, | MR. OWEN,
MR. THORNTON.

G. THORNTON, ESQ., IN THE CHAIR.

William Barker, Esq., of the firm of Messrs. Norton, Son, and Barker, examined:—

W. Barker,
Esq.

1. *By the Chairman*: Are you the Solicitor for this Bill? I am.
2. Have you prepared the Bill now before the Committee "to authorise the sale, mortgage, or exchange, of the parsonage in connection with the parish of St. Philip, in Sydney?" 20 June, 1858. I have, or rather, I should say it was drawn by counsel, under my instructions. It was prepared under the authority of the Bishop of Sydney, who is the grantee named in the grant recited in the Preamble, and with the concurrence and consent of the Trustees of St. Philip's Church. I have not seen all the Trustees myself, but I have been in communication with Mr. John Campbell, who has been acting on behalf of the other Trustees. I produce the Deed of Grant mentioned in that preamble (*the witness produced the same*), which shews that the land was granted to the "Bishop of Sydney and his successors, Bishops of Sydney, for ever, upon trust for the appropriation thereof as the site of a dwelling-house, garden and other appurtenances for the clergyman duly appointed to officiate in the Church of the United Church of England and Ireland, erected at Sydney, and known as St. Philip's." The house and buildings at present proposed to be sold are known as St. Philip's Parsonage; but, although so called, and hitherto occupied by the Incumbent of St. Philip's, they are in fact situated in the parish of St. James.
3. Has a new church been recently erected? A new church has been erected within the parish of St. Philip's, and I have been informed, by the Bishop of Sydney and Mr. Campbell, one of the Trustees, that sufficient funds have not been obtained to discharge the entire cost of its erection.
4. *By Mr. Owen*: Do you believe that to be correct? I do not know it myself, but I believe it to be correct. I have been informed, both by one of the Trustees and by the Bishop, that, although the church has been completed, or nearly so, a debt remains upon it.
5. *By the Chairman*: Have John Campbell, George Kilgour Ingelow, and John Alexander Mathews, all of Sydney, been duly nominated and appointed Trustees of the said Church? Yes. I have been informed that they have been appointed Trustees, under the Act of Council.
6. Have you any information with reference to the necessity for the erection of another church in the same parish? I have been informed by the Bishop, from whom I received my original instructions to prepare this Bill, that it was considered necessary for the interest of the parishioners to erect another church within the parish.
7. Is it considered expedient by the Bishop and these Trustees to sell or exchange the said land and hereditaments, or to raise money thereon by mortgage, and out of the proceeds, or by application of the hereditaments taken in exchange, to provide a parsonage within the said parish. The principal object in view was to provide a parsonage within the parish, and for that purpose it was necessary to sell the present parsonage; but as it is supposed a larger sum will be realised than will be necessary for a new parsonage, it is considered that it would be a proper appropriation of the surplus to liquidate the present debt, and complete the church; and to devote the residue to the erection of another church.

W. Barker,
Esq.

20 June, 1858.

8. The Bishop is desirous, by an Act of this nature, to be armed with authority to dispose of this property for these purposes? Yes. The buildings at present used could not be disposed of without the authority of Parliament; and the Bishop and the Trustees have, I believe, agreed that it is expedient that the property should be sold, and the proceeds appropriated in the manner mentioned in this Bill.

9. Is it considered expedient that there should be the same Trustees for the church and parsonage of the said parish? It is considered to be more satisfactory that the whole should be vested in the same Trustees. I believe the parishioners or the present Trustees desire it; and His Lordship has no objection, so long as care is taken that the proceeds shall be appropriated for the objects in view; and he is satisfied with the clause which requires his consent in writing to what is done by the Trustees.

10. *By Mr. Jenkins:* I find by the original Deed that the grant was made for a specific purpose, "as the site of a dwelling house, garden, and other appurtenances for the clergyman;"—may not a question arise as to whether it is in the power of the trustees to apply the proceeds to any other purpose? It is for that reason necessary to come to the Legislature; and the parties ask for power to sell, and to appropriate the proceeds as mentioned in the Bill. It is not at all an unusual thing. For instance, a very few Sessions ago I prepared a Bill on behalf of a Presbyterian congregation in Palmer-street. Land had been granted to them for the erection of a Presbyterian Church; they did not think the situation advantageous, and were desirous to sell the land, in order that they might buy land in a more eligible situation. They expected to sell the land not only for a sufficient sum to purchase other land, but to have some left, available for the erection of a church and school-house. An application was made to the Legislature to enable them to sell the land, and apply the proceeds as they desired.

11. *By the Chairman:* That Bill was carried through the House? That was passed, and acted upon.

12. *By Mr. Owen:* Is the parsonage ground and buildings likely to be of a greatly increased value? I should think it would be, as Pitt-street is carried down now to the Circular Quay.

13. Is it proposed, if the Legislature should assent to this Bill, that it should be carried into effect immediately? No doubt the Trustees would be guided by circumstances. I have no doubt it would be thought desirable to provide a parsonage within the parish with as little delay as possible. I know that when instructions were first given to prepare this Bill, the object really was, and the late Archdeacon desired very much that it should be done, to sell that parsonage, and erect one near the church. I was informed he was of opinion that it was not altogether a fit place for the clergyman to reside in; it is very low, and he thought it not healthy.

14. Do all the parties concerned concur in this Bill? Yes; the only parties are the Bishop and the Trustees of the parish.

1858.

Legislative Assembly.

NEW SOUTH WALES.

PYRMONT BRIDGE COMPANY'S BILL.

REPORT FROM THE SELECT COMMITTEE

ON THE

PYRMONT BRIDGE COMPANY'S BILL;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

20 July, 1858.

SYDNEY :

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES No. 29. TUESDAY, 18 MAY, 1858.

19. Pyrmont Bridge Company's Bill :—Mr. Dalley moved, pursuant to *amended notice*,—
(1.) That the Pyrmont Bridge Company's Bill be referred to a Select Committee, and that the Report and Proceedings of, and the Bill as amended in, the Select Committee of last Session, be referred to such Committee.
(2.) That such Committee consist of Mr. Cowper, Mr. Hay, Mr. Williamson, Mr. Scott, Mr. Flood, Mr. Weekes, and the Mover.
Question put and passed.

VOTES No. 33. TUESDAY, 25 MAY, 1858.

9. Pyrmont Bridge Company's Bill :—Mr. Hodgson presented a Petition from John Harris, of Shane's Park, South Creek, and James Fullerton, of the City of Sydney, Minister of the Established Church of Scotland, in opposition to this Bill.
Petition received, and referred to the Select Committee on the Bill.

VOTES No. 41. TUESDAY, 8 JUNE, 1858.

3. Pyrmont Bridge Company's Bill :—
(1.) Mr. Owen presented a Petition from certain Residents of the Glebe and its neighbourhood, praying that Clauses may be introduced into this Bill for the preservation of the Navigation of Black Wattle Creek.
Petition received, and referred to the Select Committee on the Bill.
(2.) Mr. Owen presented a Petition from Thomas Tipple Smith, of the Glebe, praying that Clauses may be introduced into this Bill for the preservation of the Navigation of Black Wattle Creek.
Petition received, and referred to the Select Committee on the Bill.

VOTES No. 61. TUESDAY, 20 JULY, 1858.

11. Pyrmont Bridge Company's Bill :—
(1.) Mr. Dalley, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on the 18th May last.
Ordered to be printed.
(2.) Mr. Dalley then moved, That the second reading of this Bill stand an Order of the Day for next Friday week.
Question put and passed.

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1858.

PYRMONT BRIDGE COMPANY'S BILL.

REPORT.

THE Select Committee of the Legislative Assembly, for whose consideration and Report was referred, on the 18th May last, the "*Pymont Bridge Company's Bill*;" and to whom were referred, at the same time, the "*Report and Proceedings of, and the Bill as amended and agreed to in, the Select Committee of last Session*;" on the 25th May last "*a Petition from John Harris, of Shone's Park, South Creek, and James Fullerton, of the City of Sydney, Minister of the Established Church of Scotland, in opposition to the Bill*;" on the 8th ultimo, "*Two Petitions, from certain Residents of the Glebe, and Thomas Tipple Smith, respectively, praying that Clauses might be introduced into the Bill for the preservation of the Navigation of Black Wattle Creek* :—beg leave to Report to your Honorable House :—

That they carefully perused the Report and Proceedings of, and the Bill as amended and agreed to in, the Select Committee of last Session, referred for their consideration, and examined the *Secretary to the Company (whose evidence will be found appended * E. T. Smith, Esq. hereto), and that the Preamble having been satisfactorily proved by the evidence of that gentleman, and having been found to be identical with the Preamble of the Bill as amended and agreed to by the Select Committee of last Session, they proceeded with the several Clauses of the Bill, in the consideration of which they found it necessary to introduce a *facto* † *vide* Clause 7. Clause, limiting the time allowed for the completion of the works proposed under the Bill to two years; to strike out the Clause‡ in which it was proposed that the words 'roads, † *vide* Clause 10 of original Bill, ways, and approaches,' wherever used in the Bill, or in the Company's Incorporation Act of 1855, should be held to include and apply to Railways and Tramways; and to make certain other amendments therein.

And your Committee now beg to lay before your Honorable House the Bill as amended by them.

Your Committee desire at the same time to bring under the special notice of your Honorable House a provision, § introduced into Clause 1 of the Bill by the Select Committee of last Session, compelling the erection by the Company of rails on either side of the Bridge, between the outer rail of the Bridge and the roadway, for the protection of foot passengers crossing the same, and would suggest the expediency of requesting the Executive Government to adopt such measures as they may deem requisite to cause the Company to provide a similar protection on the Bridge already erected over Darling Harbour, as they conceive such protection on the said Bridge to be essential for the public safety.

PETITION OF MR. JOHN HARRIS AND DR. FULLERTON.

¶ *I* vide Appendix A.

With reference to such portion of the prayer of this Petition as prays that the Company may be compelled, in the construction of any future works on the Ultimo Estate, to adopt the lines of streets and roads laid out thereon by the Petitioners, your Committee having examined the Engineer to the Company† (whose evidence is also appended hereto) upon this subject, were of opinion that it would be inexpedient to assume to themselves a power hitherto exercised by the Executive Council, which would be the case were they to compel the Company to adopt specific lines of streets and roads in the construction of the works contemplated in the Bill; your Committee were, therefore, unable to entertain favorably the prayer of the Petition in this respect.

With

With reference to the remaining portion of the prayer of the Petition, praying that the compensation to be paid by the Company for land taken might be assessed without regard to any alteration in the value of such land from the works of the Company thereon, your Committee were of opinion that any change in the mode of estimating the compensation for land so taken would necessarily involve a departure from the principle laid down in the *seventeenth section** of the Company's original Act of Incorporation, 19 Vic., which they were unwilling to sanction.

* *Fide* Clause 5 of the Bill, and Section 17 of the "Pyrmont Bridge's Company's Act of 1855."

Your Committee were, consequently, unable to entertain favorably the prayer of the Petition in this respect also.

TWO PETITIONS, FROM CERTAIN RESIDENTS OF THE GLEBE, AND THOMAS TIPPLE SMITH, RESPECTIVELY.†

† *Fide* Appendices B & C.

With regard to these Petitions, your Committee, considering that their allegations were directed solely against certain provisions of the Company's original Act of Incorporation, and that the grievance set forth therein was in no way affected by the enactments of the Bill referred for their consideration, were unable to entertain favorably the prayers thereof.

WILLIAM B. DALLEY,
Chairman.

*Legislative Assembly Chamber,
Sydney, 20 July, 1858.*

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 2 JUNE, 1858.

Members Present:—

Mr. Dalley,		Mr. Scott,
Mr. Cowper,		Mr. Weekes,
	Mr. Williamson.	

Mr. Dalley was called to the Chair.

Solicitor for the Bill—Mr. G. W. Allen, junior.

Solicitor for the Petitioners—Mr. H. B. Bradley.

By direction of the Chairman, Resolution of the House appointing the Committee, and referring thereto the Report and Proceedings of, and the Bill as amended and agreed to in, the Select Committee of last Session, read by the Clerk.

Committee considered the same.

By direction of the Chairman, Resolution of the House referring to the Committee on the 25th ultimo:—

"A Petition from John Harris, Esquire, of Shane's Park, South Creek, and the

"Rev. Dr. Fullerton, of Sydney, praying to be heard by themselves, their

"Counsel, Agents, and Witnesses, against certain Clauses of the Bill,"—

read by the Clerk.

Petition then read.

Ordered to be printed in Appendix. (*Vide Appendix A.*)

Clauses 1, 5, and 10 of the Bill and 12 to 15 inclusive of the "Pyrmont Bridge Company's Incorporation Act," 19 Vict., against which the allegations of the Petition were apparently directed, read by the Chairman.

Prayer of the Petition again read.

Committee deliberated as to whether the Petitioners, by the prayer of their Petition, had established for themselves, or their agents, such *locus standi* before the Committee as to entitle them to be heard against the Preamble of the Bill; and being of opinion that the allegations of the Petition were directed solely against certain clauses, without affecting in any way the Preamble thereof,—

It was *Resolved*:—

"1. That the parties be now called in.

"2. That the Chairman direct the Solicitor for the Bill to produce his evidence "in support of the Preamble.

"3. That in case the Solicitor for the Petitioners should desire to be heard by the "Committee against the Preamble, he be informed by the Chairman that the "Committee determine that the allegations of the Petition do not establish "for the Petitioners such *locus standi* before the Committee as to entitle "them to be heard against the Preamble of the Bill, and that his objections "must therefore be confined to the enacting part thereof."

Parties then called in.

The Chairman informed the Solicitor for the Bill that a Petition had been lodged in the House against certain clauses of the Bill, and referred for the consideration of the Committee; and that Mr. H. B. Bradley appeared before the Committee as Solicitor for the Petitioners.

And Mr. Allen thereupon applying, on the part of the Company, for permission to take a copy of the said Petition;—

Motion made and *Question*,—"That the Solicitor for the Bill be permitted to take a "copy of the Petition"—*agreed to*.

The Chairman then directed Mr. Allen to produce his evidence in support of the Preamble of the Bill.

And Mr. Bradley at this juncture stating his desire to make certain observations relative to the Preamble, was informed by the Chairman, under the terms of the Resolution agreed to by the Committee, that he could not then be heard.

Mr. T. Smith, Secretary to the Company, examined.

Committee then proceeded to consider the Preamble, and having compared and found it to be identical with the Preamble of the Bill as amended and agreed to in the Select Committee of last Session, and being of opinion that the allegations contained therein were proved by the evidence of the Secretary to the Company;—

Motion made (The Chairman) and *Question*—"That the Preamble stand part of "the Bill"—*agreed to*.

Clause 1 read by the Chairman.

The Chairman *here* informed the Solicitor for the Petitioners that the Committee were prepared to hear the objections, if any, he had to urge against this clause.

Mr. Bradley thereupon addressed the Committee against the clause, and in the course of his observations handed in certain plans of the Ultimo Estate, shewing the land already taken by the Company, and having the lines of streets and roads which it was generally supposed that the Company proposed to take in their future works, marked thereon,—and urged upon the Committee the propriety of compelling the Company in the construction of any future roads or works upon the Petitioners' property, to adopt the lines of streets and

roads already laid out by the Petitioners,—and stated further, that he was desirous that the Committee should take the evidence of certain Engineers as to the best lines of streets and roads for the Company to adopt in passing through the estate.

The room was then cleared.

Committee deliberated, and it was *Resolved* :—

- " 1. That it is not in the power of this Committee to interfere with any lines of streets or roads, or with any works already constructed by the Company under the provisions of their Act of Incorporation, 19 Vic.
- " 2. That it would be inexpedient for this Committee to arrogate to themselves a power hitherto exercised by the Governor in Council, which would be the case were they to compel the Company to adopt specific lines of streets and roads in the construction of any future works, more especially as the Petitioners have their remedy in an appeal to the Executive Council with respect to this matter.
- " 3. That it is nevertheless desirable to postpone the further consideration of clause 1, in order to obtain the evidence of the Engineer to the Company as to the lines of streets and roads proposed to be taken under this Bill; and that this Committee do therefore adjourn until Eleven o'clock on Wednesday next, for that purpose.
- " 4. That the parties be now called in, and informed by the Chairman of the terms of the foregoing Resolutions."

Parties thereupon called in, and informed accordingly.

[Adjourned till Wednesday next, at Eleven o'clock]

WEDNESDAY, 9 JUNE, 1858.

Members Present :—

Mr. Cowper,
Mr. Scott,

Mr. Williamson,
Mr. Flood.

Mr. Scott, in the absence of the Chairman, was called to the Chair.

By direction of the Chairman, Resolution of the House, dated 8th instant, referring to the Committee :—

- " (1.) A Petition from certain Residents of the Glebe and its neighbourhood, praying that clauses may be introduced into the Bill for the preservation of the Navigation of Black Wattle Creek.
- " (2.) A Petition from Thomas Tipple Smith, of the Glebe, praying that clauses may be introduced into the Bill for the preservation of the Navigation of Black Wattle Creek,"—

read by the Clerk.

Petitions then read.

Ordered to be printed in Appendix. (*Vide Appendices B and C.*)

Committee deliberated as to whether the interests of the Petitioners, as set forth in the allegations of these Petitions, were in any way affected by the provisions of the Bill under their consideration, and determined to hear the Petitioners themselves, or their Counsel, upon this point.

By direction of the Chairman, certain Resolutions, relative to clause 1 of the Bill, agreed to by the Committee at their last meeting, read by the Clerk.

Parties then called in.

In reply to a question put by the Chairman, Mr. Bradley stated that he appeared as Solicitor for the two Petitions referred *yesterday* for the consideration of the Committee.

The Chairman thereupon informed Mr. Bradley that the Committee would shortly be prepared to hear him with reference to these Petitions.

The Chairman then asked the Solicitor for the Bill if, in accordance with a Resolution agreed to by the Committee at their last meeting, the Engineer to the Company was in attendance for the purpose of indicating to the Committee the lines of streets and roads the Company proposed to adopt between Johnson's Bay, Darling Harbour, and Glebe Island, and—

Mr. Allen stating that Mr. Moriarty was now present for the purpose of giving evidence upon this subject ;—

Motion made and *Question*—"That Mr. Moriarty be forthwith examined"—*agreed to*.

Mr. E. O. Moriarty, C.E., Engineer to the Company, then examined.

At the close of witness' examination the Chairman informed the Solicitor for the Petitioners that the Committee were now prepared to hear him as to the allegations of the two Petitions referred *yesterday* for their consideration.

Mr. Bradley then addressed the Committee in support of the allegations of these Petitions, and as to their applicability to the Bill now under consideration.

Mr. Allen addressed the Committee in reply.

The room was then cleared.

Committee deliberated on the two Petitions, and it was *Resolved* :—

- " 1. That, in the opinion of this Committee, the allegations of these Petitions are directed against certain provisions of the *Pymont Bridge Company's original Act of Incorporation*, 19 Vic., and that the grievance complained of therein is in no way affected by the proposed enactments of the Bill referred for their consideration.

" 2. That

- " 2 That it is not, therefore, in the power of this Committee to entertain favorably
 " the prayer of either of these Petitions, inasmuch as the only remedy for the
 " grievance set forth therein lies in the amendment of certain clauses of the
 " Company's original Act of Incorporation, which the Committee are not
 " empowered to alter.
- " 3. That the parties be now called in, and informed by the Chairman in the terms
 " of the foregoing Resolutions.
- " 4. That, after the parties have been thus informed, this Committee do adjourn
 " till this day week, when they will proceed with the consideration of the
 " Petition of Mr John Harris and Dr. Fullerton."
- Parties thereupon called in, and informed accordingly.
 [Adjourned till Wednesday next, at Eleven o'clock.]

WEDNESDAY, 16 JUNE, 1858.

Members Present:—

Mr. Scott,	|	Mr. Flood,
Mr. Cowper,	|	Mr. Williamson,
Mr. Weekes.		

Mr. Scott, in the absence of the Chairman, was called to the Chair.
 Committee deliberated.

Parties called in.

Certain Resolutions agreed to at the last meeting of the Committee, relative to the
 two Petitions referred for their consideration on the 8th instant, read by the Chairman.

Committee then proceeded with the further consideration of clause 1 of the Bill;—

And Mr. Weekes, a member of the Committee, putting a certain Question to the
 Secretary of the Pymont Bridge Company, with a view to elicit from him what action the
 Directors of the Company intended to take for the purpose of carrying into effect the desire
 expressed by the Committee, that the provisions introduced into this clause by the Committee
 of last Session for the proper protection of foot passengers, by the erection of rails on either
 side between the outer rail of the Bridge and the Roadway, should be extended to the Darling
 Harbour Bridge, already erected under the Company's original Act of Incorporation;—upon
 the relevancy of which question a deliberation arose, it being the opinion of certain members
 of the Committee that they were incompetent to entertain this matter, inasmuch as in
 the Bill under their consideration no allusion was made to the enactments of the Company's
 original Act on this particular point.

The room was cleared.

Deliberation continued, and it was Resolved:—

- " 1. That, without in any way interfering with the provisions of the present Bill,
 " this Committee will, in reporting the same to the House, recommend that
 " the Executive be requested to adopt such measures as they may think
 " fit to cause the Company to provide proper protection for foot passengers,
 " by the erection of rails on either side of the Bridge already erected
 " across Darling Harbour, between the outer rail and the roadway thereof,
 " unless the Company cause the same to be done in the meantime, as the
 " Committee conceive such protection to be essential for the public safety.
- " 2. That the parties be now called in, and informed by the Chairman of the
 " terms of the foregoing Resolution."

Parties called in, and informed accordingly.

The Chairman then stated that the Committee were prepared to hear further the
 Solicitor for the Petitioners in support of the allegations of the Petition of Mr. John Harris
 and Dr. Fullerton.

Mr. Bradley requested the postponement of the further consideration of clause 1, in
 consequence of the continued inability of Mr. Surveyor Langley to attend, and give evidence
 as to the allegations of the Petition relating thereto.

Committee decided that it would be inexpedient to further postpone the consideration
 of the said clause.

Mr. Bradley thereupon addressed the Committee, and, in the course of such address,
 was proceeding to make certain observations relative to the two Petitions, whose prayers the
 Committee declined to entertain at their last meeting, with the object of producing certain
 evidence relative to, and of drawing certain deductions from the plans and specifications,
 showing the lines of streets and roads proposed to be adopted by the Company for carrying
 out the works sanctioned under their original Act of Incorporation, which said plans and
 specifications were laid before, and approved of, by the Executive Council, prior to the
 adoption by the Company of such lines of streets and roads, when he was stopped by the
 Chairman, and informed that the Committee had previously decided that they had no power
 to entertain favorably the prayer of either of these Petitions, inasmuch as they were directed
 against certain provisions of the Company's original Act of Incorporation, in no way affected
 by the proposed enactments of the Bill under consideration.

And Mr. Bradley continuing to urge that the Committee possessed such power,
 inasmuch as it was recited in the Preamble of the said Bill that the Company sought " to
 " extend the provisions of " and " to amend their Act of Incorporation in certain respects "
 therein, was again stopped by the Chairman, and further informed that the Committee had
 finally decided that their power to alter and repeal the provisions of the Company's Incorpo-
 ration Act, 19 Viet, extended only to those clauses, the alteration or repeal of which was
 distinctly sought by the Company in the Bill specially referred for their consideration, and
 had

had resolved not to permit the question relative to these Petitions to be re-opened, and directed Mr. Bradley therefore to confine his remarks to the Petition of Mr. John Harris and Dr. Fullerton.

Whereupon Mr. Bradley addressed the Committee in respect to the said Petition, requesting that the Company might be compelled in the construction of any future works to adopt specific lines of streets and roads, and that the extent of deviation permissible therefrom might be limited.

At the close of Mr. Bradley's address, the Chairman read a Resolution agreed to by the Committee on the 2nd instant, in which it was determined by the Committee not to legislate on this particular matter, more especially as the Petitioners had their proper remedy in an appeal to the Executive Council, by whom the actual lines of streets and roads to be adopted by the Company would eventually be decided.

Clause 1 then further considered, amended, and agreed to. (*Vide "Schedule of Amendments" appended hereto*)

Clause 2 read, considered, and agreed to, without amendment.

Clause 3 read.

Upon the reading of this clause the Solicitor for the Petitioners requested that the Committee would cause the Sections in the original Act of Incorporation, recited in this clause of the Bill, to be also read.

Sections VII, VIII, IX, X, XI, XII, and XIII, of the "Pymont Bridge Company's Incorporation Act" read accordingly.

Committee deliberated on the wording of certain of these sections, in which there was apparently some defect,—and were of opinion that, as the said sections were *substantially* correct, it would be inexpedient to insert them at length in an amended form in the Bill.

Clause then further considered, amended, and agreed to. (*Vide "Schedule of Amendments" appended hereto*.)

Clause 4 read, and considered.

The Solicitor for the Petitioners addressed the Committee with respect to this clause, urging that its consideration by the Committee would effectually open up the general question of their power to alter and amend the original Act of Incorporation in any way they might think fit, and by so doing would permit the introduction of the particular amendments which the Petitioners sought to have introduced thereinto.

The Solicitor for the Bill heard in reply.

The room was cleared.

Committee deliberated, and it was *Resolved* :—

" 1. That as none of the allegations of the Petitions referred to them in any way touch upon the proposed enactments of this clause, the Committee must decline to consider them in relation thereto.

" 2. That the parties be called in, and informed by the Chairman of the terms of the foregoing Resolution."

Parties called in, and informed accordingly.

Clause then further considered, and agreed to without amendment.

[Adjourned till Wednesday next, at Eleven o'clock.]

WEDNESDAY, 23 JUNE, 1858.

Members Present:—

W. B. Dalley, Esq., in the Chair.

Mr. Flood,

Mr. Scott,

Mr. Cowper,

Mr. Williamson,

Mr. Weekes.

By direction of the Chairman, Resolutions agreed to by the Committee at their last meeting relative to clause 4 of the Bill, read by the Clerk.

Clause 5 read and considered.

Prayer of the Petition from Mr. John Harris and Dr. Fullerton read by the Chairman.

Committee deliberated.

Parties then called in.

The Chairman informed Mr. Bradley that the Committee were prepared to hear any further observations from him relative to clause 5.

Whereupon Mr. Bradley addressed the Committee, and commencing his address by stating that he proposed to confine his objections to the proposal made in this clause to perpetuate the *seventeenth* section of the Company's original Act of Incorporation, 19 Viet., relating to the mode of estimating purchase money and compensation for land taken under its provisions, and requesting the permission of the Committee to call evidence in relation thereto.

Committee desired to deliberate.

The room was therefore cleared.

Committee deliberated.

Section 17 of the Pymont Bridge Company's Incorporation Act of 1855 read by the Chairman, viz. :—

" XVII. In estimating the purchase money or compensation to be paid by the Corporation in any of the cases aforesaid, regard shall be had by the jury, not only to the value of the land to be purchased or taken by the Corporation, but also to the damage (if any) to be sustained by the owner of the lands, by reason
" of

" of the severing of the lands taken from the other lands of such owner, or
 " otherwise injuriously affecting such other lands by the exercise of the powers
 " of this Act, and they shall assess the same according to what they shall find
 " to have been the value of such lands, estate, or interest at the time notice
 " was given of such lands being required for the bridges, roads, and other
 " works, and the said jury in assessing such compensation are authorized and
 " empowered, and shall take into consideration the enhancement in value of
 " the adjoining land belonging to the party to whom compensation is to be
 " made, by the increased facilities of access, or otherwise, by reason of the
 " making of such bridges, roads, and other works, in reduction of such com-
 " pensation."

Deliberation continued; and it was *Resolved* :—

- " 1. That as the question involved in the proposed introduction of the provisions
 " of this clause into the present Bill is one of principle, in the determination
 " of which no evidence as adduced by the Petitioners can in any way affect
 " the ultimate decision of the Committee, they are of opinion that it is
 " unnecessary to take evidence thereupon.
- " 2. That this Committee is nevertheless willing to hear the Solicitor for the
 " Petitioners with respect to the principle enunciated in the provisions of
 " the said section.
- " 3. That the parties be called in, and informed by the Chairman in the terms of
 " the foregoing Resolutions."

Parties called in, and informed accordingly.

Mr. Bradley thereupon stated, that after the first Resolution just agreed to, he was not desirous of troubling the Committee with any further observations in relation to the Bill, and begged therefore, on the part of the Petitioners, to be permitted to withdraw from further opposition thereto, whilst before the Committee.

Whereupon Motion made, and *Question*,—" That leave be given to the Petitioners to
 " withdraw from further opposition to the Bill"—*agreed to*.

Mr. Bradley and Petitioners then withdrew.

Committee permitted Mr. Allen to be present in the room.

Motion then made, and *Question proposed*,—" That this clause (5) stand part of the
 " Bill."

Amendment proposed (Mr. Flood),—" That the clause be amended in the first line,
 " by the omission of the word 'seventeenth,' with a view to insert the words,—'a portion
 " of the seventeenth, viz., from the commencement of the said section to the word 'works' in
 " the tenth line thereof."

Committee deliberated.

Question put,—" That the word proposed to be omitted stand part of the clause."

Committee divided.

Ayes, 4.

No, 1.

Mr. Dalley,
 Mr. Cowper,
 Mr. Williamson,
 Mr. Weekes.

Mr. Flood.

Clause then agreed to without amendment.

Clause 6 read, considered, and agreed to without amendment.

Motion made (Mr. Williamson) and *Question proposed*,—" That after clause 6 there
 " be inserted the following words, to stand clause 7 of the Bill, viz.—'If the said bridge
 " over Johnson's Bay, with the approaches thereto, be not fully and properly completed
 " within two years next after the passing of this Act, the powers given in and by the
 " same shall cease and determine."

Committee deliberated as to whether the limitation of time for the completion of the works was not implied in the terms of clause 11; and being of opinion that it would be the more desirable course to specially define such limitation in the Bill,—

Question put, and agreed to.

Clause inserted. (*Vide "Schedule of Amendments" appended hereto.*)

The Chairman then read to the Committee the following words, handed in by Mr. Allen, and proposed by the Company to be here inserted in the Bill, viz.:—

" So much of the Schedule to the said recited Act as allows children under ten
 " years of age to pass over the Darling Harbour Bridge free, is hereby
 " repealed."

Committee deliberated thereupon, and it was *Resolved* :—

" That in the opinion of this Committee it is inexpedient to legislate with respect
 " to this particular point, as the alteration thus sought by the Company
 " forms a matter more properly for the consideration of the Executive
 " Council."

Clauses 7 (*now* 8), 8 (*now* 9), 9 (*now* 10), read, considered, and agreed to without amendment.

Clause 10 (*now* 11), read.

Mr. Allen here submitted a new clause in substitution for this clause.

Mr. Cowper, a Member of the Committee, and Principal Secretary, read a letter to the Committee, received by him from Captain Martindale, R.E., Chief Commissioner for Railways, relative to the power sought by the Company under this clause.

Paragraph from Captain Martindale's "Second Report on the Internal Communications of New South Wales" relating to the proposed extension of the Darling Harbour Branch of the Railway to the Pyrmont Bridge, read by the Chairman. (*Vide page 3, paragraph*
 259—C

paragraph 6, "Captain Martindale's Second Report on the Internal Communications of New South Wales, dated 29th April, 1858.")

Committee deliberated, and it was *Resolved* :—

"That the consideration of this clause be now postponed till the next meeting of the Committee."

Clauses 11 and 12, and the Schedule, fixing "Scale of Tolls," then read, considered, and agreed to without amendment.

[Adjourned till Wednesday next, at Eleven o'clock.]

WEDNESDAY, 30 JUNE, 1858.

Members Present :—

Mr. Weekes, | Mr. Scott.

The parties were in attendance, but a quorum of the Committee not being present,—

[Adjourned till Wednesday next, at Eleven o'clock.]

WEDNESDAY, 7 JULY, 1858.

The Meeting of the Committee convened for this day lapsed, in consequence of the adjournment of the House from Tuesday, 6th instant, till Tuesday, 13th instant, owing to the demise of the Venerable Archdeacon Cowper, father of the Principal Secretary.

WEDNESDAY, 14 JULY, 1858

Members Present :—

W. B. Dalley, Esq., in the Chair.

Mr. Weekes, | Mr. Hay,
Mr. Scott, | Mr. Williamson.

The Chairman having informed the Committee that the Company, through their Solicitor, were now desirous of withdrawing clause 10, the consideration of which was postponed at their last meeting, from the Bill ;—

Motion made and *Question*,—"That clause 10 be struck out of the Bill"—*agreed to*.

Clause struck out accordingly. (*Vide "Schedule of Amendments" appended hereto.*)

Parties withdrew.

The Chairman then brought up and laid before the Committee a Draft Report.

Motion made and *Question*,—"That the Draft Report proposed by the Chairman "be now read"—*agreed to*.

Draft Report read accordingly.

Committee deliberated thereupon.

Motion made and *Question*,—"That this be the Report of the Committee"—*agreed to*.

Chairman requested to Report the Bill, as amended, to the House.

SCHEDULE OF AMENDMENTS.

Clause 1, page 2, line 18—*after thirty insert five.*

" 3, " 3, " 18—*after other insert roads or.*

" 3, " 3, " 19—*after being done insert or any deviations therefrom.*

New Clause 7 inserted—If the said bridge over Johnson's Bay with the approaches thereto be not fully and properly completed within two years next after the passing of this Act the powers given in and by the same shall cease and determine.

Clause 10, page 5, line 18—*omit this Clause.*

LIST OF WITNESSES.

Wednesday, 2 June, 1858.

T. Smith, Esq., Secretary to the Pyrmont Bridge Company. Page. 11

Wednesday, 9 June, 1858.

E. O. Moriarty, Esq., C.E., Engineer to the Company. 12

LIST OF APPENDIX.

A.

Petition of J. Harris, Esq., of Sharn's Park, and Rev. Dr. Fullerton, of Sydney, against certain clauses of the Bill. Page. 13

B.

Petition of certain residents of the Glebe and its neighbourhood, praying that clauses may be introduced into the Bill for the preservation of the Navigation of Black Wattle Creek .. 14

C.

Petition of Mr. T. T. Smith, of the Glebe, praying that clauses may be introduced into the Bill for the preservation of the Navigation of Black Wattle Creek 15

1858.

Legislative Assembly.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PYRMONT BRIDGE COMPANY'S AMENDMENT BILL.

WEDNESDAY, 2 JUNE, 1858.

Present :—

Mr. COWPER,
Mr. DALLEY,Mr. SCOTT,
Mr. WEEKES,

Mr. WILLIAMSON.

W. B. DALLEY, Esq., IN THE CHAIR.

G. W. Allen, Esq., appeared as Solicitor on behalf of the promoters of the Bill.

W. B. Bradley, Esq., appeared as Solicitor on behalf of the Petitioners against the Bill.

Thomas Smith, Esq., examined as follows :—

1. *By Mr. Allen :* You are the Secretary to the Pyrmont Bridge Company? I am.
2. Have the Pyrmont Bridge Company nearly completed a bridge across Darling Harbour, from the Market Wharf, Sydney, to or near to Union-street, Pyrmont? They have.
3. Have they entered into a contract for the construction of a road from such bridge, through Pyrmont and the Ultimo Estate, to a point in Blackwattle Bay, opposite the Lyndhurst Estate, at the Glebe? They have.
4. And also to make a good and substantial viaduct, with a bridge in the centre, across such bay to the Lyndhurst Estate, and thence a road through the said estate, crossing the Glebe Road, along the Hereford Road towards the Parramatta Road, at or near Camperdown? They have.
5. Are these works in progress? They are.
6. Do you produce an indenture, bearing date the 22nd April, 1857? I do. (*The witness produced the same.*)
7. By whom is that signed? By all the shareholders.
8. By that deed have the shareholders covenanted and agreed among themselves that the making, constructing, and maintaining a bridge across Johnson's Bay, in Darling Harbour, to Glebe Island, with such roads, ways, and approaches to such bridge, for the connection thereof with the bridges, or bridge and viaduct, authorised by the said recited Act, and with the Parramatta and Balmain Roads, and such other public roads and ways as shall at any time hereafter be deemed desirable, shall form part of the objects of the Company? They have.
9. Is it expedient to authorise these additional works, and to enlarge the powers and authorities of the corporation, for the purposes of these additional works, and to extend the provisions of the original Act for the same purpose? It is.
10. *By Mr. Cowper :* Why is it expedient? For the convenience of the public.
11. "To enlarge the powers and authorities of the said corporation for the purposes of the "additional works,"—that cannot affect the public so much as the Company themselves? I think

T. Smith,
Esq.

2 June, 1858.

T. Smith,
Esq.

2 June, 1858.

think it will be for the benefit of the public as well as for our own benefit, because, if the people are not benefited by our undertakings they will not patronise them, and then we should not obtain a profitable return for our outlay of money.

12. Have the powers already obtained not been sufficient? No, they have not. It is very much desired to obtain an easy access to Glebe Island by means of a bridge, which the Company have no authority to erect without further powers. Several Petitions have been presented to the Legislature from the citizens in general, and the butchers also, in favor of the completion and opening of the Abattoirs already built on that island; these Petitions have been very numerous signed by the most respectable persons, in order that the grievous nuisances arising from the present slaughter-houses within the City may be abated.

13. What difficulty have you experienced in working the Act? The powers already obtained have no reference to the works now intended to be undertaken, and consequently additional powers are required.

14. What is the nature of the contract made for the construction of the road? It is stated that it shall be finished within a certain time.

15. Is there any one particular contractor? Yes—William Randle.

16. You say—"with such roads, ways, and approaches to such bridge, for the connection thereof with the bridges, or bridge and viaduct, authorised by the said recited Act"; to what does that allude—what are those roads—where do they extend to—from what place—to what place? From Pymont Bridge to Camperdown one road, and from Pymont Bridge to Glebe Island the one to the northward; also one to Leichhardt, in connection with the Balmain Road.

17. Do you contemplate to obtain power by this Bill to make tramways from Pymont Bridge to Camperdown? No. The power to make roads, ways, and approaches, is intended to give authority to make a road from Pymont Bridge to Glebe Island.

[Question put—That this Preamble do stand part of the Bill—*Carried.*]

WEDNESDAY, 9 JUNE, 1858.

Present:—

MR. COWPER,
MR. FLOOD,

MR. SCOTT,
MR. WILLIAMSON.

A. W. SCOTT, Esq., IN THE CHAIR.

G. W. Allen, Esq., appeared as Solicitor on behalf of the promoters of the Bill.

W. B. Bradley, Esq., appeared as Solicitor on behalf of all the Petitioners against the Bill.

E. O. Moriarty, Esq., examined:—

- E.O.Moriarty, Esq.
9 June, 1858.
1. *By Mr. Cowper:* Did the original Act give you power to extend your line of road to the Parramatta Road? Yes.
 2. Why did you not get power by the original Act to construct this bridge over Johnson's Bay? Because it was not then in contemplation to go on to Glebe Island.
 3. In the first clause of this Bill you propose to erect a bridge over Johnson's Bay, Darling Harbour, to Glebe Island—is this an extension to the Abattoir of the original line? This is a branch line. (*The witness produced a plan*)
 4. *By the Chairman:* In England it is usual in all such Bills as these to define the exact direction of a road? Within certain limits, that is to say, 600 feet of the line marked on the plan; that we have done.
 5. Is that the plan you are going to abide by? (*Referring to the plan produced*) Yes.
 6. Will you describe the line you propose to adopt? We propose to branch off from the Company's line at a point marked on the plan produced by Mr. Bradley, as the junction of Gipps' Crescent, and then to follow that crescent and Bank-street as far as Ballast Point, better known as Yellow-tail Point—the point immediately opposite Glebe Island—thence to cross Johnson's Bay to Glebe Island by a bridge. We take the usual right which is taken in all English Acts—Railway Acts and others—of carrying the line within certain limits, the limits of deviation, which are 300 feet on either side from the centre of the road; the limits of deviation are marked on this plan.
 7. *By Mr. Cowper:* You propose, in carrying out the Act, that your limits shall not exceed the limits usually given? Yes.
 8. Subject to the confirmation of the Governor and Executive Council? Yes.
 9. Is the width named here, thirty-feet, as the width of the bridge, considered sufficient? I believe so.
 10. It has not been objected to? No; we originally proposed that the width of the bridge should be twenty-one feet; but the Committee who sat on this same Bill when it was introduced last Session required that we should increase it to thirty feet, and we did so.
 11. With regard to the openings being thirty feet wide, is there not an objection to that? I have not heard it.
 12. Have you not heard that the width is not sufficient to allow vessels to pass? Not this bridge.
 13. Would not the same objection apply to this as to the other bridge? The openings in the bridge across Darling Harbour are forty feet wide, but in this bridge they are thirty feet.

14.

14. Have not complaints been made that the openings were not sufficiently wide to allow vessels to pass? Yes; a complaint was made by the captain of the "Bella Vista." I measured the vessel, and found there was twenty feet to spare. E.O. Moriarty,
Esq.
15. Has not damage been done to vessels by the bridge? Yes; one vessel coming down the harbour full sail ran against the bridge, and was cut down to the water's edge. 9 June, 1868.
16. *By Mr. Allen:* Had not the captain previously threatened to do so? Yes. I have heard he said he would see which was the hardest. I did not hear him say so myself.
17. *By the Chairman:* Does the proposed road take up any, and if any, what portion of water frontage? It will take up none of the water frontage, with the exception of the part where it comes down to the water.
18. It does not interfere with the water frontage lying to the north-east of Blackwattle Bay? No; but it gives an admirable road to the wharves which may be constructed there.
19. *By Mr. Cooper:* Were the plans for these bridges and viaducts laid before the Governor and Executive Council? Yes, and they were approved of. With reference to that I may state, that it was proposed by the Company to run a sort of viaduct with the view of reclaiming some land there (*referring to the plan*) which is almost valueless; but the Executive Council proposed that a bridge—the plan of which was approved—of three bays should be substituted, which was done.
20. *By the Chairman:* Is there a bridge across Blackwattle Bay? Yes; there is an embankment on each side, connected by a bridge, and we have given the headway under the height required by the Executive Council, namely, four clear feet above high water spring tides.
21. When was this bridge finished? It is now nearly finished; it is just being finished.
22. What is the width of the road? We propose to make the road thirty feet wide.
23. *By Mr. Cooper:* That is really the amount of land you require, although you desire to have some latitude in order to decide upon the course of your road? Yes; because the lines of streets marked on the plan produced by Mr. Bradley are mere paper roads, imaginary subdivisions, and I think it would be a pity to put a public company to an expense of some thousands simply to prevent their cutting through imaginary roads, which really have no existence.
24. Ought you not to have made a more complete survey before coming to the House for a private Bill? The roads marked on the plan submitted by the petitioners really do not exist.
25. You have made up your minds as to the course your road shall take? Yes, as nearly as we could arrive at the streets marked out on the plan.
26. Your intention is, as far as you can, to avoid interference with the survey of the estate? Yes, as far as it is possible; but we shall really improve the estate, by giving it a good road to the water frontage, which it has not now. I cannot, however, undertake to follow that line entirely; I could not do it, nor could any man in the world.
27. *By Mr. Williamson:* Is there any natural obstruction in the line of the proposed road, in the way of steep cliffs, or anything of that kind? They are a little to the back of it.
28. Are there any such natural obstructions as will require you to deviate to the right or to the left? No; but I think it as well not to pin ourselves down to an inch; it is never done in these matters.
29. Then, as far as you believe, you will deviate very little? Very little, or none at all.
30. *By the Chairman:* With respect to the bridge across Johnson's Bay, you propose that it shall be thirty feet wide? Yes.
31. To be railed on the outer side with an iron railing, and also to have a railing between the footpath and the carriage road? Yes; it was agreed at the last meeting that the Company should do that.
32. What width do you allow for boats and vessels? Thirty feet.
33. Would you object to the opening being extended to thirty-five feet? No.

APPENDIX.

A.

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

The humble Petition of John Harris, of Shane's Park, South Creek, in the County of Cumberland, in the Colony of New South Wales, Esquire; and James Fullerton, of the City of Sydney, in the said Colony, Minister of the established Church of Scotland,—

RESPECTFULLY SHEWETH:—

That your Petitioner, John Harris, in his own right, and your Petitioner James Fullerton, as trustee of the last will and testament of John Harris, the elder, late of Ultimo, in the said City of Sydney, Esquire, deceased, are seized of, or otherwise well entitled to, a certain real estate within the said City of Sydney, commonly known by the name of the "Ultimo Estate," comprising by estimation two hundred and seventy acres.

That, with the view of dividing the said estate between the persons beneficially entitled to the same (some of whom are infant children of the said John Harris, deceased,) the said estate was, in or about the year one thousand eight hundred and forty-six, surveyed and divided into separate blocks, or portions, and lines of streets to be laid out in and over the same for the more convenient access to the different blocks or portions thereof.

259—D

That,

That, by an Act of Council, passed in the nineteenth year of the reign of Her present Majesty, intituled "*An Act to incorporate the Pyrmont Bridge Company, and for other purposes therein mentioned*," it was amongst other things provided, that it should be lawful for the said Company to take such of the lands therein mentioned as they should think necessary for the purposes therein also mentioned, without any previous agreement with the owner thereof. And it was by the said Act further provided that the owners and all persons interested in the lands used or prejudiced by the said Company under the provisions of the said Act should be entitled to reasonable compensation for the loss or injury sustained by them, such compensation to be ascertained in manner therein mentioned. And it was also provided, that in the assessment of such compensation as therein mentioned, the enhancement in value of the adjoining land belonging to the party to whom compensation was to be made, by reason of the works of the said Company, should be taken into consideration in reduction of such compensation.

That, in pursuance of the powers of the said Act, the said Company have lately entered upon the said estate of your Petitioners, and have taken three acres, three roads, and sixteen perches thereof, and have laid out the land so taken in such a manner as to cut diagonally across certain of the blocks of land into which the said estate has been so divided by your Petitioners, as hereinbefore mentioned, to the great inconvenience and injury of your Petitioners, inasmuch as the said Company have in some places excavated through portions of the said estate to a depth varying from eight feet to eighteen feet, and have thereby cut off in many parts the communication between one portion of the estate and the other, and left several blocks of land at an elevation wholly inconvenient and useless for the purposes of building.

That a Bill is at present depending in your Honorable House, intituled "*A Bill to authorize additional works by the Pyrmont Bridge Company, and to amend their Act of Incorporation*."

That by certain clauses of the said Bill the like powers and authorities for taking land as are vested in the said Company by their said Act of Incorporation are vested in the said Company for the purpose of the additional works authorized by the said Bill, and it is provided that the provisions of the said Act of Incorporation as to compensation shall apply to all lands referred to in the said Bill.

That the said provisions as to compensation are highly injurious to your Petitioners, inasmuch as while the owners of land adjoining, or near to a line of road, or other work made by the said Company, are equally benefited by the enhancement in value of their land by such road, or work, with the owners of the land taken by the said Company, the latter only are made to pay for the benefit in the shape of a reduction from the sum to be allowed to them for compensation under the provisions of the said Act of Incorporation of the said Company.

That your Petitioners are desirous that the compensation to be allowed for any lands taken by the said Company, under the said Bill now depending in your Honorable House, shall be according to what shall be the value of such lands at the time when the said Company shall take the same, without reference to any alteration in such value from the works of the said Company.

That your Petitioners are desirous that the said Company shall, as to any land to be taken under the said Bill, be compelled to adopt the lines of streets and roads laid out by your Petitioners, as hereinbefore mentioned, instead of cutting across the said blocks of land, in manner hereinbefore mentioned.

Your Petitioners, therefore, humbly pray your Honorable House that the said Bill may not pass as it now stands, but that its provisions may be so modified as to compel the said Company, in the construction of any future roads, or works, upon your petitioners said estate, to adopt the lines of streets and roads laid out by your Petitioners, as hereinbefore mentioned. And, further, with regard to the compensation to be paid by the said Company for any land to be taken by them, to provide that such compensation shall be assessed without reference to any alteration in the value of the said land from the works of the said Company. And that your Petitioners may be heard by themselves, their counsel, agents, and witnesses, against the clauses of the said Bill affecting their interests as hereinbefore mentioned. And that your Petitioners may have such further or other relief in the premises as to your Honorable House shall seem meet.

And your Petitioners will ever pray, &c.

J. HARRIS.
JAMES FULLERTON, L.L.D.

B.

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

The humble Petition of the undersigned residents of the Glebe and its neighbourhood, near the City of Sydney, in the Colony of New South Wales,—

RESPECTFULLY SHEWETH:—

That your Petitioners' residences are adjacent to the waters of Blackwattle Bay, which is navigable in great part of its extent for coasting vessels.

That your Petitioners have enjoyed for divers long spaces of time past the facility of receiving timber, lime, and other materials, and things for their necessary use, by means of such navigation.

That,

That, in pursuance of the provisions of an Act of Council passed in the nineteenth year of the reign of Her present Majesty, the "Pymont Bridge Company" have commenced the construction of a viaduct across the said bay, in such a manner as will altogether obstruct the navigation thereof above the said viaduct, in the direction of the premises of your Petitioners.

That your Petitioners have been wholly misled by the language of the sixth section of the said Act with reference to the construction of a bridge across the said bay, which bridge your Petitioners believed was to be passable by small vessels, and your Petitioners were not aware until within the present week, that the navigation of the said bay would be cut off by the operations of the said Company.

That the completion of the said viaduct in the manner proposed by the said Company will be very injurious to your Petitioners, and will enhance the cost of various articles of consumption.

That a Bill is at present depending in your Honorable House, intituled, "*A Bill to authorize additional works of the Pymont Bridge Company, and to amend their Act of Incorporation.*"

That, inasmuch as the said Company are now seeking additional powers from the Legislature, the present is a convenient time to impose such conditions upon them as may be requisite in order to maintain the navigation of the said bay, according to that which your Petitioners submit was the true intention of the Legislature in that behalf in the said Act.

Your Petitioners, therefore, humbly pray your Honorable House that the said Company may obtain further Legislative aid only upon condition of the introduction of such clauses into their Bill as shall preserve the navigation of Blackwattle Bay; and that your Petitioners may be heard by themselves, their counsel, agents, and witnesses, in support of the introduction of such provisions; and that your Petitioners may have such further and other relief in the premises as to your Honorable House shall seem meet.

And your Petitioners will ever pray, &c.,

[Here follow 30 Signatures.]

C.

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

The humble Petition of Thomas Tipple Smith, of the Glebe, near the City of Sydney, in the Colony of New South Wales, builder,—

RESPECTFULLY SHEWETH:—

That your Petitioner has during the last fifteen years been in the occupation of lands at St. Philip's Glebe, Sydney, by virtue of a lease for twenty-eight years, from the trustees of that Glebe, which term is unexpired.

That your Petitioner has been during that period, and prior thereto, extensively engaged in building in and near the City of Sydney.

That your Petitioner, for the purposes and in the course of his trade as a builder, has constructed a wharf from the said land into the waters of Blackwattle Bay, by means whereof he has been in the habit of receiving timber and shells for lime from coasting vessels of from thirty to forty tons burthen, and of shipping therefrom bricks manufactured by him at his yard at the said Glebe, and stones quarried from his premises there, for the purposes of sale and of consumption by him in the course of his business.

That by an Act of Council, passed in the nineteenth year of the reign of Her present Majesty, intituled, "*An Act to incorporate the Pymont Bridge Company, and for other purposes therein mentioned,*" it was amongst other things provided that it should be lawful for the said Corporation to make and construct a good and substantial bridge across Darling Harbour, from the Market Wharf to Union-street, Pymont; and to make and continue a road from such bridge through the Ultimo Estate to Blackwattle Bay aforesaid; and to erect a good and substantial bridge or viaduct across the said Blackwattle Bay to the Glebe; and to make and conduct a road from the said bridge or viaduct to the Glebe Road. Provided that no bridge or viaduct erected by the said Corporation shall be so constructed as to obstruct the navigation of Darling Harbour aforesaid.

That, in pursuance of the provisions of the said Act, the said Corporation have lately made a bridge across Darling Harbour, and a road through the Ultimo Estate to the said Blackwattle Bay, and in reliance upon the said Act, have also commenced a viaduct across the said Bay, with a piled space for the passage of the waters thereof below the land of your Petitioner, and are proceeding to complete the same in such manner as will obstruct all navigation of the said bay above the said viaduct.

That Blackwattle Bay is navigable even at low water for vessels of forty tons burthen, and upwards, for a considerable distance above the works of the said Corporation.

That your Petitioner has been wholly misled by the language of the said Act with reference to the construction of a bridge across the said Blackwattle Bay, which bridge your Petitioner believed was to be passable by small vessels, and was not aware until the second day of June instant that the navigation of the said bay would be cut off by the operations of the said Corporation.

That

That upon the second day of June your Petitioner learned by inquiry of the Secretary of the said Corporation, that it was their intention to leave neither an opening through, nor a space under, their work sufficient to allow the passage of small vessels.

That the language of the sixth section of the Act above mentioned is vague and indistinct, but leads to a general conclusion that the works of the said Company are not to be obstructions to navigation; and your Petitioner has always supposed such to have been the intention of the Legislature in the passing of the said Act.

That the completion of the said viaduct, in the manner proposed by the said Corporation, will be very injurious to your Petitioner in his business.

That a Bill is at present depending in your Honorable House, intituled, "*A Bill to authorize additional works of the Pyrmont Bridge Company, and to amend their Act of Incorporation.*"

That, inasmuch as the said Corporation are now seeking additional powers from the Legislature, the present is a convenient time to impose such conditions upon them as may be requisite, in order to maintain the navigation of the said bay, according to that which your Petitioner submits was the true intention of the Legislature in that behalf in the said Act.

Your Petitioner, therefore, humbly prays your Honorable House that the said Corporation may obtain further Legislative aid only upon condition of the introduction of such clauses into their Bill as shall preserve the navigation of Blackwattle Bay; and that your Petitioner may be heard by himself, his counsel, agents, and witnesses, in support of the introduction of such provisions; and that your Petitioner may have such further and other relief in the premises as to your Honorable House shall seem meet.

And your Petitioner will ever pray, &c.

THOMAS SMITH,
Builder.

1858.

Legislative Assembly.

NEW SOUTH WALES.

KIAMA STEAM NAVIGATION COMPANY'S BILL.

REPORT FROM THE SELECT COMMITTEE

ON THE

KIAMA STEAM NAVIGATION COMPANY'S BILL;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

23 July, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES NO. 57. TUESDAY, 13 JULY, 1858.

12. Kiama Steam Navigation Company's Bill :—Mr. Deniehy moved, pursuant to notice,—
 (1.) That the Kiama Steam Navigation Company's Bill be referred for the consideration and report of a Select Committee.
 (2.) That such Committee consist of Mr. Taylor, Mr. Smith, Mr. Byrnes, Mr. Jones, Mr. Flood, Mr. Suttor, and the Mover.
 Question put and passed.
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VOTES NO. 64. FRIDAY, 23 JULY, 1858.

11. Kiama Steam Navigation Company's Bill :—
 (1.) Mr. Jones, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on the 13th instant.
 Ordered to be printed.
 (2.) Mr. Jones then moved, That the second reading of this Bill stand an Order of the Day for Tuesday next.
 Question put and passed.
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1858.

KIAMA STEAM NAVIGATION COMPANY'S BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred on the 13th instant, the "*Kiama Steam Navigation Company's Bill*," beg leave to report to your Honorable House :—

That they examined the Manager to the Company* (whose evidence will be * Mr. Edye Manning. found appended hereto), and that the Preamble having been satisfactorily proved by the evidence of that gentleman, they proceeded with the several clauses of the Bill, in the consideration of which they found it necessary to amend the *Third Clause*† by striking out a portion thereof. † *Vide* "Schedule of Amendments" appended hereto.

And your Committee now beg to lay before your Honorable House the Bill, as amended by them.

R. JONES,
Chairman.

*Legislative Assembly Chamber,
Sydney, 23 July, 1858.*

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 22 JULY, 1858.

Members Present:—

Mr. Jones,

|
Mr. Taylor.

Mr. Suttor,

Mr. Jones was called to the Chair.

Agent to the Solicitor for the Bill—Mr. John Dunsmure.Mr. *Edye Manning*, Manager to the Company, examined.

Committee then considered the Preamble of the Bill, and being of opinion that the allegations contained therein were satisfactorily proved by the evidence of Mr. Manning;—

Motion made (*The Chairman*) and *Question*—"That the Preamble stand part of the Bill"—*agreed to*.

Committee then proceeded to consider the several clauses.

Clauses 1 and 2 read, considered, and agreed to without amendment.

Clause 3 read, considered, amended and agreed to. (*Vide "Schedule of Amendments" appended hereto.*)

Clauses 4, 5, 6, and 7 read, considered, and agreed to without amendment.

The Chairman requested to report the Bill, as amended, to the House.

SCHEDULE OF AMENDMENTS.

Clause 3, Page 2, line 11 to line 13.	{	<i>Omit</i> —And every mortgagee shall be entitled equally to his proportion of such mortgaged premises, according to the sum advanced by him, without any preference by reason of priority of date.
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WITNESS.

Thursday, 22 July, 1858.

Edye Manning, Esquire, Manager to the Company	PAGE 5
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1858.

Legislative Assembly.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

KIAMA STEAM NAVIGATION COMPANY'S BILL.

THURSDAY, 22 JULY, 1858.

Present:—

MR. JONES, | MR. SUTTOR,
MR. TAYLOR.

RICHARD JONES, Esq., IN THE CHAIR.

John Dunsmure, Esq., Solicitor, appeared as Agent for the Solicitor for the Bill.

Edye Manning, Esq., called in and examined:—

1. *By the Chairman*: Is there a Steam Navigation Company known as the Kiama Steam Navigation Company? There is.
2. Has the business of that Company recently increased to any great extent? It has been gradually increasing for the last two years, very considerably—something like twelve hundred per cent. on what it was when it was first established.
3. Has the Company extended the sphere of its operations? Yes; very much so.
4. Where did it trade to originally? When the original Act was granted it had reference only to the single operation between Kiama and Sydney, which was necessarily a small trade, employing only one boat; but now the operations of the Company are extended from Port Macquarie to Twofold Bay—embracing some ten or a dozen places.
5. You believe, therefore, that it would promote the interests of the Company and extend its utility if the powers of the Corporation were extended in certain respects? Unquestionably.
6. You consider that, owing to the extended operations of the Company, the title of "The Kiama Steam Navigation Company" does not now express its objects? No; it is not sufficiently general.
7. You think it would more clearly indicate the real character of the Company, as it now exists and is carried on, to call it the "Illawarra Steam Navigation Company"? Yes; that has been generally thought by the proprietors as being a more general name to be given to a Company having its main operations in the Illawarra District.
8. The term Illawarra includes Kiama, Wollongong, and Shoalhaven? Yes.
9. Do you think it desirable that the Company should have power to sell any surplus coal it may have on hand? It is quite necessary.
10. In order to enable it to carry out its operations advantageously? In order to enable it to carry out its operations advantageously, and to have some control of those operations.
11. Do you think it a safe provision to insert in this Bill for the incorporation of a new Company, to empower it to borrow money to the extent of £10,000, or to the extent of one-third of the paid up capital? It is only following the plan of similar companies at home, and is intended to enable the Directors to borrow money for temporary purposes, instead of withholding dividends, or compelling the proprietors, at inconvenience or otherwise, to pay up calls, or to increase the capital. It is thought that it will answer the purpose of the Company very much better.

Edye
Manning,
Esq.

22 July, 1858.

Edye
Manning,
Esq.

22 July, 1858.

12. Has any inconvenience been experienced by the present Company from the want of power to borrow money? No. It has been done on one or two occasions entirely on the responsibility of three or four of the proprietors; and there is no reason why, when doing it for an Incorporated Company, three or four of us should be the responsible parties.

13. Do you not think that without a power of this kind in the Act of Incorporation the Board of Directors could borrow money on behalf of the Company, and bind the Company by the transaction? It would be much more certain if they could do so under an Act of Parliament. I think such a provision is generally introduced in Bills of this kind in England.

14. It is with the view of making the Directors safe in operations of this sort that this provision is introduced? Yes. As it stands at present any dissentient shareholder might raise some quibble as to any operation the Directors might enter on with borrowed capital.

15. Do you think it safe to give the Directors power to borrow money to the extent proposed, without compelling them, before borrowing, to appeal to a meeting of the shareholders? Yes. The matter has been before the shareholders at a general meeting, and they are not only willing, but desirous that this Bill should pass as it has been prepared.

16. You mean that this Bill, as now drawn, has been before the body of the shareholders, and that they have assented to it? Yes.

17. With their concurrence, it is now sought to obtain powers to borrow money, without first consulting the general body of shareholders? Yes; it has been before them.

18. I believe you represent a large proportion of the capital yourself? Yes, very nearly two-thirds, with that which I have and have under control. The clause as to the sale of surplus coal has reference also very much to the good of the district and of the Colony, as well as to the advantage of the Company; for it will enable us to employ vessels of a certain class and light draught of water, such as are necessary to carry away the coals obtained in Illawarra. These coals have been found to be very superior in their heating properties to any other coals in the Colony, for steam purposes especially, and the great consumption is for that purpose; but there are no means at present, owing to the nature of the harbour of getting them away.

Legislative Assembly.
NEW SOUTH WALES.

AUSTRALIAN GAS LIGHT COMPANY'S BILL.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

AUSTRALIAN GAS LIGHT COMPANY'S BILL;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

20 *July*, 1858.

SYDNEY:

PRINTED BY WILLIAM HANSON, GOVERNMENT PRINTER,
PHILLIP-STREET.

1858.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES No. 29. TUESDAY, 18 MAY, 1858.

18. Australian Gas Light Company's Bill :—Mr. Dalley moved, pursuant to *amended notice*,—
 (1.) That the Australian Gas Light Company's Bill be referred to a Select Committee, and that the Report and Proceedings of, and the Bill as amended in, the Select Committee of last Session, be referred to such Committee.
 (2.) That such Committee consist of the following Members :—Mr. Cowper, Mr. Hay, Mr. Williamson, Mr. Gordon, Mr. Forster, Mr. Aldcorn, Mr. Jones, and the Mover.
 Question put and passed.
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VOTES No. 61. TUESDAY, 20 JULY, 1858.

12. Australian Gas Light Company's Bill :—
 (1.) Mr. Dalley, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on the 18th May last.
 Ordered to be printed.
 (2.) Mr. Dalley then moved, That the second reading of this Bill stand an Order of the Day for Friday next.
 Question put and passed.
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1853.

AUSTRALIAN GAS LIGHT COMPANY'S BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and Report was referred, on the 18th May last, the "*Australian Gas Light Company's Bill*," and to whom was referred, at the same time, the "*Report and Proceedings of, and the Bill as amended and agreed to in, the Select Committee of last Session*,"—beg leave to Report to your Honorable House:—

That they carefully perused the Report and proceedings of, and the Bill as amended and agreed to in, the Select Committee of last Session, referred for their consideration, and examined the Engineer to the Company,* and the Solicitor for the Bill,† (whose Evidence will be found appended hereto), and that the Preamble of the Bill having been satisfactorily proved by the Evidence of those gentlemen, they proceeded with the several Clauses of the Bill, in the consideration of which they found it necessary to make certain Amendments.

* James Barlow,
Esq.
† G. W. Allen,
Jurat, Esq.

Vide Schedule of
Amendments ap-
pended hereto.

And your Committee now beg to lay before your Honorable House the Bill as amended by them.

WILLIAM B. DALLEY,
Chairman.

Legislative Assembly Chamber,
Sydney, 20 July, 1853.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 22 JUNE, 1858

Member Present:—

Mr. Dalley.

A Quorum of the Committee not being present, adjourned till Wednesday, 30th instant, at Twelve o'clock.

WEDNESDAY, 30 JUNE, 1858.

Members Present:—

Mr. Jones,

Mr. Forster,

Mr. Gordon.

Committee appointed Mr. Dalley to be their Chairman.

Mr. Jones, in the absence of the Chairman, was called to the Chair.

Solicitor for the Bill—Mr. G. W. Allen, junior.

Committee deliberated as to what should be their course of procedure in the absence of the Chairman.

Motion made and *Question*—

"1. That, in the opinion of this Committee, it would be inexpedient to proceed with the consideration of the Bill in the absence of the Chairman.

"2. That the Clerk of Select Committees do inform the Chairman of the determination of the Committee to this effect.

"3. That this Committee do now adjourn till Wednesday next, at Twelve o'clock."

Agreed to.

Parties informed by the Chairman accordingly.

[Adjourned till Wednesday next, at Twelve o'clock]

WEDNESDAY, 7 JULY, 1858.

The Meeting of the Committee convened for *this day* lapsed, in consequence of the adjournment of the House from Tuesday, 6th instant, till Tuesday, 13th instant, owing to the demise of the Venerable Archdeacon Cowper, father of the Principal Secretary.

WEDNESDAY, 14 JULY, 1858.

Members Present:—

W. B. Dalley, Esq., in the Chair.

Mr. Jones,

Mr. Williamson.

Mr. Gordon,

Mr. James Barlow, Engineer to the Company, examined.

Committee then considered the Preamble of the Bill, and compared the same with the Preamble of the Bill as amended and agreed to in the Select Committee of last Session, and finding it to differ materially therefrom, requested the Solicitor for the Bill to explain the causes which induced such alterations.

Mr. G. W. Allen, junior, Solicitor for the Bill, thereupon examined.

And it appearing from the evidence of Mr. Allen that the alterations made in the Preamble, and in certain Clauses of the Bill, were in the wording and not in the substance thereof:

Committee deliberated.

Motion made (*the Chairman*) and *Question*—"That this Preamble stand part of the Bill"—*agreed to.*

Committee then proceeded to consider the various Clauses of the Bill.

Clauses 1, 2, 4, and 6 read, considered, and agreed to without amendment.

Clauses 3 and 5 read, considered, amended, and agreed to. (*vide "Schedule of Amendments" appended hereto.*)

Chairman requested to Report the Bill, as amended, to the House.

SCHEDULE OF AMENDMENTS.

- Clause 3, page 2, line 17. *After erect insert in places beyond the City of Sydney.*
 18. *After works omit in places beyond the City of Sydney.*
 Clause 5, page 3, line 23. *After sections insert 52.*

LIST OF WITNESSES.

Wednesday, 14 July, 1858.

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1858.

Legislative Assembly.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

AUSTRALIAN GAS LIGHT COMPANY'S BILL.

WEDNESDAY, 14 JULY, 1858.

Present:—

MR. DALLEY, MR. GORDON,	|	MR. JONES, MR. WILLIAMSON,
WILLIAM BEDE DALLEY, Esq., IN THE CHAIR.		

Mr. G. W. Allen appeared as Solicitor for the Bill.

James Barlow, Esq., called in and examined:—

1. *By Mr. Allen:* Do you produce an Act of Council, passed in the eighth year of the reign of King William the Fourth, for lighting with Gas the Town of Sydney, and establishing the Australian Gas Light Company? I do. (*Witness produced the same.*)
2. Are the Company desirous of carrying on the undertaking beyond the limits of the City of Sydney? They are.
3. Will you state some reasons showing the expediency of granting these powers? We have been solicited repeatedly to carry the public lights much beyond the present boundaries of the City, and also, to light private houses similarly situated.
4. *By Mr. Jones:* Have you heard any objections in any quarter to these additional powers being conferred on the Company? I have not. The only thing that would have borne the semblance of an objection, was that an opposition Company was got up, on the ground that we did not do our duty; but it has not been carried out.

J. Barlow,
Esq.

14 July, 1858.

George Wigram Allen, Esq., Solicitor for the Bill, examined:—

1. *By the Chairman:* The language of the present Bill is somewhat different from that of the Bill that was before a Committee of the House last Session—will you be good enough to explain what are the alterations? The preamble is very much shorter in the present Bill. The former one recited two or three amendments of the original Act, which do not at all apply to the extension of powers now asked for; I have, therefore, cut them out. In the next place, sections three and four of the present Bill are made to contain all the powers included in section five of the Bill submitted last Session. I have set out the powers asked for in the third and fourth sections instead of referring to clauses of the original Act. I should mention that the original Act requires the consent of the Surveyor of the City of Sydney in order that the Company may be enabled to open up the streets for the purpose of laying pipes; but as there is no surveyor in the Hamlets, or beyond, whose consent can be obtained, such a provision in this Bill would be inapplicable.
2. *By Mr. Williamson:* Would it not apply to some other officer? There is no person holding a similar situation.
3. But the Corporation might be extended? Any clauses inserted in an Act appointing a Corporation for the Hamlets, or beyond, would control these; but I think if the Committee consider these clauses they will, I think, find that the restriction is not necessary.
4. *By Mr. Jones:* There are sundry Road Commissions, and other bodies of like character, that have control of the roads beyond the City of Sydney,—is it not equally necessary that

G. W. Allen,
Esq.

14 July, 1858.

G. W. Allen, Esq.
 14 July, 1858. the surveyors of these bodies should be consulted? The fourth clause requires that pavements or roads broken up shall be re-laid "to the satisfaction of the Commissioners, Trustees, Surveyor, or other persons or person having the control, direction, or superintendence of the same." It would be almost impossible to get the consent of the Trustees of Roads out of the City of Sydney for every connection with the mains, because they live in different places, and have no settled offices.

5. *By Mr. Williamson*: Do you not think they would have just cause of complaint if we were to give the Company powers which would enable them to break up a road which had just been laid down, without asking consent? The consent of the surveyor, under the existing Act, is almost a nullity; it has never, I believe, been refused.

6. *By Mr. Jones*: Do you not think, that as the Legislature, when granting the original Act of Incorporation, thought it expedient and just that the Company should obtain the written consent of the Surveyor of the City Corporation before breaking up any of the public thoroughfares, it is equally necessary to provide, that before the Company break up roads beyond the City of Sydney, wherever a Road Trust or similar body exists, they shall obtain the consent of the Surveyor or Engineer of such body? If it were made to apply only to mains, there would be no objection on the part of the Company in their being required to obtain the consent of the Surveyor or other person having control over the roads; but if it were to apply to every connexion between the mains and private houses, it would, I think, be an unnecessary restriction upon the operations of the Company.

7. *By Mr. Williamson*: The original Act gave no exclusive privileges to the Company? No; nor does the Bill now under consideration.

8. *By Mr. Jones*: Have you pointed out all the material differences between this Bill and the Bill which was last before a Committee of the Assembly? Yes.